

**Planning Applications Report**

**Planning Committee**

**06 March 2014**

**Bolton  
Council**

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

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

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

The following abbreviations are used within this report: -

UDP	The adopted Unitary Development Plan 2005
RSS	Regional Spatial Strategy for the North West of England 2008
PCPN	A Bolton Council Planning Control Policy Note
PPG	Department of Communities and Local Government Planning Policy Guidance Note
MPG	Department of Communities and Local Government Minerals Planning Guidance Note
SPG	Bolton Council Supplementary Planning Guidance
SPD	Bolton Council Supplementary Planning Document
PPS	Department of Communities and Local Government Planning Policy Statement
TPO	Tree Preservation Order
EA	Environment Agency
SBI	Site of Biological Importance
SSSI	Site of Special Scientific Interest
GMEU	The Greater Manchester Ecology Unit

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

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

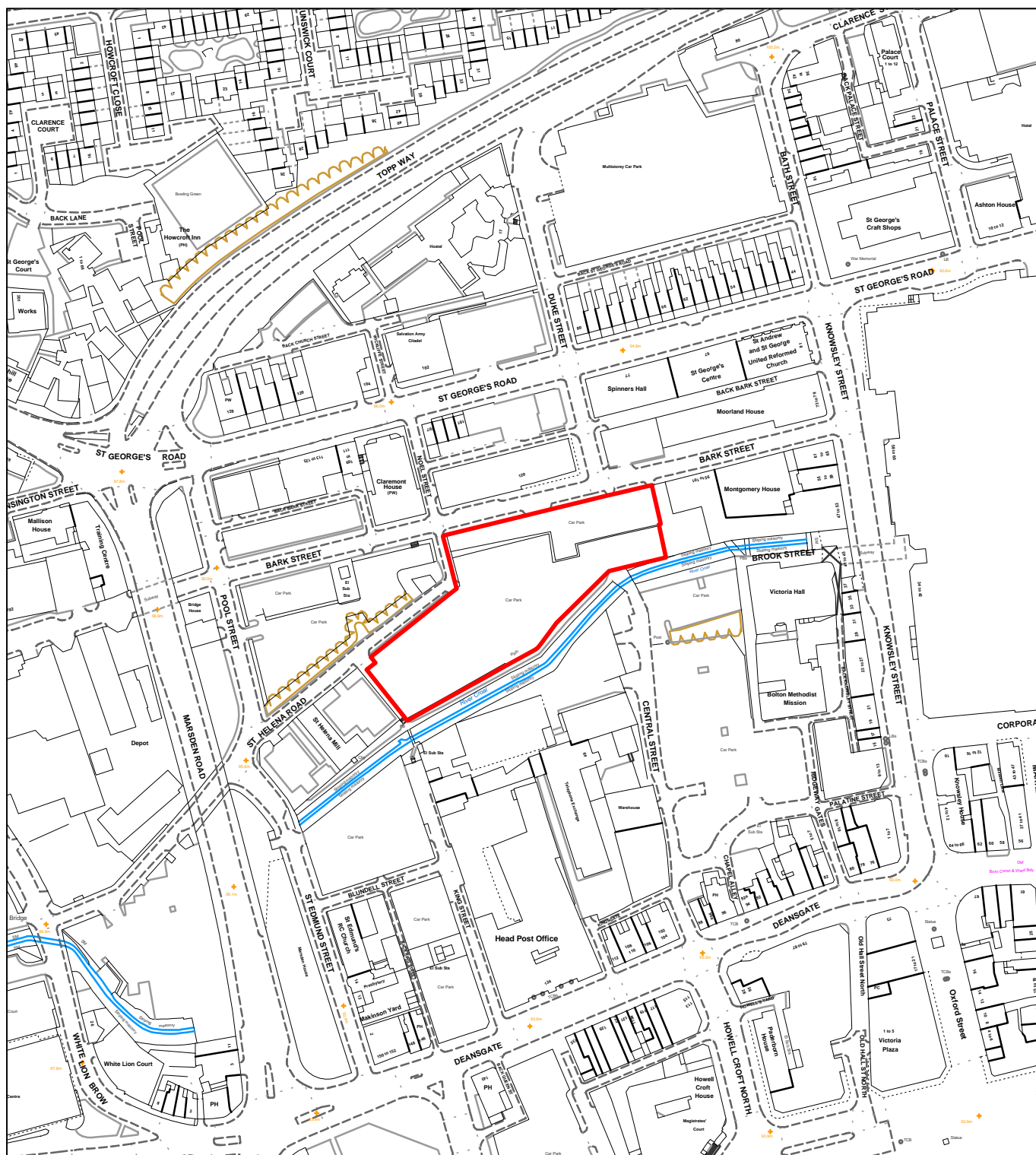


## INDEX

Ref. No	Page No	Ward	Location
<b>74201/06</b>	<a href="#"><u>4</u></a>	HALL	LAND AT BARK STREET / ST HELENA ROAD, BOLTON
<b>88421/12</b>	<a href="#"><u>21</u></a>	BMET	ST ANDREW'S RC PRIMARY SCHOOL, WITHINS DRIVE, BOLTON, BL2 5LF
<b>89226/12</b>	<a href="#"><u>39</u></a>	HOBL	BOLTON WANDERERS ACADEMY LAND, OX HEY LANE, LOSTOCK, BOLTON
<b>90227/13</b>	<a href="#"><u>54</u></a>	KEAR	433 BOLTON ROAD, KEARSLEY, BOLTON, BL4 8NH
<b>90991/13</b>	<a href="#"><u>67</u></a>	BRCR	GREEN BENGAL, 158 DARWEN ROAD, BROMLEY CROSS, BOLTON, BL7 9JJ
<b>91041/13</b>	<a href="#"><u>90</u></a>	HULT	578 ST HELENS ROAD, BOLTON, BL3 3SJ
<b>91074/13</b>	<a href="#"><u>99</u></a>	HALL	MINERVA HOUSE, CHORLEY STREET, BOLTON, BL1 4AL
<b>91099/13</b>	<a href="#"><u>109</u></a>	HULT	WHITEGATE FARM, ST HELENS ROAD, BOLTON, BL5 1AD
<b>91116/13</b>	<a href="#"><u>126</u></a>	HONE	LAND AT COTSWOLD DRIVE, HORWICH, BOLTON, BL6 7DE
<b>91123/13</b>	<a href="#"><u>142</u></a>	RUMW	452 BRIDGEMAN STREET, BOLTON, BL3 6TD
<b>91170/13</b>	<a href="#"><u>149</u></a>	BRAD	LAND AT BIRCHES FARM, BIRCHES ROAD, TURTON, BOLTON, BL7 0HX
<b>91184/13</b>	<a href="#"><u>184</u></a>	ASBR	787 BELMONT ROAD, BOLTON, BL1 7BY
<b>91227/13</b>	<a href="#"><u>192</u></a>	HONE	FORMER SWALLOWFIELD HOTEL, CHORLEY NEW ROAD, BOLTON, BL6 6GA
<b>91235/13</b>	<a href="#"><u>210</u></a>	ASBR	759 BELMONT ROAD, BOLTON, BL1 7BY
<b>91244/13</b>	<a href="#"><u>218</u></a>	HULT	LAND AT PLODDER LANE, FARNWORTH, BOLTON, BL4 0LE
<b>91245/13</b>	<a href="#"><u>227</u></a>	HALL	LAND ADJACENT 107 HALLIWELL ROAD, BOLTON, BL1 3NE
<b>91253/13</b>	<a href="#"><u>234</u></a>	HARP	GREAT LEVER EDUCATION AND WELFARE TRUST, HOLMESWOOD ROAD, BOLTON, BL3 3HS
<b>91258/13</b>	<a href="#"><u>242</u></a>	ASBR	126 ASHWORTH LANE, BOLTON, BL1 8RR
<b>91312/14</b>	<a href="#"><u>250</u></a>	HELO	LAND ADJACENT 2 THORN LEA CLOSE, BOLTON, BL1 5BE
<b>91323/14</b>	<a href="#"><u>261</u></a>	HULT	PAVEMENT, NEWBROOK ROAD, BOLTON, BL5 1ES
<b>91326/14</b>	<a href="#"><u>271</u></a>	HALL	FOOTPATH ADJACENT 221 ST GEORGES ROAD, BOLTON, BL1 2PG
<b>91327/14</b>	<a href="#"><u>279</u></a>	GRLE	PAVEMENT, BISHOPS ROAD, BOLTON, BL3 2JB
<b>91365/14</b>	<a href="#"><u>287</u></a>	BMET	LAND AT DEEPPDALE ROAD, BOLTON, BL2 5HY

Application No.

74201/06



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of  
the Controller of Her Majesty's Stationery Office© Crown Copyright.  
Unauthorised reproduction infringes Crown Copyright and may lead to  
prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389

11

**Date of Meeting: 06/03/2014**

**Application Reference: 74201/06**

**Type of Application: Reserved Matters**  
**Registration Date: 09/05/2006**  
**Decision Due By: 08/08/2006**  
**Responsible Officer: Martin Mansell**

**Location: LAND AT BARK STREET / ST HELENA ROAD, BOLTON**

**Proposal:** DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE, MEANS OF ACCESS AND LANDSCAPING FOR THE ERECTION OF A PART SEVEN STOREY, PART TEN STOREY BUILDING COMPRISING BASEMENT SERVICING AND STAFF PARKING (38 SPACES), GROUND FLOOR CLASS A1 RETAIL (DEPARTMENT OR FOOD) STORE WITH ANCILLARY WAREHOUSE (PART BASEMENT), OFFICES AND CAFE (TOTAL 4,390 SQUARE METRES), TOGETHER WITH FIVE UPPER FLOORS COMPRISING 490 PARKING SPACES AND EIGHT UPPER FLOORS COMPRISING 16 THREE-BEDROOMED APARTMENTS, WITH ASSOCIATED LANDSCAPING, RIVERSIDE FOOTPATH, CYCLE PARKING, VEHICULAR ACCESS FROM ST HELENA ROAD VIA CIRCULAR ACCESS RAMP AND PEDESTRIAN ACCESS FROM BARK STREET.

**Ward: Halliwell**

**Applicant: Bark Street Investments Ltd**  
**Agent : Satnam Planning Services Ltd**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Proposal**

This application is a reserved matters application for a mixed use development on land owned by the applicant. Outline consent was granted in 2003 under reference 60623/01. The uses within the proposal include retail, car parking and residential as follows:

- 4,390 square metres of gross retail floorspace at ground level. Only 2464 square metres of this would be dedicated as the net trading area as a retail warehouse would also be accommodated at ground and basement level;
- Staff parking facilities and offices in the basement;

- 508 car parking spaces in five upper storeys;
- A ground floor cafe and 16 residential apartments in five upper floors above within in an attached eastern tower element.
- Internal vehicular circulation would be facilitated by the creation of a ramped access in an attached western drum element.

This is a speculative development and it is presently unknown as to whether the retail provision would be for a food or non-food shop.

The application is supported by a Transport Assessment, a Travel Plan and proposals to improve the surrounding road network under Section 278 of the Highways Act. The scheme includes two new priority junction arrangements from St. Helena Road (one for the multi-storey car park and one for servicing access to the basement), alterations to the existing alignment and footways of St. Helena Road with Bark Street and the introduction of a formal Traffic Regulation Order for one-way traffic movements southbound on St. Helena Road.

Furthermore, the development would incorporate improvements along the River Croal corridor and enhancements to the size, quality and connectivity of the public realm together with the replacement of the existing poor bridge with a much more pedestrian friendly bridge over this river.

This reserved matters application is being presented to Members as the outline consent to which it relates was approved by the Planning Committee in October 2003.

### **Site Characteristics**

The site covers some 0.6 hectares of land within the St Helena area of Bolton town centre. The immediate locality evidences years of under investment with use of vacant cleared sites, including the application site, as surface level parking. Historically the site lay on the northern bank of a valley to the River Croal.

Surrounding uses are primarily commercial characterised by a range of building styles and sizes from those of a domestic scale to more dominant buildings such as the offices at 120 Bark Street. The application site itself is terraced with physical remains of the demolished industrial buildings forming stone retaining walls as the land rises to Bark Street from the River Croal which forms the southern boundary of the site. The car park surface which provides a total of 257 spaces is unmade with a gravelled finish hence parking bays are unmarked. Vehicular entry is via a manned entrance off St Helena Road to the north west of the site, though pedestrians can access the site from the south east via a bridge over the River Croal.

The River Croal is set approximately 4 metres lower than the appeal site, within a cutting with stone and concrete walls and cobbled bed and flows towards the east where it culverts under Knowsley Street. The northern bank of the River Croal is heavily vegetated, disguising in part a footpath which follows the path of the river beyond the southern boundary of the application site which is formed in part by 2 metres high chain link fencing and part by a 2.5 metres high brick wall.

### **Policy**

National Planning Policy Framework - Building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities,

meeting the challenge of climate change, flood and coastal change, conserving and enhancing the natural environment, conserving and enhancing the historic environment.

#### Core Strategy Objectives

SO1 Access to Health, Sport, Recreation and Food, Walking and Cycling, SO3 Economic Opportunities of Bolton Town Centre, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO10 Climate Change, SO11 Built Heritage, SO12 Biodiversity, SO13 Flood Risk, SO14 Inclusive Housing, SO15 Sustainably Located Housing

#### Core Strategy Policies

P1 Employment Sites, P2 Retail, P5 Transport

S1 Crime and Road Safety

CG1 Biodiversity, Open Space, Flood Risk and Climate Change, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses

SC1 Housing Targets

TC1 Civic Core, TC2 St Helena, TC11 Design in Bolton Town Centre

LO1 Links, IPC1 Infrastructure Contributions

#### Saved UDP Policies

N8 Trees Woodlands and Hedgerows

EM5 Derelict Land & Buildings

O6 Canals & Waterways

Building Bolton, Sustainable Design and Construction

### **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 the road network
- \* impact on 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.

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. Historical associations should be retained where possible. Core Strategy Policy TC11 relates specifically to development in Bolton Town Centre and states that the council and its partners will protect, strengthen and enhance the distinctive townscape qualities of Bolton town centre. Development should conserve and enhance the special nature of the conservation areas and listed buildings.

The design and appearance of the development is considered to be acceptable, given the town centre context. The massing is comparable to 120 Bark Street opposite and will not appear inappropriate. The design is relatively functional but typical of this type of development. A mix of materials and horizontal elements break up the massing and are considered to render the proposal acceptable in design terms. Samples of materials will be required by condition.

The proposal is considered to comply with policies relating to design.

#### Impact on the Road Network

This matter was extensively investigated at the outline stage as a result of Highway Engineers request that a Traffic Impact Assessment be carried out to determine the capacity for the surrounding network to cope with the development. The Councils' Highways Engineers analysed the assessment in conjunction with Greater Manchester Transport Unit and concluded that in terms of traffic matters there was no reason to refuse this application. Detailed highway matters were therefore subject to approval within a future reserved matters application.

Highway Engineers have considered the detailed reserved matters application and respond as follows:-

"The Applicant is intending to provide vehicular access and egress to / from the development from St Helena Road, at locations between Bark Street and Pool Street. One access point would serve the multi-storey car park, with a second access serving the HGV service yard.

The Applicant is proposing a number of traffic management measures and highway improvements to accommodate the traffic likely to be generated by the proposed development, as shown on the submitted plan. The Applicant's proposals have been developed in accordance with the approved Bolton Town Centre Transport Strategy and are as follows:

- Bark Street would be one way (westbound) with a contraflow cycle lane between Knowsley Street and Pool Street.
- St Helena Road would be one way (southwest bound) between Bark Street and White Lion Brow.
- Pool Street would be one way (southbound) between Bark Street and St Helena Road
- White Lion Brow would be one way (southbound) between the unnamed access road to the Bolton Lads and Girls Club to the south of St Helena Road and Spa Road.
- St Edmund Street would be one way (northbound) between Deansgate and St Helena Road.
- Pool Street would be closed to vehicles between Back Bark Street and St Georges Road
- St Helena Road would be widened between Bark Street and White Lion Brow to provide a suitable egress from the whole area for HGVs and cars.
- St Helena Road would be further widened at the junction with White Lion Brow to provide two exit lanes.
- Spa Road and White Lion Brow would be widened slightly at the junction with Marsden Road.
- Topp Way would be widened at the junction with St Georges Road to provide a longer left turn lane into St Georges Road.
- Topp Way would also be widened at the junction with Higher Bridge Street to provide longer right turn lanes on both sides of the junction.

The Applicant has produced a Transport Assessment, which, with various later amendments, demonstrates that the traffic management proposals and highway improvements would satisfactorily mitigate the traffic impact of the development at the opening year, in accordance with Council policy. GMTU and GMUTC have checked the final calculations and are satisfied that the proposals would be sufficient. The Applicant has produced a Road Safety Audit for the proposed changes to the highway and no problems have been identified. There are therefore no highway objections to the reserved matters application, subject to conditions."

It is considered that outstanding matters relating to the road network have been resolved and the proposal now complies with the relevant policies.

#### Impact on 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 support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)

New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure. Inappropriate 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 minimise Bolton's contribution to climate change and mitigate and adapt to its adverse effects. 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 concentrating new development in areas of least flood risk together with minimising energy requirements, improving energy efficiency, lessening the reliance on fossil fuel-based energy and reducing carbon dioxide (CO2) emissions, maximising the potential for renewable energy development and contributing towards renewable energy targets.

In the Development Plan, the site falls within areas allocated as Flood Risk Zone 2 and 3. Due to the presence of the River Croal, the proposal does not therefore comply with the approach of directing development away from areas of the highest flood risk and it is necessary to consider if the development has been made safe without increasing flood risk elsewhere. However, the site benefits from an outline consent for the development in principle - subject to the requirement that details of flood risk mitigation be provided as part of the reserved matters application.

Extensive consultation has been carried out with the Environment Agency who have now accepted the development as proposed. The Environment Agency has no objection in principle to the proposed development but advise that it will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition.

The Flood Risk Assessment provides a detailed plan for ensuring that flood risk is mitigated and has been accepted by the Environment Agency. The proposal is considered to comply with policies seeking to reduce flood risk.

### **Conclusion**

The development was approved in principle in 2003, subject to reserved matters. Outstanding issues of siting, design, layout, highway access and flood risk have now been resolved and the application is therefore recommended for approval, subject to conditions that the highway and flood risk mitigation measures are implemented.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** none received.

### **Consultations**

Advice was sought from the following consultees:

Bolton Council - Highways Engineers, Urban Design and Conservation Officers, Environmental Health Officers, Landscape Services;

External - Greater Manchester Transport Unit, Greater Manchester Urban Traffic Control Unit, English Heritage North-West Region, Greater Manchester Police, The Environment Agency, United Utilities, Greater Manchester Ecology Unit, Greater Manchester Archaeology Unit, The Ramblers Association, Peak and Northern Footpaths Society.

### **Planning History**

Historically this site has remained relatively unchanged for the past 20 to 30 years mainly used as surface level car parking as indeed has much of the land to the south of the river. The identification of this site for a major retail-led development has been a Council commitment for many years, allocated as such in the superseded 1995 UDP together with a (now also superseded) Development Brief. The following planning applications have also been received for development on the land:

#### **Car Parking**

The appeal site has been used as a car park since the 1980s when the Beehive Foundry was demolished. Planning permission granted use of the site as a car park in July 1986 (27511/86).

In October 1995, planning permission was first granted for the development subject to this appeal - the proposed re-grading of the site to provide a single level (sloping) 220 space car park with amended access and surfacing arrangements (47538/95). Conditions included highway improvements (No.9) and widening of Bark Street (No.10) to accommodate a proposed highway improvement to Bark Street and St Helena Road.

In January 1996 the Council approved an application to remove conditions 9 and 10 on the above application (47538/95) as it was agreed they were too onerous – subject to an amendment to the layout to provide a 1.5 metre set back on Bark Street to achieve a highway widening (47981/95). The proposed re-graded car park scheme was renewed in July 2000 (56897/00).

In September 2005, planning permission to renew the proposed regraded car park was refused in light of the now adopted UDP and Development Brief seeking to resist piecemeal development of this area (71664/05). The subsequent appeal was then dismissed by the Planning Inspectorate in September 2006 on the grounds that the proposal "would not have formed an appropriate development for the site in the light of the current planning policy framework".

#### **Mixed Use Proposal**

In October 1990, planning permission was granted for an alternative development of the appeal site. The planning permission is slightly misleading describing 3/4/5 storeys when in fact all four buildings provide accommodation on five storeys – however as the site levels fall to the River Croal, the Bark Street frontage elevates only three storeys to the street. Soft landscaping is detailed together with railings and seating areas adjacent to the river leaving space for a 'riverside walkway'. The buildings provide approximately 10,000 square metres of 'office' space (unspecified though inherent in the permission is

that this is Class B1 Research/Labs/Light Industry uses) and 37 retirement flats. The permission detailed an extension to St Helena Road into the site with a turning head and then private vehicular access to four buildings with surface-level and under-croft parking (Ref 37369/90). This permission was renewed in 1995 (47539/95) and again in October 2000 (56898/00).

Most recently like the proposed re-graded car park subject to this appeal, planning permission to renew the mixed use development was refused in light of the now adopted UDP and Development Brief seeking to resist piecemeal development of this area (70774/05).

#### Outline Permission

The site also has planning history relating to a third proposal. In 2001, an outline application was submitted to develop the site for a mix of uses including 4,390 sq metres retail, car parking (560 spaces multi storey) and 'either' 2,136 sq metres residential (approx 25 units) or budget hotel (60623/01). All matters of detail were reserved and following much time considering highway matters, it was concluded that the proposal was acceptable in highway terms. Members approved the outline consent in August 2003.

#### Central Street Retail Scheme

Following a design competition, in February 2004 the Council selected a developer to carry out a significant retail-led mixed-use redevelopment and regeneration of a 2.86 hectare site including the appeal site. Following 15 months of pre-application discussions, an outline planning application was submitted by the developer, Wilson Bowden Developments Limited, and the Council's Planning & Highways Committee resolved to approve the application subject to a referral to Government Office for the North West (GONW) so that they could consider whether to call-in the application under the 'Shopping Direction'. GONW confirmed that they did not wish to call in the application and outline planning permission was approved 5 October 2005 (71649/05). The outline planning application proposed:-

- 7,973 square metres food store
- 25,421 square metres non food retail, pubs, bars and restaurants
- 1,879 square metres new Walker Memorial building (Class D1)
- 407 square metres extension to Victoria Hall (D1)
- 11,854 square metres 150 apartments
- 22,224 square metres car parking(810 spaces)/servicing
- new streets
- public squares
- riverside walk
- highway improvements
- landscaping, public art and public realm improvement

A conservation area consent application for demolition of those buildings sited within the Deansgate Conservation Area was also submitted by Wilson Bowden and following a resolution by the Planning & Highways Committee to approve the application, conservation area consent was approved 5 October 2005 (71648/05).

**Recommendation: Approve subject to conditions**

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

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

Reason

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

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

**1487/01 rev F**

**0206-PL-SP rev E**

**0206-PL-FP rev E**

**0206-PL-EL rev E**

**0206-PL-SE rev E**

Reason

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

3. Development shall not commence until an investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:
  - (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to human health, property or the environment;
  - (iii) an appraisal of remedial options and proposal for a preferred option.

Reason

To ensure the development is safe for use.

4. Prior to the commencement of development samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.

5. The building envelope of the residential properties shall be constructed so as to provide sound attenuation against external noise, with windows shut and other means of ventilation provided. Details of the acoustic insulation shall be submitted to and approved in writing by the Local Planning Authority prior to development first commencing.

Reason

To safeguard the living conditions of occupiers from noise pollution.

6. Before development commences details of on-site cycle parking to be provided within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented in full before the development hereby approved is first occupied or brought into use and retained thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists.

7. Prior to the commencement of development full details of the highway works as shown in principle on drawings 8044 / SK19 / Rev G, 8044 / SK24 and 8044 / SK02 Rev E comprising:

1. Bark Street one way (westbound) with a contraflow cycle lane between Knowsley Street and Pool Street.
2. St Helena Road one way (southwest bound) between Bark Street and White Lion Brow.
3. Pool Street one way (southbound) between Bark Street and St Helena Road
4. White Lion Brow one way (southbound) between St Helena Road and Spa Road.
5. St Edmund Street one way (northbound) between Deansgate and St Helena Road.
6. Pool Street closed to vehicles between Back Bark Street and St Georges Road
7. St Helena Road widened between Bark Street and White Lion Brow to provide a suitable egress from the whole area for HGVs and cars.
8. St Helena Road further widened at the junction with White Lion Brow to provide two exit lanes.
9. Spa Road and White Lion Brow widened slightly at the junction with Marsden Road.
10. Topp Way widened at the junction with St Georges Road to provide a longer left turn lane into St Georges Road.
11. Topp Way widened at the junction with Higher Bridge Street to provide longer right turn lanes on both sides of the junction

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.

8. Prior to the commencement of development a detailed specification for all doors and windows hereby approved 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 [\*\*first occupied or brought into use\*\*] and retained thereafter.

Reason

To ensure the development reflects local distinctiveness.

9. 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 [\*\*] lux at the nearest residential property. The beam angle of any lights directed towards any potential observer should be kept below [\*\*] 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.

10. All new window frames to the building(s) shall be recessed a minimum of 0.07 metres behind the external face of the elevations of the development hereby approved.

Reason

In the interest of creating architectural depth and shading to the elevations.

11. At least 10% of the energy supply of the development shall be secured from decentralised and

renewable or low-carbon energy sources. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority [as part of the reserved matters submissions required by condition (number)] prior to the commencement of development. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

**Reason**

In the interests of tackling climate change.

12. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Waterman (CIV14263/FRA-R4) and the following mitigation measures detailed within the FRA:

- *Limiting the surface water run-off generated by the development for a range of return periods so that it will achieve a 50% reduction over existing site run-off.*
  1. *Provision of basement parking flood defence wall will be provided.*
  2. *Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.*
  3. *Finished floor levels other than for car parking are set no lower than 85.41 m above Ordnance Datum (AOD).*

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reasons**

1. *To prevent and reduce the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site.*
2. *To reduce the risk of flooding to the proposed development and future occupants.*
3. *To ensure safe access and egress from and to the site.*
4. *To reduce the risk of flooding to the proposed development and future occupants.*

13. No development shall take place until a scheme for the provision and management of a high quality riverside buffer zone alongside the River Croal shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

4. *detailed plans showing the extent and layout of the buffer zone*
  - *details of any proposed planting scheme including planting schedule.*
  - *details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan*
  - *details of any proposed footpaths, fencing, lighting etc.*
  - *detailed assessment identifying opportunities to enhance ecological and landscape value of existing heavily modified waterbody.*

**Reason**

Development that encroaches on watercourses has a potentially severe impact on their ecological value. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected, and enhanced where impacted by previous development. Such networks may also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the river basin management plan for this existing failing waterbody, and in particular for its hydro morphology.

14. Before the first occupation of the dwelling(s) hereby approved, the [\*room\*] windows in the [elevation] facing [noise source] shall be acoustically double glazed and ventilated in accordance with the 'good' standard laid down in BS8233:1999 of LAeq/T living rooms 30dB and bedrooms 30 dB.

Reason

To minimise the impact of noise on residential amenity.

15. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 60 metres shall be provided at the junction of the car park access with St Helena 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.

16. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 80 metres shall be provided at the junction of the service access with St Helena 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.

17. Before the approved/permitted development is first brought into use no less than \*\* car parking spaces with minimum dimensions of \*\* metres by \*\* metres shall be (marked out and\*\*) provided within the curtilage of the site, in accordance with [Drawing Ref: ] details to be submitted to and approved by the Local Planning Authority. 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

18. 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.

19. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from St Helena Road shall be constructed in accordance with the approved drawings.

Reason

In the interests of highway safety

20. 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 parking, turning, loading and unloading of vehicles within the curtilage of the site to enable vehicles to enter and leave the site in forward gear. 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 parking, turning, loading and unloading of vehicles of vehicles.

Reason

In the interests of highway safety.

21. The roller shutters shall be of an open grille design, details of which, including its colour shall be submitted to and approved by the Local Planning Authority before the shutters are first installed. The shutters shall be installed and coloured in accordance with the approved details prior to the premise being first brought into use and or coloured within 14 days of installation. **[delete as appropriate]**

Reason

In the interests of reducing crime and the fear of crime and to ensure the development safeguards the visual appearance of the building.

22. Before the development is first brought into use a detailed scheme shall be submitted to and approved by the Local Planning Authority showing the design, location and size of a facility to store refuse and waste materials. The approved scheme shall be implemented in full within 21 days of the Local Planning Authority approving the scheme in writing and retained thereafter.

Reason

To ensure satisfactory provision is made for the storage of waste materials.

23. 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/the approved landscape scheme [drawing reference: \*\*] 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.

24. Prior to the development being first occupied or brought into use, details (including a brick or masonry specification and colour scheme) 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 within 21 days of the Local Authorities approval, 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.

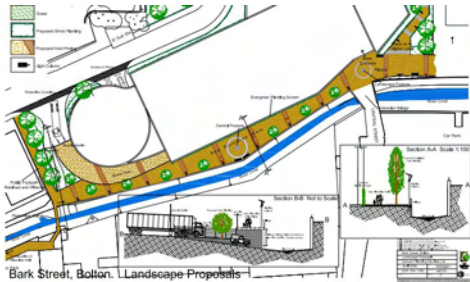
25. The [building/fixed plant/equipment] should be designed to give a rating level, as defined in BS4142:1997, 5dB below the night time LAF90 (5 min) or the daytime LAF90 (1 hour) whichever is the most appropriate, as measured 4 metres from the nearest residential property. The monitoring information and the acoustic calculations together with the proposed specifications of the [building/fixed plant/equipment] and any sound attenuation proposed should be submitted to and approved by the Local Planning Authority in writing prior to the development first being brought into use.

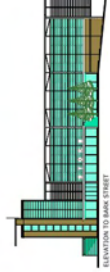
Reason

To minimise the impact of noise on the general and residential amenity from the increase and

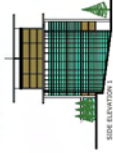
alteration of commercial and/or industrial uses in the area.



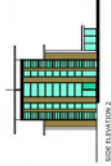
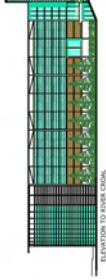




SEE DRAWING NO 02  
FOR:  
DETAIL, ELEVATION,  
MATERIALS



20



Application No.

**88421/12**



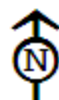
Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 88421/12**

**Type of Application:** Extension of Time  
**Registration Date:** 19/07/2012  
**Decision Due By:** 17/10/2012  
**Responsible Officer:** Helen Williams

**Location:** ST ANDREW'S RC PRIMARY SCHOOL, WITHINS DRIVE,  
BOLTON, BL2 5LF

**Proposal:** APPLICATION TO EXTEND THE TIME LIMIT FOR  
IMPLEMENTATION OF 78757/07 (ERECTION OF 30  
DWELLINGS)

**Ward:** Breightmet

**Applicant:** The Diocese of Salford  
**Agent :** Lambert Smith Hampton

### **Officers Report**

**Recommendation: Delegate the decision to the Director**

#### **Background**

Members will recall that they considered the following report and recommendation in November last year and refused to accept any change to the Section 106 contributions. The matter has been outstanding since that view was expressed to the applicant, who has reviewed their position and concluded that their viability appraisal is justified and thus will give greater certainty to the bringing forward of the development and the provision of new housing.

The applicant therefore wishes the Council to make a final decision on the application and changes to the 106. The applicant has looked at different ways of splitting their proposed reduced Section 106 contribution (which has been calculated based on land value and a developer margin of 20 per cent on GDV).

The different scenarios the applicant has offered are as follows:

- a. 3 affordable houses on-site with no financial contributions
- b. 2 affordable houses on-site and a £15,000 financial contribution
- c. 1 affordable house on-site and a £68,575 financial contribution

Each scenario has been supported by a viability appraisal.

Should Members agree to the reduced Section 106 contribution, as recommended by officers, it is recommended that they choose the split they feel is most appropriate for the area (Breightmet). If scenario b. or c. are chosen, then Members are also recommended to decide how the financial contribution should be split between education, public open space and health

Officers are still of the view that the application can be supported and consider that the benefits of bringing forward the development outweigh any losses in terms of 106 contribution.

### **Proposal**

Permission is sought to extend the time to implement planning approval 78757/07, which was granted permission on 31st July 2009. This approval granted permission for the erection of 30 dwellings. An approval of this latest application would allow the applicant a further three years to implement the permission.

The application is brought before Committee as the applicant is now proposing to amend their previously agreed Section 106 Agreement.

Planning approval 78757/07 was accompanied by a Section 106 Agreement which required three affordable houses for rental on site (plots 14, 15 and 16) and the following contributions:

- \* £68,574.68 towards education (secondary schools)
- \* £6,540 towards health
- \* £31,980 towards public open space

The applicant has undertaken a viability appraisal of the proposed development, based on a developer margin of 20 per cent on GDV, and have concluded it would still be viable for them to provide the three affordable houses for rent, but not education, health and public open space contributions.

The proposed development comprises the erection of 30 family dwellings, the majority of which (21) will be detached. Five house types are proposed within the development, all at two storeys in height. The houses are to be set around a central road, which is accessed off Withins Drive.

### **Site Characteristics**

The application site was formerly occupied by St. Andrew's RC Primary School, which was demolished a couple of years ago. To the south of the application site is the former school fields (owned by the Council). The site is secured by palisade fencing and gates, and is overgrown.

The site is on a slightly lower level than the adjoining two storey terraced houses at 75 to 85 Withins Drive. Withins Drive rises uphill to the north of the site. On the opposite side of Withins Drive to the application site are two storey flats, which are of a similar design to the flats to the west of the site off Withins Lane. To the north of the site is Southlands, a residential care home. The boundary between the application site and Southlands is well screened with trees and shrubs. There are protected trees in the south eastern corner of the Southlands site.

The application site is unallocated within the Proposals Map and the surrounding area is predominantly residential in character.

### **Policy**

National Planning Policy Framework (NPPF).

Core Strategy Policies: H1.2 Health Contributions; A1.4 Education Contributions; P5 Accessibility and Transport; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2

Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; RA3 Brightmet; IPC1 Infrastructure and Planning Contributions.

Saved UDP Policies: EM5 Derelict Land and Buildings.

PCPN1 Health and Well Being; PCPN2 Space Around Dwellings; PCPN8 Children's Play within New Residential Developments; PCPN10 Planning Out Crime; PCPN30 Provision for Education.

SPD Affordable Housing

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 urban regeneration
- \* impact on the character and appearance of the area
- \* impact on the amenity of neighbouring residents
- \* impact on the highway
- \* impact on local infrastructure

#### *Extension of time limit applications*

CLG's guidance "Greater flexibility for planning permissions" October 2010 states that extensions to the time limits for implementing planning permissions were introduced to make it easier for developers and LPA to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve. The guidance advises LPAs to take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. The development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date. While these applications should, of course, be determined in accordance with s38(6) of the Planning and Compulsory Purchase Act 2004, LPAs should, in making their decision, focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of permission. LPAs may refuse applications to extend the time limit for permissions where changes in the development plan or other relevant material considerations indicate the proposal should no longer be treated favourably.

#### *Development plan policies and other material considerations*

Since the granting of planning permission 78757/07, the Core Strategy has replaced the

Unitary Development Plan as the development plan for the borough, though a number of UDP policies have been saved and still form part of the development plan. The National Planning Policy Framework (NPPF) has also replaced National Planning Policy Statements and Guidance (PPSs and PPGs). The proposal is therefore judged against the new Core Strategy policies and the NPPF in the section below.

#### Impact on Urban Regeneration

The NPPF encourages the effective use of land by reusing land that has been previously developed (brownfield land) and states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Policy SC1.2 of the Core Strategy states that at least 80% of housing development will be on previously developed land in accordance with the Regional Spatial Strategy.

The application site is within the urban area and is previously developed land, in that it previously contained a primary school and the curtilage of that school. It is considered that the site is in a sustainable location with local schools, services and shops in easy reach of the site. It is therefore considered that this application would comply with the guidance within the NPPF and 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 expect development proposals to display innovative, sustainable designs that contribute to good urban design, that conserve and enhance local distinctiveness ensuring development has regard to the overall built environment and landscape quality of the area, and that are compatible with the surrounding area. Policy RA3 states that the Council will require development to introduce increased levels of high quality, distinctive design that will enhance the local area.

The development site will be of a similar density to the surrounding area and offers a range of house types, styles and sizes. Although rather plain, the proposed design of the houses are compatible with surrounding house types.

The landscaping of the site (to be secured through a planning condition) will help soften the development and will also provide some screening.

It is considered that the proposal would be compatible with the surrounding built character of the area, therefore compliant with Policies CG3 and RA3 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. PCPN2 sets out the Council's policy guidance regarding interface distances between dwellings.

The side of plot 1 will be adjacent to the side of 75 Withins Drive. Though plot 1 will project beyond the rear of 75 Withins Drive it is not considered that the siting of the house would be unduly harmful to the amenity of the existing residents.

Interface distances set within PCPN2 are exceeded when looking at the relationships between the proposed dwellings and the flats opposite on Withins Drive and the flats to

the rear off Withins Lane.

It is therefore considered that the proposal complies with Policy CG4 of the Core Strategy as the amenity of neighbouring residents would not be unduly harmed.

#### 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, parking and the transport needs of people with disabilities. Policy S1.2 states that the Council will promote road safety in the design of new development.

Vehicular access into the site is proposed off Withins Drive to the south of Crossdale Road. Highways Engineers previously requested (under application 78757/07) that traffic calming measures along Withins Drive be conditioned to ensure the proposed visibility splays are sufficient.

The application site is also in a sustainable location, located 200 metres from a bus stop where buses run every 20 minutes to Bolton town centre.

It is considered that the proposal would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

#### Impact on Local Infrastructure

Policy IPC1 of the Core Strategy states that the Council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or to mitigate the impact of that development. Specific contributions are sought for new residential development towards affordable housing, open space provision and maintenance, health and well-being, education and community facilities.

The following were agreed as a Section 106 Agreement for application 78757/07:

- \* 3 affordable units on site;
- \* £68,574.68 commuted sum towards education;
- \* £6,540 commuted sum towards health;
- \* £31,980 commuted sum towards open space.

These contributions were the full amounts asked for by the Council at the time. The applicant had previously agreed that the commuted sums be paid on a sliding scale of occupancy (50% at 40% occupation, a further 30% at 60% occupation, then the remaining monies at 80% occupation).

The applicant now contends that the previously agreed Section 106 Agreement is unviable and they have submitted evidence to justify this claim. This information has been based on a developer profit margin of 20% on GDV and includes the following costs to the developer:

- \* Abnormal costs - an oil tank has been identified on site with elevated levels of arsenic and benzo(a)pyrene, the removal of this plus remediation of the site has been estimated at £50,000. A further £50,000 is stated to be required for the construction of a retaining wall and grubbing out of existing foundations and hard standing.
- \* Service diversion - an electric service diversion is required between plots 7 and 8, which is estimated at £25,000.



- \* Off-site highways works - the traffic calming works to Withins Drive required by planning condition are estimated at £25,000.
- \* Construction costs, contingency, professional fees, sales and marketing costs and acquisition costs.

The applicant also claims that the downturn in the economy since 2007, which has seen house prices falling significantly in Brightmet, has made the original scheme unviable with the originally requested Section 106 contributions.

The applicant therefore now proposes to only provide three affordable houses on site (and not provide any contributions towards education, health and public open space).

The Council's Estates Surveyors have viewed the applicant's submission. The applicant (the Diocese of Salford) have not yet sold the site to a housing developer, so the Surveyors comment that they would normally advise that a reduction in the purchase price of the land be sought before the Council considers lowering the level of the Section 106 contributions. However, in this instance, the Surveyors state they have no reason to doubt the cost and value information in the applicant's appraisals as they have recently valued land in the locality of the application site for residential use and the results were similar to the mid range position put forward by the applicant.

Members are recommended to accept this reduction in the Section 106 Agreement to ensure that the site is brought forward for housing, three of which will be affordable housing for rent. The applicant also comments that the revenue from the sale of the site for residential is intended to be paid to Bolton Local Education Authority (the LEA) as part of an existing arrangement where the St Osmund's and St Andrew's primary schools were replaced through LCVAP, administered by the LEA. The cost of this was originally met by a grant through LCVAP by the LEA, with a view to recouping costs from the sales of the sites.

### **Conclusion**

For the reasons discussed above it is considered that the proposed development continues to comply with all national and local policies with regard to residential development. Members are recommended to delegate the decision to the Director to amend the previously agreed Section 106 Agreement.

## **Representation and Consultation Annex**

### **Representations**

None received.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers, Bolton Community Homes Officers, Landscape Officers, Asset Management Officers, Primary Care Trust and Greater Manchester Police's Architectural Liaison Officers.

### **Planning History**

Permission was granted in April 2012 for the erection of a two storey 90 bed care home (Class C2) (86884/11).

Permission was granted in July 2009 for the erection of 30 dwellings on the application site (78757/07).

2.4 metre high palisade fencing to the school boundaries was granted permission in April 1997 (50287/97).

Alterations to form a nursery and the erection of a covered play area and an outdoor games store were approved in January 1985 (24322/84).

**Recommendation: Delegate the decision to the Director**

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

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason

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

2. No development shall be commenced until samples of the facing materials to be used for the external walls and roof(s) have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the development either fits in visually with the existing building and safeguards the character and visual appearance of the locality or ensures the development safeguards the character and visual appearance of the locality.

3. No development shall be commenced unless and until full details of the highway works at Withins Drive comprising traffic calming have been submitted to and approved by the Local Planning Authority, and none of the development shall be brought into use until such details as approved are implemented in full. Such works to be retained thereafter.

Reason

In the interests of highway safety.

4. Before development commences details of the treatment to all boundaries to the site shall be submitted to and approved by the Local Planning Authority. Such details as are approved shall be implemented in full before the development is first occupied or brought into use and retained thereafter.

#### Reason

To ensure adequate standards of privacy are obtained and to enhance the setting of the development within the landscape character of the locality.

#### 5. Phase II Report

Should the approved Phase I Report recommend that a Phase II Report is required, then prior to commencement of any site investigation works, design of the Phase II site investigation shall be submitted to, and approved in writing by, the Local Planning Authority. Site investigations shall be carried out in accordance with the approved design and a Phase II Report shall then be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The Phase II Report shall include the site investigation data, generic quantitative risk assessment, detailed quantitative risk assessment (if required) and recommendations regarding the need or otherwise for remediation.

Should the Phase I Report recommend that a Phase II Report is not required, but during construction and prior to completion of the development hereby approved, contamination or gas migration is found or suspected, the developer shall contact the Local Planning Authority immediately and submit proposals for investigation and remediation of the contamination or gas migration within seven days from the date that it is found or suspected to the Local Planning Authority for approval in writing.

#### Options Appraisal

Should the Phase II Report recommend that remediation of the site is required then unless otherwise agreed in writing with the Local Planning Authority, no development shall commence unless or until an Options Appraisal has been submitted to, and approved in writing by, the Local Planning Authority. The Options Appraisal shall include identification of feasible remediation options, evaluation of options and identification of an appropriate Remediation Strategy.

#### Implementation of Remediation Strategy

No development shall commence, unless otherwise agreed in writing with the Local Planning Authority, until the following information relating to the approved Remediation Strategy has been submitted and approved by the Local Planning Authority:

- i) Detailed remediation design, drawings and specification;
- ii) Phasing and timescales of remediation;
- iii) Verification Plan which should include sampling and testing criteria, and other records to be retained that will demonstrate that remediation objectives will be met; and
- iv) Monitoring and Maintenance Plan (if appropriate). This should include a protocol for long term monitoring, and response mechanisms in the event of non compliant monitoring results.

The approved Remediation Strategy shall be fully implemented in accordance with the approved phasing and timescales and the following reports shall then be submitted to the Local Planning Authority for approval in writing:

- v) A Verification Report which should include a record of all remediation activities, and data collected to demonstrate that the remediation objectives have been met; and
- vi) A Monitoring and Maintenance Report (if appropriate). This should include monitoring data and reports, and maintenance records and reports to demonstrate that long term monitoring and maintenance objectives have been met.

#### Reason

To ensure that the development is safe for use.

6. No development shall be commenced until full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

#### Reason

To ensure the development safeguards the character and visual appearance of the locality and to safeguard the living conditions of nearby residents particularly with regard to privacy and outlook.

7. No development approved by this permission shall be commenced until a sustainable drainage strategy to include a Sustainable Urban Drainage System (SUDS) has been submitted to and approved in writing by the Local Planning Authority. The strategy should detail attenuation, storage and treatment capacities as detailed in the CIRIA SUDS Manual (C697). The approved strategy shall be carried out in full in accordance with the approved plans and it shall be retained thereafter.

Reason

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

8. The development hereby approved/permitted shall not be brought into use unless and until a visibility splay measuring 2.4 metres by 33 metres is provided at the junction of the access with Withins Drive, and subsequently maintained 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.

9. The development hereby approved/permitted shall not be brought into use unless and until the existing vehicular access onto Withins Drive has been closed to vehicles, and the existing highway made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Withins Drive, other than as shown on the approved plan.

Reason

In the interests of highway safety.

10. The development hereby approved/permitted shall not be brought into use unless and until that part of the site to be used by vehicles has been laid out, drained and surfaced in accordance with details to be submitted to and approved by the Local Planning Authority and shall thereafter be made available for the parking of cars at all times the premises are in use.

Reason

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

11. Prior to the occupation of the dwelling houses hereby permitted provision shall be made for the parking or garaging of a motor vehicle adjacent to each of the dwelling houses in the area identified for that purpose on the approved plan. Those areas shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or replacing that Order) other than (a) garage(s), no extensions, porches, outbuildings, sheds, greenhouses, oil tanks or satellite antennae shall be erected within that area.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway.

12. 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.

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

Drawing no. 01 Rev. C; "Planning Layout"; received 24/01/08

Baird Plans & Elevations; received 06/11/07

Bell - Detached Plans & Elevations; received 06/11/07

Bell - Semi Detached Plans & Elevations; received 06/11/07

Churchill Plans & Elevations; received 06/11/07

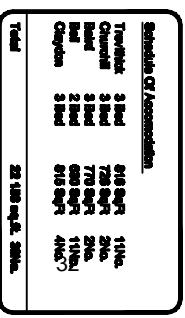
Claydon Plans & Elevations; received 06/11/07

Trevithick Plans & Elevations; received 06/11/07

Reason


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

- The copyright of the drawing belongs to LPLP, "Pursuing a Design Ltd." and must not be used or reproduced in any form without its express permission.
- Do not wash down the clothing. "Wash to prevent deterioration only." All decorations must be checked on the prior to the start of any work.
- For the duration of period of decoration you must wear a hard hat and safety glasses and must wear safety shoes.
- When any decoration is found to not comply or otherwise damage any or otherwise related to the equipment the customer immediately.



<ul style="list-style-type: none"> <li>● <b>2010000</b> Play 1-4 (unpublished, posthumous manuscript)</li> <li>● <b>2011000</b> Great tradition (unpublished manuscript)</li> <li>● <b>2012000</b> Great tradition (unpublished manuscript)</li> </ul>	<p><b>1. 2012000</b> Great tradition (unpublished manuscript)</p> <p><b>2. 2012000</b> Great tradition (unpublished manuscript)</p>
--	---





**MPS**  
Marketing & Sales  
Promotional Services

1001 S. Maryland & Shiloh Lakes (Greenwood) Road  
1410 West 14th Street, Suite 200, Chicago, Illinois  
Schaumburg, IL 60196 • (815) 355-7500  
Fax: (815) 355-7501  
E-Mail: [info@mpsusa.com](mailto:info@mpsusa.com)  
[www.mpsusa.com](http://www.mpsusa.com)

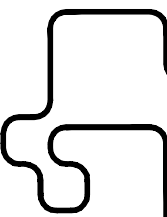
**Project:**

**Withins Drive,  
Barton.**

**Plan:**

**PLANNING LAYOUT**

Date	By	Rev	Description
01/01/01	01		Final Approval
01/01/01	01		Final



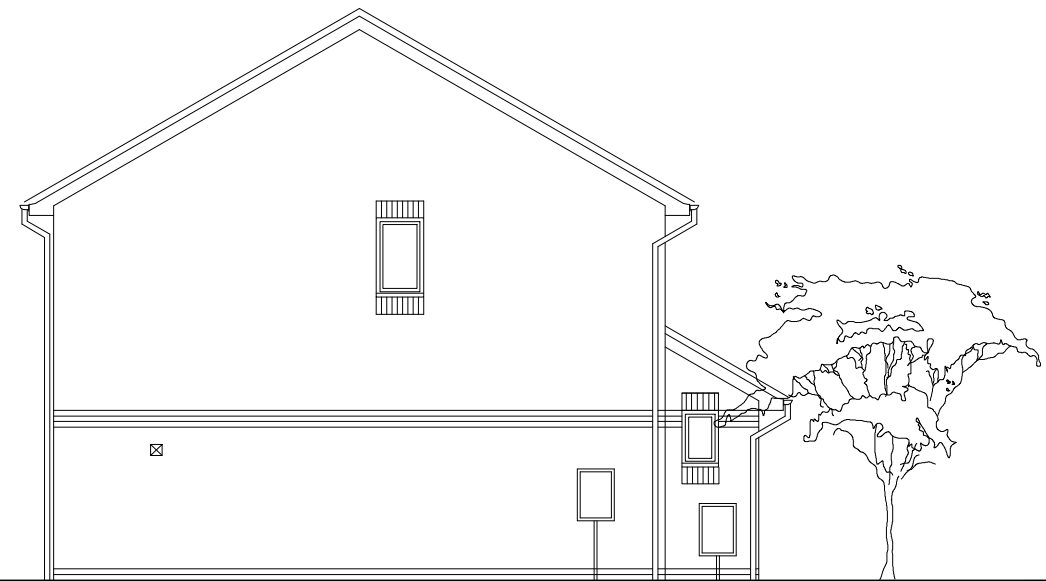
# Baird



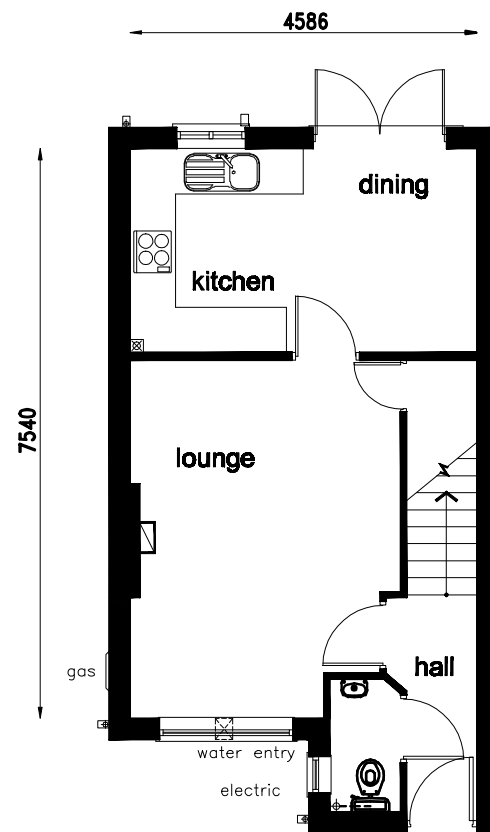
Front Elevation



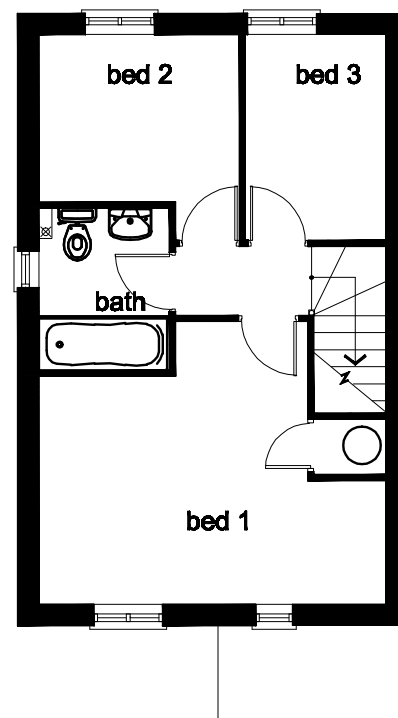
Rear Elevation



Side Elevation



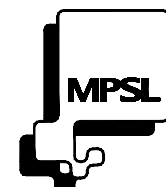
Ground Floor Plan



First Floor Plan

## Baird PLANS & ELEVATIONS

1:100 @ A3 Nov 2007 770 SqFt  
7239 WHT01



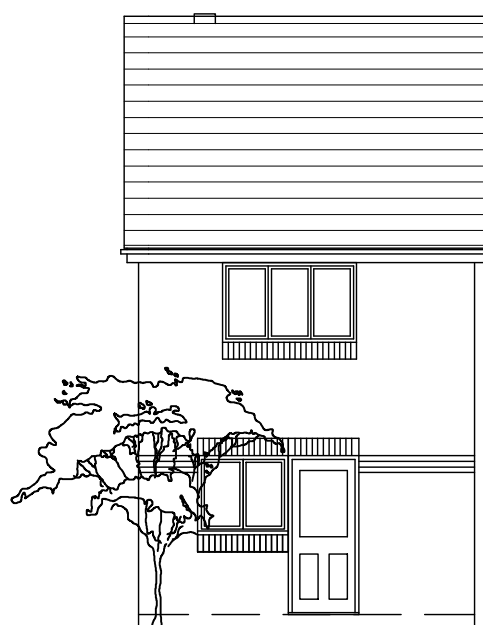
MPSL Planning & Design Ltd Commercial H  
14 West Point Enterprise Park, Clarence Ave  
Trafford Park, Manchester. M17 1QS

Tel: 0161 772 1999  
Fax: 0161 772 1980  
Email: [admin@mpsldesign.co.uk](mailto:admin@mpsldesign.co.uk)  
[www.mpslgroup.com](http://www.mpslgroup.com)

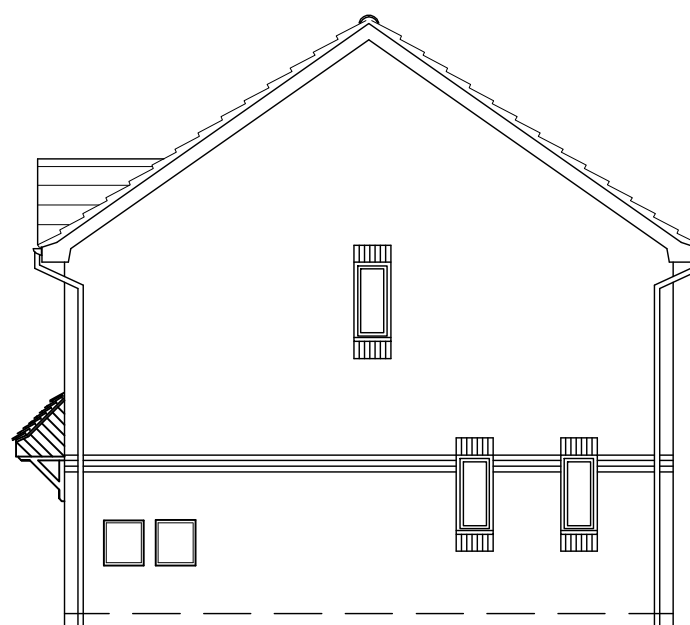
# Bell



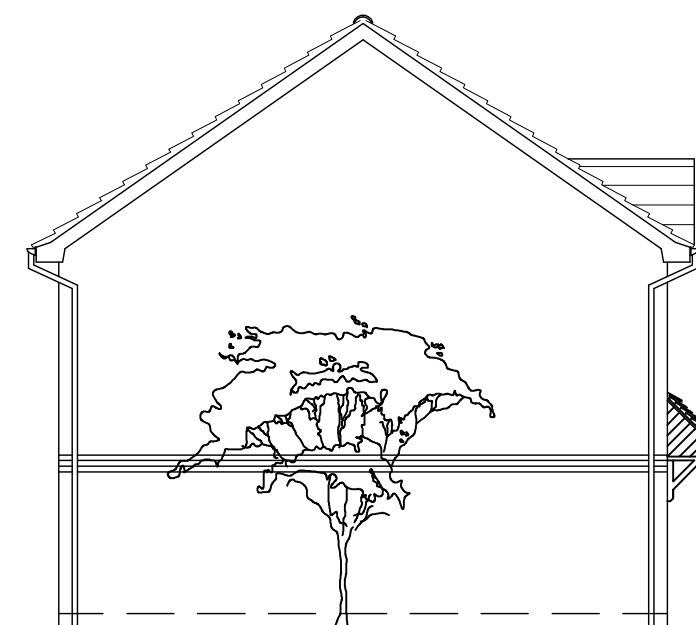
Front Elevation



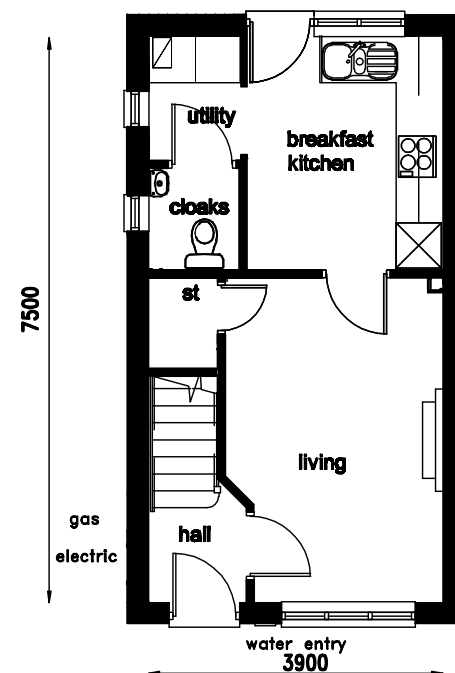
Rear Elevation



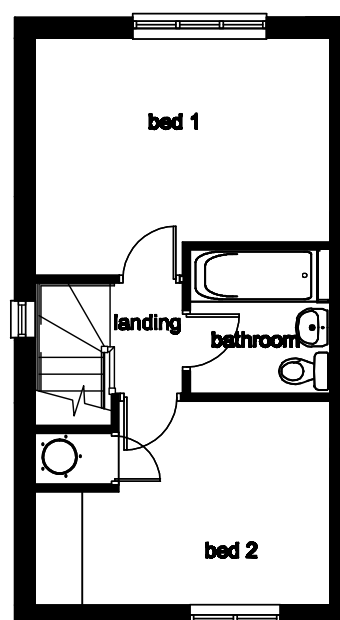
Side Elevation



Side Elevation



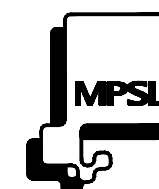
Ground Floor Plan



First Floor Plan

## Bell - Detached PLANS & ELEVATIONS

1:100 @ A3 Nov 2007 630 SqFt  
7239 WHT04



MPSL Planning & Design Ltd Commercial House  
14 West Point Enterprise Park, Clarence Avenue,  
Trafford Park, Manchester. M17 1QS

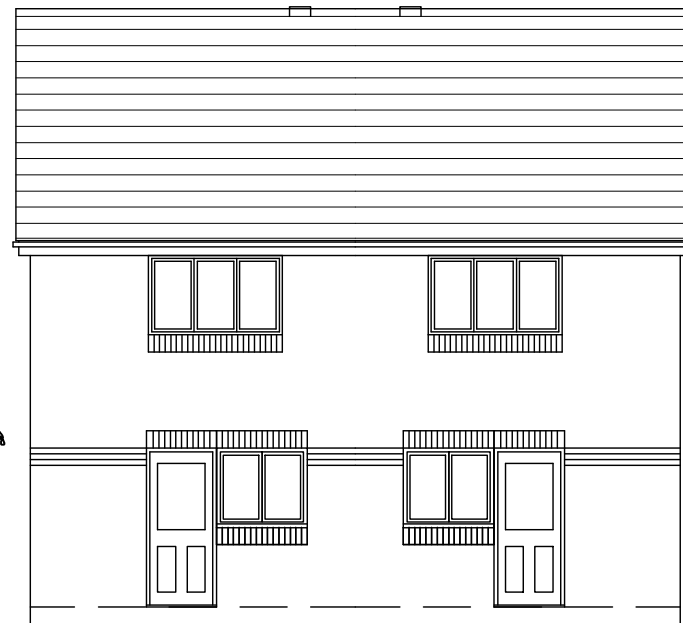
Tel: 0161 772 1999  
Fax: 0161 772 1980  
Email: admin@mpelgroup.co.uk  
www.mpelgroup.com



# Bell



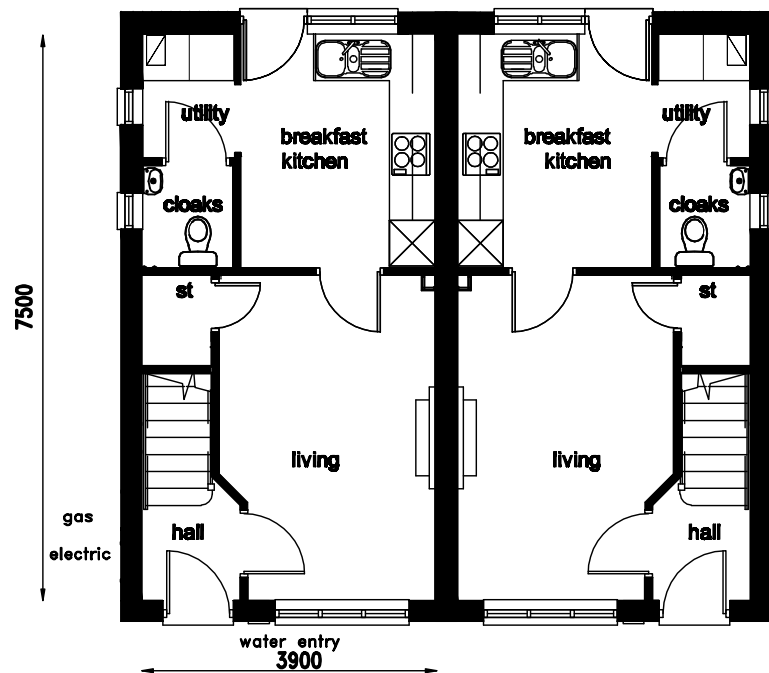
Front Elevation



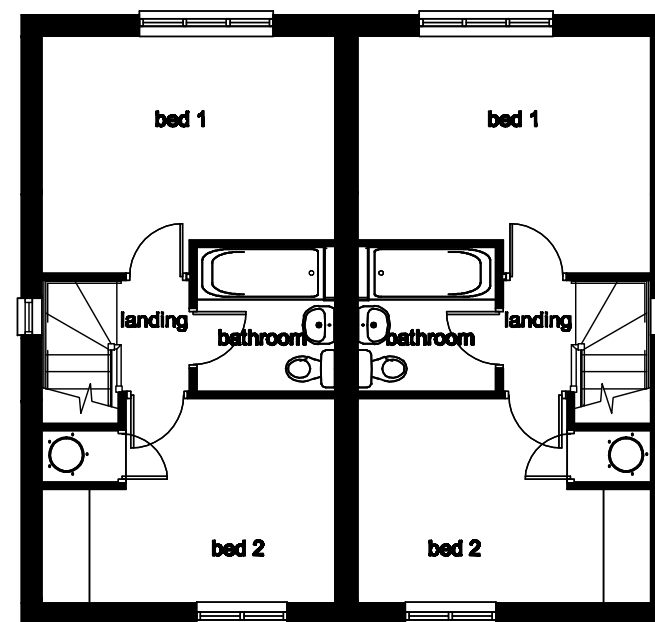
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan

## Bell - Semi Detached PLANS & ELEVATIONS

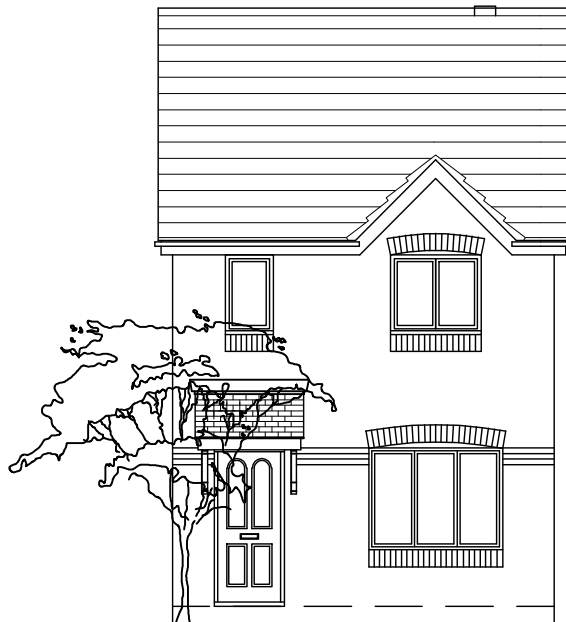
1:100 @ A3 Nov 2007 630 SqFt  
7239 WHT05



MPSL Planning & Design Ltd Commercial House  
14 West Point Enterprise Park, Clarence Avenue,  
Trafford Park, Manchester. M17 1QS

Tel: 0161 772 1999  
Fax: 0161 772 1980  
Email: [admin@mpelgroup.co.uk](mailto:admin@mpelgroup.co.uk)  
[www.mpelgroup.co.uk](http://www.mpelgroup.co.uk)

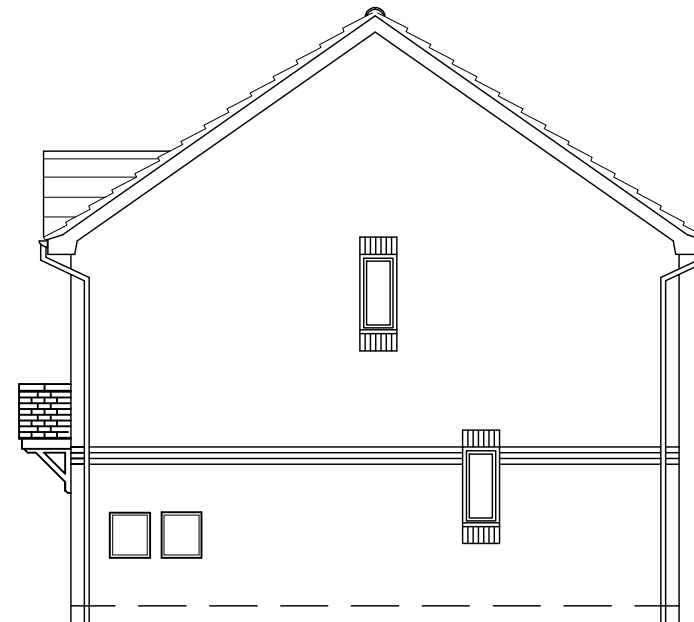
# Churchill



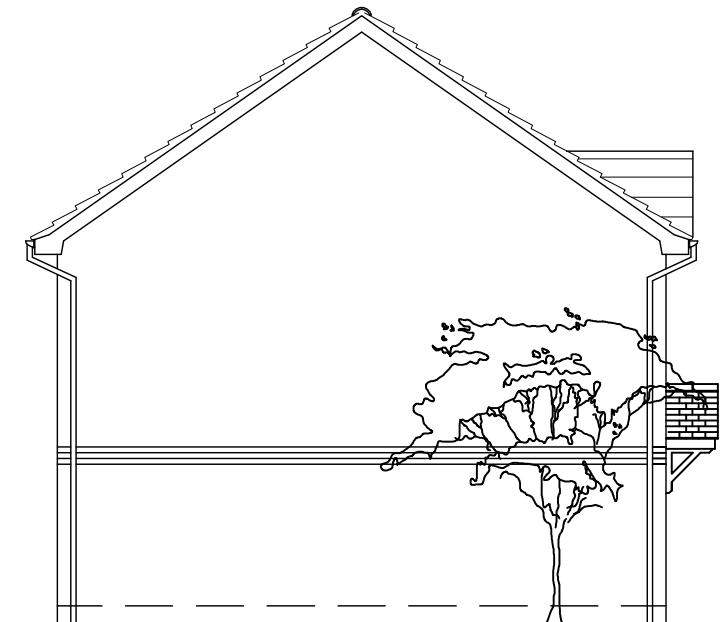
Front Elevation



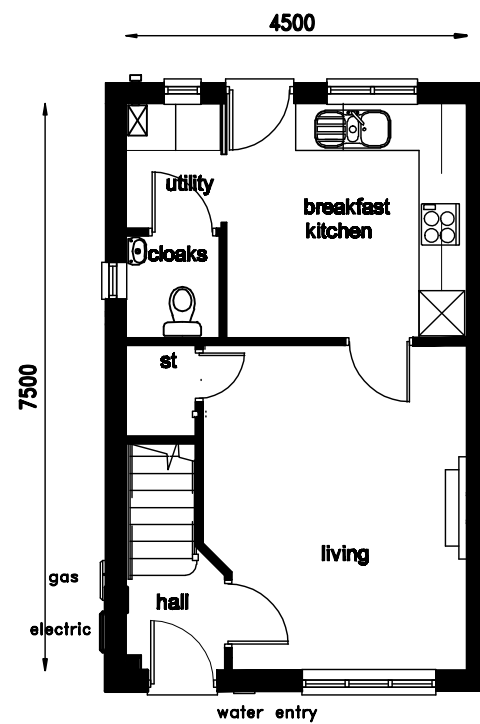
Rear Elevation



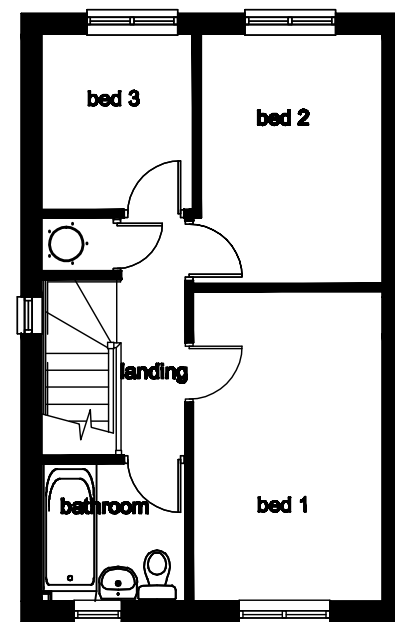
Side Elevation



Side Elevation



Ground Floor Plan



First Floor Plan

## Churchill PLANS & ELEVATIONS

1:100 @ A3 Nov 2007 728 SqFt  
7239 WHT03



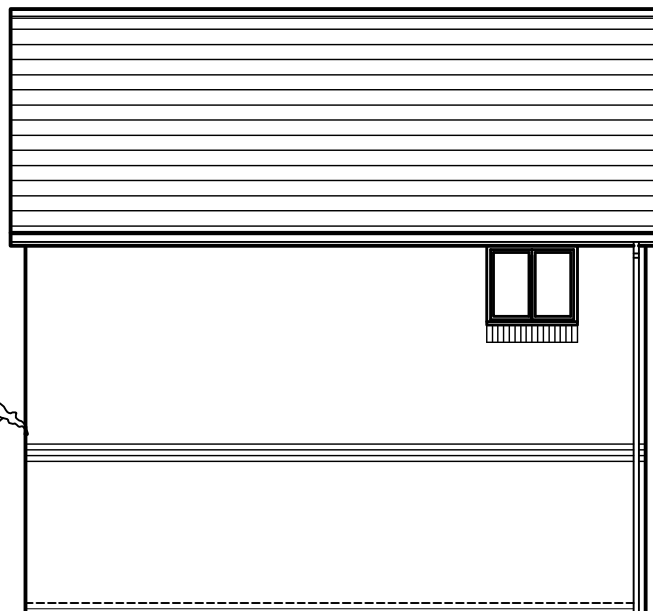
MPSL Planning & Design Ltd Commercial House  
14 West Point Enterprise Park, Clarence Avenue,  
Trafford Park, Manchester. M17 1QS

Tel: 0161 772 1999  
Fax: 0161 772 1980  
Email: [admin@mpelgroup.co.uk](mailto:admin@mpelgroup.co.uk)  
[www.mpelgroup.co.uk](http://www.mpelgroup.co.uk)

# Claydon



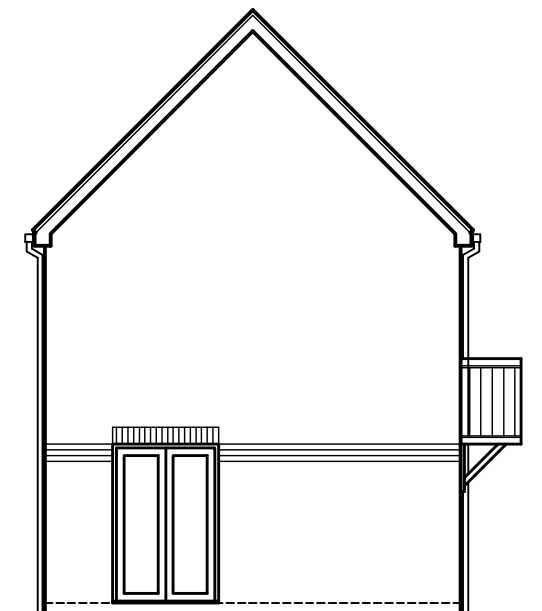
Front Elevation



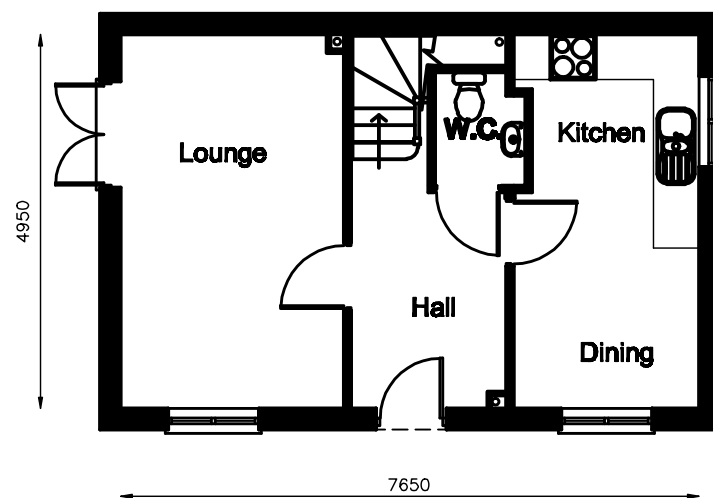
Rear Elevation



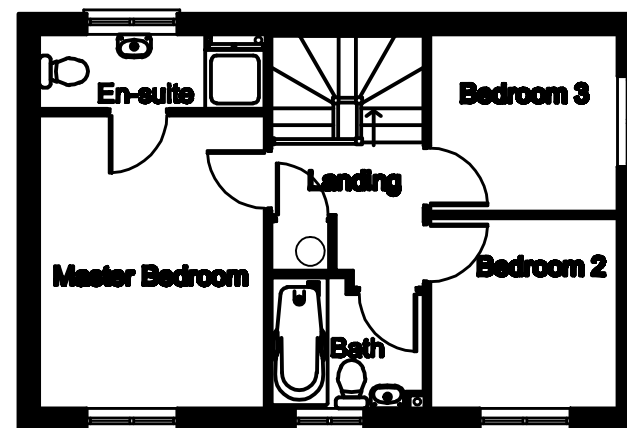
Side Elevation



Side Elevation



Ground Floor Plan



First Floor Plan

## Claydon - side aspect version PLANS & ELEVATIONS

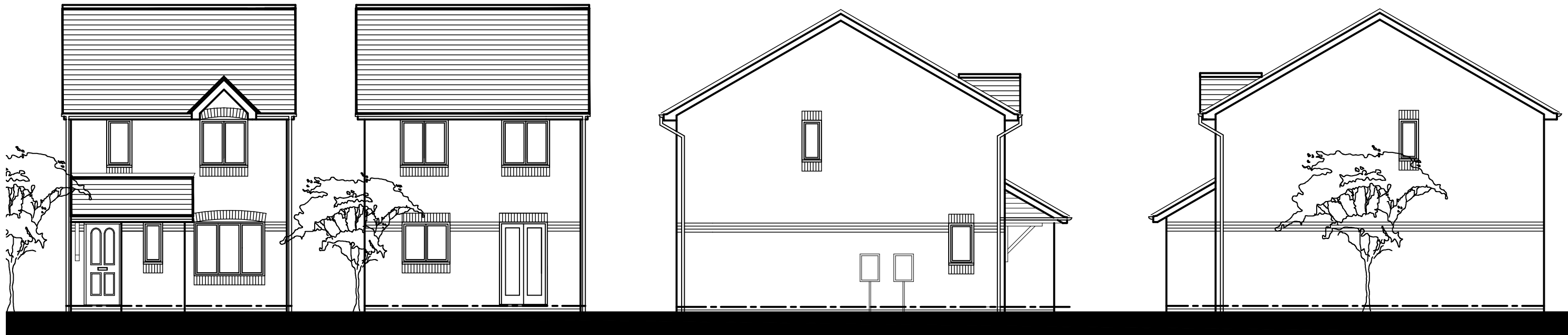
1:100 @ A3 Nov 2007 815 SqFt  
7239 WHT07



MPSL Planning & Design Ltd Commercial House  
14 West Point Enterprise Park, Clarence Avenue,  
Trafford Park, Manchester. M17 1QS

Tel: 0161 772 1990  
Fax: 0161 772 1990  
Email: admin@mpslgroup.co.uk  
www.mpslgroup.co.uk

# Trevithick

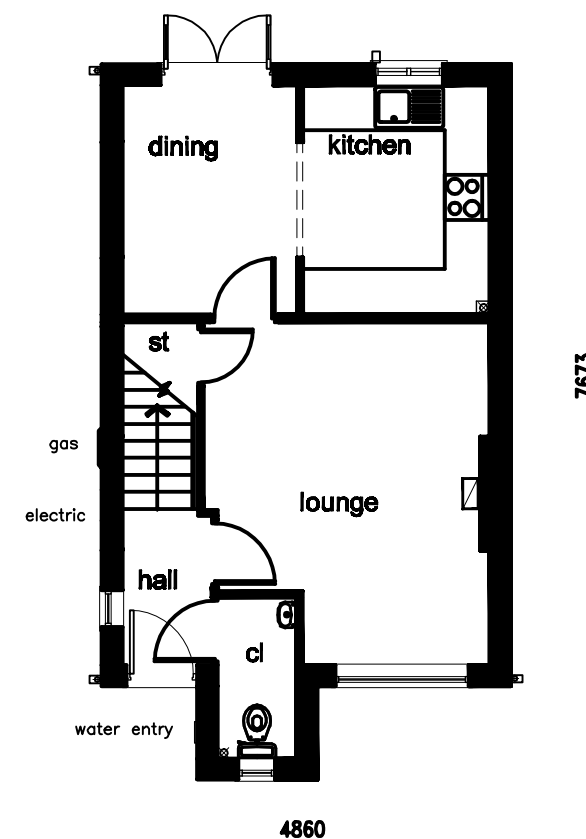


Front Elevation

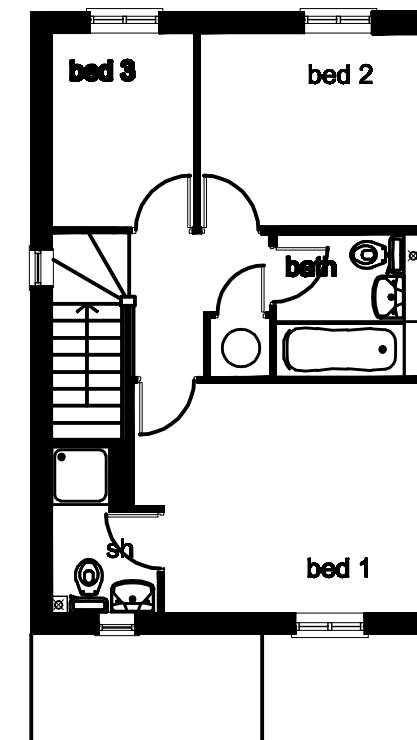
Rear Elevation

Side Elevation

Side Elevation



Ground Floor Plan



First Floor Plan

## Trevithick PLANS & ELEVATIONS

1:100 @ A3 Nov 2007 816 SqFt  
7239 WHT02

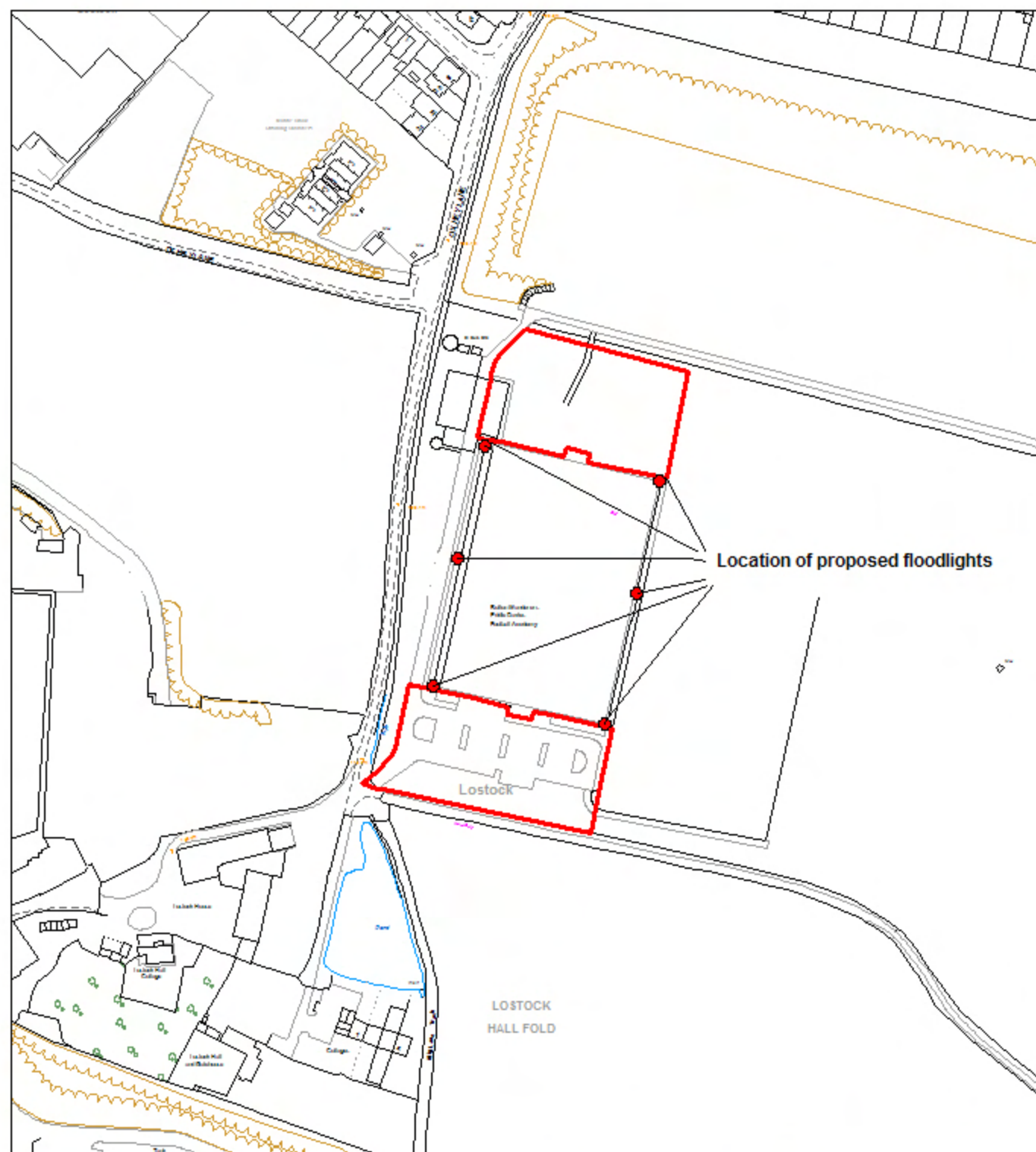


MPSL Planning & Design Ltd Commercial House  
14 West Point Enterprise Park, Clarence Avenue,  
Trafford Park, Manchester. M17 1QS

Tel: 0161 772 1999  
Fax: 0161 772 1980  
Email: admin@mpsdesign.co.uk  
www.mpslgroup.com

Application No.

**89226/12**



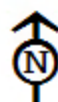
Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 89226/12**

**Type of Application: Full Planning Application**  
**Registration Date: 24/12/2012**  
**Decision Due By: 24/03/2013**  
**Responsible Officer: Jon Berry**

**Location: BOLTON WANDERERS ACADEMY LAND, OX HEY LANE, LOSTOCK, BOLTON**

**Proposal:** ERECTION OF A SINGLE STOREY PAVILION BUILDING, TOGETHER WITH ASSOCIATED WORKS INCLUDING FLOODLIGHTING, LANDSCAPING AND CAR PARKING, AND THE REMOVAL OF TEMPORARY BUILDINGS.

**Ward: Horwich and Blackrod**

**Applicant: Bolton Wanderers FAC**  
**Agent : Nathaniel Lichfield and Partners**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Background**

Members of the Planning Committee will recall voting to grant permission for this sports pavilion development proposal at the meeting on 5th December 2013. However, this decision was subject to two additional features being secured via the planning conditions. One was for the creation of a reeded pond for wildlife as part of the surface water drainage scheme (in an extension to Condition 3 at the end of this report) and the other was for the construction of a green roof to the new Academy building (in an extra condition to be added to those recommended below).

