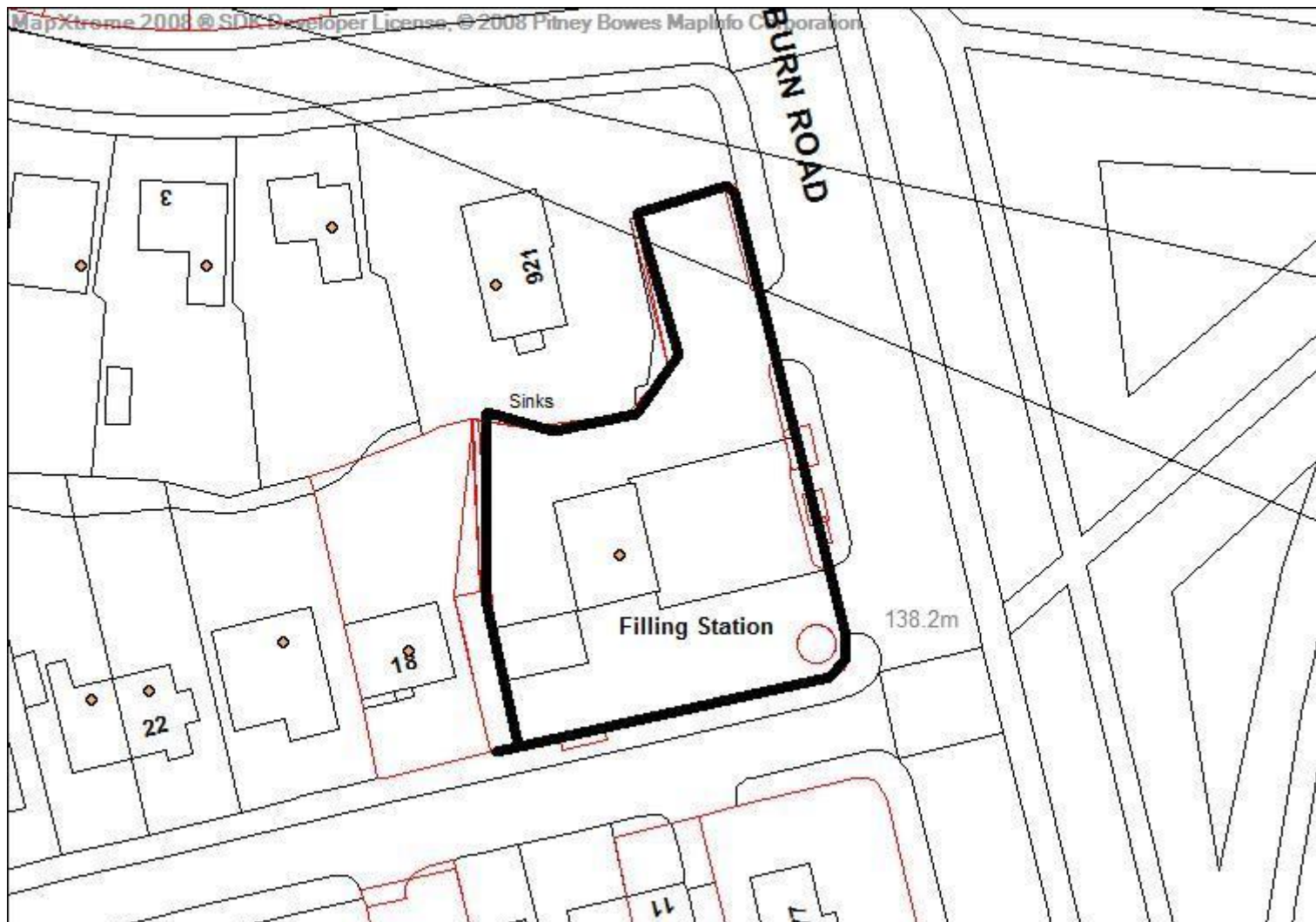


# Application number 95288/15



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 10/03/2016**

**Application Reference: 95288/15**

**Type of Application: Full Planning Application**

**Registration Date: 10/11/2015**

**Decision Due By: 04/01/2016**

**Responsible Officer:** **Martin Mansell**

**Location:** **PETROL FILLING STATION, ADJ 921 BLACKBURN ROAD, BOLTON, BL1 7LR**

**Proposal:** DEMOLITION OF AND ERECTION OF NEW PETROL FILLING STATION INCLUDING CONVENIENCE STORE INTERNALLY INCORPORATING SUBWAY AND GREGGS, SITING OF AN ATM ON THE FRONT ELEVATION TOGETHER WITH NEW FORECOURT LAYOUT, CANOPY AND PUMP ISLANDS

**Ward:** **Astley Bridge**

**Applicant:** Euro Garages Ltd.

**Agent :** GC Town and Country Planning

## **Officers Report**

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

### **Proposal**

Consent is sought for the redevelopment of Sharples Service Station (now known as Refill Service Station). The existing canopy, pumps and ancillary retail shop would be demolished and replaced with new pumps, a new canopy and a new convenience store containing outlets for Subway and Greggs. The tradeable area at the existing shop is 151 square metre and this would increase to 302 square metres at the new convenience store, with a gross floor area of 332 square metres when back of house areas are taken into account. There would be seating areas for the Greggs and Subway outlets.

Materials are chiefly cladding and glazing and the building would have a monopitch roof.

Vehicular access to the site would remain as existing from Blackburn Road. The egress would be unaltered but the ingress would be widened slightly to facilitate easier access. A total of 12 forecourt parking spaces are proposed together with a service bay.

A new canopy is proposed which would be smaller than the current canopy and detached from the building. The new canopy would have a frontage of 16m and a depth of 15m with a double Perspex convex roof to assist in on-site illumination using intense down-lighters to reduce site glare. The canopy itself would move marginally northwards from its current position and will have an under canopy clearance of 5m.

Hours of opening would remain as existing, 24 hours per day, 7 days per week.

### **Site Characteristics**

The site is an existing petrol filling station with an ancillary convenience store. It fronts the A666 Blackburn Road, part of a major route linking Manchester, Bolton and Blackburn. However, in this particular part of Blackburn Road the surrounding area is largely residential with the exception of the service station and some nearby shops. The site directly shares boundaries with the dwellings 921 Blackburn Road and 18 Sharples Avenue. Across Blackburn Road, opposite the site, is an area of public open space with residential properties beyond.

## **Policy**

National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, requiring good design, promoting healthy communities

Core Strategy Objectives

SO5 Bolton's Economy, SO6 Accessibility, SO9 Crime and Road Safety

Core Strategy Policies

P2 Retail, P5 Transport

S1 Crime and Road Safety

CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses

SC1 Housing Targets, SC2 Cultural and Community Facilities

OA5 North Bolton

Supplementary Planning Documents:

General Design Principles

## **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* impact on the character and appearance of the area
- \* impact on living conditions
- \* impact on the road network
- \* impact on economic development and employment
- \* impact on drainage and flood risk

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

Section 39 of the Planning and Compulsory Purchase Act 2004 places a general duty on Local Planning Authorities that in the exercise of their powers they have regard to the desirability of achieving good design.

The National Planning Policy Framework recognises the role of the planning system in creating a high quality built environment and notes that well-designed buildings and places can improve the lives of people and communities. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including replacing poor design with better design. The Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The Government attaches great

importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings. Core Strategy Policy CG3 seeks to ensure that development proposals display innovative, sustainable design that contributes to good urban design, respects and enhances local distinctiveness, and has regard to the overall built character and landscape quality of the area. Proposals should also be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment including hard and soft landscaping and boundary treatment.

Policy OA5 relates specifically to North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, require special attention to be given to the massing and materials used in new development.

The character of the area is chiefly brick and render dwellings and the existing convenience store reflects these materials. The cladding proposed is therefore inconsistent with this. However, when a wider view of Blackburn Road is taken there are a range of building materials consistent with many main radial routes in Bolton and elsewhere and therefore it seems unreasonable to require the development to be carried out in brick and render. This is a functional and commercial property and therefore it is acceptable for its appearance and materials to differ from its surroundings. In general, it is considered that the refreshed appearance of the site will be of benefit to the character and appearance of the area.

#### Impact on Living Conditions

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

Policy CG4 of Bolton's Core Strategy seeks to ensure that new development is compatible with surrounding land uses; protects amenity, privacy, safety and security; does not cause unacceptable nuisance or pollution; and takes potential historic ground contamination into account.

This is an existing petrol filling station and convenience store and its original construction predates the Council's planning records which run to 1974. As such, there are no planning constraints or limitations on its use or operation. It has been modified over time, generally to reduce the motor repair element and increase convenience retail.

It is proposed that the net tradeable area would increase from 151 square metres to 302 square metres, an increase of 152 square metres. This increase is little more than that of the typical small retail store fronting the majority of radial routes in Bolton and elsewhere, in areas of mixed residential and commercial uses. Furthermore, whilst it is accepted that the floorspace would double in size it is also considered that the primary driver for visits to the site will be motorists' need for fuel - and this will not change or increase. It is not considered that the proposed use is capable of being a destination in its own right - instead it is considered that motorists will continue to use the site for refuelling in numbers broadly comparable with the existing situation but may take advantage of the new and improved services available whilst they are there. As such, it is not considered that the proposed development can be resisted on the grounds that visitor numbers will markedly increase or have additional impacts on living conditions over and above the existing situation. The Applicant



states that there is no intention to offer the Greggs or Subway services on an overnight basis but is considered to be difficult to condition this as the uses are similar in planning terms and cannot easily be separated from the retail element.

The Council's Pollution Control Officer have not raised formal objection but do recommend conditions relating to land contamination, external lighting and odour extraction. These are considered to be reasonable - however, Pollution Control Officers also recommend that hours of use be limited to 7am until 10pm each day and that a 2.6 metre acoustic fence be constructed along the boundaries with residential properties. These are considered to be unreasonable - the premises already operate on a 24 hour basis and a 2.6 metre fence would be unsightly and would have the potential to affect living conditions itself. It would also require planning permission. Further conditions relating to asbestos removal and fuel tank design are considered to be covered under other legislation and should not be duplicated via the planning process.

Nearby residents have raised the issue of whether the physical form of the development will have a greater impact on outlook from residential properties. This is not thought to be the case; however, the Applicant has agreed to provide a clear drawing with the existing and proposed built form overlaid and this will be issued at the meeting.

The proposal is considered to comply with Policy CG4 of Bolton's Core Strategy.

#### Impact on the Road Network

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety.

The Council's Highway Engineers have responded to state:-

"The proposed layout is adequate in terms of vehicle access/egress from the highway and manoeuvrability within the site curtilage. Access for tankers has been Autotracked and demonstrates access to receptor points and unhindered egress in case of emergency. Analysis of the road traffic accident data at that location over the last 5 years reveals no appreciable record to warrant concern. The number of off-road parking spaces proposed appears to comply with the Council's maximum parking standards for this level of A1 use class. The proposal will cater for multi-use trips from the highway and potential pedestrian trips from the surrounding residential areas. The proposal should pose limited highway issues based on the layout, size of shop, vehicle circulation area and level of off-road parking provision. Acting on the above, the Highways Authority cannot reasonably object to what is being proposed."

As with the issue of impact on living conditions, Officers do not consider that the increase in size will have a significant impact on the number of trips by vehicles - this is chiefly driven by the need for fuel. Therefore, the proposed use is not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and above the existing lawful use. It is also noted that the Council's Highway Engineers do not raise objection. The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1.

#### Impact on Economic Development and Employment

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should proactively drive and support sustainable economic development to deliver the infrastructure, business and industrial units and thriving local places that the country needs. In the section "Building

a Strong, Competitive Economy" it states that significant weight should be placed on the need to support economic growth through the planning system.

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

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should promote the vitality of our main urban areas and the NPPF requires sequential tests for town centre uses outside of defined shopping centres.

It is considered that the proposal would have a small but positive impact on economic development and employment. It is noted that a retailer has objected to the proposal on the grounds that a sequential test has not been carried out, seeking to demonstrate that the additional retail floorspace could not be accommodated within an existing defined centre. Officers take the view that the proposed additional 152 square metres of tradeable area could be accommodated within an existing centre and also note that the NPPF does not set a minimum size below which a sequential test need not be carried out. However, it is not considered that the small increase in floorspace proposed can possibly have the potential to harm the vitality and viability of any of the Borough's defined retail centres.

#### Impact on Drainage and Flood Risk

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should, amongst other things, take full account of flood risk. Para 100 states that development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Policy S10 of Bolton's Core Strategy is a strategic objective and seeks to reduce the likelihood and manage the impacts of flooding in Bolton, and to minimise potential flooding to areas downstream. Policy CG1 states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk.

The Council's Drainage and Flood risk Officers have responded to state:-

Bolton Council's Drainage Team records indicate that there is a public surface water sewer running under the land being re-developed; consequently, United Utilities should provide comment as to their requirements regarding this asset. There is a culverted watercourse running under the land being re-developed. This pipeline is still receiving surface water flows and should remain in situ otherwise flooding may be experienced if it is damaged, disconnected or similar. Watercourses are subject to riparian responsibility; the landowner/occupier of the land is responsible for his/her section within their curtilage (the terms of the leasehold/freehold agreement will dictate which of these parties is responsible). Therefore, responsibility for the maintenance of this section rests with the landowner/occupier of the land. Bolton Council is not responsible for maintenance/repair of the culverted watercourse within the garages land. Any damage occurring to the culvert during construction shall be repaired as soon as practicably possible to prevent flooding to garage land and properties upstream.

United Utilities recommend a condition for a separate drainage system and have provided

information on the surface water sewer and culverted watercourse which will be provided in an informative note.

The impact on drainage and flood risk is considered to be acceptable.

### **Conclusion**

It is accepted that this is non-residential use within an almost completely residential area. However, the use is existing and has been so for some decades. The area has a suburban visual character but the highway is a major one and major highways often have commercial uses fronting them. The tradeable floorspace would double but would increase by a relatively small amount, 152 square metres. It is considered that the primary driver is and will remain the need for fuel - vehicular trips to the site not involving fuel are likely to be very limited in number.

For the reasons given above, it is considered that the situation at this site will not significantly change and therefore the economic and employment benefits are considered to outweigh other limited issues. Members are therefore recommended to approve this application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** objections have been received from six nearby residential properties on Staveley Avenue, Northland Road, Fold View, Sharples Avenue and Blackburn Road, tother with one from a major retailer. The grounds of objection include:-

- the proposed new building is a lot bigger that the existing.
- the building would be been located with one end of it over the main drainage culvert for Sharples Avenue and Staveley Avenue. This culvert protects our and other properties from flooding, and we believe that building is not permitted within a distance of them.
- The proposed canopy is also a lot bigger than the existing and will project further over to our property and will obviously be dominating our view.
- There is no dimensions stated on the drawing - the existing canopy was built bigger than what appeared on the drawing and considering this we would appreciate details being provided.
- There is no mention of illumination on the canopy or the general area. This is important to us as it will illuminate our property.
- There is also no mention of any border protection against this eyesore.
- The proposed new shop will be approximately four times the size of the existing one and will create a dramatic increase in the volume of traffic accessing the station. Blackburn Road is one of the busiest roads in Bolton, the entrance and exit of the station because of the close proximity of Sharples and Staveley Avenues are hazards and see several accidents every year, this increase in traffic will only increase the accident rate.
- The amount of car parking on the forecourt is inadequate for a shop and facilities of this size and will force customers to park on Blackburn Road increasing traffic problems.
- The BP tankers and Spar articulated Lorries have to stop traffic for them to manoeuvre in/out of the station, this will increase and cause further traffic problems.
- The car parking has been moved from the Sharples Avenue side to the side in front of our bungalow, the lounge window and bedroom are less than 8 metres away from where cars will be now parking, which will subject us to slamming car doors, starting and revving of engines, car radios, woofers, people shouting and all the other noises this will create, for 24hour a day 7 days a week and 365 days a year, seriously diminishing the quality of our lives.
- We already suffer from rubbish and litter being deposited in our garden, the increase in people using a larger shop will only exacerbate this nuisance.
- The Sharples service station is situated in a premier residential area of high value property, and the addition of a large supermarket style shop is not in keeping with the area, and will only serve to diminish the quality of the area.
- at the present time Numbers 1 and 2 Staveley Avenue are empty, one for sale and number one due to the death of the owner. Therefore comments cannot be made relating to the 2 nearest properties to the proposed development.
- The light intensity during the hours of darkness will be increased therefore light pollution is getting worse.
- The delivery of fuel at night times is disrupting my sleep as it is quite noisy and often done during the late/early hours. This is still a residential area, not an industrial estate.
- There are already sufficient pedestrians and vehicles using Northland Road and the park as a giant dustbin, which affects the safety of the park for children and dogs.
- Northland Road and the park are already frequented by drug dealers on a weekly basis, where the petrol station is used as a waiting point prior to a quick handover in the park or Northland Road.
- There are existing similar facilities less than a mile away
- The major increase in size of this facility, would seriously affect the outlook from our property, the increase in size would mean it would run the full length of our land, offering an industrial unit

type visual aspect.

- What was a small private filling station is now a medium size service station, with Spar outlet that is open 24/7. It is already overly lit, and causes a disturbance at night
- If this proposal had been put forward by either of the two petrol stations situated at the Kay Street/St. Peters Way, Bolton junction, I could see no reason to object, as both of these petrol stations are in an area surrounded by commercial, retail and industrial businesses. Sharples Service Station, however, is situated in a highly regarded and quiet residential area and the addition of two "fast food" outlets would therefore be completely out of character.
- Those traveller's seeking food 'on the go' are more than adequately serviced by the plethora of outlets, huddled as they are, around the Blackburn Road/Moss Bank Way road junction at the "Asda" traffic lights, approximately half a mile away. My objection is based, therefore, on the complete lack of need for this type of business in a quiet residential area.
- The NPPF requires that a sequential test be carried out.

**Elected Members:-** Councillor Fairclough has requested that the application be presented to the Planning Committee for final determination following an advanced site visit by Members.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Pollution Control Officers, Greater Manchester Police, United Utilities and the Coal Authority.

### **Planning History**

Note: the site has a relatively long and complex planning and only relevant applications are listed below. All references to telecommunications development and advertisements have been removed for clarity.

80110/08 - Installation of one jet wash facility (refused, appeal dismissed)

76456/07 - Installation of 2.no. jet wash facilities (refused, appeal dismissed)

78644/07 - Erection of one jet wash facility (refused)

74401/06 - Installation of 2no jet wash facilities (refused)

70459/05 - Retention of four air cooling units, single storey extension comprising atm and relocation of 3 metres high pole (refused)

71994/05 - Retention of a single storey extension to house atm and retention of 4 cctv cameras on 2 poles (approved)

72308/05- Erection of 6 no. louvers to workshop/store for ventilation of condensor units (approved)

67541/04 - Change of use of service bay to facilitate additional shop floorspace together with alterations to external appearance of workshop (removal of windows) and shop, installation of atm, replacement canopy and pump islands (approved)

66801/04 Change of use of workshop to shop extension. Replacement of canopy, toilet extension and installation of automatic teller machine. installation of three l.p.g. tanks, two jet wash bays and four square pump (refused)

59548/01 - Proposed alterations and additional facilities including change of use of workshop to retail (refused)

60701/01 - Proposed alterations and additional facilities including change of use of workshop to retail (refused)

13319/80 - Demolition of existing pump islands and erection of a new pump island and a canopy. Installation of a 10000 gallon under ground petrol storage tank and construction of a new vehicular access (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. Prior to the commencement of development the details of the type and colour of materials to be used for the external walls and roof to be agreed with the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness and to comply with policy CG3 of Bolton's Core Strategy.

3. Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting/floodlighting. The lighting shall be designed to an illumination value of 0 Lux at the nearest residential property. The beam angle of any lights directed towards any potential observer should be kept below 20 degrees. Spill shields should also be fitted. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

4. Foul and surface water shall be drained on separate systems. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

5. Prior to the commencement of the development:-

- A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, property and/or the wider environment; and
- The details of any proposed remedial works shall be submitted to, and approved in writing by the Local Planning Authority. The approved remedial works shall be incorporated into the development during the course of construction and completed prior to occupation of the development or the development being first brought into use; and

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

- 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.

6. Prior to the commencement of development full details of the highway works to the radii/footway on Blackburn Road to accommodate swept-path of tanker as indicated on site plan Drg. No 1136/12 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

7. Before development commences details of the signing scheme within the site to inform drivers of the proposed in/out circulation route through the site curtilage shall be submitted to and approved by the Local Planning Authority. The approved signing scheme shall be implemented in full before the development hereby approved is first occupied or brought into use and retained thereafter.

Reason

In the interests of highway safety and comply with policies P5 and S1.2 of Bolton's Core Strategy.

8. Before the approved/permitted development is first brought into use no less than 20 car parking spaces provided within the curtilage of the site, in accordance with Drg. No 1136/12. 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 to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

9. Before the use hereby permitted begins, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 14 days of the use commencing and retained thereafter.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance, and to comply with policy CG4 of Bolton's Core Strategy.

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

Reason

To encourage drivers to make use of the parking and circulation area(s) provided, and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

11. Prior to the development hereby approved/permitted being first occupied or brought into use a scheme shall be submitted to and approved in writing by the Local Planning Authority for the tanker fill/escape route as indicated on site plan Drg. No 1136/12 within the curtilage of the site. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter and not to be used for any purpose except as a tanker fill/escape route.

Reason

In the interests of highway safety and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

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

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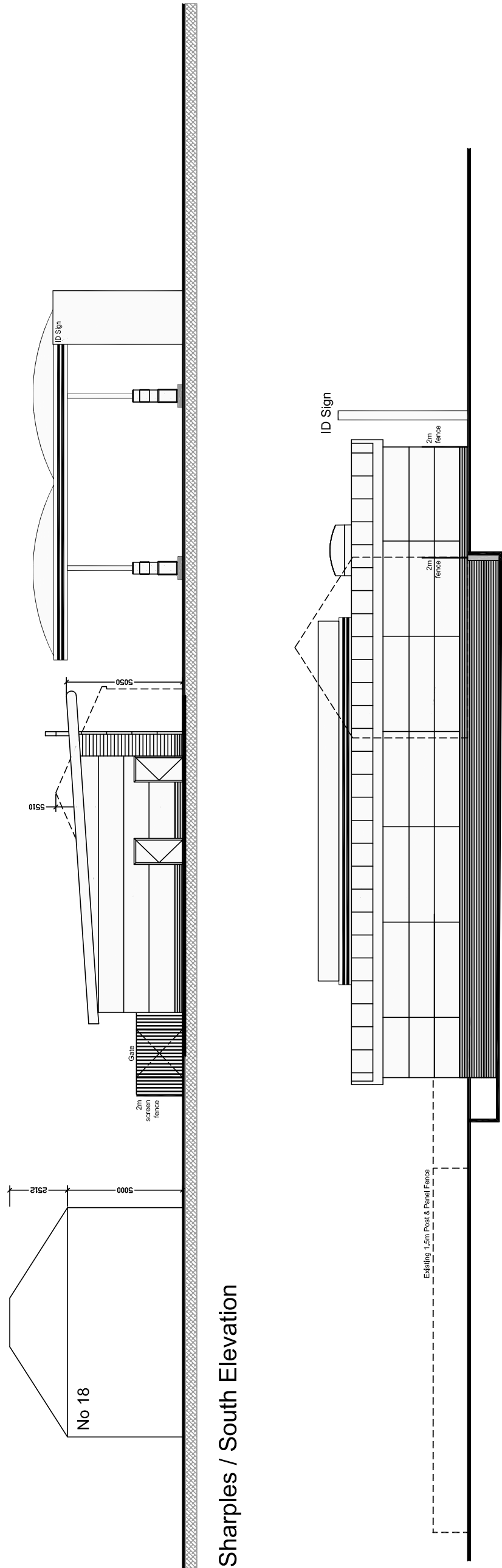
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Reason

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

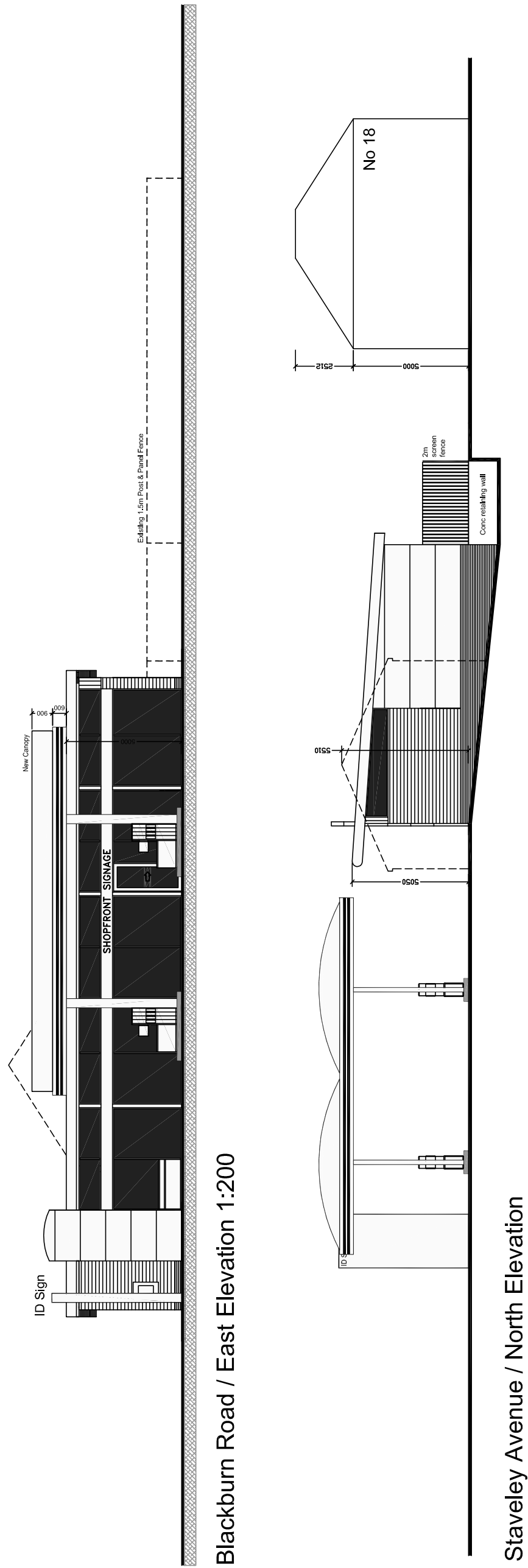


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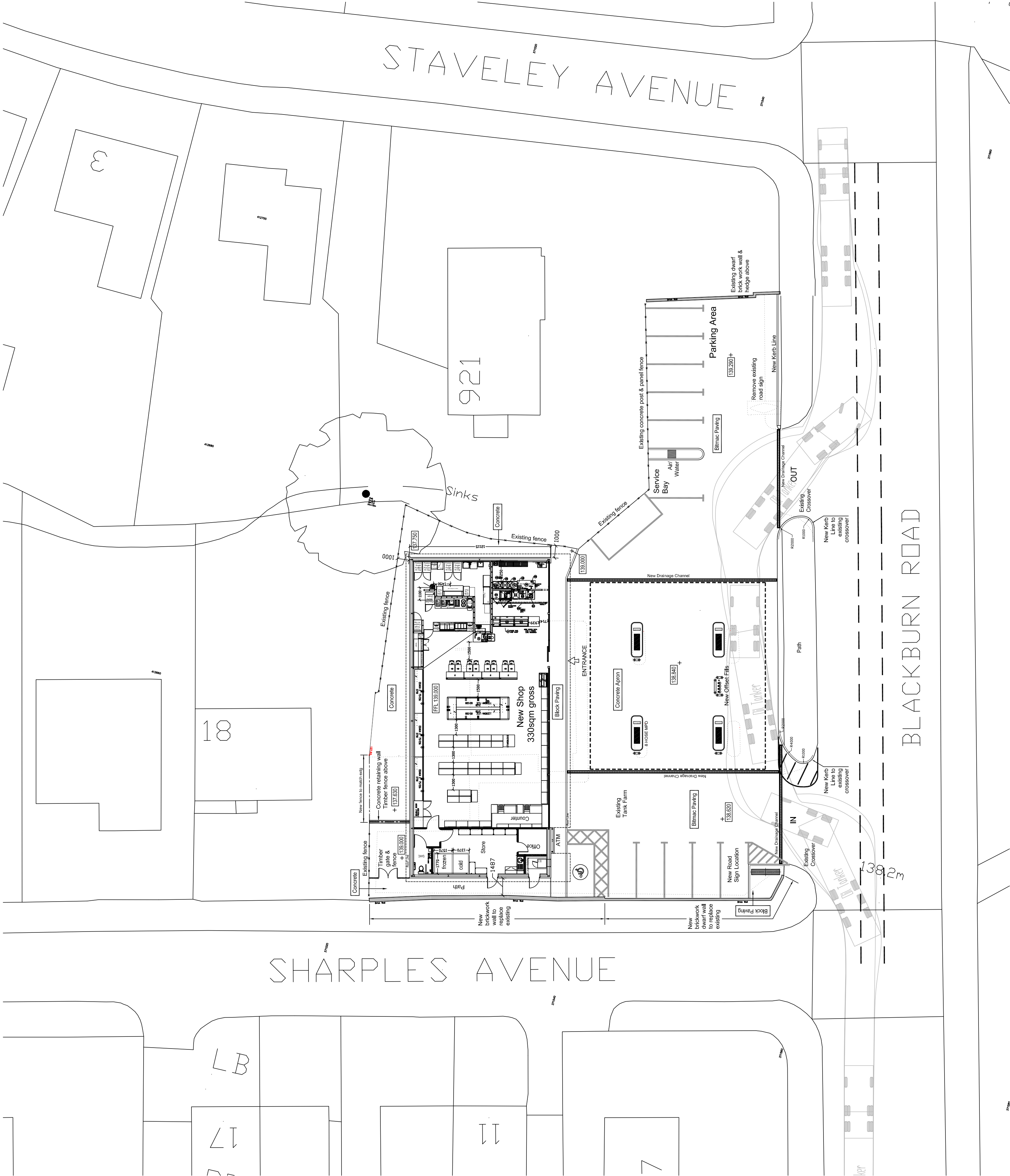
Sharples / South Elevation