Officers have discussed these requirements with the Applicant but the latter does not consider that either can be provided. The Council has received the following comments:

*"The response below has been informed by discussions with various consultants in the Bolton Wanderers Football Club development team.*

- 1) Drainage - in terms of the surface water run off issue, this already flows primarily through an extensive system of infiltration trenches and back through the under-soil strata towards Middlebrook, rather than into any 'hard' drainage or sewer system. In terms of the "pond", a critical issue is the fact that there is actually nowhere on the site where it can be located as the Pavilion building is located close to the southern boundary, and the site slopes predominantly from north down to the south. To the west of the Pavilion Building there is an area that descends sharply towards Hall Lane, and to the east there are extensive infiltration trenches aligned with the southern boundary. On this basis, as a pond*

*cannot be accommodated, then we consider that the condition cannot be justified. You will also be aware that there is also an existing pond only around 50m from the site.*

- 2) *Green Roof - such roof-types generally have a fully waterproof and modern under-structure, with a turf/sedum or other surface layer on top. The purpose of the 'green' surface is usually to provide a wildlife habitat and slow water run-off. In our case, the proposed pavilion is a very lightweight structure 'sitting' in the landscape with minimal eaves dimensions to minimise the overall impact. Placing a turf/sedum surface on top of the roof clearly adds a very significant amount of load per square metre to the roof, and both the foundations, structural walls/columns, support trusses, and structural roof layer would require further strengthening to accommodate the extra loading. Such an approach would immediately negate the initial 'light touch' design criteria; in simple terms, a much more solid - and less 'pavilion-like' – structural framework would be required throughout. On this basis, it would not be viable to add a green roof to the building as proposed.*

*In addition, such a small additional amount of wildlife habitat provided by a green/sedum roof is, in this particular situation, of very limited relevance. The Academy site is approximately 16 hectares of active, open playing fields, with extensive hedgerows, mature trees, landscaped areas and a 'wildlife habitat' maintained in accordance with an agreed management plan. There is also a golf course next door, a pond very close, and a range of ideal wildlife habitats extending south down to Middlebrook and beyond.*

*In summary, it is clear that the potential conditions suggested by the Committee cannot be incorporated into the application scheme as proposed".*

The planning decision notice has therefore not been issued by Bolton Council and the application is hereby presented back to Elected Members for their consideration as to whether the scheme can still be approved without the reeded pond and green roof. Officers originally recommended approval and continue to do so with the support of Greenspace colleagues who raise no objections to the proposal in its present form.

### **Proposal**

This application is aimed at bringing forward the long awaited permanent replacement of the existing temporary buildings at the Bolton Wanders Lostock Academy site and provides for the erection of a single storey pavilion building, together with associated landscaping and car parking, and the removal of the temporary buildings. It is also proposed to provide new floodlighting installations to service the existing full-size all-weather football pitch. The existing access to the site from Mill Lane will be retained.

The new building is sited in the extreme south west corner of the Academy complex which, as members will be aware, is primarily set aside for the provision of outdoor all weather training and practice facilities. The building has an 'L' shaped footprint and measures at its longest 58m and at its widest 29.6m and this equates to overall floor area of the proposed building being 1,168m<sup>2</sup>. The roof design is a mono-pitched style, 3m high at the lowest level and 4.6m at the highest point. External cladding is proposed to be timber vertical weather board. The permanent building is shown to be sited on part of the existing hard surfaced car park which will consequently result in the displacement of 35 car parking spaces. These spaces will be replaced in an area to the north of the existing 3G pitch, following the removal of existing temporary buildings and this will also

enable the provision of visitor coach parking on occasions when required.

The building will accommodate the specific facilities listed below which have been identified as the minimum requirement for the EPPP (Elite Player Performance Plan) to cater for the on site welfare of the players, staff and visitors. This need partly arises as a result of new criteria for football academies established by the [EPPP] developed in consultation between key football stakeholder's (including the Football Association) for youth development. The existing Academy facilities deliver widespread community sports and education benefits and this will continue, within the proposed new building and facilities resulting in access by the wider community to significantly improved sporting facilities.

- Five pairs of team changing rooms,
- Two official and one coaches/staff changing room,
- Pre-Hab room,
- First aid /strapping room,
- Support facilities,
- Separate parents and coaches lounge with views over pitches,
- Private meeting room, and
- External viewing area.

To enable the construction of the new pavilion, some minor modifications to the existing landscaping on the southern edge of the car park are required. This includes clearance of shrubs and re-profiling of the adjacent mound. This will be subject to re-planting of native trees and shrubs to compliment the existing landscape structure of the site and the wider surrounding landscape. Such details will be secured by condition.

The proposed flood lighting installation will consist of 6no. 15 metre high columns located at each corner and the half-way line of the existing all-weather pitch, designed to give a 500 lux average maintained illumination level with the additional facility to operate at a reduced level of 250 lux average. The selection of this type and number of columns and luminaires will ensure that the proposed floodlight system will achieve the appropriate standards set by the Institution of Lighting Engineers (ILE) Guidance Note for Reduction of Light Pollution. This will be achieved by the use of the most efficient 1500W metal halide lamps with effective reflectors and visors, the proposed flood lighting producing a maximum average vertical illumination of 5 lux at a distance of 50 m from the playing surface thus limiting sky glow, glare and light spillage to the minimum possible without unduly affecting surrounding occupiers and or users in terms of disturbance through light pollution.

### **Site Characteristics**

The wider site has been in use by the Academy as a training ground since around 2006. Historically, the Academy has operated out of lightweight structures, which have been subject to temporary planning permissions (as set out in the history section of this report).

The site is bound by:

Existing residential development, which fronts Chorley New Road, to the north, a water works site and its associated access road to the east, a hard surfaced cycle route to the south, beyond which lies open land forming part of the extended Regents Park Municipal Golf Course and Ox Hey Lane/Mill Lane to the west, beyond which is existing residential and industrial development, including the former Sports Ground site currently being developed for housing.



The locally designated Green Belt includes two golf courses and associated facilities.

The Academy site currently provides the following facilities:

- One enclosed 3G pitch,
- One match pitch,
- Seven further pitches,
- Temporary cabins including 2 changing rooms, gym, administration, medical room and dining hall (*these buildings will be replaced by the proposed new single building*),
- Groundsman's maintenance building and
- Associated car parking.

### **Policy**

#### **NPPF.**

Makes it clear that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open [Para. 79] and that local planning authorities should plan positively to enhance the beneficial use of the Green Belt, including providing opportunities for outdoor sport and recreation [Para. 81]. and that 'inappropriate development' in the Green Belt should not be approved except in 'very special circumstances' [Para.87]. Importantly however, some forms of development are acceptable in the Green Belt, including the provision of **appropriate** facilities for outdoor sports and recreation, as long as the openness of the Green Belt is maintained [Para. 89]. Furthermore [para.56] requires new buildings to secure high quality, inclusive design which contributes to the provision of a sustainable development, sympathetic to the character, appearance and landscape/townscape of the surrounding area in terms of the height, scale and form.

The NPPF also establishes a presumption in favour of sustainable development and identifies the key areas being the economic, social and environmental; benefits resulting from all development which consequently should underpin local strategies to improve health, social and cultural wellbeing, delivering community and cultural facilities and services to meet local needs. [Para.73] identifies that access to opportunities for sport make an important contribution to these principles.

Saved UDP policy. - The site is located within the Green Belt as defined by the adopted UDP proposals Map and within the 'Agricultural Floodplains' Landscape Character Area. Saved Policies G1 and G2 are therefore relevant and in particular G2 states that the Council will not permit inappropriate development in the Green Belt. It indicates that the erection of new buildings generally comprises inappropriate development in the Green Belt, except in a limited range of circumstances, including the provision of essential facilities for outdoor sport and outdoor recreation which preserve openness. The Principles of NPPF regarding Green Belt development post date the UDP and should therefore take precedence being more up to date National policy and key to this in NPPF is the use of the word appropriate rather than essential.

Bolton's Core Strategy.

Objective 11 seeks to maximise access to sporting and recreation facilities, especially for those living in the most deprived areas.

Policy CG1 aims to conserve and enhance biodiversity; protect landscape character; reduce flood risk; and, minimise energy requirements and reduce carbon dioxide emissions.

Policy CG2 aims to ensure that development contributes to the delivery of sustainable development and incorporates sustainable design and construction principles with developments of more than 500 sq. m non-residential achieving BREEAM rating 'very good' and reducing carbon emissions together with the management of surface water run-off.

Policy CG3 seeks, to maintain and respect the landscape character of the surrounding countryside and its distinctiveness and requires new buildings to secure high quality, inclusive design which contributes to the provision of a sustainable development.

Policy CG4 aims to ensure that new development is compatible with surrounding land uses and that the ground conditions (in terms of stability and contamination) are suitable for the proposed development.

### **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 principle of development
- \* impact on access and transportation
- \* impact on the landscape

#### **Impact on Principle of Development and on the openness of the Green Belt**

In terms of the principle of development, Saved UDP Policy G2 and the NPPF confirm that the provision of appropriate facilities for outdoor sports and recreation is not 'inappropriate development' in the Green Belt, provided that openness is maintained. In this context, it is considered that the application proposals are consistent with these principles. Furthermore the application actually brings forward a permanent solution to the replacement of the temporary buildings in a manner that minimises the impact on the openness of the Green Belt.

The addition of the floodlights has been assessed against the same principles and based on the specifications of the floodlight units it is accepted that light spillage will not result in an excessive or undue intrusion in the green belt nor in the loss of outlook to residents that overlook the site. In this regard Members are advised that similar installations in similar locations have successfully achieved both the above objectives.

#### **Impact on Access and Transportation**

There are no substantive changes to circumstances around access and transportation and therefore the basis of the application can be interpreted as being neutral in terms of its impact

#### Impact on the landscape and ecology

The re-modelling of the landscaping to the south of the building will compliment the existing structure to the wider landscaping of the site in the use of a wide variety of native trees and shrubs together with a mix of ornamental planting to maintain visual interest throughout the year and also support varied wildlife habitat development. In terms of protected species on the site, it is noted that the main areas of construction works will be concentrated within the confines of the existing Academy complex which is non natural in terms of its environmental status. It is not anticipated therefore that the development will have any impact on protected species (Flora or fauna).

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

The proposals have been the subject of extensive pre application consultation not only with the local Authority officers but other interested stakeholders and the local community which involved the following;

- Consultations with officers of Bolton Council which agreed the required application submission details together with the scope of public consultation.
- A joint public exhibition was held at the Bolton Arena.
- Individual leaflets were also distributed to local residents (approximately 2500 leaflets distributed).

Broadly, this has brought forward a permanent solution to the temporary accommodation at the academy which should generally be of benefit to the local area and community whilst observing the basic principles of Planning policy.

#### **Conclusion**

The proposed development has been designed to minimise its impact on the openness of the Green Belt and brings forward a satisfactory form of development replacing temporary buildings with a permanent facility to meet the highest standards and compliment to wider use of the site for the benefit of the wider community.

Members are accordingly advised that the proposal is consistent with both national and local planning policy and is recommended for approval.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** Objection letters have been received from the residents at the following addresses;

1,3 and 4 Lostock Hal Drive  
1 and 8 Shaftsbury Avenue;  
48, 50 and 52 Chorley New Road  
In the name of the Lostock Residents association

Planning based objections raised are summarised as follows;

Pavilion too large to be considered appropriate in the Green Belt;  
Floodlighting similarly inappropriate and will affect living conditions of nearby residents in terms of hours of illumination proposed;  
Problems related to the drainage proposals for the site;  
Increased traffic;  
Car park extension inappropriate;  
Loss of wildlife;  
Conflict between traffic and cyclists using cycle route.

Representations have been submitted from the residents at Lostock Hall Gate House supporting the application subject to completion of all works resulting in safe access arrangements for users of the site and surrounding routes (pedestrian and others)

**Petitions:-** None received

**Town Council:-** Horwich Town Council have raised objection to the development based on the installation of the floodlighting equipment and its impact on the green belt.

**Elected Members:-** None received

### **Consultations**

Advice was sought from the following consultees:

Environment Agency; raise no objections in principle subject to the imposition of a condition as follows;

The development hereby permitted shall not be commenced until such time as a scheme to regulate surface water run-off has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Bolton Council Highways Engineers; raise no objections

Bolton Council Environmental Health; raise no objections. recommend conditions regarding contaminated land, noise from fixed plant and external lighting.

Sport England; raise no objections.

Bolton Council Tree and Woodland Officer; recommends additional planting to reinforce the retained landscaping.

Bolton Council Drainage Team; confirm they have no comments.

United Utilities; raise no objection subject to works linked to the erection of fencing be hand dug. This has been agreed by the applicant.

### **Planning History**

Under application 62283/02 planning permission was granted in outline with means of access shown on land within the former BAe site and adjacent farmland for a football academy, residential development and light industrial (B1) and warehouse (B8) uses. Full planning permission was granted for the change of use of the existing training building to a football school and the layout of 13 playing fields, one artificial, on agricultural land to the east of the former BAe site together with a car park with 104 spaces and the fencing of the artificial pitch and training pitches. The highway details involved a single access from Lostock Lane which was to run between the industrial buildings and the Lostock Sports Club playing fields before crossing Mill Lane to access the playing fields.

The outline application was subsequently renewed under application 68157/04.

Under application 72789/05 planning permission was granted for the laying out of the playing fields. The permission included the siting of a pavilion and a maintenance building. Access was to be from Hall Lane pending the creation of the route from Lostock Lane through the former BAe site.

Reserved matters application 75979/06 for the residential development of the open land to the north of the former BAe site was approved in February 2008, the approved scheme included an access from Lostock Lane to serve the Academy site and the playing fields to the east of Mill Lane. Some basic site works have been carried out in connection with this scheme.

Application 76151/06 for the extension to the Regents Park Golf Course and remodelling of the adjacent land was granted planning permission in June 2007. Access to the site was via Hall Lane and the work is taking place.

Application 77752/07 for the erection of a pitch maintenance building was granted planning permission in October 2007.

Application 78093/07 for the approval of details of the Bolton Wanderers Football Training Academy and associated vehicle parking on land to the west of Mill Lane adjacent to this application site was approved in December 2007. The application included details of the crossing of Mill Lane and permanent main access to the playing fields.

Application for the erection of 3 (no.) temporary buildings to include 2 (no.) changing rooms and 1 (no.) admin/storage/kitchen/dining facility was granted planning permission in June 2008 which expires on 30/06/10 (Ref:80029/08).

Temporary planning permission was granted for until 30/06/10 in January 2009 for the retention of 1 temporary wc unit (Ref: 81459/08).

Planning permission was granted in September 2009 for the erection of a gym (Ref: 82362/09).

Temporary planning permission was granted for until 12 May 2013 for the retention of five temporary buildings for use as academy accommodation. (Ref. 83864/10).

**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 samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.

3.     Prior to the development being first brought into use 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.

4.     Before the development hereby approved is first brought into use, external lighting/floodlighting shall be implemented in full accordance with the submitted/approved plans and detailed specifications and retained thereafter. The floodlights shall **not** be operated between the hours of 22.00 and 09.00 hours on any day.

Reason

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

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

**12012/145\_LOS D**

**12012/146\_LOS F**  
**12012/151\_LOS G**  
**12012/153\_LOS E**  
**12012/200\_LOS B**  
**12012/201\_LOS B**  
**12012/300\_LOS C**  
**12012/400\_LOS A**

**VN 20110/205**  
**VN 20110/206**  
**VN 20110/207**

**N60774/01**  
**N60774/04**

**6604/E500/S2**

### **Floodlighting Specifications and Technical note**

#### **Design and Access Statement**

Reason

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

6. 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. 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.

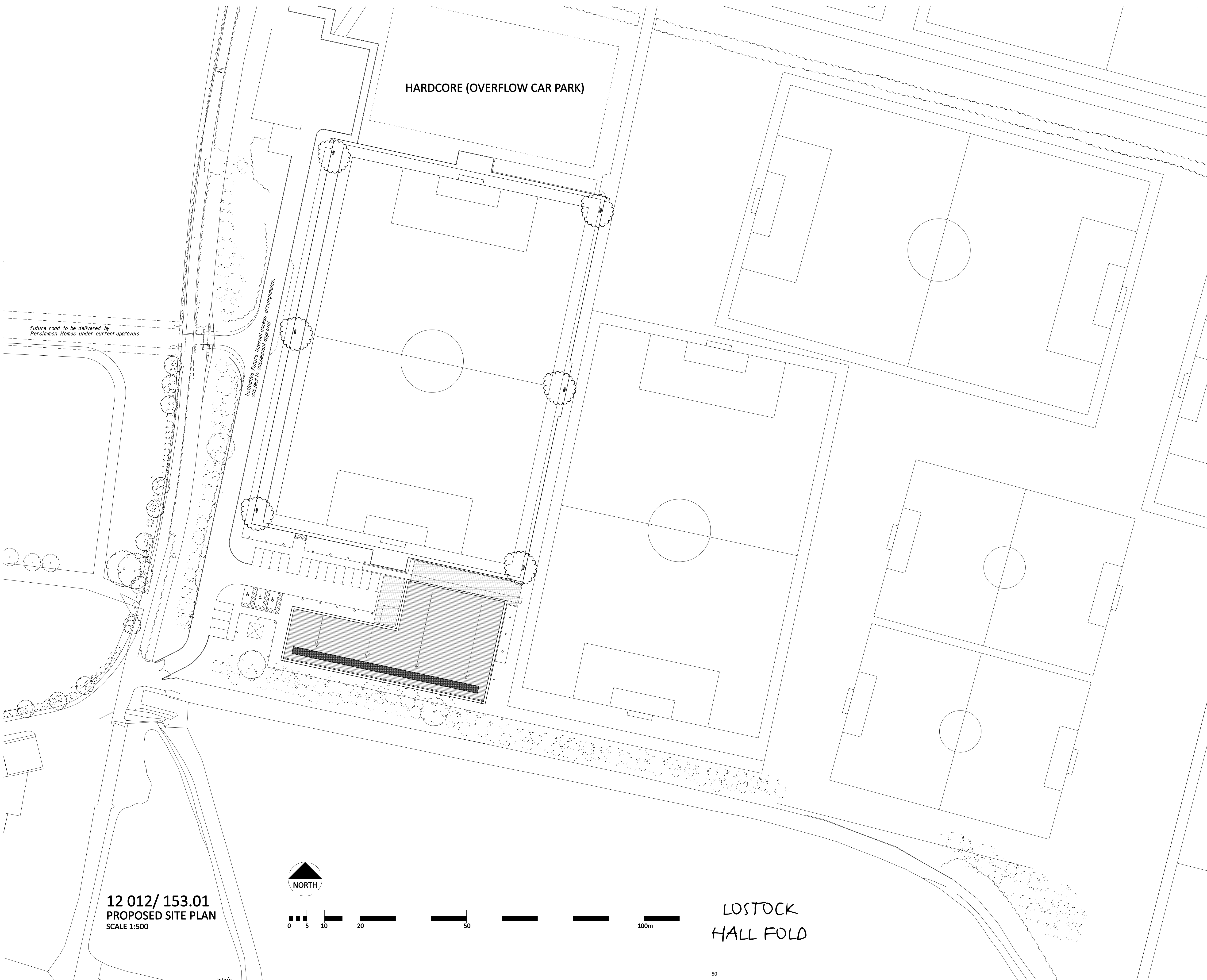
Reason

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

7. 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.



Notes  
1. To be read with CDM Risk Register  
2. Do not scale, check this is the latest version, if in doubt, ask see drawing issue log for issue history

D	Floodlights Added	27.08.13	MC	--
C	future internal access arrangements indicated	20.02.13	MB	--
B	Revised access layout	11.02.13	MB	--
A	SECOND ISSUE AFTER BUILDING AMENDMENTS	06.12.12	MC	MB
-	FIRST ISSUE	19.11.12	MC	MB
Rev	Notes	Date	By	Review

redboxarchitecture

Red Box Architecture, St Nicholas Chare, Newcastle upon Tyne, NE1 1RJ  
T +44 (0)191 245 5555, F +44 (0)191 245 7111, mail@redboxdesign.com, www.redboxdesign.com  
Red Box Design Group Ltd trading as Red Box Architecture  
redboxdesigngroup : redboxinteriors : redboxgallery

Lostock Pavilion Bolton			
SITE LOCATION Proposed Site Plan			
1:500	12012	153_LOS	D
A1	Preliminary		



## Light-Structure Green™ System — still Five Easy Pieces™ plus:

### Improved Luminaire Efficiency

- 1. Reflector system:** More than 2000 photometric patterns provide optimal energy efficiency and minimal spill light for each project.
- 2. Visor system:** Several visor choices provide energy efficient light on the field and minimal spill light. The aerodynamics reduce wind load on the poles.
- 3. Side shift beam control:** Beams can be adjusted within the luminaire horizontally as well as vertically. We can now custom fit the light to the corners.

### Smart Lamp™ Operating System

- 1. Lamp:** 30 years of lighting experience has taught Musco to operate the lamp with less energy and extend its life with a system of timed power adjustments.
- 2. Geared tilt adjustment:** With a geared levelling mechanism the lamp arc tube operates in the energy advantageous horizontal position.

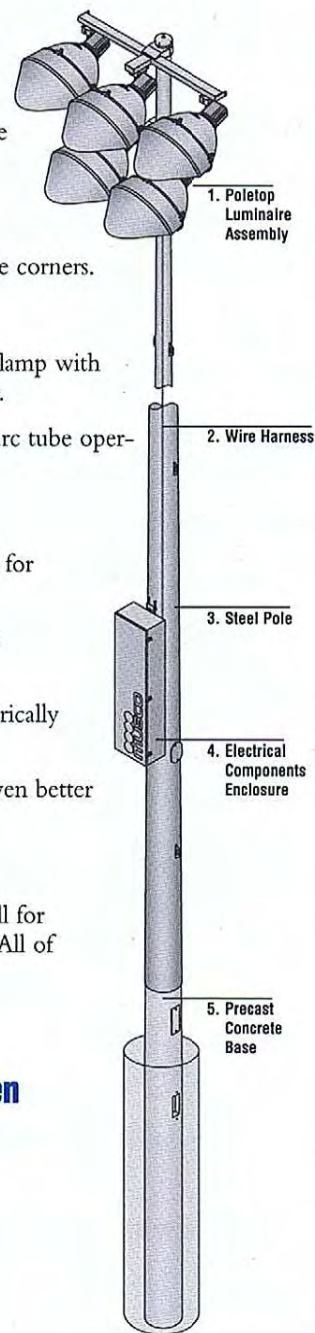
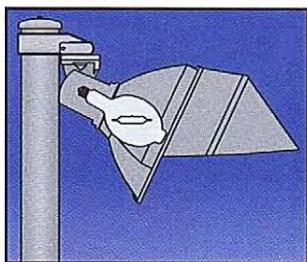
### Increased Durability, Assured Results

- 1. Die-Cast aluminium reflector housing:** Provides a rugged foundation for building and maintaining a sophisticated photometric unit.
- 2. Factory assembled luminaires:** The luminaire ships totally assembled: avoids contaminants, saves time, improves aiming accuracy.
- 3. Attaching mechanism:** The factory assembled luminaire connects electrically and structurally to the crossarm with one simple attachment.
- 4. Factory aiming:** Musco's well established service of factory aiming is even better with Light-Structure Green... field changes can still be done.

### Ultimate guarantee... at no extra cost

With **Green Generation Lighting®**, Musco's Constant 10™ guarantees it all for 10 years, including Constant Light™ and all routine and spot maintenance. All of this is assured by Musco's field service department and their technicians.

**Light-Structure Green is the result of more than a dozen inventions and innovations from more than £5 million of research and capital investment by Musco.**



**We Make It Happen®**

[www.musco.com](http://www.musco.com)

e-mail: [eurosales@musco.com](mailto:eurosales@musco.com)

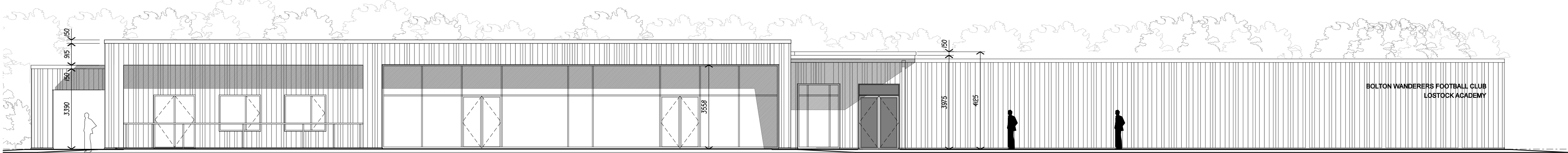
### Musco Lighting

Unit 1005 Great Bank Road  
Wingates Industrial Estate  
Westhoughton  
BL5 3XU

Tel: +44 (0)1942 811777

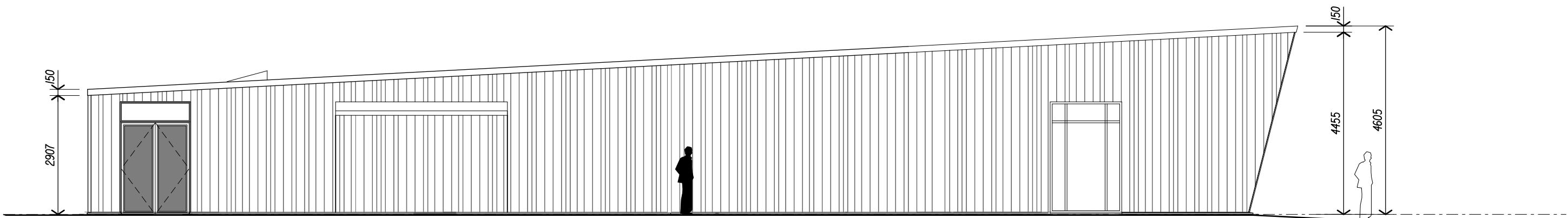
Fax: +44 (0)1942 811389



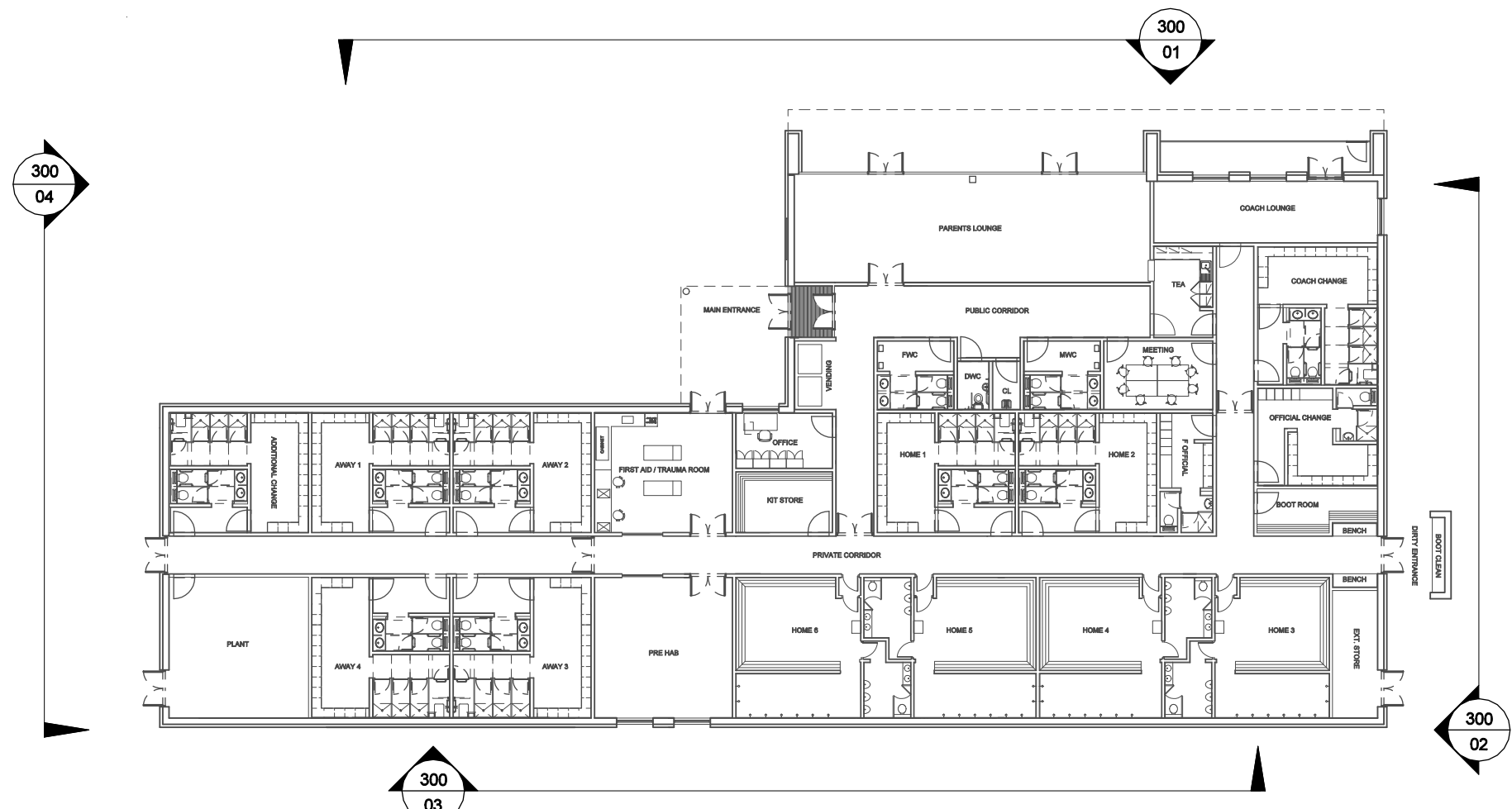


NORTH ELEVATION - PAI

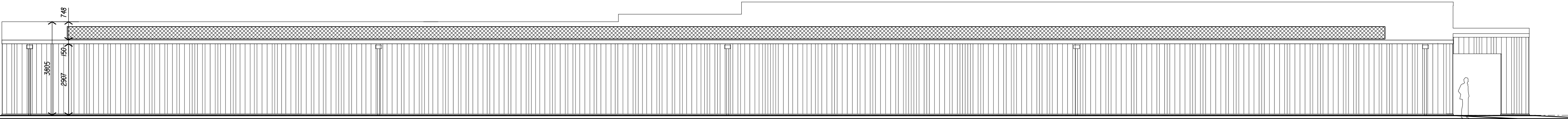
12 012/ 300.01  
PROPOSED NORTH ELEVATION  
SCALE 1:100



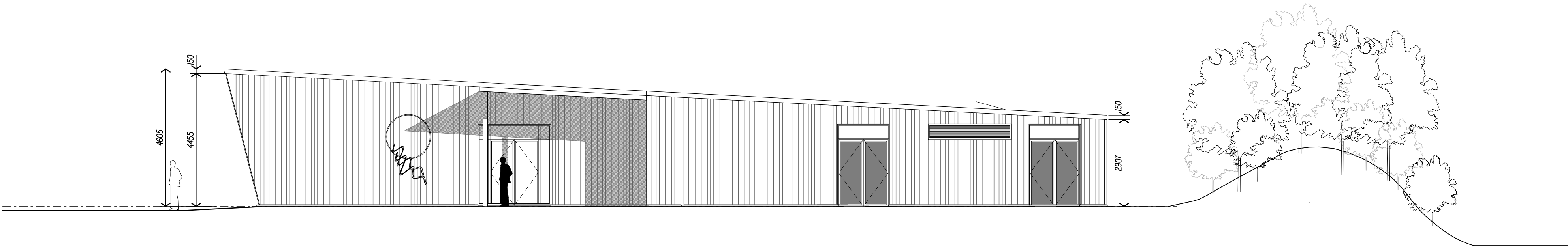
12 012/ 300.02  
PROPOSED EAST ELEVATION  
SCALE 1:100



12 012/ 300.03  
PROPOSED PLAN LO  
SCALE 1:300



12 012/ 300.04  
PROPOSED SOUTH ELEVATION  
SCALE 1:100



12 012/ 300.05  
PROPOSED WEST ELEVATION  
SCALE 1:100

Notes  
1. To be read with CDM Risk Register  
2. Do not scale, check this is the latest version, if in doubt, ask see drawing issue log for issue history

NOTE: The signage indicated is for information only, the details of these will be subject to approval through a separate application for advertisement consent.

C	PHOTOVOLTAICS ADDED	17.12.12	MC	MB
B	ISSUED AFTER BUILDING AMENDMENTS	06.12.12	MC	MB
A	UPDATED TO REFLECT REVISED PLAN	30.11.12	MC	MB
-	FIRST ISSUE	19.11.12	MC	MB
Rev	Notes	Date	By	Review

redboxarchitecture

Red Box Architecture, St Nicholas Chare, Newcastle upon Tyne, NE1 1RJ  
T +44 (0)191 245 5555, F +44 (0)191 245 7111, mail@redboxdesign.com, www.redboxdesign.com  
Red Box Design Group Ltd trading as Red Box Architecture  
redboxdesigngroup : redboxinteriors : redboxgallery

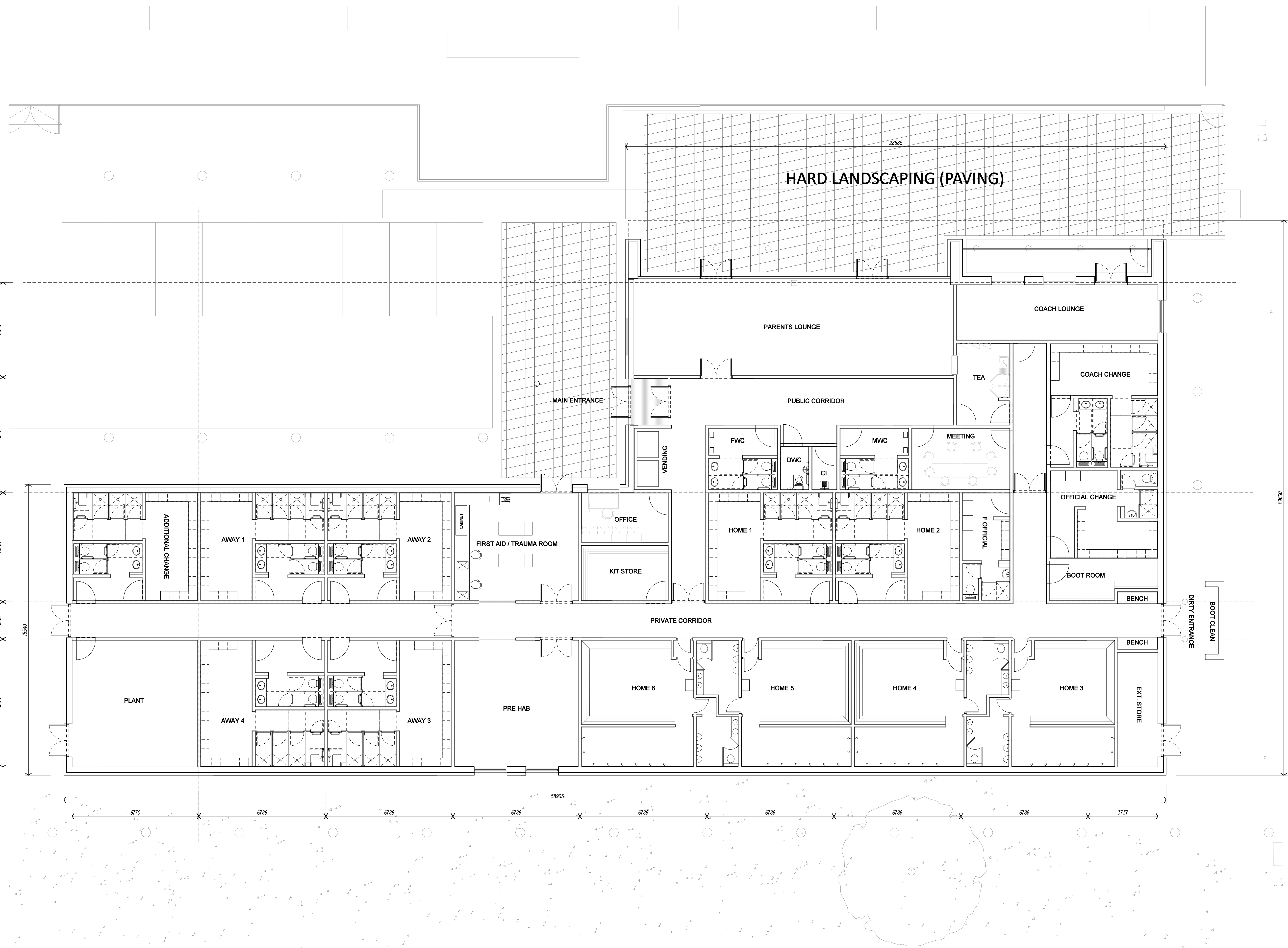
Lostock Pavilion  
Bolton

PROPOSED ELEVATIONS  
General Arrangement

1:100	12012	300_LOS	C
A1	Preliminary		

copyright © Red Box Design Group Ltd 2012





Notes  
1. To be read with CDM Risk Register  
2. Do not scale, check this is the latest version, if in doubt, ask see drawing issue log for issue history

B	ISSUED AFTER BUILDING AMENDMENTS	06.12.12	MC	MB
A	PLAN UPDATED TO REFLECT CLIENT COMMENTS	30.11.12	MC	MB
-	FIRST ISSUE	19.11.12	MC	MB
Rev	Notes	Date	By	Review

redboxarchitecture

Red Box Architecture, St Nicholas Chare, Newcastle upon Tyne, NE1 1RJ  
E +44 (0)191 245 5555, F +44 (0)191 245 7111, mail@redboxdesign.com, www.redboxdesign.com  
Red Box Design Group Ltd trading as Red Box Architecture  
redboxdesigngroup : redboxinteriors : redboxgallery

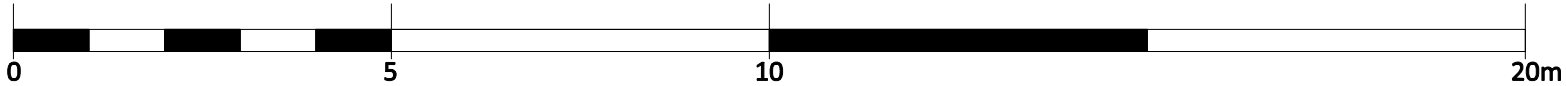
Lostock Pavilion  
Bolton

LEVEL 0  
General Arrangement

1:100	12012	200_LOS	B
A1	Preliminary		

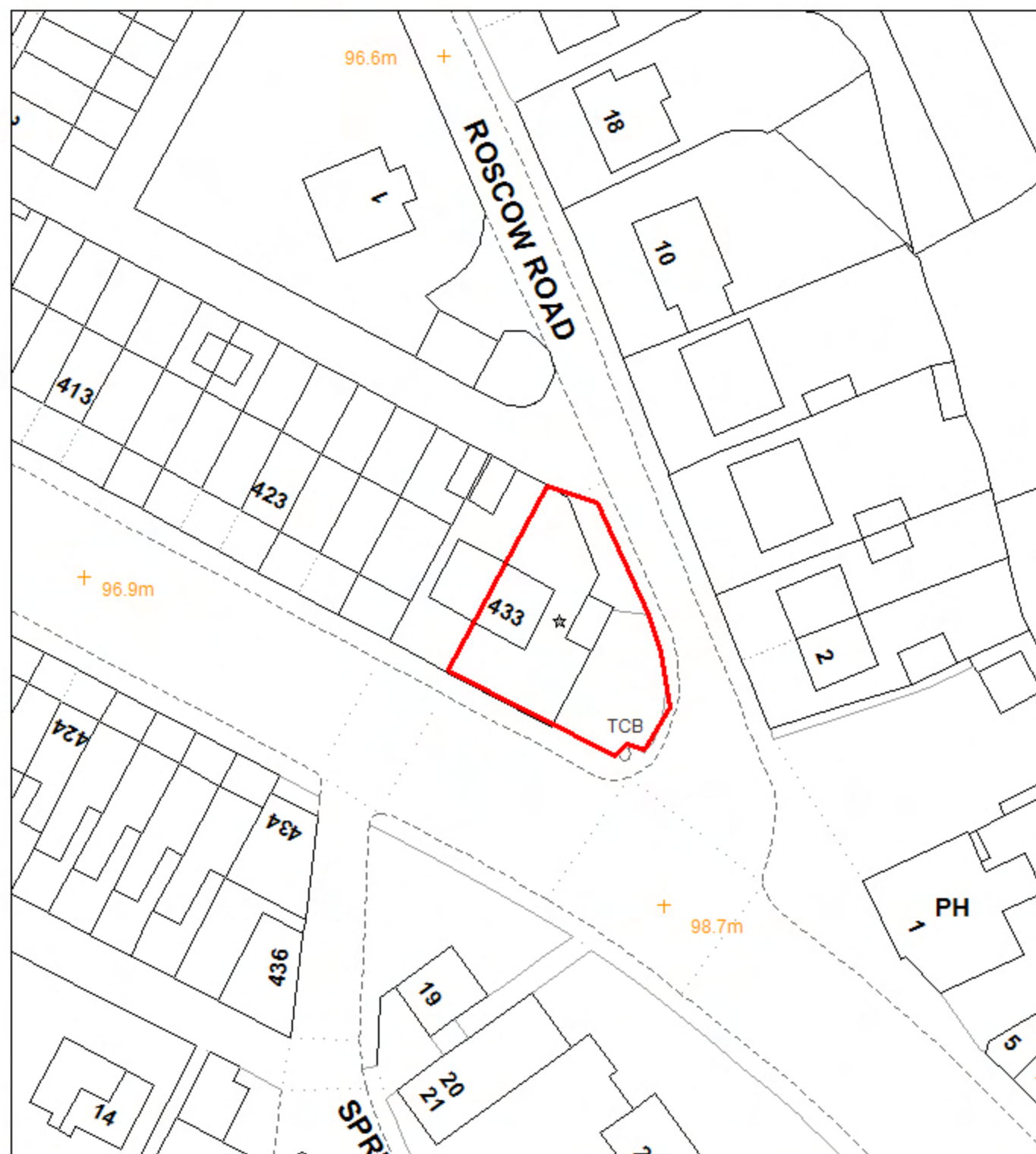
copyright © Red Box Design Group Ltd 2012

12 012/ 200.01  
PROPOSED LEVEL 0 PLAN  
SCALE 1:100



Application No.

**90227/13**



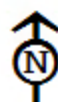
Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 90227/13**

**Type of Application: Full Planning Application**  
**Registration Date: 29/07/2013**  
**Decision Due By: 22/09/2013**  
**Responsible Officer: James Berggren**

**Location: 433 BOLTON ROAD, KEARSLEY, BOLTON, BL4 8NH**

**Proposal: CHANGE OF USE FROM OPEN SPACE AND HIGHWAY TO RESIDENTIAL GARDEN INCLUDING THE ERECTION OF FENCES, GATES AND RAILINGS**

**Ward: Kearsley**

**Applicant: Mr Cope**  
**Agent : David Young Architect**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Background**

The application was deferred at the November 2013 committee meeting for an advanced site visit. The application was then deferred at the December 2013 meeting so that amendments could be sought concerning the position of the boundary treatment and the materials to be used.

The subsequent changes now presented to Members are highlighted in italics within the Proposal section below.

#### **Proposal**

The application proposes the change of use of a piece of open space and highway to a residential garden. The application includes details of boundary treatment to the front, side and rear.

*The applicant has amended the proposal by setting the boundary treatment further into the site at the corner of Bolton Road and Roscow Road. This allows for improved visibility at the junction by leaving a 4 metre distance to the front of the existing footway. This consequently reduces the area of land being enclosed. The amendments have also resulted in a change to the proposed tree removal/retention within the site and tree T10 is now shown as being removed and tree T11 will be retained.*

The frontage and corner of Bolton Road with Roscow Road consists of a brick wall with railings above, to a height of 1.4 metres. The majority of the section along the boundary with Roscow Road consists of 2 metre high timber fence panels and brick pillars. A gate is shown on the front elevation and an access from the rear, 3.6 metres wide with 2 metre high gates.

The footway adjacent to Roscow Road and around is to be widened up to 2 metres to improve pedestrian safety.

### **Site Characteristics**

The site is located on the corner of Bolton Road and Roscow Road. This vacant piece of open space consists of a number of mature trees, a grassed area, footpath and a fence that fronts Bolton Road. The corner plot is prominent within the street scene.

### **Policy**

Core Strategy: CG3, CG4, S1 and Appendix 3

Planning Control Policy Note 2: Space Around Dwellings.

National Planning Policy Framework 2012

### **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 character and appearance of the area
- \* impact on residential amenity

### **Impact on the highway**

Policy S1 of the Bolton Core Strategy promotes road safety in the design of new development.

Bolton Council's Highway Engineers advised that the proposal should allow for the widening of the footway opposite Roscow Road to 2 metres to benefit pedestrian safety. Engineers also advised that the provision of a 2 metre footway opposite 6 Roscow Road would prevent vehicles from parking in this area that currently obstruct the route for pedestrians. Engineers did however consider the use of the site for parking to be detrimental to highway safety and also contrary to a covenant. Members should be made aware that any covenant on the land is a private matter and not a material planning consideration.

The applicant has amended the plans in accordance with Engineers comments and has also repositioned the gates at the rear so that the access is onto the back street rather than on to Roscow Road.

The applicant has further amended the proposal by setting the boundary treatment into

the plot, at the corner of Bolton Road and Roscow Road, to allow for improved viability by leaving a 4 metre distance to the front of the existing footway. This results in improved visibility when compared with the original proposal. These amendments are considered to be compliant with the request made by members and Highway Engineers have advised that the amended details are acceptable. Officers do not consider that there would be any undue impact on highway Safety.

The proposal is considered to be compliant with policy S1 of the Bolton Core Strategy.

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

Policy CG3 of the Bolton Core Strategy states that the Council expects development proposals to contribute to good urban design, respect and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area.

This piece of land is currently open with a number of mature trees in-situ. Officers recognise that this piece of land does provide a pleasant break in the urban form, however, it is not considered to be of such significance to warrant its retention. The proposed boundary treatment would not be out of keeping with the character and appearance of the area, it is considered. The extension of the brick wall/railings treatment, following the corner of Bolton Road and Roscow Road serves to improve the appearance of the boundary finish, when compared to the originally proposed scheme.

Although a number of mature trees would be removed, three trees are shown for retention which would ensure that the character and appearance of both the site and locality would not be affected to an unacceptable degree. The amended plans detail trees T10 now being removed and tree T11 being retained. This is considered to be acceptable and would not unduly affect the character and appearance of the site.

It is considered that the proposed change of use to garden land and the erection of the proposed boundary treatments would not unduly affect the character and appearance of the area, therefore complying with policy CG3 of the Bolton Core Strategy.

#### Impact on residential amenity

Policy CG4 aims to ensure that new development is compatible with surrounding land uses and occupiers and protects amenity. Development should not generate unacceptable nuisance, odours, fumes, noise.

The proposed use of the land as a garden is considered to be acceptable and would not unduly impact on the amenity of nearby residential occupiers. Residents on Roscow Road have raised concerns that the proposal would lead to a loss of outlook by virtue of the erection of the boundary fencing. The most significant change would be the erection of the boundary treatments however, it is not considered that, given the maximum height being 2 metres, this would unduly impact on the outlook of any nearby residential occupiers. The nearest properties affected are on Roscow Road, with No. 4 being the closest with a separation distance of approximately 14 metres. This distance is considered acceptable and ensures no unacceptable loss of outlook to these properties.

Officers consider that the proposal would not unduly affect the amenity of nearby residential occupiers. The proposal is considered to comply with policy CG4 of the Bolton Core Strategy.

#### **Conclusion**

Although it is acknowledged that the site does provide a pleasant break in the built form, Officers consider that its change of use to garden land is acceptable as also is the proposed boundary treatment. The loss of trees is not considered to be unacceptable as three will remain. Highway Engineers have raised no objections to the amended proposal which is considered to comply with policy and guidance.

Members are therefore recommended to approve the application as amended in that it takes on board their previous recommendations.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** 5 letters of objection were received from numbers owner/occupiers on Roscow Road (who have a close relationship to the application site) prior to the December Committee meeting.

Grounds of objection:

- Loss of outlook;
- Unacceptable impact on the character and appearance of the area;
- Loss of public open space;
- Adverse impact on highway safety;
- Proposed fencing would cause a blind spot;
- Loss of mature trees;
- A covenant refers to an area of open space with bench that states that the area of open space cannot be used for parking (private matter and not a material planning consideration);
- The area concerned is known as a "stopping off" point to rest at the top of the hill, hence a bench was supplied for people.
- Roscow Road is the only viable access to Fishbrook Industrial Estate and Greenmount Park.
- The width of the road between properties 10 & 4 Roscow road is quite narrow.
- The application will create a 'pinch' point on the road when two vehicles meet.
- By installing fencing around the open space you are reducing the 'sight' lines of vehicles (commercial or otherwise ) entering & exiting Roscow Road.
- It will make exiting and entering the drives to properties more difficult.
- Pedestrians who want to cross Roscow Road cannot see down Roscow Road because of the boundary wall to No.1.Roscow Road.(Dennyson house)

Responses:

- A number of objections have been raised on highway safety grounds. Bolton Council's Highway Engineers have assessed the proposal and following receipt of amended plans, have raised no objections.
- The bench fronting Bolton Road is not protected and the Local Planning Authority can exercise no control over whether or not it should be retained.

Following the December meeting and following receipt of amended plans, two further objections have been received from adjacent owner/occupiers..

Objections:

- The amended drawings only show a slight amendment to the proposed fencing;
- The changes do not reflect the comments made by the planning committee for a compromise to be considered between residents, businesses's and the applicant;
- The applicant has not consulted with any of those people involved to try and reach a compromise;
- The application will make the junction of Bolton Road and Roscow Road more dangerous for residents, pedestrians and businesses;
- Adverse impact on highway safety.

Responses:

- The amended plans are considered to be in accordance with the requests made by

- members to improve visibility at the junction;
- Officers are unaware of any requirement for the applicant to liaise with directly with local residents. The amended plans have been made available on the Council's website for public inspection;
- The proposal is considered to be acceptable and would not unduly affect highway safety.

### **Consultations**

Advice was sought from the following consultees: Highways and Trees and Woodlands.

### **Planning History**

**88884/13** - Erection of two storey side extension. Approved with conditions.

**Recommendation:            Approve subject to conditions**

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

1.     The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason  
  
Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2.     Prior to the commencement of development full details of the highway works at Bolton Road comprising provision of kerbing and 2 metre wide footway along the boundary with Roscow Road 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.
3.     Prior to the commencement of development samples of the materials to be used for the walls and fence panels shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full and retained thereafter.  
  
Reason  
  
To ensure the development reflects local distinctiveness.
4.     Prior to the commencement of development a colour scheme for fence panels and railings shall be submitted to and approved in writing by the Local Planning Authority. The approved colour details shall be implemented in full and retained thereafter.  
  
Reason  
  
To ensure the development reflects local distinctiveness.
5.     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 provided.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) there shall be no means of vehicular access to the development hereby permitted/approved from Roscow Road and/or Bolton Road, other than as shown on drawing ref: 30 rev B.

Reason

In the interests of highway safety.

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

**DWG: 30 Rev B**

**DWG: 32 Rev A**

**DWG: 33**

**DWG: 34 Rev A**

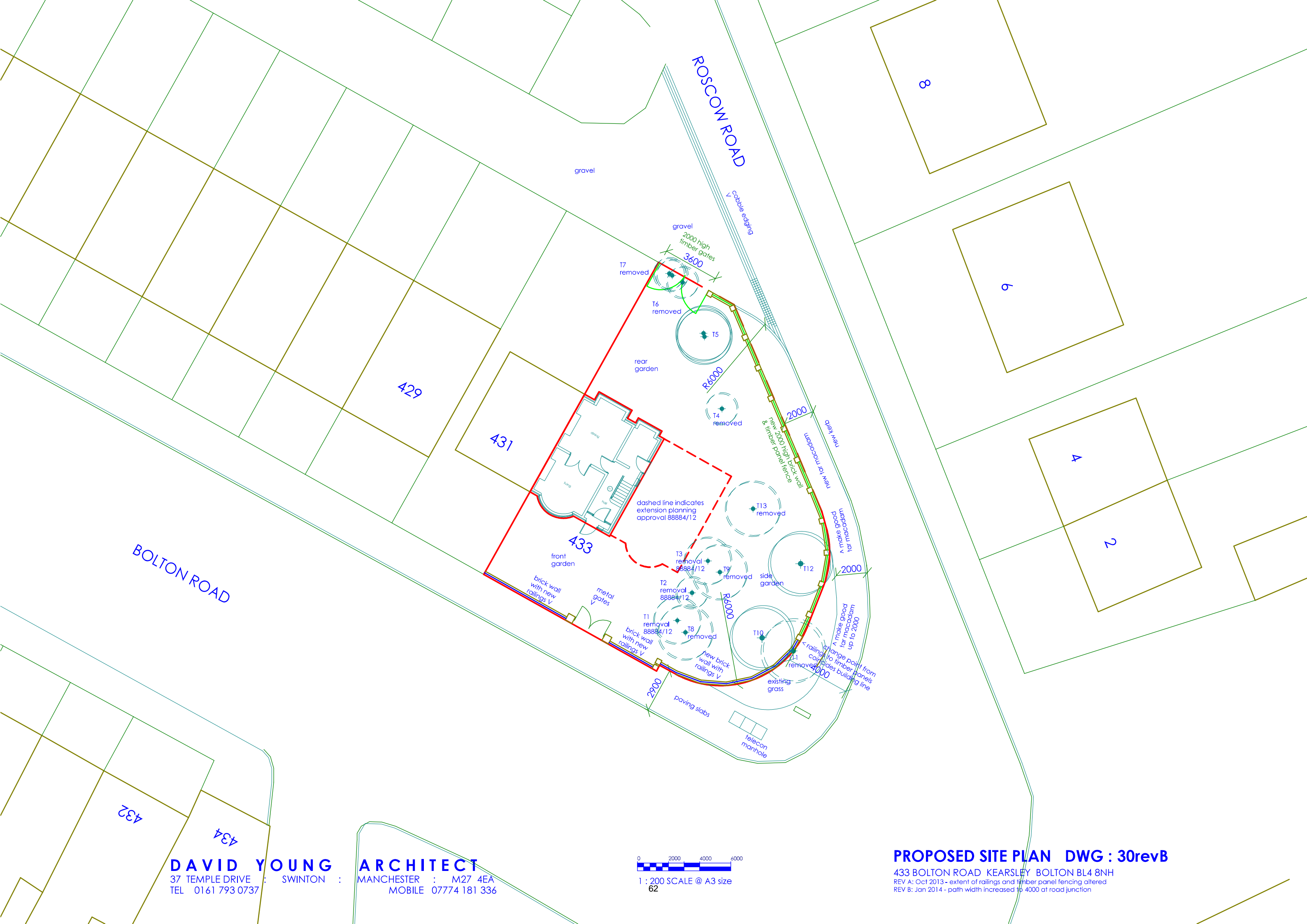
Reason

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

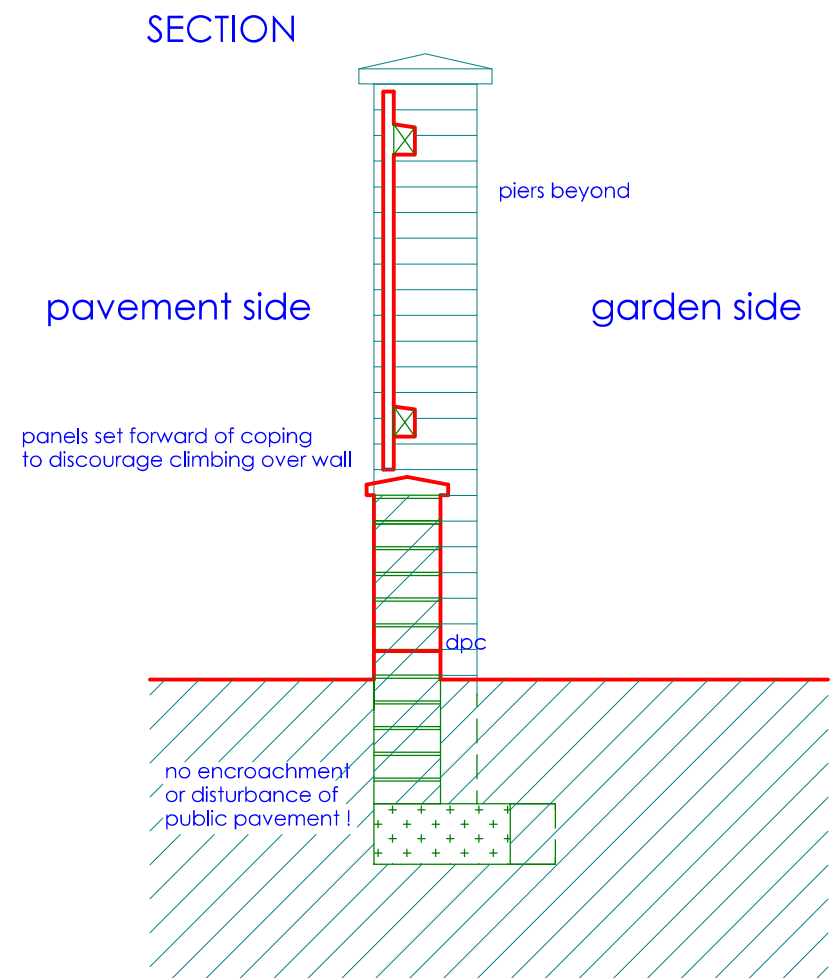
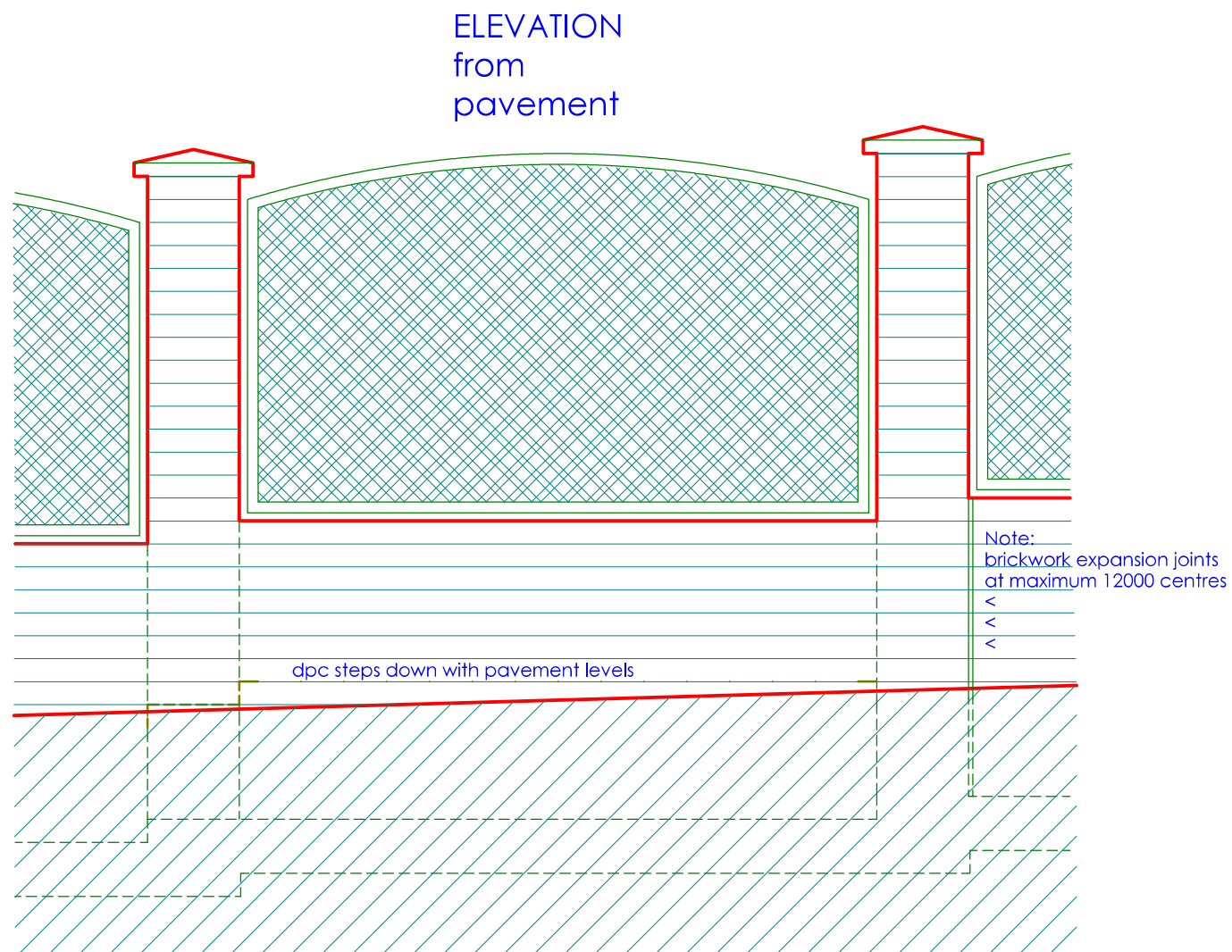
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) garages, outbuildings, sheds, decking, greenhouses, oil tanks, hardstandings, fences, gates, walls, wind turbines, (other than those expressly authorised by this permission) shall be constructed.

Reason

To safeguard the character and appearance of the land.







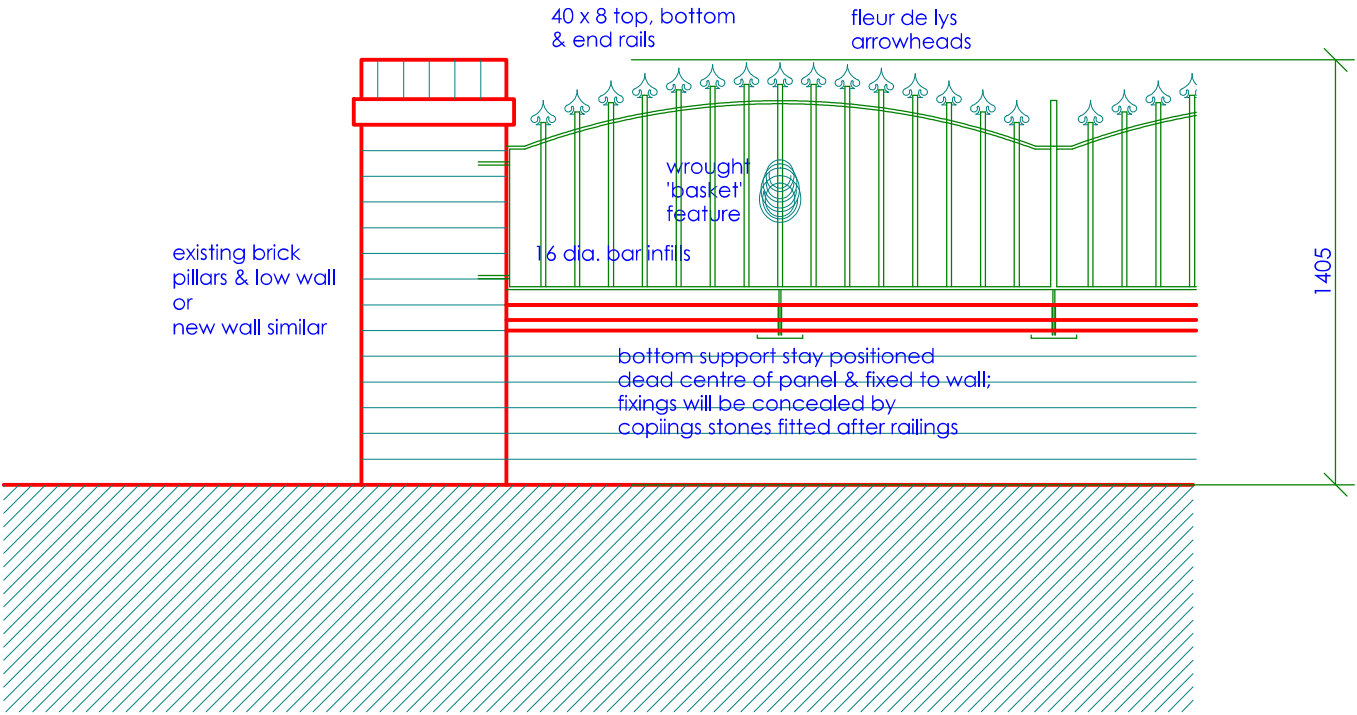
ELEVATION

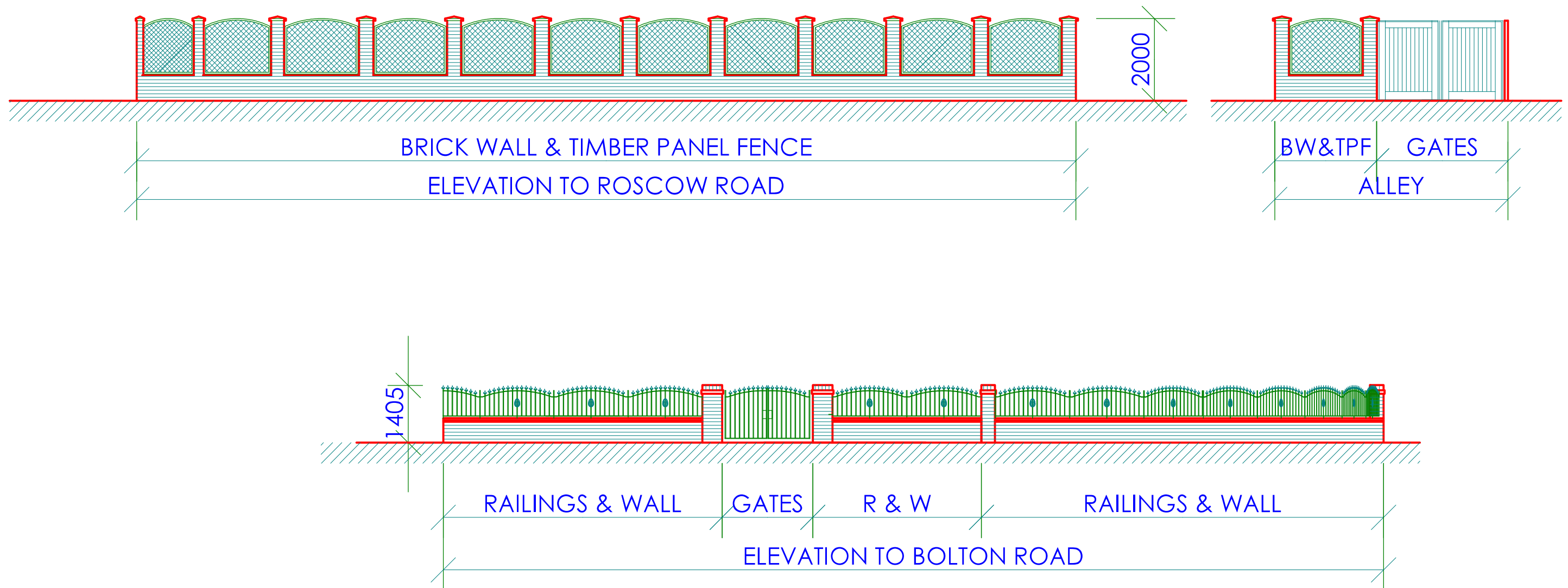
Standards:  
All work to be in accord with British Standards  
& manufacturer's recommendations:  
BS 4 Sections  
BS 729 Galvanising  
BS 5315 Arc Welding

Materials:  
All steel to be grade 43 unless otherwise stated.

Workmanship:  
Metal railings factory prefabricated with  
all joints welded and weld splatter removed;  
unless otherwise stated all parts are to be  
hot dip galvanised after fabrication  
and before lacquer finishing.

Finish:  
degrease thoroughly,  
prime,  
2 coats spray lacquer black with  
arrow heads & features in gold.







Application No.

**90991/13**



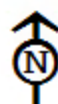
Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 90991/13**

**Type of Application: Full Planning Application**  
**Registration Date: 07/11/2013**  
**Decision Due By: 01/01/2014**  
**Responsible Officer: James Berggren**

**Location: GREEN BENGAL, 158 DARWEN ROAD, BROMLEY CROSS, BOLTON, BL7 9JJ**

**Proposal:** DEMOLITION OF EXISTING BUILDING FOLLOWED BY ERECTION OF SINGLE STOREY RETAIL UNIT (CLASS A1) AND A SINGLE STOREY BUILDING COMPRISING TWO COMMERCIAL UNITS (CLASS A1, A2 AND A3) TOGETHER WITH FORMATION OF CAR PARK, NEW ACCESS LANDSCAPING AND ASSOCIATED WORKS

**Ward: Bromley Cross**

**Applicant: CW Construction (North West) Ltd**  
**Agent : MAZE Planning Solutions**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Background**

The application was deferred at the February meeting as members felt that the scheme represented an overdevelopment of the site and that the building, containing the two retail units, should be removed to enable more parking provision to be provided.

Amendments have been sought to this effect by Officers, however the applicant has not been forthcoming in amending the scheme, highlighting that the proposal meets the Council's parking standards and that the site is located within a very sustainable location. The applicant has however confirmed that should long-stay parking become a problem then it would be dealt with promptly by the site owner to ensure that the car park was available for genuine customers.

### **Proposal**

This application originally sought consent for a single storey convenience store and a two storey building which was to include B1 office space at first floor and also permission to use the ground floor units for A1, A2, A3 A4 and A5 uses. The applicant has since amended the proposal and removed the first floor element of this building and also the proposed A4 (drinking establishment) and A5 (hot food takeaway) uses.

The application now proposes the demolition of a two storey detached building that was previously used as a restaurant and prior to that as a public house. The building is currently vacant. Following demolition, the application seeks permission to erect two

single storey buildings, one to be used as a retail unit/local convenience store and the other as two units for A1 (retail), A2 (financial and professional services) or A3 uses (restaurants and cafes).

Access to the site is taken from Darwen Road, where there is an existing access. A 0.6 metre high boundary wall is proposed along the Darwen Road elevation which would be constructed using reclaimed stone from the existing former public house building (proposed to be demolished). Along the eastern elevation, adjacent to side/rear elevations of properties on Bromley Cross Road, a 2.4 metre high palisade fence and gate are proposed. To the North West elevation the existing boundary treatment is to remain as existing. Tree planting is proposed to the front of the site in each corner. A pedestrian access is proposed to be taken from the side area of properties on Bromley Cross Road, which is currently a cobbled area with access for vehicles restricted by the presence of bollard's.

In total, 30 car parking spaces are proposed with 3 of those being disabled bays. Access would be off Darwen Road (as existing) and the applicant has submitted a delivery management plan. The retail units and convenience store are set towards the rear of the site with the proposed parking areas proposed to the front and sides of the units. An area to the front of the convenience store would be allocated for trolley parking.

The design of both buildings are single storey and to be constructed from coursed stone with slate roofs. The main shop frontages face Darwen Road with the side and rear elevations containing no windows.

The proposed hours of operation are:  
07:00 to 23:00 Monday to Saturday;  
07:30 to 22:30 on Sundays.

### **Site Characteristics**

The site consists of the former Green Bengal restaurant, prior to which it was the Volunteer public house and a large associated car park to the side. The site itself is about 50 metres (approx) east of the Bromley Cross local shopping centre. The site is about 0.2ha in area and contains a single vacant building, last used about 12 months ago. The site is generally level and fronts Darwen Road which forms the south west boundary and provides existing vehicular access. There is an existing boundary wall and fence line to the adjacent Church building situated to the north east, a low stone retaining wall to the adjoining end terraced house, 156 Darwen Road, and a narrow back alleyway to adjoining terraced properties to the south east.

The two-storey former public house/restaurant building fronts Darwen Road with an entrance off the elevation facing the car park, key features include two-bays constructed in local yellow sandstone with a chimney at either end and a porch entrance. The windows have plain stone sills with narrow lintels. The materials consist of stone, slate and red-brick which is similar to the materials used on other buildings/houses immediately adjacent to this site.

### **Policy**

National Planning Policy Framework (NPPF) 2012

Core Strategy Policies:

P5 Transport and Accessibility;

S1 Safe Bolton;

CG1.2 Urban Biodiversity;  
CG2.1 Sustainable Design and Construction;  
CG3 The Built Environment;  
CG4 Compatible Uses;  
OA5 North Bolton.

Planning Control Policy Note 2: Space Around Dwellings;  
Planning Control Policy Note 10: Planning Out Crime.

Supplementary Planning Document: 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 the development
- \* impact on heritage
- \* impact on the character and appearance of the area
- \* impact on amenity
- \* impact on biodiversity
- \* impact on ecology

### **Principle of the development**

Paragraph 26 of the NPPF requires applications for retail development outside of town centres to provide a retail assessment if the development is over a proportionate, locally set floorspace threshold. If there is no locally set threshold, the default threshold is 2,500 square metres.

The Council does not have a locally set threshold and as the proposed retail floor area is below 2,500 sq. m's Officers consider that there is no requirement for a retail impact assessment to be undertaken.

Policy OA5 of the Bolton Core Strategy states that the Council and its partners will ensure that the local centre at Bromley Cross will continue to serve local needs. The policy also states that Bromley Cross will be allowed to expand for additional convenience floor space if a site becomes available.

The application site lies in close proximity to the Bromley Cross local shopping centre, approximately 50 metres away, and represents the only realistic opportunity within the locality to expand for additional convenience floor space. The site is previously developed and the existing building could operate a retail/convenience use under permitted

development rights. Officers therefore consider that the principle of retail development at the site is acceptable and is compliant with local and national planning policy.

#### Impact on Heritage

The application building proposed to be demolished is not a listed building, nor is it within a conservation area. The Volunteer Inn is shown on a map dating back to 1850, which was surveyed in 1844-47. The building was constructed as an inn, probably in the early 19th century, was extended in two further phases and included a brewery to the north in the early 20th century. It later became a restaurant but closed in around 2012. The building has been vacant since then.

The case officer identified the property as a "non-designated heritage asset" before the application was submitted (during pre-application discussions). The applicant has therefore submitted a heritage statement with their submission, which investigates the nature and extent of the value of the building in order to consider whether restrictive conditions should be placed over the redevelopment of the site in order to conserve its heritage significance.

Paragraph 135 of the National Planning Policy Framework (NPPF) provides the relevant guidance for buildings identified by the local planning authority as non-designated heritage assets. It states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The submitted heritage statement has been undertaken independently. This report was commissioned from Jenny Wetton Conservation in 2013 by CW Construction (North West) Ltd. Its purpose is to assess the significance of the Green Bengal, particularly in the light of 20th century alterations, and to assess the impact of proposals to demolish the building and replace it with two retail unit and car parking.

The statement found that the significance of the building has been severely diminished by the late 20th century alterations both externally and internally, which have removed most of the historic features, including any historic bar, and compromised the impact of the historic inn in the streetscape. The regionally important brewery to the north was demolished in around 1960. The statement also found that all the historic windows and doors have been replaced and the only surviving historic features internally are the chimney breasts visible on the first floor. On the ground floor, the walls and ceilings have been re-plastered and there are no historic fittings. Externally, the chimneys were removed, the building probably re-roofed and the rear covered with an intrusive render in the late 20th century. The report considers that the building is in poor condition and is understood to have been vacant for around 12 to 18 months. There is evidence of water ingress and fungal infestations, especially internally on the front wall on the first floor and underneath the roof.

The statement concludes that although historic fabric remains in the walls, the Green Bengal is not considered to be an undesignated heritage asset as it has lost most of its historic features and is subservient in the townscape to the modern brick extension.

The Greater Manchester Archeological Advisory Service has assessed the submitted Heritage Report and has concluded that:

*"Unfortunately, GMAAS recognises that the building has lost much of the historic fabric that would be of archaeological interest in charting the development and changes in such buildings through the nineteenth and early twentieth century. Although the heritage statement does not specifically consider the archaeological interest, GMAAS is of the opinion that there is sufficient information in the report to demonstrate that there would be very little to be gained from seeking any archaeological investigation or recording. **On this basis GMAAS recommends that no archaeological requirement be placed upon the applicant**".*

Officers consider that the loss of existing building is acceptable and that there is no requirement for any archaeological investigation or recording to be undertaken by the applicant.

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

Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, conserve and enhance local distinctiveness and be compatible with the surrounding area.

Policy OA5 of the Bolton Core Strategy requires special attention to be given to the massing and materials used in new development and that development should conserve and enhance the character of the physical environment.

Officers acknowledge that the existing building, that is to be demolished, occupies a prominent position on Darwen Road and when viewed from Bromley Cross Road. The building is relatively attractive due to the stone and brick materials that make up its construction. However, Officers do not consider that the building could reasonably be considered to be of significant architectural merit which would warrant its retention, given the additional extensions that have been added over time, which have detracted from its original appearance.

The design of the proposed buildings is considered to be acceptable as their heights have been kept to an acceptable level and the materials proposed, being coursed stone and slate, would be in keeping with the materials used in the make up of existing properties within the immediate locality.

The proposed layout consists of the units being located to the rear of the site with parking to the front. Officers sought an amended layout to provide a more attractive frontage along Darwen Road with the buildings being brought towards the frontage and parking to the rear, however amendments to this extent were not forthcoming as the applicant has stated that this would not be practical and would have a greater effect upon the amenity of nearby residential occupiers. The application must therefore be assessed on its current form/layout. Despite being set back from the road frontage, Officers do not consider that the proposed layout would have an adverse impact on the character and appearance of the area to a degree that would warrant refusal of the application on these grounds, especially given that a large proportion of the existing site is a car park which served the previous uses.

The proposed single storey buildings would be located close to the boundary with the Cornerstone Methodist Church and would inevitably reduce its prominence when viewed from Darwen Road. The building does contain windows along the Darwen Road elevation but these are not serving residential main rooms. Any loss of light would not unduly affect living conditions as this building is a place of worship. The building is not considered to be of significant architectural merit and the proposed buildings are deemed acceptable in

their proposed locations from a visual perspective.

There is existing palisade fencing to the rear of the site that is to be retained. However a steel palisade fence is proposed to the North East boundary. This is not considered to be acceptable and a more suitable means of enclosure will be sought by the imposition of an appropriate condition.

#### Impact on amenity

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. PCPN2 "Space Around Dwellings" sets out the Council's policy guidance regarding minimum interface distances between dwellings.

Bolton Council's Environmental Health Officers have recommended opening hours be restricted to 09:00 to 22:00 Monday to Sundays to protect the amenity of nearby residential occupiers. The hours of operation proposed by the applicant are greater than those recommended by Environmental Health Officers. The applicant has stated that the proposed hours mirror the trading hours of the nearby Co-operative food store and are essential if the new Sainsbury's store is to provide a comparable service that is available at times of the day that are convenient for local residents.

Officers consider that the applicant has provided reasonable justification to support extended hours of opening from those recommended by EH Officers. Should members be minded to approve the application Officers consider that allowing opening hours of 7am to 11pm Monday to Saturday and 7.30am to 10.30pm Sundays would be acceptable as this would be consistent with other, similar developments, within the borough.

The applicant has proposed longer hours for deliveries to the site than Environmental Health Officers. EH officers recommended hours of:

Monday to Saturdays: 08:00 - 18:00  
No deliveries on Sundays or Bank Holidays

The applicant wishes to allow delivery times as follows:

Monday to Saturdays 07:00 - 18:00  
Sundays 08:00 to 18:00

As a compromise, the applicant has suggested that deliveries before 8am could be restricted to smaller vehicles, typically those that will be used to deliver bread and milk to the store early in the day. That would exclude early morning HGV deliveries. In any event, the Delivery Management Plan provides additional safeguards on best practice to ensure deliveries are undertaken quietly. Officers consider it reasonable to assume, that for the store to function successfully, deliveries should be allowed in accordance with the applicants proposed hours. It is considered that the siting of proposed buildings, together with appropriate boundary treatments would serve to effectively shield adjoining residential neighbours from customer activity on the site in the morning and evening.

The nearest properties to the site (with the most direct relationships) that would be affected are 176-178 Darwen Road, 151-175 Darwen Road, 1-5 Bromley Cross Road, 7-11 Lord Stiles Lane and Cornerstone Baptist Church.

Both of the proposed buildings are single storey in height, with the building containing

two retail units having been reduced from two storey. The building located adjacent to 176 Darwen Road is considered to be acceptable in terms of its siting. The single storey height ensures that the building would not unduly affect the amenity of those occupying 176 Darwen Road to an unacceptable degree. The relevant interface distance, recommended in PCPN2, to those properties 151-175 Darwen Road is met.

Officers do have some concerns about the siting of the convenience store building in the north-west corner of the site. Officers have sought amendments to the proposal, seeking to re-position the building to the front of the site, along the Darwen Road elevation, however amendments to this extent have not been forthcoming. The building would result in a close relationship to the boundary with 9 Lord Stiles Lane and also to the rear of the properties on Bromley Cross Road, particularly numbers 1 and 1a. However, on balance, given that the building is single storey and that appropriate boundary treatments could be secured by condition that would screen the main impacts of the development, it is considered that the proposed siting is acceptable. Suitable screening would alleviate the impact to an acceptable level it is considered.

Objections received have raised concerns about the installation of air conditioning units to the buildings. Full details of any air conditioning units to both building will be required by condition. It is considered that air-con units can be appropriately sited on the buildings to avoid harming the amenity of nearby residents. Any information submitted about the design, location and noise emissions would also be checked by Environmental Health Officers for agreement.

On balance the proposal is considered to comply with policy CG4 of the Bolton Core Strategy.

#### Impact on the highway

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account accessibility, servicing arrangements and parking. Policy S1.2 states that the Council will promote road safety in new developments. Appendix 3 requires, as a maximum standard, that 1 car parking space per 25 sqm's be provided for A1 retail developments.

Appendix 3 recommends a maximum standard of 1 space per 25 square metres of floor space for food retail uses under 900 square metres.

The requirement for non-road retail under 900 square metres is 1 space per 30 square metres of floor area. The requirement for A2 Financial and Professional Services uses is 1 per 35 square metres of floor area created. Both of these standards are less restrictive than those detailed in the main report and would result in fewer spaces being required. The report has therefore detailed the parking standard that would require the most car parking spaces within the site.

To ensure that adequate parking is available within the site, Officers consider that it would be appropriate to restrict the use class of one the smaller retail units to A1 and A2 uses only. Therefore only one of the smaller units would be able to operate an A3 use, and would be restricted to a public floor area maximum of 80 square metres.

The applicant has agreed to this approach and to the addition of an appropriate condition to ensure control. Amended plans are awaited which properly identify each unit and subject to the receipt of the plan a condition will be added and referenced via the Supplementary Information Sheet.



<b>A1 – Shops</b>	
Food retail Below 900sqm	1 per 25 sqm
Food retail Above 900 sqm	1 per 16 sqm
<b>A1 – Shops</b>	
Non-food retail Below 900 sqm	1 per 30 sqm
Non-food retail Above 900 sqm	1 per 22 sqm
<b>A2 Financial and professional services</b>	1 per 35 sqm
<b>A3 – Food and Drink</b>	
Restaurants	1 per 7 sqm public floor area
Fast Food – Drive Through	1 per 8.5 sqm gross floor area

**Proposal requirements:**

<b>A1 convenience store: 427 SQM's</b>	<b><u>Small unit 1:</u> - 104 SQM's</b>	<b><u>Small Unit 2:</u> - 104 SQM's</b>	<b><u>Total requirement:</u></b>
A1 requirement: 17 spaces	A1 requirement: 4 spaces	A1 requirement: 4 spaces	25 spaces
A1 requirement: 17 spaces	A2 requirement: 3 spaces	A2 requirement: 3 spaces	23 spaces
A1 requirement: 17 spaces	A1 requirement: 4 spaces	A2 requirement: 3 spaces	25 spaces
A1 requirement: 17 spaces	A2 requirement: 3 spaces	A3 requirement: 11 spaces	31 spaces
A1 requirement: 17 spaces	A1 requirement: 4 spaces	A3 requirement: 11 spaces	32 spaces

The application proposes 30 car parking spaces within the site plus 2 staff only bays. The maximum requirement of 32 spaces is met. These are maximum standards and the site is located within the urban area and in what is considered to be a sustainable location,

given that the site is on a bus route and also within 5 minutes or less walking distance of Bromley Cross train station. Officers consider it likely that a high proportion of users would be from the immediate locality who live within walking distance of the site.

Bolton Council's Highway Engineers have not objected to proposal and have noted that:

*"the applicant appears to have submitted a robust transport statement in order to substantiate this planning application. This document appears to demonstrate that the proposal will potentially have a limited impact on traffic flows at that location"* and that *"analysis of the last 5 years accident data for this location has revealed no appreciable accident record that would warrant any concern"*.

Engineers have also noted that the applicant has altered the Darwen Road access to provide for improved pedestrian access to the site which alleviated previous concerns.

Following concerns raised about the existing scenario with delivery vehicles/access at the Co-Operative food store the applicant has submitted a delivery management plan, similar to others accepted for similar developments within the borough and Engineers have noted that the plan is acceptable as the applicant has tracked the site for an 11.2m rigid vehicle which is apparently the size of service vehicle that Sainsbury's use for this type of site. A condition will be imposed requiring deliveries to be in accordance with the details submitted in the delivery management plan, including the size of delivery vehicle.

Delivery Management Plan (main points)

*Daily delivery summary table*

Delivery	Frequency	Vehicle	Duration
Sainsbury's Depot Delivery	Daily	Up to 11m rigid	45 minutes
Bread x 3	Daily	Up to 11m rigid	5-10 minutes
Milk	Daily	Up to 11m rigid	5-10 minutes
Newspapers	Daily	Small van	10 minutes

- All delivery drivers shall be briefed to ensure that vehicles are not parked on the surrounding highway when waiting to enter the site. For Sainsbury's deliveries the Integrated Transport Management System, which ensures that a text message is sent to the store 5 minutes prior to a delivery vehicle arriving, will be used to ensure that the store is ready to accept the delivery. This will prevent any need for parking on the highway. This will also apply to non Sainsbury's delivery vehicles. Sainsbury's will communicate with external suppliers to the store to ensure successful implementation of these measures.
- All delivery vehicles should enter the premises in a forward gear and park parallel to the side of the store.
- The delivering schedules will be reviewed to ensure that the schedule is consistent over the permitted delivery periods.
- The policy for all staff involved with the delivery process is to minimise noise at all times and to reduce turnaround time to a minimum.
- The delivery area shall be kept in a manner which allows for the efficient delivery of goods with a minimum level of disruption to other parties.
- On arrival the vehicle should drive straight into the store car park via Darwen Road

and reverse back into the loading area, adjacent to the western side of the store.

Plans showing how (Auto tracked) delivery vehicles would enter and leave the site are included at the end of this report.

The applicant has demonstrated that the proposal would not unduly affect highway safety and that deliveries to the site will be controlled by the Delivery Management Plan. The access and number of parking spaces proposed are acceptable and compliant with Appendix 3. The proposal is thus compliant with policies P5 and S1 of the Bolton Core Strategy.

#### Impact on biodiversity

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.

Bolton Council's Trees and Woodlands Officer has noted that "the proposed scheme makes no provision for landscaping. It is recommended that a minimum of a two metre wide strip of landscaping to include trees and shrubs is provided on the frontage. This will help to soften the development and the car parking area, to minimise the impact on the surrounding residential area".

Following the submission of amended plans, space has been provided for two tree pits on the Darwen Road frontage in the corners of the site and landscape planting at the site access. This is considered to be acceptable and does not result in the loss of any proposed parking provision.

The proposal is considered to comply with Core Strategy Policy CG1.2.

#### Impact on ecology

Bolton Council's Wildlife Liaison Officer has advised that the findings of the Bat Survey (October 2013) are noted and that the recommendations and mitigations of sections proposed should be adhered to. The provision of bat boxes within the new structures will be welcomed and will enhance the 'green credentials' of the scheme. This is in line with Bolton Council's Local Plan Strategic Objective 12- to protect and enhance biodiversity and Strategic Policy CG1.2 to safeguard and enhance biodiversity. It is supported by the National Planning Policy Framework 2012 para 109, to minimise impacts and provide net gains in biodiversity and para 118 which encourages opportunities to incorporate biodiversity in new developments.

A condition requiring details of bat boxes within the proposed buildings has been attached.

#### **Conclusion**

The site is located within the community in which it will serve and by providing additional convenience floorspace within Bromley Cross the development would bring significant benefit to the area, in accordance with policy OA5. The proposed buildings would not unduly affect the character and appearance of the area, compliant with policy CG3. The existing building is not listed and its loss is considered to be acceptable, especially given the acceptable design of the proposed redevelopment of the site, compliant with local and national planning policy. Highway Engineers have confirmed that there are no objections to the proposal and it is considered that there would be no demonstrable harm to the safety of the highway. The proposal also complies with local biodiversity and ecology

policies.

As noted above, there are some concerns with the siting of the proposed convenience store, adjacent to properties on Lord Stiles Lane and Bromley Cross, but Officers consider that appropriate screening could be sought by the imposition of an appropriate condition that would mitigate the impact to an acceptable level.

On balance, the proposal is considered to comply with local and national planning policy by virtue of the reasons outlined in this report. Members are therefore recommended to approve the application subject to conditions.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** 39 letters of objection were received from addresses including Darwen Road, Rose Hill Drive, Radcliffe Road, Lord Stiles Lane, Aire Drive, Queens Avenue, Chapeltown Road, Laburnum Park, Corner Stone Baptist Church and Chetwyn Avenue.

#### Objections:

- The existing co-operative store is too close to the application site; (addressed above)
- New shops/retail uses are not needed in the area; (addressed above)
- The retail unit will become another alcohol outlet;
- The proposal will increase traffic congestion which is already a problem locally;
- There are existing problems with vehicles parking in the area and particularly on Lord Stiles Street, which is a bus route, that would be exacerbated;
- Existing problems in the area from school traffic that would be exacerbated;
- Loss of light to 11 Lord Stiles Street and properties adjoining the site on Bromley Cross Road;
- Highway safety concerns raised particularly about the site entrance and close proximity to the junction with Bromley Cross Road;
- Vehicles park adjacent to the site which could cause problems with access to the site;
- Details requested about the tenants of the retail units;
- Too close to the boundary with properties on Lord Stiles Street;
- Danger to pedestrian safety;
- An A5 hot food take away would cause parking problems and safety issues for pedestrians and an increase in litter;
- Objections based on competition **(Not a material planning consideration)**
- Impact on property values **(Not a material planning consideration)**
- Increase in noise and disturbance, detrimentally affecting occupiers of nearby properties; (addressed above)
- Concerns about safety during the demolition process;
- Result in the unacceptable loss of an important and visually pleasing heritage asset of significant local importance;
- Allowing this development will further erode the character of Bromley Cross; (addressed above)
- Delivery vehicles will cause highway issues and problems; (addressed above)
- There is a lack of parking spaces proposed, lack of disabled bays and no mother and toddler bays proposed;(addressed above)
- Increase in anti-social behaviour;
- Lack of sufficient demand for this extra retail development would lead to empty shops;

#### Disturbance from bin stores and potential for vermin;

- Impact of air-con units;
- Overdevelopment of the site;
- Problem of staff parking;
- Existing Sainsburys store within the borough/competition **(Not a material Planning Consideration)**
- Existing Green Bengal building is believed to be listed;
- Request made for arrangements to be made for the back street to be resurfaced or at least repaired to an acceptable standard for those properties facing the site on Darwen Road, which would eliminate parking issues along this stretch of Darwen Road;
- Although there have been no serious incidents in this location, there are numerous near misses on a daily occurrence both inter-vehicular and between vehicles and

pedestrians. Development of this site will result in the addition of another busy junction a short distance from both Bromley Cross Road and the current retail outlets, which have heavy pedestrian and vehicular traffic resulting in further near miss and possibly serious incidents. (Addressed above)

- Issues with rats both within our residence and gardens. The increase in refuse and food waste associated with the proposed businesses will support a greater rodent population, increasing interactions between these animals and residents.
- The proposed buildings would be sited very close to the boundary with the existing Methodist church which is at the rear of the site. The buildings would result in a loss of light to the kitchen area and main church hall.
- The existing church signage which is visible from Darwen Road would be blocked from view. The church already receives complaints that the building is hard to locate. This could result in a loss of income for the church.

#### Responses:

- The proposal is for retail units which encompasses a wide range of shops, offices and cafes/restaurants. The control over alcohol sales would be a matter for the Council's licensing department;
- The application proposes parking provision that is compliant with Bolton's Parking requirements, as per appendix 3. Officers do not consider that the proposal would lead to a significant increase in traffic/congestion that would warrant refusal of the application, especially given that the site has previously operated commercial uses;
- Highways Engineers have raised no objections to the proposal;
- Details about perspective tenants is not a material planning consideration;
- The proposed take away use and proposed office uses have been deleted from the application;
- Demolition of the existing building would be undertaken by a contractor who would have to comply with relevant health and safety standards. Demolition would be monitored by Building Control services;
- There is no requirement for the applicant to provide separate staff and customer parking. The applicant has provided the number of spaces required by appendix 3;
- It is not considered that the proposal would result in an overdevelopment of the site as the applicant has provided acceptable parking provision and space between the proposed buildings. The site is capable of accommodating the proposed development.
- Issues of anti social behaviour is not a preserve of the planning system, but is a matter for the police.
- Policy OA5 supports retail expansion within Bromley Cross;
- The existing Green Bengal/former volunteer building is not listed. Heritage impact is assessed above.
- The back street on Darwen Road, referred to in an objection letter, falls outside of the site edged red boundary and could not be conditioned for improvement as part of this application;
- Issues of vermin is not a preserve of the planning system, rather any issues of rats or other pests would be dealt with by the Council's Environmental Health Department.
- Making any signage less visible on the church is not a material ground the refuse this application. The church can apply for new signage and officers can provide pre-application advice if requested to do so.

3 letters of support have been received from the occupiers of properties on Rose Hill Drive, Darwen Road and Deakins Mill Way. Members should be made aware that the letter from the property at Darwen Road does not provide a house number and its exact relationship to the site is unknown.

Comments in support:

- The development will enhance the amenity for residents within Bromley Cross and Bradshaw;
- Retail and particularly grocery retail is very limited in the area by available suitable property and available development opportunity;
- The current building is unused and is of no architectural significance;
- Whilst there will be an effect on traffic in the area the demand for grocery is finite and that some of the current demand taken up by the Co-op will be spread across this development, i.e. two stores will not necessarily mean double the traffic;
- Excellent opportunity to secure a wholly appropriate form of development which will add much needed retail quality to existing retail offer in the locality;
- Transform a derelict site which is in a prominent position;
- The site has not been generating any vehicle movements for some time as it has been vacant;
- Based upon the location, the fall back use scenario to that of a restaurant there is no substance to seek to resist the development on transportation grounds.
- Full details of the position of any proposed air conditioning units will be required by an appropriate condition.

#### Other matters raised

- A number of other uses have been suggested for the site. However, the application can only be assessed on its own merit and only on what is being proposed.

**Elected Members:-** Cllr Critchley has requested an advanced site visit.

#### Consultations

Advice was sought from the following consultees: Highways, Environmental Health, BMBC Trees and Woodlands, BMBC Drainage and Bridge Maintenance, BMBC Greenspace Management, Greater Manchester Police Design for Security and Greater Manchester Archeological Advisory Service.

#### Planning History

**48613/96** - Alterations to form a patio/beer garden at side of public house.

**41017/92** - Erection of a single storey extension at front after removal of bay window.

**31551/88** - Retention of a garage on car park at rear of public house. Approved with conditions.

**30280/87** - Alterations and extensions to public house together with the laying out of a car park and new vehicular access. Approved with conditions.

**18582/82** - Renewal of outline application for the erection of one block of four houses all with integral garages, together with the construction of a vehicular/pedestrian access to Darwen Road. Approved with conditions.

**09845/78** - Erection of one block of four houses all with integral garages, together with the construction of a vehicular/pedestrian access to Darwen Road. Approved with conditions.

**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 samples of the materials to be used for the external walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full and retained thereafter.

Reason

To ensure the development reflects local distinctiveness.

3. Development shall not commence until an investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:
  - (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to human health, property or the environment;
  - (iii) an appraisal of remedial options and proposal for a preferred option.

Reason

To ensure the development is safe for use.

4. Before development commences details of all external lighting equipment shall be submitted to and approved by the Local Planning Authority. The lighting in the scheme should be erected and directed so as to avoid nuisance to residential accommodation in close proximity. The lighting should be designed to provide a standard maintained illumination of no more than 5 LUX at the facades of the nearest residential properties. No other lighting equipment may then be used within the development other than as approved by the Local Planning Authority.

Reason

To minimise light intrusion to the residential amenity of the area from the increase and alteration of commercial uses in the area. The lighting shall be permanently switched off outside of the hours of operation of the site.

5. Prior to the commencement of development full details of the highway works comprising re-surfacing of the footway along Darwen Road across the site frontage 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 a full review of traffic regulation orders around the site shall be submitted to and approved in writing by the Local Planning Authority. Any promotions/revocations required are to be funded at the applicants expense. 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.

7. 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.

8. Before the development is first brought into use a detailed scheme shall be submitted to and approved by the Local Planning Authority showing the design, location and size of a facility to store refuse and waste materials. The approved scheme shall be implemented in full within 21 days of the Local Planning Authority approving the scheme in writing and retained thereafter.

Reason

To ensure satisfactory provision is made for the storage of waste materials.

9. Prior to the development hereby approved/permitted being first occupied or brought into use the existing vehicular access from Darwen 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 Darwen Road, other than as shown on drawing ref: B/3784 05 Revision E .

Reason

In the interests of highway safety.

10. Before the installation of any air conditioning units to each building full details, including design, siting and noise emission information, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.

Reason

To minimise the impact of noise on residential amenity.

11. The fixed plant/equipment should be designed to give a rating level, as defined in BS4142:1997, 5dB below the night time LAF90 (5 min) whichever is the most appropriate, as measured 4 metres from the nearest residential property. The monitoring information and the acoustic calculations together with the proposed specifications of the fixed plant/equipment and any sound attenuation proposed should be submitted to and approved by the Local Planning Authority in writing prior to the development first being brought into use.

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area.

12. 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 parking/turning/loading/unloading of all delivery vehicles, which makes provision within the curtilage of the site to enable all such vehicles to enter and leave the site in forward gear. 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 parking/turning/loading/unloading of vehicles.

Reason

In the interests of highway safety.

13. Prior to the development being first occupied or brought into use, details (including a brick or masonry specification and colour scheme) 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 within 21 days of the Local Authorities approval, 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.

14. Prior to commencement of the development hereby approved, details of the design and position of bat boxes to be installed on the building(s) shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented in full before first occupation of the building and retained thereafter.

Reason

To protect and enhance biodiversity.

15. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Darwen Road and the provision of a 1.8 metre wide footway in to the site shall be constructed in accordance with demensions shown on the drawing ref: B/3784 05 Revision E.

Reason

In the interests of highway safety

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

07.00 18.00 Mondays Saturdays

08.00 18:00 Sundays

Reason

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

17. No operations (including the repair of plant machinery and the movement of such machinery) shall be carried out on the premises outside the following hours:-

07:00 to 23:00 Mondays – Sundays

Reason

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

18. The development hereby approved/permitted shall be carried out in full accordance with approved Delivery Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interests of highway safety.

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

**1241-1 B**  
**1241 - 2 B**  
**1241 - 3 B**  
**B/3784 05 REV B**  
**Delivery Management Plan REF: JW/VN30229**

Reason

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

20.





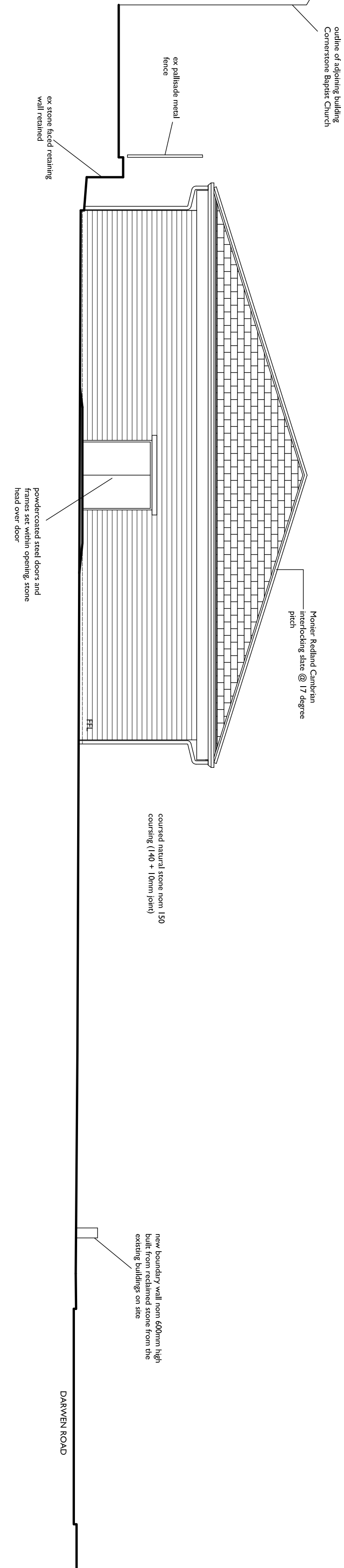
## Notes

**All work to be carried out in accordance with the requirements of the current Building Regulations. All relevant BS Specifications, Codes of Practice, Local and Service Authority Bylaws, and in compliance with the Local Authority Approvals Contractors must verify all dimensions on site before commencing any work, making any shop drawings or fabricating off site.**

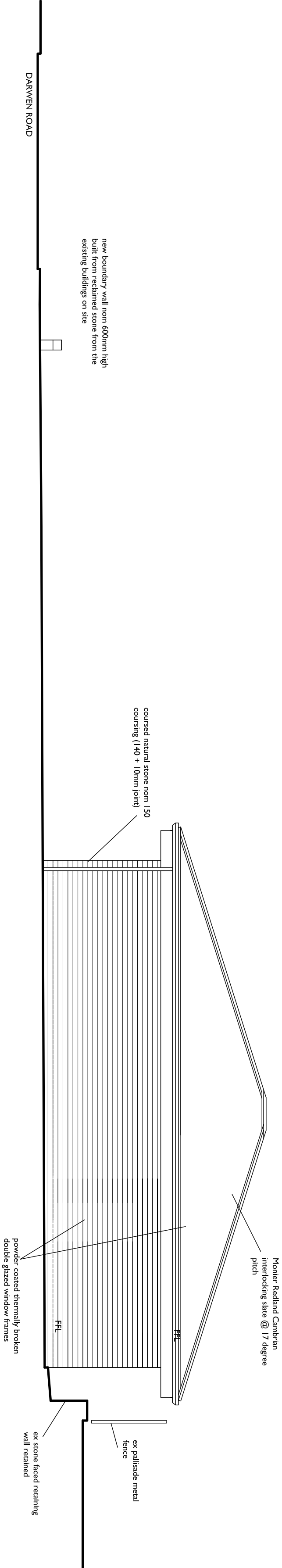
work, making any shop drawings or fabricating off site.

Written dimensions should be taken in preference to scaled-off dimensions

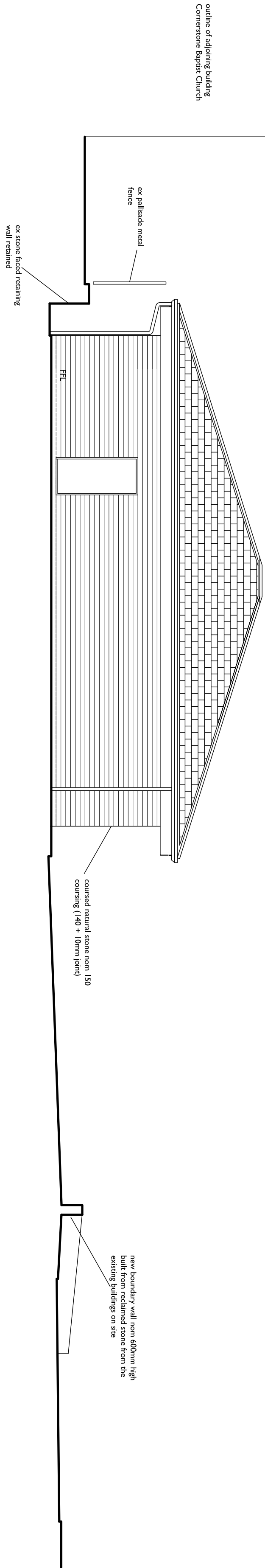
If there are any discrepancies found between the drawing and site, the CRC Design should be notified immediately



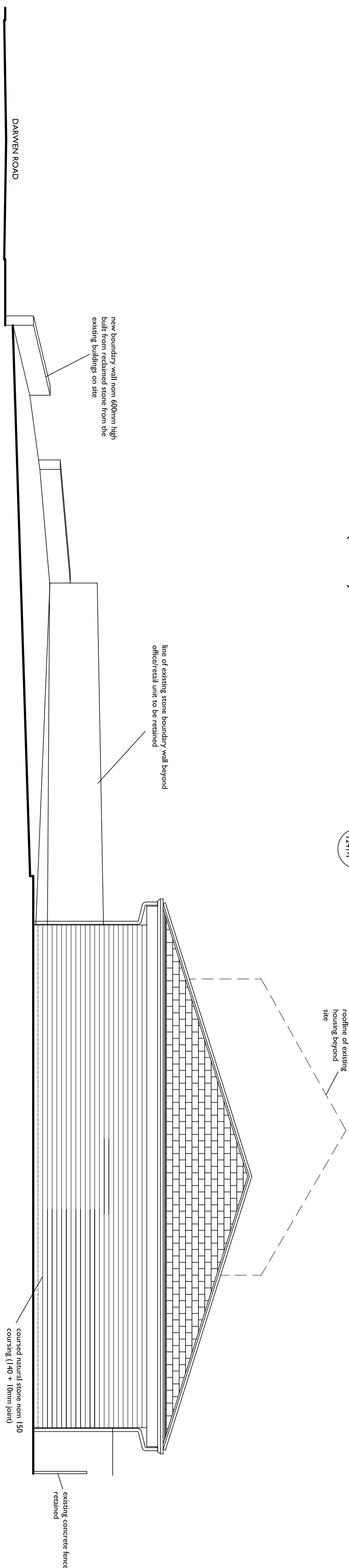
LOADING BAY ELEVATION TO RETAIL UNIT 9(single storey)



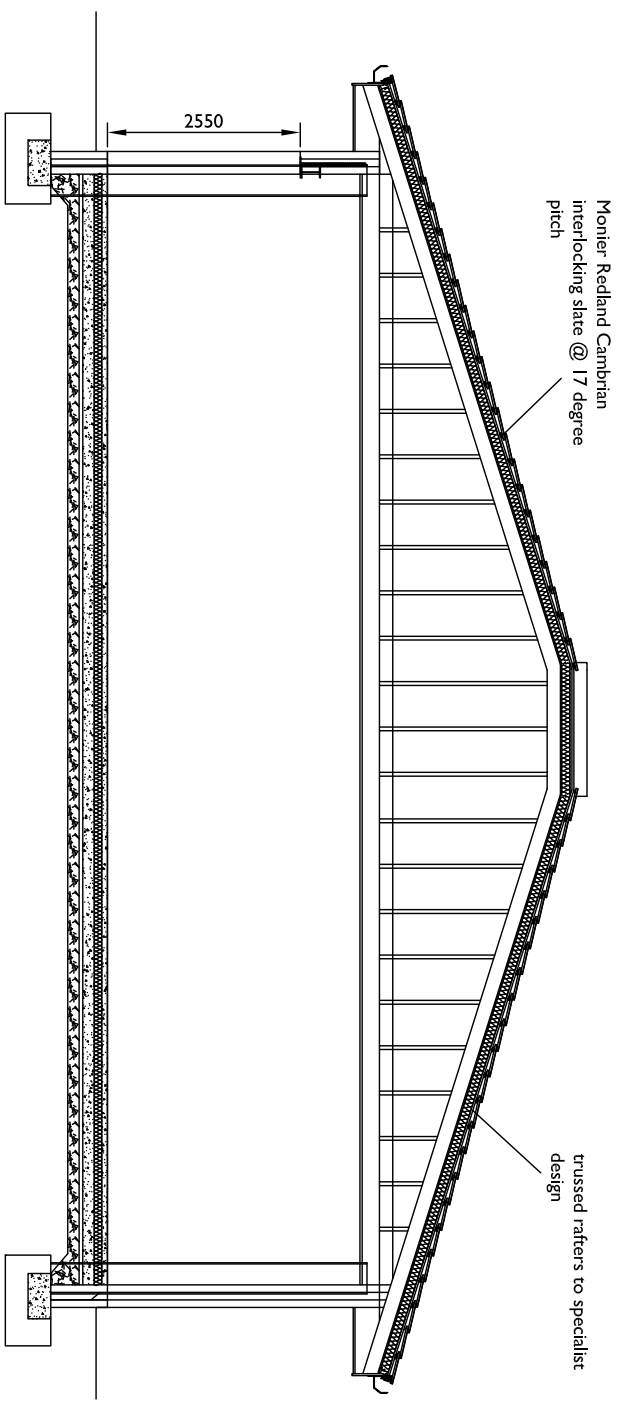
CAR PARK ELEVATION (SIDE) RETAIL/OFFICE UNITS



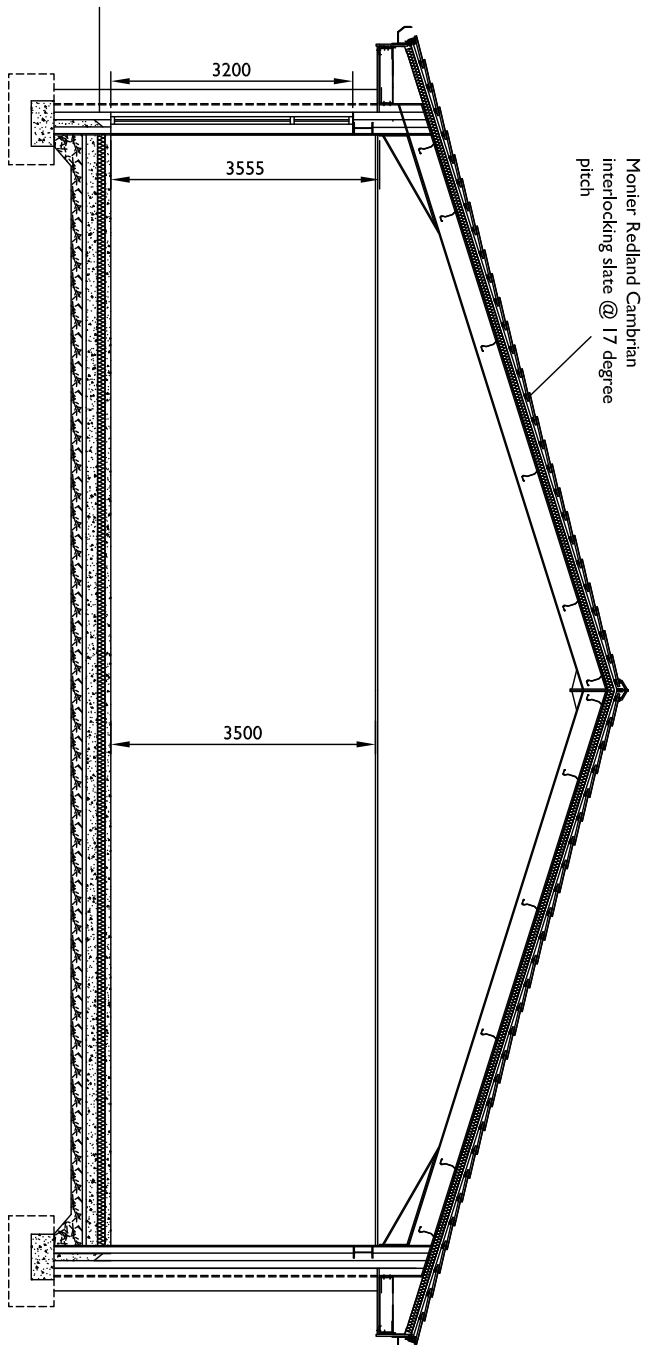
ELEVATION FACING 156 DARWEN RD (SIDE) RETAIL/OFFICE UNITS



BACK STREET ELEVATION TO RETAIL UNIT (single storey)



TYPICAL SECTION THRU OFFICE/RETAIL UNIT

TYPICAL SECTION THROU  
SUPERMARKET/RETAIL UNIT

B	First floor offices and staircase enclosure omitted, car parking amended	18/2/13
A	General amendments	15/10/13
revision		date

<div> <div> <div>CRC DESIGN</div> <div>ARCHITECTURAL SERVICES</div> <div>5 WALWORTH CLOSE WORTHORNE BIRMINGHAM B8103WY</div> <div>tel 0121 4597936    mob 07897 592179    e <a href="mailto:info@crcdesign.co.uk">info@crcdesign.co.uk</a></div> </div> </div>	
<div> <div> <div>project</div> <div>PROPOSED RETAIL &amp; OFFICE DEVELOPMENT 158 PARKMEN ROAD BROMLEY CROSS BOLTON BL7 9JJ</div> <div>client CW CONSTRUCTION LTD</div> </div> </div>	<div> <div> <div>drawing title</div> <div>PROPOSED ELEVATIONS &amp; SECTIONS PLANNING APPLICATION</div> </div> </div>
<div> <div> <div>date</div> <div>OCT 2013</div> </div> </div>	<div> <div> <div>scale</div> <div>1:100</div> </div> </div>
<div> <div> <div>drawing no.</div> <div>I241-2B</div> </div> </div>	

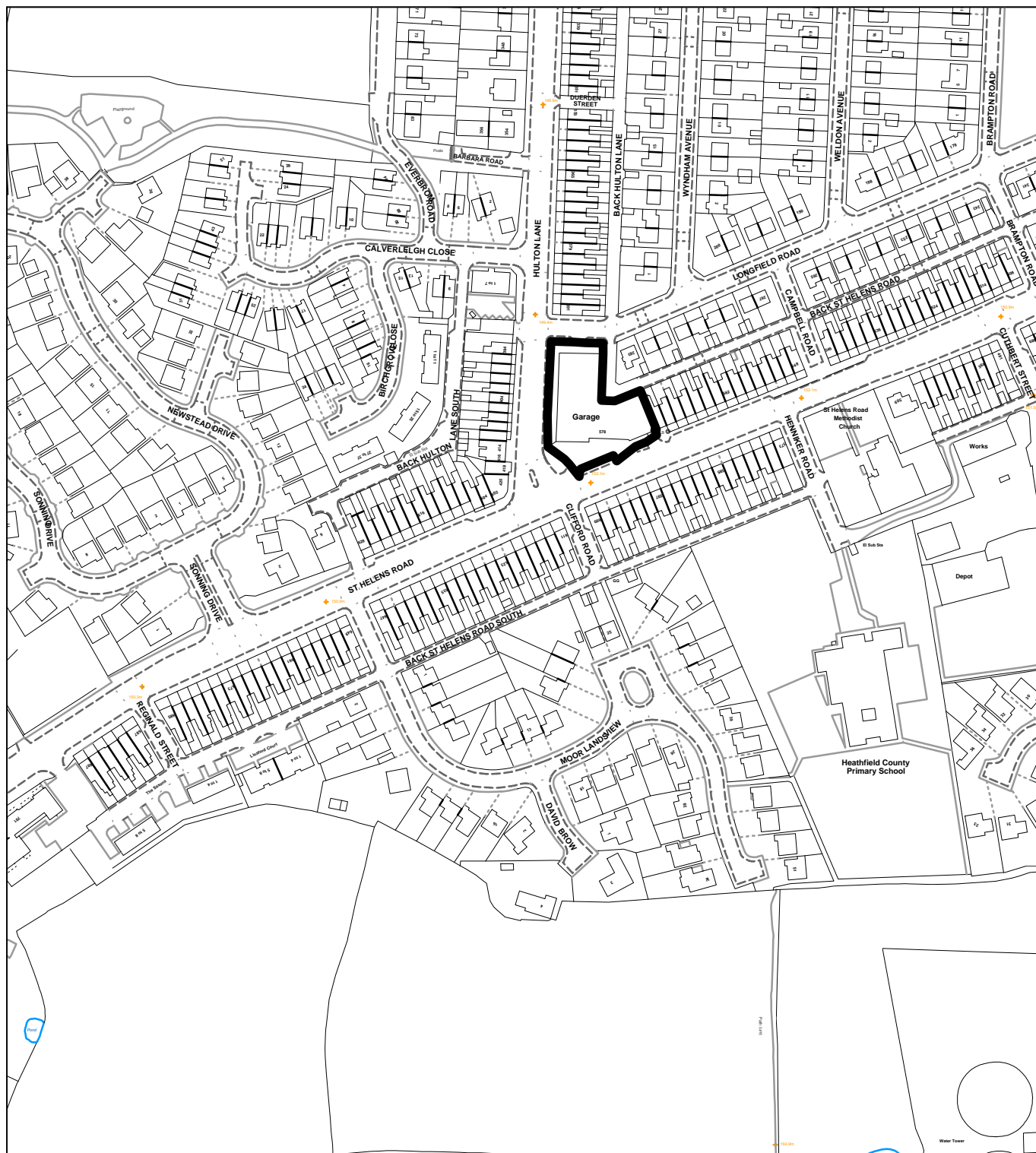






Application No.

91041/13



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office© Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389

11



**Date of Meeting: 06/03/2014**

**Application Reference: 91041/13**

**Type of Application: Full Planning Application**  
**Registration Date: 15/11/2013**  
**Decision Due By: 09/01/2014**  
**Responsible Officer: Alex Allen**

**Location: 578 ST HELENS ROAD, BOLTON, BL3 3SJ**

**Proposal: VARIATION OF CONDITION 2 ON PERMISSION 85434/10 (TO ALLOW 24 HOUR USE)**

**Ward: Hulton**

**Applicant: Ummah Welfare Trust**

**Agent : Aamir Design Ltd**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Proposal**

The applicant is seeking the variation of Condition No. 2 on the 2010 application which allowed the use of the former Renault garage for offices with an associated/ancillary charity shop.

Condition 02 related to hours of opening stating as follows;

***No operations shall be carried out on the premises except between the hours of 09:00 and 18:00 Monday to Friday and between the hours of 09:00 and 12:00 on Saturday, Sundays and Bank Holidays.***

It is noted that the conditioned hours of use of the premises were those hours requested by the applicant at that stage.

Members will recall that the applicant runs a registered charity which provides assistance in the form of emergency aid, disaster relief and charitable help. In recent years they have assisted in Pakistan, Africa, Haiti and in Cumbria following natural events. They operate an existing shop and offices in Bolton, together with others across the UK. The property is used as national headquarters for the charity.

The proposed opening hours of the offices would be 24 hours a day 7 days a week. Due to the work of the charity they are required to work across time zones in response to worldwide emergency relief. This does not readily fit in with the normal UK working day. Normally up to 20 people work at the premises at any one time. However, the applicant has explained that if a emergency arises numbers working at the premises may increase as and when required.

#### **Site Characteristics**

The former Renault garage at the traffic light controlled junction of St Helens Road and Hulton Lane was split into a car showroom, parts sales, workshop and repair garage; the later was on Hulton Lane/Longfield Road. The building does not have a uniform height. In the main the bulk of the building fronts St Helens Road, though this extends to Back St Helens Road. There is a drop in the height for the element at the junction of Hulton Lane and Longfield Road. A mixed appearance consisting of brick and steel cladding is found. Large window openings used to be present on the elevation facing St Helens Road; this housed the car showroom element.

Residential terraces line St Helens Road and Hulton Lane, with semi detached properties on Longfield Road. At the traffic light junction there are two hot food takeaways and a convenience store. Whilst abutting the site on St Helens Road is a ground floor retail use.

St Helens Road has a regular bus route in and out of the town centre. In front of the building an area of hardstanding is present which has two vehicular access points onto St Helens Road.

### **Policy**

National Planning Policy Framework

Core Strategy P5 Accessibility, S1 Safe and CG4 Compatible Uses.

### **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 highway safety and parking provision;
- \* impact on surrounding land uses and occupiers.

### **Highway Safety and Parking Provision**

Policy S1 requires development proposals to ensure they do not adversely affect the safety of highway users, including pedestrians. Policy P5 seeks to ensure there is sufficient off street parking provision at developments.

A revised total of 12 no. spaces have been provided within the site. The site is located in a sustainable location as it is served by a regular bus service providing links in and out of the town centre and neighbouring urban areas. A bus stop is to the front of the building on St Helens Road.

Local residents have raised concerns that there is insufficient car parking provided within the site. This issue is exacerbated by the mix of uses located at the Hulton Lane/St

Helens Road junction e.g. existing houses, two hot food takeaways and a local shop combined with existing parking restrictions.

Whilst there have been a few occurrences when large numbers of people have visited the property, these are isolated incidents. It is not the intention of the owners to have large numbers of employees/volunteers coming and going from the site all through the night. The size of the property also limits the numbers of people which can be accommodated within the building.

The Council's Highways Engineers have confirmed they have no objections to the proposed 24 hours use of the premises.

It is considered that there is adequate car parking provision within the site.

#### Impact on surrounding land uses and occupiers

Policy CG4 permits proposals which will not result in an unacceptable impact on existing uses by reason of noise, smell, safety, health, lighting, disturbance, traffic or other pollution.

The original change of use application was considered not to generate a significant amount of noise / disturbance. This was viewed both in the context of the last use of the site, which had unrestricted opening times and had the potential to generate noise from the repair and workshop components, and the mixed use nature of the surrounding area. It is noted that the reason Condition No. 2 was placed on the 2011 permission was based on the requirements of the Charity at that time and not necessarily that any increase in hours would be detrimental to residential amenity.

A number of residents have raised the issue of a number of instances where a large number of people have visited the site and have left late at night causing disturbance to local residents. The applicant has confirmed that there have been two such instances, the first was the opening ceremony for the premises, the second was a training and development event. The opening ceremony was a one - off event whilst the training and development event is an ad hoc event which does not occur on a regular basis.

It is considered that the normal day to day operations of the Charity will not result in the constant use of the premises on a 24 hour basis. It is likely that there will be some use of the property throughout the night but normally this would be no more than 20 employees on site. Whilst numbers may increase at certain periods in response to world wide emergencies this is unlikely to result in harm being caused to existing/future residents.

The reason for the variation of the condition is to enable the property to be used flexibly in order for the charity to react to world wide crises.

As the site is located in the urban area, is accessible by a choice of transport modes, uses local workforce and does not unduly affect the amenities of adjoining uses the scheme complies with Core Strategy policy CG4.

#### **Conclusion**

In conclusion this proposal would enable the flexible use of the building in line with the requirements of the Charity. The proposed use is deemed to be acceptable with less of impact on residential amenity than the previous car showroom, workshop and repair garage. The extended use of the premises would have limited impact on the existing car

parking within the locality whilst the office use nature of the site is compatible with the mixed use area in which it is located.

Members are accordingly recommended to approve the application with conditions.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** six objection letters have been received (2 from one address) from residents on St Helens Road and Hulton Lane raising the following concerns:

- No justification for 24 hour use of the premises **(see report);**
- Experienced late night disturbance from the site with up to 50 cars parked around the area with no spaces left for residents. Up to 100 persons leaving the premises after 11 pm causing disturbance e.g. car doors shutting and people talking **(see report);**
- The owners have held events into the early hours of the morning during eid and ramadan - caused disturbance and blocked access to houses;
- Parking problematic in the area due to the mix of uses e.g. hot food takeaways and local shop;
- Smaller office on St Helens where the charity also operates from which could be used instead;
- Reduction in house value/price - **not a material planning consideration;**
- Concerns regarding alternative use of the premises e.g. mosque - **the proposal needs to be assessed on its merits not what the property could be used for in the future;**
- Double parking on yellow lines - **a highway enforcement matter.**

**Petitions:-** no petitions received.

**Elected Members:-** Councillor Morgan has requested that the application be determined by Planning Committee.

### **Consultations**

Advice was sought from the following consultees: the Council's Highways Engineers.

### **Planning History**

A lawful development certificate was granted in January 2014 (Ref:91044/13) for the ancillary use of the existing offices for staff and volunteers working on behalf of the charity.

Planning permission was granted in May 2013 for the replacement of the existing roof together with the insertion of roof lights (Ref: 89615/13).

Advertisement consent was granted in August 2012 for the erection of two non illuminated sign boards (Ref: 88319/12).

Planning permission was granted in February 2011 (Ref: 85434/10) for change of use of the former car showroom into offices together with a replacement roof. Condition No. 2 of this permission restricted the hours of use of the property to the hours of use requested by the applicant which are as follows: 0900 to 1800 hrs Monday to Friday and 0900 to 1200 (midday) on Saturdays and Sundays.

**Recommendation:            Approve subject to conditions**

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

1. The approved parking scheme of not less than 12 no. car parking spaces (including 2 no. disabled persons 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.

2. This permission relates solely to the area of the building identified on the submitted plans as the former car showroom and offices and does not grant any consent for the part of the building formerly occupied as a garage/repair workshop space as shown on the submitted plans.

Reason.

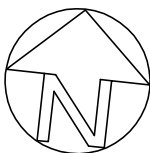
For the avoidance of doubt as to what is approved

3. The applicants shall ensure that all vehicles for staff and or visitors visiting the site use the designated spaces as shown on the submitted amended site/parking layout plan and shall also ensure that any on street parking does not occur outside any of the adjacent residential properties.

The applicant shall also monitor the parking situation on a weekly basis on all surrounding streets and if problems are reported to the Local Planning Authority, they shall meet with the affected parties and Ward Councillors to resolve any potential for disturbance as a result of such parking.

Reason.

To avoid the proposed use and associated parking unduly impacting on the enjoyment of the surrounding residential properties



**GENERAL NOTES**

COPYRIGHT RESERVED TO AAMIR DESIGN LIMITED.

Only figured dimensions to be worked from.

All dimensions in millimetres unless stated otherwise.

Contractors must check all dimensions on site before commencing work.

Discrepancies must be reported to AAMIR DESIGN Ltd. before proceeding.

These plans and specifications are the property of AAMIR DESIGN Ltd. and shall not be;

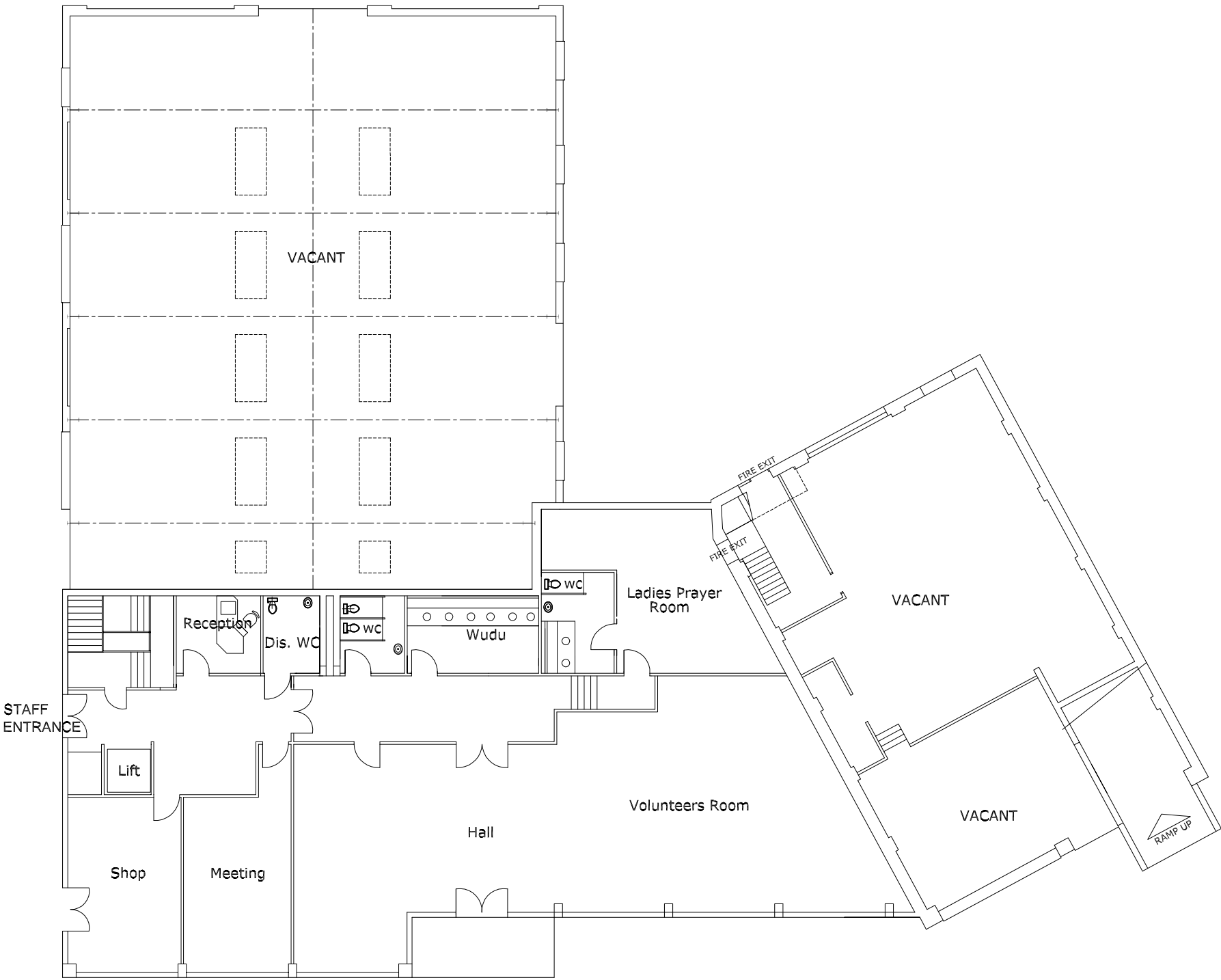
- (i) reprinted or reproduced, in whole or in part,
- (ii) nor shall any building or structure be constructed in accordance with such plans and specifications,
- (iii) or any modifications thereof,

without the prior written consent of AAMIR DESIGN Ltd.

AAMIR DESIGN Ltd. are not responsible for the supervision of the construction to which these drawings relate (except by prior written agreement), and therefore disclaim any responsibility to the client or any third party claim or claims arising, whether wholly or in part, as a result of;

- (i) alterations to, or faulty implementation of these drawings,
- (ii) bad workmanship,
- (iii) improper, inferior or inadequate use of materials.

INTERNAL LAYOUT OF OFFICES TAKEN FROM DRAWINGS BY OTHERS.



**AAMIR DESIGN LTD**  
ARCHITECTURAL DESIGN SERVICES

**REVISIONS**

**A3**

**PROJECT** Variation of condition appl'n - hours of operation.  
**GROUND FLOOR PLAN**

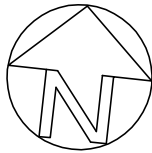
**CLIENT** UMMAH WELFARE TRUST  
**SCALE** 1:200  
**DATE** OCT 13

**JOB No.** 1229  
**DRAWING No.** 13

**01772 - 887400**  
aamirdesign@btconnect.com

**P. O. BOX 277, PR1 6GQ PRESTON**

**558/ 600 St. Helens Road, Bolton, BL3 3SJ**



GENERAL NOTES

COPYRIGHT RESERVED TO AAMIR DESIGN LIMITED.

Only figured dimensions to be worked from.

All dimensions in millimetres unless stated otherwise.

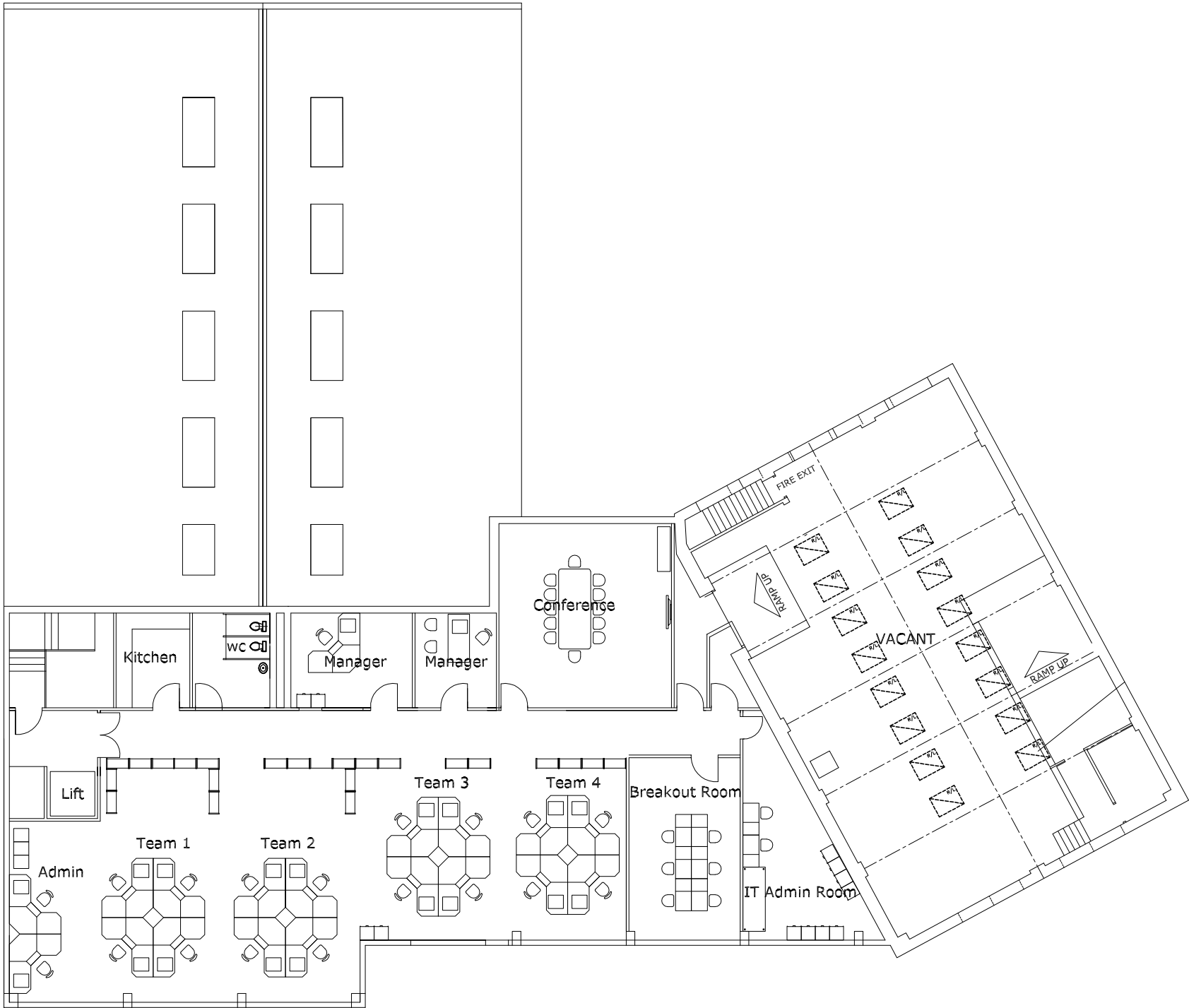
Contractors must check all dimensions on site before commencing work.

Discrepancies must be reported to AAMIR DESIGN Ltd. before proceeding.

These plans and specifications are the property of AAMIR DESIGN Ltd. and shall not be;  
(i) reprinted or reproduced, in whole or in part,  
(ii) nor shall any building or structure be constructed in accordance with such plans and specifications,  
(iii) or any modifications thereof,  
without the prior written consent of AAMIR DESIGN Ltd.

AAMIR DESIGN Ltd. are not responsible for the supervision of the construction to which these drawings relate (except by prior written agreement), and therefore disclaim any responsibility to the client or any third party claim or claims arising, whether wholly or in part, as a result of;  
(i) alterations to, or faulty implementation of these drawings,  
(ii) bad workmanship,  
(iii) improper, inferior or inadequate use of materials.

INTERNAL LAYOUT OF OFFICES TAKEN FROM DRAWINGS BY OTHERS.



**AAMIR DESIGN LTD**  
ARCHITECTURAL DESIGN SERVICES

**Variation of condition appl'n - hours of operation.**  
**FIRST FLOOR PLAN**

PROJECT: 558/ 600 St. Helens Road, Bolton, BL3 3SJ

CLIENT: UMMAH WELFARE TRUST

SCALE: 1:200

DRAWN BY: ISR

CHECKED BY: [Signature]

DATE: OCT 13

REVISIONS: [Table with 2 columns: No., Description]

P. O. BOX 277, PRESTON PR1 6GQ

01772 - 887400  
aamirdesign@btconnect.com

JOB No. 1229

DRAWING No. 14

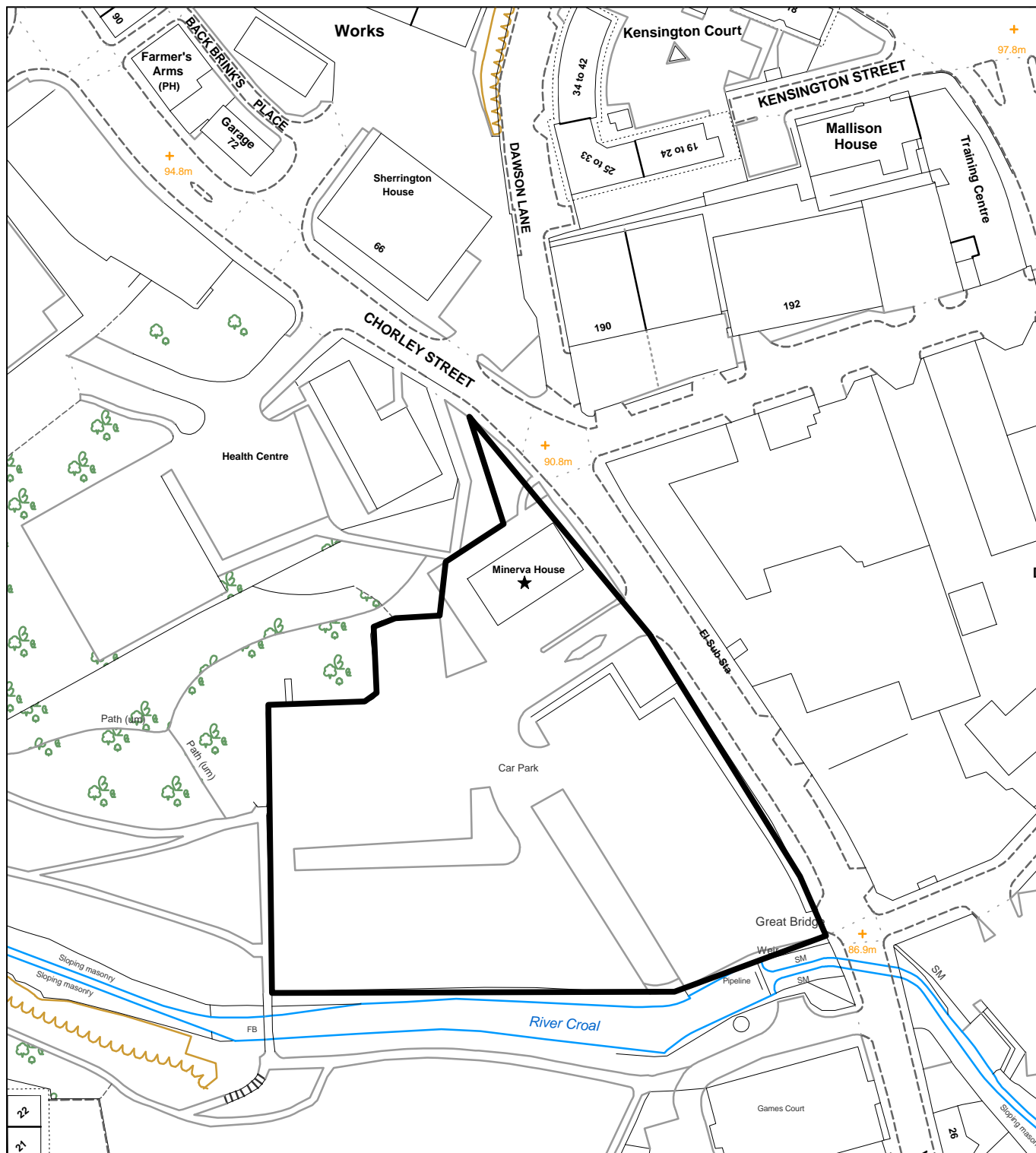
A3

DATE: [Blank]



Application No.

91074/13



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office© Crown Copyright.  
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389

11

**Date of Meeting: 06/03/2014**

**Application Reference: 91074/13**

**Type of Application: Outline Planning Permission**  
**Registration Date: 28/11/2013**  
**Decision Due By: 26/02/2014**  
**Responsible Officer: Jodie Turton**

**Location: MINERVA HOUSE, CHORLEY STREET, BOLTON, BL1 4AL**

**Proposal: OUTLINE APPLICATION FOR ERECTION OF UP TO 65 DWELLINGS (ALL MATTERS RESERVED)**

**Ward: Halliwell**

**Applicant: PSP Bolton LLP**  
**Agent : Peter Brett Associates**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Proposal**

This is an outline application (all matters reserved) for the residential development of this site. Three indicative schemes have been provided which demonstrate that the site will be developed for up to 65 dwellings, option 1 shows solely houses, which would provide a lower density scheme of 34 dwellings. Options 2 and 3 show a combination of 2-bedroom apartments and town houses, which would provide a scheme of between 49 and 65 residential units.

Each of the schemes seeks to provide:

- A mix of units in terms of design and size;
- A strong and active street frontage to Chorley Street;
- A 'green link' along the River Croal from Queens Park to the town centre;
- Greenspace and landscape areas to the site boundaries.

Access to the site would utilise the existing access to the car park.

#### **Site Characteristics**

This is an urban site which is situated within the designated 'Urban Village' area of the town centre. The site is currently in use as a car park, with adjacent office building (Minerva House). The southern section of the site is bound by the River Croal, to the west the site abuts Queens Park and the associated conservation area. To the east the site is bound by Chorley Street and to the north is a band of trees and office development.

Levels on the site vary, with the site gently sloping downwards to the south and the south western section on a stepped down level.

There are various trees on the site, on the frontage with Chorley Street, in a central cluster and a cluster to the north west, as well as treed sections lying outside of the site to the north and west.

### **Policy**

NPPF guidance: 4. Promoting Sustainable Transport; 6. Delivering a Wide Choice of High Quality Homes; 7. Requiring Good Design; 10. Meeting the Challenges of Climate Change, Flooding and Coastal Change.

Core Strategy policy: TC10 Urban Village; P5 Accessibility; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2 Sustainable Construction; CG3 Built Environment; CG4 Incompatible Uses; SC1 Housing; IPC1 Infrastructure Requirements.

Saved UDP policy: N8 Trees.

Planning Control Policy Notes: No. 2 Space Around Dwellings, No. 7 Trees: Protection and Planting in New Development and No. 10 Crime.

Supplementary Planning Document: Accessibility, Transport and Safety

Queens Park Conservation Area Character Appraisal

### **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 conservation area and the character of the area
- \* impact on trees
- \* impact on the River Croal
- \* impact on the highway
- \* commuted sums

### **Principle of Residential Development**

Core Strategy policy SC1 is focused on new housing development in the Borough. The Council should identify a range of housing sites for additional provision of 694 dwellings per annum between 2008 and 2026 and at least 80% of housing development should be on previously developed land. All developments of 15 or more residential units, which incorporate open market housing should ensure that a provision of affordable housing is made.

The outline application being considered is ultimately to establish the principle of residential development of the site. The site is unallocated in the UDP and the proposed Allocations Plan. The site is a brownfield site, which is in active use as a car park, with a two storey, small scale office building sited in the north eastern corner. Furthermore, the site is situated within the Urban Village area of the town centre, in which a major aim of policy TC10 of the Core Strategy is to "increase the number of houses in the area, focusing on family housing, affordable housing, executive homes and a range of sizes of apartments".

The site is in a sustainable location with pedestrian links to the town centre, bus and train stations. The site also has excellent access to high quality open space, being sited directly adjacent to Queens Park.

Overall, the site is considered to present an opportunity for town centre regeneration, which will benefit the site itself and the surrounding area.

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

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.

Policy CG3 also seeks to conserve and enhance the heritage significance of heritage areas, recognising the importance of sites and areas of historic and cultural interest and their settings. The Queens Park Conservation Area Character Appraisal provides detailed information on the conservation area, its characteristics, historical associations and setting.

The application site is currently in use as a hard surfaced car park, with a grey clad, flat roof office building sited in the north eastern corner close to the site entrance with Chorley Street. The site offers little in terms of visual interest although the nature of the car park site allows views into Queens Park and down to the River Croal. Any development of the site will result in the obstruction of views to the Queens Park Conservation Area, however the site in its current form offers little in the way of enhancement. A high quality residential development provides a development opportunity with the potential to enhance the site, and whilst this will close views into Queens Park from this section of Chorley Street, it will serve to enrich this area through the provision of active frontages, increased pedestrian circulation and a high quality built form.

Furthermore, a new residential development would provide opportunity to enhance existing poor car parking situated close to river, by removing existing hard standing to create a new and or expanded soft landscaped environment and pedestrian link with adjoining park. The proposals also offer the opportunity to expand greenspace buffers along the riverside corridor with its consequent amenity, landscape, biodiversity and flood risk benefits.

This is an outline application (all matters reserved) and although three indicative layouts have been proposed, until the submission of the reserved matters application no formal layout or built form design is known. At this stage it will be important to ensure that the design proposals take into consideration the importance of the setting of the Queens Park Conservation Area.

The proposals are considered to comply with Core Strategy policy CG3 and the Queens Park Conservation Area Character Appraisal.

#### Impact on Trees

Core Strategy policy CG1 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees. Saved UDP policy N8 seeks to protect trees in new developments, this is supported by the guidance contained in PCPN7.

There are a number of trees on the site, notably along the frontage with Chorley Street, a central cluster, along the southern boundary with the River Croal and in the northern and north western sections of the site.

The applicant has worked with the Council's Tree and Woodland Officer to work towards a level of tree retention on the site, however ultimately the reserved matters application which will formalise the site layout will determine the level of tree retention. It is desirable from an aesthetic and biodiversity perspective to retain a level of tree cover on the site. Trees to the site frontage along Chorley Road, as well as trees along the southern boundary with the River Croal are likely to be retained, which will provide a mature tree buffer to the site, and will serve to soften the appearance and integrate the site with the surrounding area, notably the green background of Queens Park.

The submitted planning statement identifies that some trees will be lost due to the need to carry out works to improve the strength of the culvert which passes underneath the site. However, the applicant anticipates that they, "would expect a significant proportion of the remaining trees ... to be retained, depending on the precise needs of the development".

At this stage of the application process the site layouts are indicative only, therefore a condition will be required to ensure that trees form an important part of the reserved matters submission.

#### Impact on the River Croal

Core Strategy policy CG1.5 aims to ensure that development proposals reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development.

The River Croal runs along the outer southern boundary of the site. A flood risk assessment was submitted with the application, which identifies two key constraints relating to flood risk, firstly a culvert runs below the site and secondly, the southern section of the site adjacent to the River Croal is identified by the Environment Agency as being a flood zone 3a area.

The original application submission received an objection from the Environment Agency, however the applicant has addressed the EA comments and has revised the Flood Risk Assessment as required. The EA has agreed that a 4 metre easement on either side of the centre line of the Captains Clough Culvert, which runs beneath the site is acceptable on the basis that work was carried out to improve the condition of the pipe work in the culvert. Consequently, the required improvements to the section of the culvert under the site will be carried out as part of the development, the EA has recommended a condition accordingly.

The EA has also recommended conditions relating to:

- The finished floor levels of the dwellings;
- Limiting surface water run off;
- Provision for compensatory flood storage;
- An 8 - 10 metre wide undeveloped buffer zone is required alongside the watercourse (River Croal);
- Method statement for the removal of Japanese Knotweed.

Certain dwellings within the indicative layouts are within Flood Zone 3a; however, all of these dwellings have no habitable rooms on the ground floor, and safe dry access from first floor level can be provided in case of flood.

It should also be noted that the indicative layouts propose no changes to levels on the site, so development would not be expected to have a detrimental effect on flooding elsewhere along the route of the River Croal.

The EA consider the proposed new riparian development site to provide a great opportunity to integrate and enhance the existing riverside corridor and key green infrastructure asset, with adjoining public greenspace and would support the inclusion of an continuous and unobstructed recreational and greenspace buffer along River Croal corridor.

On the basis of the implementation of the EA recommended conditions the proposal complies with Core Strategy policy CG1.5.

#### Impact on 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 Council's Highway Engineers consider the proposed residential development of the site to be acceptable in principle. The access will be from an established vehicular access off Chorley Street. The application submission has provided three indicative layouts, however the proposed layout, including parking and highway arrangements will be confirmed at the reserved matters stage. The principle of residential development from a highway perspective complies with policy as detailed above.

#### Commuted Sums

Core Strategy policy IPC1 states that, "the Council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or to mitigate the impact of the development". Policy IPC1 is relevant to development proposals of 15 dwellings or more. The policy also states that, "within Bolton town centre it is anticipated that the council will primarily seek contributions to secure high quality improvements to the public realm".

A S.106 agreement will therefore be required for the provision of contributions towards public realm improvements, this will form part of the reserved matters submission.

#### **Conclusion**

This is an outline application (all matters reserved) for a residential development of up to 65 dwellings. The proposal is conceptual in nature and the principle of the residential development of this site is acceptable, it being a brownfield site, in a sustainable location,

within the designated urban village area of the town centre which is identified in the Core Strategy as an area for residential development, thus complying with Core Strategy policies SC1 and TC10. Despite this, the site has several constraints which complicate its development, primarily the site in relation to the culvert which runs underneath it and the River Croal which runs along the outer perimeter southern boundary. The applicant has however provided a sound Flood Risk Assessment, which has formed the basis of the Environment Agency's recommendation for a number of conditions to secure the safe development and future resilience of the site in terms of flood risk. In addition, the site benefits from numerous trees, both within the site and along site boundaries. The intention is to retain a healthy proportion of trees in the new development, however this will be a matter to be considered in full at the reserved matters stage.

The proposed residential development of the site is considered to present an opportunity to improve the character and appearance of the area and positively contribute to the setting of the Queens Park Conservation Area, thus complying with Core Strategy policy CG3.

Overall, the proposal accords with policy and is therefore recommended for approval.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** one letter has been received from the NHS Trust, whose site adjoins the application site. The letter was submitted on the basis of concerns over the encroachment of the site edge on the NHS site, however the applicant has verified the ownership details and clarified the site boundary.

### **Consultations**

Advice was sought from the following consultees: GMEU, GM Police, Environment Agency, Pollution Control, Highway Engineers, Tree and Woodland Officers, Drainage, Greenspace, Landscape, Economic Strategy, Bolton Primary Care Trust, Housing Strategy.

### **Planning History**

Planning permission was approved in May 2011 for the change of use of the southern section of the car park to a footway/cycle way (85980/11)

Planning permission was approved in September 2004 for the erection of a single storey extension to Minerva House (68688/04)

**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.
3. The reserved matters application shall include the following details:
  1. A detailed tree survey of the site, particular attention should be given to the retention of trees to the site boundaries, notably Chorley Street and along the southern boundary with the River Croal.
  2. Provision of biodiversity enhancements such as bat and bird boxes.
  3. A bat survey.
  4. A sustainability statement, which shows how the development will incorporate appropriate decentralised, renewable or low carbon energy sources to reduce the CO2 emissions of predicted regulated and unregulated energy use by at least 10% (refer to Core Strategy policy CG2).
  5. Levels details, showing existing and proposed levels within the site and on adjoining land, including spot heights, cross sections and finished floor levels.



The information shall be submitted to, and approved in writing, by the Local Planning Authority before any development begins and the development shall be carried out in accordance with the approved details.

**Reason**

To ensure that the site meets with sustainability and biodiversity criteria.

4. The development authorised by this permission shall not begin until the Local Planning Authority has approved, in writing, a scheme to secure improvements to the public realm, together with an appropriate mechanism for delivery, in accordance with Policy IPC1 of Bolton's Core Strategy 2011.

**Reason**

To ensure that reasonable provision, or contribution, is made towards the cost of appropriate physical, social or green infrastructure required by the proposed development and/or to mitigate the impact of that development.

5. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Clancy Consulting (8/0695/CA/JBo rev B1) and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the development to 50% of the existing rates outlined in section 5.1.4.
2. Provision of compensatory flood storage to mitigate any areas of proposed raised levels. Storage to be provided on a "level for level" basis.
3. Identification and provision of safe route(s) into and out of the dwellings/site to an appropriate safe haven.
4. Finished floor levels of habitable rooms are set no lower than 87.27m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason**

1. To reduce the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
2. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
3. To ensure safe access and egress from and to the dwellings/site.

To reduce the risk of flooding to the proposed development and future occupants.

6. The development hereby permitted shall not be commenced until such time as a scheme to replace the dilapidated sections of Captains Clough Brook culvert through the site has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason**

To reduce the risk of flooding to the proposed development and ensure that the culvert has a design life consistent with the proposed new dwellings.

7. No development shall take place until a detailed scheme for the provision and management of an 8 - 10 metre wide undeveloped buffer zone alongside the watercourse (River Croal) shall be submitted to, and agreed in writing by, the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- *plans showing the extent and layout of the buffer zone*

- *details of any retained soft landscaping.*
- *details of proposed new planting scheme including planting schedule largely based on native species*
- *details demonstrating how the buffer zone/green link will be protected and potentially enhanced during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management*
- *details of any new proposed access road, footpaths, fencing, lighting etc. within buffer.*

#### **Reason**

Development that encroaches on watercourses has a potentially severe impact on their ecological value. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected and enhanced where feasible.

8. No development shall be commenced until a detailed method statement for removing, or the long-term management / control of , Japanese knotweed & Rhododendron identified on the site (CES Ecology, Jan 2013) shall be submitted to and, approved in writing by, the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese knotweed & Rhododendron during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

#### **Reason**

To prevent the spread of Japanese knotweed & Rhododendron which is an invasive species.

9. Development shall not commence until any remediation scheme required as a result of the investigation carried out in accordance with the approved Phase 1 Study has been prepared, approved in writing by the Local Planning Authority, and implemented as approved. The scheme shall include provision for verifying that the remediation objectives (verification report) have been met and for any subsequent monitoring and maintenance in accordance with Model Procedures for the Management of Land Contamination (CLR 11), details of which should be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use or first occupied.

#### **Reason**

To ensure the development is safe for use.

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

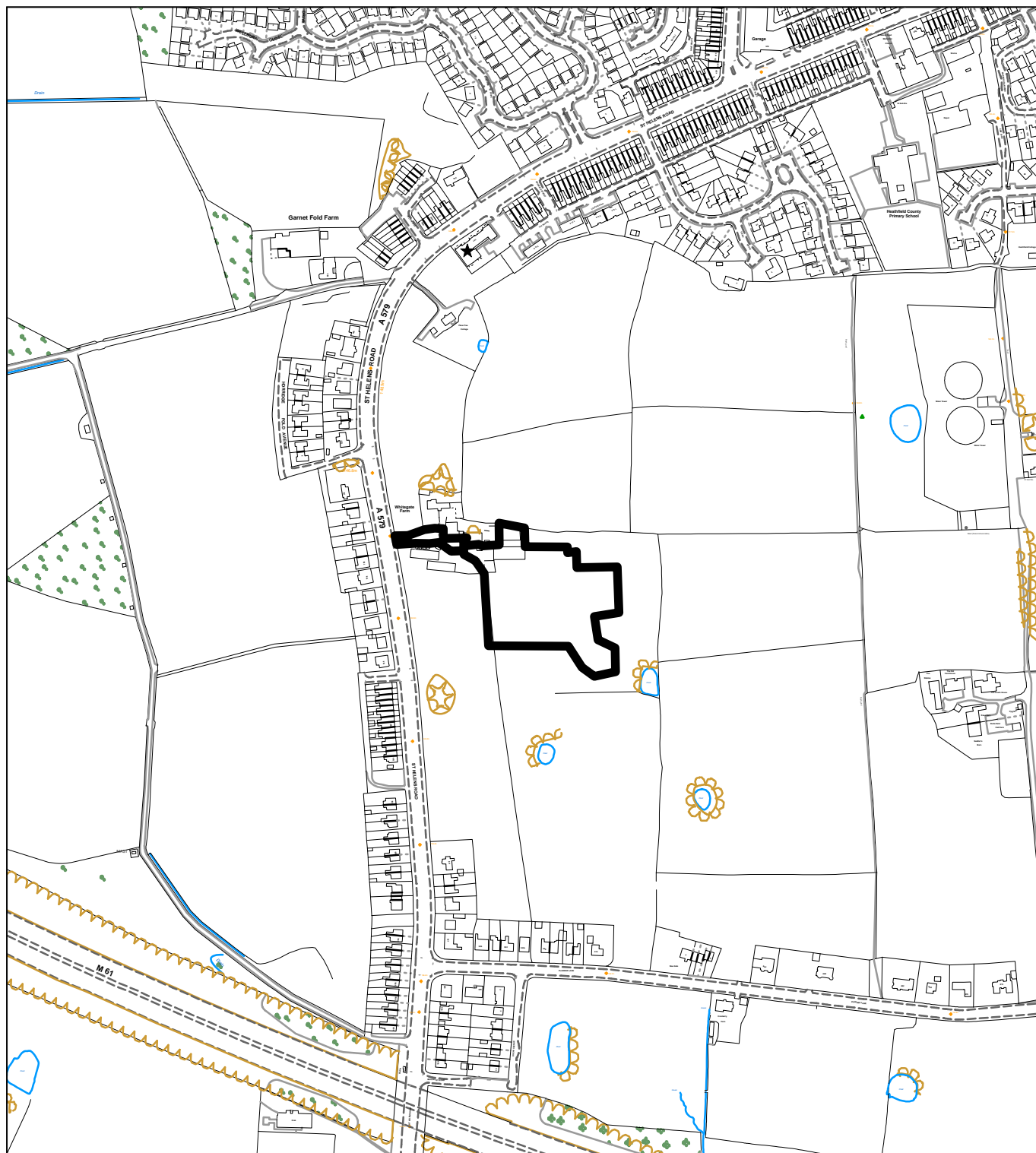
#### **Location Plan; AL(51)001**

#### **Reason**

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

Application No.

91099/13



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of  
the Controller of Her Majesty's Stationery Office© Crown Copyright.  
Unauthorised reproduction infringes Crown Copyright and may lead to  
prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389

11

**Date of Meeting: 06/03/2014**

**Application Reference: 91099/13**

**Type of Application: Full Planning Application**  
**Registration Date: 27/11/2013**  
**Decision Due By: 25/02/2014**  
**Responsible Officer: Alex Allen**

**Location: WHITEGATE FARM, ST HELENS ROAD, BOLTON, BL5 1AD**

**Proposal: ERECTION OF AGRICULTURAL BUILDINGS INCLUDING TWO DAIRY BUILDINGS, STORAGE BUILDING, SILAGE CLAMPS, MANURE STORE AND SLURRY STORE WITH RECEPTION PIT. WORKS ALSO INCLUDING YARD AREAS ADJACENT TO THE BUILDINGS, IMPROVEMENTS TO THE FARM ACCESS AND AN ATTENUATION DITCH WITH LANDSCAPING.**

**Ward: Hulton**

**Applicant: Mr I D Patrick**  
**Agent : Acorus Rural Property Services Ltd**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Proposal**

The proposal involves the redevelopment of the existing free range poultry enterprise including removal of the existing poultry building and its replacement with a dairy building with milking parlour, silage clamp, slurry store, manure store, dairy young stock building, improvement works to the farm access and an attenuation ditch with associated landscaping.

- The proposed dairy building would measure 73 metres by 27.4 metres to an eaves height of 4.2 metres and a ridge height of 8.1 metres and would provide a variety of functions including 100 dairy cow cubicles, parlour, calving boxes, heifer cubicles.
- Young stock building measuring 27 metres by 12 metres to an eaves height of 4.2 metres which would provide 10 calf pens and loose housing;
- Open fronted storage building measuring 18.28 metres by 9.14;
- Silage camps measuring 26 metres by 24 metres to accommodate 1,100 - 1,200 tonne's of silage;
- Slurry store with a 25.4 metre diameter to a height of 4 metres above ground;
- Midden area to store straw manure.

The proposed materials for the buildings would be concrete panel walls with timber space boarding above with a reinforced fibre cement roof (slate blue colour) with roof lights. The proposed silage clamp would be constructed from steel stanchions with pre stressed

concrete panel walls.

### **Site Characteristics**

The proposal relates to an existing free range poultry enterprise (8000 birds) operating at the farm with vehicular and pedestrian access from St Helens Road. The main poultry building occupies the southern section of the main farm yard and measures 57 metres by 18 metres, with a number of ancillary agricultural buildings also sited within the farm yard including a farm house.

The main poultry building is sited on a plateau with levels rising from south to north. Residential properties on Plodder Lane overlook the site from the south (albeit over 200 metres away) with residential properties on the western side of St Helens Road overlooking the site and with views of the fields associated with the proposed farm enterprise some 95 metres away. Properties to the north would be effectively screened from the application site by the differences in levels.

### **Policy**

National Planning Policy Framework

Saved UDP policies G1, G2 Green Belt.

Core Strategy P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses and OA4 West 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 agricultural development/impact on the character of the area;
- \* impact on surrounding land uses and occupiers;
- \* impact on highway safety/access;
- \* impact on ecology;
- \* impact on sustainable development.

#### **Principle of agricultural development/impact on the character of the area**

The NPPF emphasises the great importance to Green Belts and the principal objectives to check urban sprawl and maintain the openness of the land. Inappropriate development is defined in para. 89. It is considered the development is agricultural and is thus an acceptable exception.

Saved UDP policy G2 does not permit inappropriate development in the Green Belt. This

includes any development which does not maintain the openness of the land or which conflicts with the purposes of including land in the designation. There are exceptions, such as agricultural development, which is applicable here. Policy OA4 strives to maintain current Green Belt boundaries with new developments taking care to provide high quality soft landscaping using native plant species.

Great importance is placed on 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 (NPPF, para. 56). CS policies CG3.1, CG3.2 and CG3.3 require proposals to respect and enhance local distinctiveness, and be compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment, including hard/soft landscaping and boundary treatment.

The building for which consent is sought is designed for the purpose of dairy farming with both design and the use of materials consistent with the site/buildings principal use. It will, due to its size, be visible within the landscape, as is the existing operation. Due to the size of the proposed main dairy building the levels will need to be altered providing a cut and fill operation to create a flat site large enough to accommodate the new building. An area around the siting of the proposed silage clamp will be cut and enable the filling of areas on the southern edge of the site of the proposed new dairy building. It is envisaged that there will be no requirement for the importation of any material to facilitate the development. To achieve the flat working area for the new dairy building, levels will be increase by up to c.3 metres whilst the proposed silage clamp and to a lesser extent the proposed slurry store would be cut within the existing land.

The applicant has proposed landscape enhancements in the form of a hedge running along the southern boundary of the site. Whilst this is considered to be of benefit, Officers consider that there is merit in extending the length of the hedge/landscaped buffer to run along the eastern edge of the proposed slurry tank up to the proposed midden. The planning agent for the site has agreed to this.

Furthermore, officers note that there are a number of other structures sited within the wider farm yard area e.g. dilapidated timber building at the junction of the St Helens Road and the site access and a number of steel containers. When considering the redevelopment of the site Officers consider it would be of benefit to remove these structures to facilitate an enhanced site. It is considered appropriate to condition this element to ensure a scheme is provided to ensure these structures are removed prior to first use of the approved development.

Officers conclude the use is compatible with the Green Belt and that the agricultural building is an acceptable form of development when judged against the NPPF, Core Strategy policies CG3.1, CG3.2, CG3.3, OA3.6 and Saved UDP policy G2.

#### Impact on surrounding land uses and occupiers

Policy CG4.1 requires new development to be compatible with surrounding land uses and ensure neighbouring occupiers have sufficient privacy and amenity. Policy CG4.2 states that development should not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.

Specific reference is made by local residents regarding noise, smells and odours which may emanate from the site. The scheme has been designed to site the main area for activity at the eastern end of the farm buildings (the slurry store and silage clamps) which

is at the furthest point from existing residential properties. These elements of the proposal would be some 200 metres from properties on Plodder Lane and some 160 metres away from properties on St Helens Road.

In addition, the prevailing wind is from the west so taking any potential odours away from existing residential properties. The applicant has commented that the concerns expressed about flies is not an issue for a slurry based system. Issues of the spreading of slurry on adjoining land would be managed by other agencies including the Environment Agency/DEFRA and is not for the planning system to oversee.

It is noted that the Council's EHO does not raise objection subject to a condition regarding a requirement to submit a Phase II contaminated land survey.

It is considered that the proposal would respect the living conditions of existing residents and comply with policy.

#### Impact on highway safety/access

Core Strategy policies P5 and S1 seek to ensure new development proposals provide adequate accessibility to enable safe access and egress from/to and within sites.

The proposal relates to an existing farm enterprise. The applicant has commented that the proposed vehicular movements to and from the site would be as follows:

- Milk collection (every other day);
- Feed deliveries (fortnightly)
- Straw deliveries (every two/three months throughout the winter)
- Vet visit (monthly).

The applicant proposes highway improvements to the existing vehicular access to facilitate safe access and egress to and from the site.

Subject to conditioning of the proposed improvements and implementation of the approved plans the Council's Highway Engineers do not raise objection.

The proposal complies with policy.

#### Impact on ecology

Core Strategy policy CG1.1 seeks to safeguard and enhance the rural areas of the Borough from development which would adversely affect its biodiversity.

The Council's Wildlife Liaison Officer comments that the proposal will have little impact upon the biodiversity of the farm with the creation of a hedgerow welcomed. The applicant has submitted an ecological assessment which recommends the provision of bird nesting and bat roosting provisions within the new buildings. It is considered appropriate to condition these aspects. The buildings to be removed have been assessed as having negligible bat roosting potential. Officers from the Greater Manchester Ecology Unit concur with the comments of the Council's Wildlife Liaison Officer.

Subject to securing the ecological enhancement measures outlined above it is considered that the proposal would enhance biodiversity in the area and therefore comply with policy.

#### Impact on sustainable development

Policy CG2 states that all development proposals contribute to the delivery of sustainable development, being located and designed so as to mitigate any adverse effects of the development and adapt to climate change by incorporating high standards of sustainable design and construction policies. For developments over 500sqm a 10% reduction in CO2 emissions is expected in addition to being constructed to a 'Very Good' BREEAM standard and no net increase in surface water run-off.

The applicant has stated that the new buildings will not be heated and therefore no CO2 emissions will be generated by the proposal. In addition, the buildings are designed for housing livestock. It is considered that application of a BREEAM standard for the buildings is inappropriate.

The applicant is seeking to construct an attenuation ditch which would be used to restrict surface water run-off from the site. It is considered appropriate to condition details of the surface water run-off from the site and to ensure that this is not increased. The Council's Drainage section and the Environment Agency have raised no objections to the proposal.

It is considered that the proposal would comply with policy.

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

The applicant has agreed to the provision of an enhanced hedge / landscaped buffer which would be extended along the eastern side of the slurry store/tank and also the provision of bat and bird nesting/roosting facilities within the site to ensure ecological enhancements area secured.

#### **Conclusion**

The proposal provides for a new agricultural business on the site, replacing the former poultry building with a number of necessary buildings which, where possible, have been designed and sited to minimise both the impact on the overall site / wider landscape and the impact on surrounding land uses and occupiers. The proposal will have nil/limited impact on the existing highway network providing an enhanced access into the site and providing a number of ecological enhancements.

The proposal complies with policy and is recommended for approval subject to conditions.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** six objection letters have been received, one support letter and one comment letter have been received.

The objection letters raise the following concerns:

- Detrimental impact on local residents;
- Concerned regarding large volume of slurry which will be produced close to existing houses - resultant increase in odours / impact on air quality;
- Impact of slurry spreading over the wider curtilage of the farms fields;
- Risk to human health if slurry or waste water leaks;
- Noise pollution from large scale machinery and transport;
- Increase in traffic movements on a busy road;
- Existing problem of flies in the area which may be exacerbated by the proposal;
- Potential light pollution from the development;
- The proposal is too close to residential property and involves the intensification of the use of the land.

The support letter states that the farm was originally a dairy farm and never had a problems with the environment/vermin.

The comment letter queries the reliance of the proposal on the existing land drainage system for the removal of outfall from the attenuation ditch. The current system causes flooding to the bottom of No. 924 Plodder Lane which has recently reoccurred. Careful inspection of the drainage system is required.

**Petitions:-** no petitions received.

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

### **Consultations**

Advice was sought from the following consultees: Environment Agency, National Grid, Greater Manchester Ecology Unit, the Council's Highways Engineers, Greenspace Management, Drainage/Flood Risk team and Pollution Control officers.

### **Planning History**

No relevant history.

**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 samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The

approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.

3. Development shall not commence until an investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:
- (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to human health, property or the environment;
  - (iii) an appraisal of remedial options and proposal for a preferred option.

Reason

To ensure the development is safe for use.

4. Should during the demolition process, a bat be found, all work should stop immediately, a licensed bat worker consulted and Natural England informed.

Reason

To ensure the favourable status of protected species.

5. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted and approved in writing by the Local Planning Authority. The proposed landscape scheme shall make provision for a hedgerow as shown on Drawing No. WHITEGATE-PL-01. The submitted landscape plan shall make provision for an extension of the proposed hedgerow / landscape buffer to adjacent to the eastern elevation of the proposed slurry tank and midden. 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.

6. Within 2 months of commencement of development an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority which makes provision for the following:

- The provision of bat and bird boxes within the proposed development including the type of box to be used and their locations.

The approved scheme shall be implemented in full within 3 months of the first use of the development and retained thereafter.

Reason

To ensure the favourable status of protected species / to enhance biodiversity.

7. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from St Helens Road shall be constructed to a minimum width of 6.1 metres for a distance of 12metres with 6 metre radii in accordance with the drawing ref WHITEGATE-PL-13.

Reason

In the interests of highway safety

8. No trees or shrubs shall be removed in any one year between the 31st March and the 31st August unless otherwise agreed in writing by the Local Planning Authority.

Reason

To safeguard the habitats of protected species.

9. 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 parking/turning/loading/unloading of vehicles within the curtilage of the site to enable vehicles to enter and leave the site in forward gear. 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 parking/turning/loading/unloading of vehicles.

Reason

In the interests of highway safety.

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.

11. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 2.4 metres at the back of the footway shall be provided at the junction of 2.4 metres with 10 metres, 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 footway.

12. The development hereby approved shall be implemented in accordance with the approved level detail:

- Whitegate PL-09 Site plan with survey;
- Whitegate PL10 and PL11 Existing and proposed sections.