Rear / West Elevation



Blackburn Road / East Elevation 1:200

Staveley Avenue / North Elevation



Building  
Design  
Consultants

Architectural  
Design  
Services

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REFILL S/STN  
BLACKBURN ROAD  
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PLANNING  
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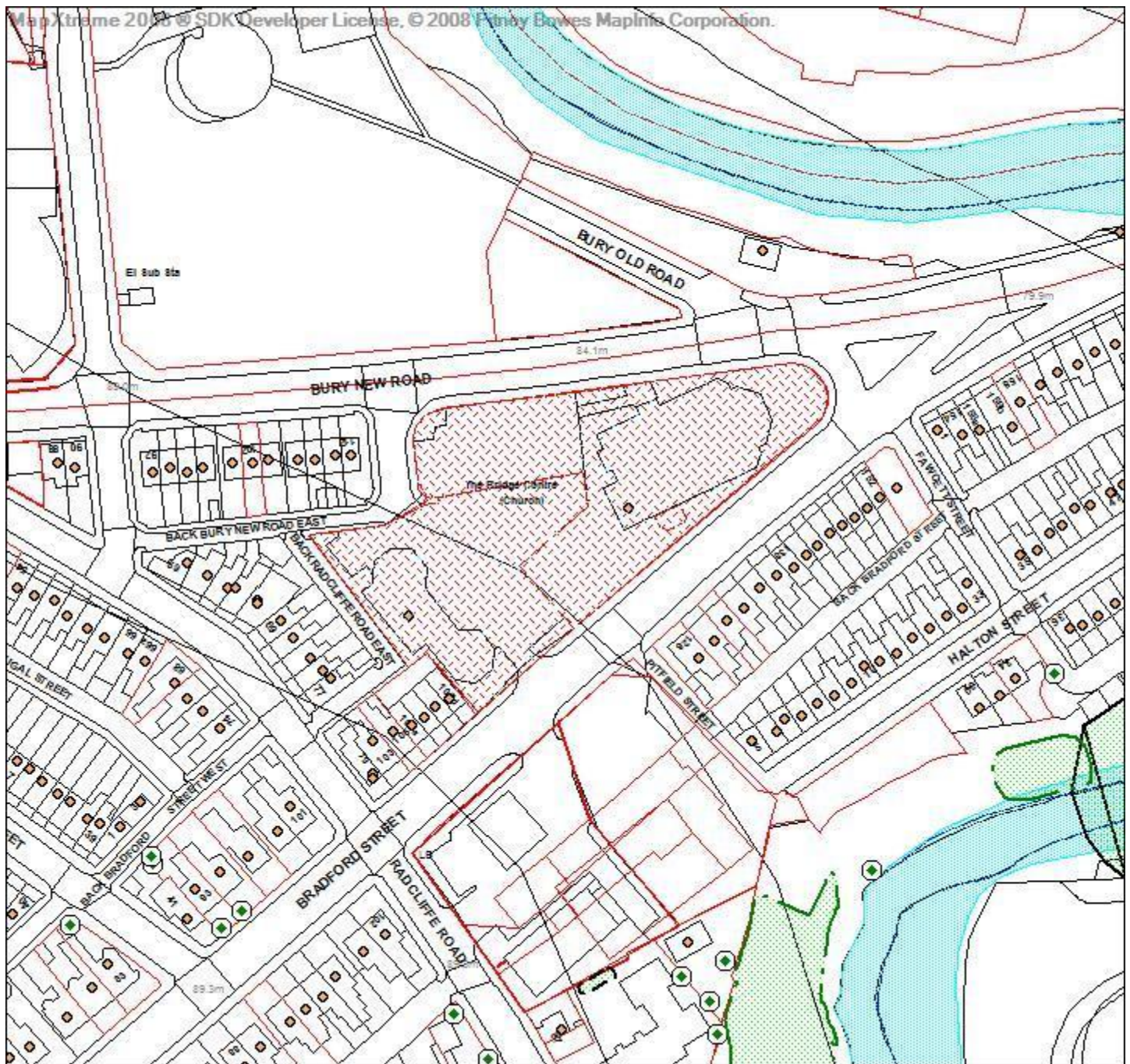
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# Application number 95355/15



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 10/03/2016**

**Application Reference: 95355/15**

**Type of Application: Full Planning Application**

**Registration Date: 04/12/2015**

**Decision Due By: 28/01/2016**

**Responsible  
Officer: Alex Allen**

**Location: THE BRIDGE CHURCH & CENTRE, 109 BRADFORD STREET,  
BOLTON, BL2 1JX**

**Proposal: ERECTION OF SINGLE STOREY EXTENSION**

**Ward: Tonge with the Haulgh**

**Applicant: BRIDGE CHURCH**

**Agent : Goldcrest Design Services Ltd**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

The applicant proposes the erection of a single storey side extension measuring 14 metres in length and 11.5 metres in depth. The eaves height (3.68 metres) and ridge height (7.2 metres) of the extension would replicate the height of the lowest part of the existing Church building. The extension would make provision for a minor congregation area and cafe. The proposal would require the removal of some car parking which is located adjacent to the existing building which is located at a higher level than the Church together with the formation of a new retaining structure.

As the proposal will both extend the facilities offered within the existing Church building and result in the loss of 7 car parking spaces within the existing Church car park, the applicant has agreed to the reorganisation of the existing car park which results in no net loss of car parking spaces as a result of the development. In addition, agreement has been reached with the local school (Bolton Parish) to park visitors' cars within their car park for Sunday worship.

### **Site Characteristics**

The site is located at a prominent junction of Bridgeman Street and Bury Road and is dominated by two main buildings (i) the existing Church building located within the eastern part of the site and (ii) ancillary office / community space located on the western part of the site with a large car park between the two main buildings on site. The current car park can accommodate 76 spaces. The former Nissan garage showroom now forms the main office use for the Church including some ancillary meeting space, whilst the main Church building is located towards the junction with Bury New Road and Bradford Street and is a mainly single storey property featuring a large congregation area with meeting rooms located within the first floor of the property.

The wider area is mixed in terms of uses including a number of car sales premises (Nissan garage and Fish Car Sales) to the north (Bury New Road) and Bolton Parish Church C of E School which is

also located on the northern side of Bury New Road. To the south (Bradford Street) and west (Radcliffe Road) are a number of terraced residential properties which overlook the application site.

Vehicular access to the existing car park benefits from a one way system, with the 'in' access point off Bradford Street and the 'out' access point onto Bury New Road. The site slopes gently from the highest point on the western side of the site down towards the east.

### **Policy**

National Planning Policy Framework

Core Strategy policies: Strategic Objective 16 - Mixed Communities, Strategic Policies: P5 Accessibility, S1 Safe, CG3 The Built Environment and RA1 Inner Bolton

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* principle of development/extensions;
- \* impact on the character and appearance of the site/wider area; and
- \* impact on highway safety.

### **Principle of development/extensions to the Church**

Strategic Objective 16 within the Core Strategy seeks to develop mixed communities which encourage social cohesion and ensure access for all to community and cultural facilities.

The applicant has confirmed that the proposal would allow an internal reorganisation of how the Centre operates, enabling a bespoke cafe for users of the Centre whilst providing an area at the back of the auditorium/Church for families to attend Church Services in a higher quality setting.

The proposal would provide a better facility for the wide variety of users of the Centre which will in turn promote a valued community and cultural asset in the area and assisting in encouraging social cohesion in the process.

### **Impact on the character and appearance of the site/wider area**

Core Strategy policies CG3 and RA1 seek to ensure that the design, landscaping and context of new residential developments, reflect their surroundings and make a contribution to good urban design.

The design of the Church is relatively modern reflecting the site's former use as a car showroom. The proposed extension would be relatively modest in the context of the main church building and is similar in character and appearance as the host building. The proposal would result in the loss of

one tree within the site. It is considered that the applicant could re-provide some additional landscaping within the retained curtilage to assist in softening the proposed development.

It is considered that the proposal is in character with the area and complies with policy.

#### Impact on highway safety

Core Strategy policies P5 and S1 states that the Council will permit those developments that have taken into account provision for pedestrians and cyclists; road design, layout and construction; vehicle servicing and access arrangements; car, cycle and motor-cycle parking; and access to, and by, public transport. Development proposals should not adversely affect the safety of highway users, including pedestrians, as well as the safe and efficient circulation of vehicles.

The proposed extension would cut away some of the retaining structure for the existing car park which is on a higher level than the main church building. This would result in the loss of 7 spaces. It is noted that the Council's Highways Engineers raise no objections to the proposal as submitted. However, during the site visit Officers recognised that even during the daylight hours the existing car park is well used due to the services and facilities which the current Church offers the local community and its members. Whilst recognising the loss of spaces was relatively modest it was considered prudent to request a reorganisation of the existing car park and also if there was scope in the local area, to make provision for additional overspill car parking at peak times.

The applicant has subsequently revised the proposed car park arrangement to ensure the new reorganised car park would retain the same quantity of spaces as under the existing arrangement (i.e. 76 spaces). In addition, they have secured the provision of a further 20 spaces within the Bolton Parish School car park for use during Sunday worship.

Therefore, as a result of the proposal car parking within the site and on adjoining land will increase. The Council's Highways Engineers have confirmed that subject to the additional car parking area being made available for Church use, they have no objections to the current proposal.

#### **Value Added to the Development**

The applicant has provided additional car parking to off set any lost as a result of the proposed extension / potential increased usage of the property.

#### **Conclusion**

The proposal would be compatible in design and siting with the existing main Church property, provide a reorganised Church / Centre car park which maximises the number of available car parking whilst having access to an additional 20 car parking spaces. It is considered that the amendments suggested by the applicant overcome the issues relating to car parking and highway safety and the proposal complies with policy.

The proposal is recommended for approval subject to conditions.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** one letter has been received as a result of the neighbour notification process. The letter raises concerns over the loss of car parking spaces as a result of the proposed development. They state the existing car park does not meet the demands of the current use of the Church and further development and additional users combined with a loss of car parking is likely to result in further on street parking to the detriment of highway/pedestrian safety.

*Officer comments - notwithstanding the fact the Council's Highways Engineers raised no objections to the proposal, Officers have requested that the applicant seek to maximise car parking within the existing car park. The applicant has also reached agreement with a local school (Bolton Parish) to use their car park for users of the Church which equates to a further 20 additional spaces.*

### **Consultations**

Advice was sought from the following consultees: Coal Authority, the Council's Highways Engineers and Drainage/Flood Risk team.

### **Planning History**

Planning permission was granted in March 1992 (Ref: 40729/92) for the erection of a Church on the site.

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

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

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

Reason

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

2. Before the approved/permitted development is first brought into use no less than 20 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be made available during congregational peak times / Sunday Worship within the curtilage of Bolton Parish Church as indicated on Drawing No. (marked out and\*\*) for use by users of the Bridge Centre/Church. 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 to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

3. Before the approved/permitted development is first brought into use no less than 76 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with GDS XXXX Rev A dated 25/01/16. 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 to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

Reason

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

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

Reason

To ensure the development visually reflects the existing building and to comply with policy CG3 of Bolton's Core Strategy.

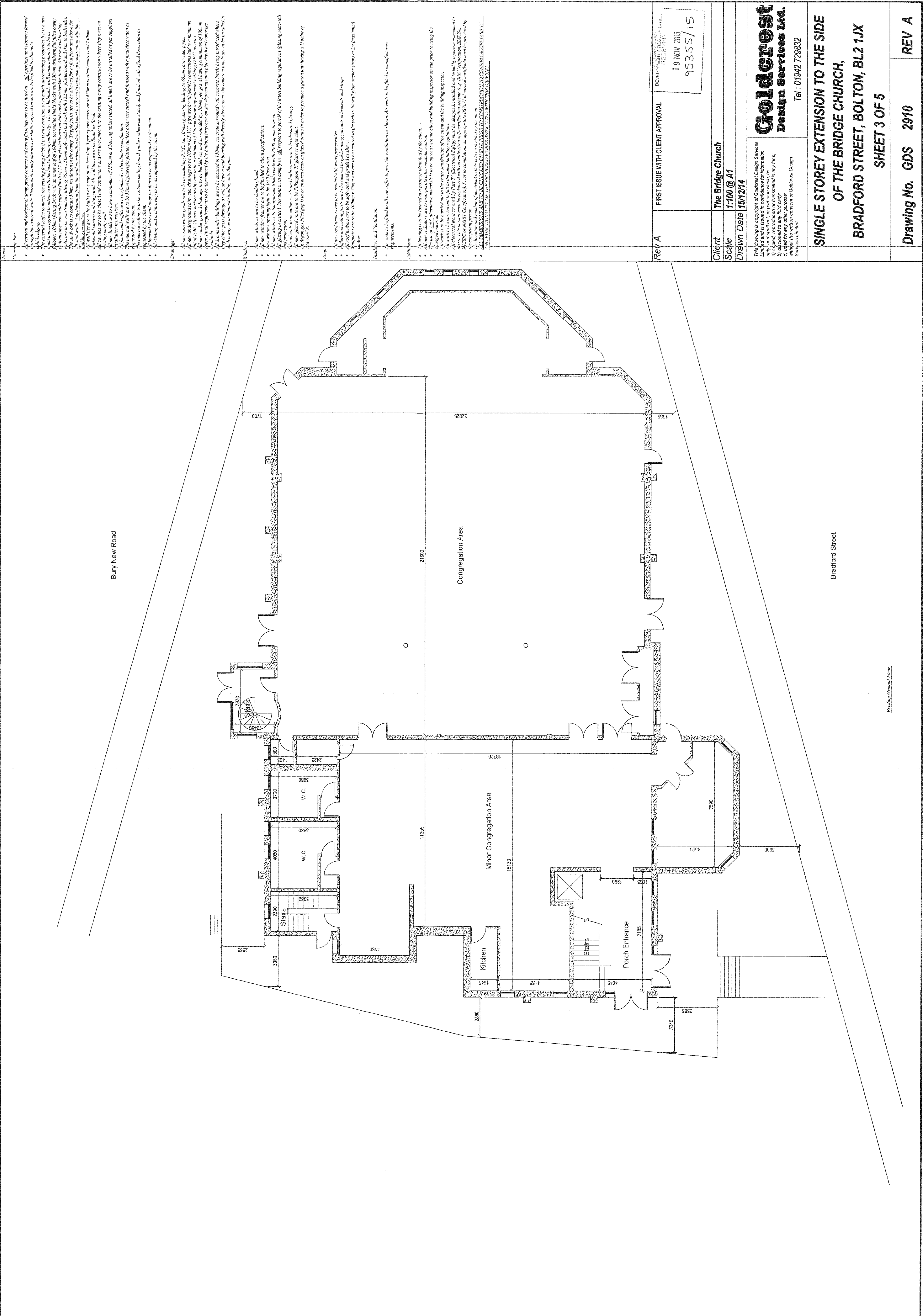
6. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

**GDS XXXX Rev A - Car Park details - Sheet 2 - Proposed details, dated 25/01/16;  
GDS 2909 Rev A - Sheet 2 of 5 - Proposed Elevations, dated 15/12/14;  
GDS 2911 Rev A - Sheet 4 of 5 - Single Storey Side Extension - Layout Plan, dated 15/12/14.**

Reason

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





Existing Ground Floor

Notes:		Rev A		FIRST ISSUE WITH CLIENT APPROVAL		<div>DEVELOPMENT CONTROL APPLICATION RECEIVED</div> <div>19 NOV 2015</div> <div>95355/15</div>	
Continuation:		Client		The Bridge Church			
Notes:		Scale		1:100 @ A1			
Notes:		Drawn Date		15/12/14			
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**Construction:**

- All vertic

- Drainage:**

- All new

- Windows:**

• All new

- Roof:*

- All new

- ### Insulation an

• Air von

- Additional:*

- All hea

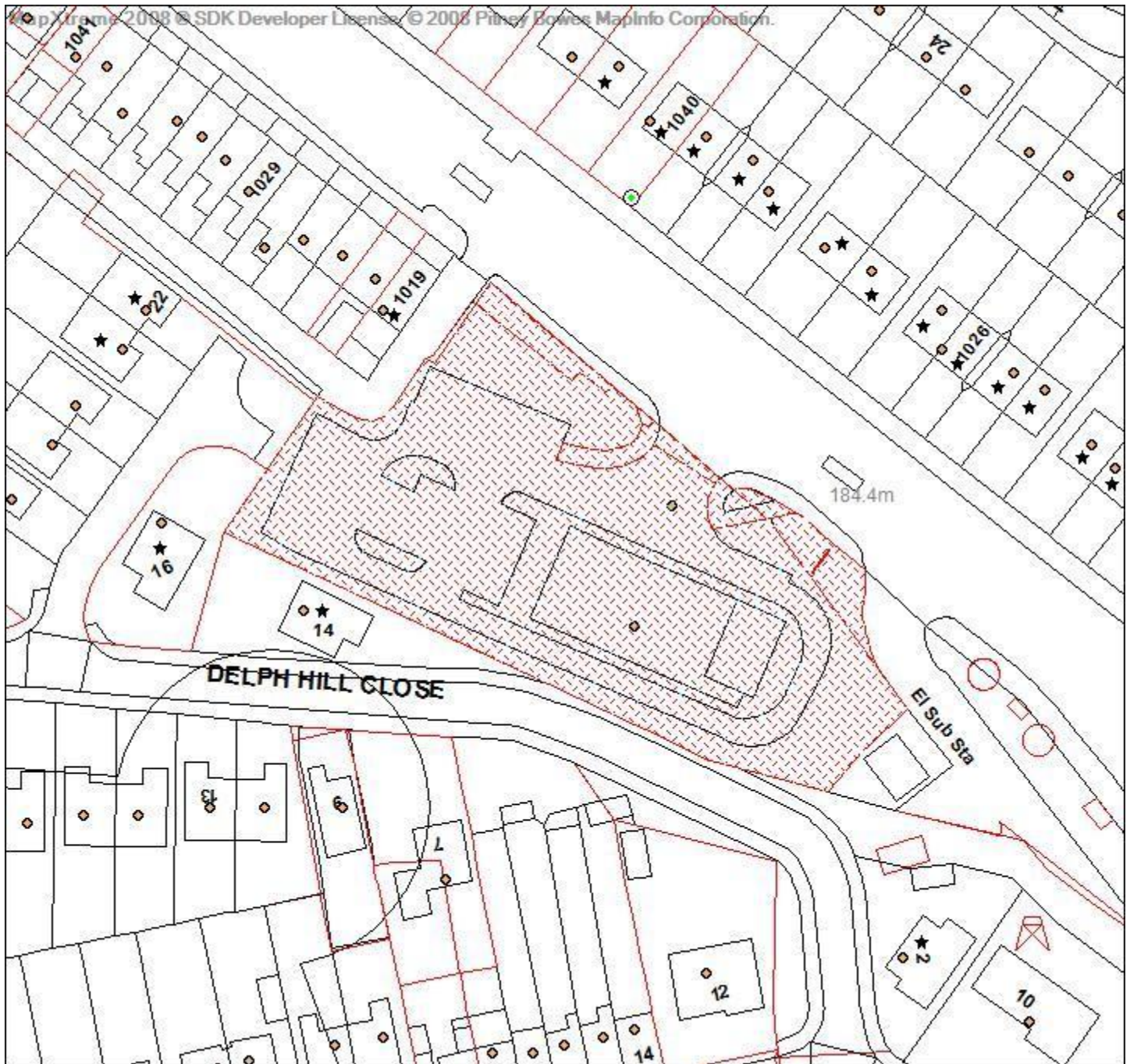
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**Application number**  
**95431/15**



**Development & Regeneration Dept**  
**Development Management Section**

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

**Bolton**  
**Council**

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**Date of Meeting: 10/03/2016**

**Application Reference: 95431/15**

**Type of Application: Full Planning Application**

**Registration Date: 01/12/2015**

**Decision Due By: 25/01/2016**

**Responsible Officer: Jodie Turton**

**Location: MCDONALDS, CHORLEY OLD ROAD, BOLTON, BL1 5SX**

**Proposal:** RECONFIGURATION OF DRIVE THRU LANE, CAR PARK AND NEW ISLAND FOR SIGNAGE. ERECTION OF EXTENSION TO BOOTH TOGETHER WITH HEIGHT RESTRICTION POST.

**Ward: Smithills**

**Applicant: McDonald's Restaurant Ltd**

**Agent : Planware Ltd**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

The application proposes the reconfiguration of the drive-thru at McDonalds to make it into two lanes. Associated works to facilitate this are also proposed, in the form of the creation of an island for signage (menus), a minor extension to the booth (0.93 metres) and the erection of a height restriction barrier, which will control the size of vehicles able to use the drive-thru.

### **Site Characteristics**

This is an existing McDonalds restaurant and 'drive-thru' sited close to the roundabout with Chorley Old Road and Moss Bank Way. The restaurant is sited on a busy route into Bolton which is largely residential in nature.

### **Policy**

NPPF (2012)

Planning Practice Guidance

Core Strategy policies: CG3 Built Environment; CG4 Compatible Uses; S1.2 Road Safety; P5 Accessibility; OA5 North Bolton.

SPD 'General Design Principles'

SPD 'Accessibility, Transport and Safety'

### **Analysis**

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

indicate otherwise.

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

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

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

The main impacts of the proposal are:-

- \* impact on parking and the highway
- \* impact on the character and appearance of the area
- \* impact on neighbouring residential amenity

#### Impact on Parking and the Highway

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

The aim of reconfiguring the drive-thru is to streamline the existing parallel car process especially at peak trading times, which should increase the speed of preparing orders and thus reduce congestion within the site during busy periods. Therefore the potential for long queues will reduce, which is particularly relevant for this site due to the small space between the entrance to the drive-thru lane and the site entrance.

Highway Engineers have assessed the proposal and raise no objection to the works that are being proposed. The works largely relate to the business operation of the site, however will have the additional benefit of ensuring more capacity on the site for vehicles at peak times, which will ensure that there is no conflict with the vehicular entrance/exit to the site and the wider road network.

The proposal is considered to comply with Core Strategy policies P5 and S1 in this respect.

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

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

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

The proposed extension to the drive-thru will remove some small areas of landscaping to the south of the site, however these are limited areas of grass and the bulk of the drive-thru extension is limited to existing hardstanding.

One letter of objection has been received from a neighbouring property concerned about the appearance of the existing building in this largely residential area, and further works proposed will

further exacerbate this. The works proposed to the drive-thru lane are largely to the north and east of the site, where the interface is with Chorley Old Road and the land adjacent to a sub-station and layby off Chorley Old Road. The alterations proposed are not considered to have any detrimental impact on the character of the area, the new canopies, height restriction barrier and booth extension are sited well within the site and are features characteristic of McDonalds restaurants with drive-thru facilities. The proposal is therefore considered to comply with Core Strategy policy CG3.

#### Impact on Neighbouring Residential Amenity

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

The works proposed will not introduce any new or non-conforming activities to the site and wider area. The proposals are to streamline the existing service provided by the restaurant. There is not therefore considered to be any additional impact on neighbouring residential amenity over and above the existing activities on site.

#### **Conclusion**

The proposed extension to the drive-thru to facilitate a dual lane service and the associated works are considered to comply with Core Strategy policies S1, P5, CG3 and CG4. The works are not considered to have any greater detrimental impact on the highway, character of the area or residential amenity than the existing restaurant and drive-thru. The proposal is thereby recommended for approval.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** one letter of objection has been received from a nearby resident, raising the following issues:

- Impact on the character and appearance of the area – the building is already an 'eyesore', adding further lighting, signage and fencing will further reduce the appearance of the area.

Other matters raised by the objector, which do not relate to planning matters which can be considered material to the application:

- Clarification should be made to residents as to when the work is to be completed.
- Works seem to have already commenced on site – there has been a lot of overnight activity and a crane is on site.
- There has been a lot of shouting, banging, power tools, plant machinery and associated noise overnight which is unacceptable – especially as neighbours can only expect 6 hours free of noise from the operation of the business use.

**Petitions:-** none received.

### **Consultations**

Advice was sought from the following consultees: Highway Engineers, Drainage.

### **Planning History**

Advertisement consent has been approved in January 2016 for fascia signs at the restaurant (95437/15) and various signs associated with the proposed alterations to the drive-thru facility (95432/15).

The site has a rich history of planning applications, however none are relevant to this particular application.

**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 first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting. The lighting shall be designed to an illumination value of no greater than 5 lux at the nearest residential property. The lights shall be erected, directed and shielded so as to avoid spillage to nearby residential properties. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution and in order



to comply with policy CG4 of Bolton's Core Strategy.

3. The development hereby permitted shall be carried out in complete accordance with the following approved plans:
- **Proposed Site Plan; SGD314-1128(SBS)-04, Rev D; 12/11/15.**
  - **Typical Barrier and Lamp Post Detail - NTS - scanned to BMBC system 01 Dec 2015.**
  - **COD DT Canopy - Sign Type 8 - scanned to BMBC system 01 Dec 2015.**
  - **Existing and Proposed External Elevations; SGD314-1128-05, Rev B; 12/11/15.**
  - **Fencing and Lighting Details (Ensemble Cloture); 22/07/2004.**

Reason

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







**Application number**  
**95448/15**



**Development & Regeneration Dept**  
**Development Management Section**

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

**Bolton**  
**Council**

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**Date of Meeting: 10/03/2016**

**Application Reference: 95448/15**

**Type of Application: Full Planning Application**  
**Registration Date: 08/12/2015**  
**Decision Due By: 01/02/2016**  
**Responsible Officer: Jeanette Isherwood**

**Location: TEMPEST UNITED AFC, TEMPEST ROAD, LOSTOCK, BOLTON**

**Proposal: ERECTION OF SINGLE STOREY EXTENSION TO CLUBHOUSE**

**Ward: Westhoughton North**

**Applicant: Tempest United AFC**

**Agent : Mr Walton**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Proposal**

Permission is sought for a single storey extension to the existing brick clubhouse, extending the length of the clubhouse by 3 metres to accommodate male and female toilets (plus disabled toilet) for use by members and spectators. The extension will be to the eastern elevation of the building and will be constructed from materials to match the existing clubhouse. The new internal layout will incorporate a new Kitchen with hatch to serve members and spectators in the Clubhouse plus players and officials with after match refreshments.