Reason

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

13. Within 2 months of the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority which identifies those buildings/structures to be removed within the wider farm curtilage shown on Drawing No. PL09 Farming Enterprise Plan. As a minimum the buildings for removal should be as follows:

- Removal of the timber structure located on the southern side of the farm access road close to the junction with St Helens Road,
- Removal of all steel containers.

The structures identified shall be removed from the farm site within 3 months of the first use of the buildings hereby approved.

Reason

To enhance the visual appearance and character of the site and the wider area.

14. No development hereby approved shall not be brought into use unless and until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the drawing ref WHITEGATE-PL-13.

Reason

In the interests of highway safety.

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

**Whitegate PL01 - Site Plans**

**Whitegate PL02 Layout Plan - Dairy Building**

**Whitegate PL03 - Dairy building elevations**

**Whitegate PL04 - Young stock buildings**

**Whitegate PL05 - Silage clamps**

**Whitegate PL06 - Slurry store**

**Whitegate PL07 - Open fronted general purpose building**

**Whitegate PL08- Farming enterprise plan**

**Whitegate PL09 - Site plan with survey scanned to file 19/02/14;**

**Whitegate PL10 - Existing sections**

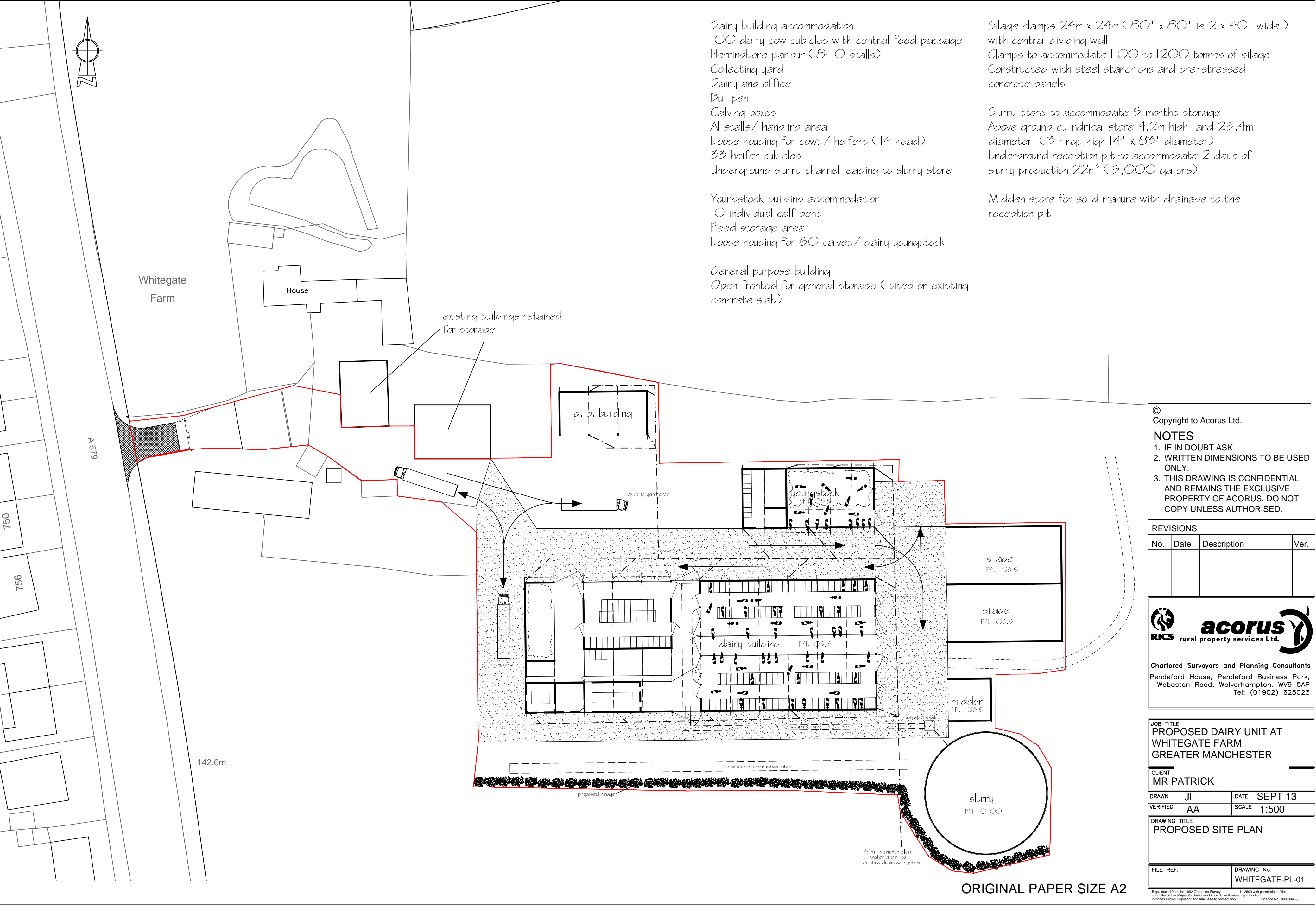
**Whitegate PL11 - Proposed sections**

**Whitegate PL12 - Location plan**

**Whitegate PL15 Site plan with existing and proposed buildings shown**

Reason

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





© Copyright to Acorus Ltd.

**NOTES**

1. IF IN DOUBT ASK
2. WRITTEN DIMENSIONS TO BE USED ONLY.
3. THIS DRAWING IS CONFIDENTIAL AND REMAINS THE EXCLUSIVE PROPERTY OF ACORUS. DO NOT COPY UNLESS AUTHORISED.

REVISIONS			
No.	Date	Description	Ver.



**acorus**  
rural property services Ltd.

Chartered Surveyors and Planning Consultants  
Pendeford House, Pendeford Business Park,  
Wobaston Road, Wolverhampton. WV9 5AP  
Tel: (01902) 625023

JOB TITLE  
**PROPOSED DAIRY UNIT AT  
WHITEGATE FARM  
GREATER MANCHESTER**

CLIENT  
**MR PATRICK**

DRAWN JL	DATE SEPT 13
VERIFIED AA	SCALE 1:500

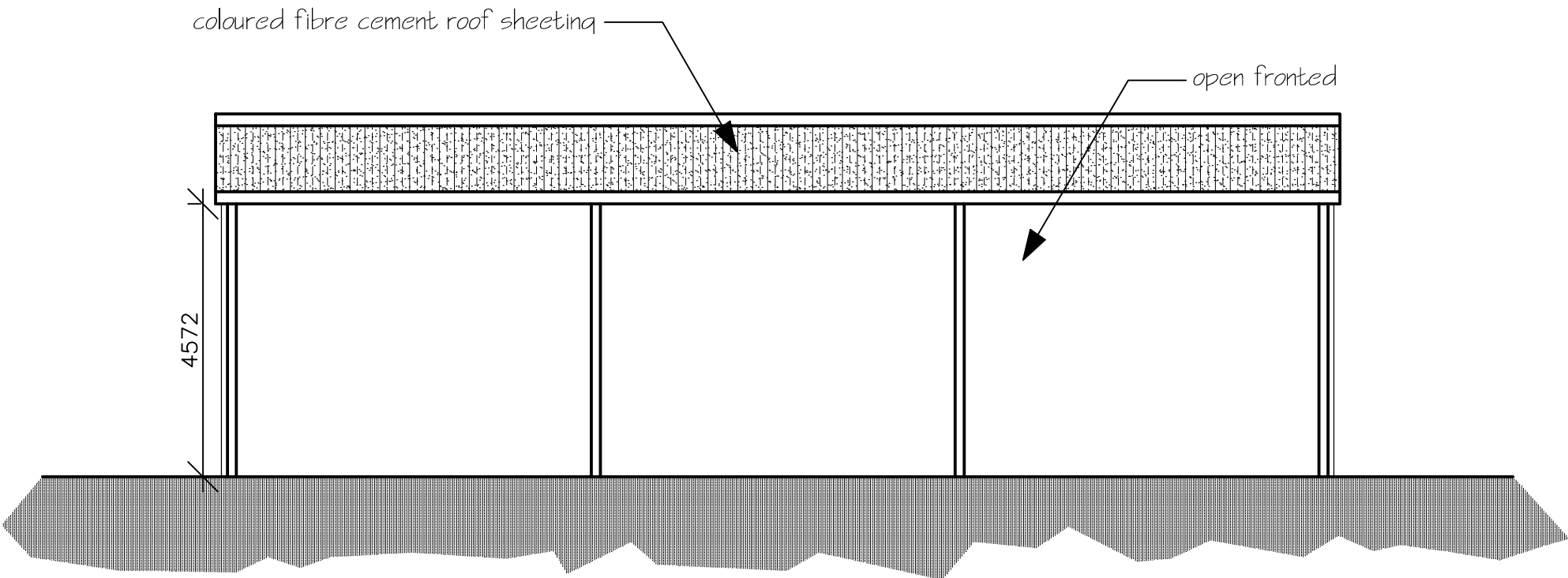
DRAWING TITLE  
**PROPOSED SITE PLAN**

FILE REF.	DRAWING No. <b>WHITEGATE-PL-01</b>
-----------	---------------------------------------

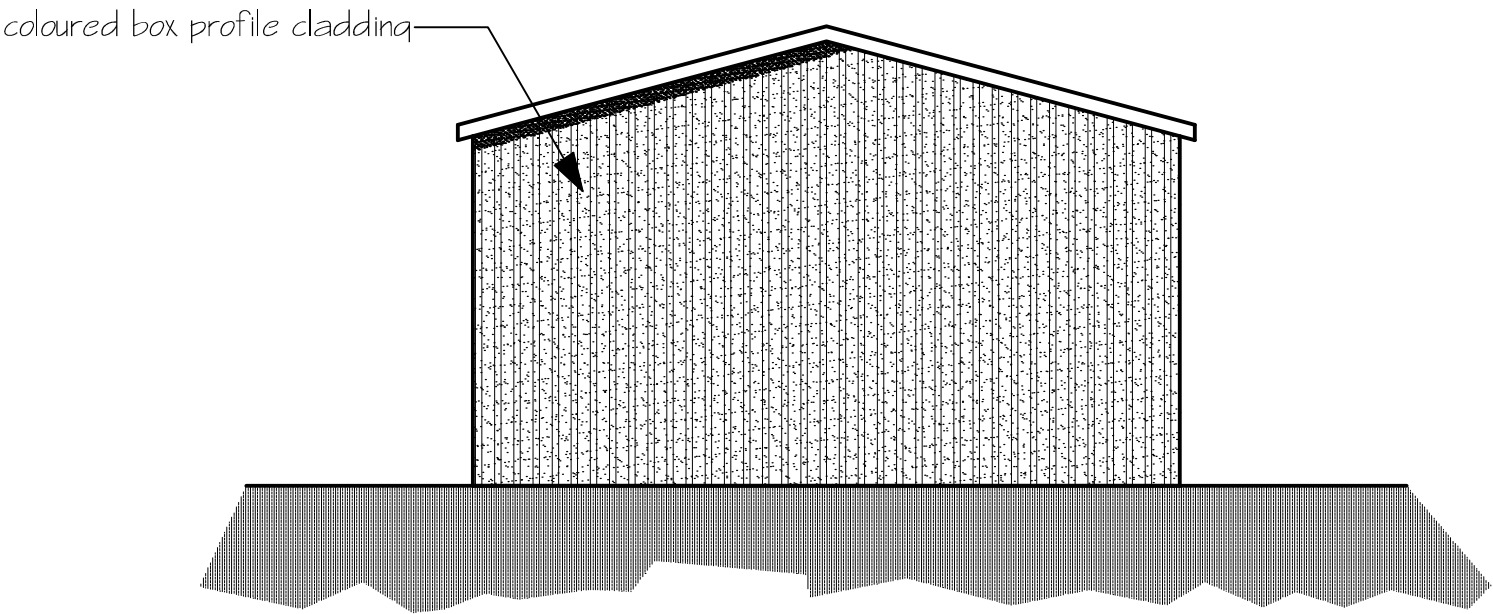
Reproduced from the 1992 Ordnance Survey  
controlling of Her Majesty's Stationary Office. Unauthorised reproduction  
infringes Crown Copyright and may lead to prosecution. Licence No. 100039456

ORIGINAL PAPER SIZE A1

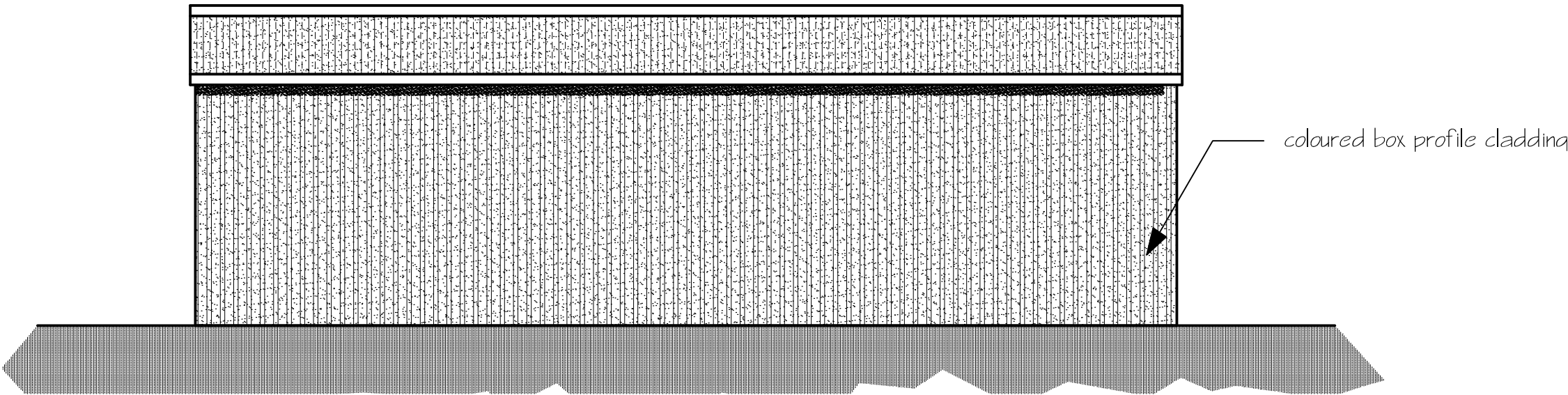




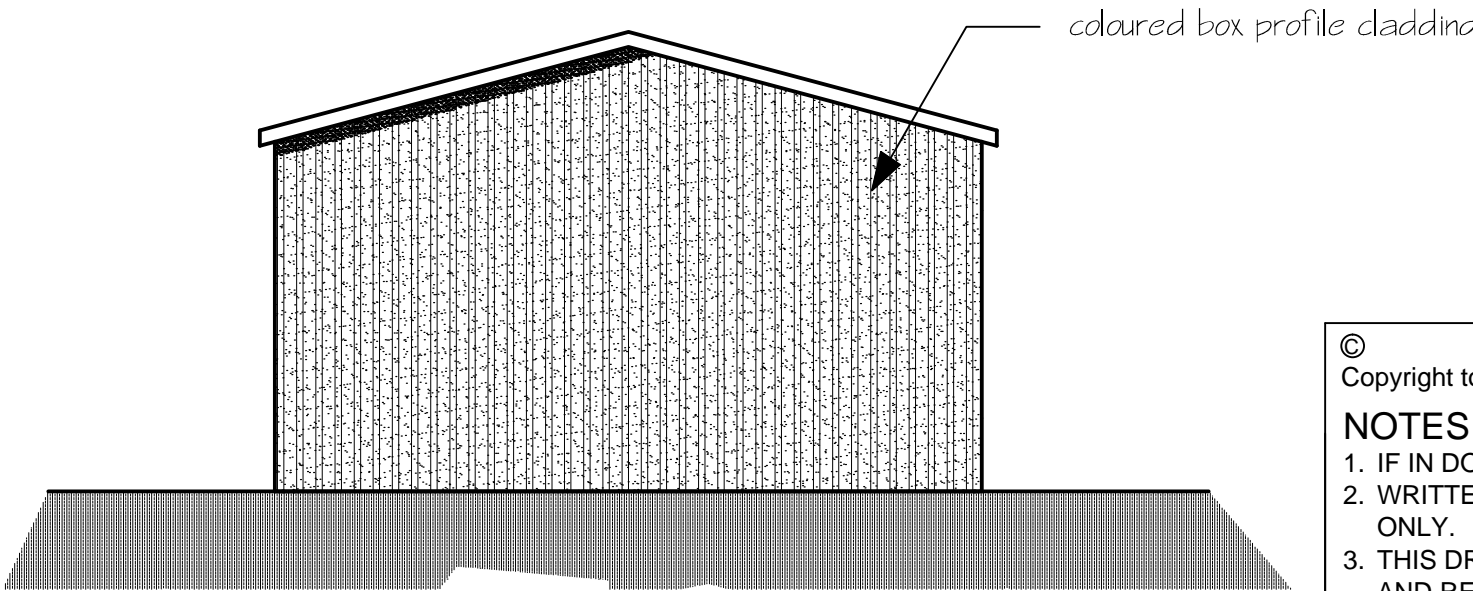
SOUTH ELEVATION



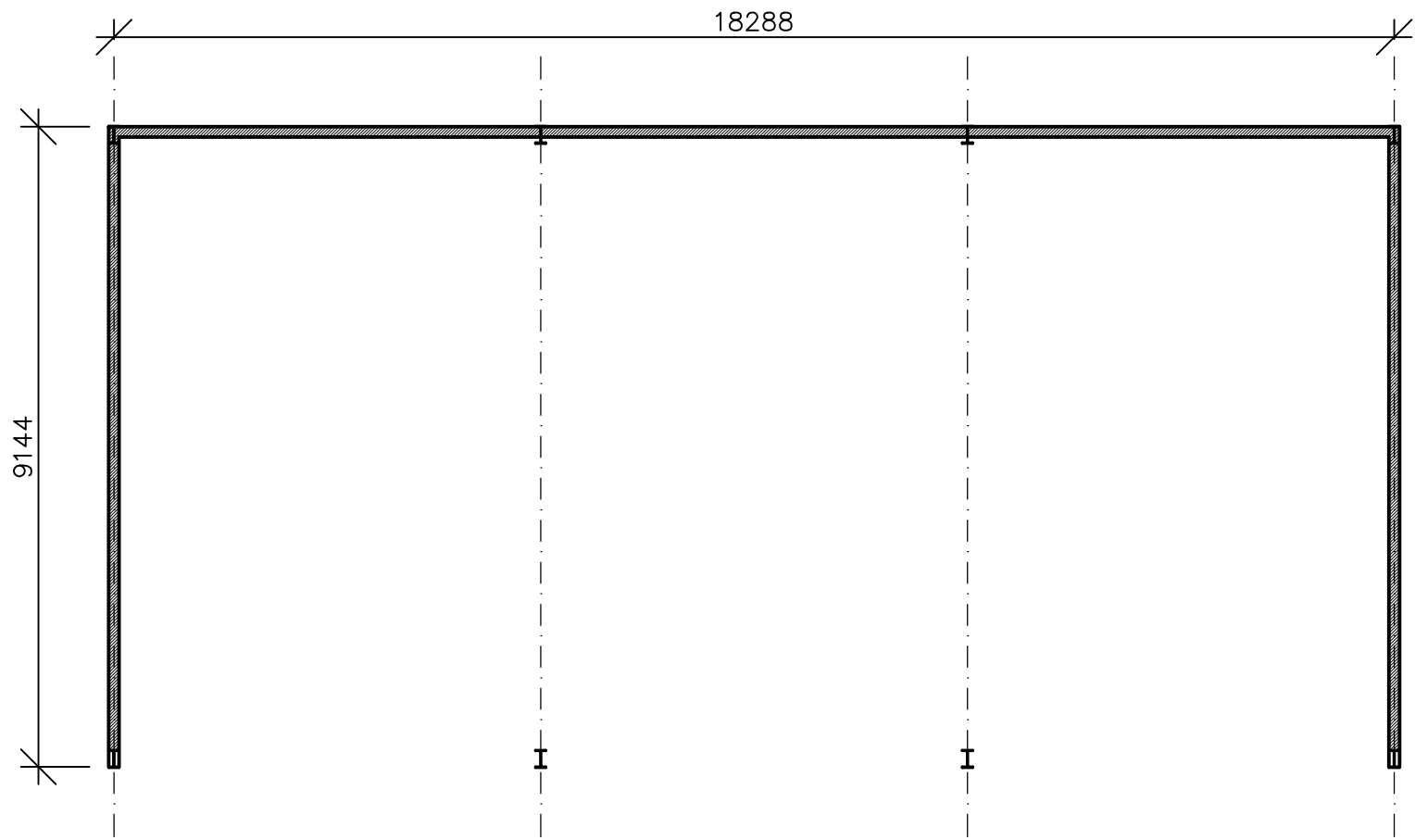
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



PLAN

Length	18.228m
Width	9.144m
Eaves height	4.576m
Walls	Coloured box profile
Roof	Coloured fibre cement profiled roof sheeting

©  
Copyright to Acorus Ltd.

**NOTES**

1. IF IN DOUBT ASK
2. WRITTEN DIMENSIONS TO BE USED ONLY.
3. THIS DRAWING IS CONFIDENTIAL AND REMAINS THE EXCLUSIVE PROPERTY OF ACORUS. DO NOT COPY UNLESS AUTHORISED.

REVISIONS			
No.	Date	Description	Ver.



**acorus**  
rural property services Ltd.

**Chartered Surveyors and Planning Consultants**  
Pendeford House, Pendeford Business Park,  
Wobaston Road, Wolverhampton. WV9 5AP  
Tel: (01902) 625023

JOB TITLE  
**PROPOSED DAIRY UNIT AT  
WHITEGATE FARM  
GREATER MANCHESTER**

CLIENT  
**MR PATRICK**

DRAWN	JL	DATE	SEPT 13
VERIFIED	AA	SCALE	1:100

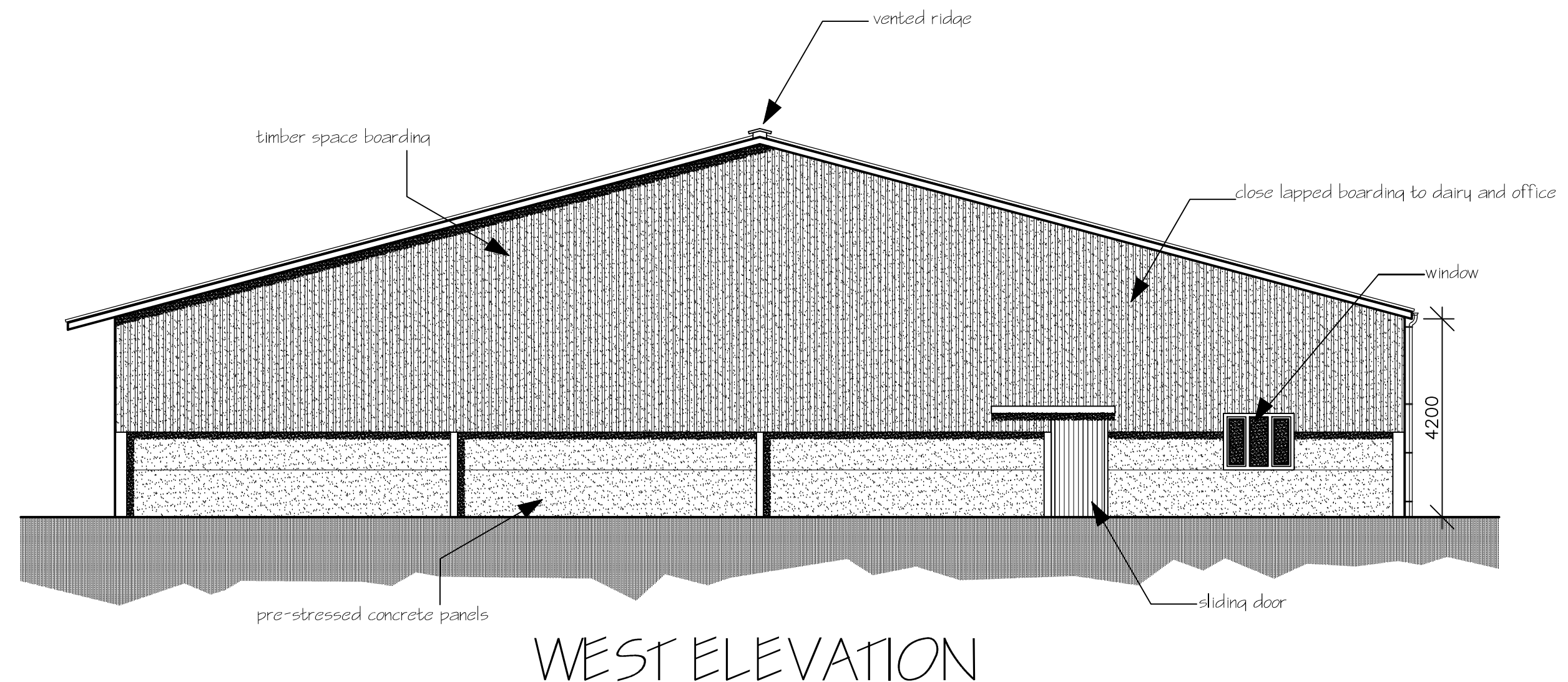
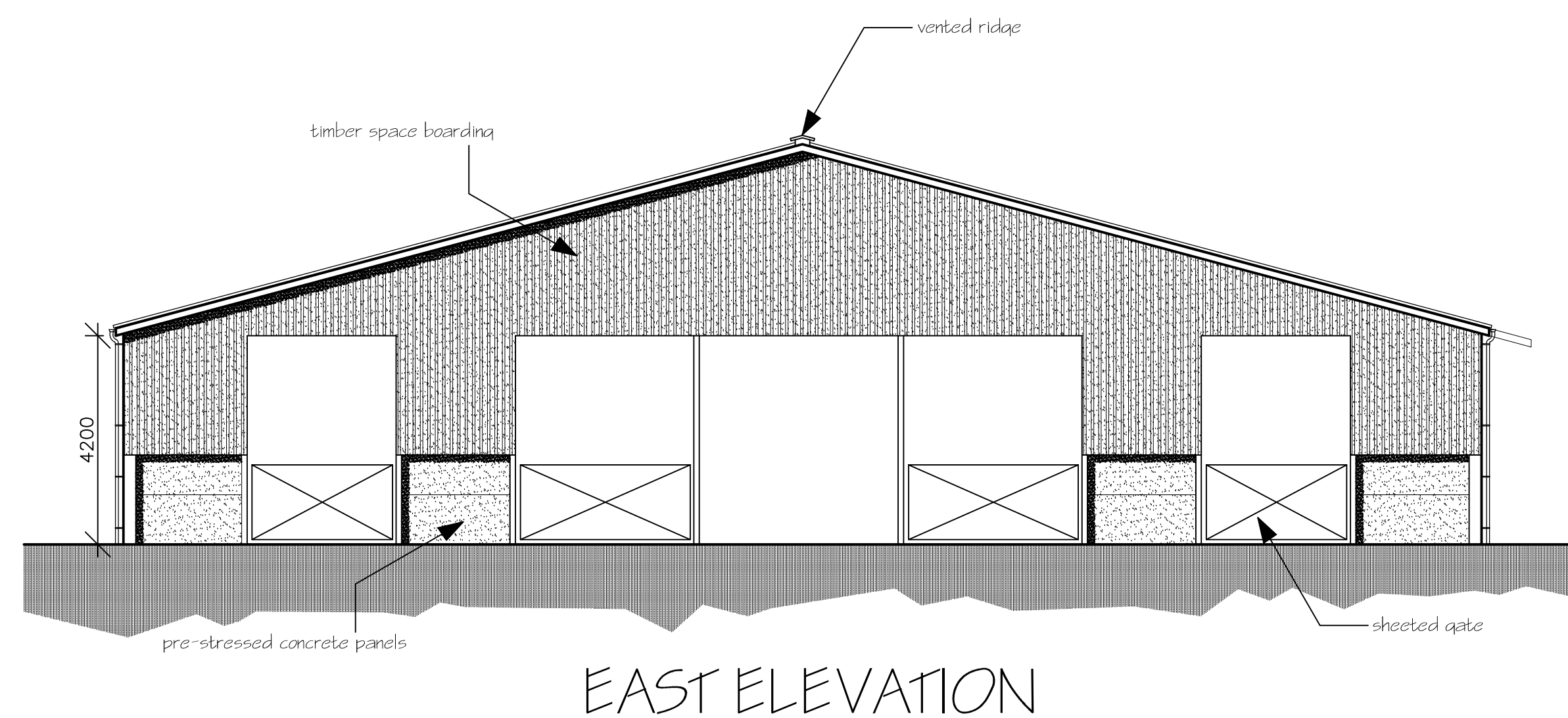
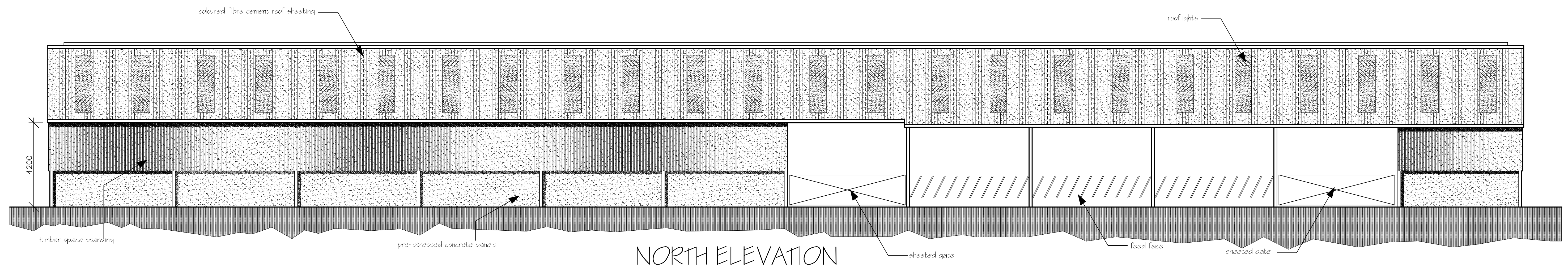
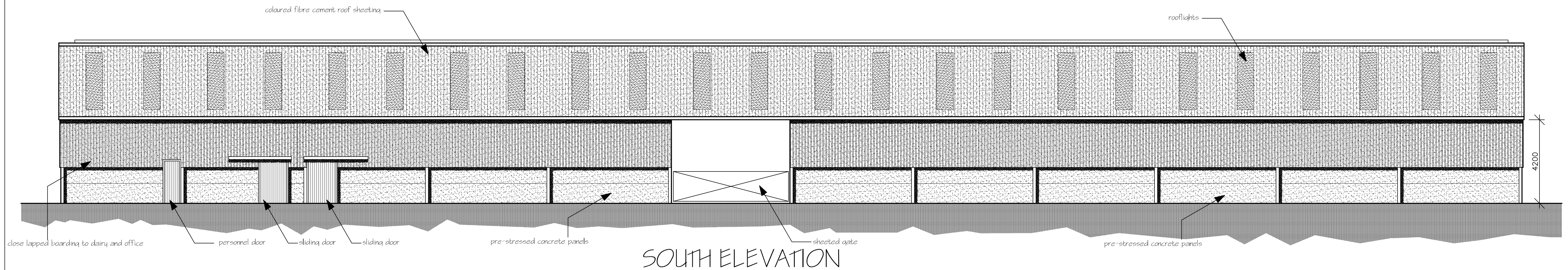
DRAWING TITLE  
**OPEN FRONTED GENERAL  
PURPOSE BUILDING**

FILE REF.	DRAWING No. <b>WHITEGATE-PL-07</b>
-----------	---------------------------------------


Reproduced from the 1992 Ordnance Survey  
controllor of Her Majesty's Stationary Office. Unauthorised reproduction  
infringes Crown Copyright and may lead to prosecution. Licence No. 100039456

ORIGINAL PAPER SIZE A2



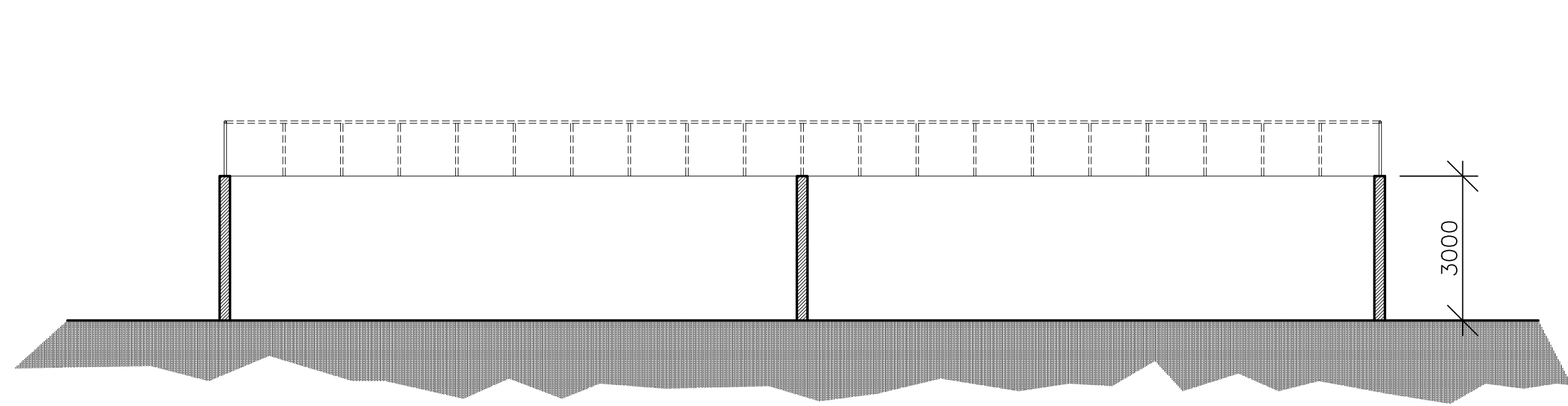


Length	73.152m	Accommodation	100 dairy cow cubicles with central feed passage
Width	27.400m		Herringbone parlour (8-10 stalls)
Eaves height	4.200m		Collecting yard
Walls	Pre-stressed concrete panels		Dairy and office
Cladding	Timber space boarding close lapped boarding to dairy and office		Bull pen
Roof	Coloured fibre cement profiled roof sheeting with 2 rooflights to each bay		Calving boxes
			All stalls/ handling area
			Loose housing for cows/ heifers (14 head)
			33 heifer cubicles
			Underground slurry channel leading to slurry store

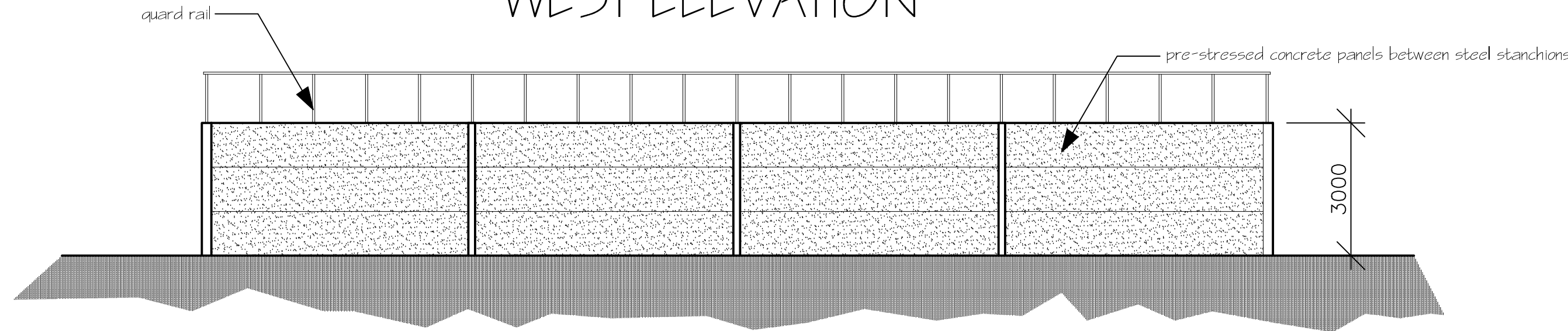
© Copyright to Acorus Rural Property Services Ltd.			
NOTES			
1. IF IN DOUBT ASK			
2. WRITTEN DIMENSIONS TO BE USED ONLY			
3. THIS DRAWING IS CONFIDENTIAL AND REMAINS THE EXCLUSIVE PROPERTY OF ACORUS. DO NOT COPY UNLESS AUTHORISED.			
REVISIONS			
No.	Date	Description	Ver.
<div><div><b>RICS</b></div><div><b>acorus</b> rural property services Ltd.</div><div></div></div> <div>Chartered Surveyors and Planning Consultants Penderford House, Penderford Business Park Wobaston Road, Wolverhampton, WV9 5AP Tel: (01902) 625023</div>			
JOB TITLE			
PROPOSED DAIRY UNIT AT WHITEGATE FARM GREATER MANCHESTER			
CLIENT			
MR PATRICK			
DATE	SEPT 13		SCALE
ORIGIN	JL		VERIFIED
			1:100 AA
DRAWING TITLE			
DAIRY BUILDING ELEVATIONS			
FILE REF.	DRAWING No.		REV.
	WHITEGATE-PL-03		
<small>Reproduced from the 1992 Ordnance Survey 1:2500 with permission of the controller of the map. Map data © Crown Copyright. All rights reserved. No part of this publication may be reproduced without prior permission of the controller of the map. Licence No. 10003845.</small>			

ORIGINAL PAPER SIZE A1

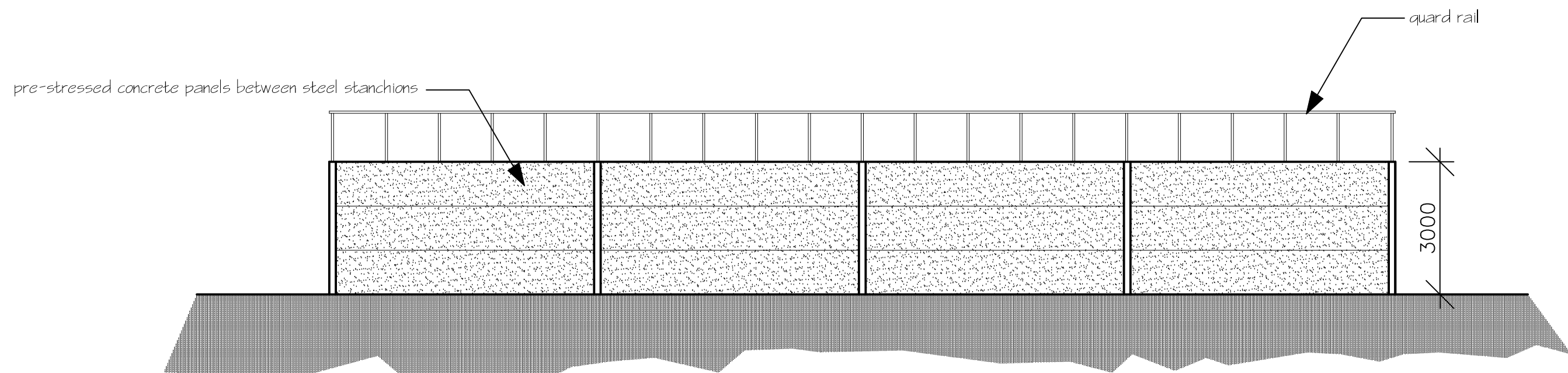




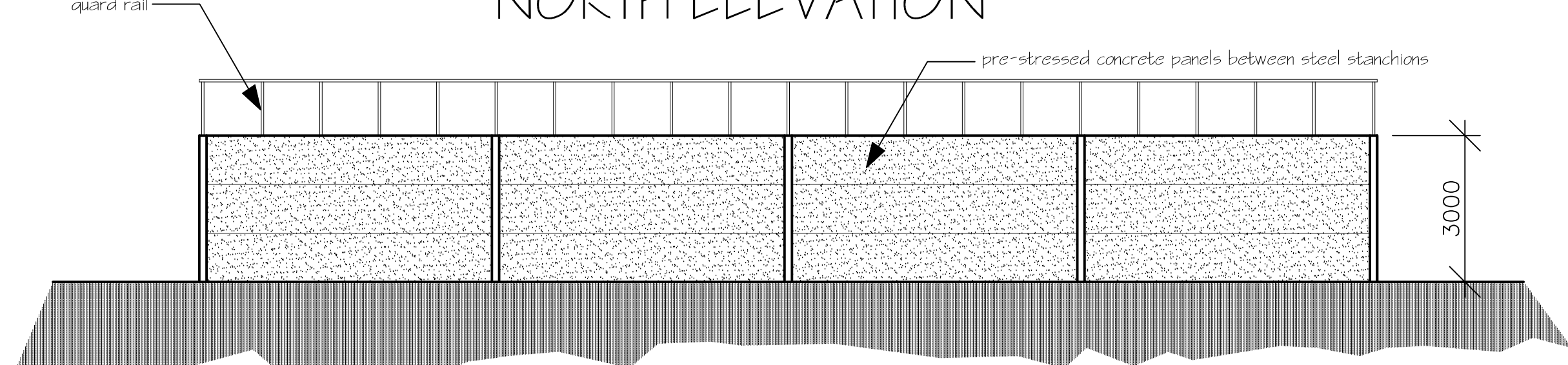
WEST ELEVATION



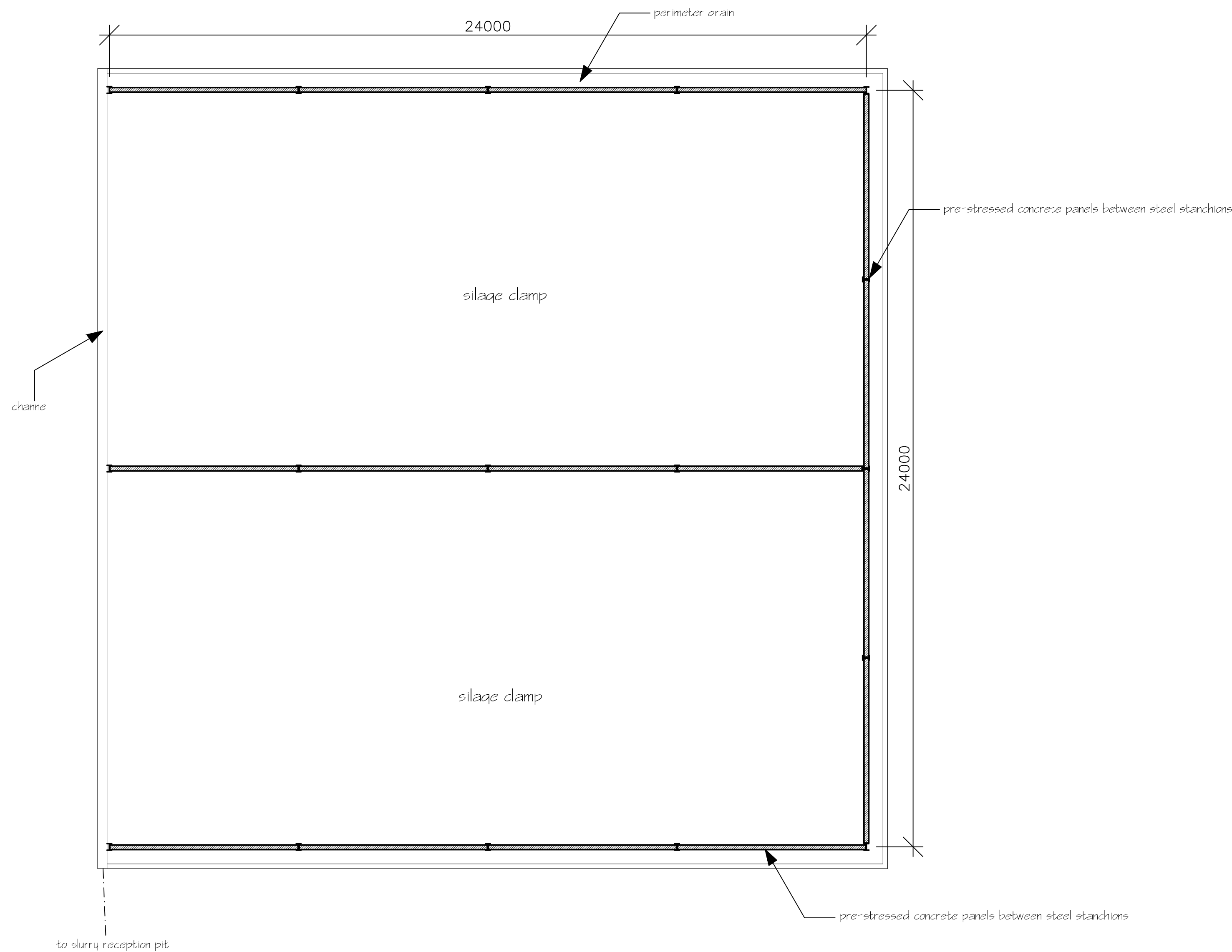
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



PROPOSED PLAN


Silage clamps 24m x 24m (80' x 80' ie 2 x 40' wide.)  
with central dividing wall.  
Clamps to accommodate 1100 to 1200 tonnes of silage  
Constructed with steel stanchions and pre-stressed  
concrete panels

© Copyright to Acorus Rural Property Services Ltd.

**NOTES**

1. IF IN DOUBT ASK  
2. WRITTEN DIMENSIONS TO BE USED ONLY  
3. THIS DRAWING IS CONFIDENTIAL AND  
REMAINS THE EXCLUSIVE PROPERTY OF  
ACORUS. DO NOT COPY UNLESS AUTHORISED.

REVISIONS			
No.	Date	Description	Ver.

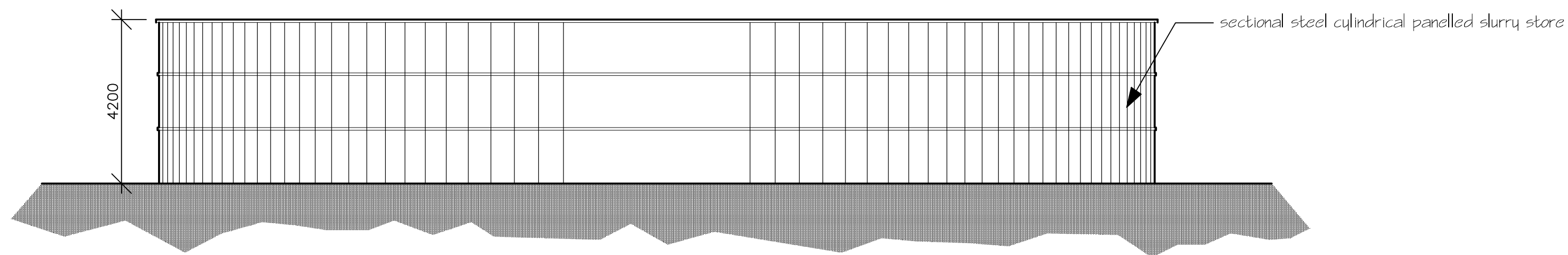
**acorus**  
rural property services Ltd.

Chartered Surveyors and Planning Consultants  
Penderford House, Penderford Business Park  
Wobaston Road, Wolverhampton, WV9 5AP  
Tel: (01902) 625023

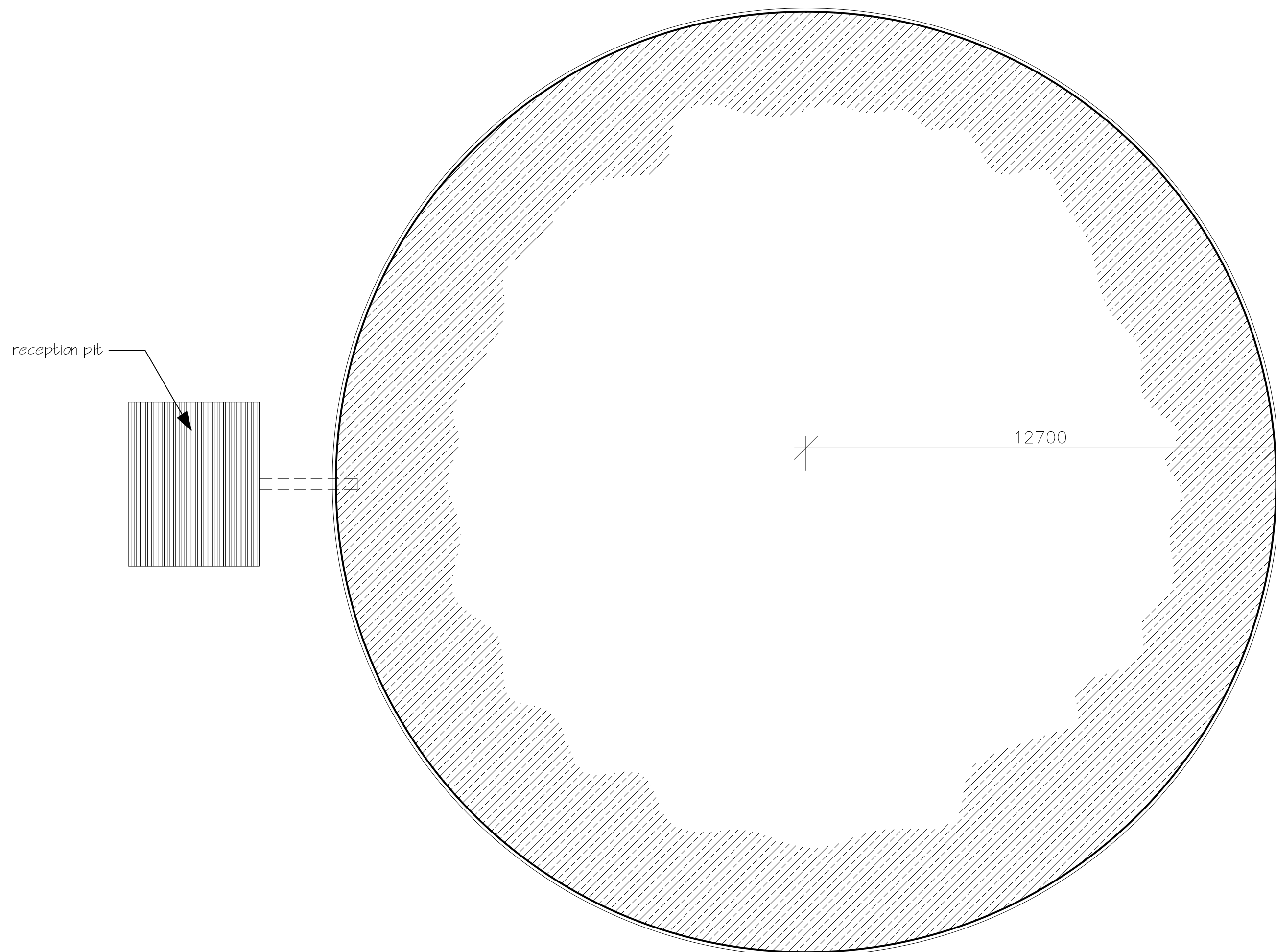
JOB TITLE		
PROPOSED DAIRY UNIT AT WHITEGATE FARM GREATER MANCHESTER		
CLIENT		
MR PATRICK		
DATE	SCALE	
SEPT 13	1:100	
ORIGIN	VERIFIED	
JL	AA	
DRAWING TITLE		
SILAGE CLAMPS		
FILE REF.	DRAWING No.	REV.
	WHITEGATE-PL-05	

Reproduced from the 1992 Ordnance Survey 1:2500 with permission of the controller of Her Majesty's Stationery Office. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution. Licence No. 100038465

ORIGINAL PAPER SIZE A1





ELEVATION

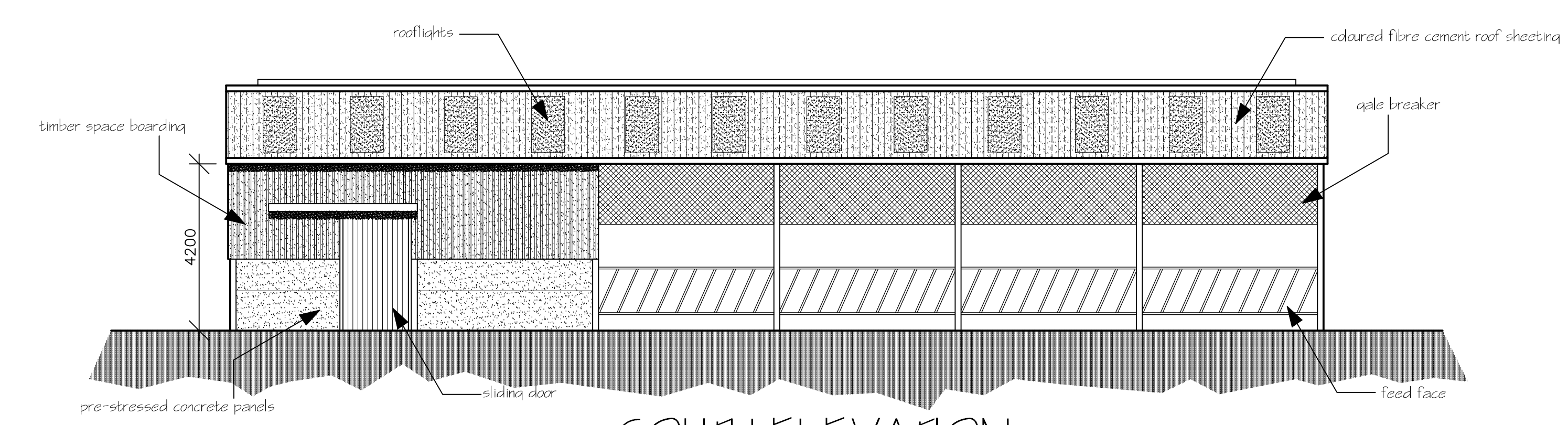


PLAN

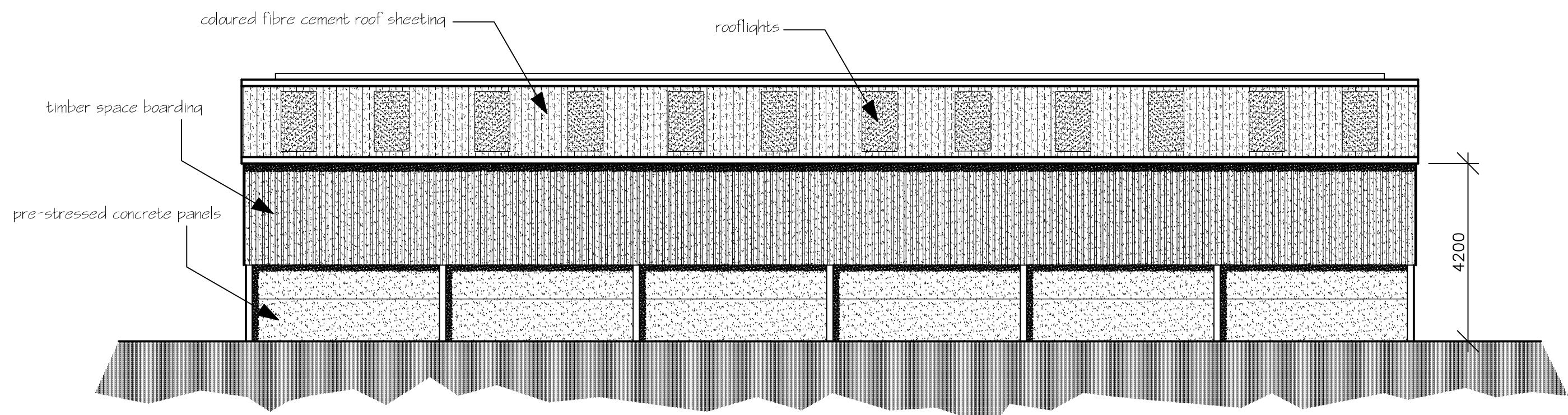
Slurry store to accommodate 5 months storage  
Above ground cylindrical store 4.2m high and 25.4m diameter. (3 rings high 14' x 83' diameter)  
Underground reception pit to accommodate 2 days of slurry production 22m<sup>3</sup> (5,000 gallons)

© Copyright to Acorus Ltd.			
<b>NOTES</b> 1. IF IN DOUBT ASK 2. WRITTEN DIMENSIONS TO BE USED ONLY. 3. THIS DRAWING IS CONFIDENTIAL AND REMAINS THE EXCLUSIVE PROPERTY OF ACORUS. DO NOT COPY UNLESS AUTHORISED.			
<b>REVISIONS</b>			
No.	Date	Description	Ver.
 			
<b>Chartered Surveyors and Planning Consultants</b> Pendeford House, Pendeford Business Park, Wobaston Road, Wolverhampton. WV9 5AP Tel: (01902) 625023			
<b>JOB TITLE</b> PROPOSED DAIRY UNIT AT WHITEGATE FARM GREATER MANCHESTER			
<b>CLIENT</b> MR PATRICK			
<b>DRAWN</b> JL		<b>DATE</b> SEPT 13	
<b>VERIFIED</b> AA		<b>SCALE</b> 1:100	
<b>DRAWING TITLE</b> SLURRY STORE			
<b>FILE REF.</b>		<b>DRAWING No.</b> WHITEGATE-PL-06	
<small>Reproduced from the 1992 Ordnance Survey          controller of Her Majesty's Stationary Office. Unauthorised reproduction          infringes Crown Copyright and may lead to prosecution. Licence No. 100039456</small>			

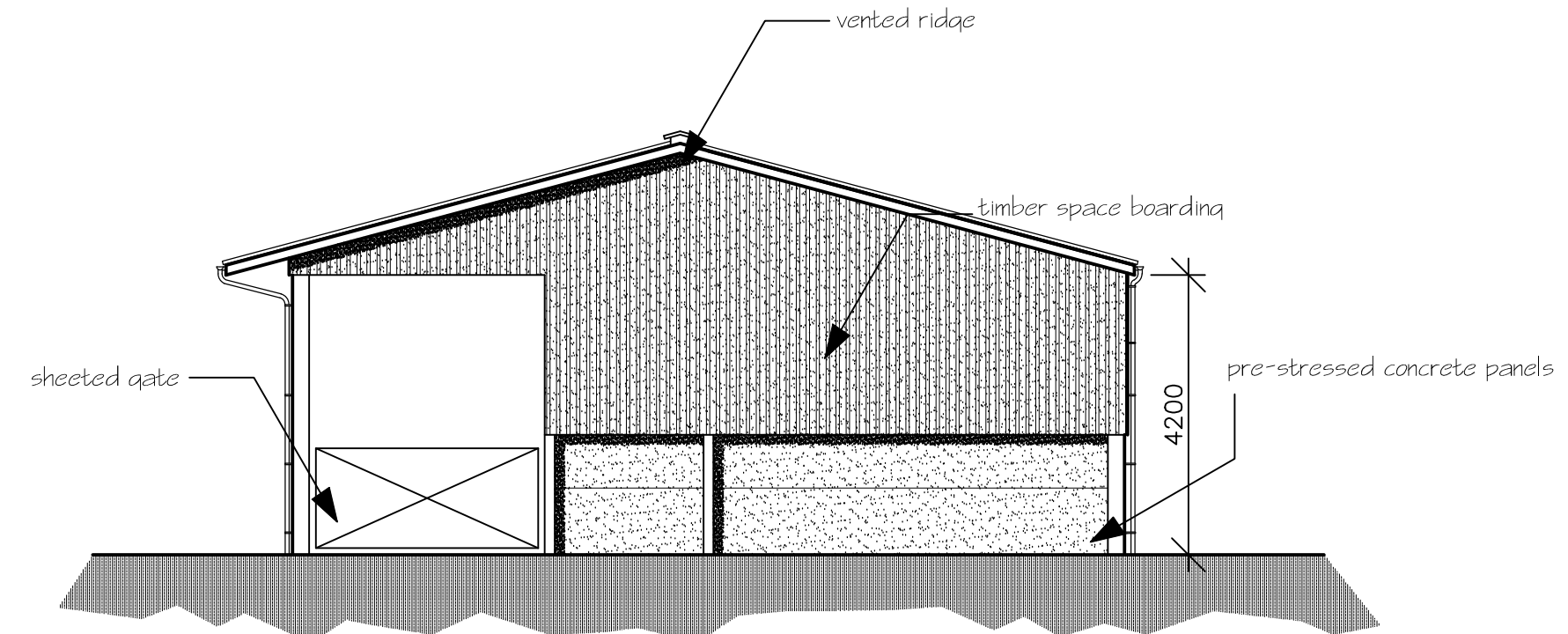
ORIGINAL PAPER SIZE A2



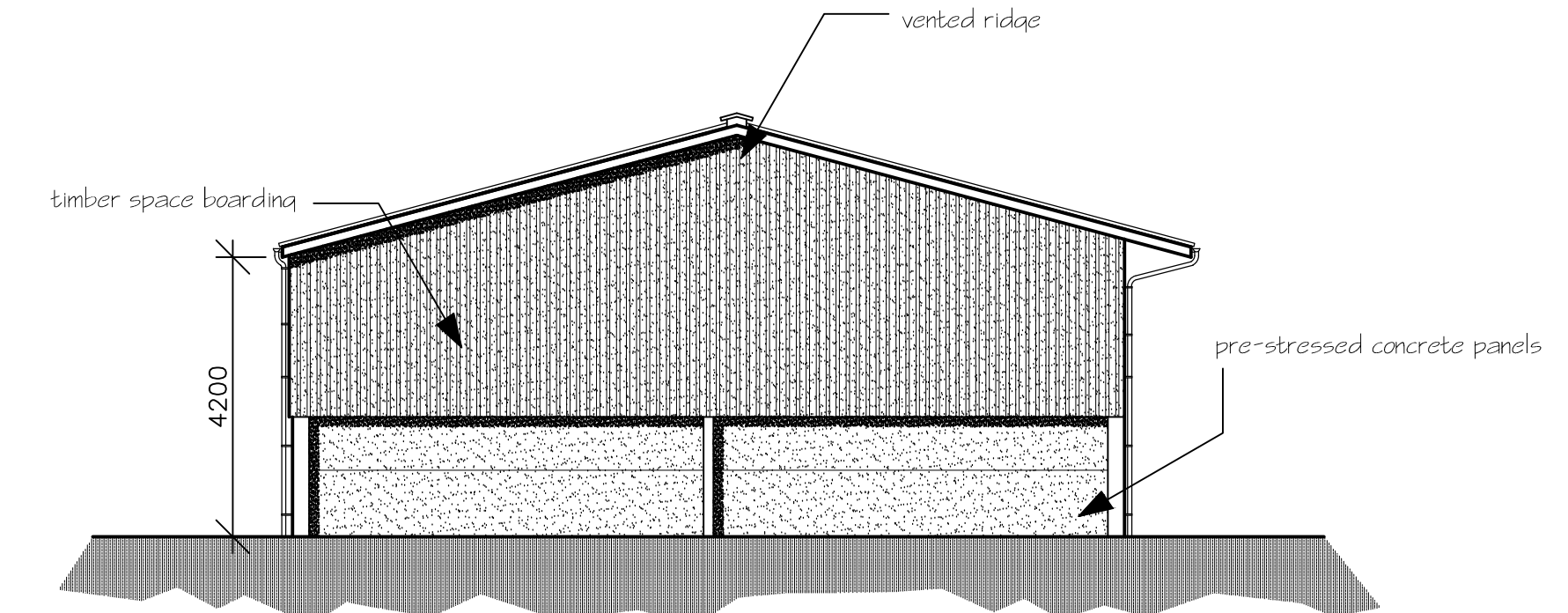
SOUTH ELEVATION



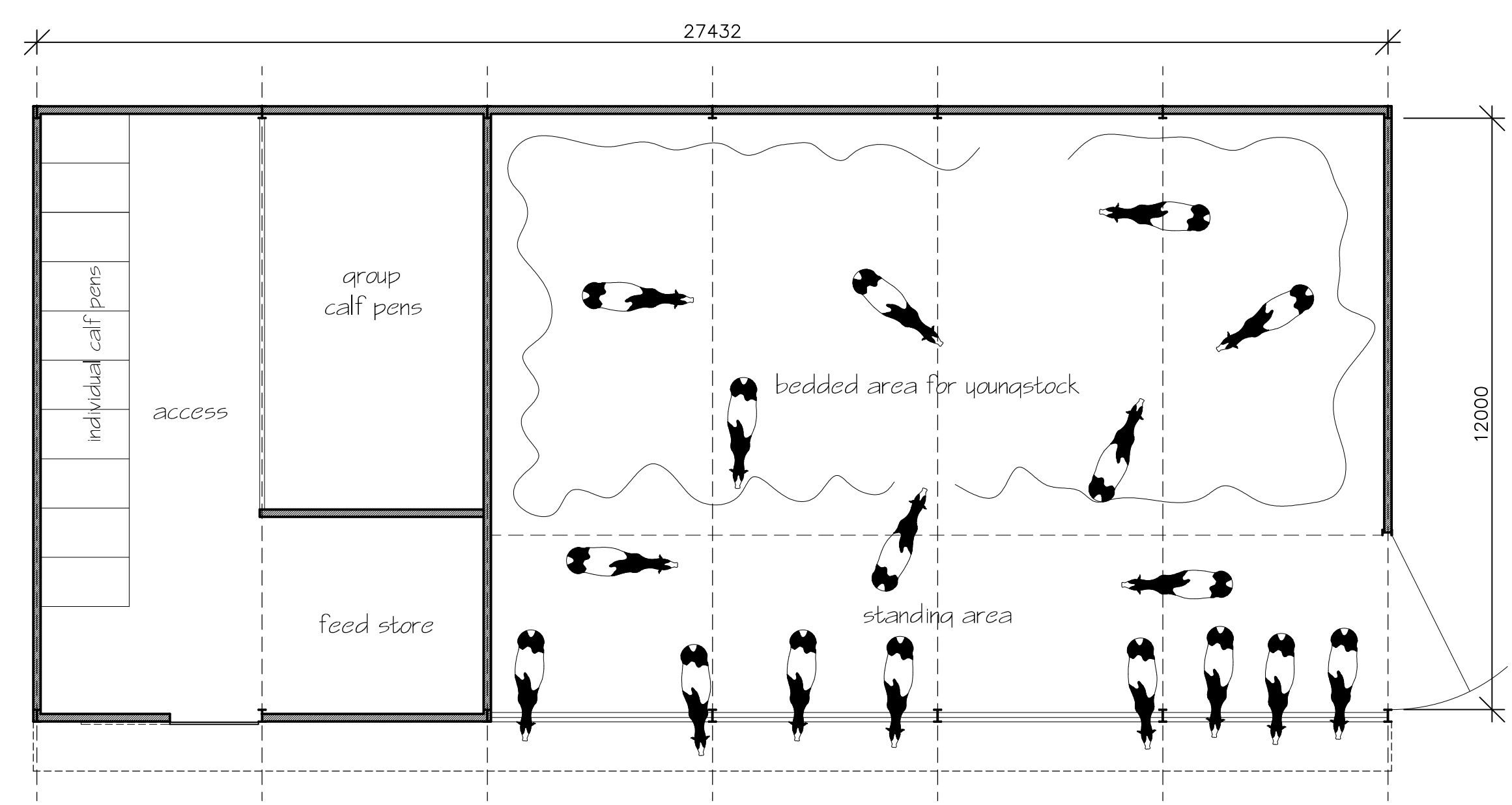
NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



PROPOSED PLAN

Length	27.432m
Width	12.000m
Eaves height	4.200m
Walls	Pre-stressed concrete panels
Cladding	Timber space boarding with gale breaker to feed face
Roof	Coloured fibre cement profiled roof sheeting with 2 rooflights to each bay
Accommodation	10 individual calf pens Feed storage area Loose housing for 60 calves/ dairy youngstock

© Copyright to Acorus Rural Property Services Ltd.

**NOTES**

1. IF IN DOUBT ASK  
2. WRITTEN DIMENSIONS TO BE USED ONLY  
3. THIS DRAWING IS CONFIDENTIAL AND REMAINS THE EXCLUSIVE PROPERTY OF ACORUS. DO NOT COPY UNLESS AUTHORISED.

REVISIONS			
No.	Date	Description	Ver.

**acorus**  
rural property services Ltd.

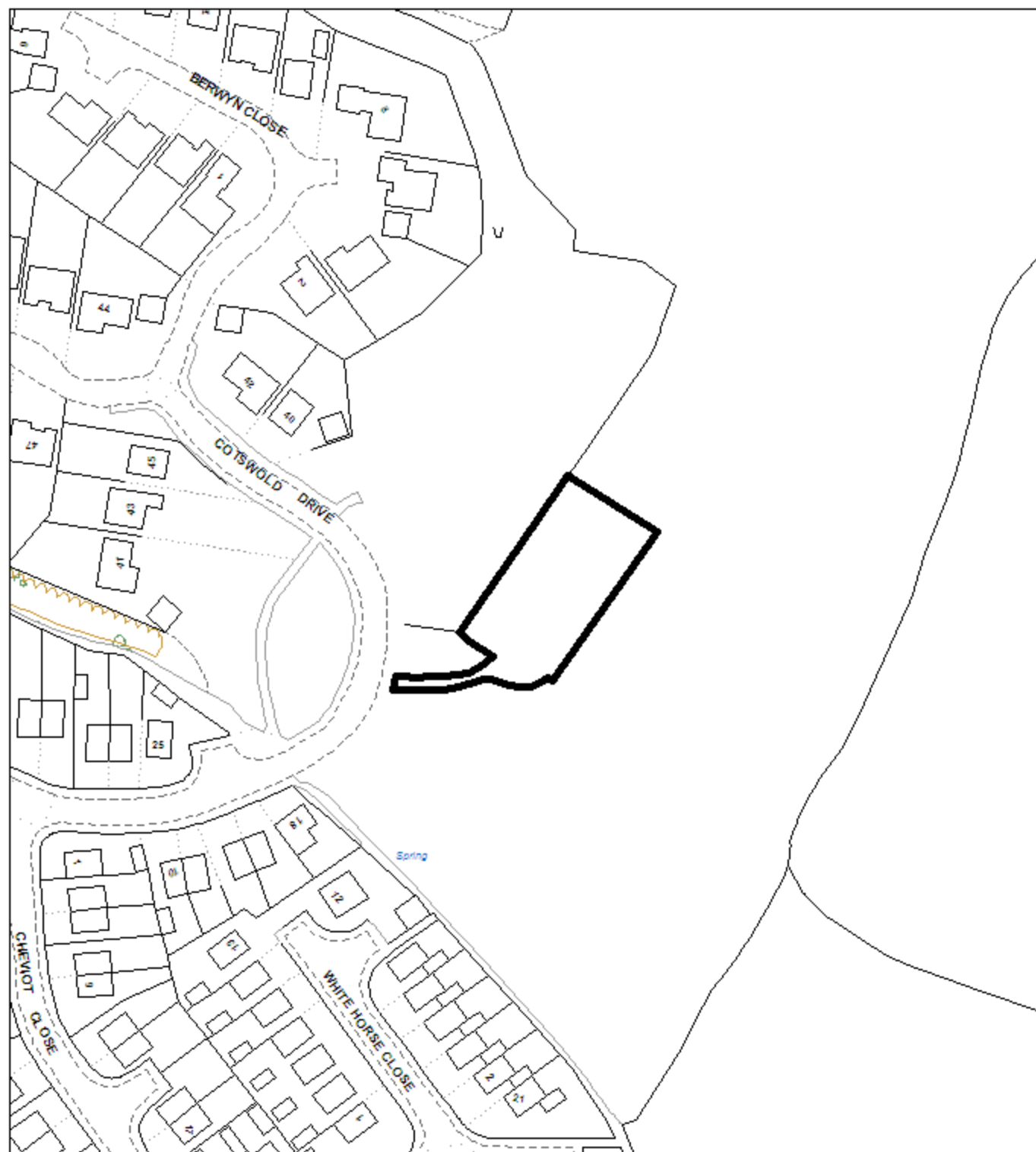
Chartered Surveyors and Planning Consultants  
Penderford House, Penderford Business Park  
Wobaston Road, Wolverhampton, WV9 5AP  
Tel: (01902) 625023

JOB TITLE		
PROPOSED DAIRY UNIT AT WHITEGATE FARM GREATER MANCHESTER		
CLIENT		
MR PATRICK		
DATE	SCALE	
SEPT 13	1:100	
ORIGIN	VERIFIED	
JL	AA	
DRAWING TITLE		
YOUNG STOCK BUILDING		
FILE REF.	DRAWING No.	REV.
	WHITEGATE-PL-04	

Reproduced from the 1992 Ordnance Survey 1:2500 with permission of the controller of Her Majesty's Stationery Office. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution. Licence No. 100038465

Application No.

**91116/13**



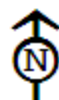
Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 91116/13**

**Type of Application: Full Planning Application**  
**Registration Date: 12/12/2013**  
**Decision Due By: 05/02/2014**  
**Responsible Officer: Helen Williams**

**Location: LAND AT COTSWOLD DRIVE, HORWICH, BOLTON, BL6 7DE**

**Proposal:** ERECTION OF PORTAL-FRAMED BUILDING FOR HOUSING LIVESTOCK, STORAGE OF FEED AND AGRICULTURAL EQUIPMENT AND STABLING OF HORSES; CONSTRUCTION OF 20M X20M MANEGE; REMOVAL OF EXISTING TIMBER BUILDINGS

**Ward: Horwich North East**

**Applicant: Mr K Gaskell**  
**Agent : Mr S Wilson**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Proposal**

Permission is sought for the removal of the existing timber buildings on the site, followed by the erection of a new building to house the applicant's livestock, feed and agricultural equipment. Permission is also sought for the erection of a 20 metre by 20 metre sand manege to the rear of the proposed building.

The proposed building will measure 13.716 metres wide by 9.144 metres deep and will be 3.1 metres to the eaves and 4.1 metres to the ridge. It will be timber boarded with a concrete plinth and the roof will be constructed from metal profile sheeting. It is intended that the building will provide better facilities for the applicant's two horses and 14 sheep together with areas for the storage of feed and any equipment and material used on the site.

The proposed sand manege is to be sited to the rear of the proposed building and existing earth bund. The manege will be at a higher ground level than the proposed building by approximately 2.3 metres, which reflects the existing topography of the site, it will however be at a lower level than the bund. It will be surrounded by 1.35 metre high timber post and rail fencing.

The existing track to the stables is proposed to be extended to the east to also serve the manege.

The site will continue to be used solely by the applicant and their family; it is not proposed to be a commercial operation.

### **Site Characteristics**

Planning permission was granted in 2006 for the stables at the application site and an access track leading to these. Three stables, a hay/straw store, and a shelter for the applicant's sheep have been erected within the yard area, but these have not been constructed in accordance with the approved plans (the siting/layout of the buildings differ). The buildings are constructed of timber cladding and have green metal sheeting roofs. The yard area is bordered to the north and east by grassed earth bunds.

The part of the field to the immediate north of the existing buildings, where the manege is proposed, is at a higher ground level than the buildings and yard area. The existing yard area was formed (excavated) into the hillside and the bunds constructed around it. The application site rises in level to the north.

The western boundary of the application site comprises timber post and rail fencing and tall hedges/trees.

The field surrounding the application site to the south, east and north is owned by the applicant and is used for grazing.

The application site is located within Green Belt.

To the south of the applicant's field are houses on Whitehorse Close and Cotswold Drive and to the west are the houses on Berwyn Close and again on Cotswold Drive. These houses are not sited within Green Belt. The application site is therefore at the edge of a wider Green Belt area to the north of Horwich.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1.1 Rural Biodiversity, CG1.5 Flood Risk; CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.

Saved UDP Policies: G2 Green Belt.

PCPN28 Equestrian Development.

### **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 purposes and openness of the Green Belt
- \* impact on the character and appearance of the area
- \* impact on the amenity of neighbouring residents
- \* impact on biodiversity
- \* impact on the highway
- \* impact on drainage and the risk of flooding

#### Impact on the Purposes and Openness of the Green Belt

Saved UDP Policy G2 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] (i) agriculture and forestry and (ii) essential facilities for outdoor sport and recreation. The NPPF (in paragraph 89) now refers to "appropriate" facilities for outdoor sport and recreation instead of "essential" facilities. Policy G2 continues that in all cases development should not prejudice the purposes and visual amenities of the Green Belt by reason of its scale, design and siting.

The proposed new building will accommodate three stables, the applicant's sheep, feed and agricultural equipment. It is to replace three existing stables on the site, a hay/straw store and an animal shelter. The development will be solely for the use of the applicant and their family; it is not proposed to be a commercial enterprise (this will be conditioned). It is considered that the proposed use of the building would be appropriate for its Green Belt location.

The proposed building will be larger than the buildings it will replace, in terms of its footprint, its massing and its height. The building will still be contained within the existing yard area, and confined within the earth bunds. The new building will be 3.1 metres in height to the eaves and 4.1 metres in height to the ridge, whereas the existing buildings are 2.7 metres to their eaves and 3.05 metres to their ridge. The applicant has stated that they require a larger building to provide improved and more secure facilities for their livestock and equipment, under one roof (their equipment is currently left outside within the site confines). The increase in height is required to accommodate the taller pieces of equipment that need to be stored under cover (such as their small tractor). The applicant has argued that the proposed building is of a standard height for a farm building and that the pitch of the roof is low at 11 degrees. It is considered that the size of the building is "appropriate" for its proposed use.

It is considered that the proposed new building would not significantly harm the openness of the Green Belt any more than the existing buildings, given that it will be contained within the existing confines of the yard area (the already developed area) and will be less than 1 metre taller at its ridge (which will be central to the site) than the existing buildings.

The manege is also a proposed use and structure that is considered to be appropriate development within the Green Belt (an appropriate facility for outdoor sport and recreation). The size of the manege is less than those normally sought permission for (20 metres by 20 metres instead of 40 metre by 20 metres). The manege has purposely been sited adjacent and to the rear of the proposed building to lessen the extent of the developed area of the site.

It is therefore considered that the proposed building and manege would not jeopardise

the purposes of the Green Belt or would not harm the openness of the Green Belt in this location, compliant with saved UDP Policy G2.

#### 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, require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure and landscape treatment, and will maintain and respect the landscape character of the surrounding countryside and its distinctiveness. Policy OA1 relates 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 ensure that new development does not harm the landscape setting and protects views from public areas to the surrounding landscape.

As described above, the proposed new building will replace the existing buildings on the site and will be sited within the confines of the existing yard area, however the building will cover a larger footprint than the existing buildings and will be marginally taller.

The building will inevitably be more noticeable from outside the site due to its increase in scale. The grassed earth bund along the eastern boundary of the yard will however screen the building to some extent from views from the south and east. It is suggested that additional landscaping is planted to the south and south east of the proposed building to further screen the building (and the extended track) from outside views; this is proposed to be secured via a landscaping condition.

The building is proposed to be constructed from timber cladding on a concrete plinth and will have metal profile roof sheeting. The timber cladding will help give the building a more agricultural appearance. It is recommended that the metal sheeting for the roof is coloured green (similar to the roof material of the existing building), to help the building better blend in to its setting.

The proposed manege is to be sited behind the building and will be surrounded by 1.35 metre high timber post and rail fencing. No lighting is proposed for the manege and accordingly it is not considered to be visually intrusive in its setting.

The proposed development will not be visible from outside the site to the west given the existing landscaping along the western boundary.

It is considered that the proposed development would not harm the character and appearance of the area, especially if further vegetation is planted around the site to further screen the building. It is therefore considered that the proposal is compliant 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, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution.

#### *Privacy*

Local residents have raised concerns about the proposed building being too close to neighbouring dwellings and about users of the manege being able to see into



neighbouring houses and gardens. The front of the proposed building will be approximately 53 metres from the side of 18 Cotswold Drive and approximately 59 metres from the rear of 12 Whitehorse Close (the two nearest dwellings to the south). The proposed manege will be approximately 67 metres and 73 metres from the same properties respectively. Given the distances involved it is not considered that the proposed development would unduly affect the privacy or outlook of neighbouring properties. The development will be screened from neighbouring residents to the west by existing vegetation.

#### *Waste, smells, flies and vermin*

Waste ("muck") is to be stored in bins to the front of the proposed building, as it currently is. The applicant has confirmed that the bins are to be removed from the site on a weekly basis. The new building will allow for feed, hay and equipment to be stored within the building, which should reduce the chance of flies and vermin at the site. Suitable conditions are also recommended to ensure that the manure is adequately stored and that no waste, manure or used bedding is burnt on the site.

#### *Noise from the applicant's livestock*

The site already accommodates the applicant's livestock. The proposed building should provide better insulated accommodation for these animals.

#### *Sand manege*

Local residents have raised concern about using sand for the manege, citing that it could cause light pollution and could be easily blown into gardens and homes. It is not believed that sand is reflective enough to create a light nuisance. The manege is approximately 70 metres away from the neighbouring residents and therefore it is considered that any wind blown sand is unlikely to be a problem.

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

#### Impact on Biodiversity

Policy CG1.1 of the Core Strategy states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows.

An established hedgerow borders the application site to the west. The Council's Wildlife Liaison Officer has requested that this is protected during construction. A condition requesting this is therefore suggested.

It is considered that the proposed development would safeguard biodiversity, compliant with Policy CG1.1 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] servicing arrangements and parking. Policy S1.2 states that the Council will promote road safety in the design of new development.

The Council's Highways Engineers have raised no objection to the proposed development, provided that the development is solely for the pleasure of the applicant. As stated above, a condition restricting the use of the site to the applicant and their family is suggested.

It is considered that the proposed development would not jeopardise highway safety,

compliant with Policies P5 and S1.2 of the Core Strategy.

#### Impact on Drainage and the Risk of 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 not located within an area of flood risk.

The new building is proposed within the existing yard area and the current development already has a drainage system. Rainwater run off from the building is currently collected in two water butts and used for the livestock with any surplus being directed into the existing drainage system. Additional water butts will be used to reduce run off from the new building.

The proposed manege will have herringbone drainage feeding into the existing drainage system.

It is considered that the proposal will minimise water run-off from the site, compliant with Policy CG1.5 of the Core Strategy.

#### Other Matters

The petition of objection refers to the public being no longer able to access the site. There is no public right of way through the applicant's field, only along the rear boundary of the field, behind the houses on Whitehorse Close.

#### **Conclusion**

For the reasons discussed above it is considered that the proposed development would not harm the purposes or openness of the Green Belt, would not harm the character and appearance of the area, would not unduly harm the amenity of neighbouring residents, would safeguard biodiversity, would not jeopardise highway safety, and would minimise surface run-off. Members are therefore recommended to approve this application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** Letters of objection have been received from 11 neighbouring addresses. These letters raise the following concerns:

- \* They do not need a building and manege so large for a hobby. The size of the building is unnecessary and disproportionately large for a non-commercial venture. The size of the manege is unreasonable;
- \* The building represents a significant change in character and over-development of the green belt;
- \* The site was only meant to be a small holding and for a hobby. It has grown larger than this. It is becoming a commercial business;
- \* The ground level for the manege will need to be raised which will block residents' views across the countryside;
- \* The development will be visually intrusive;
- \* Residents' privacy will be compromised as horse riders and those on foot within and around the manege will be able to see into houses and gardens;
- \* A sand base to the manege is not in keeping with the surrounding countryside;
- \* Sand can be a reflective material which can cause additional light pollution;
- \* Sand will be blown into gardens and houses during dry summer months and in windy conditions;
- \* The building looks industrial in appearance. The design, size and materials will have a substantial impact on the appearance of the site converting it to a more commercial development rather than the initial idea of 'local stables';
- \* The building should be of a more temporary nature, not concrete;
- \* The works already carried out are unsightly;
- \* A visible muck pile is unsightly and inappropriate;
- \* Current drainage of the site is inadequate. Further hardsurfacing and roofing will increase run off;
- \* Run off from the site could be contaminated from the muck pile;
- \* The proposed rooflights will cause illumination of the nearby area from the lighting within the building. In winter the countryside will be unpleasantly lit from the building;
- \* No hours of operation have been listed;
- \* Concerns about more vehicles being stored on site;
- \* There will be an increase in flies and smells from the site;
- \* Increased noise from livestock, vehicles and equipment, and the impact of this on neighbouring residents;
- \* Residents already have to put up with cockerels crowing and dogs barking all night;
- \* The number of sheep grazing on the land has significantly increased. They should move to another site rather than being housed on this site;
- \* The applicant has dug a new road and hard area without planning permission. They have ruined the character and appearance of the area;
- \* The land should be reinstated;
- \* The applicant has not abided by their previous planning permission, will he abide by this one?;
- \* Proposed floodlighting (*officer's comments: floodlighting/external lighting is not proposed within this application*).

One letter supports the proposal for the following reasons:

- \* The applicant has transformed the site from a derelict, overgrown and unkempt site (used by dog walkers as a toilet) to an aesthetically pleasant piece of greenery;

- \* The proposal would be totally acceptable for the field and the surrounding area.

**Petitions:-** A petition of objection signed by 16 neighbouring residents has been received (9 of the signatures come from addresses that have sent in letters of objection). This petition objects to the proposal on the following grounds:

- \* Damage to the visual amenity of the land;
- \* The change in character of the land by the proposed manege, building and track;
- \* Changes to the storage of equipment at the site;
- \* Lack of consultation for those who can see the site;
- \* There will be 24 hour noise from the sheep. The noise of sheep already wake residents, along with a cockerel;
- \* The lighting could affect the enjoyment of homes (*officer's comment: no lighting is proposed*);
- \* The public can no longer access the site. It used to provide access to Rivington;
- \* The proposal is for the applicant's own personal pleasure, at a cost to neighbours;
- \* The applicant has flouted planning regulations. They ask for restitution of the unauthorised works;
- \* There is no justification for a large building;
- \* The building is too high, too big and too close to residential properties;
- \* There is no need for the applicant to store trailers and equipment on the site.