#### **Site Characteristics**

The application site forms part of the wider football club site with the vehicular access and car parking to the north and east with the football pitch to the south. The site sits at the junction of St John's Road and Tempest Road with the pitch and associated buildings benefiting from being screened by a high hedge that bounds the site. To the north the site is overlooked by two storey properties lining Tempest Road with open land to the east and south.

#### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses; OA3 Westhoughton.

Allocations Plan Policy CG7AP Green Belt

SPD General Design Principles

#### **Analysis**

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

indicate otherwise.

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

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

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

The main impacts of the proposal are:-

- \* impact on the openness and purposes of the Green Belt and the character and appearance of the area
- \* impact on the amenity of neighbouring residents

#### Impact on the Openness and Purposes of the Green Belt and the Character and Appearance of the Area

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in Green Belt, with the exceptions being [amongst other things] the provision of appropriate facilities for outdoor sports and recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Allocations Plan Policy CG7AP states that the council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of new buildings except for [amongst other things]:

- Provision of appropriate facilities for outdoor sport and outdoor recreation, and for cemeteries which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

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 require development to be compatible with the surrounding area. Policy OA3 refers specifically to development in Westhoughton and states that the Council will conserve and enhance the character of the existing physical environment whilst maintaining current Green Belt boundaries.

The existing Pavilion accommodation at Tempest United AFC comprises two distinct buildings. The first building (sited closest to Tempest Road) is a timber framed structure erected in the late 1970s which currently comprises changing accommodation with associated toilet and washing facilities, male toilets and a kitchen. The second building is a brick structure erected during the 1980s which currently comprises the Clubhouse lounge and bar area with ladies toilets. A small timber structure links both buildings.

The application relates to the brick built building, with the extension being necessary to provide appropriate changing facilities for female officials as at present the only changing facilities available are for male players and officials. The present practice of the utilisation of the female w.c. facilities for changing is clearly inappropriate and therefore the need for additional space has been established and is considered to comply with Allocations Plan Policy CG7AP.

The building to be extended is set deeper into the site and is further screened by the timber structure abutting the road. As such the impact of such a small scale extension on the openness of the Green Belt and the character of the wider area is considered to be minimal.

It is considered that the proposed development would not prejudice the openness and purposes of the Green Belt or the character and appearance of the area, compliant with Allocations Plan Policy CG7AP and Core Strategy Policies CG3 and OA3.

#### Impact on the Amenity of Neighbouring Residents

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

One objection has been received from a nearby resident with their concerns being as follows:-

- Loss of view across open fields
- Further congestion on match days

In response to this objection Officers consider that due to the small scale of the extension and the somewhat screened siting of the building the impact on surrounding residents will be minimal. Loss of view is also not a material planning consideration.

It is therefore considered that the proposed extension would not unduly harm the amenity of neighbouring residents, compliant with Policy CG4 of the Core Strategy.

#### **Conclusion**

For the reasons discussed above it is considered that the proposal would not prejudice the purposes and openness of the Green Belt, will not harm the landscape character of the area, and would not unduly harm the amenity of neighbouring residents.

Members are therefore recommended to approve this application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** One letter of objection has been received and addressed within the main body of this report.

### **Consultations**

Advice was sought from the following consultees: Sports England.

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

Reason

To ensure the development visually reflects the existing building and to comply with policy CG3 of Bolton's Core Strategy.

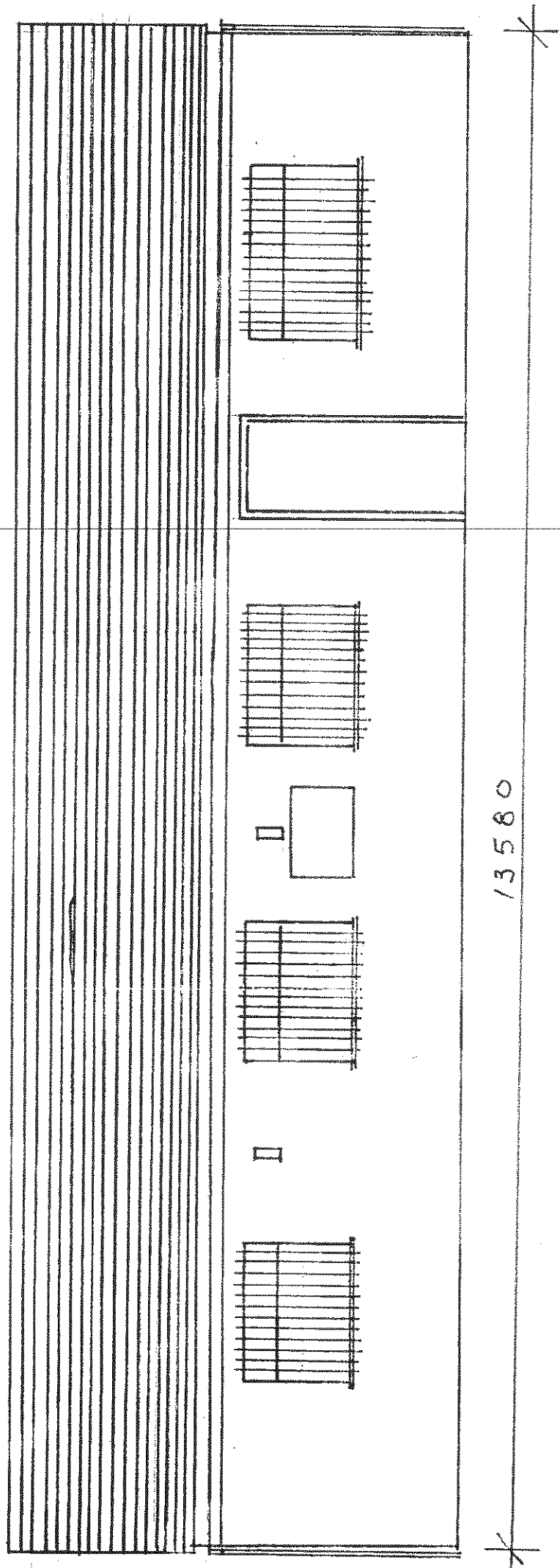
3. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

**Dwg 1; Proposed Floor Plan and Section; received 9 Dec 2015**  
**Dwg 2; Front and Side Elevations"; received 9 Dec 2015**  
**Dwg 3; Rear Elevation; received 17 Dec 2015**

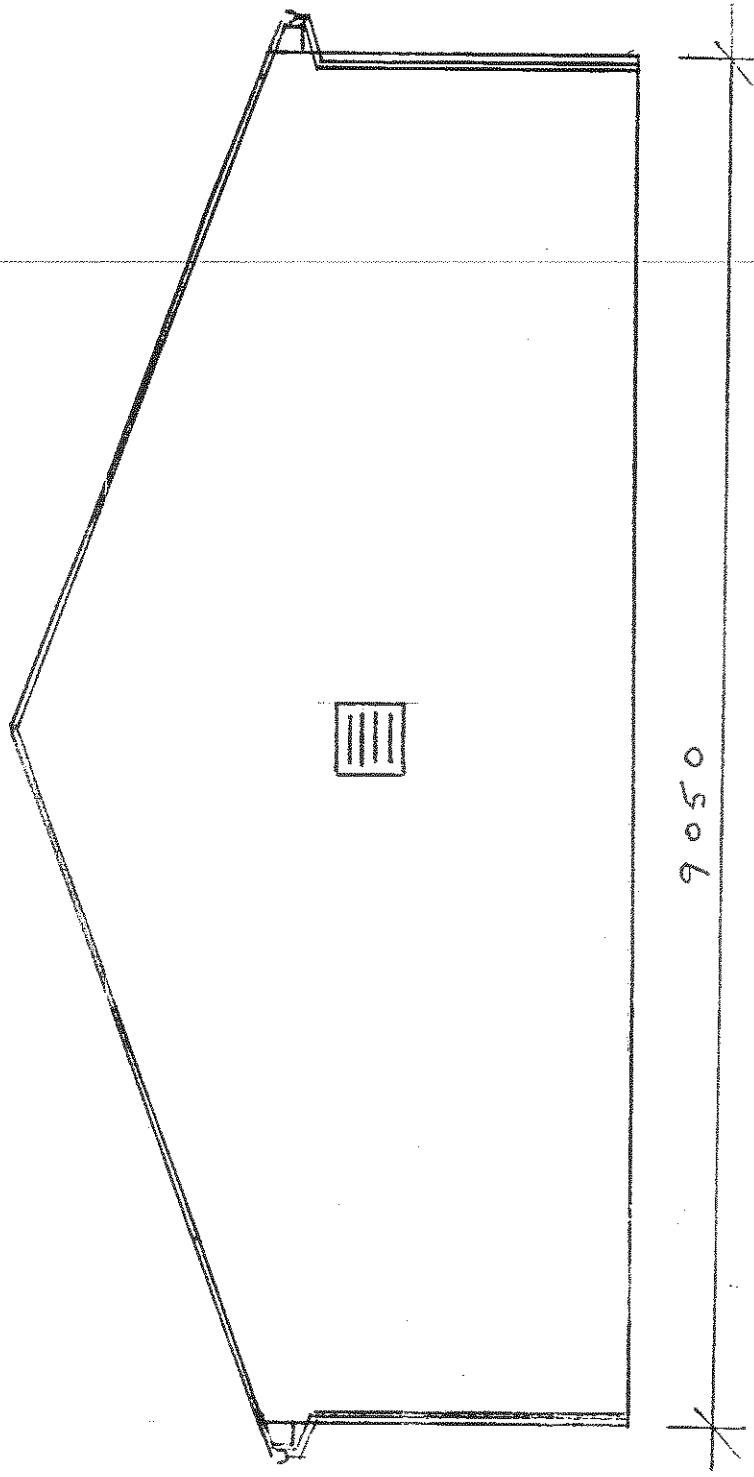
Reason

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

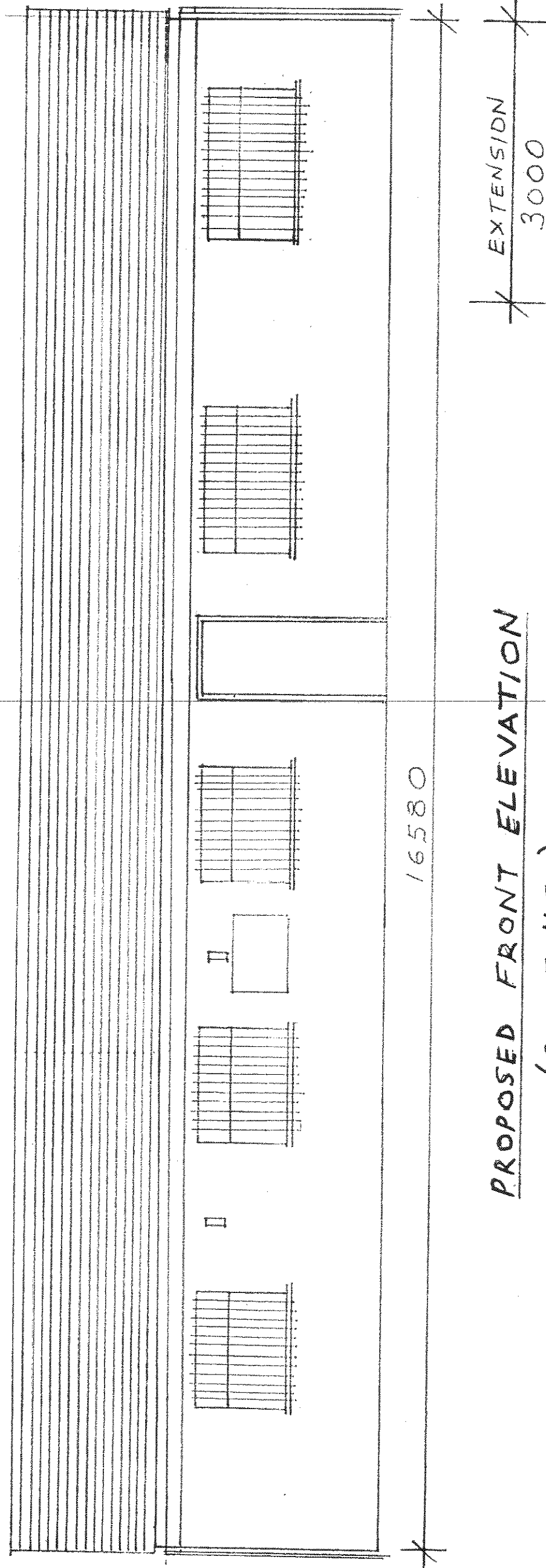
TEMPEST UNITED AFC  
EXTENSION TO CLUBHOUSE  
DRAWING NUMBER 2  
NOVEMBER 2015



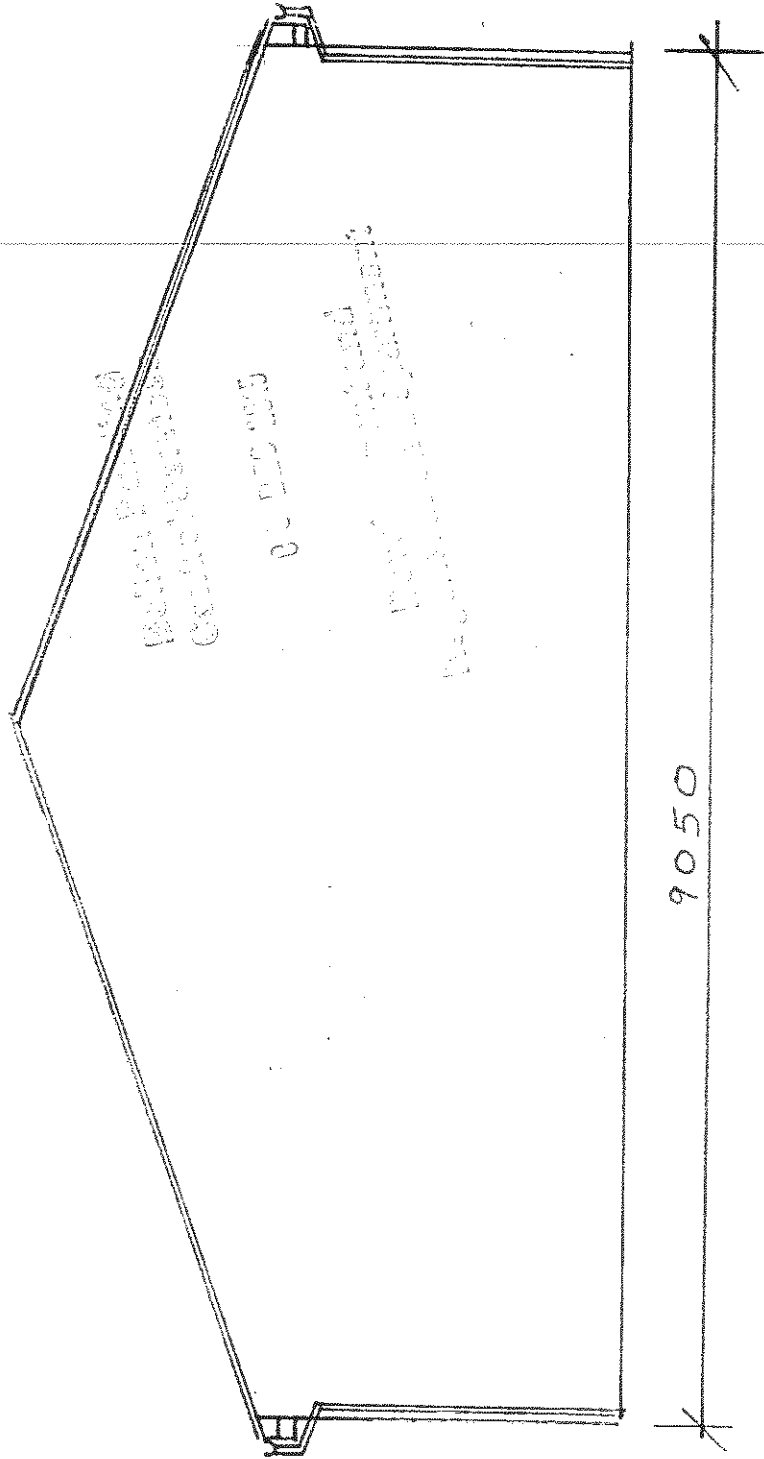
EXISTING FRONT ELEVATION (SCALE 1:50)



EXISTING SIDE ELEVATION  
(SCALE 1:50)



PROPOSED FRONT ELEVATION  
(SCALE 1:50)



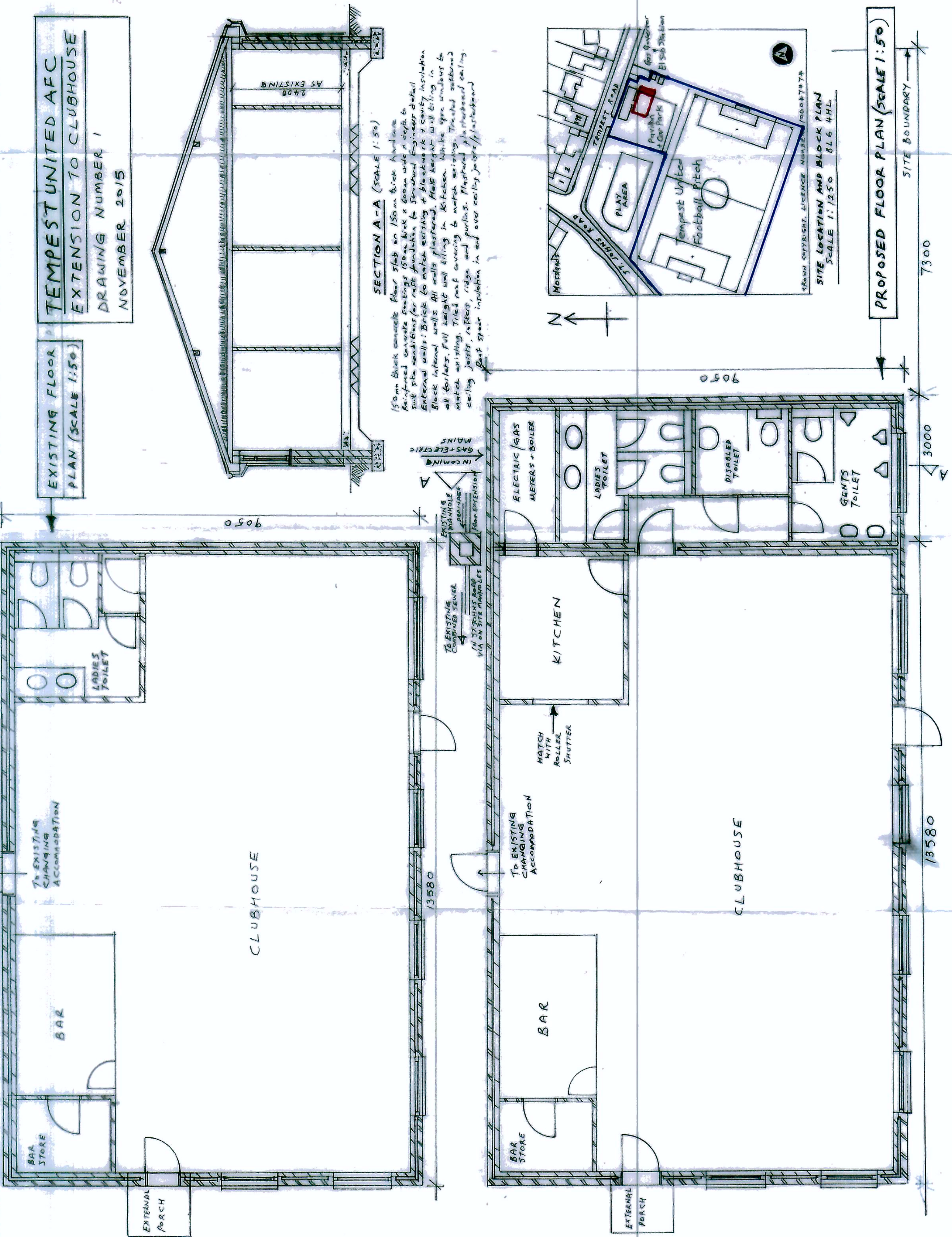
PROPOSED SIDE ELEVATION  
(SCALE 1:50)

PP Reference  
04-626145



TEMPEST UNITED AFC  
EXTENSION TO CLUBHOUSE  
DRAWING NUMBER 1  
NOVEMBER 2015

EXISTING FLOOR  
PLAN (SCALE 1:50)

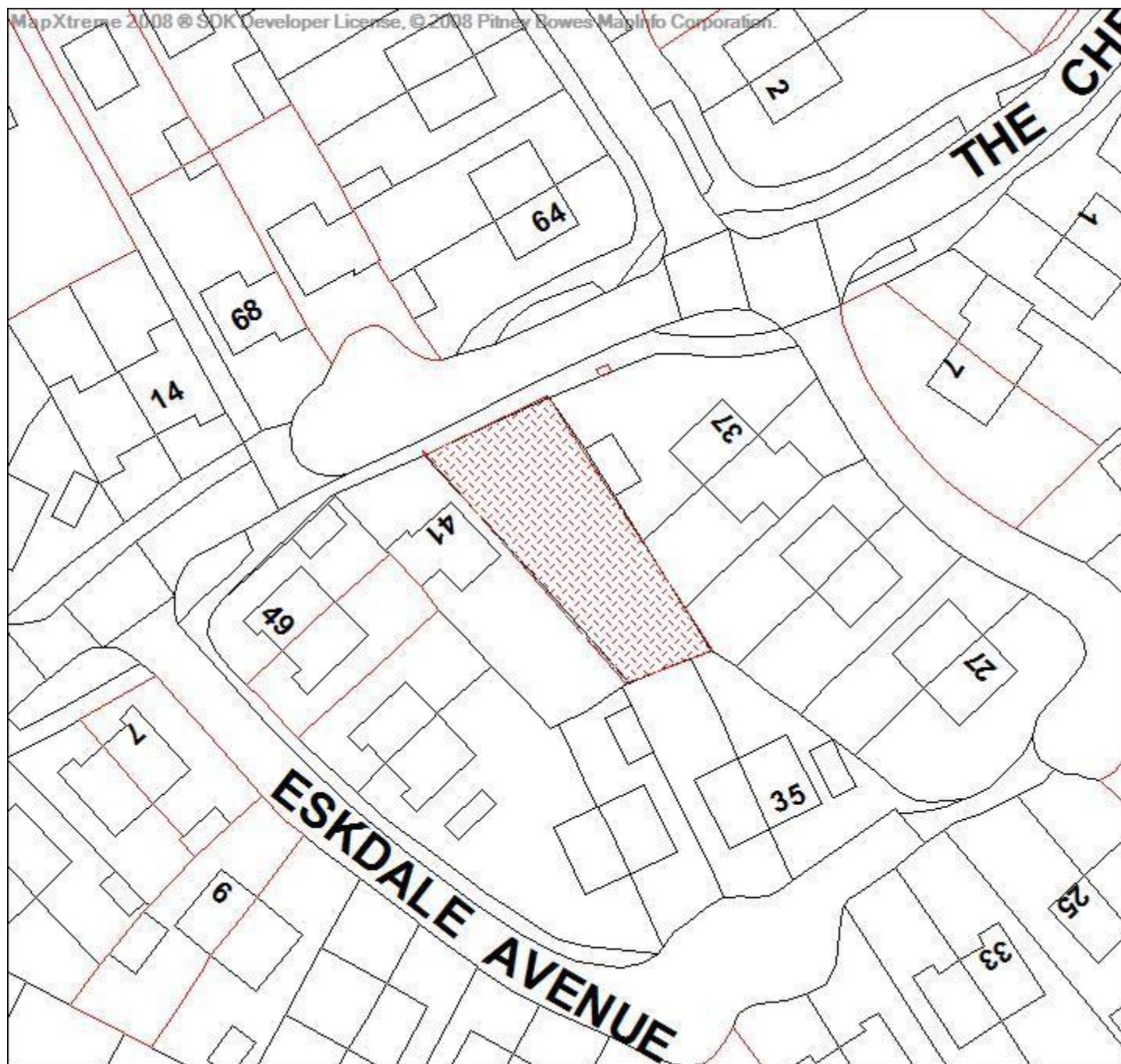


PP Reference  
04626145

PROPOSED FLOOR PLAN (SCALE 1:50)



**Application number  
95490/15**



**Development & Regeneration Dept  
Development Management Section**

Town Hall, Bolton, Lancashire, BL1 1RU  
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**Date of Meeting: 10/03/2016**

**Application Reference: 95490/15**

**Type of Application: Local Authority Applications\Development**

**Registration Date: 14/12/2015**

**Decision Due By: 07/02/2016**

**Responsible Officer: Jeanette Isherwood**

**Location: LAND ADJ 41 THE CHEETHAMS, BLACKROD, BOLTON**

**Proposal: OUTLINE APPLICATION FOR 1NO. RESIDENTIAL DWELLING  
(ALL MATTERS RESERVED)**

**Ward: Horwich and Blackrod**

**Applicant: Bolton Council  
Agent :**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

The applicant proposes the erection of one dwelling house sited between 37 and 41 The Cheethams. The land is previously undeveloped and sited within the Green Belt, within the village infill area at Scot Lane End. The applicant for the proposal is Bolton Council who seeks to establish the principle of residential development with the application being in outline form with all matters reserved for future consideration. Details of siting, scale, appearance, access and landscaping would need to be applied for through a subsequent reserved matters application.

### **Site Characteristics**

The application site is a parcel of land sited between 41 and 37 The Cheethams, Blackrod. The land is long and narrow and opens onto The Cheethams towards the head of the small cul-de-sac and is previously undeveloped. The present use of the site appears to be a grassed open space that some young children use as an informal play area as the original formal play area was removed in 2007 (further details within the 'other matters' section of this report). The site is approximately 0.04 hectares and bounded by 1.8 metre close boarded fencing. Abutting the site to the sides and rear are the rear gardens of residential properties which directly overlook the plot, with the exception of 41 The Cheethams that sits parallel with the gable abutting the boundary.

The immediate vicinity is one of residential properties within the village infill area of Scot Lane End to the south of Manchester Road.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod; SC1 Housing

## Allocations Plan Policy CG7AP - Green Belt

SPD Accessibility, Transport and Safety  
SPD General Design Principles

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* principle of residential development on the site
- \* impact on the purposes and openness of the Green Belt and the wider area
- \* impact on the amenity of neighbouring residents
- \* impact on the highway

### **Principle of Residential Development on the Site**

Paragraph 49 of the National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Core Strategy Policy OA1 refers specifically to developments in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment and will ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone. The Council will concentrate sites for new housing in Horwich town centre, at Horwich Loco Works and on other sites within the existing urban area whilst maintaining Green Belt boundaries.

It is considered that the application site is located within a sustainable location, being within the urban area and close to local shops, services and schools. Bus stops on both sides of Manchester Road are within 100 metres of the application site.

It is therefore considered that the proposed residential development of the application site would comply with the principles of the NPPF, with Policy OA1.4 of the Core Strategy, and the objectives of the Core Strategy.

### **Impact on the Purposes and Visual Amenities of the Green Belt and the wider area**

National Green Belt policy is contained within section 9 of the National Planning Policy Framework (NPPF). The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not

be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 89 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are [amongst other things] the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Allocations Plan policy CG7AP states that the Council will not permit inappropriate development and the erection of new buildings within the designated Green Belt except for [amongst other things]:-

- Limited infilling in villages at Hart Common and Scot Lane End as shown on the Proposals Map.

Limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA1 refers specifically to developments in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment and will ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.

The land in question is allocated as 'village infill' on the Allocations Plan and it is considered that the proposal would represent infill development (being between two existing dwellings within an established urban area) and a dwelling sited here would be viewed as a continuation of the established urban form of the area, which would not be to the detriment of local distinctiveness or have a detrimental impact on the purposes and openness of the Green Belt.

Conditions can be attached to any approval at the reserved matters stage to regulate siting, scale, appearance and landscaping.