**Horwich Town Council:-** Objected to the proposal at their meeting of 23rd January 2014. They felt that the proposal would spoil the appearance and open aspect of the Green Belt. They recognised that planning permission had been granted for the existing buildings, but felt that the new proposal was significantly different. Some Members are reported to have expressed the view that any recommendation should be made on planning grounds and were satisfied that the proposed building was within the existing footprint and that agricultural use was acceptable in the Green Belt.

**Elected Members:-** Cllr. Richard Silvester has objected to the proposal. He has major concerns about the impact on the openness of the Green Belt in this location, especially in relation to the size, scale and dimensions of the proposed building, which he believes will be detrimental on neighbouring properties, particularly those on Whitehorse Close.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers, Wildlife Liaison Officer and Landscape Officers.

### **Planning History**

Planning application 90273/13 for the erection of a portal-framed building for housing livestock, storage of feed and agricultural equipment and the stabling of horses, along with the construction of a 40 metre by 20 metre manege including 6 metre lighting columns and the removal of existing buildings was withdrawn by the applicant in September 2013.

Stables and an access track were approved in June 2006 under application 73997/06.

Application 72848/05 for the erection of stables together with an access track was withdrawn by the applicant in January 2006.

**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 samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.  
  
Reason  
  
To ensure the development reflects local distinctiveness.
3. Prior to the commencement of development a detailed specification for the entrance door hereby approved 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 first brought into use and retained thereafter.  
  
Reason  
  
To ensure the development reflects local distinctiveness.
4. Prior to the commencement of landfilling/landraising operations any topsoil shall be stripped and stored in areas to be first agreed in writing with the Local Planning Authority. The stripping of topsoil shall only be carried out when the soil is in a suitably dry and friable condition.  
  
Reason  
  
To ensure a satisfactory form of development.
5. No demolition, development or stripping of soil shall be started until:
  1. The hedgerows adjacent the site which are to be retained have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
  2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).
  3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.  
Reason  
  
To protect the health and appearance of the hedgerows.
6. 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.

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

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

Reason

To ensure the site is safe for use.

8. The building and manege hereby approved shall be used solely for the private/personal use of the applicant and their family and shall not be used for any business or commercial purposes.

Reason

In the view of the personal circumstances of the applicant and in the light of the assurances given as to how the development applied for will be carried out.

9. The storage of stable manure and bedding shall be sited so as not to cause odour or other problems to residents in the area.

Reason

To minimise the impact of odour on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area.

10. No waste materials, manure or used bedding shall be burnt on the site.

Reason

For avoidance of doubt.

11. There shall be no open storage of equestrian equipment within the confines of the application site.

Reason

To safeguard the visual appearance and character of the area.

12. There shall be no external lighting to the manege, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To safeguard the amenity and character of the area and to safeguard the living conditions of nearby residents by reason of light and noise disturbance.

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

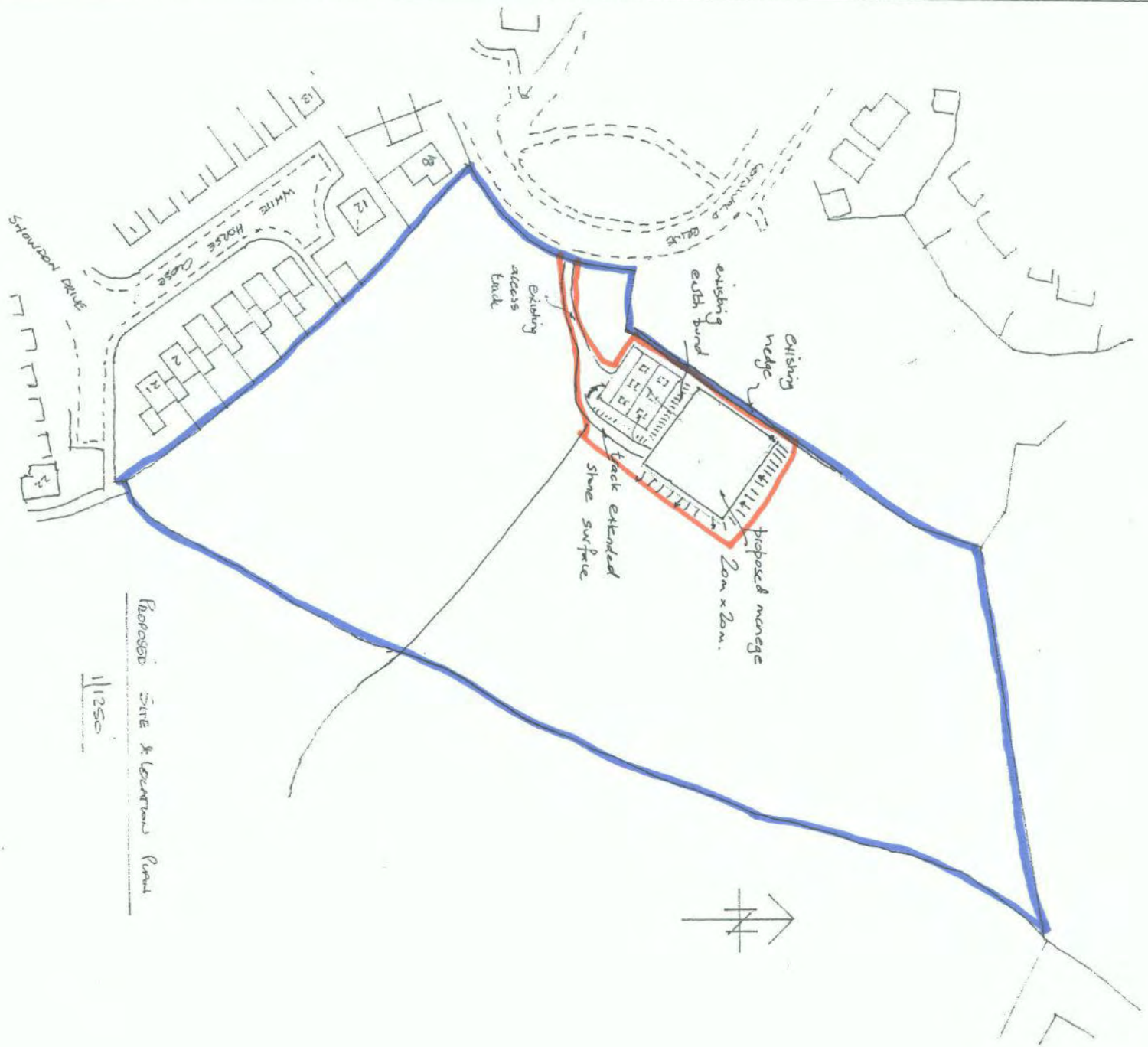
2A of 4 (Rev. A); "Elevations of Proposed Building"; dated June 2013

3B of 4 (Rev. B); "Manege"; dated June 2013

4A of 4 (Rev. A); "Proposed Site and Location Plan"; dated June 2013

Reason

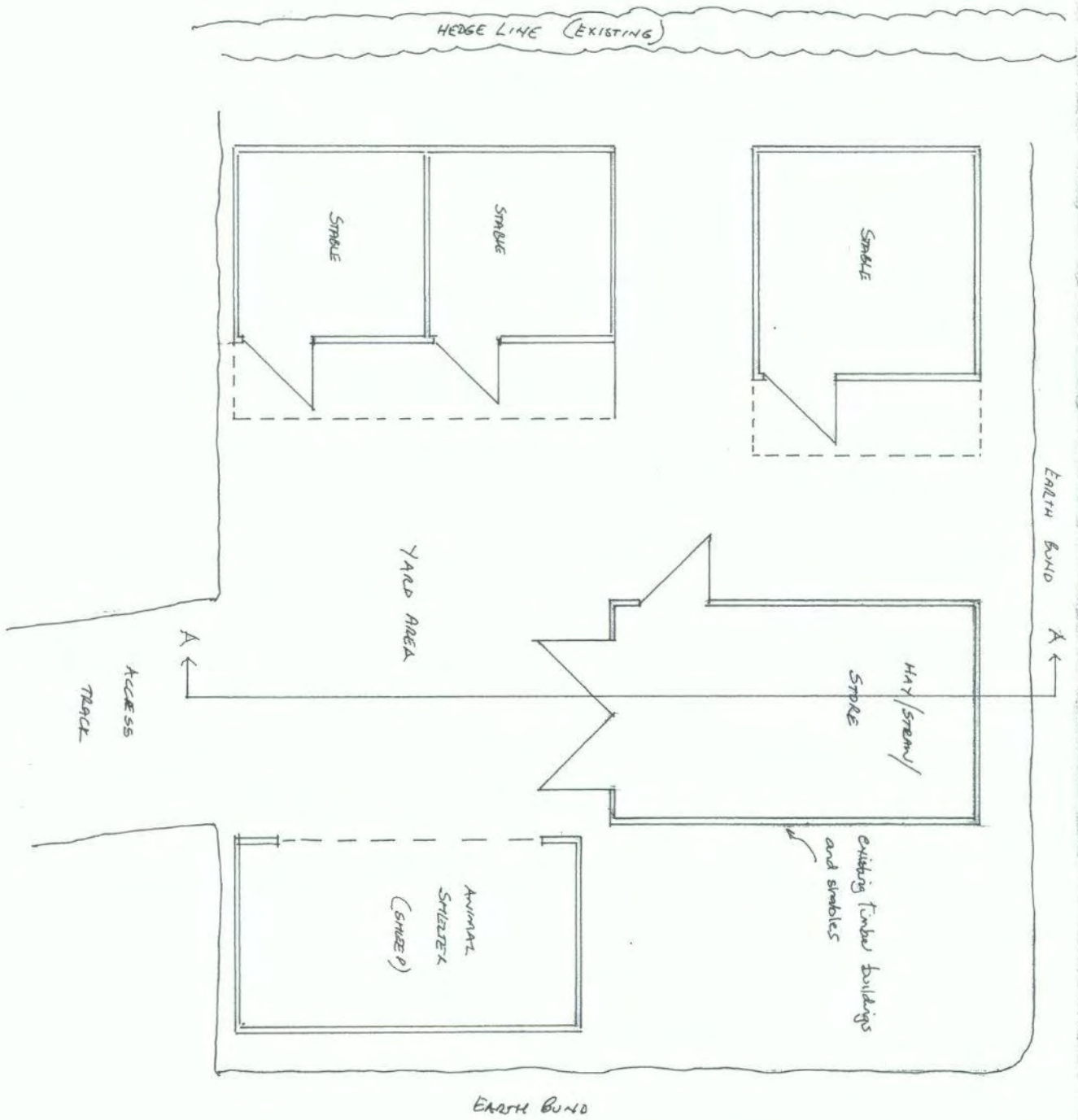
For the avoidance of doubt and in the interests of proper planning.



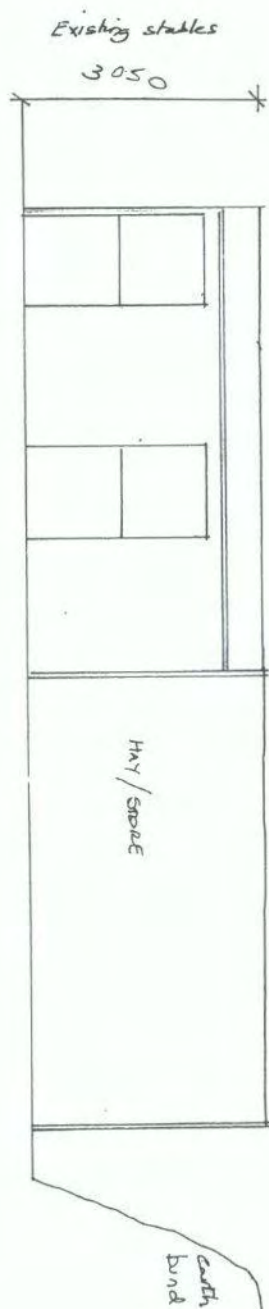
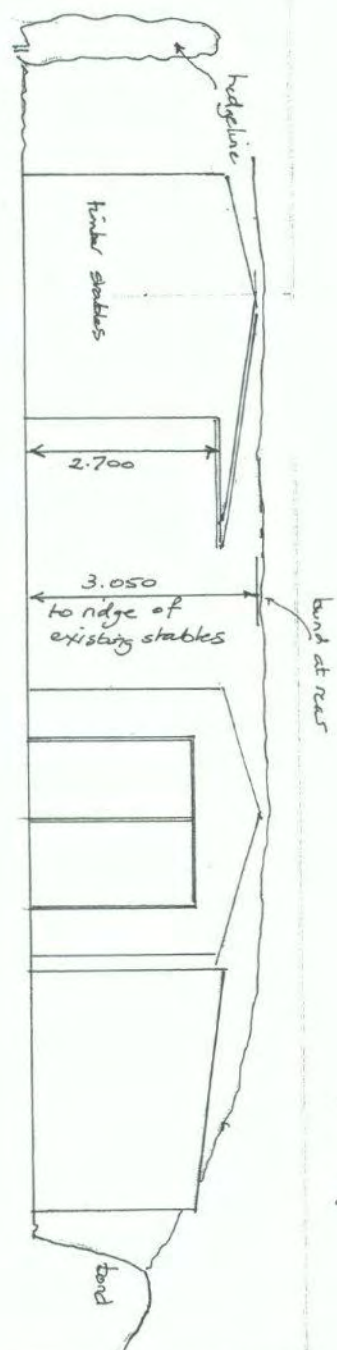
00113 Rev. A. Manx related, added in site

Proposed building, manege and associated works Land at Cotswold Drive, Horwich, Bolton for Mr & Mrs M. Gaskell			DEVELOPMENT REF: 100113	~ 2 DEC 2013
Scale - as shown	Drawn - June 2013	Dwg no 4 <sup>A</sup> of 4		





Plan of existing stables & buildings 1/100



Section A-A 1/100

BC FOR COUNCIL  
DEVELOPMENT SERVICES  
HITCHIN  
2 DEC 2013

Existing Site Plan of buildings, equipment & section

Proposed building, manege and associated works  
Land at Cotswold Drive,  
Howich, Bolton

for Mr & Mrs K. Gaskell

Scale - as shown Drawn - June 2013 Dwg no 1 of 4

Rev A Oct 13 HEIGHT OF EXISTING STABLES AREA

Proposed



45' (13.716)

earth bund

internal partitions/layout to be determined later

Rug

20' (6.144)

earth bund

TRUCK PARKING

HARDSPACING

door

portal frame structure

MAJOR RILE (to be removed on a regular basis)

surplus  
but drainage to  
existing -

RAISED RAMP 1:100

05 JUL 2013

metal profile roof sheeting with rooflights

concrete or concrete block  
pitch walls

RAISED RAMP ELEVATION (NE)

proposed  
per

roof to incorporate rooflights

metal profile sheeting to roof

walls - treated timber  
slabbing

concrete (or concrete block)  
pitch walls

FRONT ELEVATION (SW)

to right

4.100 m

3.100 m

SIDE ELEVATION (SE.)

treated timber boarding

SIDE ELEVATION (NW)

PLAN & ELEVATIONS OF PROPOSED BUILDINGS 1:100

Proposed building, manage and associated works  
Land at Cotswold Drive,  
Horwich, Bolton

for Mr & Mrs K. Gaskell

- 2 DEC 2013

Scale - as shown

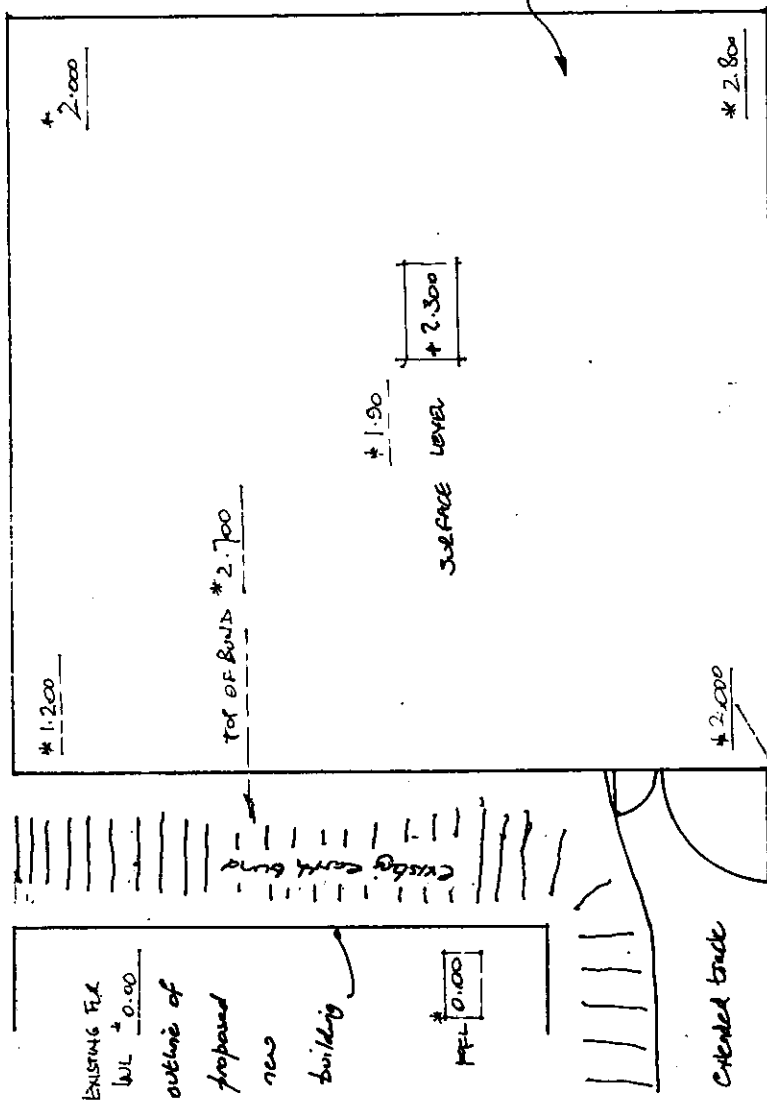
Drawn - June 2013

Dwg no 24 of 44

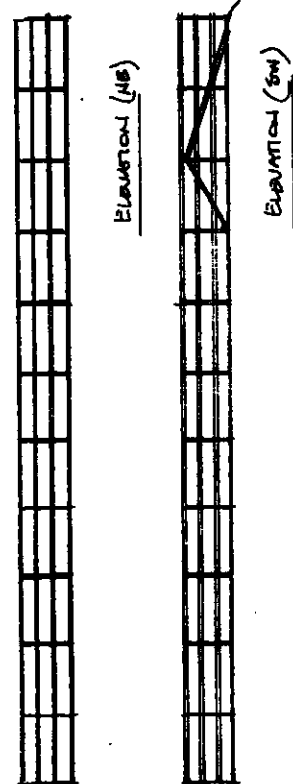
Rev A - heights added 21/7/13

existing hedge line

Plan



Plan



Scale 1/200

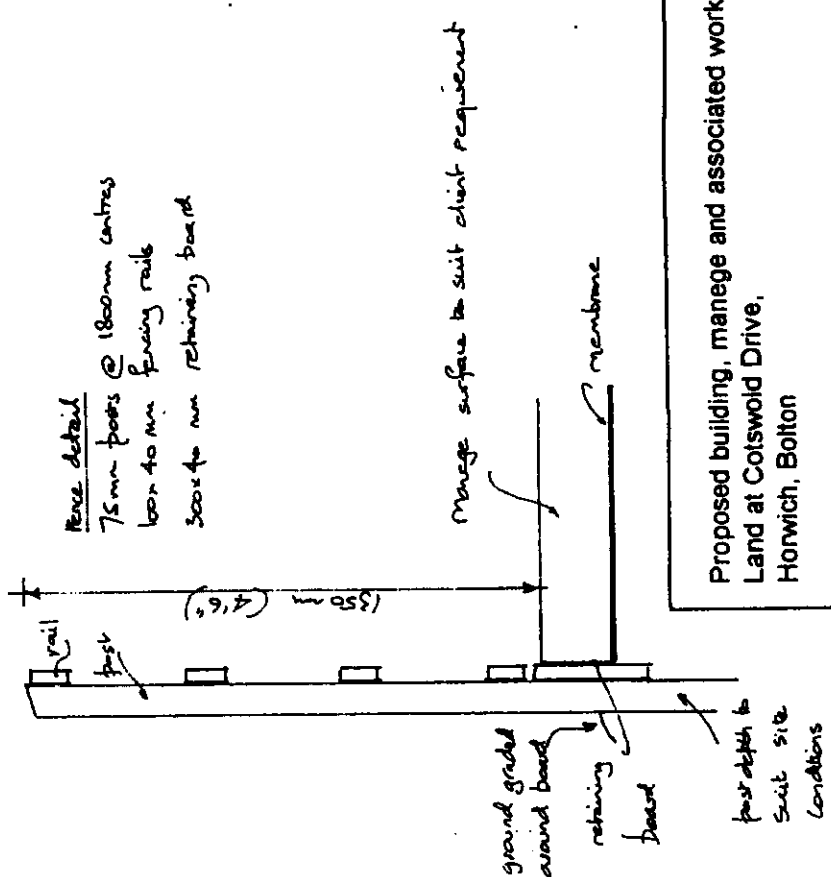
overall size of manure  
20m x 20m

EXISTING LEVELS SHOWN \* 1.20

PROPOSED LEVELS SHOWN \*\*

ELEVATION (m)

DEVELOPMENT REGISTRATION  
22 JAN 2014



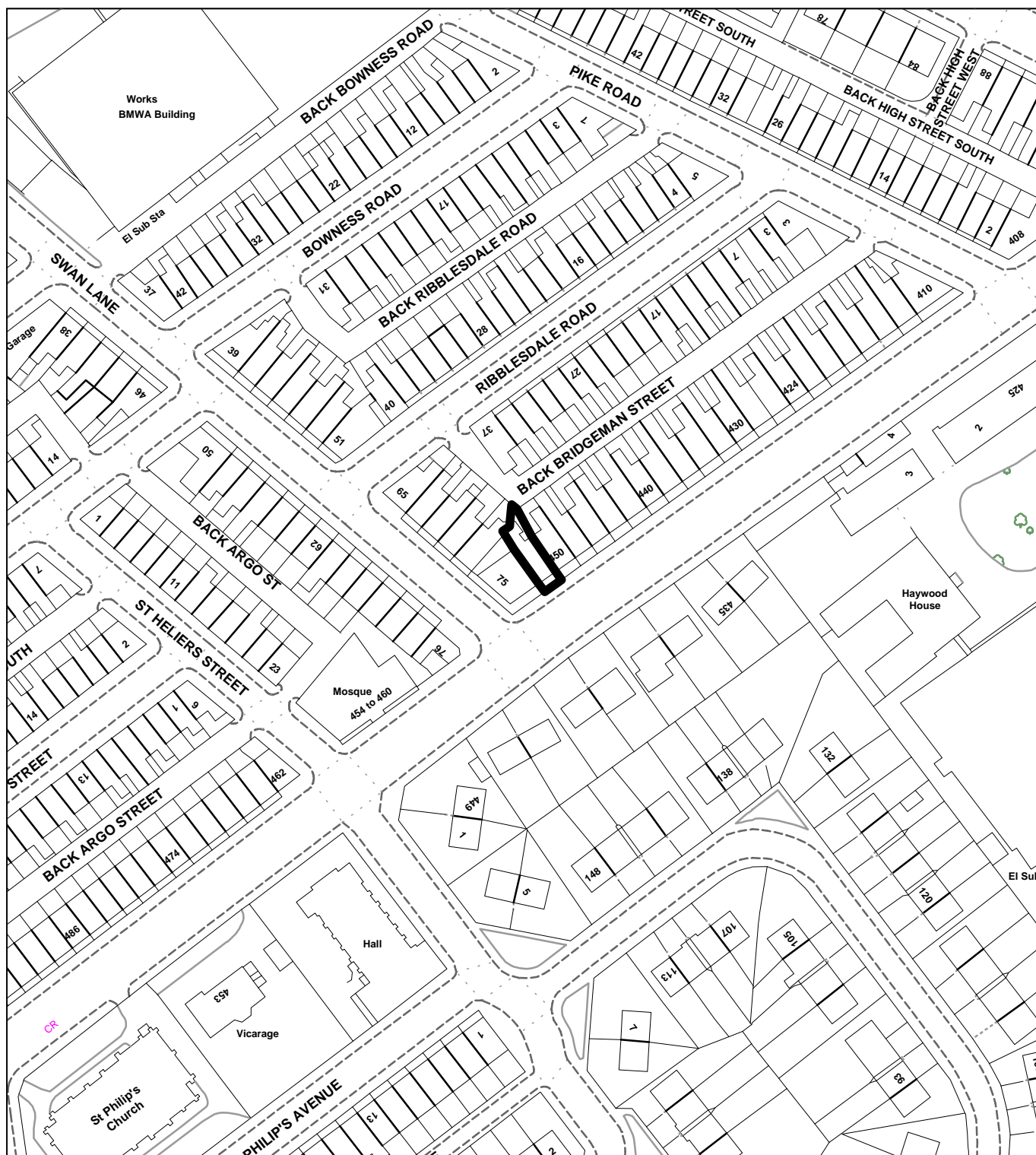
Proposed building, manure and associated works  
Land at Cotswold Drive,  
Horwich, Bolton  
for Mr & Mrs K. Gaskell

Scale - as shown  
Drawn - June 2013  
Dwg no 3 of 4

REV 14 LENSES ADDED  
OCT 13 MANURE RELOCATED  
REV. A. MANURE REDUCED LIGHTNING CORROSION

Application No.

91123/13



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office© Crown Copyright.  
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389

11



**Date of Meeting: 06/03/2014**

**Application Reference: 91123/13**

**Type of Application: Full Planning Application**  
**Registration Date: 02/12/2013**  
**Decision Due By: 26/01/2014**  
**Responsible Officer: Alex Allen**

**Location: 452 BRIDGEMAN STREET, BOLTON, BL3 6TD**

**Proposal: ERECTION OF GROUND FLOOR EXTENSION AND DORMER AT REAR**

**Ward: Rumworth**

**Applicant: Mr Adam**

**Agent : Mr Musa**

### **Officers Report**

**Recommendation: Refuse**

#### **Proposal**

The applicant proposes the erection of a single storey rear extension and a rear dormer. The proposed single storey rear extension would cover the majority of the existing rear yard area resulting in a retained rear yard of 2.71 square metres. The proposed extension would be integrated into the existing two storey rear outrigger which exists and would create an enlarged kitchen area.

The proposed single storey extension would project a total of 5.85 metres from the original main rear elevation of the property with a mono pitched roof to a height to eaves of 2.6 metres and ridge height of 3.59 metres.

The proposed dormer extension would take up the majority of the width of the rear roof plane (4.85 metres) and be to a depth of 2.396 metres, slightly inset from the existing eaves line of the rear elevation.

The applicant has been requested to reduce the scale of the proposed extension to 4 metres, thereby ensuring the proposal conformed with policy. The applicant has declined this request.

#### **Site Characteristics**

The application relates to terraced property located close to the corner of Bridgeman Street and Swan Lane. All the properties are traditional pre war two storey properties with large two storey outriggers which project into the rear yard. Rear access to the property is gained from Back Bridgeman Street.

#### **Policy**

National Planning Policy Framework 2012

Bolton's Core Strategy: - CG3 The Built Environment, CG4 Compatible Uses and RA1 Inner Bolton.

Planning Control Policy Note:-  
No. 2 Space around Dwellings

Supplementary Planning Guidance - House Extensions (2012)

### **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 adjacent properties
- \* impact on the character and appearance of the area

### **Impact on the adjacent properties**

Each element of the proposed extensions will be considered in turn:

### **Single storey rear extension**

Supplementary Planning Document - House Extensions states that rear single extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be permitted. Paragraph 4.21 of the House Extension SPD clearly states:

*'Single storey extensions longer than 4 metres may be acceptable if the space remaining at the end of the yard would be unusable or if the impact on the neighbour would be limited by screening - for example, where there is an existing extension which the proposal would abut in the adjacent dwelling.'*

The purpose of the above is to ensure that neighbouring properties are not unduly affected in terms of their living conditions by reason of being overshadowed by any development to a degree where reasonable outlook would be lost.

The Council has taken the view that applications to extend such properties need to be considered more sympathetically. These principles may also be applied to more modern terraced and town houses which, by reason of style and fashion at the time they were built, also offer very limited accommodation to meet growing demands for home owners.

The only property which would be affected by the proposed single storey rear extension would be No. 450 Bridgeman Street, which has a dining room window which is directly

adjacent to the shared boundary. A dining room is considered to be a main room window. The proposal, if constructed would result in the view out of their rear window being significantly compromised effectively creating a tunnel effect and resulting in a further reduction in the amount of natural light being received in this room.

No 450 Bridgeman Street does not have an extension which would effectively screen the current proposal nor is there any significant shared boundary treatment which would effectively screen the proposed extension. The proposal would effectively build over the entire rear yard area which would be above the policy guidelines laid out above and result in significant harm to the living conditions of No. 450 Bridgeman Street.

### **Proposed dormer**

Due to the siting of the proposed dormer, it would overlook the back street and not overlook any of the main room windows in the adjoining properties. This element of the proposal would respect the living conditions of adjoining uses.

For the reasons outlined above when assessed as a whole, the proposal would not comply with policy.

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

The NPPF in paragraph 56 states "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."

Bolton's Core Strategy (2011) policies CG3.2 and CG3.3 require proposals to respect and enhance local distinctiveness, and be compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment, including hard/soft landscaping and boundary treatment. Policy RA1 refers specifically to developments in Inner Bolton and ensuring new development proposals are compatible with the area, in terms of massing, materials, street scaping, good urban design. (RA1.12 and RA1.13)

Supplementary Planning Document - House Extensions states that a well designed extension should be subordinate in relation to the dwelling and should be of a size and scale which is in proportion to the existing house.

Whilst the overall design of the proposed extension is subordinate to the scale and design of the original dwelling house the proposal would effectively remove any usable private amenity space within the rear yard area. The proposal would also result in only c. 2.7 sq. metres of yard area remaining some of which, due to it's shape would render it unusable. When consideration is taken for the requirements for bin storage, retention of access to the rear of the property and requirements for private amenity space, the proposed retained rear yard would be inadequate and is an indicator that the overall property and it's curtilage is being overdeveloped.

It is noted that there have been a number of extensions within the locality which have involved development over some of the original rear yard areas. These extensions have retained a more substantial yard area and also pre dated the current House Extension SPD which seeks to allow some development on existing terraced properties and attempts to provide a more restrained policy.

It is considered that the proposal would be an overdevelopment of the existing dwelling and related curtilage to the detriment of the character of the area and resulting in

insufficient private amenity space, areas for bin storage and pedestrian access.

### **Proposed dormer**

Paragraph 3.11 states that dormers on the rear elevation are less prominent and therefore a larger dormer is acceptable with the dormer taking up generally no more than 2/3 rds of the area of the roof plane. The proposed dormer would take up more than the recommended 2/3rds of the original roof plane. However, there are a number of similar sized dormers in the vicinity and also that the dormer is close to being permitted development. If the dormer extension is inset a further 5 centimetres from the eaves of the rear elevation it would be permitted development.

It is considered that the proposed dormer would not compromise the character of the surrounding area.

For the reasons outlined above however, when assessed as a whole, the proposal would not comply with policy.

### **Conclusion**

The proposal would not comply with the guidelines contained in SPD - House Extensions (2012) and would be contrary to Core Strategy policies CG3 and CG4 by reason of overdevelopment and having a significant detrimental impact on the living conditions of No. 450 Bridgeman Street.

Members are therefore recommended to refuse this application.



## **Representations and Consultation Annex**

### **Representations**

**Letters/petitions:-** no representations received.

**Elected Members:-** Cllr Ibrahim has requested that the application be brought to Planning Committee for determination.

### **Consultations**

None relevant

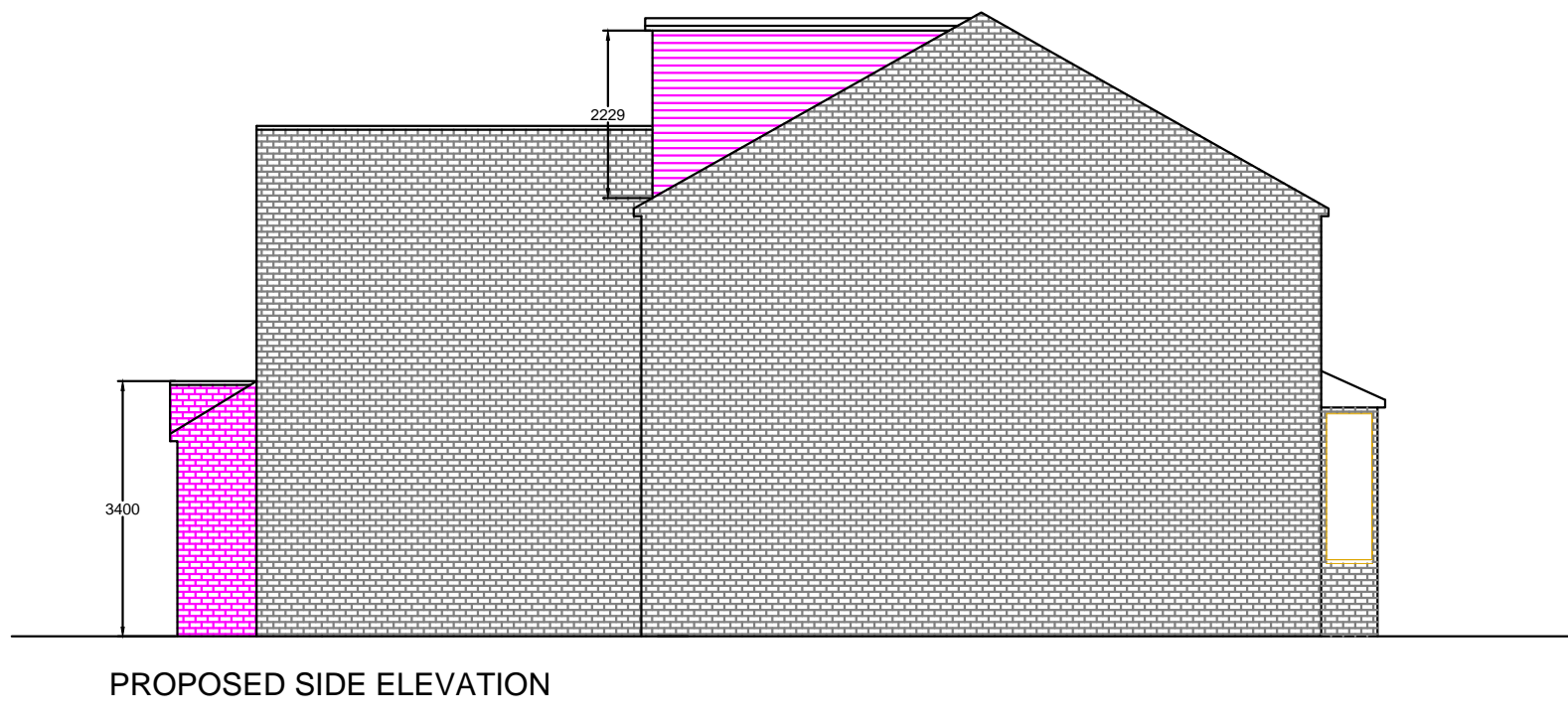
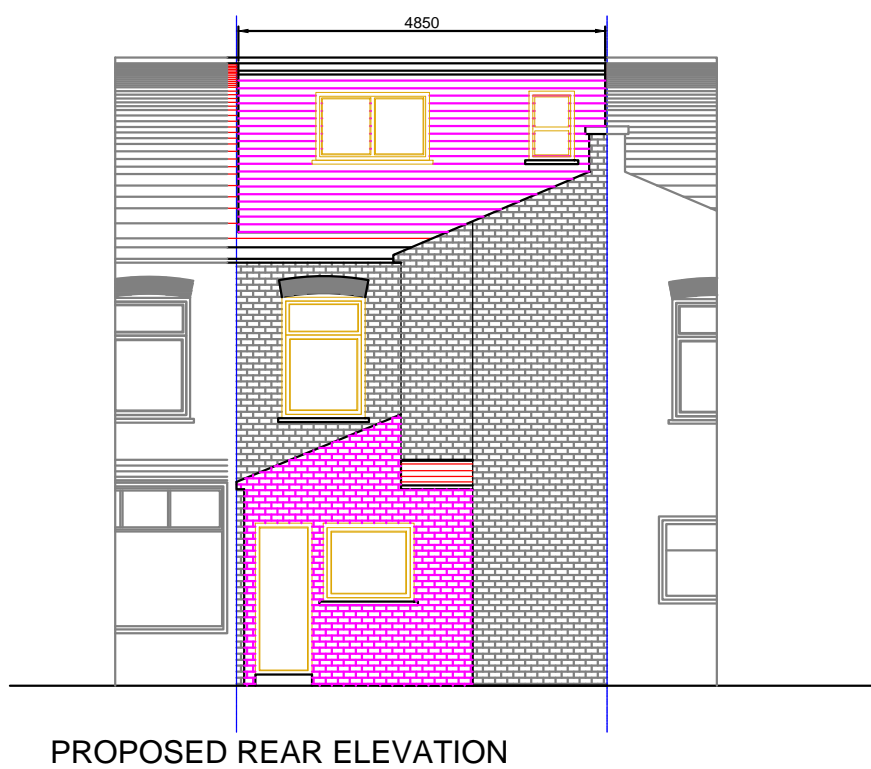
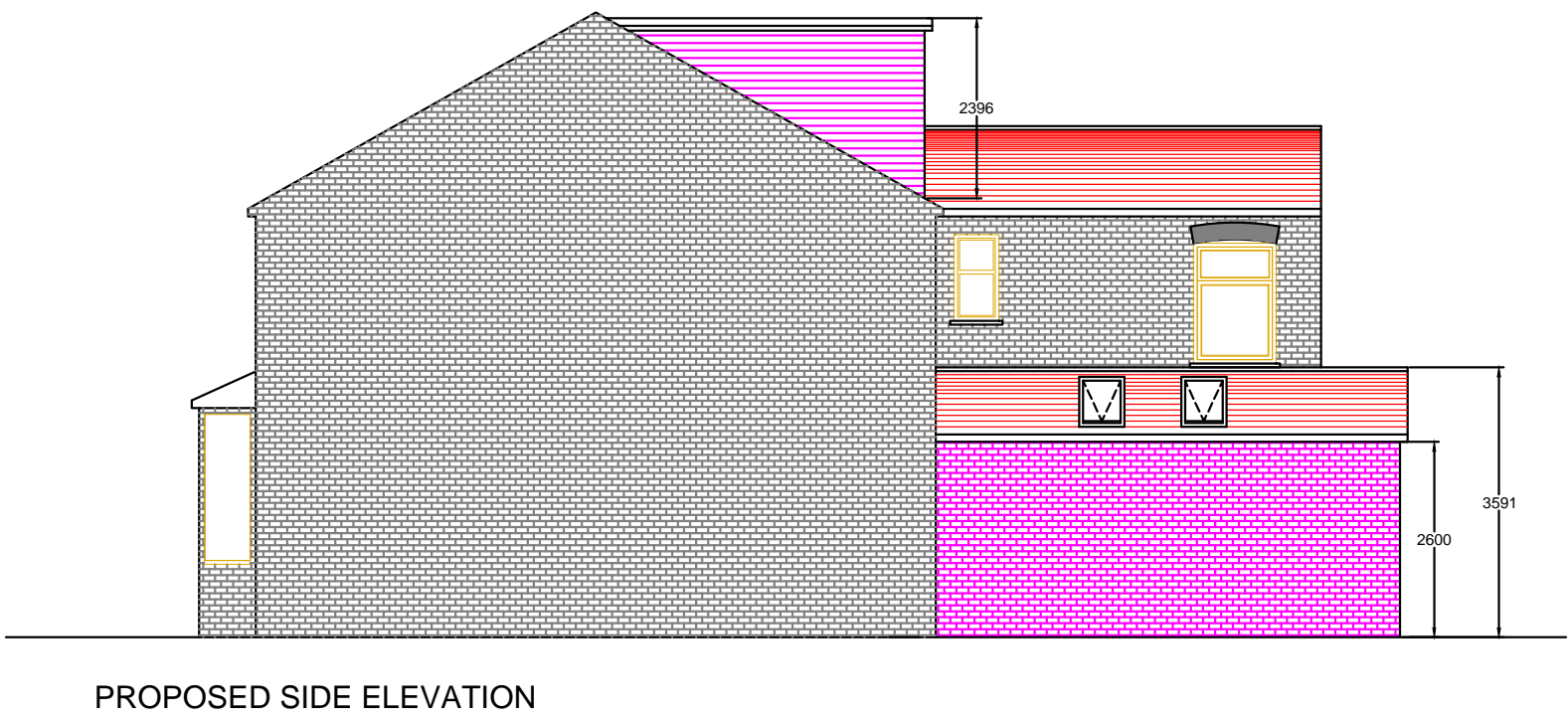
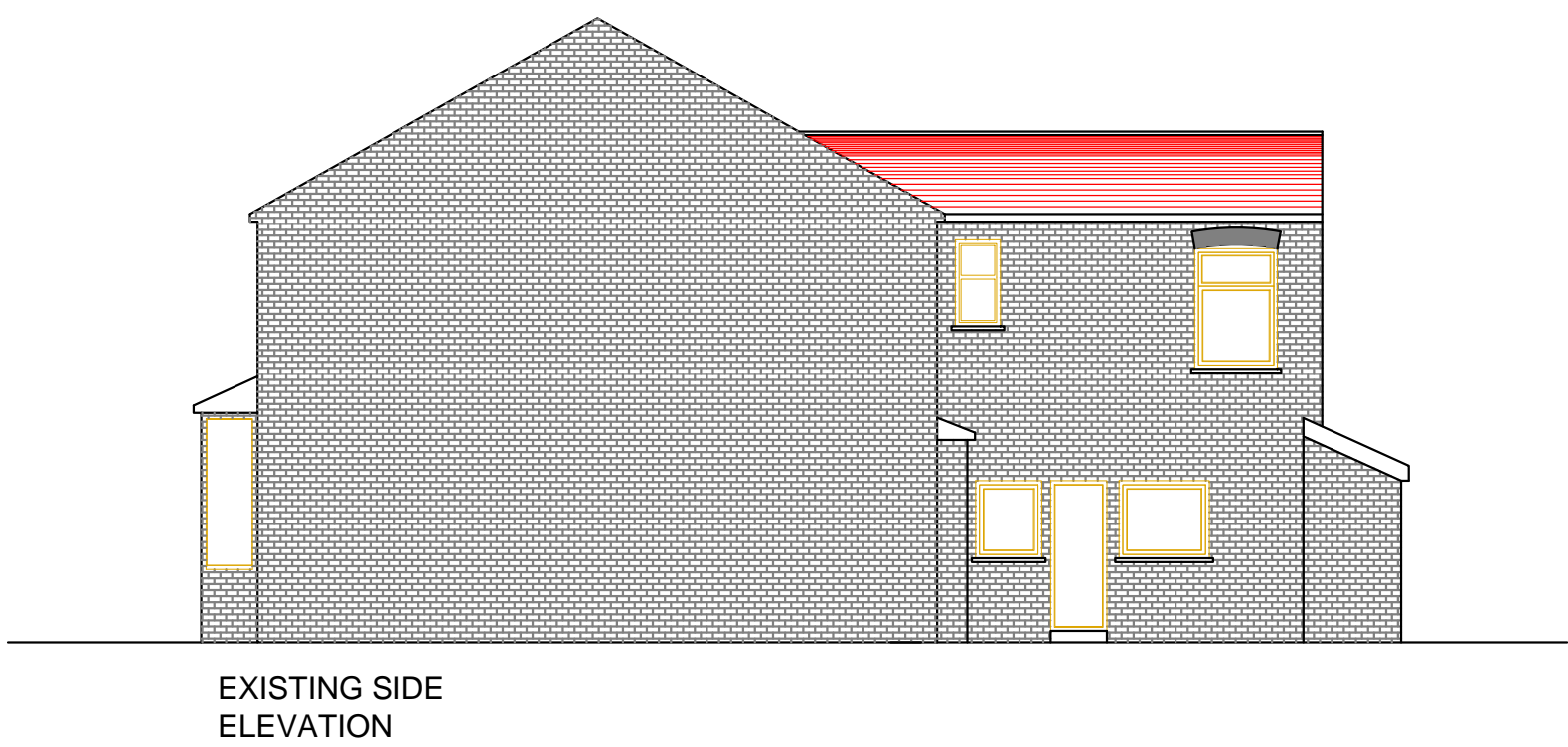
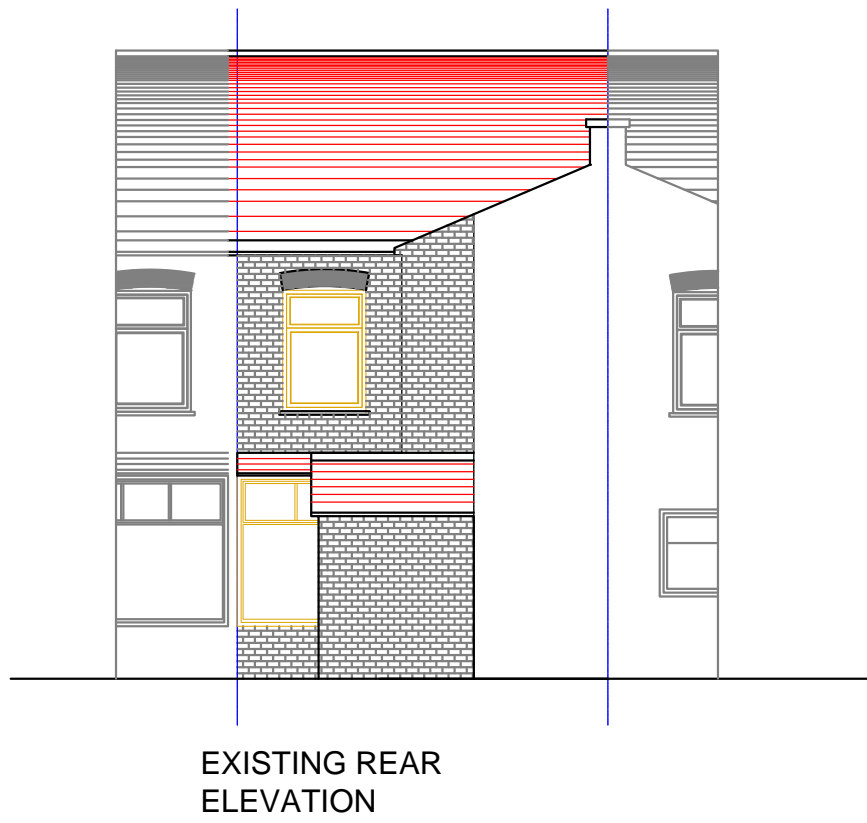
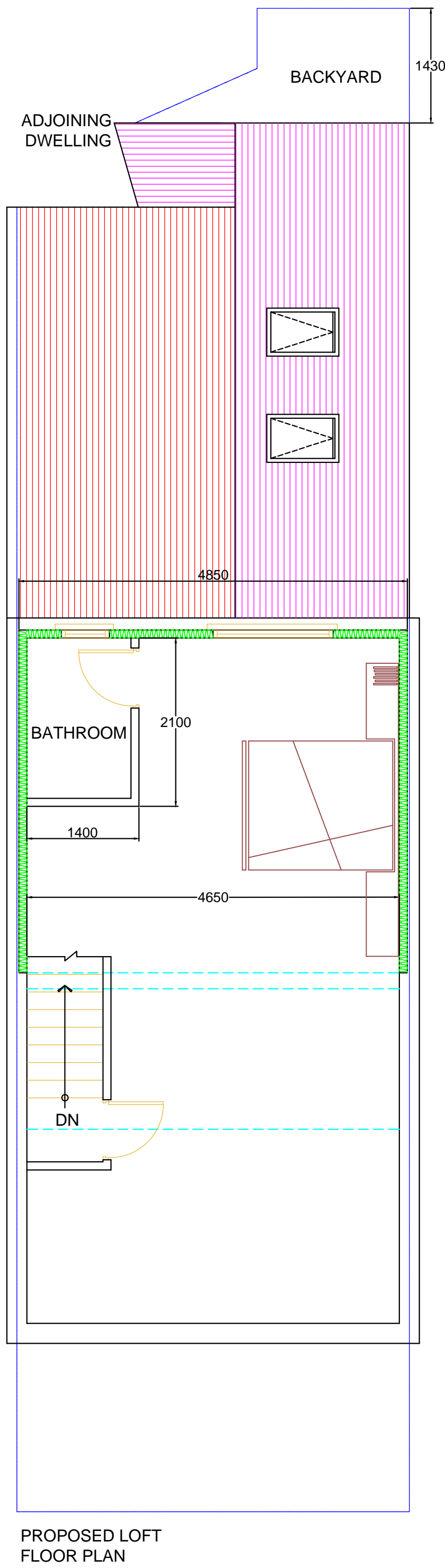
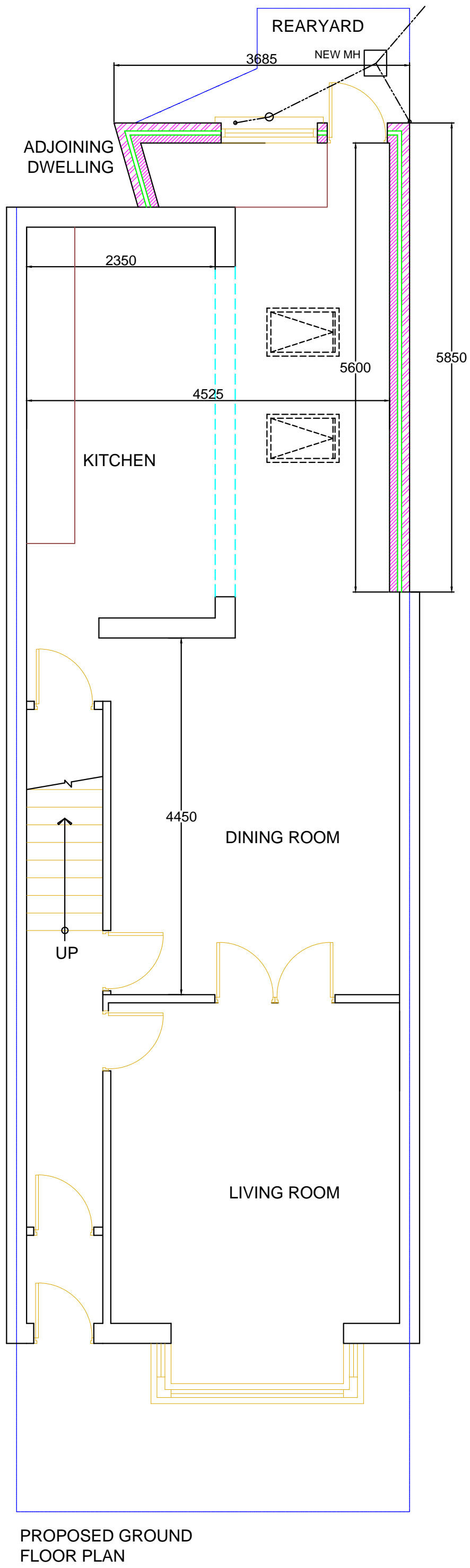
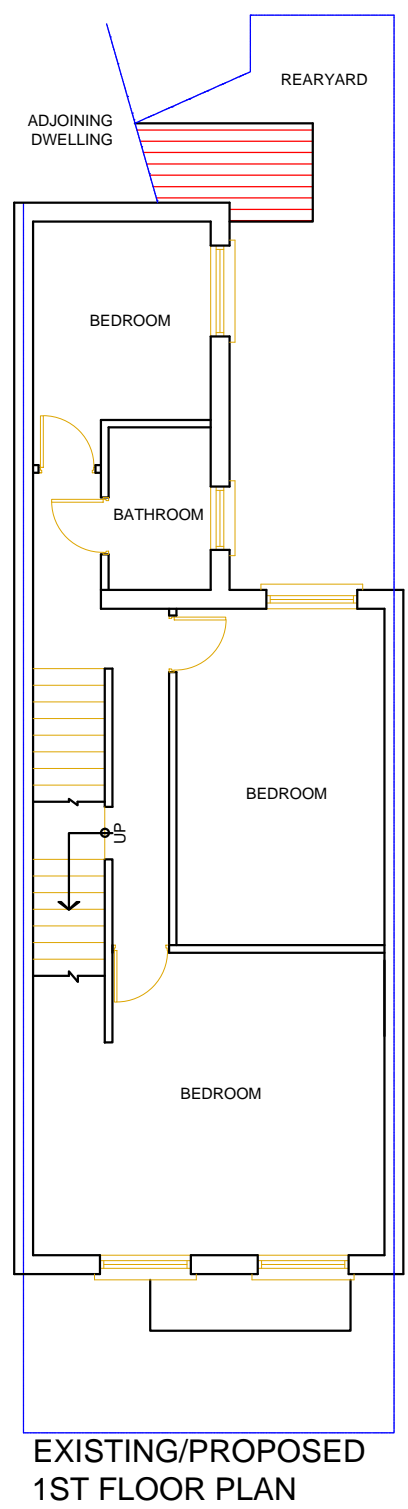
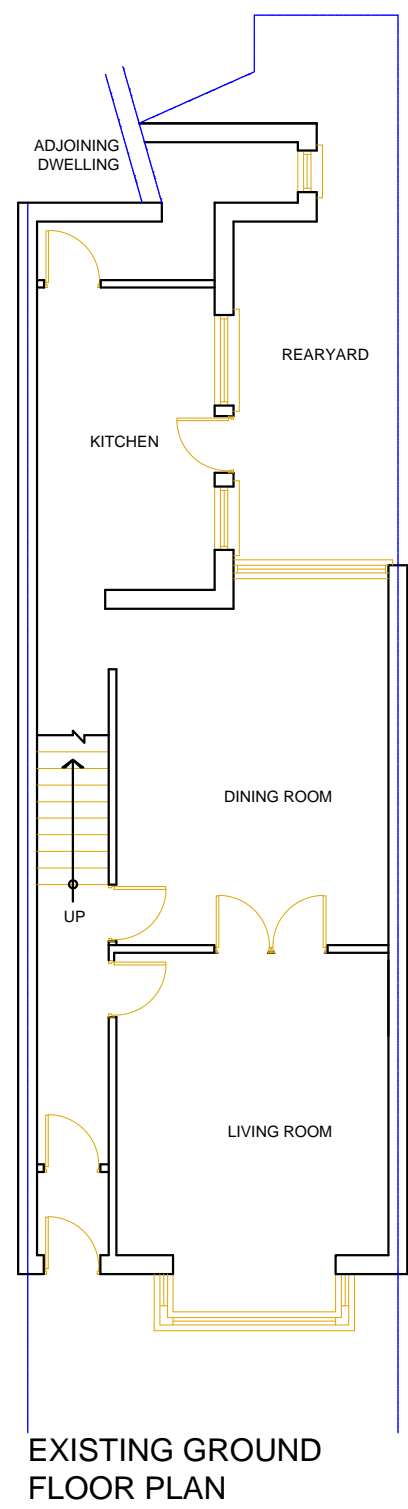
### **Planning History**

No relevant planning history.

**Recommendation:**            **Refuse**

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

1. The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area resulting in an overdevelopment of the site and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at 450 Bridgeman Street and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

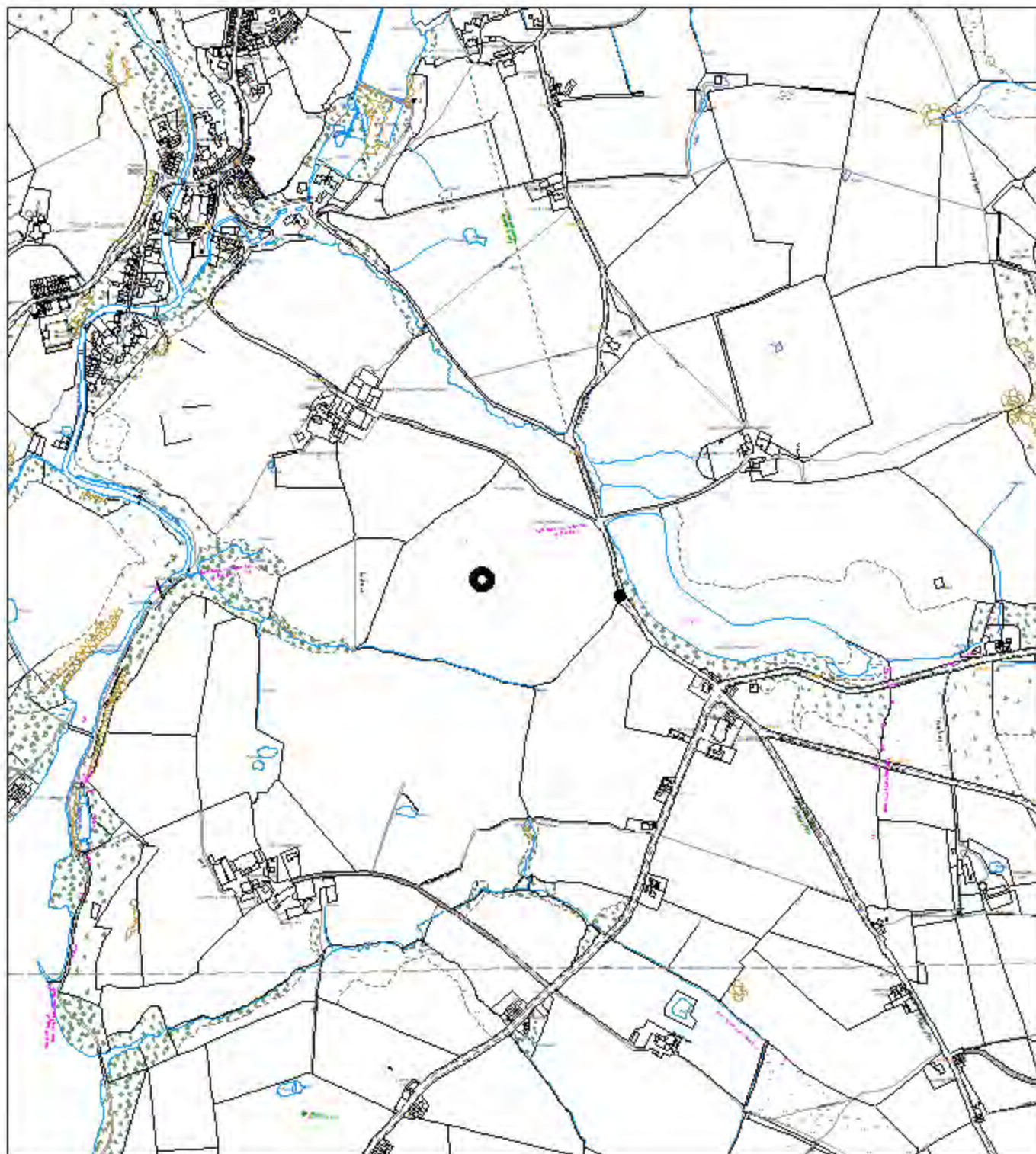


DATE:	17/11/2013
SCALE:	1:100 1:50
ADDRESS:	452 BRIDGEMAN STREET
JOB DESCRIPTION:	PROPOSED SINGLE STOREY EXTENSION AT REAR TOGETHER WITH DORMER



Application No.

**91170/13**



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 91170/13**

**Type of Application: Full Planning Application**  
**Registration Date: 16/12/2013**  
**Decision Due By: 09/02/2014**  
**Responsible Officer: Helen Williams**

**Location: LAND AT BIRCHES FARM, BIRCHES ROAD, TURTON, BOLTON, BL7 0HX**

**Proposal:** REMOVAL OF TWO EXISTING WIND TURBINES AND ERECTION OF ONE TRIPLE BLADE WIND TURBINE WITH A HUB HEIGHT OF 45.00 METRES AND A TOTAL HEIGHT OF 67.00 METRES.

**Ward: Bradshaw**

**Applicant: J & S Paton**  
**Agent :**

### **Officers Report**

**Recommendation: Refuse**

#### **Proposal**

Permission is sought for the erection of an Enercon E44 wind turbine measuring 45 metres to the hub (centre of the blades) and with a total height of 67 metres (height to the blade tip when vertical). The turbine will have three blades (rotors) and a rotor diameter of 44 metres (radius of 22 metres). This model of turbine is generally coloured green at lower heights graduating into grey, though the applicant has stated that the colour could be agreed with the local planning authority. The active control in the turbine means that it will face the direction of the wind. The proposed turbine is classed as a medium scale turbine (being over 60 metres to blade tip).

The Enercon E44 will produce approximately 1.6MW (16,000KW) of electricity per annum. This will produce enough electricity to supply the needs of the applicant's dairy farm as well as providing surplus energy back to the National Grid. The turbine will be connected to the National Grid via underground cabling.

The turbine base (which will include the internal control box) will occupy an area approximately 4 metres by 4 metres. The site will be retained for agricultural use following the erection of the turbine.

The applicant also proposes to remove his existing two wind turbines within the field (over the boundary in Blackburn) should the proposed turbine be approved. These turbines each measure 18.4 metres to the hub and 25.9 metres to the tip.

A temporary access track is to be constructed from an existing gateway off Bury Road to the turbine, whilst the turbine is being constructed. This will be removed following construction. The existing access to the farm will be used for servicing of the turbine.

The application proposal differs from that refused under application 88059/12 in the following main ways:

- \* The applicant is now proposing a E44 model of turbine rather than an E33.
- \* Though the total height of the E44 turbine is the same as the previously refused E33 turbine (at 67 metres), the hub height of the E44 is 5 metres lower than the E33. This however results in the blades of the E44 being longer than the refused turbine and therefore the E44 has a wider rotor diameter than the previously refused turbine (at 44 metres rather than 33.4 metres).
- \* The location of the proposed turbine will be approximately 30 metres to the south west of the previously proposed turbine.
- \* The ground level of the new location of the turbine will be approximately 3 metres lower than the previous location.
- \* The two existing turbines erected across the boundary in Blackburn are to be removed should the new turbine be granted permission. They were proposed to be retained under application 88059/12.
- \* The new turbine would produce more electricity than the previously proposed turbine.

The applicant also proposes a "community benefit scheme" whereby he would make available a sum of approximately £5,000 per annum for distribution to local community facilities, groups and environmental causes.

### **Site Characteristics**

The application site is an open field located within farmland belonging to Birches Farm, a dairy farm. The site is located to the south of Birches Road and to the west of Bury Road and is sited approximately 360 metres south east of the Birches Farm farmstead. To the north of the application site (approximately 70 metres to the north) is the borough boundary with Blackburn and Darwen. Approximately 700 metres to the south east is the borough boundary with Bury.

The land where the application site is located slopes gently down towards the north west. The area surrounding the site is predominantly open land with sporadically sited farms and clusters of residential properties.

The nearest residential properties to the application site (that are not financially associated with the proposal) are Old Birches and Birches Farm Cottage (approximately 390 metres to the north west), Bulls Head, 857 Bradshaw Road (approximately 420 metres to the south east), New House, Bradshaw Road (approximately 430 metres to the south east), 1 and 3 Ramsbottom Road (approximately 435 metres to the south east), Knott's Cottage (approximately 450 metres to the north east), and Quarlton Fold Farm (approximately 500 metres to the north east).

The villages of Turton Bottoms and Chapeltown are both approximately 1 kilometre to the north west of the application site. The village of Affetside is approximately 1.4 kilometres to the south east and Hawkshaw is approximately 1.4 kilometres to the east.

There are two wind turbines, each with a hub height of 18.4 metres and a total height of 25.9 metres, sited immediately to the north of the application site and south of Birches Road, within Blackburn. The applicant proposes to remove these turbines should planning permission be granted for this latest proposed turbine.

Birches Road is a public right of way and a byway, and is approximately 180 metres away from the proposed turbine. Public right of way TBN014 runs north to south approximately

215 metres to the west of the application site.

The application is located within Green Belt and the West Pennine Moors Landscape Character Area (Upland Moorland Hills Landscape Character Type).

### **Policy**

National Planning Policy Framework (NPPF)

PPS22 (Supplement) Planning for Renewable Energy: A Companion Guide to PPS22

Written Ministerial Statement 10 October 2013: Local Planning and Onshore Wind

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulation 2011

Core Strategy Policies: P5 Transport and Accessibility; S1.2 Promote Road Safety; CG1 Cleaner and Greener Bolton; CG2.1 Sustainable Development; CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.

Saved UDP Policies: G1, G2 Green Belt; OA7 Public Rights of Way.

A Landscape Character Appraisal of Bolton (October 2001)

The Landscape Capacity Study for Wind Energy Development in the South Pennines (Final Report January 2011, Julie Martin Associates).

### **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 purposes of the Green Belt
- \* impact on the openness of the Green Belt
- \* impact on the character and appearance of the area
- \* impact on the outlook of neighbouring residential properties
- \* impact on the living conditions of neighbouring residents
- \* impact on the adjacent public rights of way
- \* impact on the highway and highway safety
- \* impact on biodiversity
- \* impact on the setting of nearby listed buildings
- \* impact on radar and aviation
- \* impact on renewable energy generation

- \* whether the benefits of the proposed development will outweigh the recognised harm caused ("the balancing exercise")

#### Impact on the Purposes of the Green Belt

National planning policy on Green Belts is contained within section 9 of the National Planning Policy Framework (NPPF). Saved UDP Policies G1 and G2 reflect national policy advice and state that the Council will not permit inappropriate development in the Green Belt.

Saved UDP Policy G2 states that 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 agriculture and forestry, essential facilities for outdoor sport and recreation, cemeteries and the limited extension or alteration of existing buildings.

The appeal site is located within Green Belt, close to the north western borough boundary with Blackburn with Darwen and also close to the borough boundary with Bury.

It is recognised in paragraph 91 of the NPPF that many renewable energy projects will comprise inappropriate development when in the Green Belt. It is considered by the Council that wind turbines are, by definition, inappropriate development in the Green Belt, as they do not fall within any of the four 'exception' criteria within the NPPF and saved UDP Policy G2. The Planning Inspectorate has concurred with this approach (through the various appeal decisions within the borough).

It is therefore considered that the proposed wind turbine is inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt, and as such substantial weight is therefore given to this harm in the analysis below.

#### Impact on the Openness of the Green Belt

The NPPF states that the Government attaches great importance to Green Belts. 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. Paragraph 80 of the NPPF states that Green Belt serves five purposes:

- \* to check the unrestricted sprawl of large built-up areas;
- \* to prevent neighbouring towns merging into one another;
- \* to assist in safeguarding the countryside from encroachment;
- \* to preserve the setting and special character of historic towns; and
- \* to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Saved UDP Policy G2 states that in all cases development should not prejudice the visual amenities of the Green Belt by reason of its scale, design and siting.

The application site is an open agricultural field located within Green Belt. There is limited land cover in the area surrounding the site and also limited built development, apart from the two turbines already erected at the farm.

The turbine base, which includes the internal control box, will occupy an area of approximately 16 sq. metres. The submitted plans for the E44 model turbine illustrate that the tower will have a 3.3 metre diameter near the bottom but will reduce in width as it increases in height. Half way up the tower the turbine will have a diameter of approximately 2.06 metres. The rotor diameter of the turbine is 44 metres. These

measurements, coupled with the height of the proposed turbine, will, it is considered, negatively impact on the openness of the Green Belt in this location.

The proposed diameter of the turbine tower, the proposed wide rotor diameter and the turbine's substantial proposed height would mean that there would be some encroachment into the countryside from the proposed turbine. It is therefore considered that the proposed turbine would not assist in safeguarding the countryside from encroachment, contrary to the third purpose of the Green Belt, as prescribed within the NPPF.

It is acknowledged that the proposed removal of the two existing 25.9 metre high turbines at the farm would help to increase the openness of the area as they will no longer be there, however it is considered that the benefit of removing the turbines would not outweigh the harm to the purposes and openness of the Green Belt caused by the new much larger turbine.

The proposed turbine would be inappropriate development in the Green Belt, by reason of its height, scale, design and siting, conflicting with the objectives of both the NPPF and saved UDP Policies G1 and G2.

The NPPF and saved UDP Policy G2 both state that inappropriate development will only be permitted in "very special circumstances" and "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. The potential for other harm is considered below and the matters considered by the applicant to be "very special circumstances" are addressed later within this analysis.

#### 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, will require development to be compatible with the surrounding area and will maintain and respect the landscape character of the surrounding countryside and its distinctiveness. Policy OA5 relates specifically to developments in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, ensure regard is had to the character of farm complexes, folds, vernacular cottages and the wider open landscape, ensure that new development does not harm the landscape setting and protects views from public areas of the surrounding landscape and ensure that development respects the large amounts of open space and the open aspects of North Bolton.

The application site is an open agricultural field located within Green Belt and the Upland Moorland Hills Landscape Character Area. The Upland Moorland Hills area of Bolton is characterised by glaciated rounded hills and an agricultural landscape. This attractive moorland to the north of the borough is recognised as having an intimate relationship with the surrounding urban area, providing the landscape backdrop for the town. Excellent views are afforded out across the surrounding wide valleys and urban areas and the area is also noted as being an accessible recreational resource for the surrounding urban areas, with a number of popular recreational facilities (such as the nearby Jumbles Country Park and Walves Reservoir) and an extensive rights of way network. The Landscape Character Appraisal of Bolton advises that the capacity for change in the Upland Moorland Hills area of the borough is limited.

The application site is not included within the study area for the Landscape Capacity



Study for Wind Energy Development in the South Pennines (Final Report January 2011, Julie Martin Associates), the area where the application site is located is shown as being within the study's Rural Fringe Landscape Character Type. The study states that rural fringes form the periphery of the South Pennines upland area and the landscape character is of moderate sensitivity. Its densely settled character makes it highly sensitive in visual and recreational amenity terms.

There is limited land cover in the area surrounding the application site and also limited built development, apart from the two neighbouring 25.9 metre high turbines (which are now proposed to be removed should permission be granted). Surrounding properties are sporadically located around the appeal site and are small in scale. Neighbouring properties along Bradshaw Road and Bury Road directly look onto the site and the neighbouring villages of Edgworth, Chapeltown, Turton Bottoms and Affetside also have views across the site. There is some woodland cover around Turton Bottoms and the Jumbles, and the connecting valley.

The skyline to this agricultural landscape is generally uninterrupted.

#### *Photomontages*

The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) to support his proposal, with accompanying photomontages and wireframe images. These photomontages are attached to this report. The potential impact of the proposed turbine on each of the 13 views referred to in the LVIA is considered below:

##### *A - High Street, Chapeltown*

This photomontage was taken near St. Anne's Church and a public footpath, and is approximately 1 kilometre to the north west of the application site. The LVIA author states that the turbine, "...would comprise a clearly noticeable element of the view and could be considered a prominent feature." The case officer considers that the turbine would indeed be a prominent feature as it would be highly visible, being viewed against the sky (which would serve to highlight its presence). Unlike the previously proposed turbine (application 88059/12), the new turbine would not be viewed in conjunction with the existing two turbines at the farm, as the removal of these is proposed. Although the LVIA asserts that the proposed turbine would "...comprise an additional development feature within the landscape, rather than a characterising feature of it", they state that the magnitude of change would be substantial/moderate.

##### *B - Watling Street, Affetside*

This photomontage was taken approximately 1 kilometre to the south west of the application site. Affetside is elevated from the application site and there is a large pylon visible within this view. The turbine would be seen against the background of the landscape and would not break the skyline. The existing two pylons will be removed. Again the author of the LVIA states that the turbine would comprise an additional development feature within the landscape rather than a characteristic feature of it in this location, but that the magnitude of change would be substantial/moderate.

##### *C - Witton Way, off Chapeltown Road*

This photomontage was taken approximately 900 metres to the west of the application site. The turbine would be viewed solely against the sky and would be a prominent and discernible feature. The LVIA author states that the magnitude of change would be substantial/moderate and that it, "...would be of sufficient prominence to result in a new key characteristic in the landscape: 'prominent presence of wind turbines', resulting in the landscape sub-type 'Upland Moorland Hills with wind turbine' and a significant landscape

effect." The view illustrated within this photomontage would be similar to the views users of the Witton Weavers Way (a popular recreational route/public footpath) would have. The LVIA author confirms that the effect upon visual amenity of the users of this route would be major-major/moderate.

*D - Chapeltown Road, near the King William public house and near the Bolton and Blackburn boundary*

This photomontage was taken to the south west of the application site, approximately 1.5 kilometres away. The Jumbles Country Park is in the foreground as is a railway line. An overhead transmission line is prominent in this view. The turbine's hub and the blades would be viewed against the sky and above the ridge of the distant hills. The LVIA author concludes that the magnitude of change would be moderate and that the turbine would not be a characterising feature of the landscape.

*E - Green Arms Road, near junction of Batridge Road*

This photomontage was taken to the south of Turton and Entwistle Reservoir and to the west of the Wayoh Reservoir, approximately 2.6 kilometres to the north west of the application site. The turbine would be mainly seen against the backdrop of the landform but the upper rotating blades would be seen against the sign. Whilst the turbine will be a noticeable feature in the landscape it is not considered that it would significantly harm the character of the area from this distance. The LVIA concludes that the magnitude of change here would be moderate.

*F - Birches Farm, Birches Road*

This photomontage was taken approximately 350 metres away from the proposed turbine, to the north west. The turbine would be a highly dominant feature; the pylons in the distance do not draw attention away from the sheer scale of the proposed turbine. The author of the LVIA acknowledges that the turbine, "...would be of sufficient prominence to result in a new key characteristic in the landscape; 'prominent presence of wind turbine', resulting in the landscape sub-type 'Industrial Foothills and Valleys with wind turbine' and a significant landscape effect", and that the magnitude of change would be substantial/moderate. Birches Road is a byway (a public right of way for walkers, cyclists and horse riders). The LVIA author confirms that the effect upon the visual amenity of users of this byway would be major-major/moderate and significant.

*G - Public footpath south of Birches Farm*

This photomontage was taken approximately 260 metres to the south west of the proposed turbine along public right of way TBN014. The turbine would be highly prominent due to its proximity and scale, and as it would be viewed wholly against the sky. It is agreed with the author of the LVIA that the proposed turbine would have a significant landscape effect here. The LVIA author also states that the magnitude of change would be substantial/moderate and the effect upon the visual amenity of users of this path would be major-major/moderate and significant.

*H - North of Turton and Entwistle Reservoir*

This photomontage was taken approximately 4.8 kilometres away from the application site to the north west. The existing turbines at the farm are not visible from this location, but the proposed turbine would be, viewed against the backdrop of the hills to the south east. Given the distances involved it is agreed with the author of the LVIA that there would be no significant effect on the landscape from this viewpoint and that the magnitude of change would be slight.

*I - Bury Road/north of Knotts Brow*

This photomontage was taken approximately 600 metres to the north east of the application site. Again it is considered that the proposed turbine would be very visible, being viewed in the main against the sky, which will highlight its presence. The LVIA author asserts that the proposed turbine would be of a sufficient prominence to result in a significant landscape effect (which the case officer agrees with) and would have a substantial/moderate magnitude of change.

*J - Affetside*

This photomontage was taken the centre of Affetside where there is no view of the proposed turbine, due to screening from the foreground vegetation.

*K - Bradshaw Road, near 643 Bradshaw Road*

This photomontage was taken to the south of the application, approximately 800 metres away. Other agricultural turbines are visible in the distance, as currently are the two turbines that are proposed to be removed. The proposed turbine would again appear close and dominant, and the majority of the turbine will be viewed against the sky. The LVIA author states that the turbine would be of sufficient prominence to result in a new key characteristic in the landscape and a significant landscape effect. The author also asserts that the magnitude of change would be substantial/moderate, and due to the views of the small scale and distant operational turbines significant cumulative effects would occur.

*L - Ramsbottom Road, Hawkshead*

This photomontage was taken approximately 1 kilometre to the east of the proposed turbine. The proposed turbine would not be visible from this viewpoint given the siting of nearby houses and the presence of trees.

*M - Roman Road, Blacksnape*

This photomontage was taken approximately 7.5 kilometres away, to the north west of the application site. The turbine would be viewed against the backdrop of hills and the blades would be visible above the ridge of the hill. Given the distance away from the proposed turbine it is not considered that the landscape would appear harmed from this viewpoint.

*Cumulative impact*

The companion guide to the former PPS22 states that cumulative effects may arise where two or more of the same type of renewable energy development are visible from the same point, or are visible shortly after each other along the same journey.

During the appeal stage for application 88059/12, officers raised concern that a large new turbine in close proximity to two existing smaller scale turbines would cumulatively affect and harm the landscape character and visual amenity of the area. The applicant is now proposing to remove his two existing turbines if the application for this current turbine is approved, which addresses this perceived harm.

A planning application (85408/10) for the erection of a wind turbine (30 metres in height to the hub) was approved in May 2011 at Harry Fold Farm, Bradshaw, which is approximately 1.5 kilometres to the south of the application site. Should both this turbine and the appeal turbine be erected, it is considered that they would not be visible from Bradshaw Road. However, given that the turbine at Harry Fold Farm is a single turbine, that the turbines will be some distance apart and as the number of vantage points along Bradshaw Road will be limited, it is not considered that this would lead to a harmful cumulative effect.

Planning application 89936/13 for the erection of a turbine measuring 33 metres to the hub and 45.4 metres to blade tip (total height) at Slack Lane, Bradshaw is currently being determined at appeal. As with the Harry Fold Farm turbine, and for the same reasons, it is not considered that the approval of both turbines would lead to a harmful cumulative effect.

Several small scale wind turbines have been approved by Blackburn with Darwen Council within Turton, to the north and north east of the application site. Given the relative small scale of these approved turbines and their distances from the application site it is not considered that a significant cumulative effect would arise as a result of the turbines located within Turton.

### *Conclusions*

The submitted LVIA and photomontages clearly illustrate that the proposed wind turbine would be a very dominant feature in the local landscape, a landscape that is considered to be sensitive in visual and recreational amenity terms. The photomontages prove that the proposed turbine would be highly discernible and would be an intrusive feature in an attractive and generally unspoiled landscape. The author of the applicant's LVIA concludes that at distances up to approximately 1 kilometre from the turbine a new landscape character sub-type ('Upland Moorland Hills with Wind Turbine') would be created where the turbine would become a key characteristic of the new landscape character sub-type. They continue that the effect of the turbine would be considered to be of substantial/moderate magnitude and there would be a major/moderate-moderate effect upon landscape character.

It is agreed with the applicant's LVIA that at greater distances from the application site the turbine would be viewed in context with larger scale landscape and other man-made features, and therefore would exert less influence upon the character of the landscape.

It is not however agreed with the applicant's LVIA that the significant landscape effects upon the landscape character would be, "very localised in extent". It is not considered that viewpoints approximately 1 kilometre away from the application site, where the LVIA author states the proposed turbine would be a prominent feature, should be described as "very localised"; the topography of the area allows for extensive views from various viewpoints and surrounding settlements.

It is considered that the height of the proposed turbine would appear disproportionate in comparison with the scale of the nearby sporadic, low-rise built development and with the gentle rolling landscape of the area. It is considered that the proposal would significantly harm the character, appearance and landscape quality of the area. Furthermore, the siting of a large turbine within generally unspoiled countryside would be accentuated by the movement of the blades, which would draw more attention to the structure.

For the reasons contended above it is therefore considered that the siting, size and design of the proposed wind turbine would not conserve or enhance local distinctiveness, would not maintain or respect the landscape character of the area, would not have regard to the wider open countryside and would harm the landscape setting and views from public areas to the surrounding landscape, thereby being contrary to Policies CG3 and OA5 of the Core Strategy.

It is acknowledged that the applicant has amended his proposal (following the refusal of application 88059/12) by reducing the height of the hub, resiting the turbine 3 metres

further down the hill, and by proposing to remove the existing two turbines at his farm should planning permission be granted, however it is not considered that these amendments overcome the harm the proposed structure would have on the character and appearance of the area.

#### Impact on the Outlook of Neighbouring Residential Properties

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.

The proposed turbine is to be located approximately 30 metres to the south west of the site of the previously refused turbine (88059/12). The new application site is approximately 3 metres lower in ground level than the previously proposed site. The new turbine will be sited further away from residential properties on Bury Road and 857 Bradshaw Road (Bulls Head), but closer to the other houses on Bradshaw Road and closer to Birches Farm Cottage and Old Birches. The existing two turbines at Birches Farm are to be removed, should planning permission be granted.

Residential properties (dwellings) are considered to be highly sensitive visual receptors.

#### *Birches Farm Cottage and Old Birches*

These dwellings are the closest dwellings to the proposed turbine, being approximately 390 metres away. Views towards the proposed turbine from these dwellings would be largely screened by the neighbouring large agricultural barns at Birches Farm and filtered by tree cover. Furthermore the main aspects of these dwellings do not overlook the application site. It is however expected that the turbine would be highly visible from the garden area of Old Birches. The applicant's LVIA acknowledges that this view of the turbine, due to its proximity, would result in a major-major/moderate visual effect.

#### *833 to 857 Bradshaw Road*

Bulls Head, 857 Bradshaw Road is approximately 420 metres away from the proposed turbine, New House, Bradshaw Road is approximately 430 metres away and 833 to 837 Bradshaw Road are approximately 470 metres away. The rear gardens to these properties are closer to the proposed turbine than these given distances. All of the listed properties have main aspect to the north west, overlooking the application site. It is considered that the proposed turbine would be a dominant and central feature in the outlook for these residents, both from their dwellings and their gardens. The turning of the blades would also result in the proposed turbine being a distracting feature in their outlook, to the detriment of residential amenity. The LVIA also considers that, due to the views these neighbouring properties already have of the small scale and distant operational turbines (in Edgworth), significant cumulative effects would occur, though the significance of effect would result primarily from the proposed turbine on its own.

#### *Quarlton Fold Farm*

This dwelling is sited on higher ground than the application site, approximately 500 metres away to the north east. The property's front elevation faces the application site and its residents enjoy wide elevated views to the west. The LVIA recognises that the proposed turbine would be prominent from this dwelling and would result in a major-major/moderate visual effect. The turbine will also be viewed solely against the sky, making it even more prominent and distracting when in operation.

#### *Knotts Cottage*

Knotts Cottage is approximately 450 metres to the north east of the application site, and

is at a lower ground level than the proposed turbine. The rear elevation of the property directly faces the location of the proposed turbine. Main windows therefore face the application site (both at ground and first floor), as does the rear garden. The dwelling would have a prime view of the large turbine and it would be a dominant feature in the outlook for these residents. The turbine would also be viewed solely against the sky, making it even more prominent. The LVIA confirms that views of the proposed turbine at this proximity would result in significant effects.

*Pallet Farm, Pallet Farm Barn, Pallet Farm Cottage and Meadowcroft Farm*

These properties are sited to the north of the application site, with Pallet Farm (the closest of the dwellings) being approximately 670 metres away. The gardens of all four dwellings are located to the south of the buildings, to benefit from both sunlight and views. The dwellings of Pallet Farm, Pallet Farm Cottage and Meadowcroft Farm also have their main aspect facing south, which is overlooking the application site. These dwellings have not been considered within the applicant's LVIA. Though these dwellings are sited further away from the aforementioned properties, their outlook would be interrupted by the proposed turbine and it would be a dominant feature, viewed wholly against the sky.

*Surrounding settlements*

Numerous dwellings will have views over the application site (either from their dwelling, their garden area, or both) within Affetside, Chapeltown, Edgworth and Bromley Cross. These dwellings are further away from the dwellings specifically mentioned above and therefore the proposed turbine's impact on the outlook from these dwelling would be less significant. A number of dwellings, particularly within Edgworth (mainly on Bolton Road) and Bromley Cross (along Kiln Road and Hillside Avenue), would have clear views of the turbine and the LVIA recognises that there would be significant visual effects for these residents.

The right to a view is not a material planning consideration. However it is not in the public interest for the outlook of a residential property to be detrimentally affected by a development. Whilst it is considered that none of the dwellings neighbouring the application site would be so severely affected (in terms of their outlook) from the proposed turbine to make them an unacceptable place to live in, the proposed turbine would be an unacceptably dominant and distracting feature for a number of dwellings and would thereby impact detrimentally on residential amenity, contrary to the aims of Policy CG4 of the Core Strategy.

Impact on the Living Conditions of Neighbouring Residents

The NPPF states that to prevent unacceptable risks from pollution planning decisions should ensure that new development is appropriate for its location. The effect of pollution on health or general amenity should be taken into account.

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, nor cause detrimental impacts upon water, ground or air quality.

*Noise*

The companion guide to the former PPS22 (Planning for Renewable Energy) states that there are two quite distinct types of noise source within a wind turbine. The mechanical noise produced by the gearbox, generator and other parts of the drive train, and the aerodynamic noise produced by the passage of blades through the air.

Paragraph 41 of the companion guide advises that wind turbines should be located so that increases in ambient noise levels around noise-sensitive developments are kept to acceptable levels with relation to existing background noise. The guide states that this will normally be achieved through good design of the turbines and through allowing sufficient distance between the turbines and any existing noise-sensitive development, so that noise from the turbines will not normally be significant. The guide advocates the use of the report "The Assessment and Rating of Noise from Wind Farms" (ETSU-R-97) by planning authorities when assessing and rating noise from wind energy developments. This report describes a framework for the measurement of wind farm noise and, it is said, gives indicative noise levels calculated to offer a reasonable degree of protection to wind farm neighbours, without placing unreasonable restrictions on wind farm development or adding unduly to the costs and administrative burdens on wind farm developers or planning authorities.

An assessment of environmental noise has been submitted by Acia Engineering Acoustics on behalf of the applicant. The Council's Pollution Control Officers have confirmed that this assessment has been carried out in accordance with ETSU-R-97. Officers also confirm that the report shows that the predicted noise levels from the proposed turbine would meet the noise limit requirements of ETSU-R-97.

The applicant has also submitted an assessment of the Acia assessment from Environmental Noise Solution Ltd., which also confirms that the Acia assessment is ETSU compliant and was carried out in accordance with the IOA GPG. Permission noise limited have been detailed in this second submission and these are based on absolute lower limit of 35dBLA90 or background level plus 5dB (whichever is higher) for daytime and absolute lower limit of 43dBLA90 or background level plus 5dB (whichever is higher) for night time. Pollution Control Officers state that the predicted noise levels indicate that the proposed turbine will readily comply with permissible noise levels.

Pollution Control Officers have recommended a condition to control the noise from the turbine should the application be approved. This is based on the IOA GPG suggested planning condition.

It is therefore considered that the proposed development would not unduly harm neighbouring residents by reason of noise.

#### *Shadow flicker*

Under certain combinations of geographical position and time of day, the sun may pass behind the rotors of a wind turbine and cast a shadow over neighbouring properties. When the blades rotate, the shadow flicks on and off: this effect is known as "shadow flicker". This only occurs inside buildings where the flicker appears through a narrow window opening and this window is only likely to be affected for a few minutes at certain times of the day during short periods of the year. Furthermore, only properties in the UK within 130 degrees either side north of the turbine can be affected.

The companion guide to the former PPS22 states that shadow flicker can be mitigated by siting turbines at sufficient distance from residences likely to be affected. Flicker effects have only been proven to occur within ten rotor diameters of a turbine.

The previously turbine had a rotor diameter of 33.4 metres meaning the potential shadow flicker effect could only be felt up to 334 metres away; no neighbouring residential properties were within this distance. The latest proposed turbines has longer blades and a rotor diameter of 44 metres, meaning the potential shadow flicker effect could be felt up

to 440 metres away. The submitted shadow flicker assessment identifies five dwellings that could be affected by shadow flicker (Bonnington House (the applicant's property), 1 and 3 Ramsbottom Road and 857 and New House, Bradshaw Road). These properties could witness shadow flicker events between 17 and 20 days a year (worse case scenario). The assessment confirms that, if effects are observed by residents, the turbine could be made to turn off and prevent it from turning when the weather conditions are prime for shadow flicker, using a sensor to detect sunlight and wind direction. A suitably worded condition could ensure this.

This however suggests, as shadow flicker is possible at neighbouring properties, that the proposed turbine is too tall in relation to its proximity with neighbouring dwellings.

### *Health*

The companion guide to the former PPS22 affirms that there is no evidence that ground transmitted low frequency noise from wind turbines is at a sufficient level to be harmful to human health. A comprehensive study undertaken in the UK in 1997 found that vibration levels 100 metres from a turbine was a factor of 10 less than those recommended for human exposure in critical buildings and that tones above 3.0Hz were found to attenuate rapidly with distance (the higher frequencies attenuating at a progressively increasing rate).

There is no credible evidence to suggest the existence of medical conditions such as Wind Turbine Syndrome or that a significant public health problem exists.

The companion guide to the former PPS22 also advises that although the electrical components in wind turbines produce electromagnetic radiation, this is at a very low level and present no greater risk to human health than most domestic appliances.

It is considered for the reasons discussed above that the proposed wind turbine would not unduly affect residential amenity by reason of noise and shadow flicker (subject to conditions), or the health of neighbouring residents.

### Impact on the Adjacent Public Rights of Way

Saved UDP Policy states that development proposals affecting public rights of way will be permitted provided that they retain their integrity.

There are a number of public rights of way located near to the application site. Birches Road is a byway and is approximately 180 metres to the north of the proposed turbine. Public right of way TBN014 is approximately 215 metres to the west of the application site.

Users of the local public footpaths have raised concerns about the effect of the turbine on their and others enjoyment of the footpaths. As discussed above, users of the adjacent public rights of way would have close views of the turbine and it is considered that the turbine would dominate views across the landscape and harm the character of the area. The applicant's LVIA confirms that "significant effects would be experienced by users of the local footpath network" and there would be major-major/moderate significant effects within approximately 2 to 2.5 kilometres of the turbine. It is however acknowledged that it is difficult to assess whether users of the public footpaths would be deterred from using them as a result of the development.

Similarly, concerns have been raised regarding the effect of the proposed turbine (particularly the moving blades, shadow flicker and noise) on horses and their riders using



Birches Road (a byway) and surrounding roads. The British Horse Society believe that horses can react adversely to turbines and it is known that unexpected movements have the potential to upset horses. The British Horse Society have therefore suggested 200 metre exclusion zones around bridlepaths to avoid turbines frightening horses. The proposed turbine will only be approximately 180 metres away Birches Road. The companion guide to the former PPS22 however states that, whilst this exclusion zone could be deemed as desirable, it is not a statutory requirement.

There is also no statutory separation between a wind turbine and a public right of way. Paragraph 57 of the companion guide to the former PPS22 however advises that the minimum distance is often taken to be that the blades should not be permitted to oversail a public right of way. At 22 metres in length the proposed blades would not oversail an adjacent public right of way.

#### Impact on the Highway and Highway Safety

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

The proposed turbine is to be sited approximately 225 metres to the west of Bury Road. The turbine will also be clearly visible from Bradshaw Road to the south, and a number of neighbouring roads. Although there will not be clear and continuous views of the turbine from surrounding roads, the Council's Highways Engineers have not raised an objection to the development.

Third parties have raised concern with regard to shadow flicker on neighbouring roads, however shadow flicker can only occur within buildings. There may be reflected light from the blades, but it is not considered that this would jeopardise highway safety.

The companion guide to the former PPS22 state that, although a turbine should be a stable structure, it may be advisable to achieve a set-back from roads of at least fall over distance (the height of the turbine to the tip of the blade), so as to achieve maximum safety. The fall over distance required for the proposed turbine would be 67 metres, therefore a sufficient set-back from the road is achieved.

A temporary access track is proposed to be constructed from an existing gateway off Bury Road to the turbine (within Bolton), to enable delivery of the turbine and for other associated works in connection with its installation. The track will be removed and the field reinstated once the turbine has been constructed. The Council's Engineers have requested a condition that the vehicles associated with the construction only enter and leave the access to the south (due to visibility) and a condition requesting the provision of temporary signing for the works. Engineers also consider that it would be beneficial if vegetation could be cut back before and during th construction to improve visibility at the junction with Bury Road.

It is considered that the proposed turbine would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

#### Impact on Biodiversity

Section 11 of the NPPF concerns conserving and enhancing the natural environment. It states that the planning system should contribute to and enhance the natural and local environment by [amongst other things] protecting and enhancing valued landscapes and geological conservation interests, minimising impacts on biodiversity and preventing both

new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soils, air, water or noise pollution of land instability.

Policy CG1.1 of the Core Strategy states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows, geodiversity, landscape character, recreational or agricultural value; or its contribution to green infrastructure, reducing flood risk and combating climate change.

The companion guide to the former PPS22 states that the impact of wind turbines on local ecology should be minimal and that there is little evidence that domesticated or wild animals will be affected by turbines. The guide continues by saying, "indeed, there are examples of cows and sheep grazing right up to the base of turbines".

#### *Bats*

Natural England's technical information note "Bats and onshore wind turbines" states that most bat activity is in close proximity to habitat features and that evidence shows that bat activity declines at 35 metres from hedge/tree lines. They therefore advise that, to minimise the risk of bat populations, a 50 metre buffer around any feature (tree or hedge) should be maintained, into which no part of the turbine should intrude. There are no trees within 50 metres of the proposed turbine, therefore it is considered that the proposed turbine would not detrimentally harm bats.

#### *Birds*

The companion guide to the former PPS22 confirms that evidence suggests that the risk of collision between moving turbine blades and birds is minimal both for migrating birds and for local habitats and that experience indicates that bird species and their habitats are rarely affected by wind turbine developments. "Bird strike" (where birds fly through the area swept by the blades and are hit, causing injury or death) is most likely to occur if a turbine is erected directly in a migration path or where there are high concentrations of particular species.

The area is not known to be a migration path or an area of high concentrations of particular species. The Council's Wildlife Liaison Officer has states that the impact of the proposed turbine on biodiversity would be low.

#### *Equestrian animals*

As discussed above, there is a byway (Birches Road) within 180 metres of the proposed turbine. The British Horse Society believe that horses can react adversely to turbines and it is known that unexpected movements have the potential to upset horses. Concerns have also be raised by third parties about the potential impact of the proposed turbine on the livery at Meadowcroft Farm, which is approximately 890 metres to the north of the site and would have clear views of the turbine. There is little documented evidence (especially that recognised by Government) of wind turbines detrimentally affecting the well-being and health of horses.

It is considered that the proposed turbine would safeguard biodiversity, compliant with Policy CG1.1 of the Core Strategy.

#### Impact on the Setting of Nearby Listed Buildings

Policy CG3.4 of the Core Strategy 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.

Turton Tower, a Grade I listed building and a scheduled ancient monument, is approximately 1.3 kilometres west of the proposed turbine. It is considered, given the distance between Turton Tower and the application site and the presence of trees between the two sites, that the proposed development would not detrimentally harm the setting of Turton Tower.

There are a number of listed buildings in Chapeltown and the cross at Affetside is Grade II listed. Again it is not considered that the proposed turbine would detrimentally harm the setting of these listed buildings given the distances involved.

#### Impact on Radar and Aviation

National Air Traffic Services Ltd. (NATS), Manchester Airport and the Ministry of Defence (MOD) have been consulted on the proposal. None of the bodies have raised an objection to the proposal.

#### Impact on Renewable Energy Generation

At the heart of the NPPF is the presumption in favour of sustainable development and it is a core planning principle to encourage the use of renewable resources.

Core Strategy Policy CG1.6 states that the Council will work towards minimising energy requirements, improving energy efficiency, lessening the reliance on fossil fuel-based energy and reducing carbon dioxide (CO<sub>2</sub>) emissions. Policy CG1.7 continues by stating that the Council will minimise the potential for renewable energy targets set out in the RSS.

The electricity generated from the proposed turbine would reduce the dairy farm's dependency on energy from the National Grid, providing the farm with enough electricity to supply its existing need and to export the surplus energy back to the National Grid for public distribution via the District Network Operator. The applicant states that the business could become essentially carbon neutral.

The NPPF (in paragraph 89) makes it clear that local planning authorities should not require applicants for energy developments to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location.

National and local planning policies are therefore fully supportive of the principle of wind turbine developments and therefore it is considered that the proposal complies with Policies CG1.6 and CG1.7 of the Core Strategy and main objectives of the NPPF.

#### **Whether the Benefits of the Proposed Development Will Outweigh the Recognised Harm Caused ("The Balancing Exercise")**

This report has identified that the proposed wind turbine would cause harm by reason of its inappropriateness (inappropriate development in the Green Belt), the loss of openness in the Green Belt, its detrimental impact on the character and appearance of the area, and its unduly harmful impact on the outlook of neighbouring residential properties.

Saved UDP Policy G2 and paragraph 88 of the NPPF state that inappropriate development will only be permitted in "very special circumstances" and "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. The NPPF acknowledges that very special circumstances for renewable energy projects may include the wider environmental benefits associated with increased energy production from renewable sources.

The applicant has put forward the following as very special circumstances for the proposed wind turbine (though has not referred to them specifically as very special circumstances within the submission):

- \* The proposed turbine will produce around 1.6MW annually, more than 1.5 times the combines output of the existing turbines and the previously proposed turbine, or around 27 times the total output of the two operational turbines;
- \* The proposed energy converter would provide enough electricity to power more than 500 typical domestic homes per year;
- \* The turbine represents a prudent use of natural resources and avoids most of the waste and pollution associated with fossil fuel use or nuclear energy;
- \* It will play a vital role in the nation's efforts to mitigate and adapt to climate change and to shift to a low-carbon economy;
- \* The turbine will make a contribution to the targets for renewable energy generation as set out in the Core Strategy and further discussed in the authority commissioned AGMA studies. Figures suggest that the Council has currently only approved around 600KW of wind based renewable energy capacity through planning since 2002, of this around only 50KW is actually installed, this is compared to a target of around 135MW by 2020 or less than 4%;
- \* The installation of the turbine will help the farm fix the input costs to the business and help provide an additional source of income from the extra electric sold back to the National Grid. If the farm is to continue at the present or expanded level it is vital that additional income streams are found to fund this;
- \* Local economic benefits by helping safeguard current employment at the farm and allowing the business to achieve a stable footing in order to expand and take on additional permanent workers;
- \* It will diversify an existing agricultural operation and improve its chances of expansion in a tough economic environment;
- \* Permitting the development could be seen as a way of ensuring the preservation of the Green Belt by allowing a business that actively preserves and enhances the very fabric of the Green Belt itself to continue in viable operation. The proposal will guarantee the continuation of the farming business's ecological and environmental work;
- \* The proposal will help to enhance the educational aspects that the farm undertakes;
- \* The previously proposed community benefit scheme has been retained and enhanced; it will exceed present government guidance recommendations for such schemes by a substantial margin. It is intended to make available a sum of approximately £5,000 per annum for distribution to local community facilities, groups and environmental causes. The applicant states that he is prepared to commit to this 'donation' in a Section 106 Agreement.

The wider environmental benefits associated with the turbine are considered to be material to the determination of this application and are given weight.

The Written Ministerial Statement of 10 October 2013: Local Planning and Onshore Wind states that the need for renewable energy does not automatically override environmental protection and the planning concerns of local communities, and local topography should be a factor in assessing whether wind turbines have damaging impact on the landscape.

The statement also advises, "Meeting our energy goals should not be used to justify the wrong development in the wrong location."

It is considered that the environmental benefits associated with the proposal would not clearly outweigh the substantial harm identified within this report.

### Other Matters

#### *Impact on Public Safety*

The companion guide to the former PPS22 comments that experience indicated that properly designed and maintained wind turbines are a safe technology and there has been no example of injury to a member of the public. The guidance advises that the only source of possible danger to human or animal life from a wind turbine would be the loss of a piece of the blade or, in most exceptional circumstances, of the whole blade. The minimum desirable distance between wind turbines and occupied buildings is therefore the fall over distance (the height of the turbine to the tip of the blade) plus 10% as a safe separation distance. The nearest building (at Birches Farm) is approximately 330 metres away, which far exceeds the required separation distance.

#### *Environmental Impact Assessment (EIA)*

A screening opinion was undertaken by officers prior to the submission of the planning application, at the request of the applicant. Wind turbines fall within Schedule 2, paragraph 3(i) (energy projects) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The height of the turbine proposed exceeds the threshold in Column 2 of this Schedule. Officers have completed a Schedule 3 assessment and have concluded the development is not in an environmentally sensitive location or of such a scale or complexity to warrant an EIA.

#### *Construction and operational disturbance*

There may be some construction and operational disturbance caused by the development but this is considered to be reasonably limited.

#### *Impact on tourism*

There is no evidence that wind turbines would have a negative effect on local tourism.

#### *Setting a precedent*

Third parties have raised concerns that should the proposed turbine be approved this would set a precedent for other turbines in the area. Paragraph 39 of "Planning for Renewable Energy: A Companion Guide to PPS22" states that each application for a wind turbine should be considered on its own merits, and the argument that granting permission might lead to another application is not sufficient grounds for refusal.

#### *No local policy regarding minimum distances between turbines and homes*

The Government has resisted Parliamentary calls to impose minimum distances between wind turbines and homes. The calls came in the Commons but were opposed by planning and energy ministers. Former Planning Minister Bob Neill stated that, "Planning policy does not include an exclusion zone between wind turbines and dwellings. Rather, impacts should be assessed on a case by case basis taking into account the context, such as the local topography."

#### *Efficiency of turbines and devaluation of properties*

These are not material planning considerations.

### **Conclusion**

It is considered for the reasons discussed above that the proposed wind turbine would be inappropriate development in the Green Belt and would harm the openness of the Green Belt, the character and appearance of the area, and the outlook of neighbouring residents. It is considered that the very special circumstances put forward by the applicant do not outweigh the harm caused by the development, contrary to saved UDP Policies G1 and G2 and Policies CG3, CG4 and OA5 of the Core Strategy. Members are therefore recommended to refuse this application for the reasons cited.

## **Representation and Consultation Annex**

### **Representations**

**Support letters:-** 306 letters of support have been received, though a number are circular style letters. These letters support the proposal for the following main reasons:

- \* It is a sustainable source of energy; we need to diversify our energy supply; renewable energy is a valuable part of the future energy supply of the UK; there is a national need for sustainable energy from renewable sources;
- \* It is important to develop low carbon power generation to reduce global warming; climate change is a real danger; reduction in the emission of harmful greenhouse gases;
- \* The turbine will produce the equivalent energy needs for 500 homes;
- \* The proposal would produce low cost energy, ultimately these savings will be passed to consumers;
- \* It is a clean source of energy with no pollution or waste products;
- \* The proposal will help to meet the UK's target to generate 15% of energy from renewables by 2020 as part of its EU commitment;
- \* The development will help sustain a local business; the farm is a small dairy farm struggling in today's financial climate; the farm needs to keep their input costs under strict control and explore alternative sources of revenue to support their business;
- \* The dairy farm is a heavy user of power and power costs are on the rise;
- \* It will help the business to become carbon neutral;
- \* It will create jobs;
- \* The turbine will not detract from the area; it will not dominate the landscape as there are many pylons in the valley; it will not be a blot on the landscape; it will fade into the landscape;
- \* The design is ecstatically [sic] pleasing, much better than the large number of pylons in the area;
- \* The base of the turbine will only cover a small area so the land can still be used for grazing;
- \* The proposal is typical of the types of turbines that local authorities have deemed to be appropriate;
- \* It is a considerable distance away from neighbouring properties;
- \* It is away from major roads;
- \* Turbines are an interesting, rather than obtrusive, addition to the landscape;
- \* Noise pollution will not be an issue; the existing two turbines are not noisy; road noise is noisier;
- \* Find turbines turning in the wind quite calming;
- \* The green issues and benefits to the local communities far outweigh any other trivial issues;
- \* As a horse rider I have never had a problem with the two existing turbines;
- \* The new application contains several material improvements from the previous proposal, including a lower hub height than previous, a lower ground level, a larger electricity output, the proposed removal of the two existing turbines, and a community benefit package;
- \* The objections are naive and unfounded;
- \* The wider community supports wind turbine developments;
- \* The applicants have a proven history as environmental custodians of the land by keeping the whole of their farmed acreage in accordance with the criteria laid down under both the Entry and Higher Level Stewardship Schemes operated by Natural England;
- \* The existing two turbines do not wholly negate the need to draw power from the

National Grid;

- \* The new turbine will produce 27 times more power than the existing two turbines;
- \* Cannot see why the current turbines should be taken down;
- \* Turbines are easy to decommission and dismantle without harming the environment;
- \* Wind energy conserves water resources.

**Objection letters:-** 132 objections have been received, the majority of which are from residents of Bradshaw, Edgworth, Chapeltown, Turton and Affetside. These letters raise the following main concerns:

*Height of turbine*

- \* The turbine will be out of scale with the area; it is too tall; it will be half the height of Blackpool Tower, higher than Peel Tower and taller than the town hall;
- \* It will be enormous due to its girth, height and blade size;
- \* The turbine will be dominating;
- \* It will be over twice as big as the existing turbines;
- \* It is taller than the previous refused turbine by 0.3 metres;
- \* The blade sweep area is larger than the previous proposed turbine; it is nearly double that of the refused turbine;

*Location/Green Belt*

- \* It is an inappropriate location; the development is inappropriate;
- \* Infringement of the Green Belt;
- \* The Green Belt should be preserved;
- \* It is contrary to Green Belt policy;
- \* Detriment to the openness of the Green Belt;
- \* The Government is seeking to protect high quality landscapes such as this;
- \* Turbines should be offshore or in remote areas;

*Impact on landscape/visual amenity/character of the area*

- \* It would be a blight on the landscape;
- \* The turbine will dominate the environment; it will become a key characteristic in the area;
- \* The turbine will rise above the horizon and therefore will be more obvious;
- \* It will be intrusive; it will be an incongruous feature, especially without the two existing turbines;
- \* The turbine will fundamentally change the character of the area;
- \* The turbine will be far out of proportion with the surrounding area; it is not comparable with the pylons in the area;
- \* It would spoil the sense of openness;
- \* The moving blades will make the development more intrusive; the eye will be drawn to the turbine;
- \* The landscape will be spoiled by an industrial structure;
- \* The landscape should be protected;
- \* The existing turbines can be seen in many locations; the new turbine will be visible from a wide area;
- \* The applicant has not taken into consideration the visual affects of the turbine from Wayoh Dam, St. Anne's Church and the fishing lodges below Quarlton Fold;
- \* Cumulative effect of other turbines in the area; the area could soon be destroyed by the number of turbines;
- \* It will be visible from the Grade I Turton Tower and the Ancient Scheduled Monument and Grade I listed Affetside Cross;

*Impact on residents' outlook*

- \* It is far too close to neighbouring residential properties and too big; the nearest property is 390 metres away; 13 properties are less than 460 metres away and 21



properties are less than 505 metres away;

- \* The turbine will be even closer to people's gardens;
- \* Unsightly outlook for neighbouring residents; it would dominate outlooks; impact on outlook from gardens; residents look directly onto the application site;
- \* The turbine would "represent an unpleasantly overwhelming and unavoidable presence", creating an unattractive and unsatisfactory environment for many residents;
- \* Houses on Chapeltown Road are at the same level as the proposed turbine and all main windows face the site;
- \* Views will be spoilt;
- \* The applicant has not taken into consideration the visual affects of the turbine from neighbouring residential properties such as St. Anne's School House, Pallet Fold Farm, Knotts Cottage and Quarlton Fold Farm;
- \* Overshadowing of properties;
- \* The movement of the blades on the existing turbines is already hard to live with, this new turbine will be worse;
- \* Affect on local businesses due to the affect on their outlook;

#### *Noise*

- \* It will be too noisy and will affect neighbouring residents;
- \* Noise will particularly be a problem at night; impact on residents' sleep and health as a result of this;
- \* Loss of tranquility; the area is a peaceful, quiet area due to the lack of development;
- \* The latest turbine will be noisier than the previously refused turbine;
- \* People visit the area for relaxation;
- \* Concerns about the affect of noise on health; affect on children's health; concern about "wind turbine syndrome";
- \* Concerns about infrasound frequencies, which are generated from turbines and can be felt but not heard;
- \* No consideration has been given to the noise impact on Turton and Edgworth Primary School;
- \* The noise survey does not comply with government guidance; it is not ETSU compliant;
- \* The measured levels in the survey are likely contaminated by noise generated by the existing two turbines;
- \* The predicted noise levels from the proposed turbine are expected to be much in excess of the existing background noise levels; it is considered that the noise impact is significantly under predicted in relation to valley effects in the area, site specific wind shear and amplitude modulation;
- \* An assessment of amplitude modulation (AM) is required and of the impact of the turbine noise in relation to existing noise levels in the area;
- \* Key data on the noise emission of the turbine proposed seems to be missing particularly regarding its rating and how it may function at lower sound outputs;
- \* Concerns about the chosen locations of the monitoring equipment for the survey;

#### *Wildlife*

- \* Impact on local wildlife, such as birds, deer, bats and pheasants;
- \* Large turbines cause problems for bats; the area is a haven for bats;
- \* The blades can harm a variety of birds;
- \* Impact on flight paths of birds and particularly geese which fly between the Walves, Jumbles, Wayoh and Old Russia reservoirs;
- \* Noise impact on nesting curlews in the adjoining fields;

#### *Equestrian animals*

- \* Horses have far better hearing than humans, particularly with higher pitched noises;
- \* The turbine could adversely affect a horse's behaviour leading to them throwing off

their riders;

- \* Could affect horses' well being;
- \* Could affect the livery business at Meadowcroft Farm, which is near the proposed turbine, as owners may look to stable their horses elsewhere;
- \* It will be dangerous for riders and horses using Birches Road; Birches Road is used by local riders as an "off road" route; affect of shadow flicker on Birches Road;
- \* One of the author's horses has already been "spooked" by the existing turbines;

#### *Recreation/tourism*

- \* The local footpaths and bridleways are extensively used, including Witton Weavers Way; walks will be blighted by the presence of the turbine;
- \* The area is well used by horse riders, cyclists, walkers, bird watchers, fishermen, joggers and photographers;
- \* It will mar an area well used by people wanting to enjoy the countryside;
- \* The turbine will discourage visitors to the area and Jumbles Country Park;
- \* The area should be enjoyed by all, not just the applicant;
- \* Would put the author off visiting the area again;
- \* Fewer visitors will be bad for the local economy;
- \* Affect on local B&Bs;

#### *Removal of the existing two turbines*

- \* There is little in the applicant's statement about removing the existing two turbines; the applicant only states he "intends" on removing the existing turbines; what happens if they are not removed?;
- \* No timescales have been given for removing the existing turbines; the Council must condition this;
- \* It is not clear how the Council can will enforce their removal;
- \* The existing turbines already provide sufficient power for the farm;

#### *Highways*

- \* Impact on highway safety, particularly at the crossroads of Bury Road with Bradshaw Road; it will be a distraction to drivers;
- \* Affect of shadow flicker on highway safety;
- \* Construction traffic and its impact on safety and local residents;

#### *Other*

- \* This proposal is not that different to the proposal that was refused;
- \* Affect of shadow flicker on neighbours' health; the proposed electronic system to shut the turbine down in situations where flicker could occur is not sufficient protection to eliminate the risk of harm;
- \* There are no special circumstances; simple generic reasons (such as the provision of renewable energy) are not enough as each turbine could be sited in theory anywhere outside of the Green Belt even if this is not the applicant's land;
- \* There does not appear to be any benefit to the wider community, only the applicant;
- \* Impact on the neighbouring fishing lodge and its 90 members;
- \* The power output of the proposed turbine is way in excess of what is required by the applicant; it is more powerful than the previously refused turbine;
- \* An approval will lead to other turbines in the area; this would be a dangerous precedent;
- \* Smaller turbines or solar panels would be better;
- \* An Environmental Impact Assessment is needed as there is potential for the development to have significant effects on the environment;
- \* The construction work would produce noise pollution, dust, exhaust and other emissions;
- \* One family will gain whilst other families (with business in the area) will lose out;
- \* Concern about interference with the electronic guidance systems on aircraft as the area is on the outer flight path for Manchester Airport;

- \* The Council should have a policy setting out minimum distances between turbines and houses;
- \* Cost to taxpayer in processing these applications;
- \* Affect on property prices in the area;
- \* The Council should take into account the opinion of local residents when reaching a decision;
- \* Questions about the efficiency and cost effectiveness of wind as a form of energy.

*Officer's comments relating to concerns about the applicant's noise assessment:* The Council's Pollution Control Officers have confirmed that the assessment is ETSU complaint and that there will be no cumulative effects from the existing two turbines at the farm as these would be removed. The methodology that MAS Environmental (on behalf of objectors) have suggested is not complaint with the current best practice, nor are their suggested input parameters. With regard to the measured levels in the survey being contaminated by noise generated by the existing two turbines, Pollution Control Officers state that the existing two turbines have relatively low sound power levels and there are large separation distances from receptors, meaning that they have very little impact on existing background levels. Officers believe that the monitoring locations are appropriate to afford the correct level of protection to local residents. The ENS report confirms that the receptors are not subject to "valley effect", and Officers state that the correction for wind sheer made in the Acia report is in line with guidance and that the current accepted practice is not to assign a planning condition to deal with amplitude modulation (AM).

**Petitions:-** Two petitions of objection have been received, one originating from Meadowcroft Farm Livery, Bury Road and containing seven signatures and one originating from The Old Parsonages, Overhouses and containing four signatures.

**Elected Members:-** Objections have been received from Bury councillors Cllr. Yvonne Wright, Cllr. Iain Gartside, and Cllr. Simon Carter (Tottington, Walshaw and Affetside ward), Blackburn with Darwen councillors Cllr. Jean Rigby and Cllr. Colin Rigby (North Turton with Tockholes), and Jake Berry MP.

**Blackburn with Darwen Council:-** object to the proposal as they consider it constitutes inappropriate development in the Green Belt, the harm of erecting a larger replacement turbine would outweigh the benefit of removing the existing two turbines, it would harm the openness of the Green Belt, and as they have concerns about road users being distracted by the turbine. They recommend, if Bolton Council is minded to approve the application, that a Section 106 Agreement is entered into by the applicant, Bolton Council and Blackburn with Darwen Council for the removal of the existing two turbines. They also recommend conditions are attached to any approval to protect noise sensitive receptors, including those within Blackburn, and to mitigate against shadow flicker.

**Bury Council:-** raise no objection but ask that consideration is given to any representations received from residents of Bury.

**North Turton Parish Council (Blackburn with Darwen):-** object to the proposal as they feel that the proposed turbine will have an adverse visual impact on Edgworth village and its surroundings, and will be totally out of character with the area.

### **Consultations**

Advice was sought from the following consultees: Pollution Control Officers, Highways Engineers, Wildlife Liaison Officer, Landscape Officers, Public Rights of Way Officer, Greater Manchester Ecology Unit, Ramblers Association, Peak and Northern Footpaths

Society, National Grid, National Air Traffic Services Ltd. (NATS), Manchester Airport, the Ministry of Defence (MOD), Blackburn with Darwen Borough Council and Bury Council.

### **Planning History**

Planning application 88059/12 for the erection of one triple blade wind turbine to a hub height of 49.92 metres and a total height of 66.62 metres (to the rotors) was refused by Planning Committee in July 2012 for the following two reasons:

1. The proposed development by virtue of its siting, scale and design represents inappropriate development within the Green Belt and the very special circumstances provided do not outweigh the harm caused and the proposal is contrary to saved Unitary Development Plan Policies G1 and G2.
2. The proposed development would, by virtue of its siting, size and design, be detrimental to the character and appearance of the area and would appear as an incongruous feature in the open countryside, contrary to Policies CG3 and OA5 of Bolton's Core Strategy.

The applicant appealed the Council's decision in August 2012. The appeal was due to be heard at an appeal hearing in July 2013, but the Inspector, at the hearing, adjourned the appeal so that it could instead be heard at public inquiry. The appeal was furthermore 'recovered' in October 2013, meaning that the Secretary of State considered that he should determine the appeal himself (the Planning Inspector for the public inquiry would have had to prepare a report and recommendation for the Secretary of State, who would make the final decision). The applicant/appellant withdrew the appeal on 20th January 2014, before the appeal went to public inquiry.

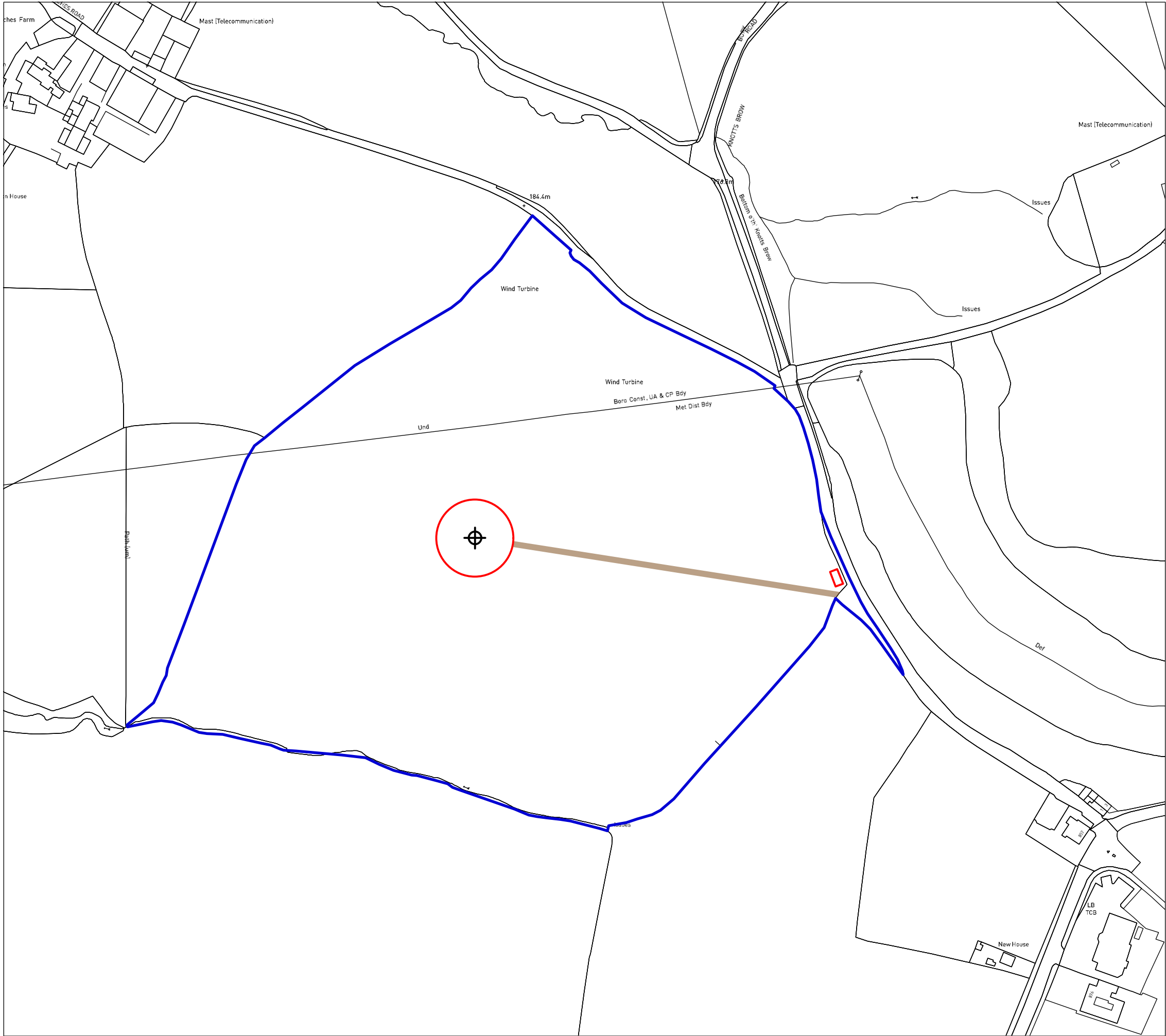
Planning application 87332/12 sought permission for the erection of one wind turbine, 50 metres in height. The application was withdrawn by the applicant in May 2012.

Planning application 86731/11 for the erection of one wind turbine on a 30 metre tubular tower was approved by the Council under delegated powers in November 2011. However, as a result of a Judicial review challenge, the Council has consented to judgement and this application is therefore not subject to a decision.


**Recommendation:            Refuse**

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

1. The proposed development represents inappropriate development within the Green Belt and the very special circumstances provided do not outweigh the harm caused by this inappropriateness, and the other harm identified within reason 2 of this decision, thereby contrary to saved Unitary Development Plan Policies G1 and G2.
2. The proposed development, by virtue of its siting, size and design, would be detrimental to the character and appearance of the area, and would unduly harm the outlook of neighbouring residential properties, contrary to Policies CG3, CG4 and OA5 of Bolton's Core Strategy.



**KEY**

- Application Site Boundary (0.198ha)
- Site Boundary (10.9ha)
-  Location of Proposed Turbine (374326, 415134)
- Temporary Access Track

**Birches Farm, Turton, Bolton**

**Site Location Plan**

**Client:**  
**J & S Paton**

Drawn by : AD

Checked by : PB

Date :13.12.13

P.0935\_02-C

1 : 2,500 @ A3





## Photomontages

**A - High Street, Chapeltown**



**B - Watling Street, Affetside**





**C - Witton Way, off Chapeltown Road**



**D - Chapeltown Road, near the King William public house and near the Bolton and Blackburn boundary**





**E - Green Arms Road, near junction of Batridge Road**



**F - Birches Farm, Birches Road**



**G - Public footpath south of Birches Farm**



**H - North of Turton and Entwistle Reservoir**





**I - Bury Road/north of Knotts Brow**



**J - Affetside**



**K - Bradshaw Road, near 643 Bradshaw Road**



**L - Ramsbottom Road, Hawkshead**



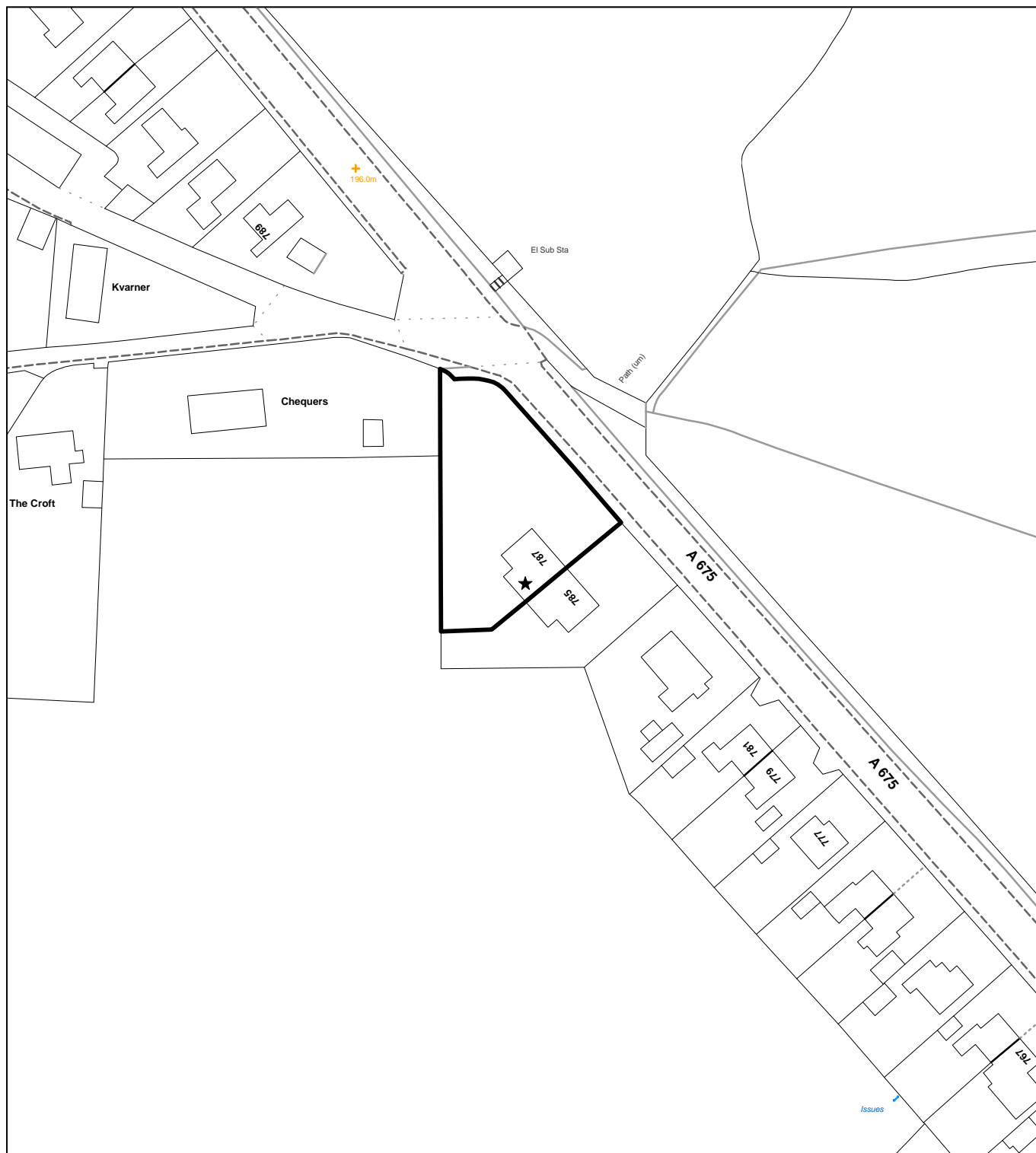
**M - Roman Road, Blacksnape**





Application No.

91184/13



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of  
the Controller of Her Majesty's Stationery Office© Crown Copyright.  
Unauthorised reproduction infringes Crown Copyright and may lead to  
prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389

11

**Date of Meeting: 06/03/2014**

**Application Reference: 91184/13**

**Type of Application: Outline Planning Permission**  
**Registration Date: 16/12/2013**  
**Decision Due By: 09/02/2014**  
**Responsible Officer: Jodie Turton**

**Location: 787 BELMONT ROAD, BOLTON, BL1 7BY**

**Proposal: OUTLINE APPLICATION FOR THE ERECTION OF ONE DETACHED HOUSE (ALL MATTERS RESERVED).**

**Ward: Astley Bridge**

**Applicant: Mr D Robinson**  
**Agent : rt design**

### **Officers Report**

**Recommendation: Refuse**

#### **Proposal**

The application proposes the erection of a detached dwelling in the garden area to the side (north) of the existing semi-detached dwelling at 787 Belmont Road. This is an outline application (all matters reserved) and therefore the details provided in terms of footprint and access are indicative only. The application is essentially to establish the principle of development in this instance.

#### **Site Characteristics**

The application site is the northern, side garden of this semi-detached property. Access to the house is from the north via a driveway from Horrocks Fold, close to the junction with Belmont Road.

The site slopes upwards from the road and has a large lawned front garden and extensive wooded side garden. The garden to the western perimeter and to the north contains a number of trees protected by Tree Preservation Order. The site is within the Green Belt and has open fields to the rear (west) and also to the opposite side of Belmont Road (east).

#### **Policy**

National Planning Policy Framework (NPPF): 6. Delivering a Wide Choice of Quality Homes; 9. Protecting the Green Belt.

Core Strategy policies: CG1 Biodiversity; CG3 Built Environment; CG4 Incompatible Uses; OA5 North Bolton; SC1 Housing; P5 Accessibility; S1 Safe Bolton.

Saved UDP policy: G1 & G2 Green Belt; N8 Protected Trees.

Allocations Plan policy: CG7AP Green Belt

Planning Control Policy Note No. 2 Space Around Dwellings and No. 7 Trees: Protection and Planting in New Development.

### **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 Green Belt
- \* impact on neighbouring residential amenity and the character of the area
- \* impact on trees
- \* impact on the highway

### **Impact on the Green Belt**

The NPPF attaches great importance to Green Belts, stating that the 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. Paragraph 88 states, "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". Furthermore, the guidance states that "a local planning authority should regard the construction of new buildings as inappropriate in Green Belt".

The NPPF does allow for limited infilling of previously developed sites (brownfield land) in the Green Belt, however the application site is a garden to a residential dwelling and paragraph 53 of the NPPF gives justification to the resistance of residential development within the gardens of dwellings and the definition of previously developed land (contained in the Appendices) excludes private residential gardens.

Saved UDP policy G1 states that the Council will not permit development within the designated Green Belt unless it is clearly needed for agriculture, forestry or other appropriate uses and does not prejudice the Green Belt's purposes and objectives. Policy G2 states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development is defined as any development which does not maintain the openness of land, which includes the erection of new buildings, with some minor exceptions, whereby the buildings are for agriculture or forestry use, or are essential facilities for outdoor sport/recreation. Of relevance to the application proposal, new dwellings are only acceptable in the Green Belt where they replace an existing dwelling and the new building is not materially larger than that which it replaces.



The application proposal is for a new building within the Green Belt, no very special circumstances have been provided to justify, or outweigh the harm caused by, such a building and the proposal is thereby wholly contrary to Saved UDP policies G1 and G2.

A new building in this location would impact detrimentally on the openness of the Green Belt, impinging on views from the local area, whilst also, given the raised topography of Belmont Road have a greater impact from further reaches of the Borough. Furthermore, there are concerns that given the nature of the ribbon development along this stretch of Belmont Road that any new residential development within garden areas could lead to pressure for further garden developments which would lead to a form of development wholly contrary to Green Belt policy, both from a national and local perspective. The proposal is thereby contrary to Green Belt policy.

The Allocation Plan policy CG7AP is entirely in accordance with the NPPF and Core Strategy policies detailed above.

#### Impact on Neighbouring Residential Amenity and the Character 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 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. Core Strategy policy OA5.8 seeks to conserve and enhance the character of the existing physical environment with special attention given to the massing and materials used in new development (OA5.10) and ensures new development does not harm the landscape setting and protects views from public areas to the surrounding landscape (OA5.11).

The indicative layout shows a detached dwelling which sits significantly forward of the building line of the two semi-detached properties it would be sited with. The layout also shows the driveway access which would result in a large area to the front of the site being levelled and hard surfaced to provide vehicular access for the existing and proposed dwelling. These works, along with the elevated position of the site would have a detrimental impact on the character of the area, detracting from the strong built form of the existing dwellings and also further impacting on the openness of the area. The proposal is therefore contrary to Core Strategy policies CG3 and OA5.

The proposed dwelling meets interface distance requirements of PCPN2 and would not have any detrimental impact on neighbouring residential amenity as detailed in Core Strategy policy CG4.

#### Impact on Trees

Policy CG1.1 of the Core Strategy states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows. Saved UDP Policy N8 refers specifically to protected trees, this is supported by guidance contained in PCPN7.

There are a number of protected trees on the site. The Council's Tree and Woodland Officer has objected to the development proposal due to the position of the proposed building being situated too close to the Horse Chestnut tree. The canopy of the tree

extends up to the building and would require cutting back to accommodate the building. Furthermore, the indicative driveway layout will impact on a number of trees not shown on the plan due to excavations that would be required both for construction and to reduce raised ground levels.

Based on the indicative plans therefore the proposal is contrary to policy CG1.1 of the Core Strategy and Saved UDP policy N8.

#### Impact on 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.

There are no highway implications of the proposed development. The site is large enough to accommodate sufficient access and parking arrangements. The Council's Highway Engineers have assessed the submission and consider it to be acceptable and thus complies with the above policies.

#### **Conclusion**

Overall, the addition of a dwelling to the residential garden of 787 Belmont Road is contrary to policy, due to the impact on the openness of the Green Belt, the impact on the character and appearance of the area and the impact on the protected trees on the site.

The application is thereby recommended for refusal.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** one letter of objection has been received from 785 Belmont Road, raising the following issues:

- impact on trees and the impact of the removal of trees on the wooded nature of the area.
- the visual impact of creating a new driveway to the front of the proposed dwelling and the existing house at 787, which would be visually intrusive and the noise and disturbance from vehicles using this.
- clarity needed as to drainage from the new dwelling.
- impact on the character of the area due to the position of the new dwelling when viewed against the line and symmetry of the existing semi-detached properties.

**Elected Members:-** Councillor John Walsh requested that the application goes to committee for decision with an advanced site visit.

### **Consultations**

Advice was sought from the following consultees: Tree and Woodland Officers, Highway Engineers.

### **Planning History**

None.

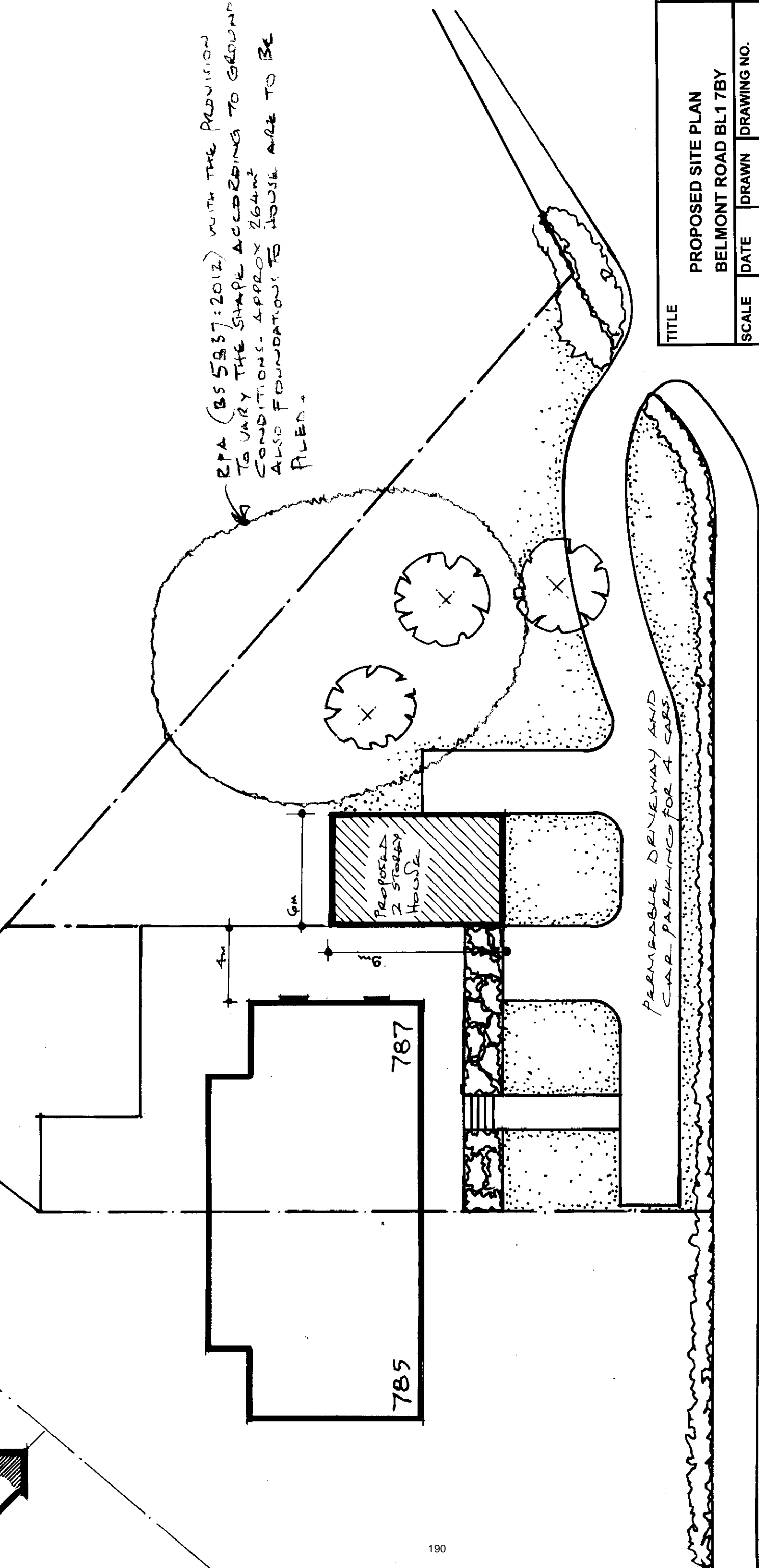
**Recommendation:            Refuse**

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

1. The proposed development by virtue of its siting, size and design represents inappropriate development within the Green Belt and the Applicant has provided no very special circumstances to outweigh the harm caused and the proposal is contrary to Saved Policies G1 and G2 of Bolton's Unitary Development .
2. The proposed development would be contrary to Core Strategy policies CG1.1 and OA5.11 and Saved Policy N8 of Bolton's Unitary Development Plan in that it would be likely to result in damage to, and ultimately the unacceptable loss of, trees from the site, to the detriment of the character, appearance and amenity of the application site and the area in which it is set.
3. The proposed development due to its siting and access layout would have a detrimental impact on the character and appearance of the area and is therefore contrary to Bolton's Core Strategy policies CG3 and OA5.



RPA (BS 5337:2012) WITH THE PROVISION  
TO VARY THE SHAPE ACCORDING TO GROUND  
CONDITIONS. APPROX 264m<sup>2</sup>  
ALSO FOUNDATIONS TO HOUSE ARE TO BE  
FILED.



PERMEABLE DRIVEWAY AND  
CAR PARKING FOR 4 CARS.

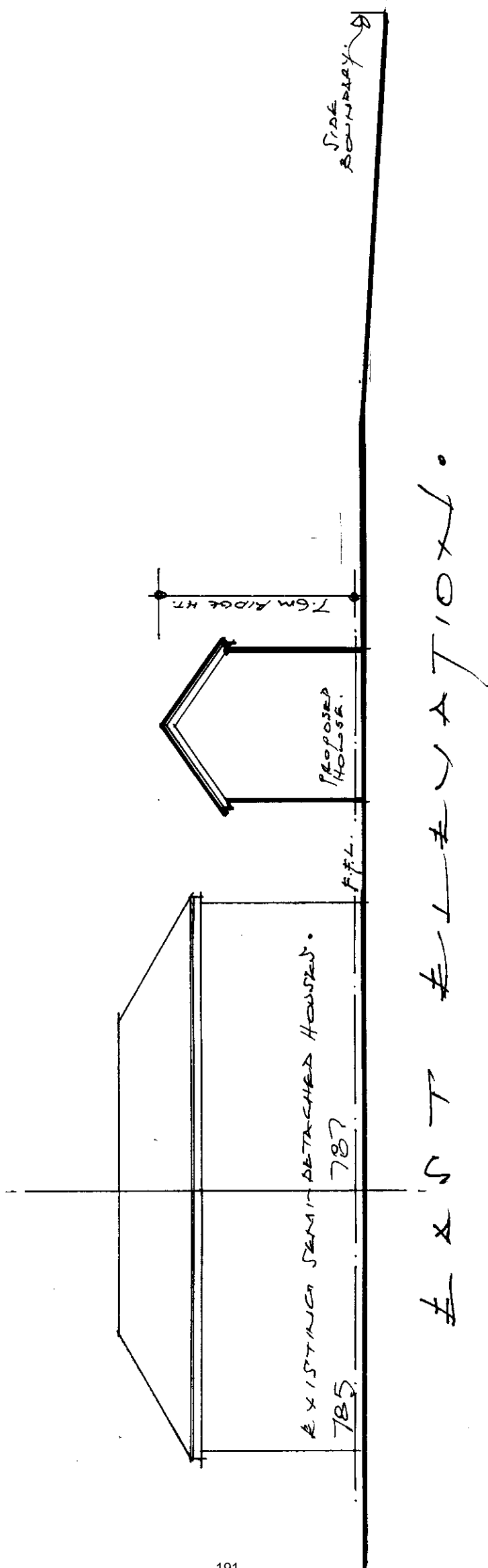
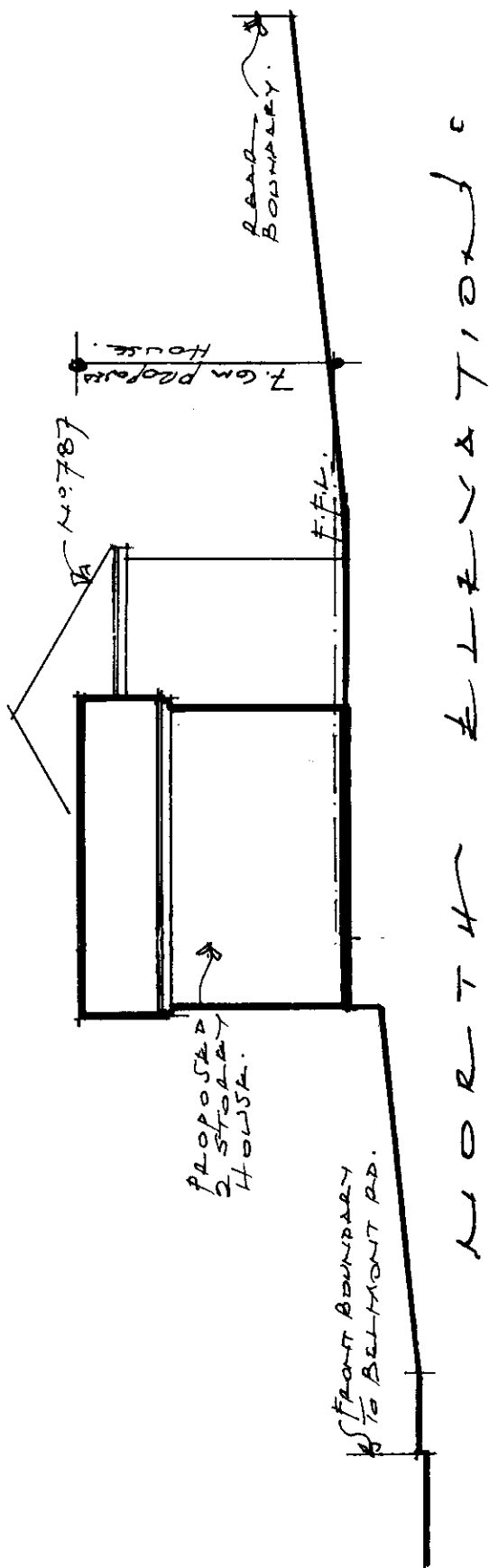
TITLE			
PROPOSED SITE PLAN BELMONT ROAD BL1 7BY			
SCALE	DATE	DRAWN	DRAWING NO.
1: 200	NOV XIII	RCR	BR/PL/13/002
@A3			

BELMONT ROAD.

RT DESIGN  
Architectural & Surveying Consultants



304 Valley Mill,  
Cottonfields,  
Eagley, Bolton.  
BL7 9DY  
Tel : 01204 591411



TITLE			
PROPOSED ELEVATIONS BELMONT ROAD BL1 7BY			
SCALE	DATE	DRAWN	DRAWING NO.
1:200	NOV XIII	RCR	BR/PL/13/003
@A3			

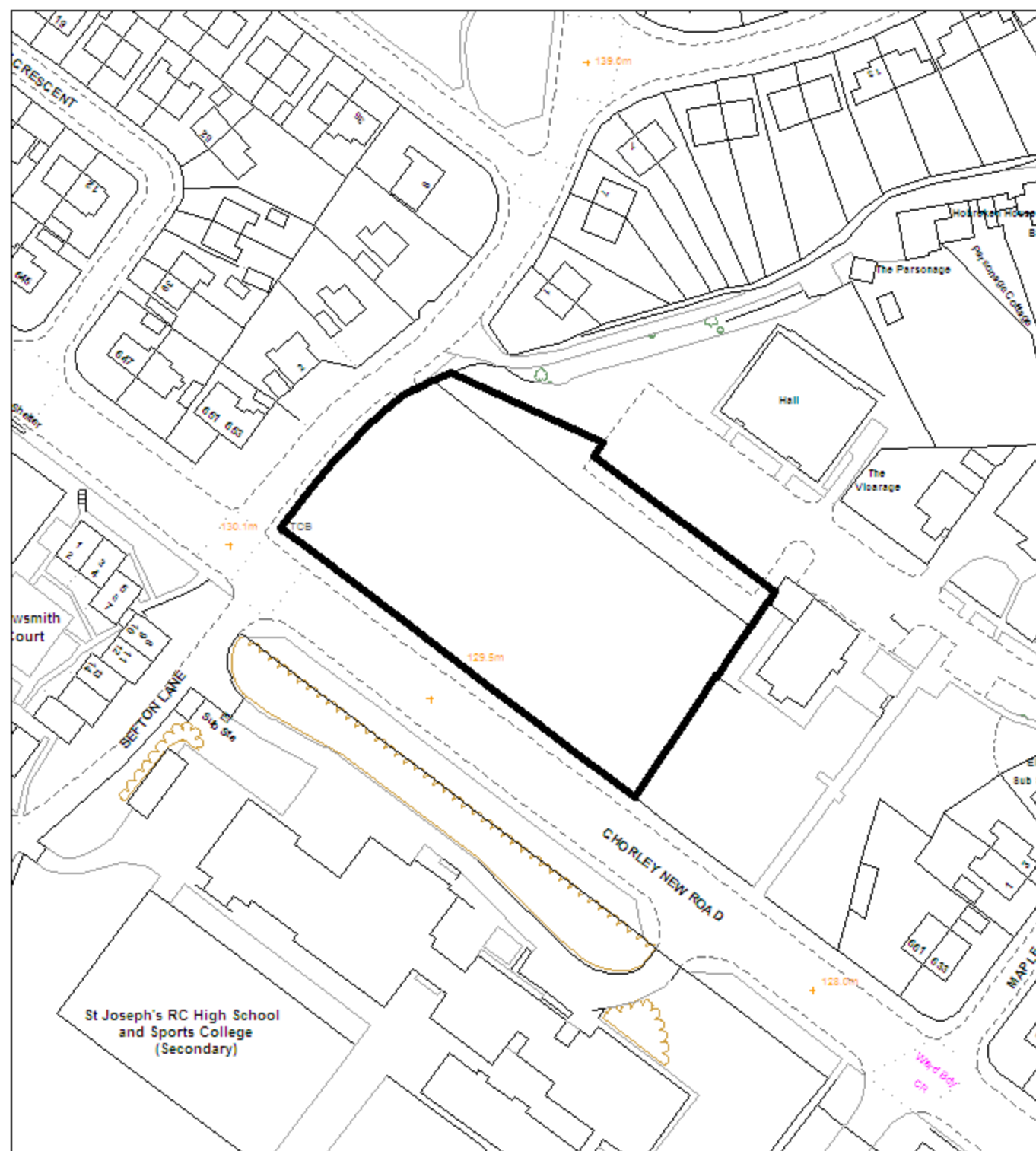
RT DESIGN  
Architectural & Surveying Consultants



304 Valley Mill,  
Cottonfields,  
Eagley, Bolton.  
BL7 9DY  
Tel : 01204 591411

Application No.

**91227/13**



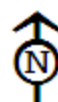
Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 91227/13**

**Type of Application: Full Planning Application**  
**Registration Date: 23/12/2013**  
**Decision Due By: 23/03/2014**  
**Responsible Officer: Helen Williams**

**Location: FORMER SWALLOWFIELD HOTEL, CHORLEY NEW ROAD, BOLTON, BL6 6GA**

**Proposal:** ERECTION OF TWO BUILDINGS CONTAINING A TOTAL OF 42 APARTMENTS TOGETHER WITH CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS (AMENDMENTS TO FLOOR PLANS AND ELEVATIONS PREVIOUSLY APPROVED UNDER APPLICATION 73431/06)

**Ward: Horwich North East**

**Applicant: Redrow Homes Ltd - Lancashire Division**  
**Agent : LMP Ltd.**

## **Officers Report**

**Recommendation: Delegate the decision to the Director**

### **Proposal**

Planning permission was granted in August 2007 for the erection of two buildings containing 42 apartments (21 apartments each), car parking and landscaping (73431/06). This permission is extant as the development has commenced (internal roads, foundations to the buildings and underground services have been constructed).

The applicant now seeks to amend the elevations of the buildings and the internal floor plans. The approved number of units, the footprints of the buildings, the access arrangements and the car parking numbers and layout are not proposed to be altered.

The applicant also seeks to modify the Section 106 Agreement attached to the approved development. Members will recall that the applicant proposed to modify the Section 106 Agreement at the Committee meeting of 9th January 2014 by removing the requirement to transfer four of the apartments to a housing association. Members refused the proposed modification as they believed an off-site contribution towards affordable housing should be offered instead. The applicant is now offering £30,000 as a commuted sum for affordable housing, along with the previously agreed off-site sums. This is detailed further below.

### **Site Characteristics**

The application site is the site of the former Swallowfield Hotel, which was a two storey building set back from Chorley New Road. The building was demolished in 2007 and the internal roads, foundations and underground services in connection with planning approval 73431/06 were constructed shortly afterwards. Construction works however

ceased in early 2008 and the development has been stalled ever since (the site has been "mothballed").

The trees to the front of the site and along the Ainsworth Avenue boundary are protected under Tree Preservation Order Bolton (Swallowfield Hotel, Chorley New Road, Horwich No.2). The site has been fenced off with security fencing.

Chorley New Road is a main road between Horwich and Bolton. Opposite the application site (on the other side of Chorley New Road) is St Joseph's RC High School. To the rear is Brazley Community Hall and to the east is Horwich Day Centre. There are residential properties to the west and north on Chorley New Road and Ainsworth Avenue.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies: A1.4 Education Contributions; P5 Transport and Accessibility; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG1.5 Flood Risk; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod; IPC1 Infrastructure and Planning Contributions.

Saved UDP Policies: N8 Protected Trees.

PCPN2 Space Around Dwellings; PCPN7 Trees; PCPN10 Planning Out Crime; PCPN30 Education.

SPD Accessibility, Transport and Accessibility  
SPD Affordable Housing

### **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 urban regeneration
- \* impact on the character and appearance of the area
- \* impact on the highway
- \* impact on trees
- \* impact on the amenity of neighbouring residents
- \* impact on local infrastructure

### **Impact on Urban Regeneration**

The NPPF encourages the effective use of land by reusing land that has been previously



developed (brownfield land) and states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Policy SC1.2 of the Core Strategy states that at least 80% of housing development will be on previously developed land in accordance with the Regional Spatial Strategy. Policy OA1.4 states that the Council will concentrate sites of new housing in Horwich town centre, at Horwich Loco Works and on other sites within the existing urban area.

The proposed development of 42 apartments already has extant planning permission (under approval 73431/06). This application only seeks to amend the elevations of the two apartment buildings and the internal floor plans.

It is therefore considered that the proposal complies with Policies SC1 and OA1.4 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 and landscape treatment. Policy OA1 states that the Council will conserve and enhance the character of the existing landscape and physical environment, and will ensure that development in Horwich and Blackrod 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 only differences between the current application and the development approved under application 73431/06 are the proposed alterations to the external design of the two apartment buildings and their internal floor plans. There are no alterations proposed to the number of units, the footprint of the two buildings, the proposed access and car parking spaces and the layout of the development.

The amended buildings will be slightly taller than those approved, as the roof will now have a steeper pitch. It is considered that this change in height is only relatively minor and would not make the buildings any more prominent on the street scene than the previously approved buildings.

The buildings will also have less of a contemporary appearance, removing the flat roof elements and replacing them with pitched roofs. The amount of glazing to the elevations will also be reduced. It is considered that the proposed elevations will give the buildings a more suburban appearance than before, which is considered to be compatible with the suburban character of the area.

It is considered that the proposed development would be compatible with the character and appearance of the area, compliant 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 developments.

The vehicular access into the development has already been approved under application 73431/06. No alterations are proposed to this access.

The Council's Highways Engineers raise no objection to the proposal given that the layout has already been approved. They however state that it did not appear, during the determination of the last application, that the proposed access was Autotracked for a large refuse vehicle to enter the site. As the bin store is proposed at the eastern corner of the development a refuse vehicle would need to enter and leave the site to collect them from this location. A condition is therefore suggested to have the access Autotracked for a refuse vehicle. If the refuse vehicle cannot enter the site sufficiently the location of the bin store would have to be amended so that it is sited closer to the entrance. This also forms part of the suggested condition.

The proposed car parking layout has also not been amended following the last approved (52 car parking spaces are proposed).

It is considered that the proposal would continue not to jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

#### 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. Saved UDP Policy N8 refers specifically to protected trees.

The trees to the front and sides of the application site are protected under Tree Preservation Order Bolton (Swallowfield Hotel, Chorley New Road, Horwich No.2). As previously stated, the footprint of the buildings and the layout of the development is not proposed to be amended. The Council's Tree Officers therefore raise no objection to the proposal.

It is therefore considered that the proposal would safeguard the protected trees on the site, compliant with Policy CG1.2 of the Core Strategy and saved UDP Policy N8.

#### 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. PCPN2 Space Around Dwellings sets out the Council's minimum interface distance between dwellings.

The siting of the buildings has not been altered and the height of the buildings is only proposed to be slightly increased. The interface distances between the proposed buildings and the neighbouring residential properties continue to exceed the minimum requirements.

It is therefore considered that the proposal complies with Policy CG4 of the Core Strategy.

#### Impact on Local Infrastructure

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

development.

A Section 106 Agreement accompanied planning approval 73431/06 and required the following:

- \* 4 affordable units on site, to be transferred to a housing association;
- \* A commuted sum of £12,615 to provide new primary school places in Horwich (prior to commencement of development);
- \* A commuted sum of £5,000 for public art works in the vicinity of the site (on completion of development);
- \* A commuted sum of £5,000 towards the cost of off-site road works in Ainsworth Avenue (prior to commencement of development).

Members will recall that the applicant proposed to modify the Section 106 Agreement at the Committee meeting of 9th January 2014 by removing the requirement to transfer four of the apartments to a housing association. The applicant had submitted a viability assessment to demonstrate that there would be no commercial incentive for the applicant to complete the development unless significant savings could be achieved. Members refused the proposed modification as they believed an off-site contribution towards affordable housing should be offered instead.

The applicant is now offering £30,000 as a commuted sum for affordable housing, along with the previously agreed off-site sums.

Cllr Richard Silvester, Cllr. Kevin McKeon and Horwich Town Council have requested that the £5,000 scheduled for public art provision is combined with the £5,000 scheduled for off-site highways works, so that £10,000 is instead made available for off-site highways works. The applicant has agreed to this approach. The Horwich councillors also request that the highways monies are used towards the cost of a Speed Activated Traffic Sign (to be located on Chorley New Road in the vicinity of St Joseph's School), a pedestrian refuge (in the vicinity of the junction of Chorley New Road with Claypool Road), and 20mph zone stencil roundels to be applied to the road surface of Ainsworth Avenue.

At the time of writing this report the case officer was awaiting confirmation off Highways Engineers that this suggestion was viable and appropriate. This will be reported directly to Members at the meeting.

The proposed amended Section 106 contributions are therefore now:

- \* A commuted sum of £30,000 towards off-site affordable housing (prior to commencement of development);
- \* A commuted sum of £12,615 to provide new primary school places in Horwich (prior to commencement of development);
- \* A commuted sum of £10,000 towards off-site highways works in the vicinity of the site.

### **Conclusion**

It is considered that the proposed amendments to the appearance of the two buildings will be compatible with the character and appearance of the area. It is also considered that the proposal will continue to contribute towards urban regeneration, will not jeopardise highway safety, will not impact on the protected trees and will not unduly harm residential amenity.

It is also considered that the applicant has been successful in addressing Members earlier concerns regarding the provision of an off-site contribution for affordable housing and to

be compliant with the wishes of Horwich Town Councillors. Officers consider that the proposed s.106 contributions make reasonable provision towards the cost of appropriate infrastructure sufficient to enable the amended scheme to be acceptable.

Members are therefore recommended to delegate the decision to the Director to secure the amended Section 106 Agreement.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** One letter of objection has been received from a resident of 5 Lower Makinson Fold. This letter raises the following concerns:

- \* Consider that the proposed ingress and egress to the site is no longer a practical option or solution;
- \* Significant amounts of housing developments have been approved since the original plan was submitted. These proposals will greatly increase the usage of Chorley New Road;
- \* The proposed access to this site is another impairment to the smooth traffic flow along Chorley New Road;
- \* It is their opinion that an access road to the rear would be a far better option to the site and the proposed future development site to the rear.

Officer's comments: the proposed access arrangements and the principle of 42 apartments at this site were approved in 2007 and the Council's Highways Engineers have raised no objection to the (continued) proposal. Application 73431/06 has actually been implemented (internal roads, foundations to the buildings and underground services have been constructed) and therefore this permission is extant. As the developer could recommence the approved development at any time it is not considered reasonable or appropriate to reassess the proposal's impact on traffic generation in the area. Subsequent approved larger housing developments in the area will have taken into consideration the 2007 approval in their traffic data.

**Horwich Town Council:-** raised no objection to the proposal at their meeting of 23rd January 2014, as they felt that the site would be greatly improved by the development. With regard to the previously agreed Section 106 Agreement they requested that the monies for the proposed public art be combined with the monies for off-site highways works, to provide traffic calming and pedestrian safety measures on Chorley New Road, including a permanent speed sign in the vicinity of St Joseph's High School and a pedestrian refuge.

**Elected Members:-** Cllrs. Richard Silvester and Kevin McKeon have written in support of the proposal. With regard to the previously agreed Section 106 Agreement for the development the councillors request that the affordable housing element is retained, as is the commuted sum for education provision, but request that the monies scheduled for public art provision is combined with the monies scheduled for off-site highways works. They request that the highways monies are used towards the cost of a Speed Activated Traffic Sign (to be located on Chorley New Road in the vicinity of St Joseph's School), a pedestrian refuge (in the vicinity of the junction of Chorley New Road with Claypool Road), and 20mph zone stencil roundels to be applied to the road surface of Ainsworth Avenue.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers, Tree Officers, Economic Strategy Officers, Strategic Development Unit, Landscape Officers, Drainage Officers, Bolton Primary Care Trust and Greater Manchester Police's Architectural Liaison Officers.

### **Planning History**

A proposed modification to the Section 106 Agreement (dated 9th August 2007)

accompanying planning permission 73431/06 was refused by Committee on 9th January 2014. The applicant sought to modify the Section 106 Agreement by removing the requirement to transfer four of the apartments to a housing association. Members refused the proposed modification as they believed an off-site contribution towards affordable housing should be offered instead.

Planning application 73431/06 was approved in August 2007 for the demolition of the Swallowfield Hotel and the erection of two buildings containing a total of 42 apartments, a car parking area of 52 spaces and landscaping. This permission was accompanied by a Section 106 Agreement.

An application for the demolition of the hotel and the erection of 48 apartments was withdrawn in December 2005 (71602/05).

Various extensions to the former hotel were approved under applications 54467/99, 53478/98, 53477/98, 48362/96, 35058/89 and 10228/79.

**Recommendation: Delegate the decision to the Director**

### **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 samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.  
  
Reason  
  
To ensure the development reflects local distinctiveness.
3. Prior to the commencement of development an Autrotrack plan illustrating how a large refuse vehicle would manoeuvre in and out of the site when accessing the bin store shall be submitted to and approved in writing by the local planning authority. Should the submitted plan show that a large refuse vehicle would be unable to adequately manoeuvre within the site a further plan shall be submitted to and approved by the local planning authority to show the design, location and size of an alternative bin store.  
  
The approved bin store shall be implemented in full prior to first use / occupation of the development hereby approved and retained thereafter.  
  
Reason  
  
To ensure satisfactory provision is made for the storage and collection of waste materials.
4. Development shall not commence until an investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall be subject to the approval in writing of the Local

Planning Authority and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property or the environment;
- (iii) an appraisal of remedial options and proposal for a preferred option.

Reason

To ensure the development is safe for use.

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

- 1. The trees within the site which are subject of a Tree Preservation Order (TPO) have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
- 2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).
- 3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.

Reason

To protect the health and appearance of the tree(s).

6. 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.

7. Prior to the development being first occupied or brought into use, 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 within 21 days of the Local Authorities approval, 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.

8. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Chorley New Road shall be constructed in accordance with the drawing ref: 13/105/P01.

Reason

In the interests of highway safety

9. Before the approved/permitted development is first brought into use no less than 52 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with drawing ref: 13/105/P01. 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

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.