The proposal is considered to comply with Core Strategy policies CG3 and OA1 and Allocations Plan Policy CG7AP.

#### Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Section 3 (1) of SPD General Design Principles sets out recommended interface distances between dwellings.

One objection has been received with regards to the loss of a significant amount of light from a surrounding resident.

As this is an outline application with all matters reserved, details of the siting and scale of the dwelling are not being sought. The indicative plan however shows the proposal sited towards the front of the plot and will therefore not directly face any main windows in the closest, facing properties at 37 and 39 The Cheethams.

Properties directly to the rear are in excess of 21 metres from the proposal which is in line with guidance contained within SPD General Design Principles

It is therefore considered that the proposed development would not unduly harm the amenity of neighbouring residents and would comply with Policy CG4 of the Core Strategy.

#### Impact on the Highway

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility, servicing arrangements and parking. Policy S1.2 states that the Council will promote road safety in the design of new development.

The Highways Engineers were consulted on the proposal and had no objections to the principle of residential development.

As this is an outline application with all matters reserved, details regarding the access and parking to the dwelling are not being sought as detailed consideration of this matter would be provided at the reserved matters stage. Conditions can be attached to any approval at the reserved matters stage to regulate any highways issues.

It is considered that the proposed development would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy and SPD Accessibility, Transport and Safety.

#### Other matters

One objection has been received to the loss of a children's play area. However the site is not designated as a public open space nor does it contain any specific play ground equipment.

The original play area is listed within The Play Area Strategy report of 2007 as being removed. The report recommended its replacement, however consultation with residents in 2007/08 resulted in residents saying they did not want the play area replacing. It therefore remains as an informal, unkempt, grassed area.

#### **Conclusion**

For the reasons discussed above it is considered that the proposal would represent a sustainable form of development and would not jeopardise highway safety, would not be to the detriment of the character and appearance of the area or the openness of the Green Belt and would not unduly harm the amenity of neighbouring residents. Members are therefore recommended to approve this outline application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** One letter of objection has been received with the comments addressed within the main body of this report.

**Blackrod Town Council:-** raised an objection to the proposal at their meeting of 4th January, on the grounds that it would create a loss of recreational and green open space within the development.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers and Design for Security.

### **Planning History**

None.

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

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

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

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

Reason

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


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

Reason

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

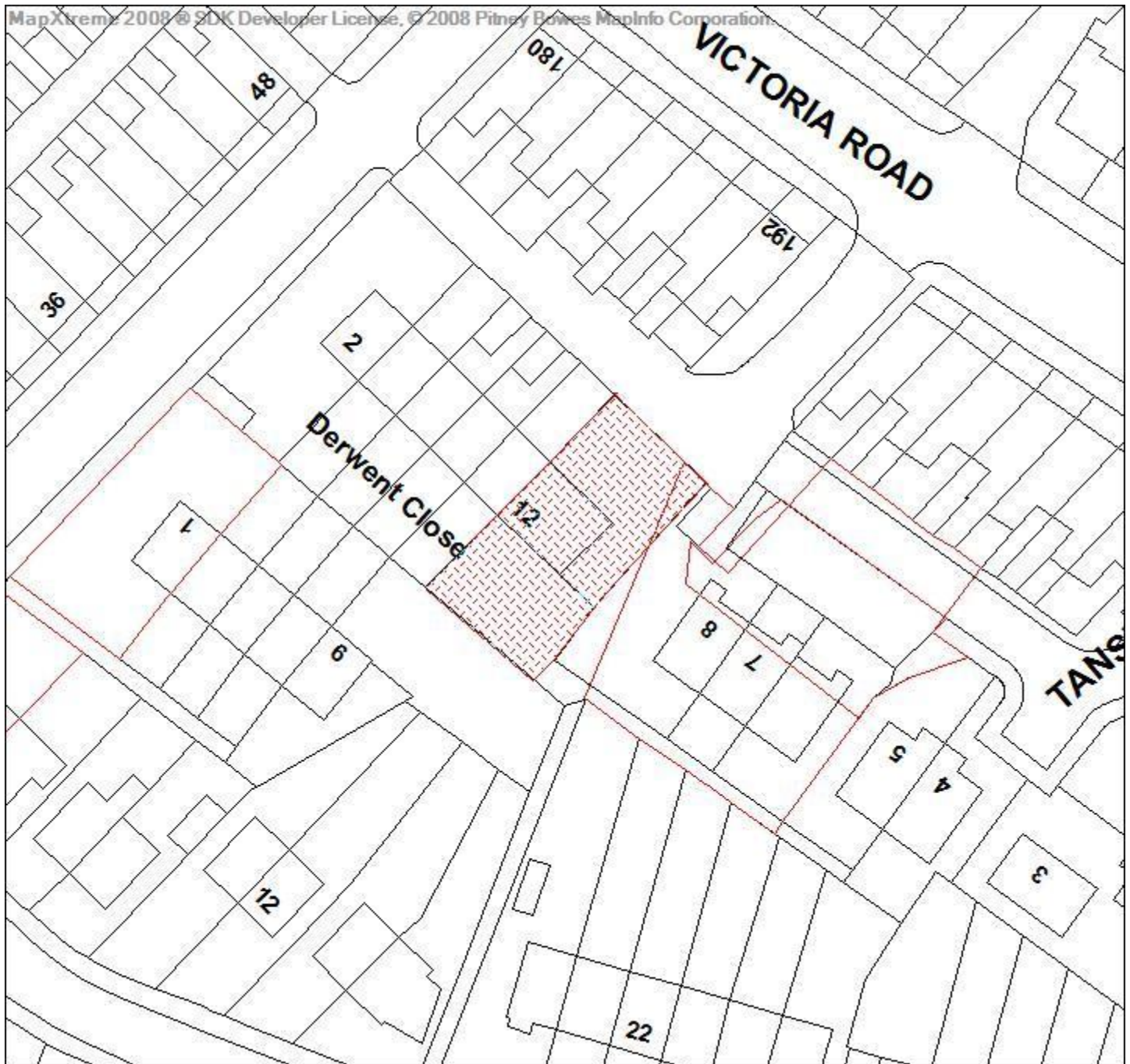
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<b>TITLE: Land at The Cheethams Blackrod</b>	Prepared by: SK Reference: NP Date: 14/12/2015 Map Ref: SD6209SW	© Crown Copyright and database rights 2015. 0100019389
	DEPARTMENT: CHIEF EXECUTIVES SECTION: ASSET MANAGEMENT	N ↑ scale <b>1:1250</b>



**Application number  
95532/15**



**Development & Regeneration Dept  
Development Management Section**

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

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**Date of Meeting: 10/03/2016**

**Application Reference: 95532/15**

**Type of Application: Full Planning Application**  
**Registration Date: 18/12/2015**  
**Decision Due By: 11/02/2016**  
**Responsible Officer: Helen Williams**

**Location: 12 DERWENT CLOSE, HORWICH, BOLTON, BL6 6DR**

**Proposal: ERECTION OF A THREE BEDROOM HOUSE ATTACHED TO NO. 12**

**Ward: Horwich North East**

**Applicant: Mr MAHER**  
**Agent : RA Design & Project Management**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Permission is sought to demolish an existing single storey flat roof side extension to 12 Derwent Close and to erect a two storey, three bedroom dwelling on the end of the terrace row. The design and scale of the proposed dwelling is to replicate the dwellings in the terraced row.

Two parking spaces are proposed to the rears of both 12 Derwent Close and the new dwelling, as is room for bin storage. The proposed dwelling will also have an open front and an enclosed side garden.

### **Site Characteristics**

12 Derwent Close is an end terraced dwelling in a row of six dwellings. The terraced row fronts onto Derwent Close, which is only a footpath. The rears of the properties in the row face back Victoria Road, an unadopted street.

12 Derwent Close has been extended to the side with a single storey, flat roof extension, which extends the depth of the dwelling. A detached, flat roof, pebbledashed garage has been erected to the side/rear of the dwelling, which is adjacent a detached garage for 194 Victoria Road (outside the application site). Both no. 12's side extension and the garage are to be demolished to accommodate the proposed dwelling.

1 to 9 Derwent Close (terraced dwellings of the same design as the application row) face 2 to 8 Derwent Close to the front and are at a lower ground level. All the front gardens at Derwent Close are open, in that they are grassed and are not enclosed.

To the rear of the application site (to the north east) are the rears of the terraced properties on Victoria Road. To the south east are the dwellings on Tansley Close. To the rear of the application

site (to the south) are the rear gardens of dwellings on Thirlmere Avenue.

There is a couple of tall conifers along the party boundary with 8 Tansley Close.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod.

SPD General Design Principles

SPD Accessibility, Transport and Safety

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* principle of residential development
- \* impact on the character and appearance of the area
- \* impact on the amenity of neighbouring residents
- \* impact on the highway

### **Principle of Residential Development**

The National Planning Policy Framework (NPPF) asserts that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy OA1.4 states that, in Horwich and Blackrod, the Council will concentrate sites for new housing in Horwich town centre, at Horwich Loco Works and on other sites within the existing urban area.

The application site is located within an urban area, within an established residential area. It is considered that the site is located within a highly sustainable location, being close to shops, services, schools and Horwich town centre, and that the proposed development would represent infill development.

It is therefore considered that the proposed dwelling would comply with the principles of the NPPF, with Policy OA1.4 of the Core Strategy, and the objectives of Policy SC1 of the Core Strategy.

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of

scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA1 refers specifically to developments in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment and will ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.

It is proposed that the single storey side extension and the detached garage in the rear garden of 12 Derwent Close be demolished, and a two storey, three bedroom dwelling be attached to the side of no. 12. The dwelling is proposed to be of the same footprint, height and design as each of the existing dwellings in the terraced row, and will therefore continue the residential row, increasing the number of dwellings from six to seven. A condition is suggested to ensure that the materials used for the dwelling (bricks, roof tiles and wall cladding) matches that of the existing dwellings.

The proposal will divide the existing front and rear gardens of no. 12 into two, so that both properties have front and rear gardens. The resultant gardens are of a size compatible with the surrounding dwellings and will provide for adequate bin storage space at the rear. The front gardens are to remain open, respecting the open planned design of Derwent Close. A new stepped footpath to the front of the new dwelling is also proposed, in character with the other houses in the row.

It is therefore considered that the proposed development is compatible with the character and appearance of the area, respecting the existing front and rear street scenes, the design of the terraced dwellings on Derwent Close and the urban grain of the area. It is therefore considered that the proposal complies with policies CG3 and OA1 of the Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Section 3 (1) of SPD General Design Principles sets out recommended interface distances between dwellings.

#### *8 Tansley Close*

8 Tansley Close is to the south east of the application site. The proposed dwelling will follow a similar building line (both front and rear) to this dwelling and will side on to the side of this dwelling. There are no main windows in the side elevation of 8 Tansley Close and no main windows are proposed in the side elevation of the new dwelling. It is therefore considered that no undue overlooking would be created for either 8 Tansley Close or for the future occupants of the new dwelling.

The residents of 8 Tansley Close have commented that the applicant has informed them that the window proposed in the side elevation would be obscure glazed and non-opening, but that they (the residents of no. 8) would prefer that there was no window. The window in question is only to an upstairs landing and therefore is not a main window (and is not even to a room); there is therefore no planning requirement for this window to be obscure glazed, non-opening or removed.

The proposed siting of the dwelling (side on to the side of no. 8) would also not create any undue overshadowing of the neighbouring dwelling or its garden.

#### *12 Derwent Close*

The proposed dwelling will follow the same front and rear building lines as no. 12 and therefore would not create any undue overlooking or loss of light to this property.

#### *Houses on Thirlmere Avenue*

The rears of the houses on Thirlmere Avenue (to the front of the proposed dwelling) will be over 36 metres away, which well exceeds the interface requirement of 21 metres within the SPD.

#### *Houses on Victoria Road*

The rear of the proposed dwelling will overlook the side street off Victoria Road rather than the rear of a dwelling. The rears of 192 and 194 Victoria are at an angle away from the rear of the proposed dwelling and some 21 metres away, which exceeds the standard of 17 metres set out in the SPD.

For these reasons it is considered that the siting, scale and design of the proposed dwelling would not unduly affect the amenity of any neighbouring residents and therefore complies with Policy CG4 of the Core Strategy.

#### Impact on the Highway

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility, servicing arrangements and parking. Policy S1.2 states that the Council will promote road safety in the design of new development.

Two car parking spaces are proposed to the rear of the new dwelling and also to the rear of the existing dwelling at 12 Derwent Close. These spaces would be accessed off Back Victoria Road (the back street) as the existing garage at the application property already is. The Council's Highways Engineers have raised no objection to the proposal.

It is therefore considered that the proposed development would provide for adequate in-curtilage parking and would not jeopardise highway safety in the area, compliant with Policies P5 and S1.2 of the Core Strategy.

#### **Conclusion**

For the reasons discussed above it is considered that the proposed dwelling would be compatible with the character and appearance of the area, would not unduly harm the amenity of any neighbouring residents and would not jeopardise highway safety, complying fully with policy. Members are therefore recommended to approve this application.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** A letter of objection has been received from 194 Victoria Road, which raises the following concerns:

- \* The access (side and back streets) is unadopted and already full of potholes. This will further deteriorate with building wagons and then residential cars;
- \* Car parking is a major issues with neighbours already parking on both sides of the side street and the side of their property;
- \* Where would visitors to the dwelling park?;
- \* Where would their visitors park? Where would emergency services park?;
- \* Concern about access to their garage, which is to the side of the application site (officer's comment: vehicular access to the garage will not be affected by the proposed development, with the garage being outside the application site).

A letter commenting on the application has been received from the neighbouring property at 8 Tansley Close. They state that they have spoken with the applicant outlining their concerns regarding:

- \* the proposed side window - they were given assurances by the applicant that the side window would be obscure glazed and non-opening, but they would prefer that there was no window at all;
- \* the existing conifer trees between the two properties - the applicant agrees that they could discuss a solution before any building starts;
- \* the proximity of the gable of the house to their fence/overshadowing of garden - agreed this would be in the Council's hands;
- \* the state of the land at the back - the applicant has stated that he will be making good the ground to the rear.

**Horwich Town Council:-** made no comment at their meeting of 21st January 2016.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Pollution Control Officers and Greater Manchester Police's Architectural Liaison Officers.

### **Planning History**

None.

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

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

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

Reason

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

2.     Prior to the commencement of the development:-

- A Site Investigation report shall be submitted to and approved in writing by the Local

Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, property and/or the wider environment; and

- The details of any proposed remedial works shall be submitted to, and approved in writing by the Local Planning Authority. The approved remedial works shall be incorporated into the development during the course of construction and completed prior to occupation of the development or the development being first brought into use; and

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

- 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.

3. Before the approved/permitted development is first brought into use no less than 4 car parking spaces with minimum dimensions of 2.5 metres by 5.5 metres shall be provided within the curtilage of the application site (to the rear of 12 Derwent Close and the dwelling hereby approved), in accordance with drawing ref: RAD/13334/15/1 . 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 to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

Reason

To encourage drivers to make use of the parking and circulation area(s) provided and to comply with Policies P5 and S1.2 of Bolton's Core Strategy.

5. Prior to the development being first occupied, details of the treatment to all boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation, unless otherwise agreed in writing with the Local Planning Authority and retained thereafter.

Reason

To ensure adequate standards of privacy and amenity are obtained and the development reflects the landscape and townscape character of the area and in order to comply with policies CG3 and CG4 of Bolton's Core Strategy.

6. The external surfaces (walls, cladding and roof) of the dwelling hereby permitted shall be of a similar colour, texture and size of those of the existing row of dwellings, and shall be retained thereafter.

Reason

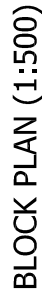
To ensure the development visually reflects the existing building and to comply with policy CG3 of Bolton's Core Strategy.

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

**RAD/13334/15/1; "Proposed New Dwelling"; dated December 2015**

Reason

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



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Figured dimensions take precedence over scaled measurements from the drawing. All dimensions to be checked by Contractor and discrepancies clarified with the Client prior to commencement.

The whole of the works to comply with current Building Regulations. No work to commence without Building Regulations approval.



# Application number 95537/15



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 10/03/2016**

**Application Reference: 95537/15**

**Type of Application: Full Planning Application**

**Registration Date: 22/12/2015**

**Decision Due By: 21/03/2016**

**Responsible Officer: Alex Allen**

**Location: LAND OFF RADCLIFFE ROAD, BOLTON,**

**Proposal:** ERECTION OF 11NO. DETACHED 3 & 4 BEDROOM  
RESIDENTIAL DWELLINGS TOGETHER WITH LANDSCAPING  
AND NEW ACCESS OFF RADCLIFFE ROAD

**Ward: Little Lever and Darcy Lever**

**Applicant: Cornell Group**

**Agent : Brewster Bye Architects**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

The applicant proposes the redevelopment of former grazing land and its replacement with the erection of eleven two storey detached properties. Vehicular and pedestrian access to the site would be via the central northern edge of the site off Radcliffe Road. It is proposed that a 2 metre wide footway be created along the site frontage. The highway improvement would necessitate the removal of the existing hedge which is located at back edge of the existing footway at the front of the site.

Each property would have two off road car parking spaces as a minimum with a mix of detached garages, integral garages and driveway parking.

### **Site Characteristics**

The application relates to a rectangular shaped greenfield site measuring some 0.42 hectares. The site slopes in a north-south direction with the Radcliffe Road / North part of the site being broadly 1.5 metres higher than the lower more southerly parts of the site. The site is now vacant, but until recently was used for the grazing of horses. An existing hawthorn hedge runs along the northern perimeter of the site with a gated access point in the north east corner of the site.

Residential properties occupy land directly to the south and west (Elder Drive) with additional residential properties to the east (Redwood Close) and on the northern part of Radcliffe Road (Bowstone Rise).

### **Policy**

National Planning Policy Framework

Core Strategy policies:- P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing and OA6 Little Lever and Kearsley.

General Design Principles SPD

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* principle of residential development;
- \* impact on the character and appearance of the area;
- \* impact on highway safety;
- \* impact on the adjoining uses / users;
- \* impact on ecology / biodiversity;
- \* impact on surface water run-off / site drainage / flooding; and
- \* impact on land stability.

### **Principle of residential development**

National policy on residential development is contained in the National Planning Policy Framework. Paragraph 47 states Local Planning Authorities should ensure a sufficient 5 year housing land supply, in the context of the presumption in favour of sustainable development. In addition, paragraphs 50 and 53 seek to provide a mix of housing reflecting local demand with Council's setting out policies to resist the inappropriate development of residential gardens where this would result in harm to the local area.

Policies outlined in Bolton's Core Strategy sets out clearly the approach which needs to be taken. Core Strategy policy SC1 seeks to prioritise the use of previously developed land whilst making an allowance for some greenfield development, predominantly as part of the Transforming Estate Programme.

Notwithstanding the above, it is considered that the site lies within the urban area close to the heart of Darcy Lever and as such is considered to be in a sustainable location. The development will contribute to the range of housing types and designs in the area being broadly in scale and compatible with the properties to the south on Elder Drive without making a significant demand upon the existing infrastructure.

Members will be aware that they have accepted the principle of residential development on adjoining parts of greenfield land which have recently been completed to a high standard.

The proposal will have a positive impact in housing provision terms. It is considered that the

application complies with policy.

#### Impact on the character and appearance of the area

Core Strategy Policy CG3 seek to ensure that the design, landscaping and context of new residential developments, reflect their surroundings and make a contribution to good urban design.

The character of the area is one of relatively modern residential development on Redwood Close, Elder Drive and most recently to the north on Bowstone Rise. Existing residential development to the south and west is dominated by large detached properties. The proposed development density is 26 dwellings per hectare. The site is constrained by both the unusual shape of the site and also the presence of a high pressure gas main which runs across the north western corner of the site. The density of the proposed scheme would be broadly compatible with the density of the surrounding area.

Whilst the site is currently greenfield, it is surrounded on all sides by residential development. The existing hedge along the site frontage does provide a soft edge to the site. Whilst the hedge would need to be removed to facilitate the footpath improvements, the applicant has agreed to replace a hedge (specification to be agreed) along the site frontage which in time will soften the development further. The proposed landscape design would also make provision for trees to be planted along the site frontage which would further soften the appearance of the site.

The proposed house types, including the proposed materials, would be similar to those properties recently constructed to the west of the site.

It is considered that the proposal is in character with the area and complies with policy.

#### Impact on highway safety

Core Strategy policies P5 and S1 states that the Council will permit those developments that have taken into account provision for pedestrians and cyclists; road design, layout and construction; vehicle servicing and access arrangements; car, cycle and motor-cycle parking; and access to, and by, public transport. Development proposals should not adversely affect the safety of highway users, including pedestrians, as well as the safe and efficient circulation of vehicles.

The proposal would result in an improvement to existing pedestrian facilities increasing the footpath width on the application road side to 2 metres. The Council's Highways Engineers have assessed the scheme in detail and have not raised any objections to the proposal.

A number of residents refer to previous decisions where it was stated that there should be no further access points for new residential development to / from Radcliffe Road. It is noted that on the previously withdrawn application for residential development on this site (see Planning History below), Highways Engineers raised no objections to the proposed development on highway safety grounds. In addition, it is noted that the residential development to the north (Bowstone Rise) was completed in 2015 and provided for an additional access point onto Radcliffe Road.

Subject to the conditions recommended by the Council's Highways Engineers, it is considered that the proposal complies with policy.

#### Impact on the adjoining uses / users

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses by way of privacy, amenity and security. In addition, guidance contained within the House Extension SPD provides advice on interface distances to ensure adequate privacy between existing and new developments.



The proposal would result in the levels of the site being increased. The finished floor levels for the plots along the southern part of the site (1, 6 through to 11) would be increased from existing ground levels by around 1.3 metres. It is considered that this increase is relatively modest and would not result in any of the dwellings becoming imposing to the existing properties on either Elder Drive or Redwood Drive.

In terms of the interface distances outlined within the General Design Principles SPD, even with the proposed increase in levels the proposals would meet the recommended interface distances. Plots 8 to 11 would all be in excess of the required interface of either 21 metres or 13.5 metres to properties on Redwood Close. The proposed detached garages located between Plots 5 and 11 on the eastern side of the site would be single storey, in the main screened from properties on Redwood Close by the existing boundary fence and would be some 10 metres away from the rear elevations of the closest properties (guidance requires a distance of 9 metres).

Due to the unusual shape of the site Plots 6 and 7 have required sensitive siting and elevational treatment to ensure that the internal layout of the properties respects the living conditions of existing properties (No's 1 and 3 Elder Drive). Plot 6's outlook at first floor level would have views in a westerly direction towards the rear elevation of No. 1 Elder Drive. Due to the oblique nature of the relationship between these two properties a distance of 17 metres would be required. This is achieved under the current layout. The outlook at first floor of Plot 7 is also westward.

The proposal has been sensitively designed to maintain the living conditions of existing residents and complies with policy.

#### Impact on ecology / biodiversity

Core Strategy policy CG1.2 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows.

The Council's Trees and Woodland Officer states that the proposal would retain existing trees located within the site and provides the opportunity to provide additional tree and shrub planting subject to the provision of a satisfactory landscape plan. The Council's Landscape officer has recommended the provision of a new hedge along the site frontage to soften the development when viewed from Radcliffe Road. The applicant is amenable to this change and an amended plan/street scene will be provided prior to the Committee meeting which reflects this change.

As part of the submission the applicant has provided a Phase 1 Extended Habitat Survey which concludes that there are no Great Crested Newts within the site. Whilst Darcy Lever marshes are within 500 metres of the site, the location of the site (separated from the marshes by a new residential development and also Radcliffe Road) means there will be newts located within the site.

The Council's Wildlife Liaison Officer has confirmed that the Habitat Survey is satisfactory and subject to conditions that the proposal complies with policy.

#### Impact on land drainage / surface water run - off and flooding

Core Strategy policy CG1.5 seeks to ensure that new development proposals reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed concentrating new development in areas of lowest flood risk. In addition, Core Strategy policy CG2.2 (b) seeks to demonstrate sustainable management of surface water run-off from developments.

The Council's Drainage officers have commented that the applicant has not provided all the required

information to enable full assessment of the proposal. The information not provided includes evidence of third party agreement to discharge to their system, full structural, hydraulic and ground investigations, geo technical reports, discharge agreements and a construction phasing plan.

Officers would note that whilst the above pieces of information are important, they are not critical to whether the development is acceptable. The applicant has submitted a Flood Risk Assessment, Drainage Strategy and detailed flood and drainage design drawings which are considered to be satisfactory. It is not considered appropriate to request the additional information prior to determination.

Notwithstanding the above, the applicant has stated that it is their intention to submit the required information prior to the Committee meeting. However, in the event the information is not approved it is considered reasonable to ensure this information is approved prior to commencement of development rather than prior to determination of the application.

A number of residents have expressed concerns with changes to the proposed levels within the site and the potential for surface water run-off to the south from the site over their properties. The proposal is a greenfield site and therefore surface water run off from the site would need to be the same as it is now. The on-site attenuation required would ensure there is no problems of surface water run-off from the site.

It is considered that the proposal complies with Core Strategy policy CG1 and CG2.

#### Impact on land stability

Core Strategy policy CG4 seeks to ensure that new development proposals on land affected by ground instability must include an assessment of the extent of the issues and any possible risks. Development will only be permitted where the land is, or is made suitable for the proposed use.

It is noted that the Coal Authority state that the site is located within an area of low risk area and a Coal Mining Risk Assessment was not required for the site. It is considered that the proposal could be satisfactorily built out subject to an adequate remediation / development strategy for the site. This would need to be submitted prior to commencement of development and would be conditioned upon approval from Members.

The proposal complies with Core Strategy policy CG4.

#### **Value Added to the Development**

The applicant has agreed to the provision of a new hedge along the site frontage which will assist in maintaining the semi urban edge appearance of the site when viewed from Radcliffe Road.

#### **Conclusion**

The proposal represents development which would be in character with the broad mix of housing types which make up the character and appearance of the Darcy Lever area, and provides adequate provision for vehicular movement and off road car parking without compromising the living conditions of existing residents. It is considered that the proposal complies with policy and is recommended for approval subject to conditions.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** 6 objection letters have been received which raise the following concerns:

- Provision of surface water drainage - concern with the potential for increased run-off from the site to properties to the south / adjoining the site;
- Landscaping and levels - levels are being built up by between 1.5 and 2 metres above existing ground levels in the south east corner of the site with soakway drainage which is not appropriate;
- Roads and footpaths need to be permeable to reduce run-off and no hard surfaces within the rear gardens;
- Loss of privacy and light - garages in front of existing residents houses;
- Proposed residents will be able to view into existing properties windows;
- Construction noise and dust;
- Newts - there are newts and bats within the site;
- A previous refusal on the site for Shepperd Homes - another access point onto Radcliffe Road was not deemed to be appropriate;
- Existing traffic problems on Radcliffe Road involving volume and the narrow width of the road;
- Strip of land adjoining the land - the owner has not been notified of the proposal - the application has been notified in accordance with national and local standards i.e. letters, site notice and press notice;
- Habitat survey recommends the retention of the existing hedge along the frontage of the site;
- Proposed materials for the site are out of character;
- Question the need for more properties in the local area;
- Plot 1 is too close to No. 1 Elder Drive;
- Inappropriate development in the Green Belt;
- Lack of speed control on the road;
- Increase in traffic and air pollution.

**Elected Members:-** Councillor Hornby has requested that an advanced site visit be undertaken by Members.

### **Consultations**

Advice was sought from the following consultees: Coal Authority, Economic Strategy, Landscape Design and Development, Strategic Development Unit, Economic Strategy, Trees and Woodland Officer, Wildlife Liaison Officer, National Grid, Environmental Health Officer, Highways Engineers, Drainage/Flood Risk team and Greater Manchester Police - Design for Security.