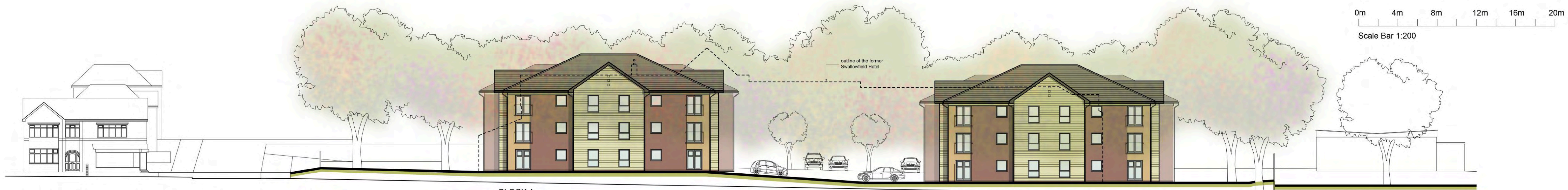
11. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

13/105/P01; "Proposed Site Layout & Street Scenes"; dated 19.12.2013  
13/105/P02; "Proposed Floor Plans - Block A. Plots 1-12 & 14-22"; dated 19.12.2013  
13/105/P03; "Proposed Elevations and Roof Plan - Block A. Plots 1-12 & 14-22"; dated 19.12.2013  
13/105/P04; "Proposed Floor Plans - Block B. Plots 23-43"; dated 19.12.2013  
13/105/P05; "Proposed Elevations and Roof Plan"; dated 19.12.2013  
13/105/Sk02; "Proposed Elevations"; dated 12/12/13

Reason

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





CHORLEY NEW ROAD ELEVATION

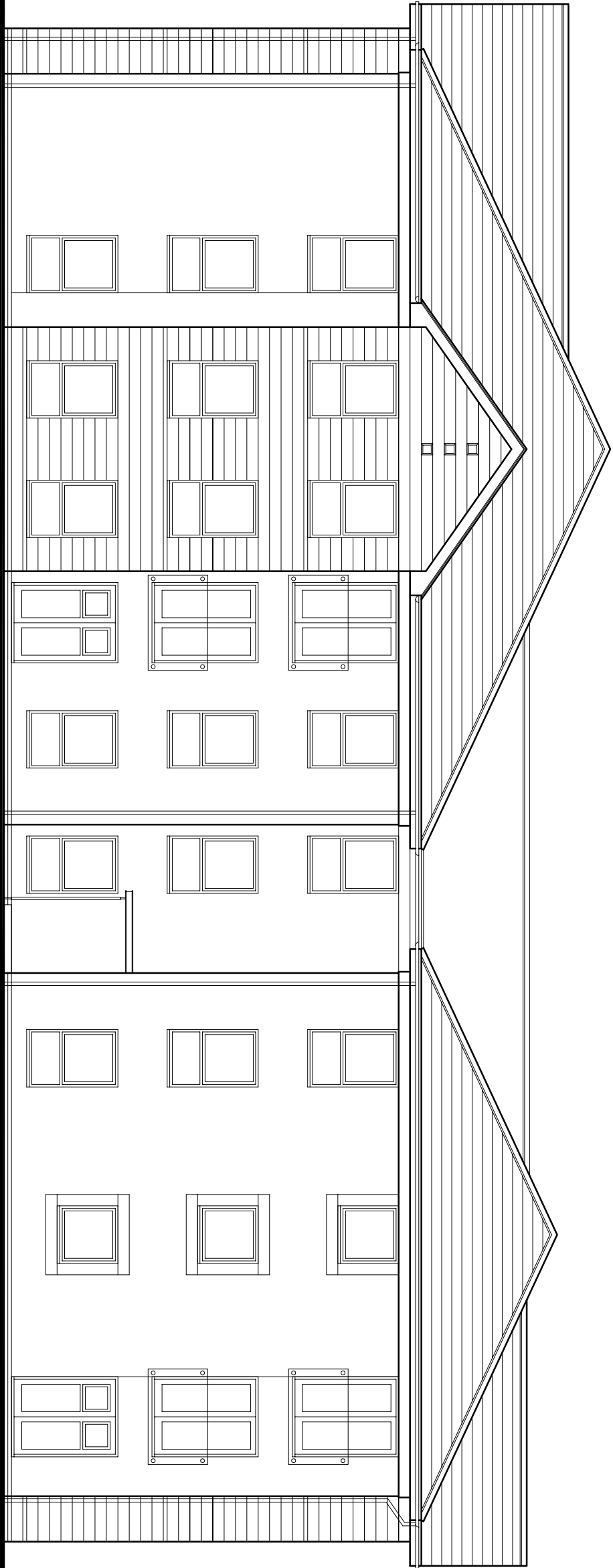
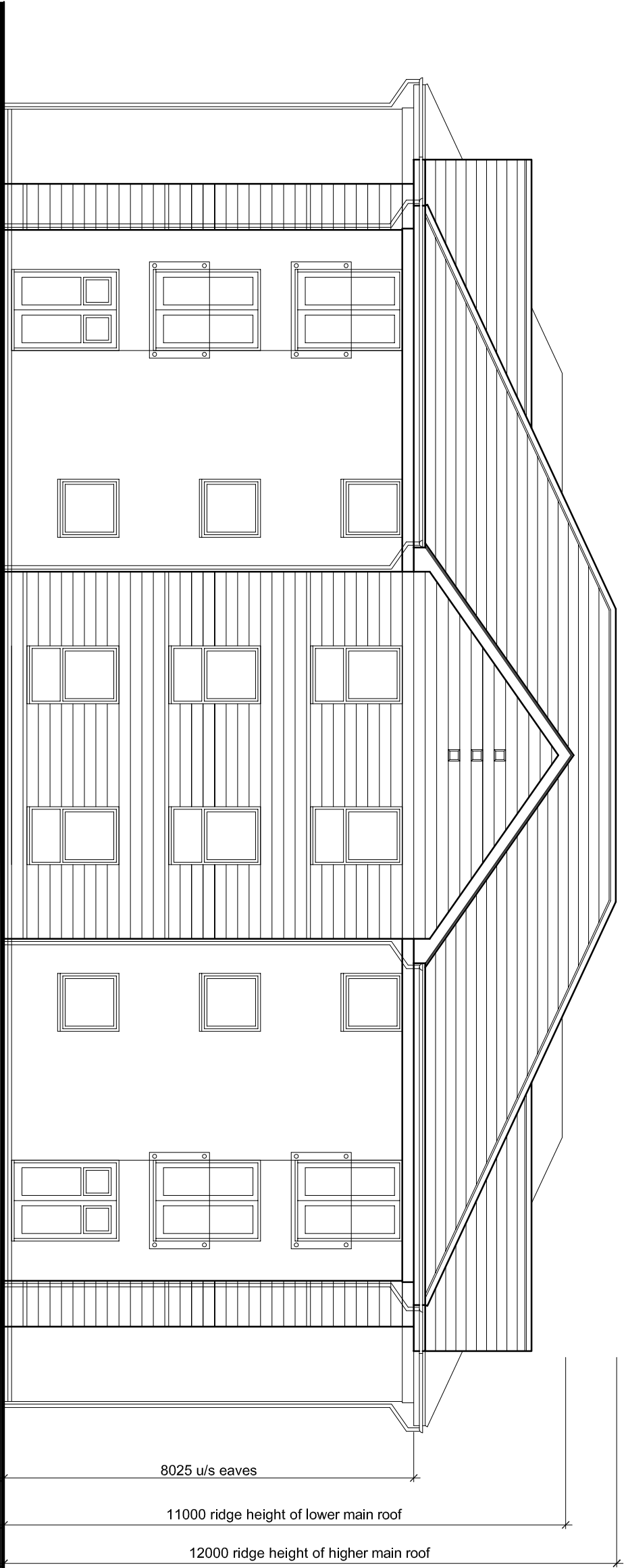


AINSWORTH AVENUE ELEVATION



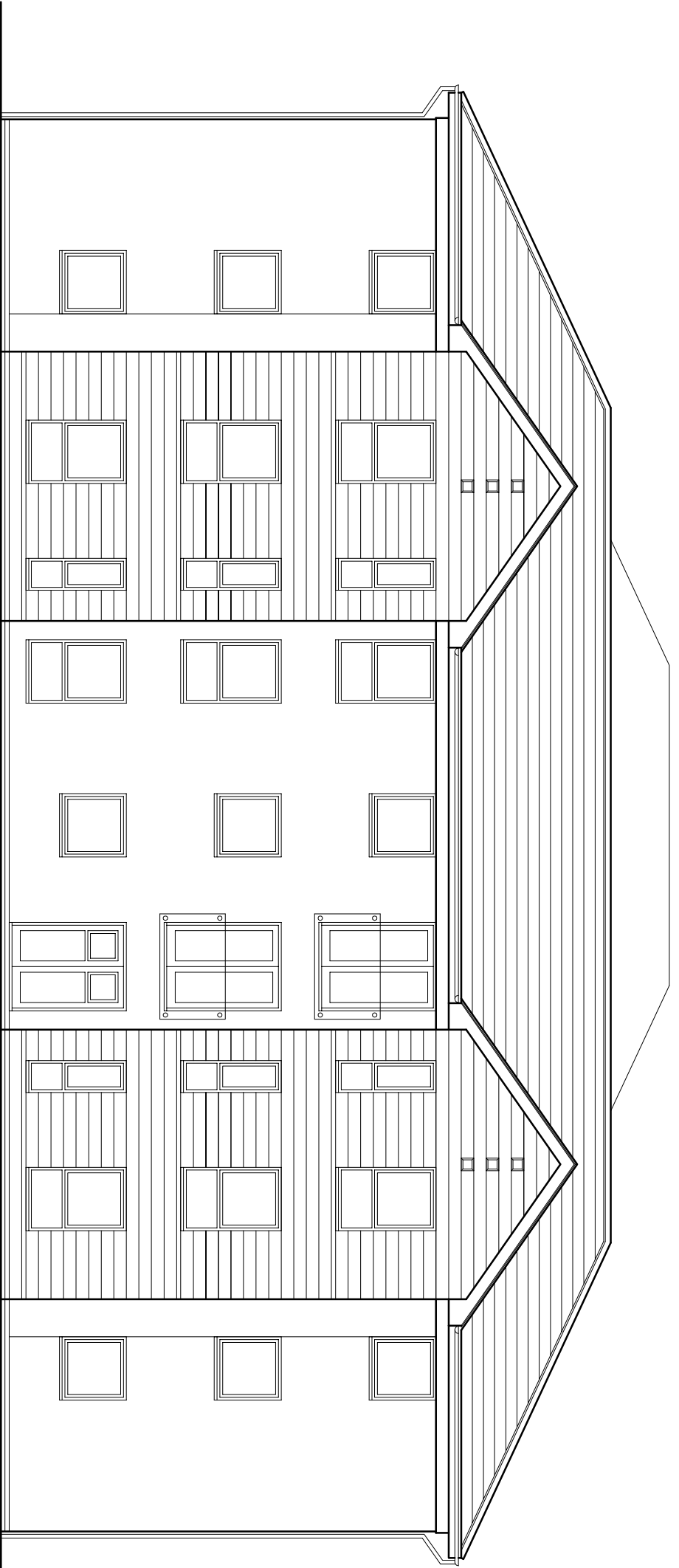
SITE LAYOUT & GROUND FLOOR PLAN



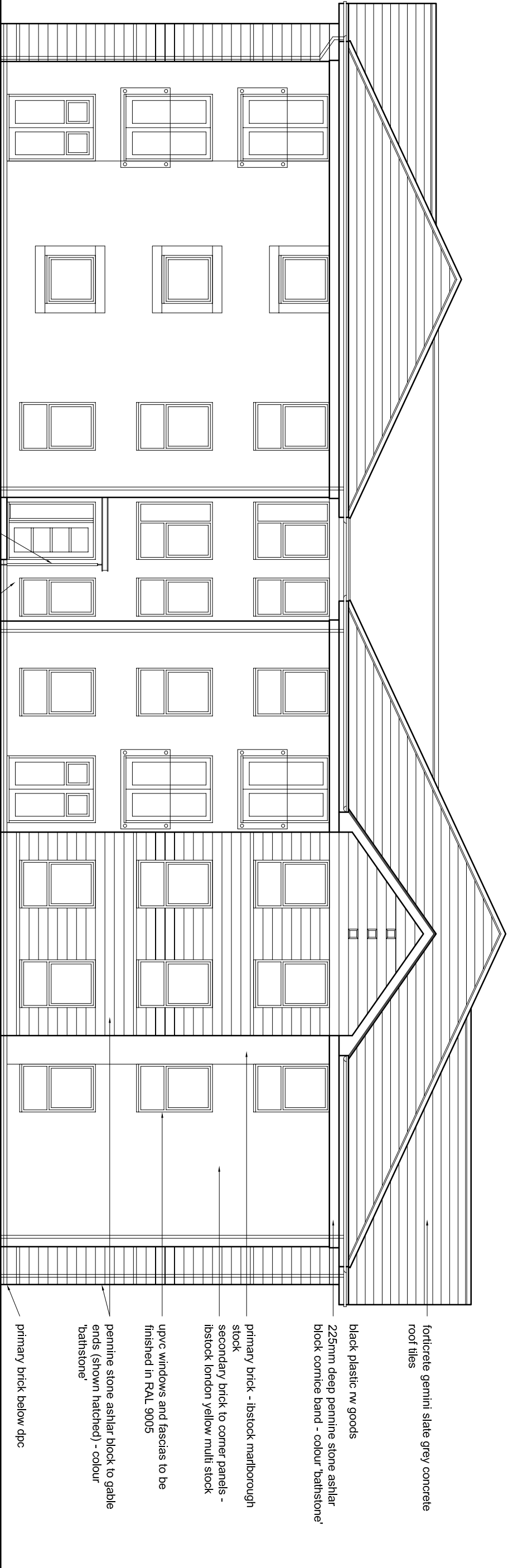


ELEVATION A (TO CHORLEY NEW ROAD)

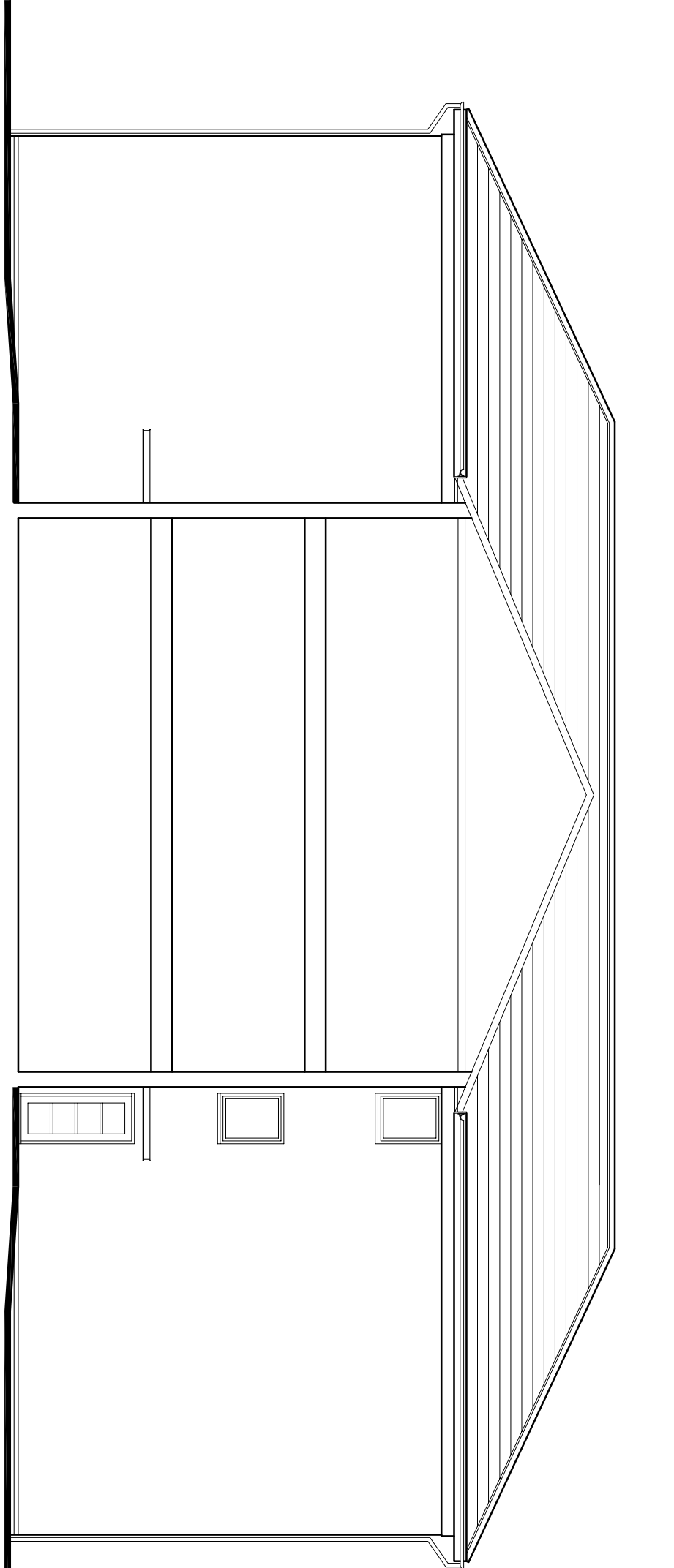
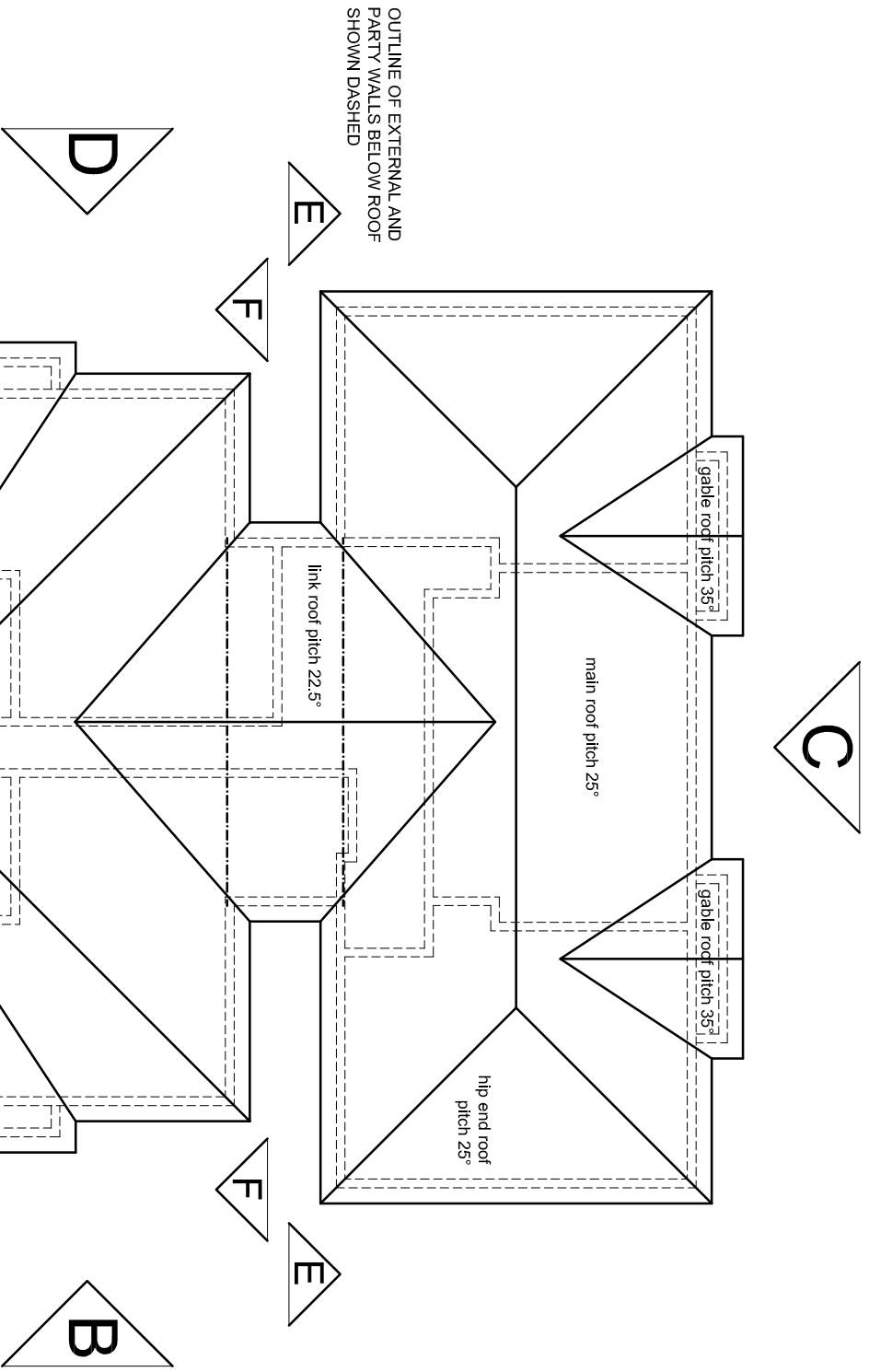
ELEVATION B



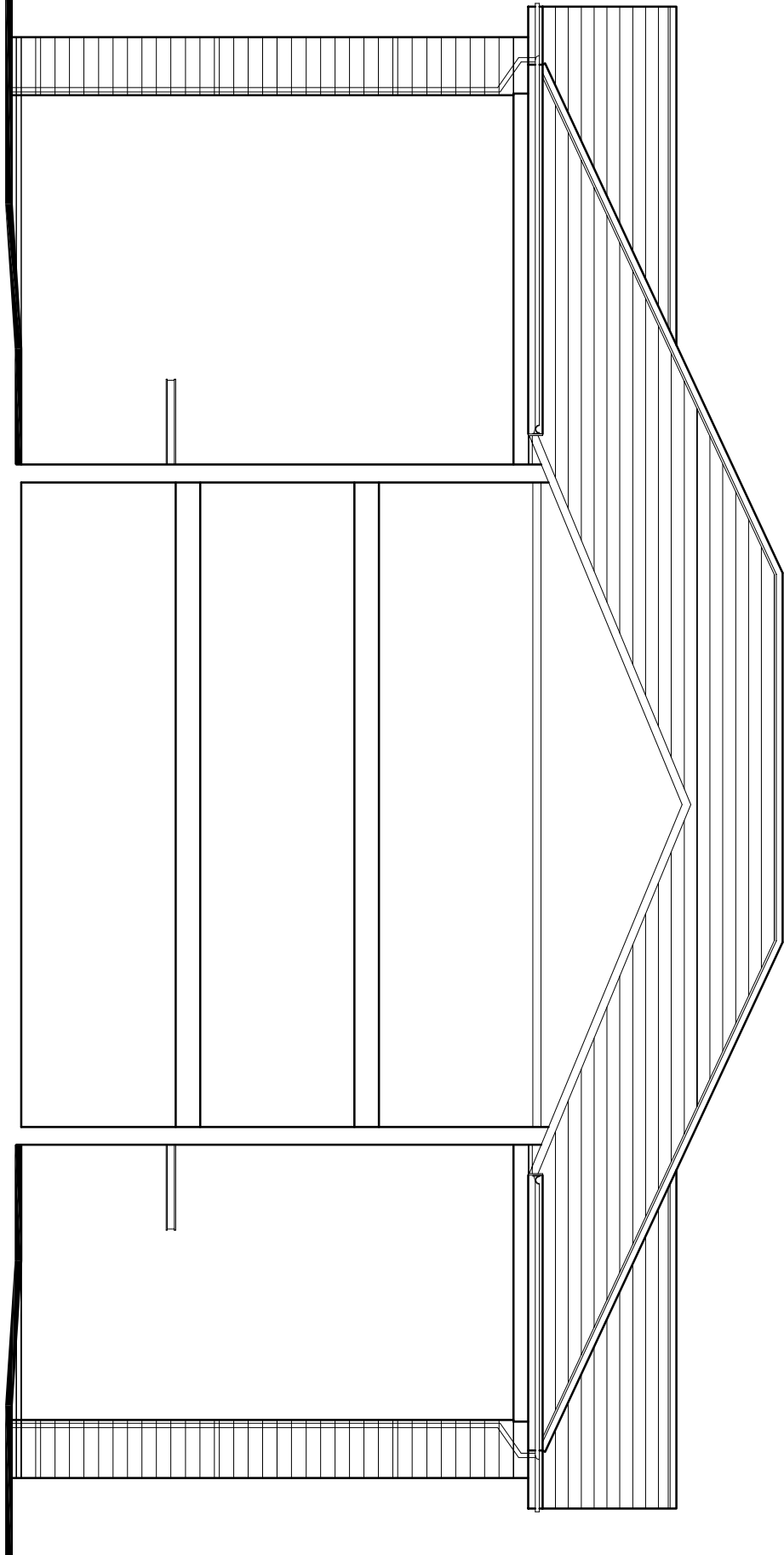
ELEVATION C



ELEVATION D

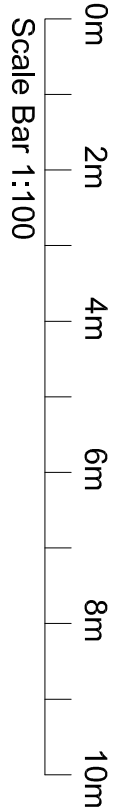


ELEVATION E

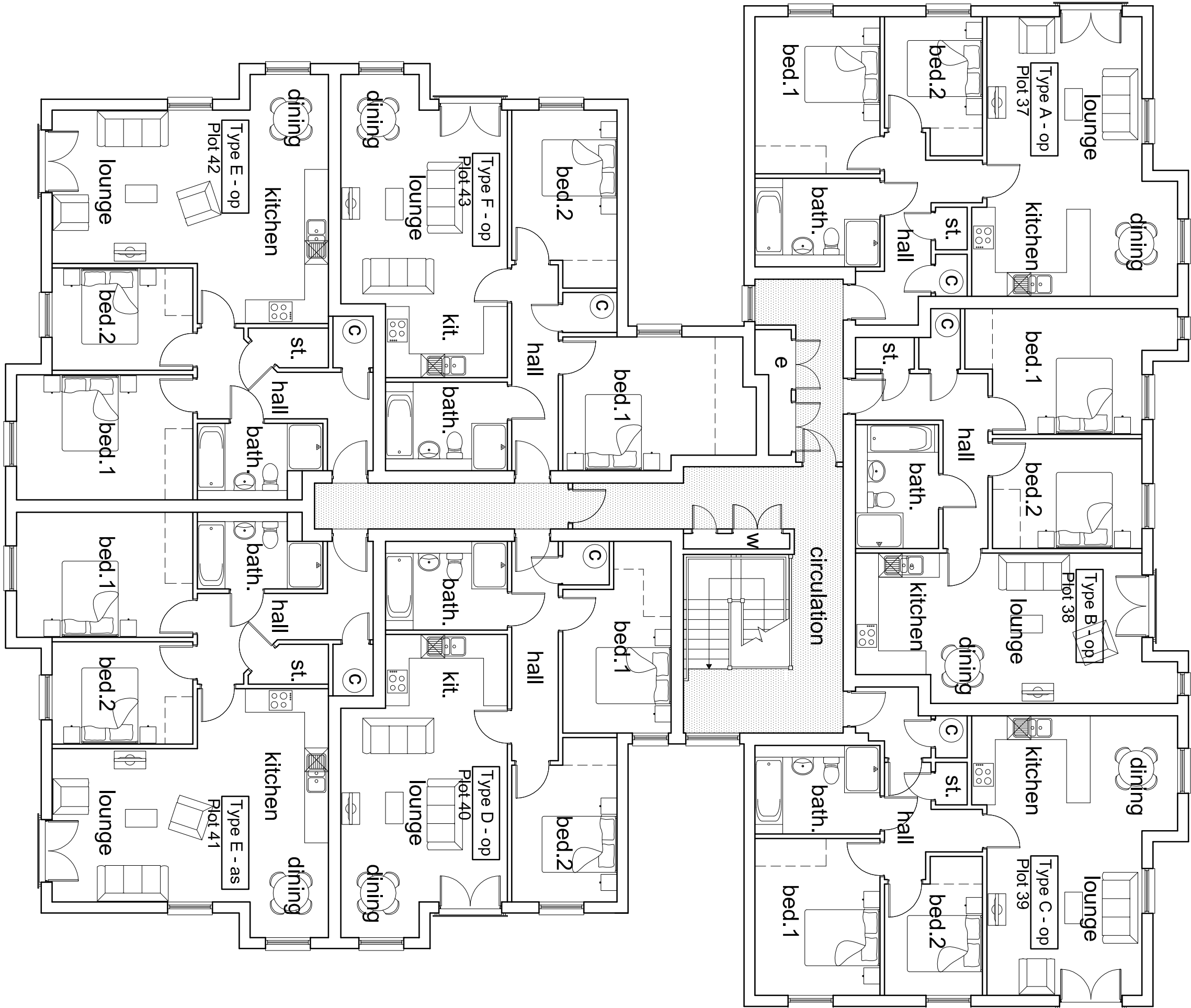
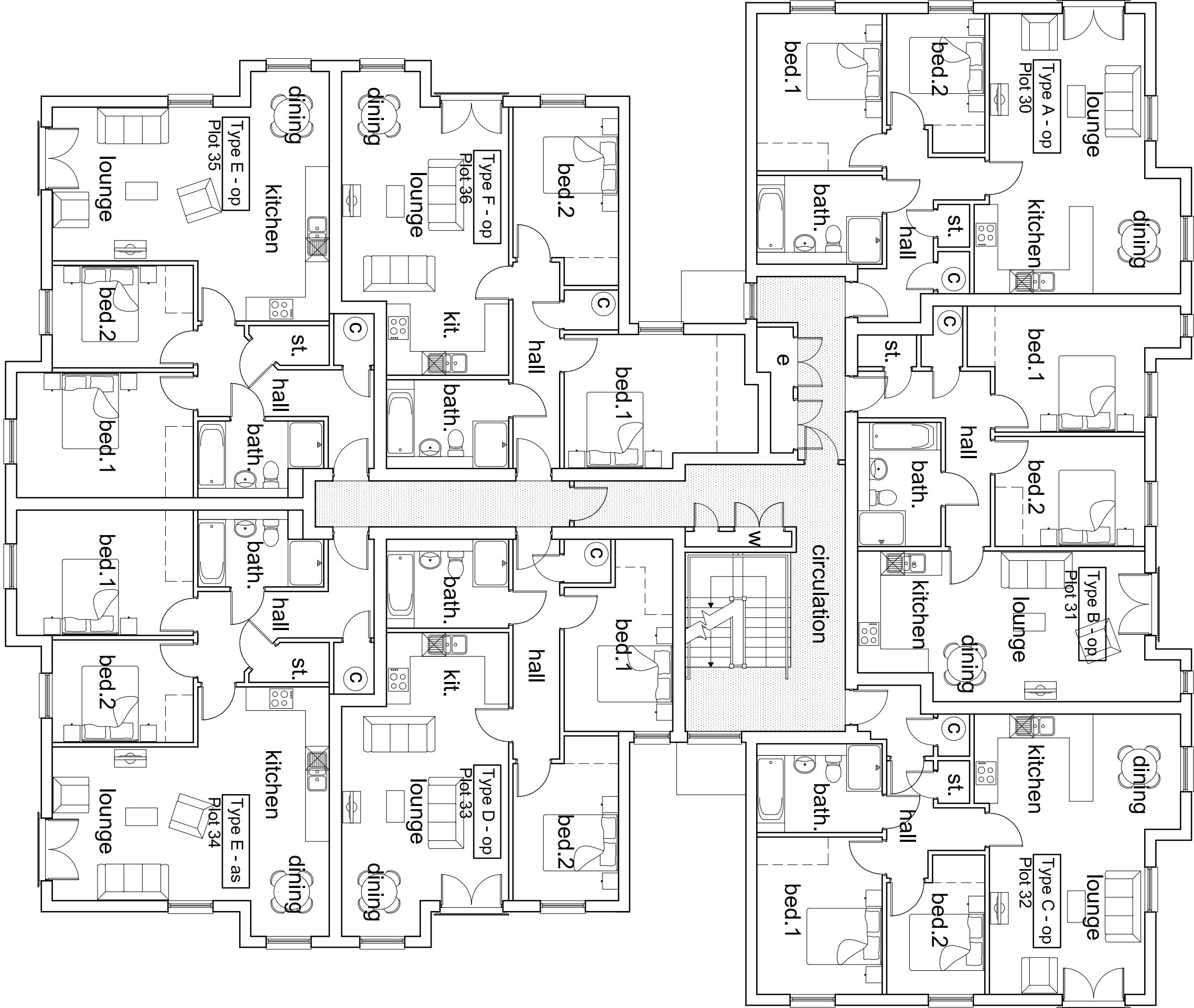
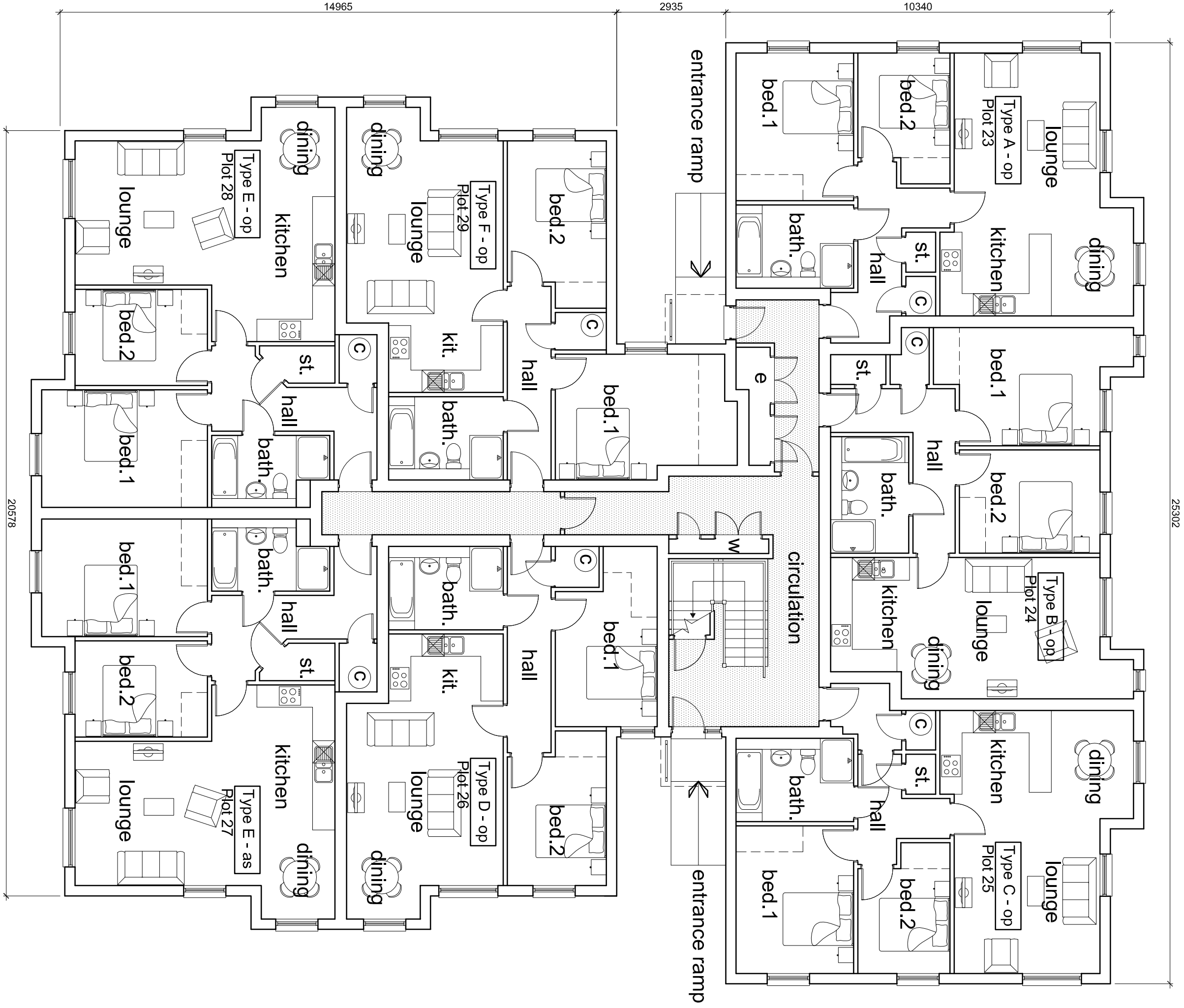


ELEVATION F

ROOF PLAN - 1:200



CLIENT Redrow Homes Ltd.				
PROJECT Proposed Apartments at Swallowfield Court, Chorley New Road, Horwich, BL6 6GA.				
DRAWING TITLE Proposed Elevations and Roof Plan - Block A.				
DATE 19.12.2013	SCALE 1:100 @ A1	DRAWN ASL	DWG No. 13/105/P03	REV



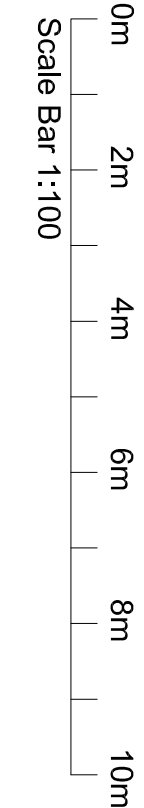
GROUND FLOOR PLAN

FIRST FLOOR PLAN

SECOND FLOOR PLAN

Schedule of accommodation.

Type	Floor Area	Units/floor	Units/Block
Type A	71.08sq.m. 765sq.ft.	1	3
Type B	71.45sq.m. 769sq.ft.	1	3
Type C	70.98sq.m. 764sq.ft.	1	3
Type D	67.35sq.m. 725sq.ft.	1	3
Type E	77.42sq.m. 833sq.ft.	2	6
Type F	71.35sq.m. 768sq.ft.	1	3
Totals		7	21



CLIENT Redrow Homes Ltd.			
PROJECT Proposed Apartments at Swallowfield Court, Chorley New Road, Horwich, BL6 6GA			
DRAWING TITLE Proposed Floor Plans - Block B. Plots 23 - 43.			
DATE 19.12.2013	SCALE 1:100 @ A1	DRAWN ASL	DATE 13/105/P04
REV			



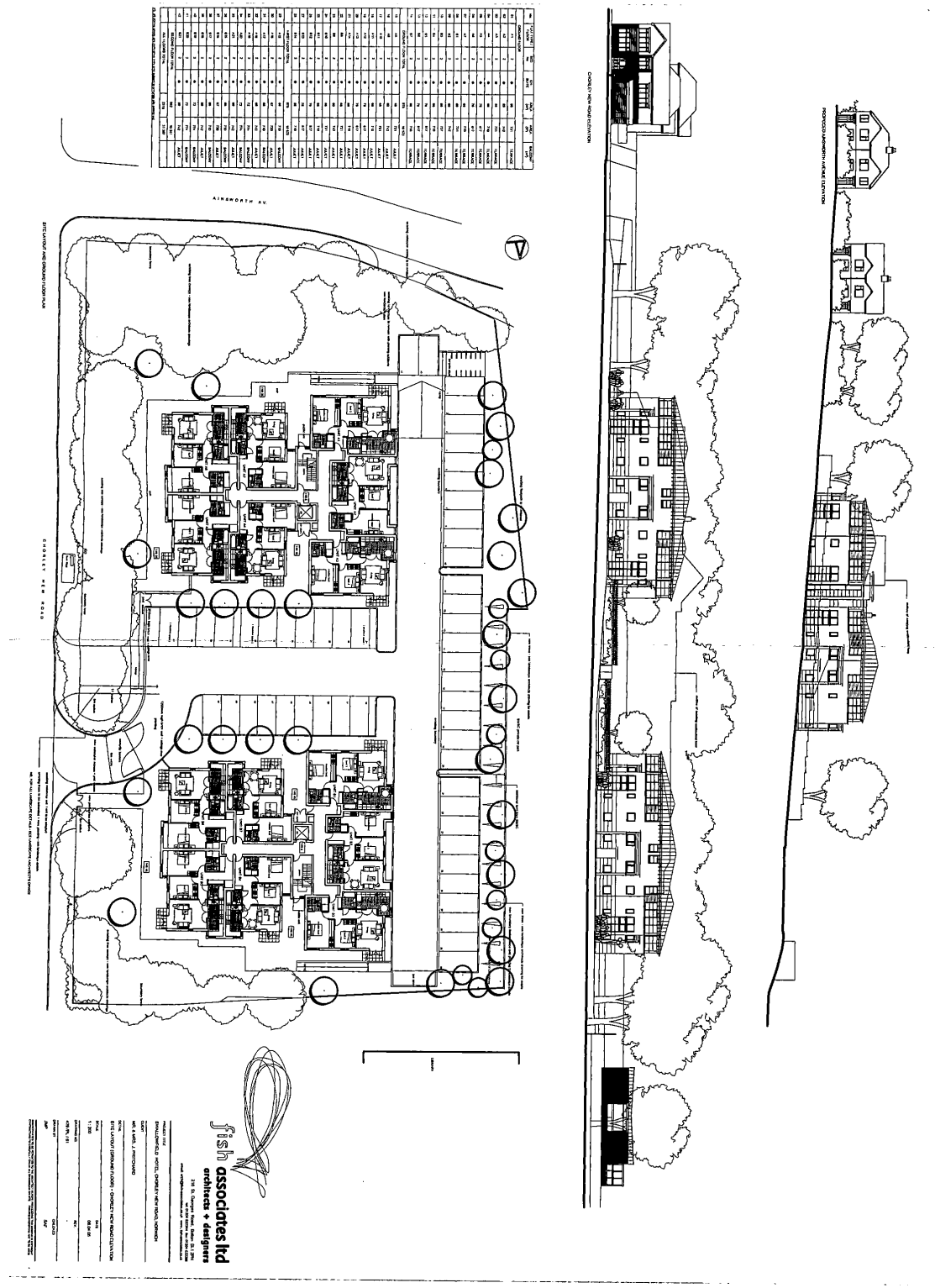
213 PRESTON ROAD  
WHITTLE, E. WOODS  
LANCASHIRE  
PR6 7PS  
TEL: 01257 261555  
WWW.LMPARCHITECTS.CO.UK

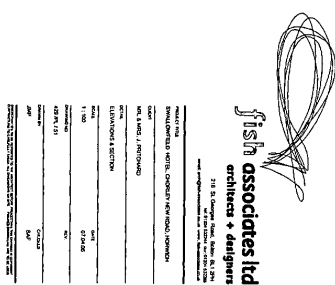
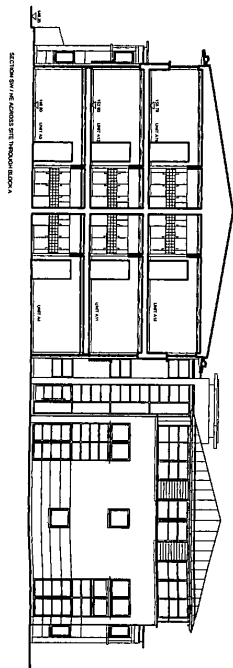
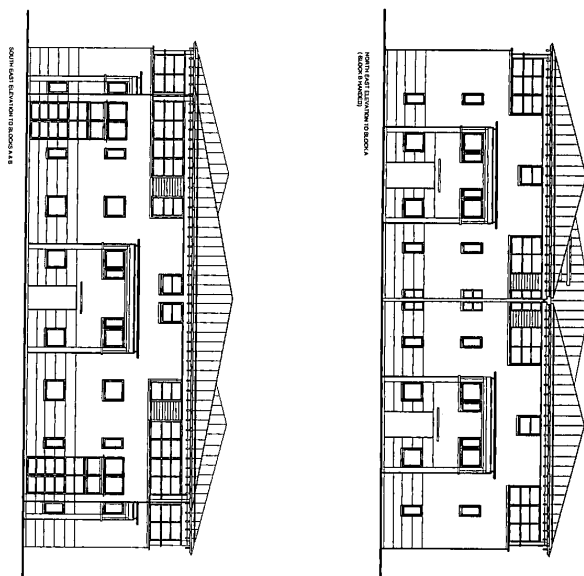
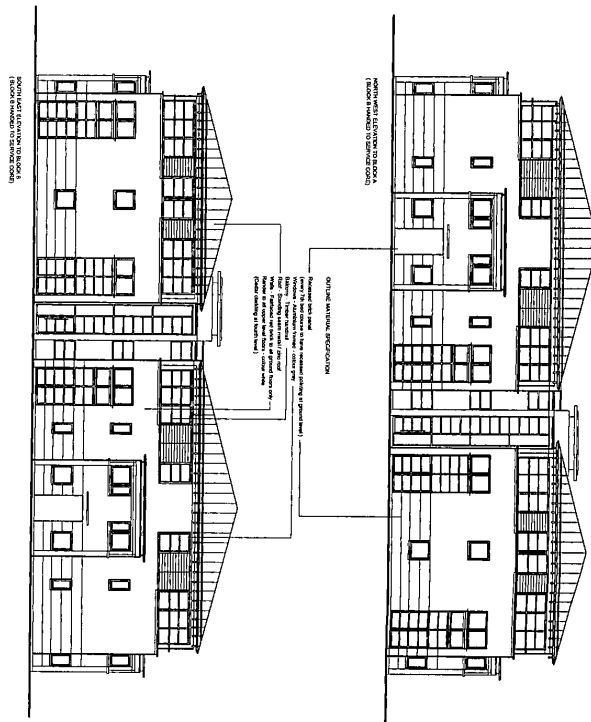
© Copyright Lawson Management Practice Ltd.

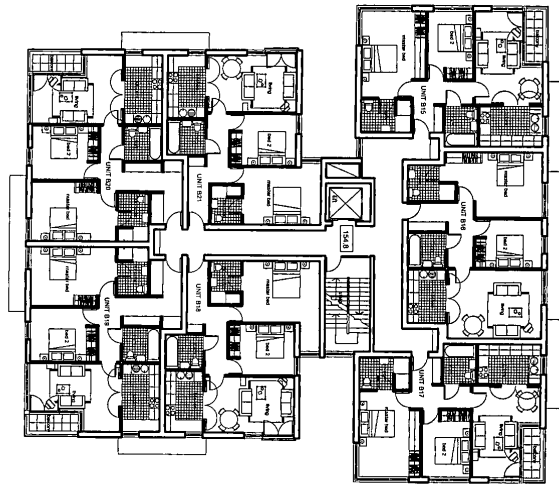
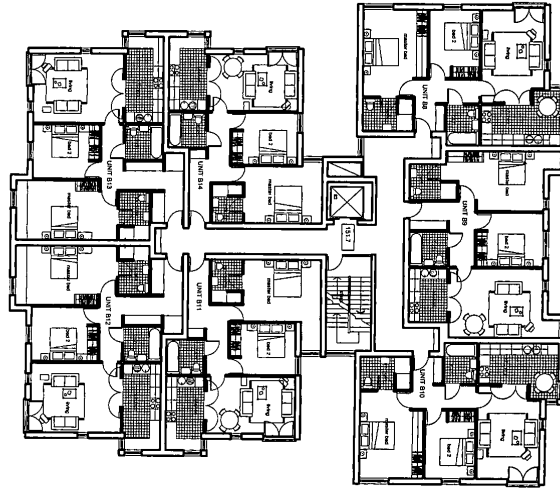




# Approved plans (73431/06)





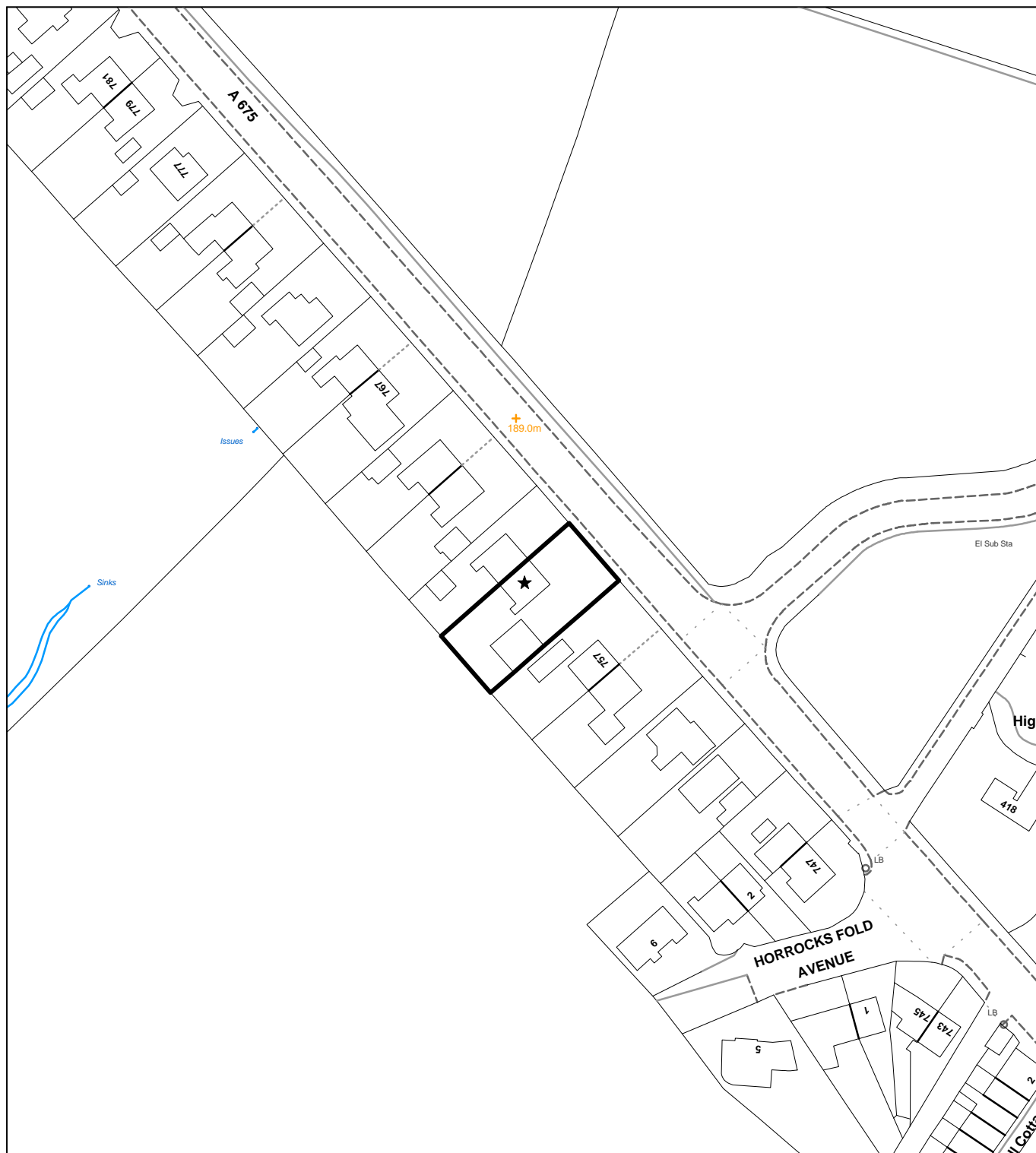


**fish associates ltd**  
architects + designers  
214 St. George Street, Suite 101, 2nd Fl.  
at 100 Queen St. W. Toronto, Ontario M5H 1B6  
phone: 416-593-9333 fax: 416-593-9334  
www.fishassociates.com



Application No.

91235/13



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of  
the Controller of Her Majesty's Stationery Office© Crown Copyright.  
Unauthorised reproduction infringes Crown Copyright and may lead to  
prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389

11



**Date of Meeting: 06/03/2014**

**Application Reference: 91235/13**

**Type of Application: Full Planning Application**  
**Registration Date: 23/12/2013**  
**Decision Due By: 16/02/2014**  
**Responsible Officer: Jodie Turton**

**Location: 759 BELMONT ROAD, BOLTON, BL1 7BY**

**Proposal: ERECTION OF PART TWO STOREY/PART SINGLE STOREY  
EXTENSION TO SIDE AND REAR.**

**Ward: Astley Bridge**

**Applicant: Mr Malji**  
**Agent : Valli Architectural Services**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Proposal**

The application proposes the erection of a two storey side extension and a part single storey, part two storey rear extension. The two storey extension will project from the side of the existing property by 5.175 metres and will extend the full length of the property (8.1 metres) and come out a further 3.26 metres to the rear. The side extension will serve to almost double the frontage of the dwelling onto Belmont Road, and has been designed to mirror the bay window section of the existing property. To the rear the two storey side extension wraps around and will extend along the width of the property by 8.3 metres. A single storey extension covers the remaining width of the property, up to the boundary with 761 Belmont Road.

#### **Site Characteristics**

This is a semi-detached property with a large garden and driveway to the front and side, sited within a row of residential properties on Belmont Road. There is a flat roofed, detached double garage to the north (side) of the house. To the rear is a garden which backs onto open fields. The site is within the Green Belt.

#### **Policy**

National Planning Policy Framework (NPPF)

Core Strategies Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.

Saved UDP Policies: G2 Green Belt.

SPD House Extensions  
PCPN2 Space Around Dwellings

## **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 purposes and openness of the Green Belt

### 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 OA5 of the Core Strategy relates specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, will ensure regard is had to the character of the wider open landscape, and will require special attention to be given to the massing and materials used in new development.

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 is undoubtedly large in scale, almost doubling the size of the house in terms of width, whilst adding a further extension to the rear. However, the proposed extension, notably the front elevation, has been well designed to mirror the design features of the original house, creating a double bay frontage. The existing entrance doorway is retained in its current form and position, which has allowed the formation of a symmetrical frontage which despite the size of the extension will provide a built form which in design, scale and form will enhance the existing dwelling.

To the rear, the applicant has been asked to modify the design slightly, to amend the fenestration to provide more symmetry and also to hip the roof to reduce the appearance of bulk. Amended plans are awaited.

The proposal complies with policy as detailed above.

#### 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. PCPN2 Space Around Dwellings sets out the Council's minimum interface standards between dwellings.

The extension will not impact on the neighbouring property at 757 due to distance between the two properties, orientation and the existing garage. The adjoining property at 761 has recently been extended to the side and rear and the proposed extension will not impact on any principal windows and the rear portion of the extension complies with the 45 degree guidance contained in SPD 'House Extensions'.

One letter of objection has been received from a property some distance away (in excess of 50 metres), however given the distance and orientation of this property there is no impact on residential amenity, privacy or loss of light.

The proposal complies with policy.

#### Impact on the Purposes and Openness of the Green Belt

Saved UDP Policy G2 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] (iii) the limited extension or alteration of existing dwellings. In all cases development should not prejudice the purposes and visual amenities of the Green Belt by reason of its scale, design and siting.

It is acknowledged that the extension is large in scale, however in design terms this has been addressed and is considered acceptable. Similarly, given the urban nature of this singular row of dwellings and the size of the site to comfortably accommodate the proposal the extension is not considered to have any detrimental impact on the openness of the Green Belt. To the rear, other properties on the row have been extended to varying degrees, in a non-uniform manner.

To minimise the bulk of the proposal, and therefore lessen the impact of views into the site, the applicant has been asked to hip the roof of the two storey rear extension. Amended plans are awaited.

Subject to the submission of amended plans the proposal complies with policy.

#### Impact on Trees

Policy CG1.1 of the Core Strategy states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows.

The Council's Tree and Woodland Officer has confirmed that the development will result in the removal of a small rowan tree, however it is considered to be of low amenity value and its removal is therefore acceptable.

**Conclusion**

The proposed extension is in keeping with the character of the dwelling and surrounding area and thus complies with Core Strategy policies CG3 and OA5. There is no impact from the extension on neighbouring residential amenity ensuring compliance with Core Strategy policy CG4 and SPD House Extensions. Given the design and siting of the extension, it is not considered to impact detrimentally on the openness of the Green Belt, complying with Saved UDP policy G2.

The proposal complies with policy and is recommended for approval.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** one letter of objection has been received from 6 Horrocks Fold Avenue, raising the following concerns:

- Overlooking, loss of light and privacy, particularly from the balconies to the rear - *the extension has juliette balconies, however these will offer no opportunity for overlooking given the orientation of the houses.*
- The extension is too large and will result in the overdevelopment of the site and will have a detrimental affect on the streetscene - *this is addressed in the main body of the report.*
- The plans show velux lights in the roof - question as to what these will be used for as the plans do not show the loft space - *the applicant has confirmed that these will provide light to the loft, and in the long term may allow for the easy conversion of the loft into living space.*
- The extension will inhibit views of the field and openness to the rear - *this is addressed in the Green Belt section above.*

**Elected Members:-** Councillor Walsh has requested that the application goes to Committee for decision.

### **Consultations**

Advice was sought from the following consultees: Drainage Team, Tree and Woodland Officer.

### **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. 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.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed on the dwelling.

Reason

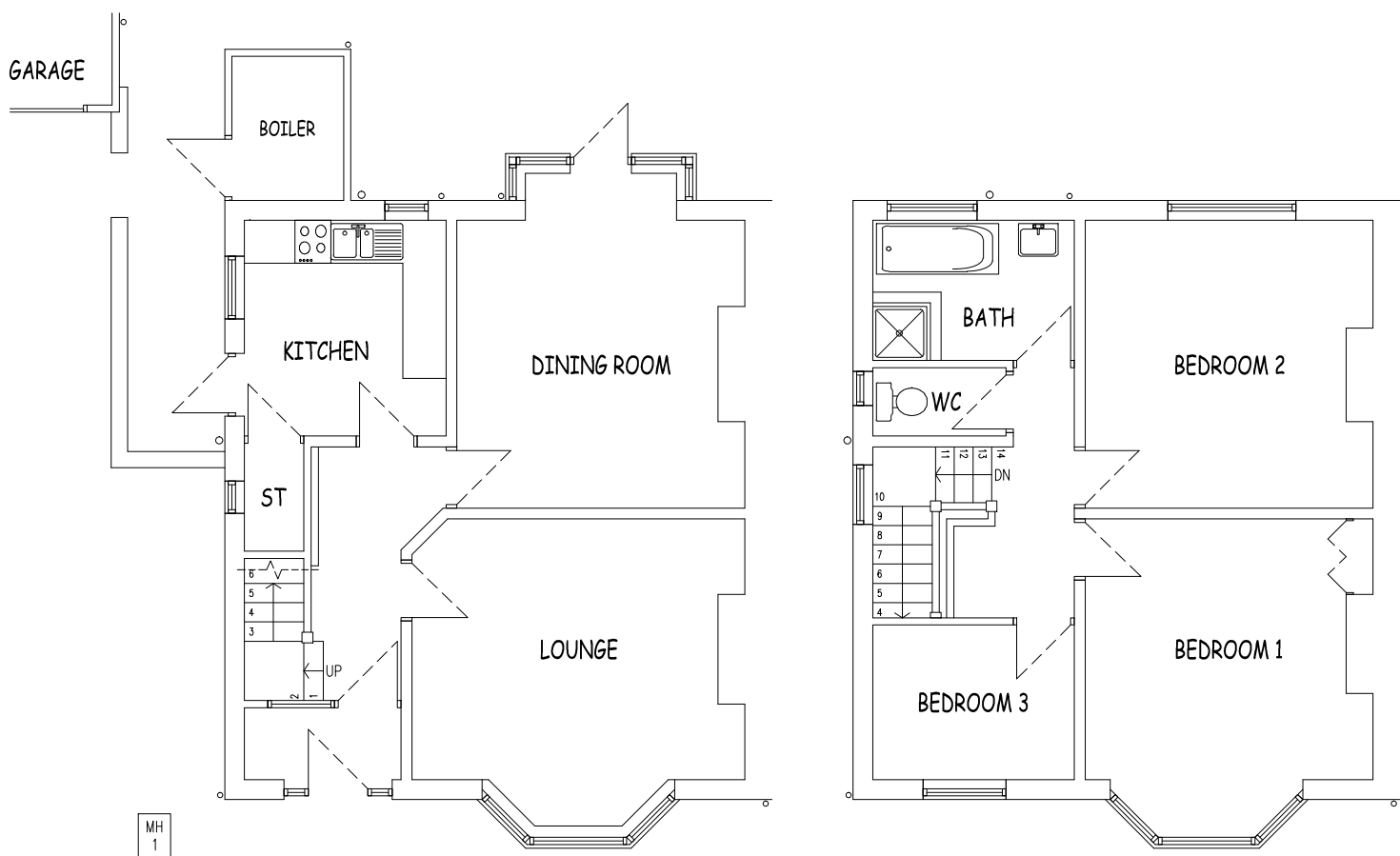
To safeguard the character and appearance of the dwelling/land.

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

**Drawing No. 040.101 Revision Existing and proposed floor plans, elevations and roof plans, received 02/14**

Reason

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



EXISTING  
GROUND FLOOR PLAN

EXISTING  
FIRST FLOOR PLAN



EXISTING  
FRONT ELEVATION



EXISTING GABLE  
ELEVATION



EXISTING REAR  
ELEVATION

### PROPOSED MATERIALS TO BE USED:

WALLS – New brick/rendered walls, painted white in masonry paint. To match existing materials.

ROOF – Natural slate fixed along front facade. Reconstituted slates fixed elsewhere. To match existing materials.

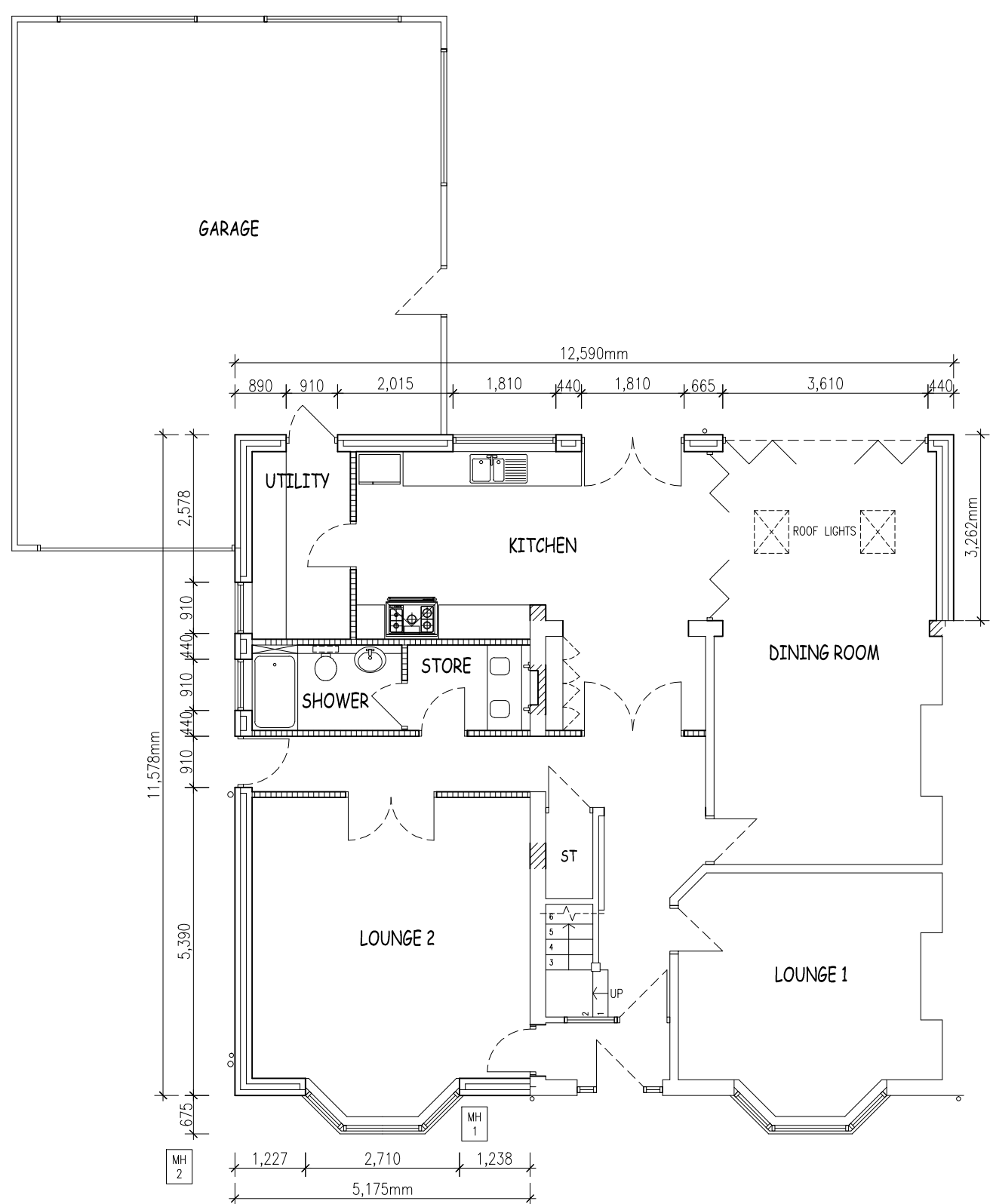
WINDOWS – Upvc triple glazed, Grade 'A' rated reinforced frame windows in woodgrain colour.

DOORS – Upvc Grade 'A' rated door in woodgrain colour.

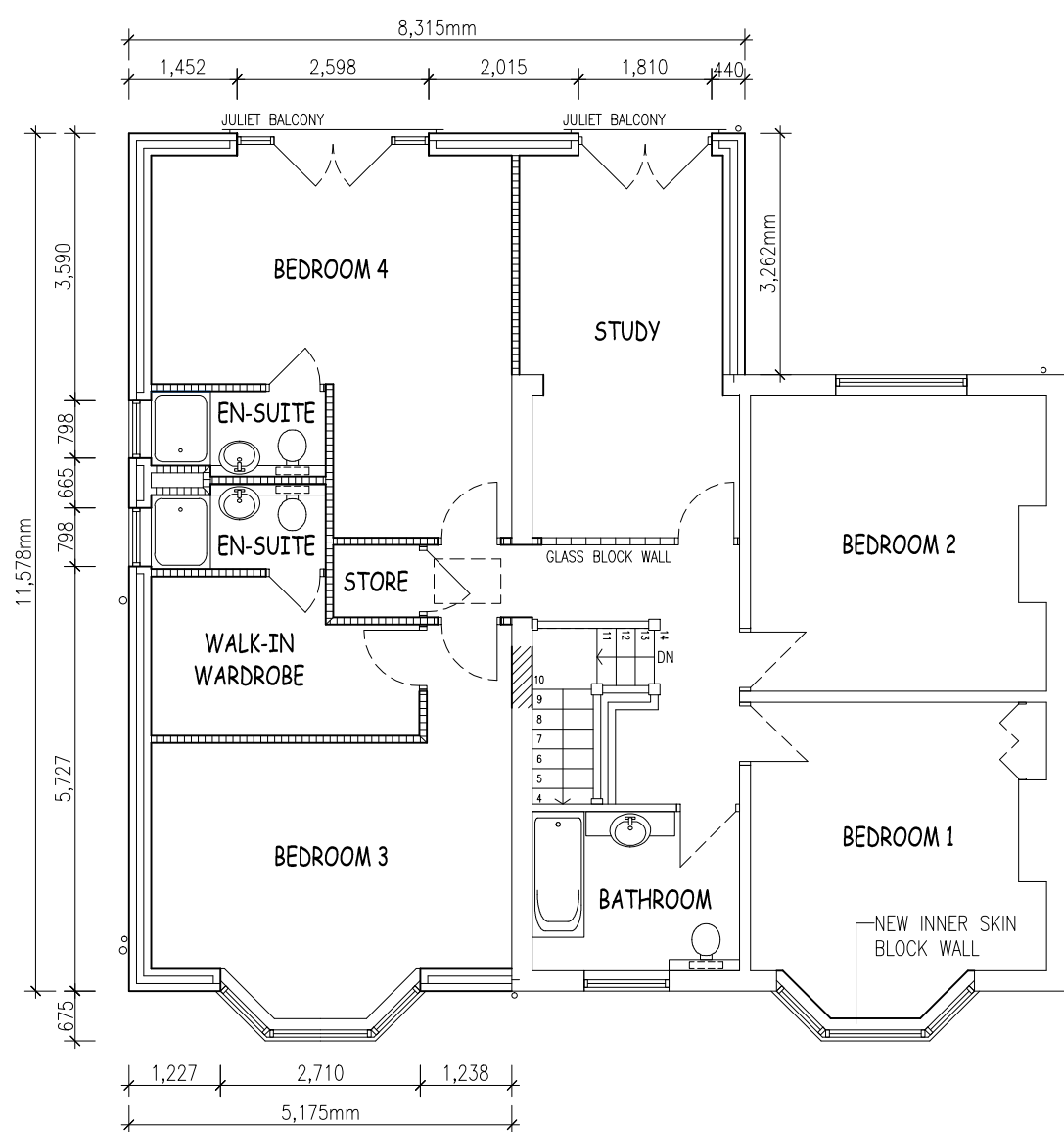
BOUNDARY FENCE TREATMENT – Rear concrete post and fences repaired and made good.

VEHICLE ACCESS HARDSTANDING – Tarmacadam surface made good.

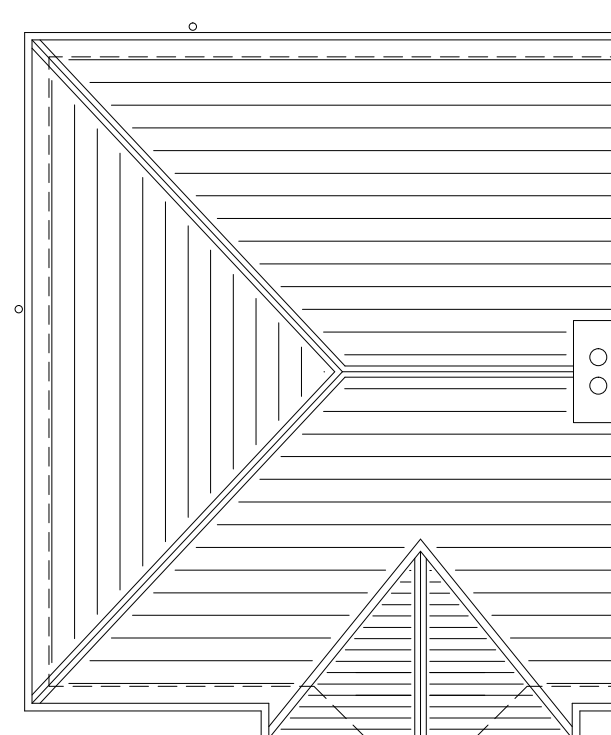
LIGHTING – PIR sensor security lighting.



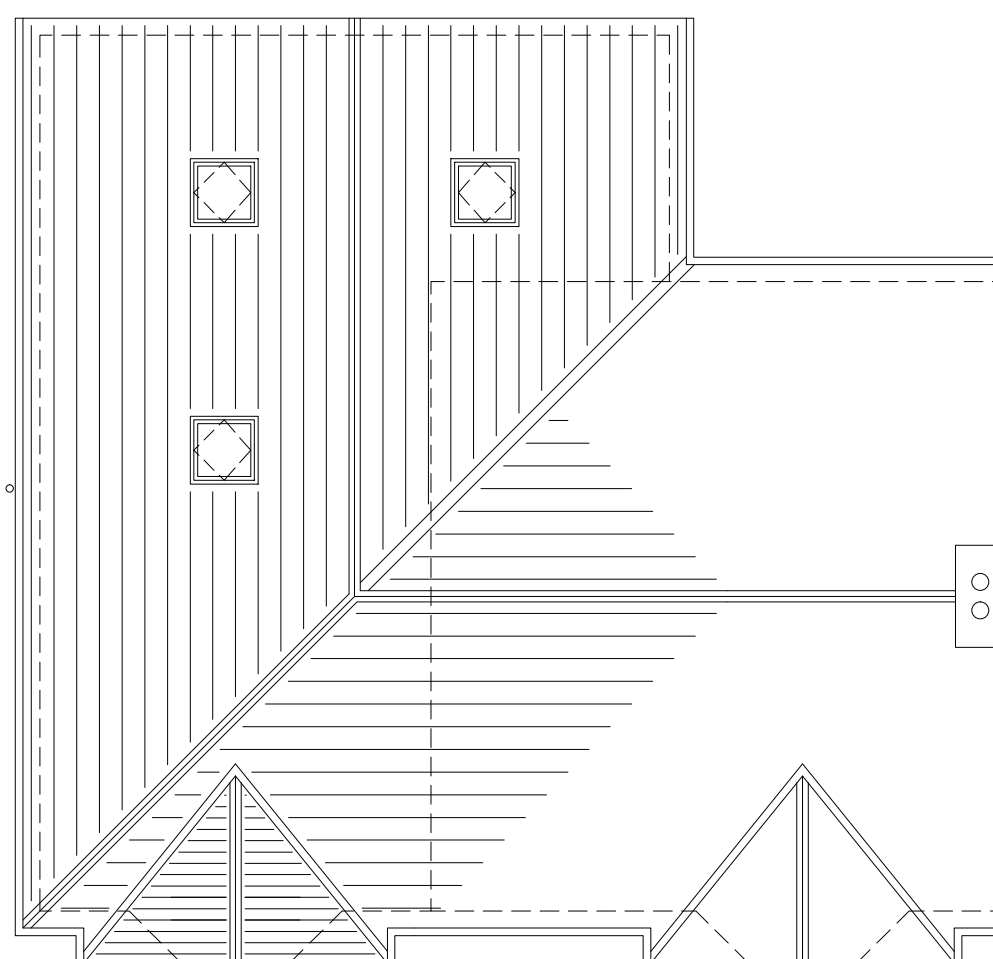
PROPOSED  
GROUND FLOOR PLAN



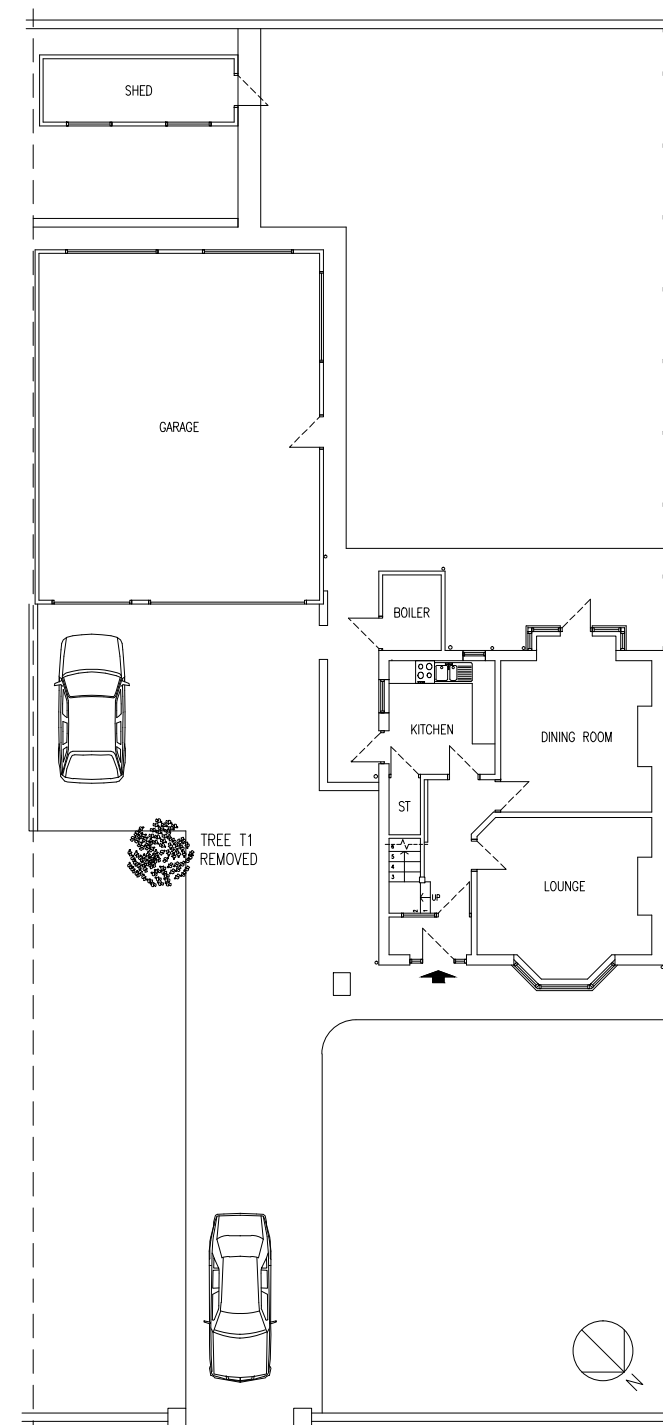
PROPOSED  
FIRST FLOOR PLAN



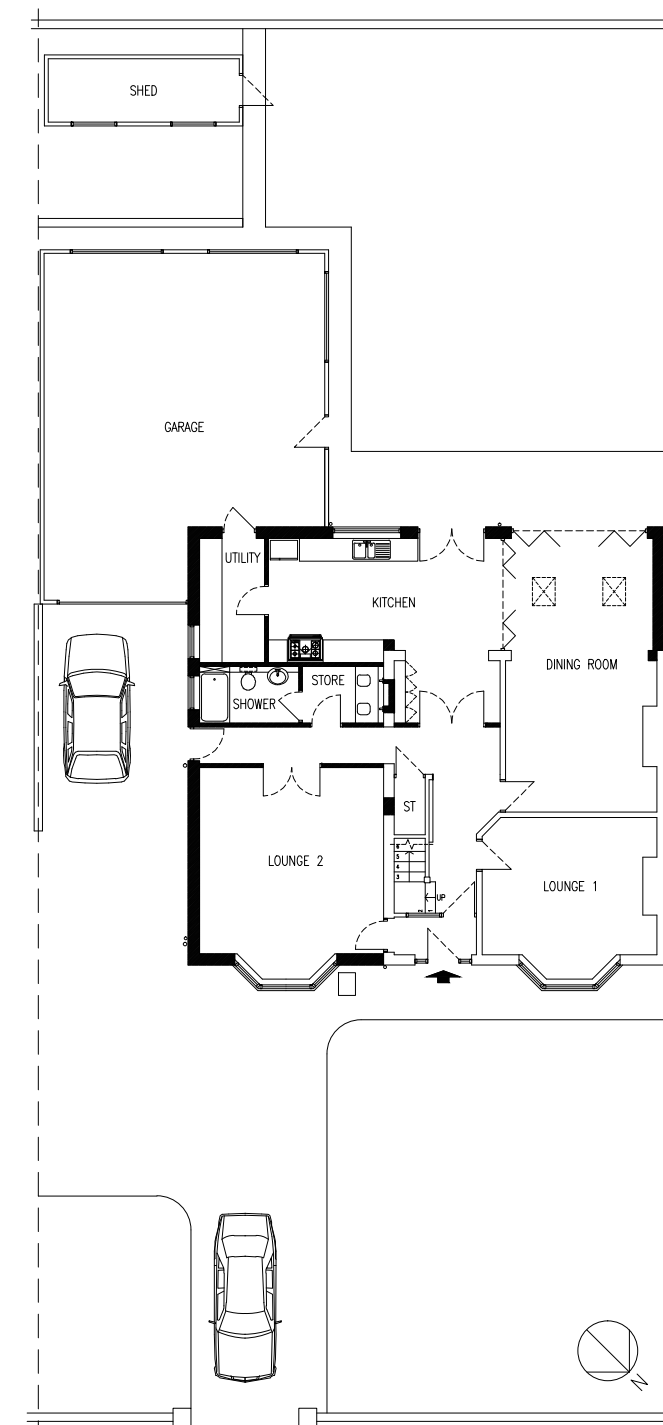
EXISTING ROOF PLAN



PROPOSED ROOF PLAN



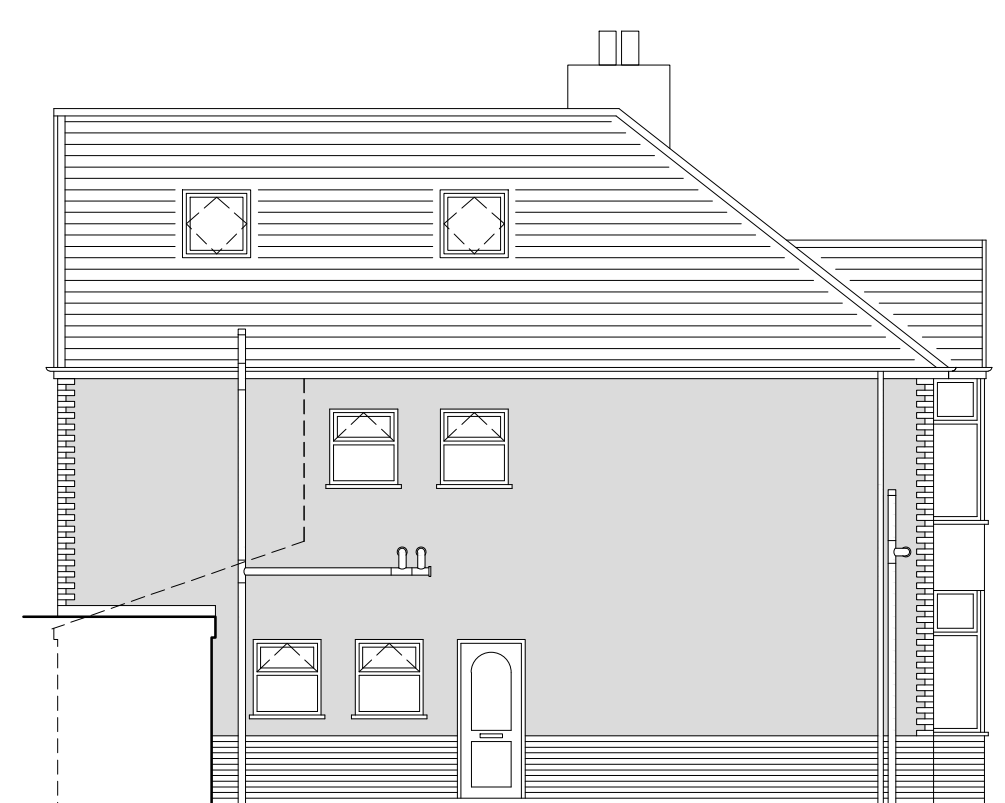
EXISTING SITE PLAN  
(1:200)



PROPOSED SITE PLAN



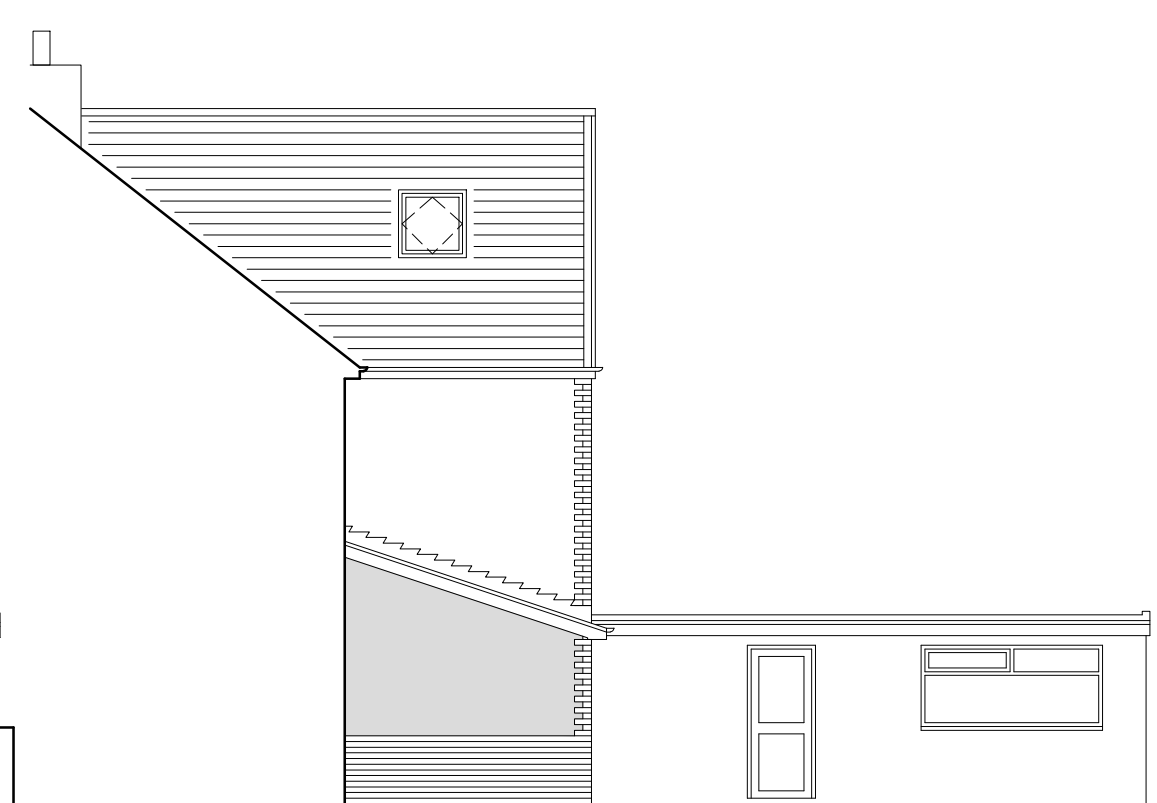
PROPOSED  
FRONT ELEVATION



PROPOSED  
GABLE ELEVATION



PROPOSED  
REAR ELEVATION



PROPOSED  
SIDE ELEVATION

rev.	date	description
revision status		
<input checked="" type="checkbox"/>	Planning Permission	<input type="checkbox"/> Preliminary
<input type="checkbox"/>	Building Regulations	

client		
Mr. Yasin Malji 759, Belmont Road Bolton BL1 7BY		
project		
Proposed Two Storey Gable and Single Storey Rear Extensions		
drawings		
Existing and Proposed Floor Plans, Elevations and Roof Plans		
drawn	smvalli	checked
date	23/12/2013	date
scale	1:100 / 1:200	A1
drawing no.	040.101	revision
department	Planning	sheet
		1 of 1
1:100 0 1 2 3 4m		





**Date of Meeting: 06/03/2014**

**Application Reference: 91244/13**

**Type of Application: Full Planning Application**  
**Registration Date: 24/12/2013**  
**Decision Due By: 17/02/2014**  
**Responsible Officer: Alex Allen**

**Location: LAND AT PLODDER LANE, FARNWORTH, BOLTON, BL4 0LE**

**Proposal:** ERECTION OF 15M HIGH TELECOMMUNICATIONS COLUMN WITH ASSOCIATED EQUIPMENT CABINETS (FOLLOWING REMOVAL OF EXISTING 13.8M HIGH COLUMN)

**Ward: Hulton**

**Applicant: Vodafone Ltd & Cornerstone Telecommunications Infrastructure Limited**  
**Agent : Clarke Telecom Ltd.**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Proposal**

The applicant proposes the replacement of a existing 13.8 metre high monopole with a 15 metre high monopole. The new monopole would support 6 antennas, 1 existing equipment cabinet and the installation of 2 additional equipment cabinets.

#### **Site Characteristics**

This is an existing telecommunications site which currently provides for a 13.8 metre high monopole which houses 3 antennae with associated equipment cabinet and meter cabinet. The existing installation is located upon a pavement, on the north side of Plodder Lane at the traffic island with Highfield Road. Great Lever and Farnworth Golf Club is located to the north, whilst to the south-west and south-east are residential properties. On the southern side of Plodder Lane is an area of landscaped highway and a bus stop. To the east of the site are open fields.

The nearest residential properties are:

- 611 Plodder Lane being approximately 45.5 metres away and part gable/part front elevation facing relationship;
- 619 Plodder Lane being approximately 29 metres away and front facing;
- 370 Highfield Road being approximately 54 metres away having a gable facing relationship with the site;
- 391 Highfield Road being approximately 64 metres away and not having a direct aspect relationship with the site.

#### **Policy**

National Planning Policy Framework 2012

Core Strategy policies CG3 The Built Environment, OA4 West Bolton, S1 Safe and P5 Accessibility.

Planning Control Policy Note No. 25 - Telecommunications.

### **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:-

- \* Siting and appearance
- \* Health considerations
- \* Technical justification
- \* Consideration of alternative sites and mast Sharing

### **Siting and appearance**

The siting, scale and external appearance of the apparatus, and any associated landscaping, have been designed to minimise, eliminate or mitigate negative impact on amenity, visual intrusion and, if applicable, the appearance of structures on which they are mounted.

The mast would replace an existing mast that forms part of the urban fabric and has been in-situ for a number of years. The main differences would be:

- height increase from 13.8 metres to 15 metres.
- increase in width by c. 10 centimetres to 32.4 cm.

The mast and equipment form part of a street scene and would blend into the general background locally as does the existing, bearing in mind that the increase in height is considered to be modest. Members may recall that the original monopole in this location was considered by Planning Committee and subsequently approved in July 2011.

The existing mast is finished in a light grey metal which complements the existing street lamps. The proposed monopole would use the same materials as the existing monopole whilst the proposed 2 new cabinets would be powder coated green which would also complement the character of the area.

Given that there is an existing mast in-situ with a modest increase in height and width of the proposed new monopole, Officers consider that the proposed replacement is acceptable. If members are minded to recommend approval of the scheme it is recommended that a condition is required for a colour scheme for the proposed cabinets.

### Health Considerations

The Central Government view is that if the output levels of the proposed equipment are below the guidelines recommended by the International Commission on Non-Ionizing Radiation Protection, there should be no need for further consideration on health grounds. Para 46 of the NPPF requires local planning authorities should not determine health safeguards if the proposal meets International Commission guidelines for public exposure.

Operators should provide Local Planning Authorities with ICNIRP compliance statements. The applicant has provided an ICNIRP compliance statement for this application. Officers consider the health risks to therefore not represent an issue.

### Technical Justification

The mast is a shared facility between Vodafone and Telefonica and will remove the need for two separate masts. The mast provides an upgrade to support future 4G coverage but also enhanced 2G/3G capacity for both Telefonica and Vodafone customers. Sufficient justification has been provided in support of the proposal technically. The proposal replaces an existing mast and the principle of such development has previously been accepted in this location. Para 46 of the NPPF states that local planning authorities should not question the need for telecommunications systems.

### Consideration of Alternative Sites and Mast Sharing

Para 45 of the NPPF requires that applications for telecommunications development (including for prior approval under Part 24 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include, for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.

The applicant has conducted a sequential assessment when considering improvements to the existing network with the aim of site selection to ensure the overall impact of potential new monopoles is minimised. This includes the use of existing sites as the first consideration. New sites are only developed where there are no viable or accessible alternatives.

Officers agree that this is the most acceptable location as the site is an established location for such development and is preferable when compared to finding an additional site locally.

This is a shared mast between Telefonica and Vodafone. This will offer customers of both operators an improved service and minimise the need for further installations in the vicinity.

### **Conclusion**

The Government through the NPPF views an advanced high quality communications infrastructure as being essential for sustainable economic growth. They play a vital role in the local community and offer services. For the reasons described above it is concluded that the siting and appearance of the replacement telecommunications equipment is acceptable and in accordance with National and Local planning policy and guidance.

Members are recommended to approve the application for prior notification.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** one letter of objection has been received from a nearby resident stating that the current mast is an eyesore and the replacement would be better located 100 yards down the road towards St Helens Road.

***Officer comment:- it is implied from the letter that if the mast is taller, then this would be more of an eyesore.***

**Petitions:-** no petitions have been received.

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

### **Consultations**

Advice was sought from the following consultees: Council's Highways Engineers and the Council's Telecommunications consultant (ECS Limited).

### **Planning History**

Prior approval was granted by Planning Committee members in July 2011 for the erection of a 13.8 metre high telecommunications monopole housing 3 antennae with associated equipment and meter cabinets (Ref: 86308/11).

**Recommendation:            Approve subject to conditions**

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

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

Reason

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

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

Reason

To ensure the development safeguards the character and visual appearance of the locality.

3. The development hereby permitted shall be carried out in complete accordance with the following approved plans, including the removal of the existing mast and equipment and any necessary reinstatement of land:

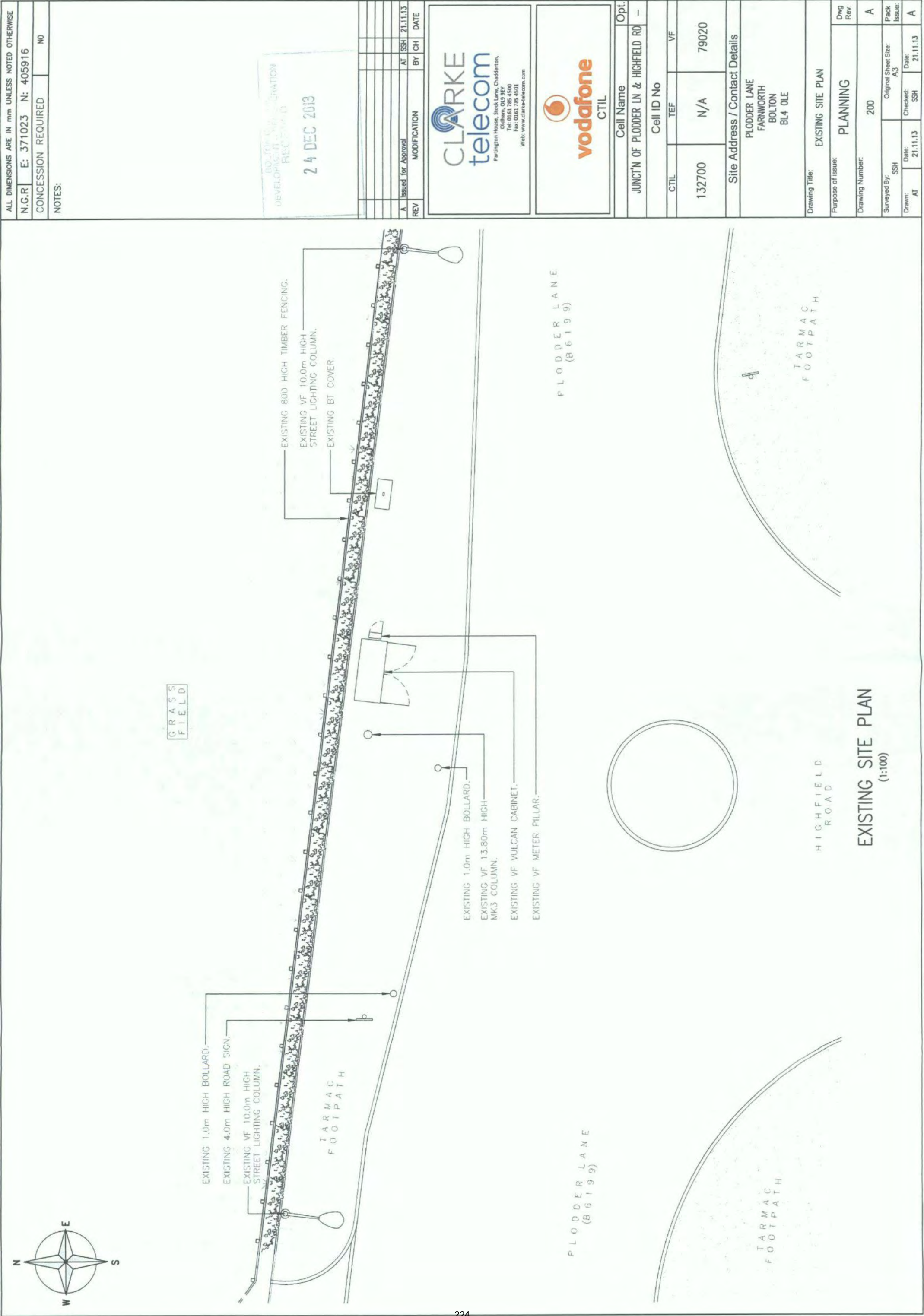
**Drawing No. Rev A Proposed Site Plan received 24/12/13**

**Drawing No. 301 Rev A Proposed site elevation received 24/12/13**

Reason

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











ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R

E: 371023

N: 405916

CONCESSION REQUIRED

NO

NOTES:

SOLTON COUNCIL  
DEVELOPMENT & REGENERATION  
RECEIVED  
24 DEC 2013

CLARKE  
telecom  
Partington House, Stock Lane, Chadderton,  
Oldham, OL9 9EY  
Tel: 0161 785 4500  
Fax: 0161 785 4501  
Web: www.clarke-telecom.com

vodafone  
CTIL

Cell Name

JUNCT'N OF PLODDER LN & HIGHFIELD RD

Opt.