### **Planning History**

A planning application for the erection of 13 dwellings on the current application site was withdrawn by the applicant in October 2004 (Ref: 68606/04). It is noted that at the time the Council's Highways Engineers raised no objections to the proposal subject to the widening of Radcliffe Road and a new footway. It is also noted that prior to the application being withdrawn Officers at the time were recommending refusal of the proposal for two reasons (i) that the site was a greenfield site. The site was originally allocated for residential development within the old Unitary Development Plan. However, the site was withdrawn as an allocation as it was sought to give priority to the development of previously developed land and the retention of the site would assist in softening the appearance of the adjoining housing scheme. (ii) The second reason was that the applicant had not provided a survey for Great Crested Newts of the site.

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

## Recommended Conditions and/or Reasons

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

### Reason

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

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

### Reason

To ensure the development reflects local distinctiveness and to comply with policy CG3 of Bolton's Core Strategy.

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

### Reason

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

4. Prior to the commencement of development full details of the highway works at Radcliffe Road comprising of kerb realignment and the provision of a 2 metre wide footway as shown on Drawing No. 1954/101/Rev 2 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

### Reason

In the interests of highway safety.

5. Prior to the commencement of development full details of the highway works at the site access road comprising of the extension of double yellow lines shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

### Reason

In the interests of highway safety.

6. Prior to the commencement of development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult , advertise, promote and implement Traffic Regulation Orders to mitigate the likely impact of the development.

### Reason



In the interests of highway safety.

7. Prior to the commencement of any groundworks surface water drainage works should be implemented in full in accordance with details that have been submitted to and approved in writing with the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system is to be provided, the submitted details shall:

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

Reason

To ensure the site provides satisfactory means of surface water drainage and to comply with policies CG1.5 and CG2.2 of Bolton's Core Strategy.

8. Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme drawing reference xxx. 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.

9. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Radcliffe Road shall be constructed to a minimum width of 5.5 metres, 6 metre radii, 2 x footways in accordance with Drawing No's 386/49(02)003C and 1954/101/Rev 2.

Reason

In the interests of highway safety and in order to comply with policies S1 and P5 of Bolton's Core Strategy.

10. Before the approved/permitted development is first brought into use no less than 2 car parking spaces per dwelling with minimum dimensions of 2.4 metres by 5.5 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: 386/49(02)003 D. 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 to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

11. Prior to the development hereby approved being first occupied or brought into use, a scheme detailing how parts of the site to be used by vehicles are to be laid out, constructed, surfaced, drained and lit shall be submitted to and approved in writing by the Local Planning Authority. The

approved scheme shall be implemented in full and thereafter made available for the use of vehicles at all times the development is in use.

Reason

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

12. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 90 metres shall be provided at the junction of the residential site access road with Radcliffe Road, and subsequently remain free of all obstructions between the height of 1.05 metres and 2 metres (as measured above carriageway level).

Reason

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

13. Prior to the development hereby approved/permitted being first occupied or brought into use, all Traffic Regulation Orders required by the Local Highway Authority to mitigate the impact of the development shall be implemented in full.

Reason

In the interests of highway safety and in order to comply with Core Strategy policies S1 and P5.

14. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the Drawing ref: 386/49(02)003D.

Reason

In the interests of highway safety.

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

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety and in order to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

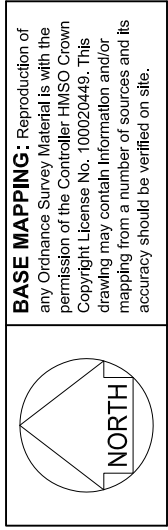
16. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

**Drawing No. 386 49 (02) 003 D Proposed Site Plan, scanned to file 20/01/2016;**  
**Drawing No. 386 49 (02) 006 A Proposed First Floor Plan, scanned to file 20/01/2016;**  
**Drawing No. 386 49(02) 107 A - House Type B, dated Nov 15;**  
**Drawing No. 386 49(02) 108 A - House Type B1, dated Nov 15;**  
**Drawing No. 386 49(02) 109 A - House Type F, dated Nov 15;**  
**Drawing No. 386 49(02) 110 A - House Type G, dated Nov 15;**  
**Drawing No. 386 49(02) 112 A - House Type E, dated Nov 15;**  
**Drawing No. 386 49(02) 113 # - House Type B2, dated Nov 15;**  
**Drawing No. 386 49(02) 123 # - House Type F - Front Elevation, dated Dec 15;**  
**Drawing No. 386 49(02) 124 # - House Type G - Front Elevation, dated Dec 15;**  
**Drawing No. 386 49(02) 125 # - House Type E - Front Elevation, dated Dec 15**  
**Drawing No. 1954/101 Rev 2 - Highway Improvements to Radcliffe Road, dated March 2015**  
**Drawing No. 1954/102 Rev 1 - Preliminary Main Drainage Layout, dated Nov 2015.**

Reason

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





Key

Site boundary

Grassed areas

Hedge planting to Landscape Architects spec

Hedge planting to Landscape Architects spec

New tree (species TBC)

Existing tree/ bush retained

Existing tree/bush removed

New dwelling

Spot level

Proposed FFL (t.b.c.)

Domestic refuse bin storage (general & recycling), fill & miss (under fence enclosure in rear garden)

Retaining Wall (RW). Height & facing material noted on fall site

Water Butt required as per Plumline Spec

For landscape details including Surface and boundary treatments and planting see Urban Green Drawings 11103\_L01 to 11103\_L05

REV. D DATE: 15/01/16 DRAWN: MWB CHECKED: BR  
PLOT LABELS FOR PLOTS 3 & 4 CORRECTED.  
REV. C DATE: 21/12/15 DRAWN: MWB CHECKED: KWB  
LAYOUT AMENDED TO SUIT LANDSCAPE ARCHITECTS  
RECOMMENDATIONS TO WIDEN THE VISIBILITY SPLAY  
PATH TO EAST DIRECTION OF SITE ENTRANCE WIDENED  
TO ELIMINATE OBSTRUCTION OF VISIBILITY SPLAY BY  
PROPOSED WALL PERS.  
REV. B DATE: 17/12/15 DRAWN: MWB CHECKED: KWB  
REDESIGNED PLOT 11 TO TYPE E (PARKING AND LANDSCAPING  
FROM TYPE E TO TYPE E (PARKING AND LANDSCAPING  
AMENDED TO SUIT.  
REV. A DATE: 17/12/15 DRAWN: MWB CHECKED: KWB  
REDESIGNED PLOT 11 TO TYPE E (PARKING AND LANDSCAPING  
AMENDED TO SUIT.  
ADDED REFUSE TRACKING ADDED PROPOSED LEVELS  
ADDED PLOT 5 UNIT MOVED UP 750mm TO ALLOW  
SLIGHTLY TO LINE UP WITH PRIVATE DRIVEWAY BANKING  
TO BOTTOM OF SITE ADDED.

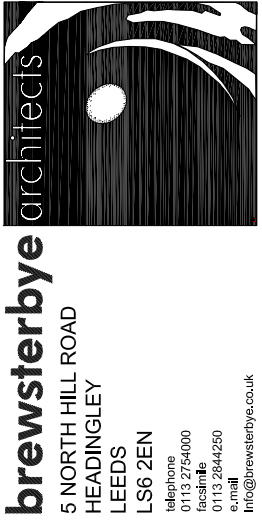
REVISIONS  
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Proposed Residential  
Development at  
RADCLIFFE ROAD, DARCY LEVER, BOLTON

PROPOSED SITE PLAN

Drawn: MWB Scale: 1:200 @ A1  
Date: OCT 15 Checked: KWB



Dwg No: 386/49/02/003 D

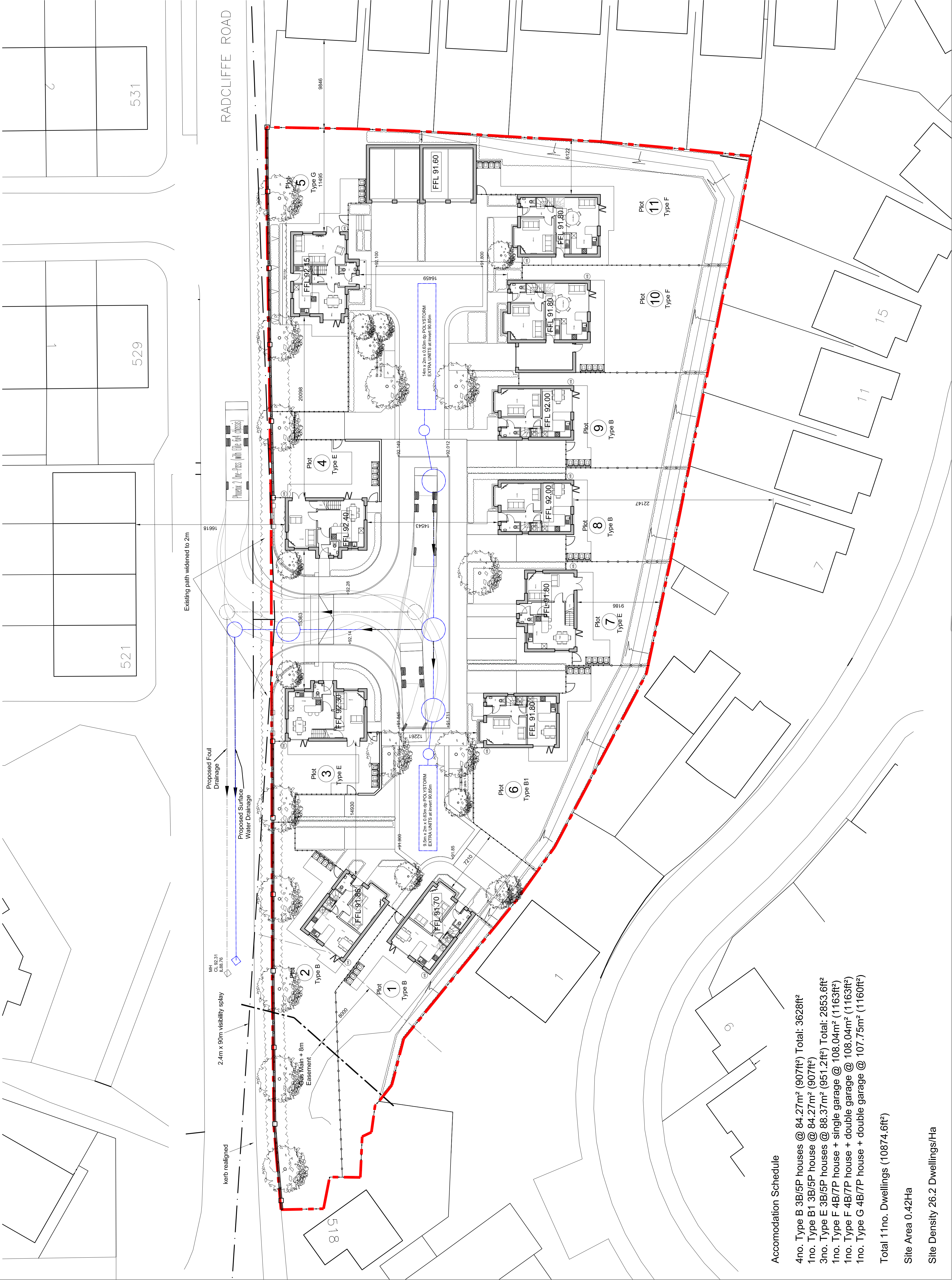
Accommodation Schedule

- 4no. Type B 3B/5P houses @ 84.27m<sup>2</sup> (907ft<sup>2</sup>) Total: 3628ft<sup>2</sup>  
1no. Type B1 3B/5P house @ 84.27m<sup>2</sup> (907ft<sup>2</sup>)  
3no. Type E 3B/5P houses @ 88.37m<sup>2</sup> (951.2ft<sup>2</sup>) Total: 2853.6ft<sup>2</sup>  
1no. Type F 4B/7P house + single garage @ 108.04m<sup>2</sup> (1163ft<sup>2</sup>)  
1no. Type F 4B/7P house + double garage @ 108.04m<sup>2</sup> (1163ft<sup>2</sup>)  
1no. Type G 4B/7P house + double garage @ 107.75m<sup>2</sup> (1160ft<sup>2</sup>)

Total 11no. Dwellings (10874.6ft<sup>2</sup>)

Site Area 0.42Ha

Site Density 26.2 Dwellings/Ha







RADCLIFFE ROAD STREET ELEVATION



RADCLIFFE ROAD STREET ELEVATION

REV: A | DATE: 22/12/15 | DRAWN: MWB | CHECKED: KWB  
AMENDED TO REFLECT CHANGES IN HOUSE TYPE  
(TYPE D SUBSTITUTED FOR TYPE E) AND TO REFLECT  
LANDSCAPE DESIGN

REVISIONS

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CORNELL  
GROUP

Proposed Residential  
Development at

RADCLIFFE ROAD, DARCY LEVER, BOLTON

PROPOSED STREET  
ELEVATIONS  
SHEET 2 OF 2

Drawn: MWB | Scale: 1:200 @ A2  
Date: NOV 15 | Checked: KWB



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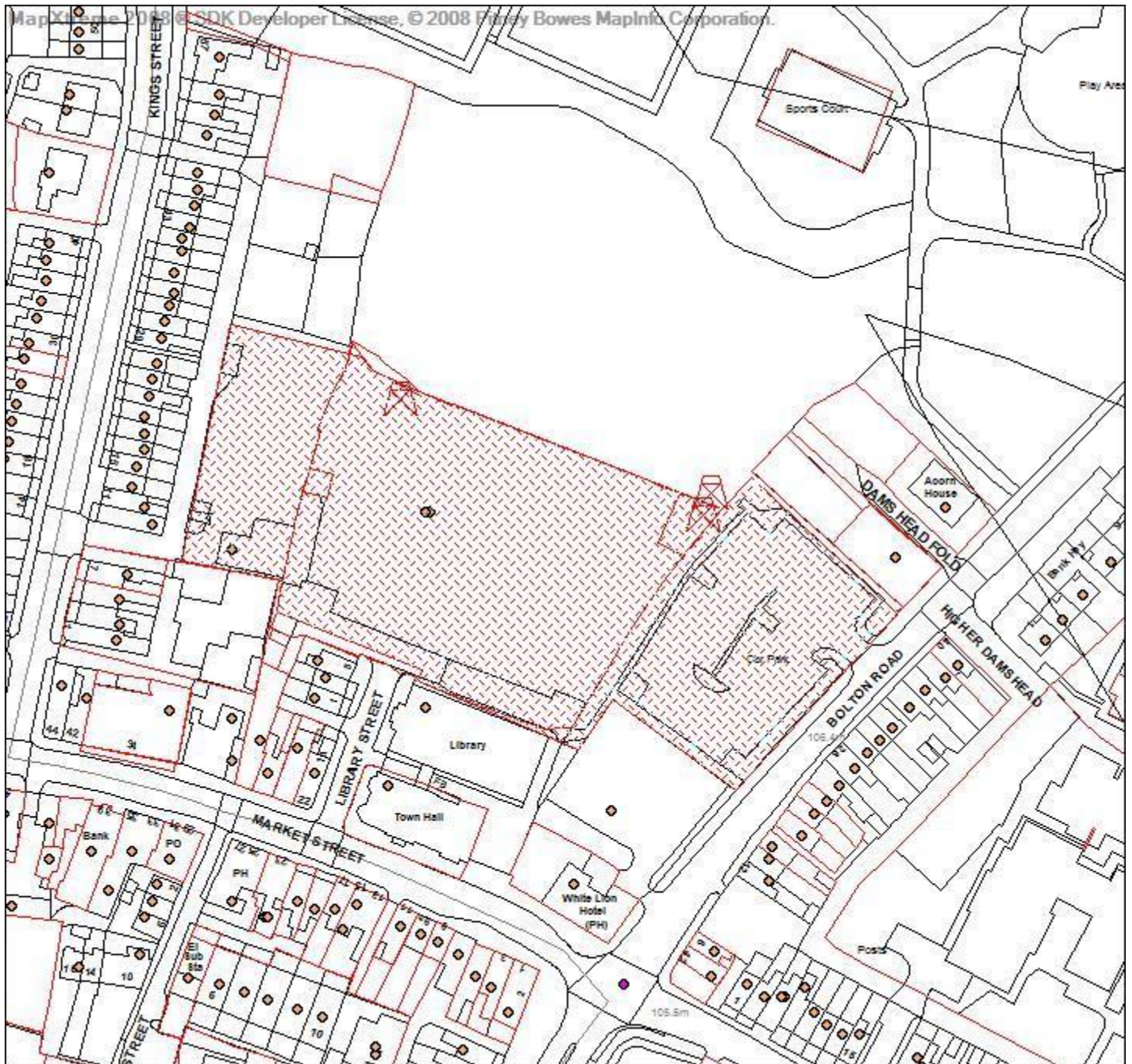
Dwg No: 386/49(02)/222 A



SITE SECTION B.B (NORTH - SOUTH)



# Application number 95552/15



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 10/03/2016**

**Application Reference: 95552/15**

**Type of Application: Full Planning Application**

**Registration Date: 24/12/2015**

**Decision Due By: 23/03/2016**

**Responsible Officer: Alex Allen**

**Location: GLEBE MILL, LIBRARY STREET, WESTHOUGHTON, BOLTON, BL5 3AU**

**Proposal: ERECTION OF A FOOD STORE WITH ASSOCIATED CUSTOMER CAR PARKING, SERVICING AND LANDSCAPING TOGETHER WITH PROVISION OF A SEPARATELY RUN 76NO. SPACE TOWN CENTRE CAR PARK**

**Ward: Westhoughton North**

**Applicant: Aldi Stores Limited**

**Agent : HOW Planning**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

The applicant proposes to erect a new supermarket with a gross internal area of 1,852 square metres together with associated vehicular access, customer car parking, servicing areas, hard and soft landscaping. In addition, the proposal would also create a new and enlarged town centre car park which would replace the existing Bolton Road public car park. The actual trading floorspace of the property will be 1,254 sq.m.

The store would be located within the centre of the site close to the northern boundary with the customer entrance located at the eastern end of the store to provide an active frontage to Bolton Road. The proposed service yard would be located on the North East corner of the unit and includes four staff car parking spaces. The layout maximises the distance between the service yard and residential properties. Pedestrian routes through the existing site will be maintained assisting with the developments integrating within Westhoughton Town Centre.

The new Aldi customer car park would provide a total of 98 car parking spaces, which includes 6 disabled parking bays, 9 parent and child spaces and 3 motorcycle spaces together with 12 secure cycle parking spaces. The delivery hours proposed for the store would be 0600 hrs to 2300 hrs Mondays to Saturdays and 0800 hrs to 1700hrs on Sundays. The proposed hours of customer opening / operation would be as follows: 0800 hrs to 2200 hrs Mondays to Saturdays and 0900 hrs to 1700 hrs on Sundays.

The proposed new Council public car park would contain 76 spaces, which is an increase of 5 spaces on the existing car park, 7 of the spaces would be for disabled badge holders. 4 of the 7 disabled

spaces would be located at the closest point to the Library and Town Hall / Market Street. The public car park would also provide for 2 electric car charging points.

The proposed materials to be used within the development are a mix of brick, render and slate coloured cladding.

### **Site Characteristics**

The application site comprises of three sites: (i) the existing Bolton Road public car park, (ii) the former Glebe Mill site which has been demolished for some time and (iii) the former Forshaws Depot which was accessed from King Street. The site is located within the northern end of Westhoughton Town Centre and has two existing telecommunications mast located within the site as a whole. The application site includes the section of Library Street which wraps around the rear elevation of Westhoughton Library.

Westhoughton Library and Town Hall are located immediately adjacent to the site to the south as are the residential properties on Library Street. Central Park is located to the north of the site while the areas on the eastern side of Bolton Road opposite the site are predominantly residential.

### **Policy**

National Planning Policy Framework

Core Strategy - P2 - Retail and Leisure, P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Development and Construction, CG3 The Built Environment, CG4 Compatible Uses, OA3 Westhoughton.

General Design Principles SPD.

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* principle of retail development;
- \* impact on the character and appearance of the local area;
- \* impact on existing adjoining uses and users;
- \* impact on highway safety; and
- \* impact on flood risk/drainage.

### **Principle of retail development**

Central to central government policy is a presumption in favour of sustainable development, approving development proposals that accord with the development plan without delay. Significant

weight should be placed on the need to support economic growth through the planning system. Paragraph 23 of the NPPF recognises that a diverse retail offer is the key to promoting competitive town centres.

Core Strategy policies P2 and OA3 identify Westhoughton Town Centre as a appropriate location for new retail convenience goods floorspace. Core Strategy policy P2 allows for additional convenience good floorspace of up to 10,000 sq. metres within town centres.

The scheme has the potential to revitalize this part of Westhoughton town centre drawing potential trade from either outside Westhoughton back into Westhoughton or from other stores located on the edge of Westhoughton town centre. In addition, whilst undertaking shopping in the new store it may facilitate linked trips elsewhere within Westhoughton Town Centre.

The redevelopment of the site for retail development is therefore policy compliant.

#### Impact on the character and appearance of the local area

Core Strategy policy CG3 and OA3 seeks to ensure that new development proposals conserve and enhance the character of the existing physical environment. Both the former Glebe Mill site and the former Forshaws depot are in a state of disrepair. Whilst the former Glebe Mill has been demolished relatively recently, the site still has a negative image on the wider area. The current proposal would therefore enable the whole site to be comprehensively regenerated lifting both the physical quality of the area.

It is considered that the proposal would raise the quality of the character and appearance of the area and complies with policy.

#### Impact on existing adjoining uses and users

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

It is considered that the proposed opening hours of the store are satisfactory given the mixed use of the area and that the main store entrance and delivery entrance are sited within the centre of the site. Comments from the Council's Environmental Health Officers on the proposed hours of delivery of the store will be reported at the Committee meeting.

Subject to confirmation from the Council's EHO's it is considered that the proposal complies with policy.

#### Impact on highway safety

Core Strategy policies P5 and S1 seeks to ensure that new development proposals take account of accessibility by different types of transport, together with parking and servicing arrangements and the transport needs of people with disabilities.

The applicant has submitted a Transport Assessment with the initial submission. The TA has been reviewed by both the Council's Highways Engineer and by colleagues at Transport for Greater Manchester. It is concluded as follows:

*'The TA gives a robust assessment of the potential impact on the surrounding highway network and also demonstrates that the site is highly accessible to sustainable modes of transportation'.*

Highways Engineers confirm that the area of Westhoughton suffers from congestion issues within the peak periods of traffic flow. However, they also confirm that the proposed development poses

negligible road safety implications. The applicant has demonstrated that the site can be adequately serviced and that a HGV can enter/leave in forward gear. The amount of spaces provided within the Aldi customer car park is adequate in this location.

Concerns have been raised from a number of local residents and businesses regarding the movement of the public car park to the rear of the site, concerned regarding the availability of spaces. The proposal would in fact provide 5 more spaces within the new public car park than are actually provided at the moment.

It is expected that if granted permission, constructed and once open, Aldi will introduce timed parking restrictions within their car park, however, for relatively short stays e.g. school drop off, linked shopping trips within Westhoughton Town Centre it is expected that users/residents would still be able to park on the Bolton Road / Aldi car park.

The Council's Highways Engineers have recommended that there is a requirement to promote traffic regulation orders on Library Street to ensure that there is no vehicular obstruction to the new Council car park with the retention of private access rights for existing local businesses to retain their access points. The private access rights to the rear of the site would be considered outside the planning process and would be secured through a legal agreement. However, it is considered that the proposed site layout allows for satisfactory service access for existing businesses.

Subject to the recommendations from Highways Engineers it is considered that the proposal would provide sufficient car parking both for users of the new store, an enhanced public car park with a new retail development which can be serviced adequately within its curtilage without causing further congestion problems in the local area.

The proposal complies with policy.

#### Impact on flood risk/drainage

Core Strategy policies CG1 and CG2 seek to ensure that surface water run-off from development sites is minimised to reduce the risk of flooding in Bolton. Specifically for previously developed sites Core Strategy policy CG2 aims to reduce surface water run-off from these sites by 50%.

The comments from Westhoughton Town Council are noted in that there is some anecdotal evidence / local knowledge of the land at the rear of King Street (former Forshaw depot) being prone to flooding.

A key element of the proposal would be to ensure the development is fit for purpose and is completed to a high quality in terms of drainage. The proposal would ensure surface water from the site is reduced by 50% as well as providing a new drainage system.

Based on the above it is considered that any issues of local flooding would be resolved / improved by implementation of the proposed development. The proposal complies with policy subject to conditions regarding drainage being implemented in full.

#### **Conclusion**

The proposal would assist in the regeneration / redevelopment of this area of Westhoughton Town Centre, whilst respecting the living conditions of existing residents and the requirements of adjoining local businesses. The proposal complies with policy and is recommended for approval



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** five objection letters have been received in addition to one support letter. The objection letters raise the following concerns:

- The development would take away a car park which is used by Council staff who work at the library / town hall and also remove parking for residents who live opposite the site on Bolton Road - where will residents now park?
- The development will exacerbate traffic levels in the area, will cause disruption during construction;
- Negative impact on property values;
- How will pedestrians be safeguarded as part of the development;
- Impact on independent traders?
- Is another store needed?
- Drivers currently block Damstead;
- Request for compensation for disruption during the development (not a material planning consideration);
- Reduction in property values in the area as a result of the development (not a material planning consideration);
- Potential for residents only car parking (for the three residents/households of Library Street);
- Difficulty accessing the rear of premises on Market Street - in particular the rear of No. 28 - Greens Furniture Store;
- Work has been undertaken over the years to reduce the throughput of traffic through Market Street - the proposal is likely to increase traffic along Market Street to the detriment of highway / pedestrian safety;
- Access to the public park would be preferred off either Bolton Road i.e. through the proposed Aldi car park or from King Street to the west of the site;
- Library Street is required for access by residents, businesses and disabled person car parking.

The letter of support welcomes Aldi to the local area.

**Petitions:-** no petitions received.

**Town Council:-** raised no objections to the proposal subject to additional trees being planted, no garish signs, landscaping screens residents on Bolton Road. The area of land where the new public car park is planned is subject to flooding and good drainage is required.

**Elected Members:-** no comments received to date.

### **Consultations**

Advice was sought from the following consultees: Westhoughton Town Council, Highways Engineers, Environmental Health Officers, Strategic Development Unit, Landscape Architects, Trees and Woodland Officer, Greater Manchester Ecology Unit, Wildlife Liaison Officer, Design for Security (Greater Manchester Police).

### **Planning History**

Former mill site: - a planning application was withdrawn in September 2011 for the demolition of the existing mill and the erection of a 2, 3 and 4 storey apartment building containing 41 apartments together with 12 x 2 storey cottages and 1 x 2 bedroom apartment (Ref: 86502/11).

Prior approval was granted in April 2001 for the erection of a 15 metre high monopole with 6 antennae (Ref: 58972/01).

Former Forshaws depot site - Planning permission was granted in October 1984 for the demolition of the existing storage building and the erection of a replacement building (Ref: 23895/84).

**Recommendation:            Approve subject to conditions**

**Recommended Conditions and/or Reasons**

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness and to comply with policy CG3 of Bolton's Core Strategy.

3.     Prior to the commencement of development full details of the following highway works
  - Amendment of car parking signage and the introduction of new signs indicating Library Street as indicated on Cameron Rose Figure 3.1 (alterations to be funded at the applicants expense);
  - Resurfacing of Library Street (footway/carriageway) from its junction with Market Street to the car park access.

shall be submitted to and approved in writing by the Local Planning Authority. The approved schemes shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

4.     Prior to the commencement of the development:-
  - A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, property and/or the wider environment; and
  - The details of any proposed remedial works shall be submitted to, and approved in writing by the Local Planning Authority. The approved remedial works shall be incorporated into the development during the course of construction and completed prior to occupation of the development or the development being first brought into use; and

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

- 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.

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

Reason

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

6. Before the development hereby approved is commenced/first brought into use [delete as appropriate] a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting/floodlighting. The lighting shall be designed to an illumination value of 5 lux at the nearest residential property. The beam angle of any lights directed towards any potential observer should be kept below 19 degrees. Spill shields should also be fitted. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

7. Before the approved development commences, a scheme shall be submitted to and approved in writing by the Local Planning Authority specifying the provision to be made to control externally generated noise emanating from the site. The approved scheme shall be implemented in full prior to the development being brought into use or first occupied, whichever is sooner and retained thereafter.

Reason

To safeguard the living conditions of residents, particularly from the effects of noise.

8. Before development commences details of a scheme for reducing carbon dioxide emissions which would result from the use of the approved building shall be submitted to and approved by the Local Planning Authority. The scheme to be submitted shall seek to ensure that the reduction in carbon dioxide emissions equates to a 10%. Such details as approved shall be implemented in full before the development is first occupied or brought into use and retained thereafter.

Reason

To reduce the impact on climate change and to improve the sustainability of the site.

9. Prior to commencement of development, a scheme which assesses the proposed BREEAM rating of the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall achieve a BREEAM (Retail) Very Good standard (or such national measure of sustainability for commercial retail design that replaces that scheme). Within 3 months of the occupation of the building a Final BREEAM Certificate has been issued for it certifying that the approved scheme/standard has been achieved.

Reason:

To reduce the impact on climate change and to improve the sustainability of the site.

10. Prior to commencement of development a scheme shall be submitted to and approved by the Local Planning Authority which reduces the existing surface water run off by at least 50%. No building hereby permitted shall be occupied until the approved surface water drainage works have been implemented on site.

Where a sustainable drainage scheme is to be provided, the submitted details shall:

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

Reason:

To reduce the risk of contaminating surface water run off and reduce the risk of localised flooding and down stream flooding by ensuring the provision of a satisfactory means of surface water dispersion

11. Prior to the commencement of development an Employment and Skills Statement shall be submitted to and approved in writing by the Local Planning Authority which provides the following details:

- an Employment and Skills Statement/Commitment for the site contractor for the construction phase of the development hereby approved shall be submitted to the Local Planning Authority for approval and once approved shall be implemented in full in accordance with an agreed timetable.
- Prior to undertaking of the internal fit-out works, an Employment and Skills Statement for the proposed fit-out of the approved industrial building should be submitted to the Local Planning Authority for approval and once approved shall be implemented in full in accordance with an agreed timetable;
- Prior to occupation of the approved development, an Employment and Skills Statement for the occupier of the approved development should be submitted to the Local Planning Authority for approval and once approved shall be implemented in full in accordance with an agreed timetable.

Reason

To ensure that local employment benefits are addressed and secured.

12. Prior to the development hereby approved/permitted being first occupied or brought into use the redundant car park existing vehicular access onto Bolton Road shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Bolton Road, other than as shown on drawing ref: 271-01/GA-01.

Reason

In the interests of highway safety.

13. Before the approved/permitted development is first brought into use no less than 99 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with 271-01/GA-01. 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 to comply



with policy P5 and Appendix 3 of Bolton's Core Strategy.

14. Before the approved/permitted development is first brought into use no less than 76 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with 271-01/GA-01. 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 to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

15. Prior to the development hereby approved/permitted being first occupied or brought into use a scheme shall be submitted to and approved in writing by the Local Planning Authority for the servicing and manoeuvring route through the Aldi car park for service vehicles as indicated on Camerom Rose Drg No. 271-01/GA-01. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter and not to be used for any purpose except the servicing/manoeuvring of vehicles.

Reason

In the interests of highway safety.

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

Reason

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

17. Prior to the development hereby approved/permitted being first occupied or brought into use, all Traffic Regulation Orders required by the Local Highway Authority to include:

- revocation of limited waiting bays on Library Street and the amendment of the On-Street Parking Consolidation Order 2015 (to be funded at the applicants expense);
- promotion of no-waiting at any time restrictions on Library Street and amendment to Waiting, Loading and Un-Loading Consolidation Order 2015 (to be funded at the applicants expense).

Reason

In the interests of highway safety and in order to comply with Core Strategy policies S1 and P5.

18. No deliveries shall be taken or dispatched from the premises outside the following hours:-

0600 hrs to 2200 hrs Mondays – Saturdays;  
0900 hrs to 1700 hrs on Sundays

Reason

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

19. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted and approved in writing by the Local Planning Authority prior to the development being first brought

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

Reason

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

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

0800 to 2200 hrs Mondays to Saturdays

0900 to 1700 on Sundays

Reason

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

21. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the \*\*drawing ref: [ ]\*\* .

Reason

In the interests of highway safety.

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

**Drawing No. 1720MIDW 102 Rev. C - Proposed Site Plan dated 01/10/1;**  
**Drawing No. 1720 MIDW 104 - Proposed Elevations, dated 12.11.15.**

Reason

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

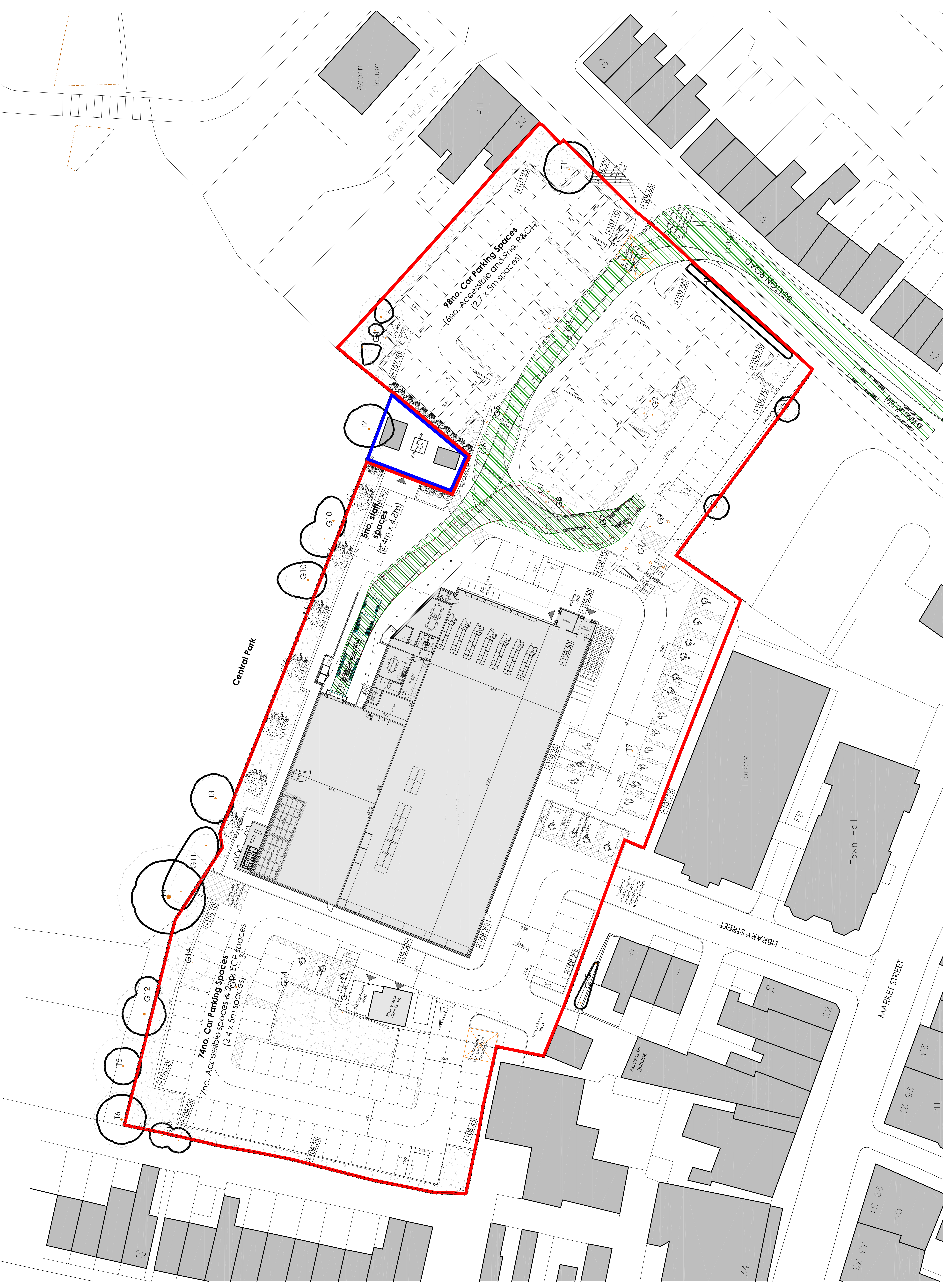


[illegible]

Figure 1 is a schematic diagram of the experimental setup. It shows a cross-section of a river channel with a central pile and two side piles. The channel width is 20m, and the pile diameter is 0.5m. The water depth is 1.5m. The piles are spaced 10m apart. The diagram is labeled with dimensions and a scale of 1:200.

J:\1720 MIDW Market Street, Westthoughton\17.0 - DWG & I\100 Series Planning





G	15.11.15	Bathing equipment room added	R/F
F	08.12.15	filed file amended and access omitted	R/F
E	03.12.15	file survey added and sites amended	R/F
D	24.11.15	Landscaping amended in council car park	R/F
C	10.11.15	Updated to CMA comments & boundary	R/F
B	04.11.15	Neotrents added	R/F
A	18.10.15	Boundary line amended	R/F
		Topographical survey added to drawing	R/F

Drawn	Date	Description	Rev	Qty	Cost
		PROPOSED DEVELOPMENT MARKET STREET WESTHOUGHTON			
		ALDI STORES LTD.			

Status	PLANNING			
Scale	1:200	Drawing Size A0		
Drawn By	AS	Checked By	RE	Date 01/10/

1720MIDW 102	Rev
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SCALE 1:200

SCALE 1:1

0m 5m 10m 15m 20m 25m 30m 35m 40m 45m 50m 55m 60m 65m 70m 75m 80m 85m 90m 95m 100m

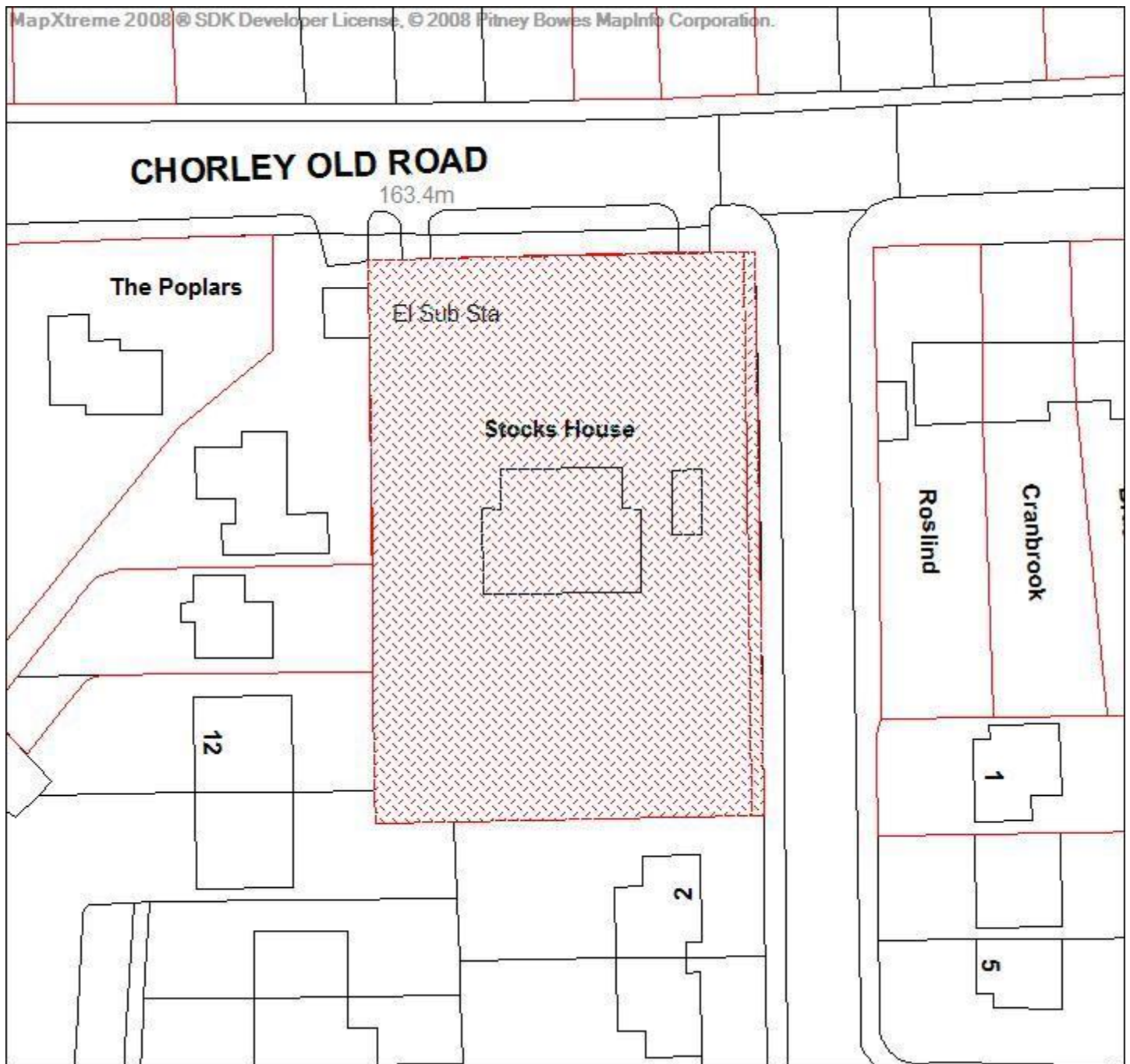
J:\1720 MIDW Market Street, Westhoughton\17.0 - DWG & LS\100 Section.dwg







**Application number**  
**95636/16**



**Development & Regeneration Dept**  
**Development Management Section**

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

**Bolton**  
**Council**

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**Date of Meeting: 10/03/2016**

**Application Reference: 95636/16**

**Type of Application: Full Planning Application**

**Registration Date: 12/01/2016**

**Decision Due By: 07/03/2016**

**Responsible Officer: Helen Williams**

**Location: STOCKS HOUSE, CHORLEY OLD ROAD, HORWICH, BOLTON, BL6 6BQ**

**Proposal: CHANGE OF USE OF FIRST AND SECOND FLOORS FROM DWELLING TO NURSERY WITH ASSOCIATED OFFICE AND STORAGE SPACE.**

**Ward: Horwich North East**

**Applicant: Mr Twist**

**Agent : MDA Architectural Services**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Permission is sought for the change of use of the first and second floors from residential accommodation to an extension to the existing children's nursery (which operates on the ground and lower ground floors). The second floor is located within the roof of the building (which contains dormer windows to the front, side and rear). The first floor will comprise two new nursery rooms, toilets and a staff room and the second floor will comprise office and storage space.

The proposal will increase the potential capacity of the nursery from 60 to 80, though the applicant has stated that it is unlikely that they would have a maximum of 80 children on any given day.

The applicant has also confirmed that the number of staff employed at the nursery has already increased to 18 (14 full time and 4 part time) some months back in anticipation of opening the new rooms.

The opening times are to remain unchanged (that is, 07:45 to 18:00 hours Monday to Friday).

### **Site Characteristics**

The application comprises a large, detached, three storey (accommodation over four floors) building, a car park to the front and a garden at the rear. The ground and lower floors of the property are used as a children's nursery (Future Champions Children's Nursery), whilst the upper floors are in residential use. A detached double garage is sited to the eastern side of the property, which is also used as part of the nursery.

There are two vehicular accesses into the site off Chorley Old Road, one at the north western corner

of the site (the entrance) and one at the north eastern corner of the site (the exit).

A number of protected trees are located along the northern boundary of the site and part way down the eastern boundary, and there is a group of protected trees to the west of the building. These trees are protected under TPO 241 (Bolton (The Vicarage, Chorley Old Road, Horwich) 1991).

The application site is located at the junction of Chorley Old Road with Stocks Park Drive. The site slopes down to the south.

The area is residential in character. Chorley Old Road is a main thoroughfare into Horwich.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG1.2 Urban Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; SC2 Cultural and Community Provision; OA1 Horwich and Blackrod.

SPD Accessibility, Transport and Safety

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* impact on the highway
- \* impact on the amenity of neighbouring residents

### **Impact on the Highway**

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements and 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.

Policy SC2 of the Core Strategy states that the Council will ensure that local cultural activities and community facilities are located in neighbourhoods that they serve.

There is an existing car park to the front of the building, which comprises ten parking spaces and is accessed via a one-way system through the site (entrance off Chorley Old Road at the north western corner and the exit onto Chorley Old Road at the north eastern corner). This is not proposed to be altered.



The Council's Highways Engineers have advised that the existing parking provision at the nursery would be below the Council's parking standards (within appendix 3) for a nursery of the proposed size (which would be 18 spaces in this instance). They however do not object to the proposal and confirm that the area to the front of the building could probably accommodate more spaces than shown and therefore recommend that the layout of this area is revisited. They also suggest that the two spaces closest to the front entrance be marked as drop off and pick up spaces. A condition is therefore suggested requiring the applicant to submit an alternative layout to the parking area.

It is also noted that the application site is in a sustainable location, being within the community that it will serve (in accordance with Core Strategy Policy SC2) and on a bus route. This means that the nursery should be accessible by other modes of transport (including by foot).

The applicant has also confirmed that the car park is currently generally used as a drop off and pick up area and that parents drop off and pick up over a period of time rather than all at the same time.

Highways Engineers have also recommended that the existing "Entrance" and "No Entry" signs at the front of the site be replaced with new signs that comply with the Traffic Signs Regulations and General Directions. This is suggested by a condition.

It is recognised that some staff and visitors to the nursery will chose to park on the surrounding roads rather than in the on-site car park, however there are no parking restrictions in the vicinity and it is not considered that the parking of cars here would jeopardise highway safety (the Council's Highways Engineers have also not objected).

It is therefore considered that the proposed development would comply with Policies P5 and S1.2 of the Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

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

A 60 place children's nursery already exists within the application building, on the ground and lower ground floors. The proposal will increase the maximum number of children the nursery can look after from 60 to 80.

The nursery is located within a residential area and has residential neighbours on all sides. The large garden at the rear is used by the children and this generates noise (children playing).

It is proposed that the existing hours of opening (between 07:30 and 18:00 hours Mondays to Fridays) are continued. It is not considered unreasonable to hear children playing between these hours in a residential area. The existing condition restricting the hours of opening for the nursery will again be attached to this permission, should the application be approved.

It is worth noting that none of the objections received for this application refer to any disturbance caused by noise from the nursery, only to on-street parking.

Further disturbance may potentially be caused by additional vehicles arriving at and leaving the site. However, this again will be during daytime hours, which is not considered unreasonable.

It is therefore considered that the proposed change of use of the first and second floors of the

building to extend the existing nursery will not unduly harm the amenity of neighbouring residents and therefore would comply with Policy CG4 of the Core Strategy.

### **Other Matters**

The ground and lower ground floors of the building have building regulations consent for the nursery. The applicant would need to apply again for the conversion of the first and second floors, should this planning application be approved. Building Control Officers have advised that fire protection and a full fire alarm system would need to be installed, but believe the building should be easily upgraded to achieve this.

### **Conclusion**

For the reasons discussed above it is considered that the proposed change of use of the first and second floors of Stocks House, to extend the existing children's nursery there, would not jeopardise highway safety and would not unduly harm the amenity of neighbouring residents, compliant with Policies P5, S1.2, CG4 and SC2 of the Core Strategy. Members are therefore recommended to approve this application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** five letters of objection have been received, which raise the following concerns:

- \* Increase on-street parking on Stocks Park Drive and Chorley New Road as a result of the increase in staff and children;
- \* Cars in association with the nursery are already parking on Stocks Park Drive and at the junction with Chorley Old Road;
- \* The current car park is not used by the staff and is left empty during the day;
- \* Parked cars are an obstruction to pedestrians and traffic;
- \* Parking at the junction is a hazard/reduces visibility;
- \* Concerns about highway safety - Stocks Park Drive is used as a short cut; There have been several accidents over the years;
- \* Yellow lines should be introduced at the junction of Stocks Park Drive and Chorley New Road;
- \* Yellow lines should be introduced in front of the nursery at Chorley New Road;
- \* Occasionally have problems getting off their driveway.

**Horwich Town Council:-** raised no objection at their meeting of 18th January 2016.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers, Tree Officers, Early Years Development and Educational Social Workers.

### **Planning History**

Permission was granted in October 2013 for the change of use of garage to nursery room and erection of rear extension in connection with permission for change of use of ground and lower ground floor to nursery (90010/13) together with changes to elevations of garage (90514/13).

Permission was granted in July 2013 for the change of use of the ground floor from mixed use classes C3/D1 to D1 and the lower ground floor from C3 to D1 (children's nursery) (90010/13).

A certificate of lawfulness (s192) for the proposed use of the property as 1 dwelling (Class C3) at first floor and a children's day nursery (Class D2) at ground floor was withdrawn by the applicant in May 2013 (89666/13).

An application for the change of use from house and physiotherapy practice (C3/D1) to 7 self contained flats for local hospital patrons with learning disabilities (C2), conversion of detached garage and overnight staff accommodation and alterations to garage and elevations was withdrawn by the applicant in March 2013 (89501/13).

Permission was granted in July 2001 for the demolition of an existing garage and the erection of a double garage with a store under (59276/01).

Permission was granted in December 1998 for the demolition of an existing garage and the erection of an extension at the side of the clinic to form consulting and treatment rooms with aquatherapy suite at lower ground floor level (53433/98).

The additional use of the dwelling house for physiotherapy clinic was approved in August 1992 (41490/92).

Permission was granted in January 1992 for the change of use from a vicarage to a private guest

house (11 bedrooms) and alterations to the vehicular access (40209/91).

**Recommendation:            Approve subject to conditions**

**Recommended Conditions and/or Reasons**

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

Reason

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

2. Before the approved/permitted development is first brought into use details of an alternative layout for the parking area to the front of the building shall be submitted to the local planning authority to accommodate additional parking spaces and to dedicate the two spaces closest to the entrance as drop off/pick up spaces. The approved details shall be marked out in full within 6 months of this decision and shall be retained thereafter. 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 to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

3. Before development commences details of the signing scheme within the site to inform drivers of the proposed one-way system (in/out and no exit/no entry signs) shall be submitted to and approved by the Local Planning Authority. The approved signing scheme shall be implemented in full before the development hereby approved is brought into use and retained thereafter.

Reason

In the interests of highway safety and to comply with the Traffic Signs Regulations and General Directions and policies P5 and S1.2 of Bolton's Core Strategy.

4. The first and second floors shall be used in conjunction with ground and lower ground floors as a children's nursery and for no other purpose (including any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason

For the avoidance of doubt as to what is permitted and as other D1 uses may have more harmful impacts on neighbouring residents.

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

07:30 to 18:00 Mondays – Fridays

No opening shall take place on Saturdays, Sundays or Bank Holidays.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance, and to comply with policy CG4 of Bolton's Core Strategy

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

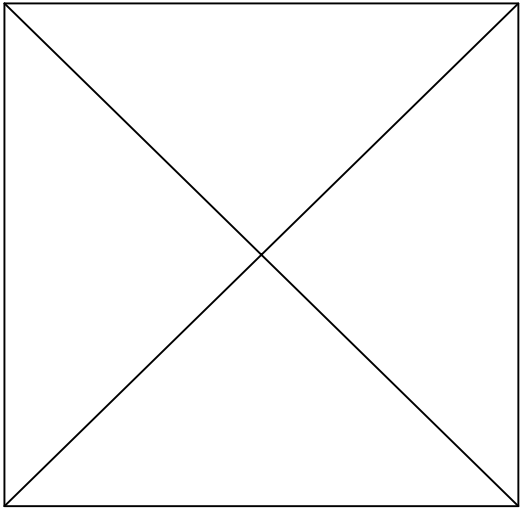
**0197/004; "Proposed Floor Plans"; dated 26/11/15**

Reason

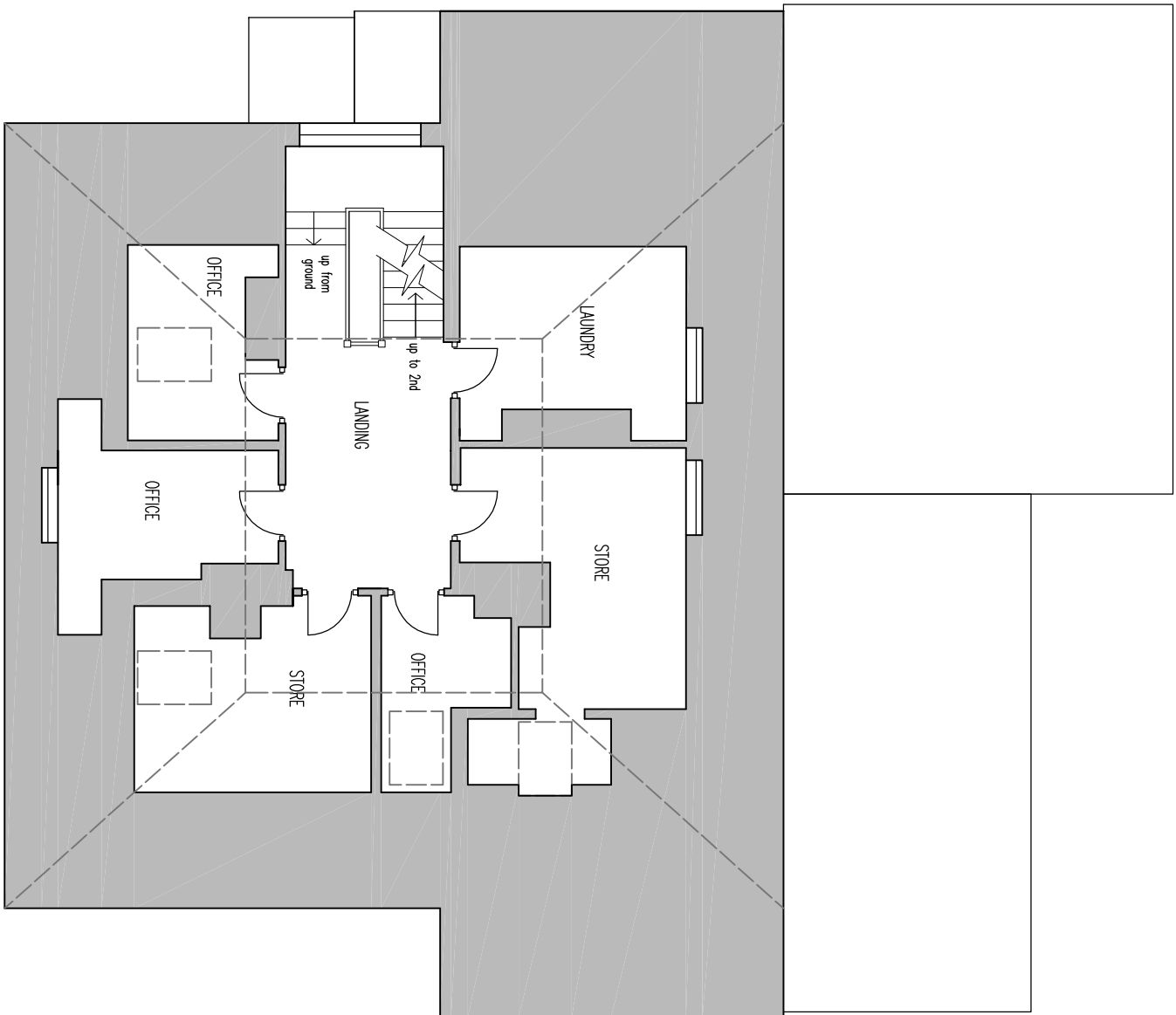
For the avoidance of doubt and in the interests of proper planning.



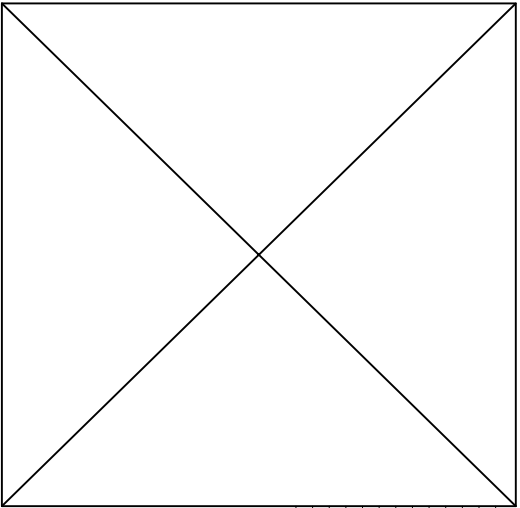
- Notes:-
1. Drawing to be used for Planning purposes only.
  2. All dimensions are to be checked on site prior to fabrication and/or construction. Any discrepancies are to be brought to the attention of MDA Architectural Services.
  3. The copyright for this drawing and design shall remain the property of MDA Architectural Services.
  4. This drawing is not to be reproduced without the written permission of MDA Architectural Services



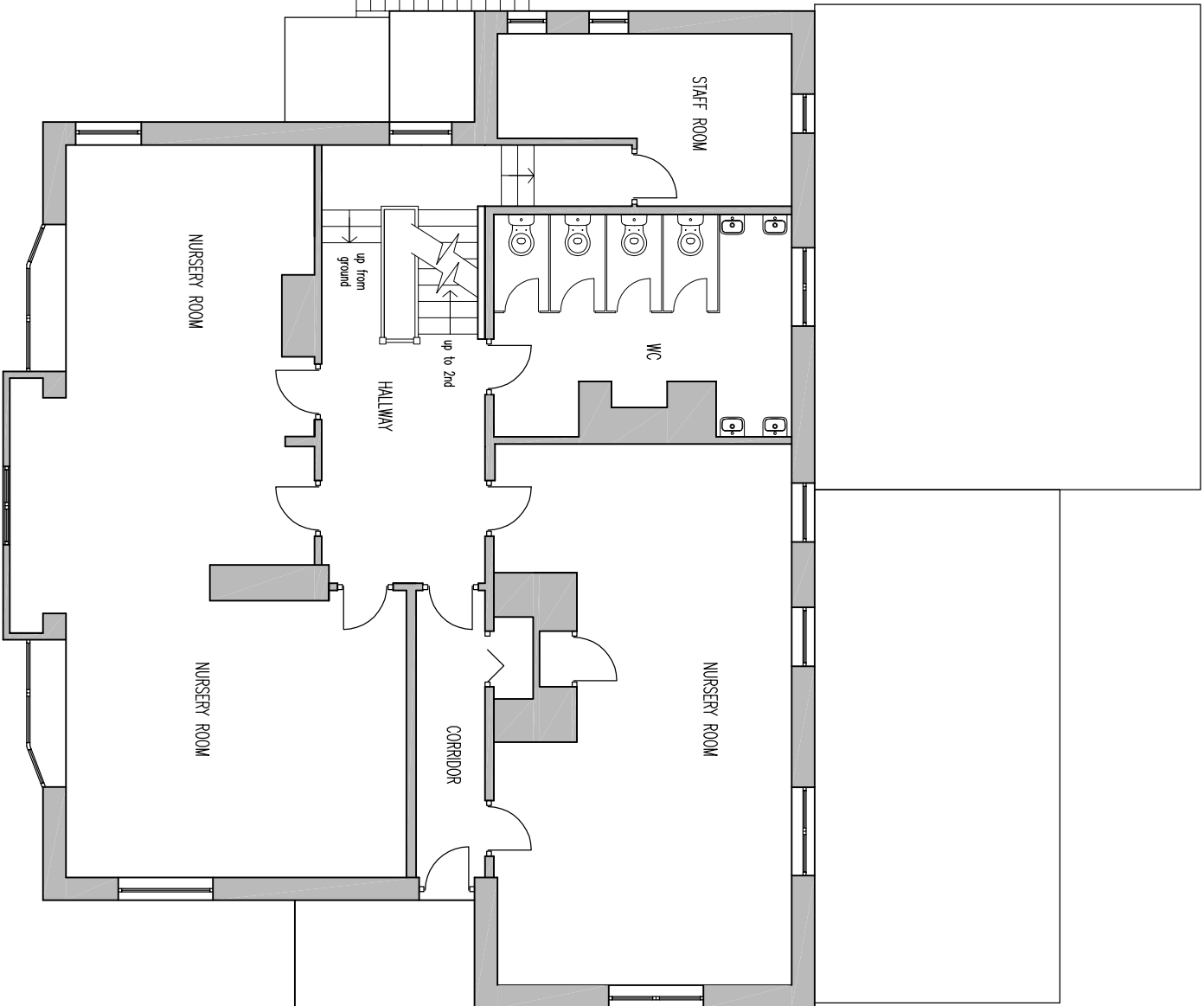
POPOSED SECOND FLOOR PLAN



N.B. EXISTING GROUND FLOOR PLAN & LOWER GROUND FLOOR WILL REMAIN UNCHANGED



PROPOSED FIRST FLOOR PLAN



ARCHITECTURAL SERVICES  
MDA ARCHITECTURAL SERVICES  
6th Floor, 120 Bank Street,  
Boltin, BL1 2AX  
www.mdas.co.uk  
07587 080 007

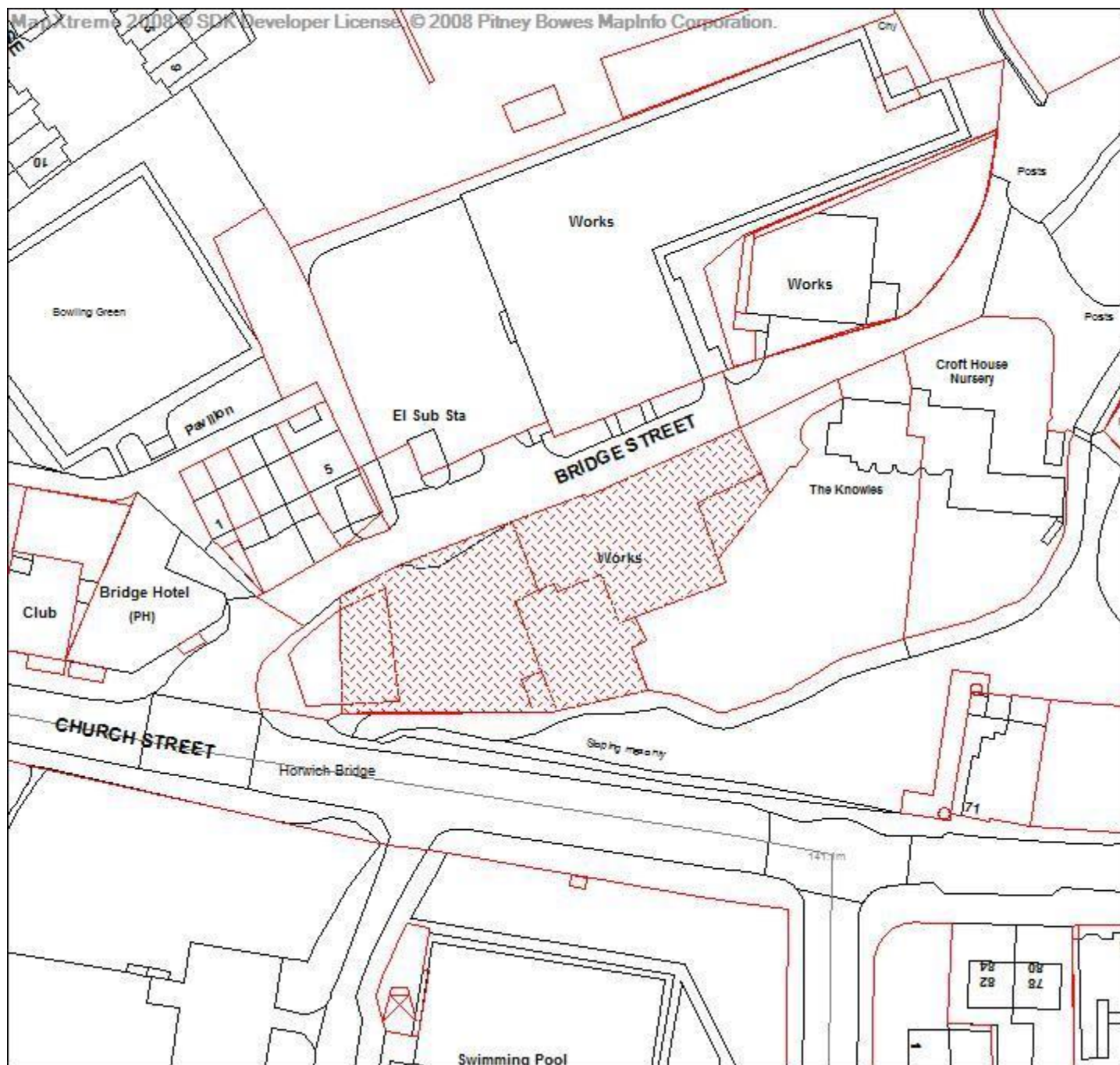
PROPOSED FLOOR PLANS

STOCKS HOUSE  
CHORLEY OLD ROAD  
HORWICH  
BL6 6BQ

Scale	1:100 @ A2	Drawing No.	
Date	26/11/15	0197 / 004	-

PLANNING

# Application number 95714/16



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 10/03/2016**

**Application Reference: 95714/16**

**Type of Application: Full Planning Application**

**Registration Date: 26/01/2016**

**Decision Due By: 21/03/2016**

**Responsible Officer: Helen Williams**

**Location: LONGWORTH HOUSE, BRIDGE STREET, HORWICH, BOLTON, BL6 7HE**

**Proposal: CHANGE OF USE FROM ENGINEERING WORKS TO CHILDREN'S NURSERY WITH ANCILLARY ACCOMMODATION, COMMUNITY ROOM AND 15 PARKING SPACES.**

**Ward: Horwich North East**

**Applicant: Mrs J Lomax-Baker**

**Agent : Mr R Potter**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Permission is sought for the change of use of the former engineering works (Longworth House) to a children's daycare facility, which will include residential accommodation for the nursery manager at first floor level (existing first floor above the part of the building located along Bridge Street) and community rooms at ground and first floor levels. To facilitate the proposed change of use the following alterations are proposed:

- \* Installation of a first floor within the two storey southern part of the building (the hipped roof two storey part of the building adjacent the proposed car park and Pearl Brook to the south);
- \* Removal of the two dual pitched roofs over the southern single storey part of the building (sited behind the two storey part that fronts Bridge Street) and their part replacement with a new mono-pitched roof over the proposed Room 5. The other section of this part of the building (where the roof is proposed to be removed) will be left open and used as an enclosed but open-air playground (new parapets will instead be installed at eaves level);
- \* Erection of a stone wall adjacent the driveway with The Knowles to continue the existing stone wall boundary at the rear/east;
- \* Installation of numerous new door and window openings;
- \* Removal of trees adjacent the easternmost part of the building as they are currently causing structural damage;
- \* Creation of a new exit out of the proposed car park, which will breach the existing stone boundary wall along Bridge Street, and the continuation/re-building of the eastern section of this stone wall to narrow the width of the existing entrance.

The area to the west of the site is to be used as a 15 space car park and drop off/collection area for

the proposed children's daycare facility, with a separate entrance and exit onto Bridge Street. The southern part is to be used as a playground.

The building is to be spacious with 14 rooms and four separate play areas, but the applicant is only currently envisaging that 30 full time and two part time staff will be employed.

The proposed opening times are between 06:30 and 19:00 hours Mondays to Fridays and 07:30 to 12:00 hours Saturdays (an after school club is proposed between 16:00 and 19:00 hours Mondays to Fridays).

The applicant currently owns the nearby Croft House Nursery on Bridge Street and it is their intention to expand and relocate their business to the application site.

### **Site Characteristics**

Longworth House is a large stone and slate building comprising a number of two storey and single storey elements (which gives the building the appearance of having been extended over time). The building was previously used as an engineering works, and numerous alterations have been carried out to the building (both externally and internally) to accommodate the building's past uses. The building is now derelict.

A yard area is located immediately adjacent the building to its west, which is currently accessed via wide palisade gates off Bridge Street. A stone wall encompasses most of the site, apart from where the building fronts directly onto Bridge Street.

The application site is located at the westernmost end of Wallsuches Conservation Area.

To the immediate east of the application site is the residential property of The Knowles and its large rear garden. Adjoining The Knowles is Croft House Nursery, which is owned by the applicant and is sited at the end of Bridge Street.

Opposite the application building is the former Mach-Aire works building. Opposite the yard area are five terraced stone cottages (1 to 5 Bridge Street).

Bridge Street is an unadopted highway and is also the route of public right of way HOR127. Bridge Street meets with Chorley New Road just south west of the application site. Longworth House is at a lower ground level than Chorley New Road/Horwich Bridge.

To the immediate south of the application site is Pearl Brook. This results in the application site being located within Flood Zone 3.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Accessibility and Transport; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG1.5 Flooding; CG3 The Built Environment; CG4 Compatible Uses; SC2 Cultural and Community Provision; OA1 Horwich and Blackrod.

Allocations Plan Policy: P8AP Public Rights of Way.

SPD General Design Principles; SPD Accessibility, Transport and Safety.

### **Analysis**



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

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

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

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

The main impacts of the proposal are:-

- \* impact on the character and appearance of the building and Wallsuches conservation area
- \* impact on the highway
- \* impact on the amenity of neighbouring residents
- \* impact on trees
- \* impact on flooding

#### Impact on the Character and Appearance of the Building and Wallsuches Conservation Area

Section 12 of the National Planning Policy Framework (NPPF) concerns conserving and enhancing the historic environment. It states that in determining planning applications, local planning authorities should take account of:

- \* the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- \* the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- \* the desirability of new development making a positive contribution to local character and distinctiveness.

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, 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, and historical associations should be retained where possible. Policy CG3.4 states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.

Policy OA1 of the Core Strategy relates specifically to developments in Horwich and Blackrod. Policy OA1.9 states that the Council will conserve and enhance the character of the existing landscape and physical environment, especially the conservation areas at Horwich town centre, Horwich Loco Works and Wallsuches. Policy OA1.10 states that the Council will ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.

The application site is located within Wallsuches Conservation Area. Longworth House (the application building) is a combination of two storey and single storey, stone built buildings with slate roofs, and was formerly used as an engineering works. It is considered that the building makes a

positive contribution to the historic grain, character and appearance of the conservation area.

A number of alterations are proposed to the building to accommodate the proposed new use as a children's daycare facility. Along with internal alterations (such as the installation of a first floor in the two storey part of the building adjacent the proposed car park), a number of external alterations are proposed. These are summarised and discussed below:

*Removal of the two dual pitched roofs over the southern single storey part of the building and their part replacement with a mono-pitched roof and parapets*

The roofs that are to be removed are not particularly visible from Bridge Street as they are sited at the rear of the building. They are also not particularly visible from the elevated position on Chorley New Road due to the dense vegetation between the application site and the road. The roofs are also over single storey elements of the building and therefore are not considered to be the most prominent roofs on the building. It is therefore considered that the removal of the roofs would not harm the character and appearance of the building or the conservation area. A condition is proposed to ensure that the new mono-pitched roof is constructed from natural slate to match the slate of the existing building.

*Installation of various new door and window openings*

A number of new door and window openings are proposed to facilitate the proposed layout of the children's daycare facility. Where possible the new windows and doors are to replace existing or blocked up openings (for example, doors have been proposed in some instances where there are currently windows). Where new openings are proposed, they are considered to replicate the scale, design and siting of the existing windows and doors and do not over-complicate or change the current uniformity of the building. A condition is recommended that details of the new doors and windows be submitted for approval prior to commencement of development.

*Alterations to stone boundary walls*

The stone wall along Bridge Street (to the west of the building and to the front of the yard area) has previously been significantly breached by the installation of double palisade gates. The applicant proposes to reduce the width of this existing opening by reinstating a stone wall (of the same height as the existing) on either side of the proposed new entrance, but also to create an additional opening further to the west for a proposed new exit from the car park. The existing palisade gates are then to be re-used (individually) at the new entrance and exit. It is considered that these alterations to the stone wall along Bridge Street would not harm the character and appearance of the area given that they will retain a boundary that is characterful to the area. Conditions are proposed to ensure that the stone to be used for the new sections of the wall are similar to those of the existing wall and that they are of the same height as the existing wall.

A new stone wall is also proposed to the eastern side of the building, between the application site and the driveway to the neighbouring residential property at The Knowles. This will link two existing sections of stone walls around the site, and is therefore considered to be in character with the area. Again, a condition will ensure that materials match those existing.

For these reasons above, it is considered that the proposed alterations to the building and boundaries would be in sympathetic to the character and appearance of both the building and Wallsuches Conservation Area.

In accordance with the guidance contained within section 12 of the NPPF, the proposed use of and alterations to Longworth House should put the building back into a viable use and ensure the future preservation of an important building within the conservation area.

It is therefore considered that the proposed development would comply with Policies CG3 and OA1 of the Core Strategy.

#### Impact on the Highway

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements and 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.

Policy SC2 of the Core Strategy states that the Council will ensure that local cultural activities and community facilities are located in neighbourhoods that they serve.

The existing yard area to the west of Longworth House is to be laid out as a car park for 15 vehicles (one of them being a disabled bay and the three proposed nearest the entrance being for staff). The car park is to be accessed from the existing (but narrower) access off Bridge Street and a new exit is to be created at the other end of the car park to allow vehicles to drive through the area for drop off and collection.

The Council's Highways Engineers have objected to the proposed change of use of the site to a children's nursery as they feel the site is located too close to the busy junction with Church Street, there is already a high incidence of on-street parking on Bridge Street, there are no footways on Bridge Street for children and carers, and there would be nil visibility for vehicles leaving the car park. Engineers also believe that the Council's parking standards should be met in full for the nursery, which would equate to 34 spaces (maximum standard). Engineers therefore have recommended that the applicant looks into providing a footway from Church Street to the site (with a safe crossing location on Bridge Street), visibility to acceptable standards, the extension of waiting restrictions along the frontage of the site, and proposals to overcome what they feel is a deficiency in parking provision.

The applicant already operates a children's nursery at the end of Bridge Street, at Croft House. It is the applicant's intention to move their business to the application site, which will allow them to accommodate more children and take on more staff. Croft House Nursery does not have any off-street parking and therefore visitors and staff park at the end of Bridge Street. Bridge Street is not a through road and the only users currently using the road beyond the application site are those going to the dwelling at The Knowles and to the nursery (though it is noted that currently some staff from Horwich Parish Primary School are parking at the end of Bridge Street whilst an extension to the school is being constructed). The former Mach-Aire building is currently vacant and it is unknown what the proposed future use of this site will be. Five dwellings have been approved at the former Bridge Foot Forge site.

It should be noted that the application site is in a highly sustainable location, being on the edge of Horwich town centre, being within the community the nursery will serve (in compliance with Core Strategy Policy SC2) and close to bus stops on both sides of Church Street. In planning terms, this should reduce the need for users of the nursery to arrive and leave by vehicle. The applicant has also advised the following (based on their current experiences of having a nursery on Bridge Street):

- \* Children may only attend the nursery for a short period of time as their parents' circumstances may change (travel arrangements may also change);
- \* The length of time children attend differs (Officer's addition to this point: not all children arrive and leave, or will be arriving and leaving, the nursery at the same time);
- \* Weather affects travelling. Some may walk or drive dependent on conditions;
- \* Some parents and children car share;

- \* Some staff bring their own children;
- \* Various modes of transport are used, including taxis. A small number of children arrive by bicycle side car.

It should also be noted that the parking standards within appendix 3 of the Core Strategy are maximum standards. As with all planning applications, proposals should be determined on their own merits. In this instance, as explained above, the application site is in a highly sustainable location and close to the community it will serve, therefore it is not considered that the maximum parking standards would need to be met for this proposal.

In terms of highway safety, it is noted that there may be occasions where on-street parking on Bridge Street will occur, but, as explained above, Bridge Street is not a through road and therefore traffic movements should not be detrimentally affected and it is also considered that the good visibility both into and out of Bridge Street (given the wide radii at the junction) would also reduce the risk of accidents.

It should also be noted that the current permitted use of Longworth House is B2 (general industrial) and therefore its permitted use has a strong potential to generate more and heavier traffic to the site than the proposed nursery use.

It is felt by officers that it would be excessive and unnecessary to require the applicant to provide a footway along Bridge Street (which would reduce the width of the unadopted road) and/or extend waiting restrictions along Bridge Street (which would restrict short drop offs and collections on Bridge Street).

Officers therefore consider that the proposed change of use would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

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

The area surrounding the application site is mixed in character, with residential properties to the north (the terraced row at 1 to 5 Bridge Street) and east (The Knowles), a commercial/industrial premises also to the north (the former Mach-Aire site), a public house to the west (Bridge Hotel) and a leisure centre to the south (across Church Street).

It is considered that the proposed children's daycare facility use of the building would not be incompatible with the mixed use area it is located within. There would be vehicle movements to the site to the fronts of the houses at 1 to 5 Bridge Street, but these would only be between the hours of 06:30 and 19:00 hours Mondays to Fridays and 07:30 to 12:00 hours Saturdays. There would also be noise generated from children playing in the outdoor playgrounds and within the open area play areas, but again these would be restricted to the proposed hours of opening.

As explained above, the existing use of the building is a B2 general industrial use, which has the potential to generate greater and heavier vehicle movements and noisier operations than the proposed nursery use. There is also no restriction on operational times for the building for a B2 use.

It is therefore considered that the proposed use would be a more neighbourly use for the adjoining residential properties than the permitted use of the building, and therefore it would comply with Policy CG4 of the Core Strategy.



It is suggested that the proposed hours of opening are conditioned to those stated within the application submission, to further safeguard the amenity of the neighbouring residents.

#### Impact on Trees

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

The trees within and surrounding the application site are afforded protection as the site is located within a conservation area.

It is proposed to remove the trees adjacent the easternmost part of the building as they are currently causing structural damage to the eastern side of the two storey part of the building along Bridge Street. These have been described by the applicant as being self-seeded trees.

The Council's Tree Officers have also confirmed that a small willow and rowan tree will need to be removed to accommodate the proposed exit from the car park. They however state that the loss of these will not have a significant impact on the amenity of the area.

The remaining trees on the site are shown for retention.

It is therefore considered that the proposed development will safeguard biodiversity, compliant with Policy CG1.2 of the Core Strategy.

#### Impact on Flooding

Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk.

The application site is site immediately north of Pearl Brook and within Flood Zone 3 of the Environment Agency's Flood Map. The applicant has therefore been requested to submit a Flood Risk Assessment (FRA). At the time of writing this report the FRA had not yet been submitted. Members will therefore be provided with an update of this and any recommendations at the meeting.

#### **Value Added by the Development**

Owing to the current poor condition of Longworth House, it is understood that the applicant will need to invest a lot of money into the proposed development to repair the building and make it suitable for its proposed use. This in turn will secure the future of a building that makes a positive contribution to Wallsuches Conservation Area.

The nursery will be employing additional staff when it moves to the new premises, providing jobs for local people.

#### **Conclusion**

For the reasons discussed above it is considered that the proposed change of use of Longworth House to a children's daycare facility and the proposed alterations to accommodate this use would be compatible with the character and appearance of the building and Wallsuches Conservation Area, would not jeopardise highway safety, would not unduly harm the amenity of neighbouring residents, and would safeguard biodiversity. Subject to the applicant submitting an adequate Flood Risk Assessment, Members are recommended to approve this application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** One letter of objection has been received from a neighbouring resident. This raises the following concerns:

- \* Very happy for the building to be changed to the nursery but have to object to the proposed parking, as they do not consider 15 spaces are enough;
- \* The proposed exit would cause considerable congestion and danger on Bridge Street right at the front of their house where they park their car;
- \* The road is not wide enough to accommodate vehicle turning, and with no footpaths it would be another danger;
- \* Bridge Street is already extremely bad for residential parking.

One letter of support has been received from a neighbouring resident, who states the following:

- \* They wish to confirm their full support for the proposals;
- \* Bridge Street is not a through road and traffic generally travels at a slow pace;
- \* The envisaged small increase in private car traffic and the proposed additional parking will be preferable to the number of HGVs that previously visited the premises;
- \* They have lived next door to the existing nursery for over 20 years and can confirm that they have never had any problems with parking or noise;
- \* The application buildings are in very poor condition and the applicant's intention to carry out refurbishment should be supported;
- \* The proposed use would preserve the integrity and economic sustainability of the conservation area;
- \* The residential redevelopment of the Loco Works will result in an increased demand for pre-school day care;
- \* The expansion of the nursery will result in increased employment.

**Horwich Town Council:-** Strongly supported the application at their meeting of 18th February 2016, as they believed the proposal would be of benefit to the building and the wider community (on the condition that highways concerns would be addressed and development would be sensitive to the nature of the conservation area).

**Elected Members:-** Cllr. Silvester has written in support of the application. He believes that the proposed use will be of great benefit to the town and will complement the conservation area as it is being done in a sympathetic way, retaining many of the original features and also in some instances improving them. The proposal saves an historic building from any potential demolition, owing to its poor condition inside. The proposal also provides employment. Another benefit is that traffic will no longer have to travel to the very end of Bridge Street but will instead enter and exit the site at the near start of the street. As Bridge Street has no pedestrian pavements in large parts this would mean Bridge Street itself would become safer with less traffic having to travel down Bridge Street to the present nursery.

Cllr. McKeon has requested an advanced site visit.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers, Tree Officers, Drainage Officers, Early Years Development, Educational Social Workers, and the Environment Agency.

### **Planning History**

Permission was granted in September 2005 for the erection of a 2.4 metre high palisade fence (71795/05).

Application 38900/91 for Conservation Area Consent to demolish buildings on site was refused in November 1991.

**Recommendation:            Approve subject to conditions**

**Recommended Conditions and/or Reasons**

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

Reason

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

2. Prior to the commencement of development a detailed specification for all doors and windows shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is brought into use and retained thereafter.

Reason

To ensure the development reflects local distinctiveness and to comply with policies CG3 and OA1 of Bolton's Core Strategy.

3. Before the approved/permitted development is first brought into use no less than 15 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with drawing ref: Dwg 6; "Proposed Car Park Layout"; received 26 Jan 2016. 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 to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

4. The materials to be used for the alterations to the building hereby permitted shall be of a similar colour, texture and size of those of the existing building (that is, natural slate and stone), and shall be retained thereafter.

Reason

To ensure the development visually reflects the existing building and to comply with policies CG3 and OA1 of Bolton's Core Strategy.

5. The cills and heads to the new window and external door openings of the development shall be in natural stone of a colour and texture to match to those of the existing building.

Reason

To ensure the development safeguards the visual appearance of the building and to comply with policies CG3 and OA1 of Bolton's Core Strategy.

6. The stone to be used for the building of the new boundary walls hereby permitted along Bridge Street and adjacent The Knowles shall be of a similar colour, texture and size of those of the existing

walls they are to adjoin, and shall be retained thereafter.

Reason

To ensure the development visually reflects the existing building and to comply with policies CG3 and OA1 of Bolton's Core Strategy.

7. The new stone wall to be built along Bridge Street, to the front of the approved car park, shall be to the same height as the existing stone wall at that location.

Reason

To ensure that the proposed new wall is in keeping with the appearance of the existing wall, and to comply with policies CG3 and OA1 of Bolton's Core Strategy.

8. The self-contained flat hereby approved shall be used only for the purpose of providing residential accommodation for an employee of the children's daycare facility.

Reason

In light of the applicant's circumstances where development may not normally be permitted.

9. The premises subject of this consent shall not be open to customers outside the following hours:-

06:30 to 19:00 hours Mondays – Fridays

07:30 to 12:00 hours Saturdays

No opening shall take place on Sundays or Bank Holidays.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance, and to comply with policy CG4 of Bolton's Core Strategy.

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

**Dwg 2; "Proposed First (Flat) & Ground Floor Plan"; received 26 Jan 2016**

**Dwg 3; "Existing/Proposed First Floor Plan"; received 26 Jan 2016**

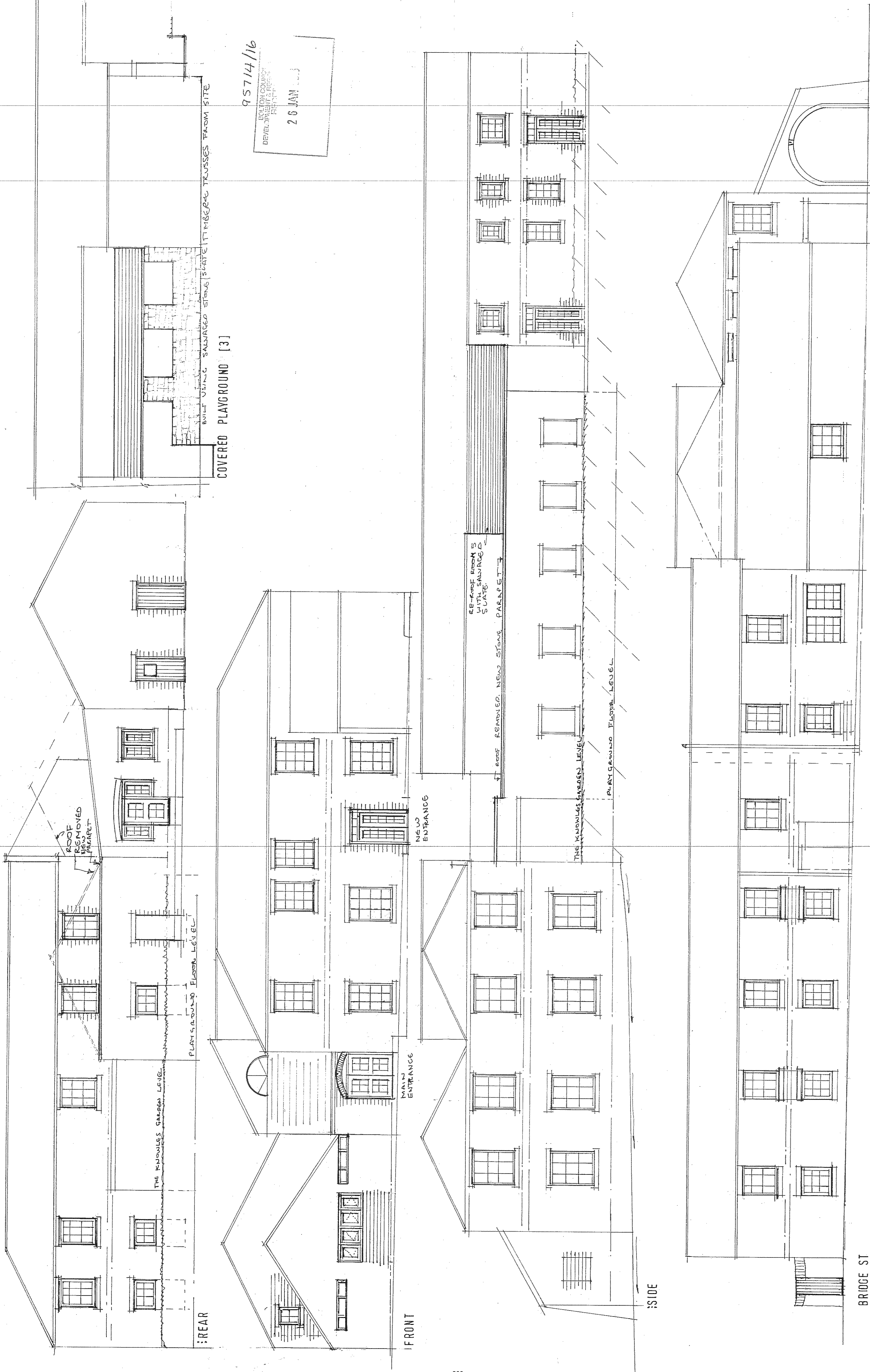
**Dwg 5; "Proposed Elevations"; received 26 Jan 2016**

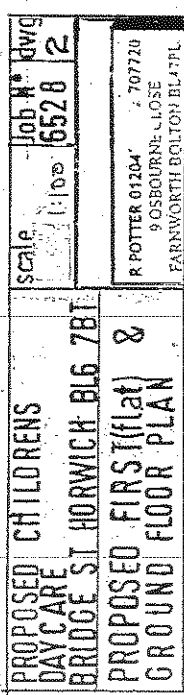
**Dwg 6; "Proposed Car Park Layout"; received 26 Jan 2016**

Reason

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





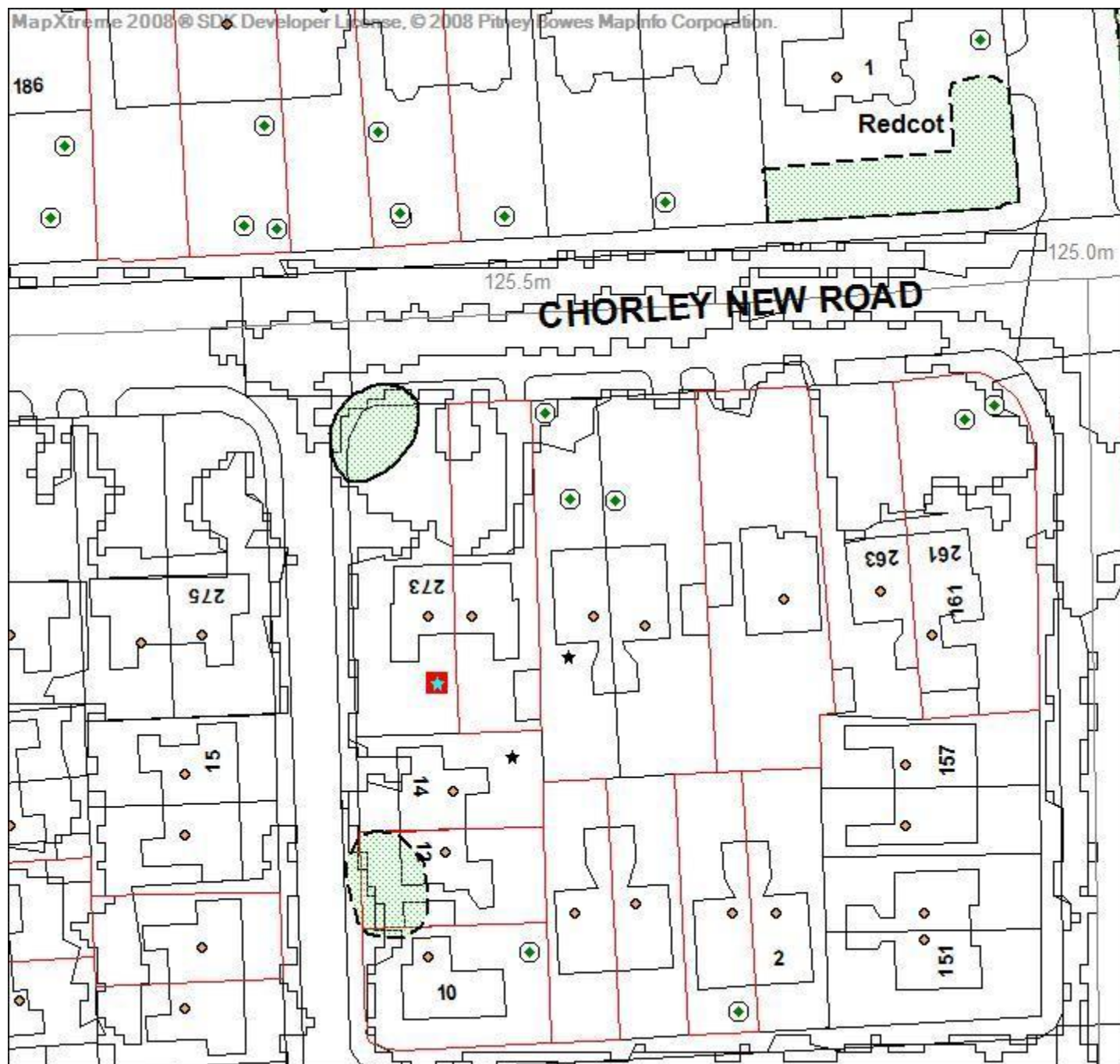








**Application number**  
**95728/16**



**Development & Regeneration Dept**  
**Development Management Section**

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

**Bolton**  
**Council**

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**Date of Meeting: 10/03/2016**

**Application Reference: 95728/16**

**Type of Application: Full Planning Application**  
**Registration Date: 27/01/2016**  
**Decision Due By: 22/03/2016**  
**Responsible Officer: Paul Williams**

**Location: 271 CHORLEY NEW ROAD, BOLTON, BOLTON, BL1 4PH**

**Proposal:** PROPOSED SINGLE STOREY SIDE/REAR EXTENSION TO  
CONNECT TO EXISTING DETACHED BUILDING AT THE REAR  
YARD

**Ward: Heaton and Lostock**

**Applicant: Mr A ZAMAN**

**Agent : RA Design & Project Management Ltd**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

This application seeks permission for a single storey side and rear extension to connect to the existing detached building at rear yard. The host dwelling is a two storey semi-detached dwelling house at 271 Chorley New Road in Inner Bolton. The front of the proposed extension is set back on the side elevation from the main front elevation of this dwelling house by approximately 3.8 metres and would then project from the existing side east facing elevation of this dwelling house by approximately 2.8 metres, standing 100mm in from the side party boundary with 269 Chorley New Road. It would then extend back by 7.5 metres in length, alongside the existing two storey side elevation of the main dwelling and the side elevation of the single storey rear kitchen outrigger to connect to the existing detached outbuilding in the rear garden of this application site.

There is presently only a short 85cm gap between this rear kitchen outrigger and the detached outbuilding in the rear garden, but this proposed extension will connect the existing main dwelling house to the rear outbuilding. The rear outbuilding is presently used as a habitable room, ancillary to the main dwelling house, and this proposed extension would also create additional habitable rooms to the main dwelling house. The side boundary treatment alongside the party boundary with 269 Chorley New Road is presently a 0.6 metre brick base wall with a 1.8 metre high concrete post and timber panel fence. Therefore, the combined boundary screen is a total height of 2.4 metres which is approximately the same height as the eaves level of this proposed extension and the eaves level of the existing detached outbuilding which has previously been converted to habitable rooms. The shallow pitched roof above the proposed extension would then reach a maximum ridge height of 3.1 metres above ground level which is also the same ridge height as the existing detached habitable room outbuilding.

The extension would be constructed in matching brickwork and roof tiles to the main dwelling house

and the main patio window doors would be situated in the front elevation. There would be no windows in the side elevation running alongside the side party boundary with 269 Chorley New Road. The remaining 85 centimetre gap between the existing single storey kitchen outrigger to the main dwelling and the existing rear outbuilding would also be fitted with a single entrance door in this extension to provide access to the back garden of this application site.

There are no ground floor windows on the side elevation of 269 Chorley New Road which faces the party boundary wall/fence. The position of the proposed extension would also involve extending beyond the parallel building line of the rear elevation to the neighbouring 269 Chorley New Road by approximately 2.6 metres before it reaches the existing detached rear outbuilding within this application site. In addition, the current parking provision for this property would not be adversely affected or reduced by the construction of the proposed extension in this application because the existing retained front garden is largely paved to provide appropriate levels of off-road parking.

This application is being brought to Committee for consideration because the applicant is Councillor Akhtar Zaman.

### **Site Characteristics**

The application site is situated in a predominantly residential area characterised mainly by two storey semi-detached properties in Inner Bolton, and similar to the host dwelling in this application which is also set in reasonably sized front and rear gardens alongside one of the main classified arterial roads (A673) into Bolton Town Centre.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategies Policies:

CG3 The Built Environment; CG4 Compatible Uses; RA1 Inner Bolton.

SPD House Extensions

SPD General Design Principles

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

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

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

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

Policy RA1 of the Core Strategy relates specifically to developments in Inner Bolton and states that the Council will ensure that development has particular regard to massing and materials used, will respect and strengthen the traditional grid-iron pattern and street-scaping of existing houses where it is compatible with good urban design, and will require development to provide adequate privacy and amenity space.

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

The proposed extension, by virtue of the modest single storey height, scale and massing, is considered to be a subservient addition which would not have an over-dominant impact on the character and appearance of the area and wider street scene. It would also be built in materials to match as existing, brick walls and tiled roof, and this would also be compatible with the surrounding street scene. This proposed extension is therefore considered to be compliant with Policies CG3 and RA1 of the Core Strategy and the advice contained in the SPD on House Extensions.

#### Impact on the Amenity of Neighbouring Residents

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

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

The adjoining neighbour to the east of this application site, alongside whose side boundary this extension is proposed, is concerned about loss of evening sunlight as the extension is proposed to the south-east of that rear elevation. However, it is considered that as the eaves and ridge height of the proposed extension line through with the same heights as the existing outbuilding to which it connects, and as the boundary fence/wall is the same approximate eaves height as the proposed extension/outbuilding with only a shallow pitched roof, that the overshadowing/ loss of light implications for the adjoining neighbours would not be so significantly increased above and beyond the present situation. In response to the neighbour's additional concern that the proposed extension projecting directly up to the party boundary will involve overhanging guttering onto their side, the applicant's agent has submitted an amended plan to set the proposed development in by 100mm.

Overall, it is considered that this proposed side and rear extension, by virtue of the modest single storey height, no higher than the existing detached outbuilding, and with no windows in the side facing elevation towards the neighbouring property at 269 Chorley New Road, would not give rise to any significant over-shadowing or over-looking of adjoining neighbours. It is not therefore considered that it would have an over-dominant visual impact on the outlook of these adjoining neighbours and would not compromise the privacy of the adjoining neighbour at 269 Chorley New Road. Furthermore, it is also considered that the neighbour's concern about encroachment has been appropriately addressed by reducing the width of the extension. Therefore, it is considered that the residential amenities which adjoining neighbours might reasonably expect to enjoy would not be adversely affected by this proposed extension, which complies with the provisions of Core Strategy

Policy CG4 and the similar neighbour amenity provisions of the SPD on House Extensions.

**Conclusion**

In conclusion, it is considered that this single storey side and rear extension is acceptable in terms of impact on the character and appearance of the street scene and the impact on neighbour amenity, and would comply with Core Strategy Policies CG3, CG4 and RA1 and the SPD on House Extensions. Therefore, it is recommended that this application be approved subject to appropriate conditions.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** One letter of neighbour objection has been received in relation to this application. The main concerns raised were -

\* The pitched roof to the extension would cause permanent loss of some evening sunshine and overall brightness to the sun-room at the back of the neighbours property.

A flat roof or partial flat roof is suggested to minimise the impact of loss of light.

\* The guttering of the extension would be on the neighbour's side of the boundary which would be illegal and the neighbour strongly feels that the guttering should be internalised within the curtilage of the proposed building. (Officer Note: an amended plan has been received which addresses this matter).

**Petitions:-** None.

**Elected Members:-** None.

### **Consultations**

Highways - no objections.

Drainage Team - no objections.

### **Planning History**

86734/11 - Conversion and extension to existing garage to form habitable room - Approved 16.09.2011.

**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.

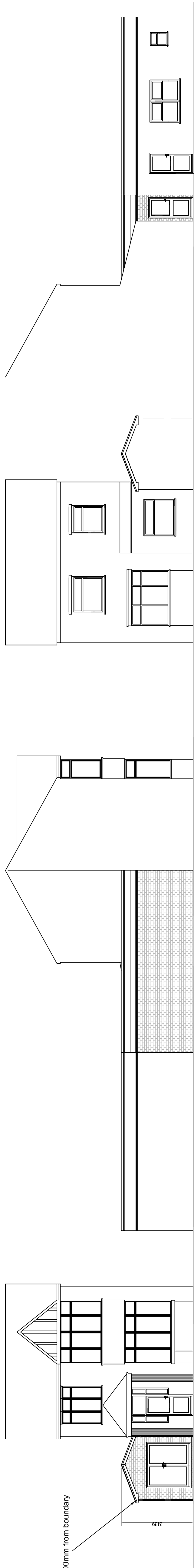
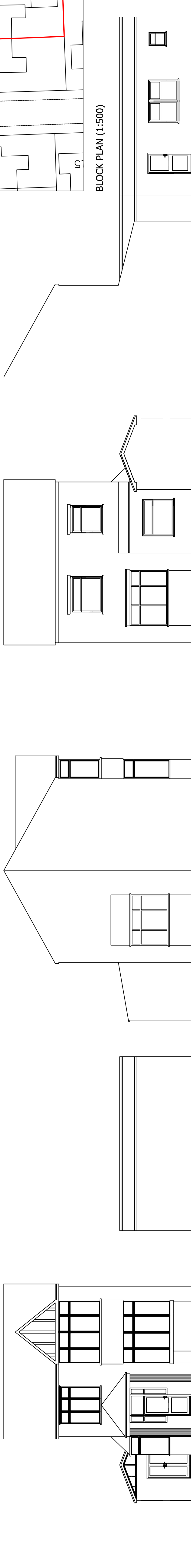
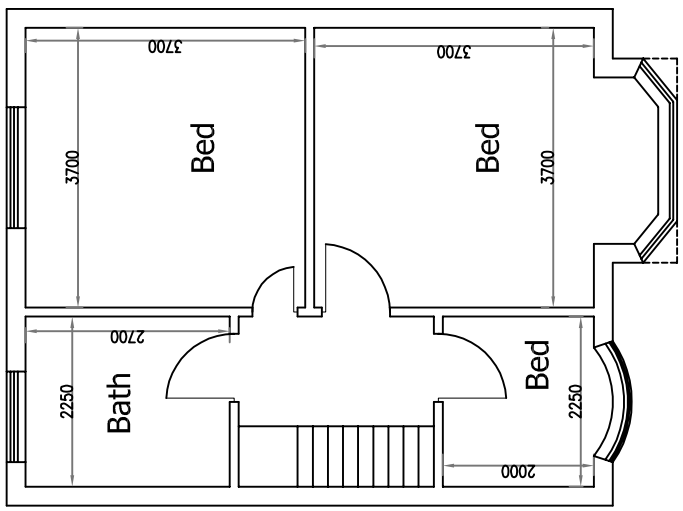
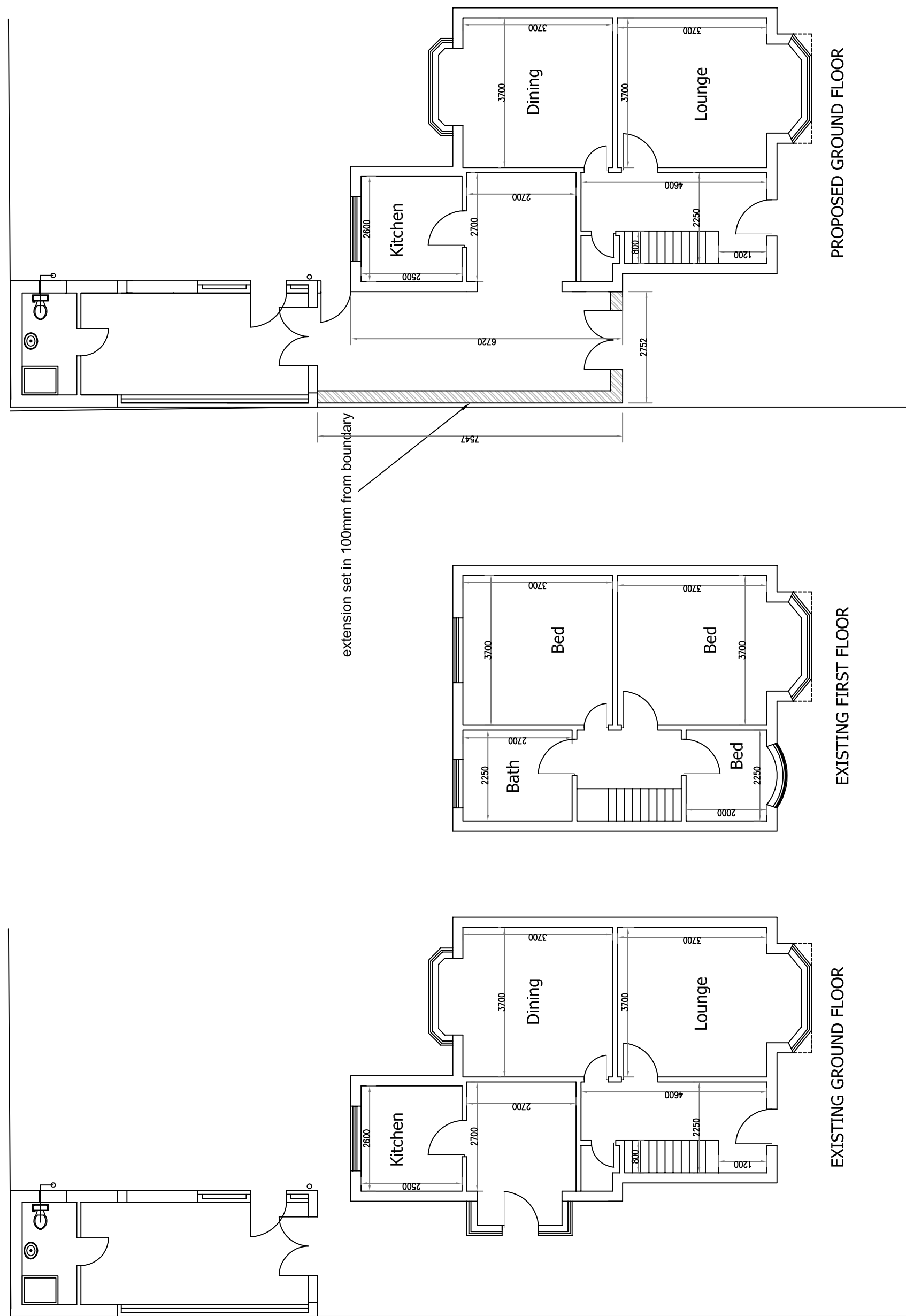
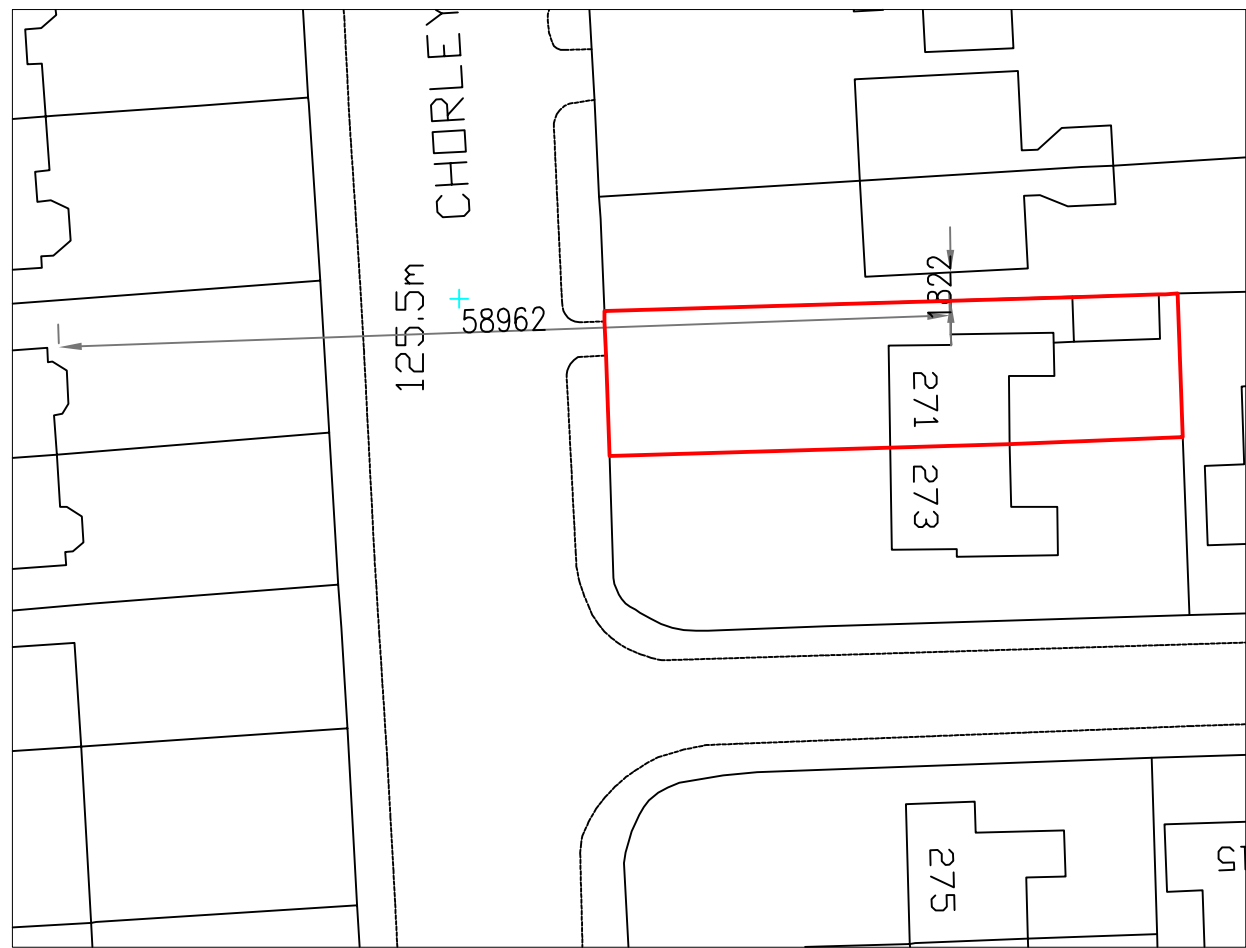
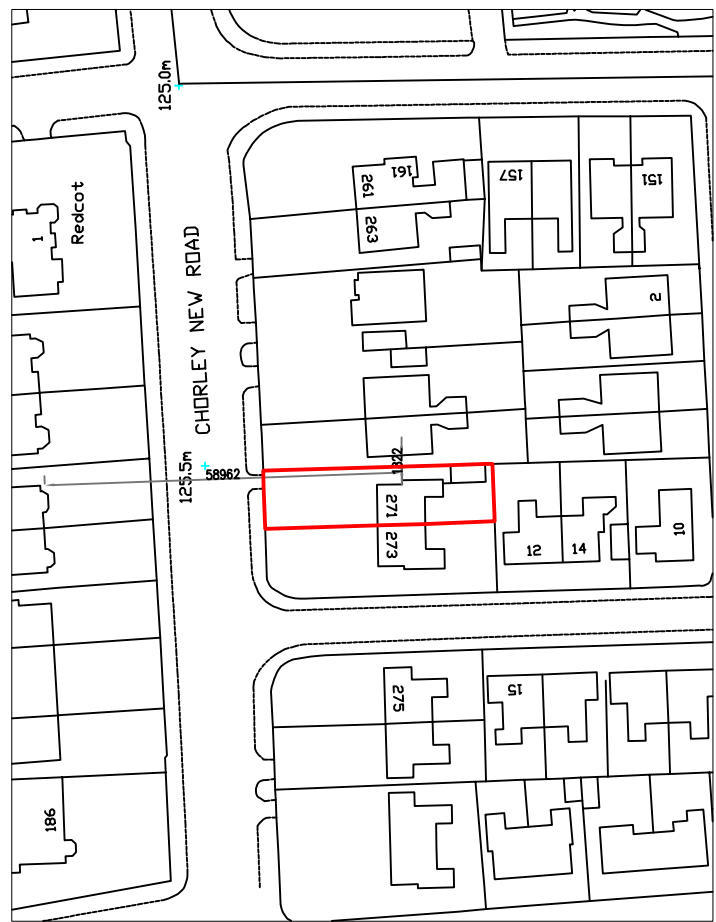
Reason

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

Reason

To ensure the development visually reflects the existing building and to comply with policy CG3 of Bolton's Core Strategy.



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Figured dimensions take precedence over scaled measurements from the drawing. All dimensions to be checked by Contractor and discrepancies clarified with the Client prior to commencement.

The whole of the works to comply with current Building Regulations. No work to commence without Building Regulations approval.

[illegible]

<b>Project</b>	271 CHORLEY NEW ROAD BOLTON BL1 4PH	<b>Client</b>	MR A ZAMAN
		<b>Drawn</b>	RA
<b>Title</b>	PROPOSED SIDE SINGLE STOREY EXTENSION	<b>Date</b>	OCTOBER 2015
		<b>Scale</b>	1:100
		<b>Drawing Number</b>	RAD/1319/15/1/RevA