-

Cell ID No

CTIL

TEF

VF

132700

N/A

79020

Site Address / Contact Details

PLODDER LANE  
FARNWORTH  
BOLTON  
BL4 0LE

Drawing Title:

PROPOSED SITE ELEVATION

Purpose of Issue:

PLANNING

Dwg Rev:

Drawing Number:

301

A

Surveyed By:

SSH

Original Sheet Size:

A3

Pack Issue:

Drawn:

AT

Date:

21.11.13

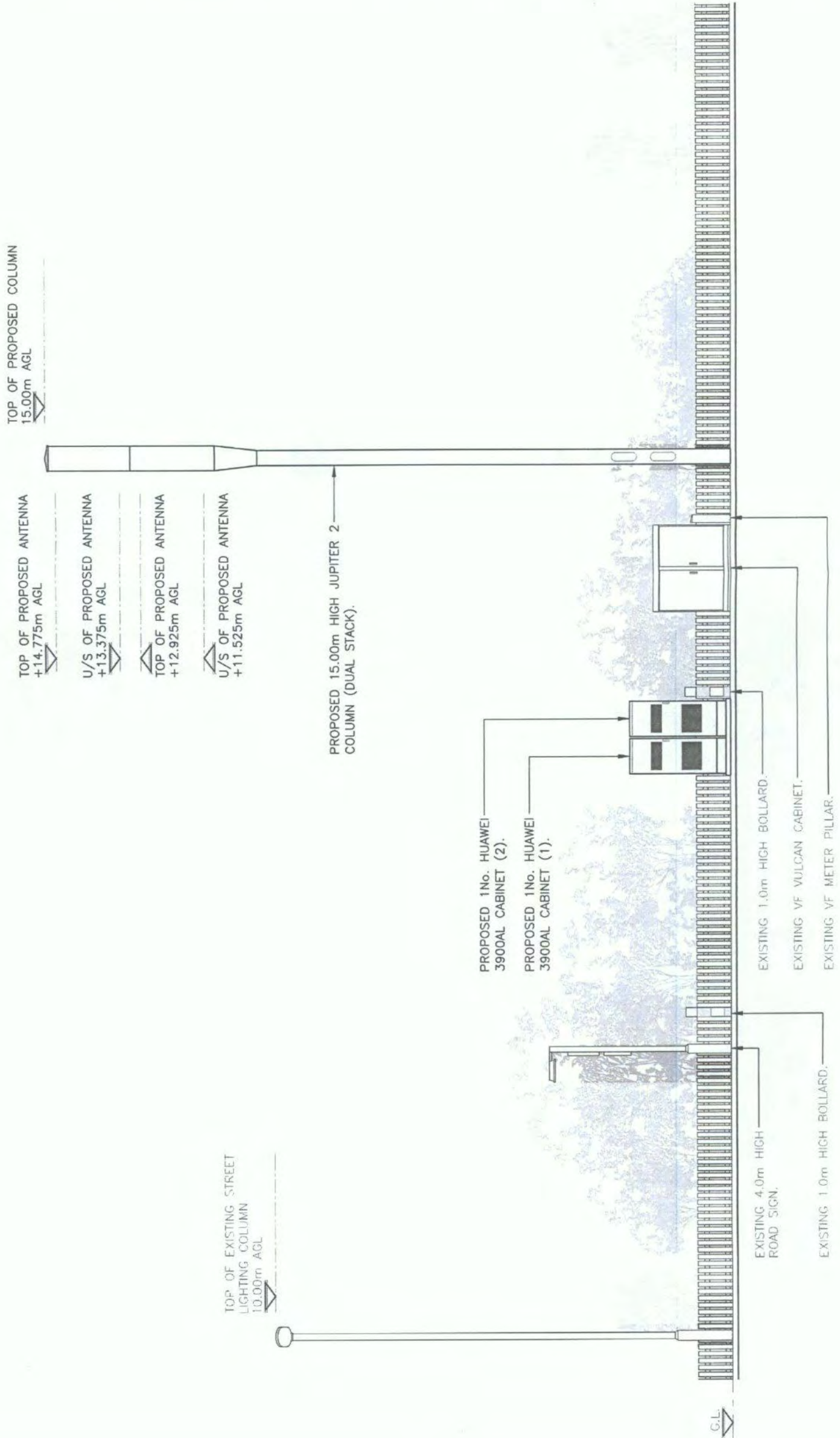
Checked:

SSH

Date:

21.11.13

A



PROPOSED SOUTH ELEVATION  
(1:100)



**Date of Meeting: 06/03/2014**

**Application Reference: 91245/13**

**Type of Application: Full Planning Application**  
**Registration Date: 30/12/2013**  
**Decision Due By: 23/02/2014**  
**Responsible Officer: Martin Mansell**

**Location: LAND ADJACENT 107 HALLIWELL ROAD, BOLTON, BL1 3NE**

**Proposal: CONTINUED SITING OF HOT FOOD TAKE AWAY CABIN (CLASS A5) ON A PERMANENT BASIS**

**Ward: Halliwell**

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

### **Officers Report**

**Recommendation: Refuse**

#### **Proposal**

Consent is sought for the continued siting of a mobile hot food takeaway van. The van would be sited and opened between the hours of 0800 and 2300 on weekdays and between 0900 and 2300 at weekends.

The van was previously sited in this location from approximately 2006 to 2011 - without the benefit of planning permission. However, the fire and subsequent demolition of Highmead Mill resulted in the van being relocated for a time to the car park of the Noor-ul-Islam Mosque, lower down Halliwell Road. This was not acceptable on highway safety grounds and the Applicant sought to relocate back to the current site - this time with the benefit of planning permission.

For the previous application referred to, Officers proposed a compromise between the conflicts of policy and the history of the site - a temporary permission of one year. The Applicant was advised that Officer preference is for the site of the former Highmead Mill to be redeveloped appropriately and planning permission was subsequently granted for a new car showroom - though this has not commenced. The takeaway van is not considered to form part of the redevelopment. Furthermore, Officers advised that should the redevelopment of the site not come forward within the one year period they are unlikely to recommend approval if evidence of harm is found over this time.

The temporary permission lapsed in June of last year. The Applicant now seeks a permanent consent and has provided the following information in support of the proposal:-

- the van will not serve directly onto the pavement.
- the business employs 4 part time staff and 2 full time staff, there is at least one person

at all times each day with a Health and Hygiene certificate

- a member of staff is sent round checking the nearby streets for litter on a daily basis.
- the hut is a Wilkinson Trailer, considered the best in the industry, with integral boiler, 20L water storage tank, fire extinguisher, first aid kit, handwash, ventilation and internal LPG storage.
- it will not increase parking congestion as there is vehicular access and on-site parking onto the land from Halliwell Road.
- there are on-site toilets and bin storage provision adjacent the location

### **Site Characteristics**

The site is part of a cleared and roughly surfaced area of land resulting from the demolition of Highmead Mill following a fire. The actual location of the van and its immediate surroundings are surfaced in tarmac. A low wall forms the boundary to the footway at Halliwell Road. Immediately adjacent to the north-west is the commercial property of Chorley Electrical, a trade electrical retailer and supplier. To the south-east, beyond the former car park to the mill, is a row of houses. Directly opposite on the other side of Halliwell Road is the corner of the mosque car park together with a row of houses unusually located with the rear elevations facing the highway.

### **Policy**

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

Core Strategy Policies SO9 Crime Reduction and Road Safety, P5 Accessibility, S1 Crime Reduction and Road Safety, CG3 Urban Design, CG4 Land Use Compatibility, RA1 Inner Bolton Renewal Area

Planning Control Policy Note No. 9 "The Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas"

### **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 road safety
- \* impact on economic development

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

Policy CG3 of Bolton's Core Strategy expects new development to display innovative,

sustainable design that contributes to good urban design, respects local distinctiveness, is compatible with the surrounding area and is inclusive and adaptable to the effects of climate change.

PCPN9 states that "in predominately residential areas applications for restaurants, cafes, bars, public houses and hot food takeaways will not normally be permitted." The next paragraph states "There is a presumption against hot food takeaways (A5 Uses) outside of defined centres" - the reference is to Local Shopping Centres, as defined on the UDP Proposals Map.

This part of Halliwell Road is considered to be mixed residential and commercial in character and is not designated as a Local Shopping Centre.

The van is relatively small and it is considered that it can be accommodated at the site without harm to the visual appearance of the area.

However, bearing in mind the mixed residential and commercial character of the area, there is the potential that the use could unduly affect living conditions of nearby dwellings by reason of smells, increased noise and activity, inappropriate use, additional vehicle movement and inadequate waste storage.

#### Impact on Living Conditions

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.

PCPN9 seeks to locate hot food takeaways within defined shopping areas to reduce the risk of impact on nearby uses, including residential it further states that "within groups of shops applications for restaurants, cafes, public houses, bars and hot food takeaways will normally be approved [unless] there is a residential property adjacent to the site concerned".

The residential properties of Maplewood House are located across Halliwell Road, 25 metres away and there are other residential properties located to the south-east at Fernhurst Grove, 45 metres away. The adjacent Chorley Electrical premises are occupied by staff during normal hours.

The proposal has the potential to cause harm to the living conditions of the nearest dwellings however, Halliwell Road is busy and a certain amount of activity is to be expected. The small scale of the van means that it would not be relying on the same standard of odour extraction a typical hot food takeaway and odours are likely to be experienced within the area. Pollution Control colleagues have considered this matter and take the view that "rancid" oil smells can be adequately dealt with and they do not raise concerns regarding cooking smells as such. However, Planning Officers have visited the site on a number of occasions and note that cooking smells can be perceived over a significant area and cannot be adequately controlled. It is accepted that the smell is not unpleasant as such but it is strong, widespread and persists for the majority of the day and into the late evening.

Furthermore, there is evidence that customers visiting the site do cause disturbance and this is not within the control of the Applicant. Car doors, vehicle movements, car stereos and customer's voices cumulatively cause an impact on living conditions - hence why such



uses are generally resisted in mixed residential areas.

It accepted that the amount of objections is relatively low. One objection was received from a close neighbour but was subsequently withdrawn due to concerns that the Council would not be able to keep the personal details of the objector confidential. An objection has been received from nearby property and is detailed below.

The proposal is contrary to the Council's policy of locating such uses.

#### Impact on Road Safety

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.

During the course of the previous application, Officers negotiated the optimal location of the vehicle in consultation with the Council's Highway Engineers. No objection on these grounds is now raised.

The proposal is considered to comply with policies related to highway safety.

#### Impact on Economic Development

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 proposal represents an economically beneficial use and it is suggested that two full time and four part time jobs rely on the operation and it has a small, but positive impact on economic development.

#### **Conclusion**

The proposal is contrary to the established character of the area and has the potential to have a detrimental effect on the occupants of nearby residential properties and workplaces by way of noise, smells, increased activity and vehicle movement. The history of the site and the previous siting of a similar unit is a material consideration, it being sited at the same location for a period of approximately five years - with no previous complaints being made to the Council's Planning Officers. Only the relocation to the mosque car park triggered enforcement complaints. It is also recognised that the operators and employees of the use have relied on the business for income for a considerable period of time. Furthermore, although letters were sent to 12 nearby properties including the residential properties of Fernhurst Grove and Maplewood House, only one valid objection and one withdrawn objection were received.

Officers previously accepted a compromise between the conflicts of policy and the site's



history - a temporary permission of one year. The preference is for the approved car showroom to be brought forward and the burger van would be incongruous within this context. The Applicant was advised that Officers did not consider the use to be acceptable on a long term basis and has been allowed sufficient time to consider other options and locations, though there is no evidence that this has been done.

The Application is recommended for refusal due to the inappropriate location and the impact on living conditions. Should Members take a different view, a further one year consent is recommended and Members may wish to limit the hours of use to closing earlier than the current time of 11pm.

### **Representation and Consultation Annex**

#### **Representations**

One objection has been received from a nearby property. The grounds of objection are:-

- the hot food cabin is still trading in breach of the terms of the original planning application, which has expired
- service occurs on Sundays, in breach of the original permission
- the siting of the food cabin is detrimental to the visual amenities of the area
- during the hours of trading residents have to endure the disturbance of traffic and loud music when people park outside properties - on occasions whilst eating food purchased from the food cabin
- empty food cartons have been dumped into land at the front of dwellings from customers who have sat on private walls
- during the hours of trading residents have to endure the food odours from the cabin, which in the summer months stops me from opening windows
- outdoor washing is affected by the smell of cooking odours.

#### **Consultations**

Advice was sought from the following consultees: Highway Engineers, Pollution Control

#### **Planning History**

87943/12 - granting planning permission for temporary siting, expired June 2013

**Recommendation:            Refuse**

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

1. The proposed continued and permanent siting of the mobile food van will increase noise, activity and odour around the premises to the detriment of the living conditions of nearby residents, in particular those of Fernhurst Grove and Maplewood Gardens and is contrary to Policy CG4 of Bolton's Core Strategy and Planning Control Policy Note No.9 - "The Location of Restaurants, Cafes, Public Houses, Bars and Hot Food Take Aways in Urban Areas".
2. The location of the proposed development lies within a predominantly residential area and therefore the use would be in conflict with and harmful to the established character, contrary to Policy CG4 of Bolton's Core Strategy and Planning Control Policy Note No.9 - "The Location of Restaurants, Cafes, Public Houses, Bars and Hot Food Take Aways in Urban Areas".



Application No.

**91253/13**



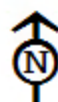
Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 91253/13**

**Type of Application: Full Planning Application**  
**Registration Date: 30/12/2013**  
**Decision Due By: 23/02/2014**  
**Responsible Officer: James Berggren**

**Location: GREAT LEVER EDUCATION AND WELFARE TRUST,  
HOLMESWOOD ROAD, BOLTON, BL3 3HS**

**Proposal: VARIATION OF CONDITION 03 ON APPLICATION 89211/12  
FOR THE PERMANENT USE OF THE ROOM WITHIN THE  
PREMISES AS A PRAYER HALL, WHICH SHALL ONLY BE OPEN  
FROM THE TIME OF FIRST DAYLIGHT UNTIL ONE HOUR AFTER  
DUSK ALL YEAR ROUND.**

**Ward: Harper Green**

**Applicant: c/o Great Lever Education & Welfare Trust**  
**Agent : RA Design & Project Management**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Background**

Planning permission was approved by the Planning Committee in February 2012 (87185/11) for change of use of vacant pub to provide nursery and community facility with prayer and Islamic teaching. A condition was imposed that restricted the hours of the prayer room operation to;

- The community facility and prayer room shall not be open except between the hours of 08:00 and 22:30 Monday to Sunday.

A further application was then approved by the Planning Committee in February 2013 (89211/12) to vary condition 06 of application 87185/11 to change the opening hours of the community facility and prayer room to open between the hours of 04:00 and 00:00 Monday to Sunday. The condition was varied to read as follows;

- The use of the room, within the premises, as a prayer hall shall only be open from the time of first daylight until one hour after dusk all year round, for a temporary period of one year expiring on 01/03/2014.

Members considered it necessary to give a temporary permission in order to determine the impact, over time, of the prayer hall and extended opening hours, particularly in

relation to impact on residents in terms of noise and disturbance.

### **Proposal**

The current application seeks the variation of condition 3 of 89211/12 for the permanent use of the room within the premises as a prayer hall, to be open from the time of first daylight until one hour after dusk all year round.

### **Site Characteristics**

The site is a former public house with a car park to the front. The community use has started but the nursery use has yet to be implemented. The car park is in use but the applicant has confirmed that a new surface is to be installed. The surrounding area is predominantly residential, although there are examples of commercial uses such as the adjacent council offices and a hot food take away.

### **Policy**

National Planning Policy Framework: 8. Promoting Healthy Communities.

Core Strategy Policies CG3 The Built Environment, CG4 Compatible Uses, SO2 Education, SO9 & S1 Crime and Safety, P5 Accessibility and Road Safety, SC2 Community Provision.

PCPN21 Highways Considerations

### **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 community provision
- \* impact on residential amenity
- \* impact on the highway

### **Impact on Community Provision**

Core Strategy Policy SC2 states that the council and its partners will ensure that local cultural activities and community facilities are located in the neighbourhoods that they serve. The Council encourages community cohesion, taking into account the needs of different groups in the borough, including different ethnic groups and faith groups. In doing so, it must make sure that all these different groups have access to cultural and community facilities.

The site is an existing educational/community facility and serves the locality and immediate area. It is considered that the prayer hall use is ancillary to the existing community/educational operation and the majority of users are associated with the

current facilities, as confirmed by the applicant. The site is open to all, however, given the small size of the area allocated as the prayer room, which is controlled via a planning condition, it is considered that substantial new visitor generation is unlikely. The aforementioned condition prevents the use of the building as a mosque for a predominant place of worship.

The site is considered to be in an accessible location, and is close to, and accessible to the community it serves. Policy SC2 recognises the benefits of religious, educational and community development. The application is considered to deliver community benefits and to comply with policies seeking to promote community provision and cohesion.

The facility is located within a residential area and serves the immediate community in the main. The use within this locality meets the aims of policy SC2.

#### Impact on Residential Amenity

Core Strategy policy CG4 seeks to ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity and privacy. Furthermore development should not generate unacceptable nuisance or noise.

It is necessary to take a balanced approach to such proposals, considering each case on its merits and taking into account the particular features of the location together with the particular factors of an application, such as the likely number of users, the hours of operation and the general character of the immediate locality.

The purpose of the temporary permission was to monitor the impact of the use over a 12 month period. In this time, no complaints have been received. The objection received for the current planning application have also raised the issue of noise, however again no mention is made of noise emanating from the building itself and the use of the prayer hall, but instead from vehicles, parking on the highway and noise from this.

The proposed hours of operation are to allow the prayer hall element of the building to be open from the time of first daylight, until 1 hour after dusk all year round. This would allow for the seasonal variations in the times of prayer required by the Muslim faith, rather than restricting the opening of the building by the same hours all year round.

Pollution Control Officers stated, when temporary consent was allowed, that they find the proposal undesirable due to the potential noise impact on the residential amenity of the area and have serious concerns with regard to the potential for noise disturbance to local residents from activities within the premises, and also from the arrival and egress of people especially from motor vehicles. Environmental Health Officers have confirmed that no complaints have been received in the past 12 months.

Officers acknowledge that the prayer use will operate permanently during relatively unsociable hours of the morning and evening. Whilst the proposed hours of operation are extensive, it is considered unlikely that the building would be in use for the whole of that period. Experience has shown that early morning or late night prayers do not attract the same numbers of people as at other times, though it would be beneficial in terms of the functioning of the community centre to have the potential availability of a prayer facility at these times. Members will be aware that Fridays tend to be the peak days for such uses, with other peaks occurring at times of fasting or celebration. The times represent the extreme ends of the timings applicable to the longest months of summer - around 9 of the remaining months of the year will be accommodated within the current time frame.

Officers consider that the proposed hours to the prayer use on a permanent basis, limited to one room at ground floor level, would not have such a detrimental impact on nearby uses, including the living conditions of residents, that the application should not be resisted on those grounds. There are vehicular movements associated with this but it is not anticipated that this operation is one that causes unacceptable noise disturbance to neighbouring residential occupiers.

#### Impact on the Highway

Core Strategy policy S1 seeks to promote road safety in the design of new development. Core Strategy policy P5, in conjunction with Appendix 3 and PCPN21, seeks to ensure that adequate parking provision is made for the development.

The site is located in close proximity to Lever Edge Lane, which is well served by public transport and is considered to be a sustainable location. There is also on-street parking readily available on Holmeswood Road.

It is considered that the proposal would not result in an unacceptable impact on the highway or on highway safety to a degree that would warrant refusal of the application. Experience has shown that early morning or late night prayers do not attract the same numbers of people as at other times. Bolton Council's Highway Engineers have raised no objections to the proposal. Bearing in mind the sustainable location, on street parking and on-site parking and the proposed parking facilities, the impact on the highway network is considered to be acceptable in terms of the prayer facility use.

#### **Conclusion**

The period of the temporary planning permission has clearly revealed that there is no issue with the integration of ancillary prayer room into the education and community building. There have been no issues of noise or disturbance emanating from the building itself and the hours of operation have apparently not caused any undue concern for neighbouring residents as evidenced by the lack of complaints over the last 12 months.

Overall, it is considered that the proposal delivers community benefits by providing a prayer hall amongst the education and other community facilities for present users of the building. The hours for the community/educational use at the site would remain unchanged. The hours for the prayer facility are already in operation and would continue to be on a permanent basis.

The application is therefore recommended for approval.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** One objection has been received from the owners/occupiers of a property with a close and direct relationship to the application site.

Objections:

- The original application for these premises assured residents that the attendees to this Community Centre would mainly arrive on foot. This is not what has transpired, Friday prayers are a nightmare with parked cars totally filling the street.
- The applicant now want to permanently extend the opening times. This would be to open from dawn and to close at dusk, which at the summer Equinox on 21st June (Bolton) is 02:37 & 22:48 respectively.
- This is not a Community Centre as was stated in the original application, it is a Mosque.
- Sign over entrance door states 'Masjid-e-Taqwa' which directly translates to 'Religious Mosque' in Arabic.
- Also, the original application stated that there would be a nursery as part of the Community Centre, this is another piece of misinformation. There is no nursery and no indication of one appearing in the near future.
- Issues raised concerning noise and disturbance in the early morning hours, specifically from car doors opening and closing.

Responses:

- The applicant has confirmed that the existing sign depicts the various functions of the development, including the community, educational, ancillary prayer and mentoring/youth support and that the nursery is not yet complete so is not yet included on the sign. It is understood from the applicant that the word masjid is literally a place of prostration and taqwa literally protection or support, which combined with the header Great Lever Education Welfare & Trust are all aspects of the function. Officers consider that the primary uses of the site, being a community facility, is and has been operating. The use of the site is not one of a Mosque. Any complaints which allege otherwise would be investigated by planning enforcement.

### **Consultations**

Advice was sought from the following consultees: Highways and Environmental Health.

### **Planning History**

**89211/12** - Variation of condition no. 6 on application 87185/11 to change the opening hours of community facility and prayer room to open between the hours of 04:00 to 00:00 Monday to Sunday. Approved with conditions (temporary one year consent).

**87185/11** - Change of use of vacant pub to provide nursery and community facility with prayer and Islamic teaching. Approved with conditions.

**84955/10** - Erection of 2.4 metre high boundary fence consisting of part palisade and part wall and railing. Approved with conditions.

**53390/98** - Display of externally illuminated signs. Approved with conditions.

**17796/81** - Installation of a fire escape to facilitate the use of existing case store as a games room. Approved with conditions.

**12916/79** - Alterations to side elevation. Approved with conditions.

**Recommendation:            Approve subject to conditions**

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

1. Prior to the commencement of any development a parking layout plan shall be submitted for the prior written approval of the Local Planning Authority and shall show two spaces allocated for nursery drop-off and pick-up. The approved details shall be implemented in full and retained thereafter.

Reason

In the interest of highway safety.

2. The development hereby permitted shall be begun before the expiration of 3 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.

3. The community facility shall not be open except between the hours of 08:00 and 22:30 Monday to Sunday.

Reason

To safeguard the amenity and character of the area and to safeguard the living conditions of nearby residents particularly with regard to noise, disturbance, parking and traffic.

4. The use of the room, within the premises, as a prayer hall shall only be open from the time of first daylight until one hour after dusk all year round.

Reason

To safeguard against potential disturbance to nearby residential properties.

5. The nursery shall not be open except between the hours of 07:45 and 18:00 Monday to Friday. No opening shall take place on Saturdays, Sundays and Bank Holidays.

Reason

To safeguard the amenity and character of the area and to safeguard the living conditions of nearby residents particularly with regard to noise, disturbance, parking and traffic.

6. The premises shall be used for a children's nursery and community centre (with ancillary prayer room) and for no other purpose (including any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), 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.

7. The brickwork to be used in the external alterations hereby permitted shall match the colour, texture and size of those of the existing building, and shall be retained thereafter.

Reason

To ensure the development fits in visually with the existing building and safeguards the character and visual appearance of the locality.

8. There shall be no more than 30 children at the premises on any single day.

Reason

To safeguard the amenity and character of the area and to safeguard the living conditions of nearby residents particularly with regard to noise, disturbance, parking and traffic.

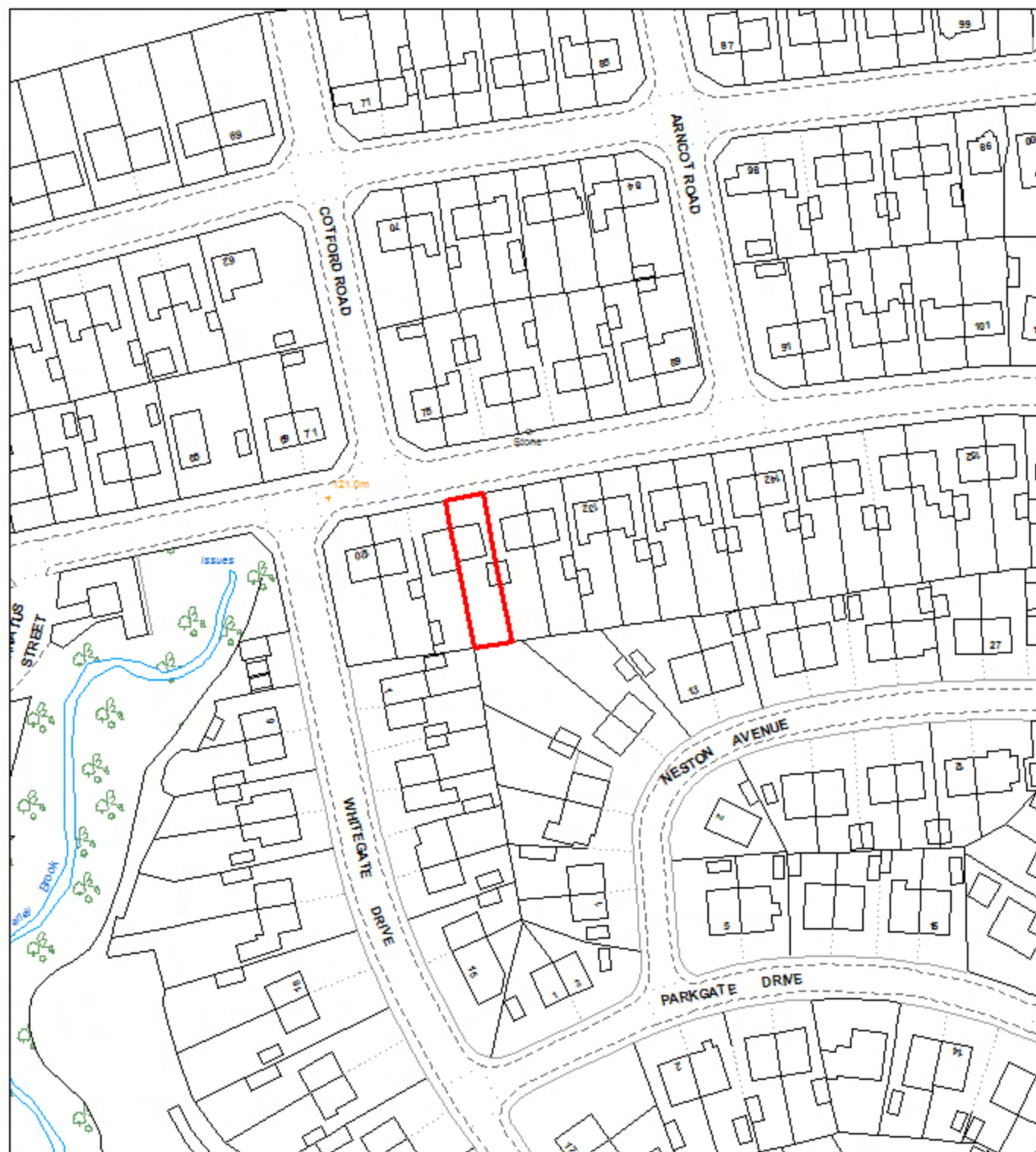
9. There shall be no externally audible or amplified calls to prayer at any time by way of loudspeakers, amplifiers, bells, tannoys, or other similar public address systems sounded, broadcast or otherwise transmitted from the building or the site or in any other way in association with the approved use.

Reason

To reduce the impact of the development on the living conditions of nearby residents, as the prayer room forms an ancillary part of the proposal.

Application No.

**91258/13**



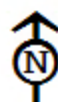
Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 91258/13**

**Type of Application: Full Planning Application**  
**Registration Date: 31/12/2013**  
**Decision Due By: 24/02/2014**  
**Responsible Officer: Brian Johnson**

**Location: 126 ASHWORTH LANE, BOLTON, BL1 8RR**

**Proposal: ERECTION OF FIRST FLOOR EXTENSION AT REAR**

**Ward: Astley Bridge**

**Applicant: Mr PATEL**

**Agent : Y A ARCHITECTURAL SERVICES**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Background**

Members will recall that they considered an application for a variety of extension proposals at its meeting on 18 July 2013 (89897/13). That application, which was recommended by officers for approval, incorporated a single storey side extension with dual pitch roof, a hip to gable extension and a rear dormer together with the first floor extension at the rear which now forms the basis of the current application.

The previous application was refused for the following reasons;

1. The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and in particular would result in the loss of existing space separation between existing dwellings to the detriment of the street scene. The proposal is thus contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".
2. The proposed extension would, by virtue of its design and siting result in bins being stored at the front of the dwelling to the detriment to the character and appearance of the area, creating a cluttered appearance in the street scene. This would compromise future decisions on similar developments that made no provision for bin storage at the rear of a property. The proposals are thus contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

The plans submitted do show that the applicant intends to carry out extensions under permitted Development Rights, namely;

- single storey side extension (under Class A)
- hip to gable extension (under Class B)and;

- rear dormer extension (also under Class B).

No Lawful Development Certificate application has been submitted and Members are advised that there is no requirement for an applicant to do so.

Members are reminded that the GPDO 2008 allows householders the ability to significantly extend their property in various ways as set down below, subject to there being no encroachment;

Class A, in respect of the single storey side extension permits the following;

- Total not to exceed 50% curtilage (excluding original house but including outbuildings).
- Not to exceed height highest part of the roof.
- Eaves height not to exceed eaves height of original house.
- Must not project beyond principal elevation/side elevation if that elevation fronts a highway.
- If height of eaves exceeds 3m, must be 2m from boundary.

It further states in respect of side extensions:

- no more than 4m in height,
- single storey only,
- no more than half width of original house.

The side extension does not result in more than 50% of the curtilage being occupied by extensions (including those previously carried out. Furthermore as a single storey extension it will not exceed the height of the highest part of the roof nor will the eaves height exceed eaves height of the original house. The plans clearly show that the side extension does not project beyond a principal elevation that fronts a highway and the eaves height is shown to be 2.47 metres and is thus below the 3m restriction within 2m of the boundary. The ridge height is shown as 3.906 and is thus below the 4m maximum for a single storey extension and is less than half the width of the original dwelling.

Class B, in respect of the hip to gable extension and the rear dormer the GPDO permits the following;

- Not to exceed highest part of roof.
- Not to extend beyond plane of roof slope which forms principal elevation of dwelling and fronts a highway.
- No more than 50 cubic metres (on a dwelling other than a terrace);
- Other than hip-gable enlargements should maintain 20cm to eaves of original roof.

The roof alterations do not exceed the highest part of roof, do not extend beyond plane of roof slope which forms principal elevation of dwelling and fronts a highway, combine volume does not exceed 50 cubic metres (measures 36.125 cubic metres) and maintains 20cm to eaves of original roof (dormer).

The above is not intended to represent a formal view on the additional extension proposals and is for members information only.

### **Proposal**

The current application seeks consent only for a first floor extension across the rear of the

original dwelling over an existing lean to extension. The proposals has been amended since submission to redesign the roof which now is hipped, reducing it's visual appearance and overall mass. It would abut the party boundary with 124 Ashworth Lane and be 2.3m from the party boundary with 128 Ashworth Lane, which is further separated by a drive of similar width.

### **Site Characteristics**

This semi detached property has been extended by the addition of a single storey lean to at the rear, extending across the full width of the original house. A similar width conservatory has been further added to the rear of the extension.

The attached property at 124 Ashworth Lane has a similar scale extension to the lean to referred to above which also extends across the full width of the dwelling.

A detached garage close to the boundary with the applicant's property stands in the rear garden of 128 Ashworth Lane. this property has a kitchen and landing window in the side elevation facing the drives which currently separate the two dwellings. (Members are reminded that neither of the two windows serve a main room as defined by current guidance). A small outrigger is sited at the rear of 128, close to the existing garage. This outrigger has a bathroom window facing the rear garden and is the nearest window to the proposed extension.

### **Policy**

National Planning Policy Framework

Core Strategy CG3 The Built Environment, CG4 Compatible Uses and P5 Accessibility.

Planning Control Policy Note No. 2 - Space Around Dwellings

House Extensions - Supplementary Planning Document

### **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 proposed rear first floor extension are:-

#### **Impact on neighbouring properties**

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. Supplementary Planning Document House Extensions 2012 sets out guidance relating to acceptable relationships between proposed extensions and neighbouring properties.



The proposed rear extension would not over look the property at 128 Ashworth Lane as the window closest is an obscure glazed en suite window. The window in the rear elevation of No. 124 Ashworth Lane is set back from the shared boundary with No. 126 and the proposed extension would not impinge on a 45 degree angle when measured from this bedroom window. It is considered that the proposal would not affect the privacy of neighbouring residents to any greater degree.

The proposed first floor extension, as amended, is considered acceptable as it would not unduly affect the outlook and living conditions of neighbouring properties, particularly due to the south facing aspect to the dwellings and the scale and relationship to other dwellings as described above.

#### Impact on Parking \_

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] parking, in accordance with the parking standards set out in Appendix 3.

Parking for two cars would be available on the driveway which would comply with current parking requirements.

#### **Other matters**

A bin store has been provided to the front of the property as they cannot be stored at the rear due to the extension leaving no gap at the side. A condition requiring the submission of a plan showing the elevations has been added.

#### **Conclusion**

The proposal is considered to be in keeping with the scale and design of the existing property and would not unduly affect the outlook and living conditions of the neighbouring residential properties complying with policies OA5, CG3, CG4 and P5 of Bolton's Core Strategy and Supplementary Planning Document House Extensions 2012.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** letters have been received from the owners/occupiers of 3 dwellings in the immediate area to the application site which raise concern over the loss of outlook, overshadowing, maintenance visual impact on the street scene and scale. Reference is also made to the previous refusal at the site.

The relevant matters are referred to in the main body of the report and in particular the issue of the scale and link to works proposed under permitted development rights.

**Elected Members:-** Councillor John Walsh has requested a determination by Committee. Councillor Wild has similarly requested a Committee decision and that a further advanced site visit take place

### **Planning History**

Planning permission was granted in 2006 for a conservatory (74312/06)

Application 89897/13 - refused (referenced above).

**Recommendation:            Approve subject to conditions**

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

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

Reason

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

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

**1280-P01C - Existing and proposed plans and elevations received 20/01/14; and  
1280-P02C - Proposed ground and first floor plans received 20/01/14.**

Reason

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

3. 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.





Nothing is to be copied or reproduced without the written consent of the Architect. The Architect's drawings are the property of the Architect and are not to be copied or reproduced by any person without the written consent of the Architect. The Architect's drawings are the property of the Architect and are not to be copied or reproduced by any person without the written consent of the Architect. The Architect's drawings are the property of the Architect and are not to be copied or reproduced by any person without the written consent of the Architect.

[illegible]

**FOUNDATIONS:**  
Min. 800mm wide x 200mm thick concrete strip footings to a min. depth of 900mm below ground level.  
New concrete strips to be provided below existing footings and below any adjoining neighbouring extension footings, or to Local Authority Building Control Surveyors' requirements on site.  
Actual width and depth of foundations to be determined on site and agreed with Local Authority Building Control Surveyors.  
Foundations to be taken down to below lowest level of drains.

[illegible]

**VENTILATION.** All new windows are to be provided with operable lights with a total area not less than 1/20th of the floor area, in the room.

All new windows are to be fitted with 3/16-in. x 3/16-in. x 1/8-in. of 8000/cm<sup>2</sup> of glass. In addition, windows are to be provided with mechanical ventilation giving a net extraction rate of 30 lps/cu ft adjacent to a hot or cold air, otherwise, similarly, ensure and bathroom is to be provided with 30 lps/cu ft, all in accordance with Part F of the current Building Regulations and subsequent revisions, and to Local Authority Building Control/Sanctions requirements on the

**NEW FIRST FLOOR INTERNAL WALLS.** All new first and floor internal walls, unless otherwise specified, are to be 2½" fire rated masonry blocks, finished with 1½" of 1/2" thick plaster, finished horizontally and vertically, with 12.5 mm fine board and stain finish to other side. Voids to be filled with 25mm Glass fibre quilt or similar approved with a minimum density of 16kg/m<sup>3</sup> for sound insulation, all in accordance with Part B and E of the current Building Regulations and subsequent amendments.

New floor slabs to be installed up below ground level in accordance with local authority Building Control Dept. supports and foundations and ground conditions on site.

[illegible]

part 8 of the current Building Standards shall give effect to the provision, in accordance with part 8 of the current Building Regulations and subsequent revisions and to Local Authority Building Control Surveyors requirements on the:

1. Emergencies relating to be provided to new BS884.

2. All electrical restraining to be in accordance with Part A of the current Building Regulations and subsequent revisions and to Local Authority Building Control Surveyors requirements on the:

3. Regulations and subsequent revisions and to Local Authority Building Control Surveyors requirements on the:

4. Void between new floor and ceiling to be filled with minimum 150mm Rockwool insulation or similar approved, with a minimum density of 100kg/m<sup>3</sup> and to Local Authority Building Control Surveyors requirements and recommendation.

**LINEETS**  
Provides installed steel linings to BS 6977 with Duplex corrosion protection and integral ductile Linplate (Ref. Grade CU70100) on a mortar bed allowing a min. 150mm and bearing at each end.  
Rubble inner and outer leaves of masonry together with 2No. sweep holes over openings.  
All stone linings to be encased in 12.5mm thick board or similar approved to achieve 120% protection, all in accordance with Part B of the current Building Regulations and all construction conditions.

**Al l units** are to be installed in accordance with manufacturers' requirements and recommendations.

**DAAP PROOF COURSE:**

Provide a suitable horizontal DPC complying to BS 743 to external cavity wall and Internal block walls positioned 150mm above external finished ground level, stepped where necessary and as shown on drawings.

Provide horizontal and vertical insulated DPC's to all openings in external walls, with thermobreak or similar approved cavity closer, and to be installed in accordance with manufacturers' requirements and recommendations and to Local Authority recommendations.

**DRAINAGE**  
Above ground: from the waste pipe to sink, urino and bath with 75mm deep seal trap, below ground: 100mm dia. within day pipes with push fit polypropylene couplings to BS 65.

Polypropylene inspection chamber and B.L.G. all by Hepworth.

At cover and frame: cast iron to BS 597 Part 1 medium duty, double seal.

Access gully with integral backflap to take nap, with waste and urino surface water.

Access gully below subfloor level to be encased in min. 100mm concrete surround.

Drains to be kept at 1:400 vpm, 10A, and to call in accordance with Part II of the Current Building Regulations and subsequent revisions.

C	PLANNING REVISIONS EXTENSION ROOF CHANGED TO HIP.	20.01.
B	GENERAL REVISIONS AND RE-SUBMITTED FOR PLANNING.	31.12.
A	PLANNING REVISIONS PARKING AND BINS AREA INDICATED.	27.06.

AMENDMENTS	DATE
<p><b>Y A Architectural Services</b></p> <p>Unity House, Fletcher Street, Bolton, Lanc. BL3 6NE            tel/fax: 01204 559988 mobile: 07802 434415            e-mail: design@yaas.co.uk</p>	

www.yods.co.uk	
DRAWN: Y AHMED.	DATE: 02.05.13
CHECKED:	SCALE: 1:50
PROJECT: PROPOSED ERECTION OF A FIRST FLOOR REAR	

EXTENSION AT 126 ASWORTH LANE, BOLTON.

CLIENT:  
MR VALL PATEL.

JOB TITLE:

PROPOSED GROUND AND FIRST FLOOR PLANS.	JOB No:
1280-P02C	

EXISTING ADJOINING NEIGHBOURING DWELLING.

PROJECT:  
PROPOSED ERECTION OF A FIRST FLOOR REAR  
EXTENSION AT 128 ASWORTH LANE, BOLTON.

CLIENT:  
MR VALI PATEL.

---

JOB TITLE:  
PROPOSED GROUND AND FIRST FLOOR  
PLANS.

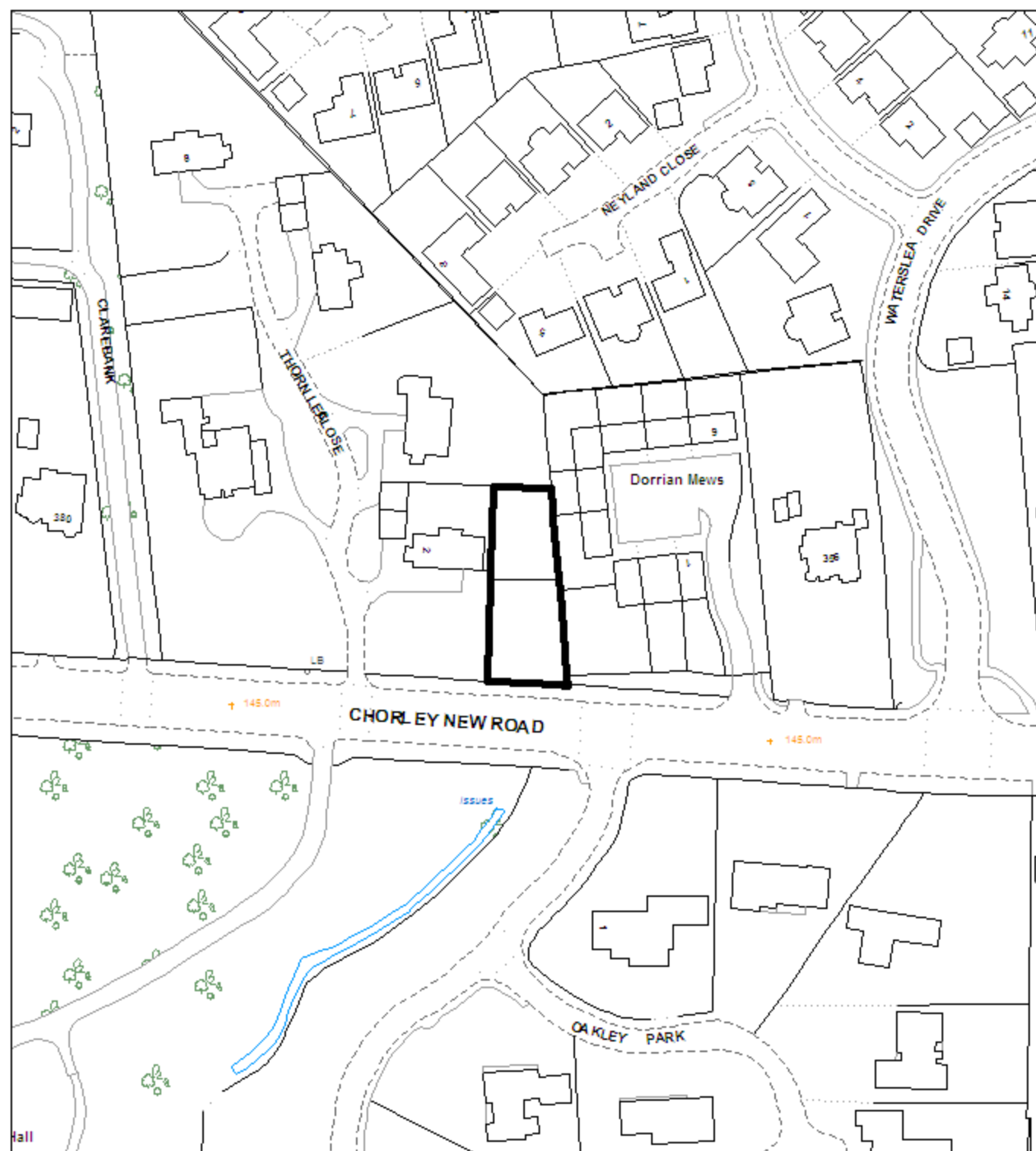
JOB NO:

1280-P02C

C	PLANNING REVISIONS EXTENSION ROOF CHANGED TO HIP.	20.01.14
B	GENERAL REVISIONS AND RE-SUBMITTED FOR PLANNING.	31.12.13
A	PLANNING REVISIONS PARKING AND BINS AREA INDICATED.	27.06.13
AMENDMENTS		DATE

Application No.

**91312/14**



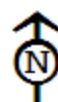
Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 91312/14**

**Type of Application: Full Planning Application**  
**Registration Date: 14/01/2014**  
**Decision Due By: 10/03/2014**  
**Responsible Officer: Helen Williams**

**Location: LAND ADJACENT 2 THORN LEA CLOSE, BOLTON, BL1 5BE**

**Proposal: ERECTION OF 2 1/2 STOREY DETACHED DWELLING**

**Ward: Heaton and Lostock**

**Applicant: Alfa Fuels Limited**  
**Agent : Y A Architectural Services**

### **Officers Report**

**Recommendation: Refuse**

#### **Proposal**

This application is a resubmission of application 89991/13, which was refused under delegated powers in July 2013 for the following three reasons:

- 1. The proposed dwelling by virtue of its size, siting and design will have a detrimental effect on the character and appearance of the conservation area and would result in a cramped form of development, contrary to Policies CG3 and OA4 of Bolton's Core Strategy.*
- 2. The proposed dwelling would, by virtue of its design and siting would impact detrimentally on the outlook and living conditions of neighbouring residents at 4 and 5 Dorrian Mews, contrary to Policy CG4 of Bolton's Core Strategy and Planning Control Policy Note No.2 "Space Around Dwellings".*
- 3. The proposed dwelling would result in unacceptable tree loss, to the detriment of the character, appearance and amenity of the surrounding area, contrary to Policy CG1 of Bolton's Core Strategy.*

The applicant has amended their proposal in the following ways:

- \* The proposed dwelling is now to be sited forward of the front building line of 2 Thorn Lea Close, rather than in line with the front building line. This results in the new dwelling being sited closer to Chorley New Road, giving it a larger rear garden and a smaller front garden and driveway;
- \* Additional tree planting is proposed;
- \* The quoin features at the corners of the building have been removed.

The footprint, height and external appearance (apart from the removal of the quoins)

have not been altered within this resubmission. Gated access into the site is still proposed directly off Chorley New Road to the front of the site. The submitted plans show that the proposed driveway could accommodate the parking of three vehicles.

Four trees are proposed to be felled, along with the tall leylandii along the boundary with Dorrian Mews.

### **Site Characteristics**

The application site is the eastern side garden of 2 Thorn Lea Close. 2 Thorn Lea Close faces Chorley New Road but it accessed from Thorn Lea Close, a gated cul-de-sac off Chorley New Road. 2 Thorn Lea Close is a large detached, two storey dwelling with detached garage, set within a large plot and set back from Chorley New Road.

The trees within the site are protected. There are of protected trees to the side of 2 Thorn Lea Close, where the new dwelling is proposed, along with large leylandii trees which are also afforded protection as they are within a conservation area and which screen the adjacent Dorrian Mews development from the application site.

The application site is located with Chorley New Road Conservation Area, which is characterised in the main by large dwellings in large wooded plots. Chorley New Road is a main thoroughfare into Bolton town centre.

Dorrian Mews, to the west of the application site, is a courtyard development of three storey town houses. The rears of 4, 5 and 6 face east.

### **Policy**

National Planning Policy Framework 2012 (NPPF).

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA4 West Bolton.

Saved UDP Policies: N8 Protected Trees.

SPD Accessibility, Transport and Safety

PCPN2 Space Around Dwellings; PCPN10 Planning Out Crime.

### **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 character and appearance of the area
- \* impact on residential amenity
- \* impact on trees
- \* impact on the highway

#### Principle of Residential Development on the Site

A core planning principle of the National Planning Policy Framework (NPPF) is to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. Paragraph 55 of the NPPF states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

The application site is a residential garden, the side garden to 2 Thorn Lea Close, and therefore it is not a previously developed site; it is a greenfield site. Core Strategy Policies CG3 and OA4 (the area policy for West Bolton) seek to resist developments that do not conserve or enhance local character. The principle of residential development on this greenfield site is therefore dependent on whether or not it is considered that the proposed dwelling would be compatible with the character and appearance of the area. This is considered below.

#### 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 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 OA4 states that the Council will conserve and enhance the character and physical environment, especially the Conservation Areas at Deane and Chorley New Road, and will ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings and that these features should be retained where possible.

The application site is located within Chorley New Road Conservation Area, which is characterised, in the main, by large dwellings within large spacious wooded plots. The proposed dwelling is proposed to be sited in the side garden of 2 Thorn Lea Close.

The width of the proposed dwelling means that it will be sited close to its side boundaries, close to the existing dwelling at 2 Thorn Lea Close and close to the rear/side boundary of the development at Dorrian Mews. The detached houses on Chorley New Road are set within spacious plots and are generously separated from their immediate neighbours. The proposed dwelling would not benefit from this separation and would appear to be cramped within its site when viewed from Chorley New Road. It would noticeably be a latter addition in the street scene and the settlement pattern of this section of Chorley New Road would be changed appreciably. The applicant has attempted to reduce this impact by siting the dwelling further forward in its plot. This however does not lessen the harm to the character of the area, as identified above.

The proposed dwelling will be of a substantial scale and height, accommodating two of its five/six bedrooms within its roofspace. Although the application site is at a lower ground level than 2 Thorn Lea Close it will have a higher ridge level than its neighbour, and given the close proximity of the dwelling to 2 Thorn Lea Close it is considered that it would appear overly dominant, particularly now it has been sited further forward in its plot. The close proximity of the dwelling to Dorrian Mews also serves to highlight this awkward relationship with neighbouring development.

The proposed design/external appearance of the dwelling does not appear to take reference from any neighbouring development. The proposed gable fronted central glazed element on the front elevation will make the dwelling particularly conspicuous within the street scene and will augment its inappropriate siting and scale.

The loss of mature trees within the site (as further addressed below) will also be to the detriment of the character and appearance of the conservation area. It is not considered that the new proposed planting, which will be planted in an orderly fashion along the driveway and will take many years to mature, would outweigh this loss.

It is considered for these reasons that the proposed dwelling, by virtue of its siting, scale and design, would not conserve or enhance the character and appearance of Chorley New Road Conservation Area, contrary to Policies CG3 and OA4 of the Core Strategy.

#### Impact on Residential Amenity

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

The second reason for refusing application 89991/13 was as the proposed dwelling would have only been approximately 6 metres from the rears of 4 and 5 Dorrian Mews, considerably short of the minimum interface distance of 13.5 metres as prescribed within PCPN2 Space Around Dwellings.

The applicant has amended their plans by moving the dwelling further forward in its plot, and therefore away from the rears of 4 and 5 Dorrian Mews. Whilst 4 Dorrian Mews will still have a close relationship with the proposed dwelling (the north eastern corner of the new dwelling only being approximately 7 metres away from the rear of 4 Dorrian Mews), it will no longer directly look onto the side of the proposed dwelling.

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

#### 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, and improving the quality and inter connectivity of wildlife corridors and habitats. Saved UDP Policy N8 refers specially to protected trees.

The Council's Tree Officer has confirmed that the proposed development will result in the loss of one alder, two sycamore, one horse chestnut and 32 leylandii trees. The tree former trees are protected under a Tree Preservation Order whilst the leylandii are afforded protection as they are located within a conservation area.

Whilst the Tree Officer states that one of the sycamore trees is in a poor condition, they

confirm that the other trees are in a sound and healthy condition. The Officer is also concerned that the proposed development may affect two mature protected trees within the neighbouring Dorrian Mews if the proposed dwelling is to be sited within their root protection zones. The Officer has therefore asked for further information to confirm whether or not this is the case; this information has not been received.

The applicant has submitted a landscaping scheme, illustrating new tree planting both within the application site and at 2 Thorn Lea Close, to replace the trees to be lost as a result of the development. Whilst the proposed new trees will help to soften the development at the front it is not considered that this would outweigh the loss of the existing mature trees, which are considered to be of important amenity value along this important thoroughfare into Bolton town centre.

It is considered therefore considered that the proposed development would result in the unacceptable loss of mature, protected trees, detrimental to the character and appearance of the area, contrary to Policy CG1.2 of the Bolton Core Strategy and Saved UDP Policy N8.

#### Impact on the Highway

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

Vehicular access into the development is proposed directly off Chorley New Road, at the south eastern corner of the application site. This is the only access proposed within the site.

The Council's Highways Engineers advise that the proposed access arrangements are unacceptable and that access should instead be taken from Thorn Lea Close, across the site of 2 Thorn Lea Close. Engineers are concerned that the proposed access would constitute another access onto the main road when access from a lower category of road would be preferable.

The applicant has advised that the owners of 2 Thorn Lea Close are not willing to share their driveway with the proposed new dwelling. The only access available into the site is therefore off Chorley New Road.

Application 89991/13 was not refused under highways grounds as officers considered that the proposed access would only serve one dwelling and that there are already a number of similar situations existing on Chorley New Road. The proposed gates are set sufficiently back from the road to allow a vehicle to stop without obstructing the highway and the proposed driveway layout would allow vehicles to both enter and leave in forward gear.

It is continually considered that the proposed dwelling would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

#### **Conclusion**

Despite the proposed amendments to the proposal, it is considered that the proposed dwelling would still detrimentally effect the character and appearance of the area and would result in the unacceptable loss of mature protected trees, contrary to policy. Members are therefore recommended to refuse this application for the reasons cited.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** Three objections have been received from residents of properties at Dorrian Mews and Thorn Lea Close. These letters raise the following concerns:

- \* The design of the proposed dwelling is out of keeping with that of the existing properties;
- \* Overdevelopment of the site;
- \* The new dwelling would be overly dominant; it will be too obvious from the main road;
- \* There is already too much high density building in Heaton;
- \* Close and unacceptable distance to existing properties;
- \* Loss of privacy, especially from the proposed dormer windows that would directly overlook the rear garden of 4 Thorn Lea Close;
- \* Loss of light;
- \* Loss of protected trees;
- \* Another access onto Chorley New Road; highway safety concerns;
- \* Increase in traffic generation, especially if the Thorn Lea Close shared driveway and access are to be used;
- \* Proposed new access from Chorley New Road is extremely close to the Dorian Mews, Thorn Lea Close and Clarebank entrances;
- \* The gated entrance to this development is electronically controlled and privately maintained by five houses on Thorn Lea Close with intricate legal documents set up for their use. An increase in traffic could result in cars backing up on to Chorley New Road;
- \* A 6 bedroomed house could result in 12 cars being on display at the front or on Chorley New Road.

One letter of support has been received from 2 Thorn Lea Close. This resident supports the application as they considered the applicant has made significant changes to their original planning application by moving the property forward, reducing the number of bedrooms, reducing the number of trees to be removed and by proposing re-planting of a lot more trees that would enhance the conservation area.

**Elected Members:-** Councillor Rushton has requested that the application be determined by the Planning Committee with an advanced site visit.

### **Consultations**

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

### **Planning History**

89991/13 - Erection of 2 1/2 storey detached dwelling. Refused under delegated powers.  
78950/07 - Erection of a two storey extension to rear; raising of roof and installation of dormer windows to front together with new roof over existing utility to side. Approved with conditions  
68223/04 - Notice of intention for the felling of one fir tree and one spruce tree. Decision: That a TPO not be made.  
53799/98 - Erection of extensions at both sides and rear of house to form a single storey link between house and garage, a conservatory and a two storey staircase, entrance, family room, 2 bedrooms and bathroom. Approved with conditions.

**Recommendation:        Refuse**

**Recommended Conditions and/or Reasons**

1.        The proposed dwelling, by virtue of its size, siting and design, will have a detrimental effect on the character and appearance of the conservation area and would result in a cramped form of development, contrary to Policies CG3 and OA4 of Bolton's Core Strategy.
2.        The proposed dwelling would result in unacceptable tree loss, to the detriment of the character, appearance and amenity of the surrounding area, contrary to Policy CG1.2 of Bolton's Core Strategy.



Specification notes:

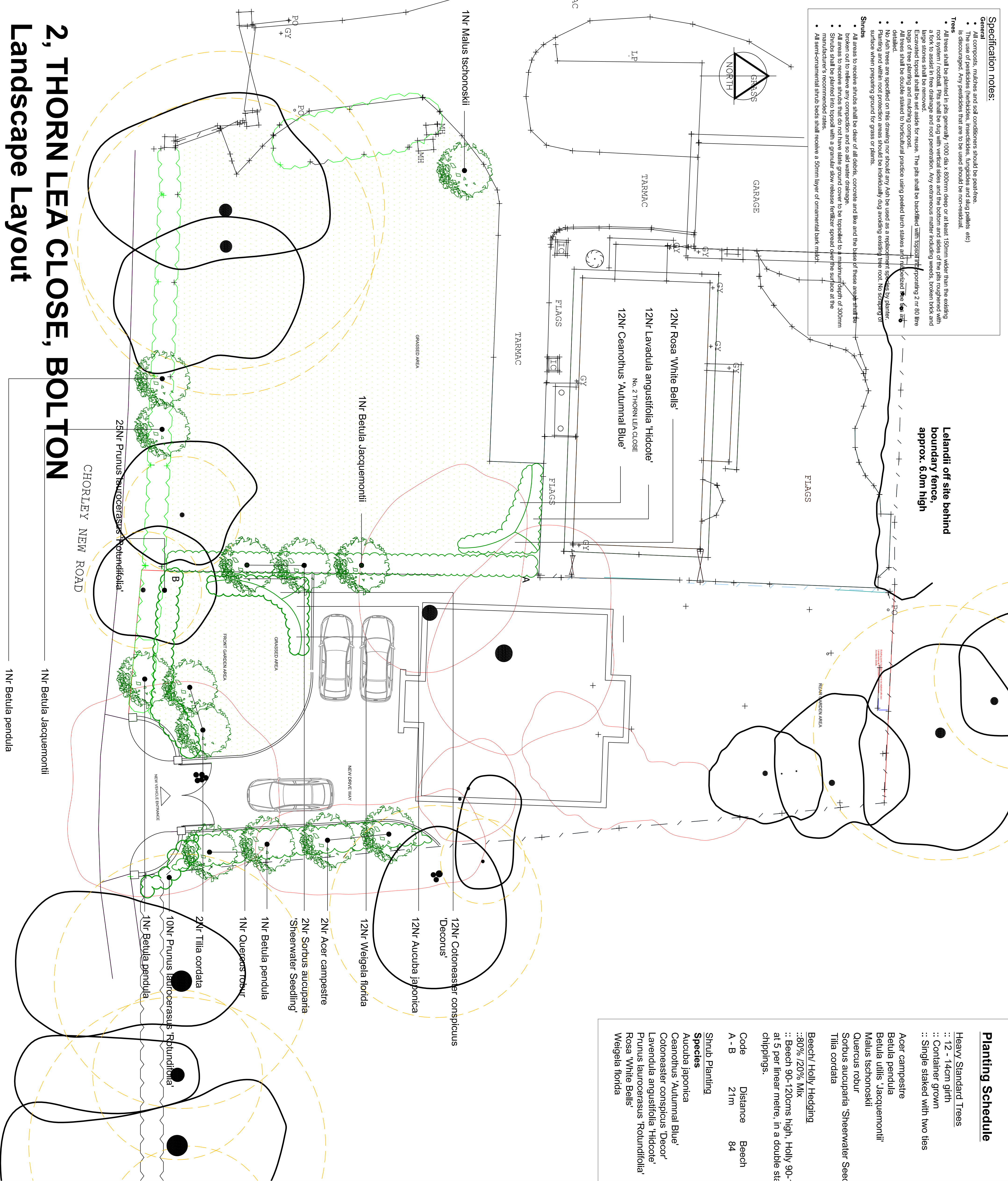
General

- All composts, mulches and soil conditioners should be peat-free.
- The use of pesticides (herbicides, insecticides, fungicides and slug pellets etc) is discouraged. Any pesticides that are to be used should be non-residual.

Trees

- All trees shall be planted in pits generally 1000 dia x 800mm deep or at least 150mm wider than the existing root system / rootball. Pits shall be dug with vertical sides and the bottom and sides of the pits roughened with a fork to assist in free drainage and root penetration. Any extraneous matter including weeds, broken brick and large stones shall be removed.
- Excavated topsoil shall be set aside for reuse. The pits shall be backfilled with topsoil incorporating 2 nr 80 litre bags of tree planting and mulching compost.
- All trees shall be double staked to horticultural practice using peeled larch stakes and ribbed with tree air bags detailed.
- No Ash trees are specified on this drawing nor should any Ash be used as a replacement species by planter.
- Planting and within root protection areas should be individually dug avoiding existing tree root. No straining of surface when preparing ground for grass or plants.
- Shrubs
- All areas to receive shrubs shall be clear of all debris, concrete and like and the base of these areas shall be broken out to relieve any compaction and so aid water drainage.
- All areas to receive shrubs that do not have slate ground cover to be topped to a maximum depth of 300mm
- Shrubs shall be planted into topsoil with a granular slow release fertilizer spread over the surface at the manufacturer's recommended rates.
- All semi-ornamental shrub beds shall receive a 50mm layer of ornamental bark mulch.

Lelandii off site behind  
boundary fence,  
approx. 6.0m high



Planting Schedule

Heavy Standard Trees

- ::: 12 - 14cm girth
- ::: Container grown
- ::: Single staked with two ties

Acer campestre	2
Betula pendula	3
Betula utilis 'Jacquemontii'	2
Malus tschonoskii	1
Quercus robur	1
Sorbus aucuparia 'Sheerwater Seeding'	2
Tilia cordata	2

Beech/ Holly Hedging

:::80% /20% Mix  
::: Beech 90-120cms high, Holly 90-120cms both, container grown, planted in topsoil trench at 5 per linear metre, in a double staggered row, groups of 3, 5, 7 same species. Mulch 50mm bark chippings.

Code	Distance	Beech	Holly	No's
A - B	21m	84	21	105
Shrub Planting				
Species	No	Pot Size	Height	Density
Aucuba japonica	12	2L	40-60	3 per m2
Ceanothus 'Autumnal Blue'	12	2L	30-40	3 per m2
Coloneaster conspicus 'Decor'	12	2L	30-40	3 per m2
Lavendula angustifolia 'Hidcote'	12	2L	20-30	3 per m2
Prunus laurocerasus 'Rotundifolia'	35	5L	60-80	2 per m2
Rosa 'White Bells'	12	2L	30-40	3 per m2
Weigela florida	12	2L	20-30	3 per m2

KEY

	Proposed trees to be retained
	Proposed trees to be removed
	Root Protection Area
	Grass
	Proposed shrub/hedge planting
	Proposed tree planting

REVISIONS

Revision	Description	Date
A	Changes to entrance and proposed building moved forward	March 2013
B	Changes to entrance and proposed building moved	May 2013
C	Revised building schedule as per LPA recommendations	July 2013
D	Revised building locations	September 2013
E	Revised driveway layout	September 2013
F	Revised driveway layout	October 2013
G	Revised house location	November 2013
H	Additional trees surveyed on Chorley New Road	February 2014
I	Additional trees surveyed within Dorian Mews	February 2014

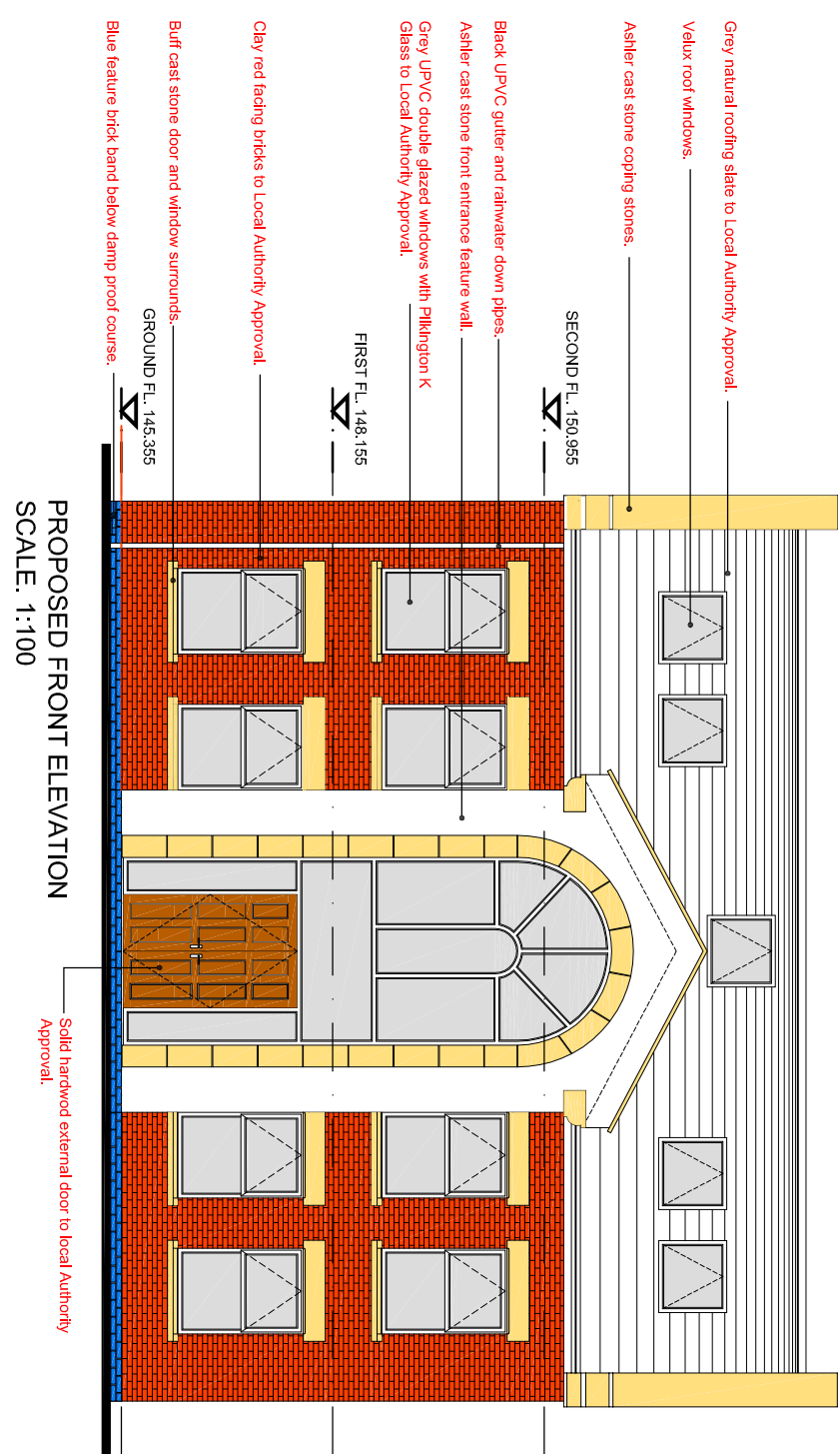
2, THORN LEA CLOSE, BOLTON

LANDSCAPE LAYOUT (3)

Y A ARCHITECTURAL SERVICES

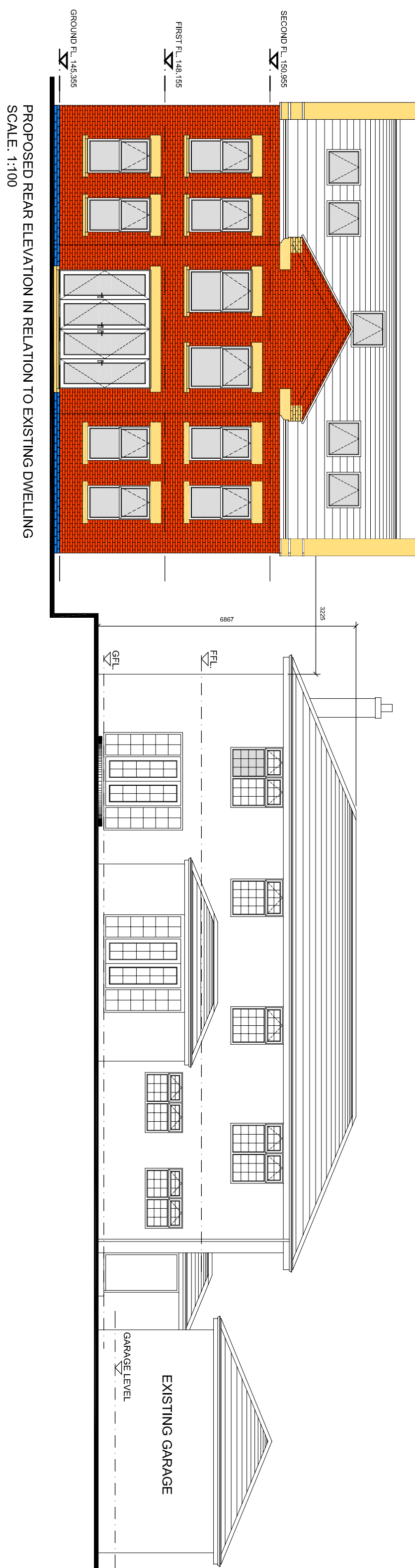
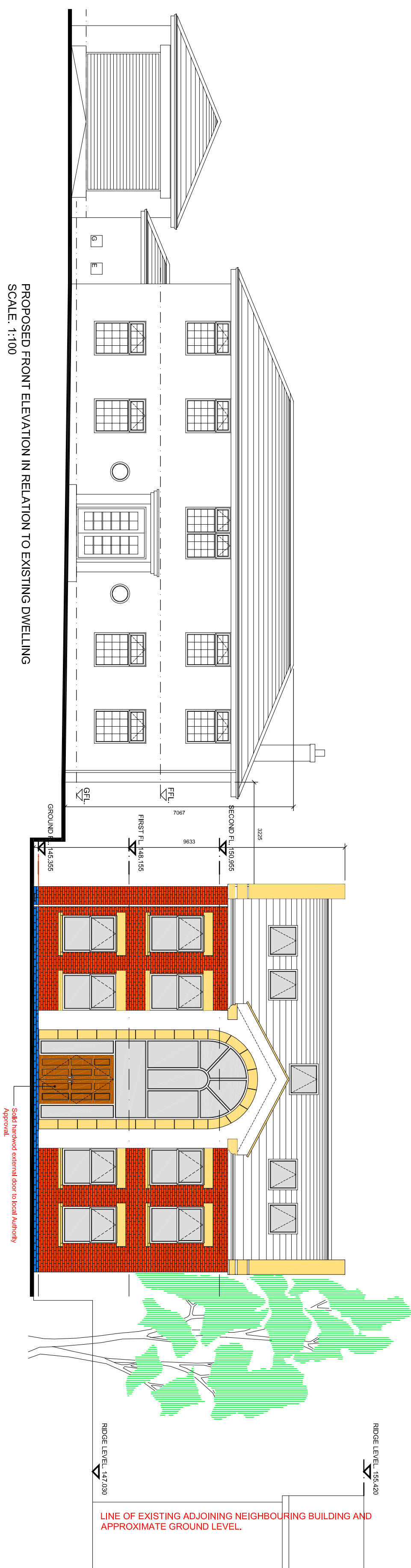
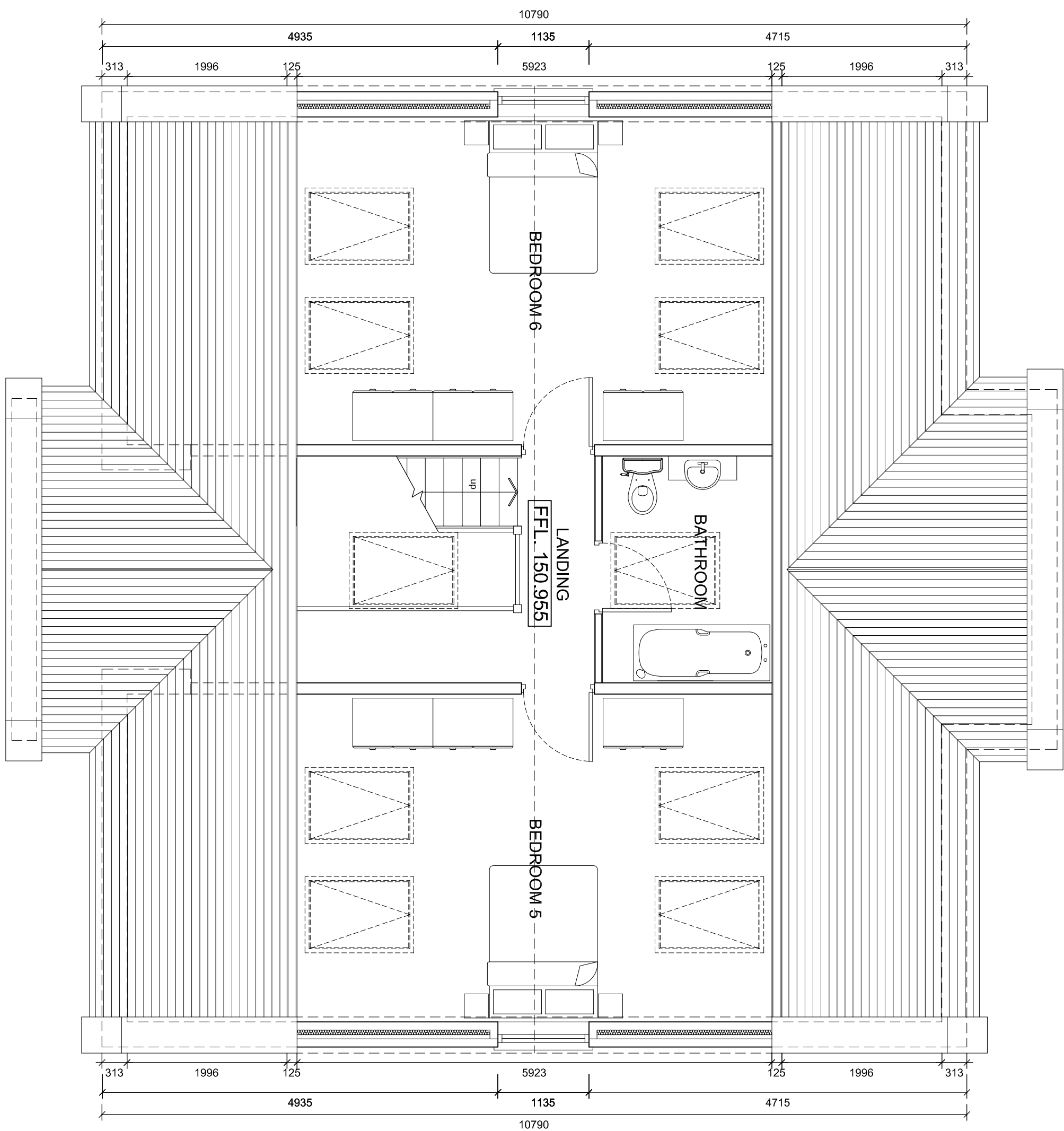
Date	Scale
FEBRUARY 2013	1:100 @ A1
Drawn	Checking No.
LAC / DJS / CAW	1845_04
Checked	Revision
LAC / DJS / CAW	1





## GENERAL NOTES

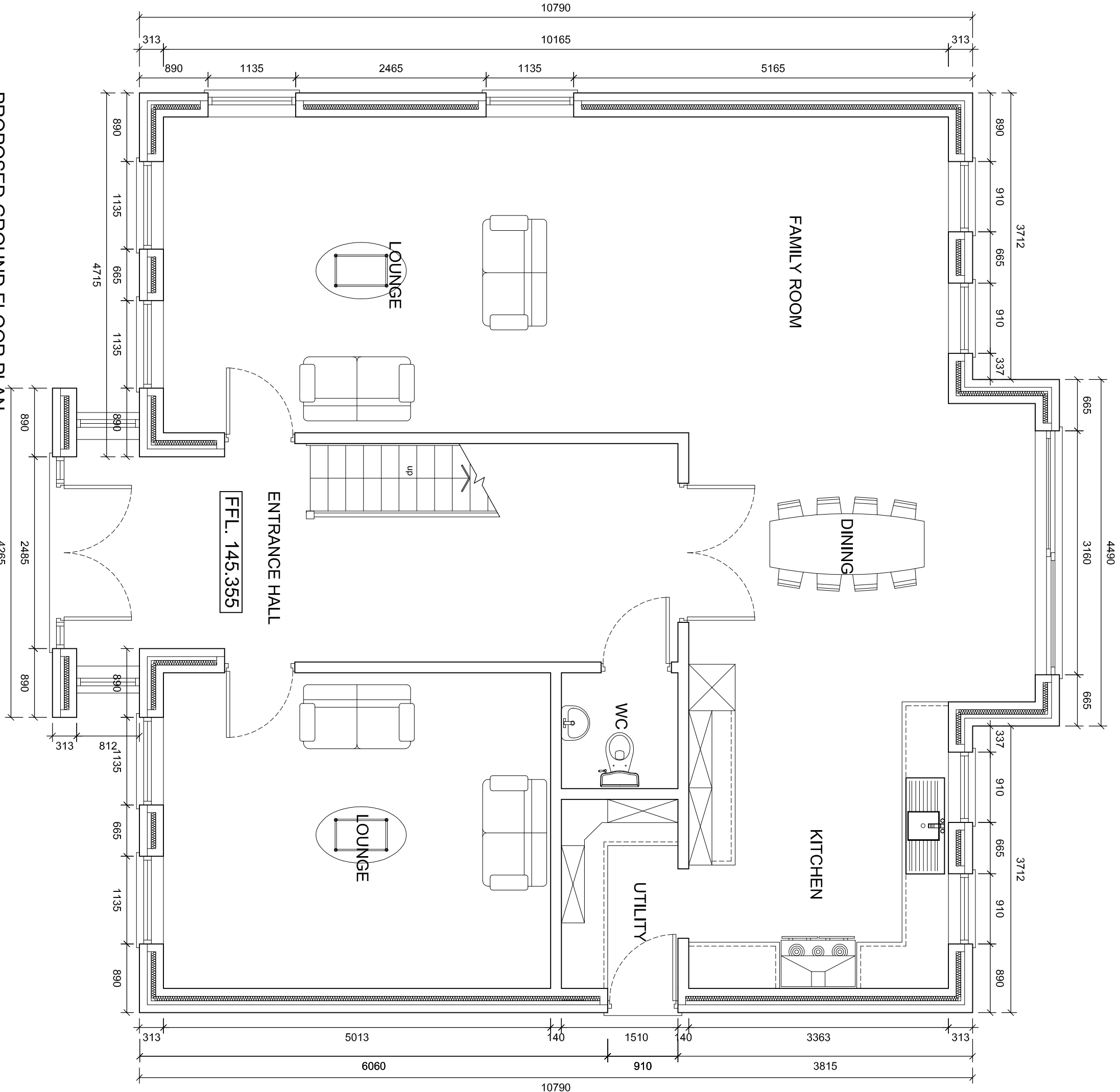
1. The drawing is the property of V.A. Architectural Services and copyright is reserved by them, and the drawing is not to be copied or displayed by or to any unauthorized persons without prior written consent of V.A. Architectural Services.
2. All dimensions are approximate only and are to be checked on site by contractor and any discrepancies are to be reported prior to commencement of work.
3. Do not scale from this drawing, only work to written dimensions.
4. All new drains to be laid, joined and tested to the entire satisfaction of the Local Authority.
5. All work is to comply with current Building Regulations and subsequent revisions.
6. Foundations not to encroach over boundaries.



A	PLANNING PERMISSING DIVISION REPOSITIONED APPLICATION RESUBMITTED FOR PLANNING	1/4/01, 1/4
MEMBERS		DATE
<b>Y A Architectural Services</b> 1401-1405, Michigan Street Station, Unit 502-A/S Tel: 604-699-9838 Fax: 609-924-6415 e-mail: yash@yash.com www.yash.com		
DRAFT	Y A H.M.D.	DATE: 1/4/01
CHECKED:		SCALE: 1/8"=1'-0"
PROJECT: PROPOSED SECTION OF A DETACHED DWELLING WITH ATTACHED GARAGE AND PORCH 1107N 14TH AVE, VICTORIA, B.C. V8N 1V1		
OWNER:	ALPHA FUELS LIMITED.	
JOB DESCRIPTION: DRAWING SECOND FLOOR PLAN AND ELEVATIONS.		
JOB NO:		1241-P03A



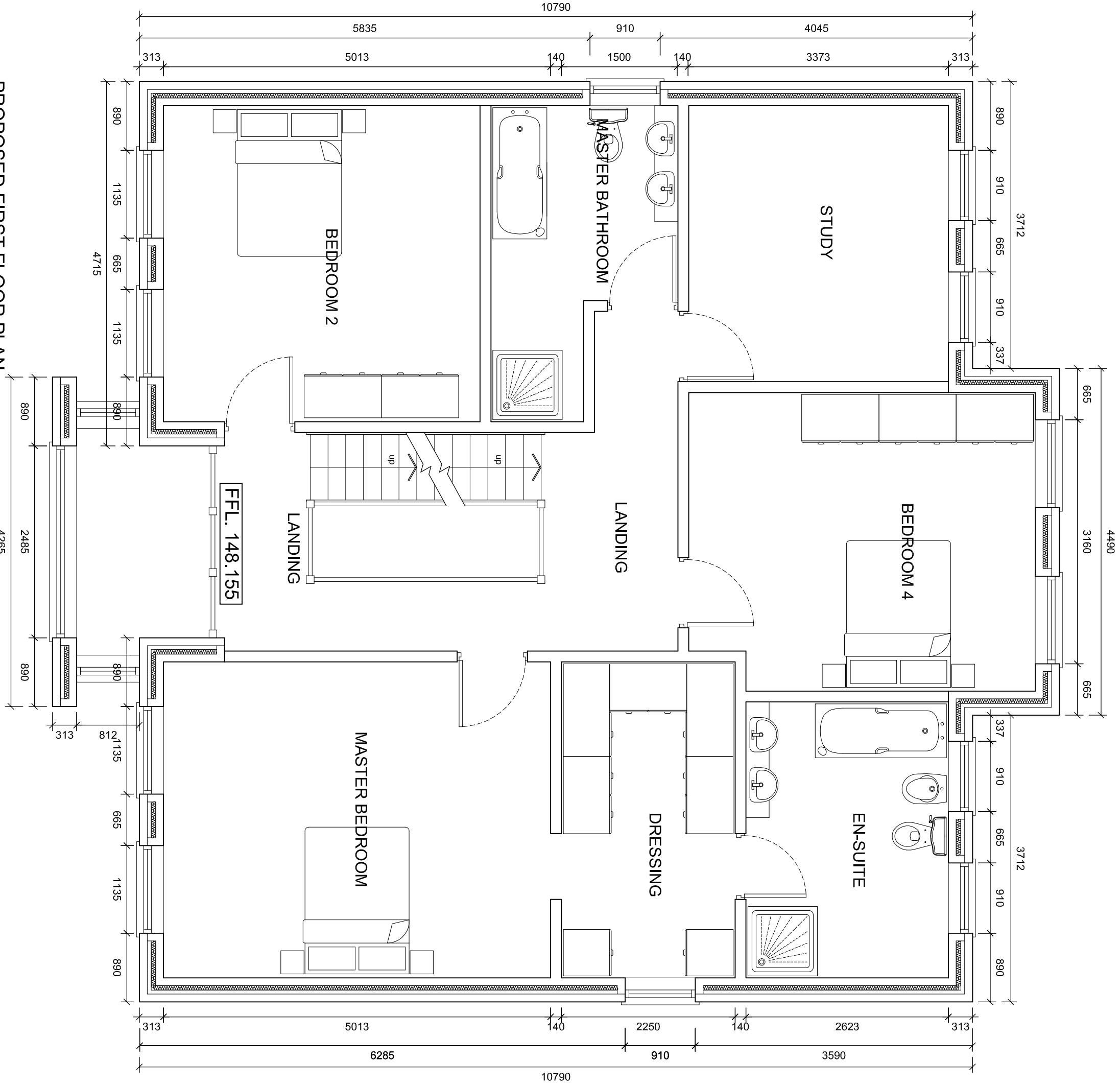
GENERAL NOTES:  
1. This drawing is a proposed plan of a detached dwelling and is intended to be used as a guide only. It is not intended to be used as a basis for construction or for any other purpose without the written consent of Y A Architectural Services.  
2. The drawings are prepared on the basis of information supplied by the client and are not intended to be used as a basis for construction or for any other purpose without the written consent of Y A Architectural Services.  
3. The drawings are prepared on the basis of information supplied by the client and are not intended to be used as a basis for construction or for any other purpose without the written consent of Y A Architectural Services.  
4. All new drains to be laid, gullies and sewers to be laid in accordance with the latest edition of the local authority's drainage code.  
5. All new work to comply with current Building Regulations and subsequent editions.  
6. Foundations not to exceed over boundaries.



PROPOSED GROUND FLOOR PLAN  
SCALE: 1:50

FLOOR AREAS:

GROUND FLOOR = 122m<sup>2</sup> (1313sq ft)  
FIRST FLOOR = 117m<sup>2</sup> (1259sq ft)  
SECOND FLOOR = 67m<sup>2</sup> (721sq ft)  
TOTAL AREA: 306m<sup>2</sup> (3294sq ft)



PROPOSED FIRST FLOOR PLAN  
SCALE: 1:50

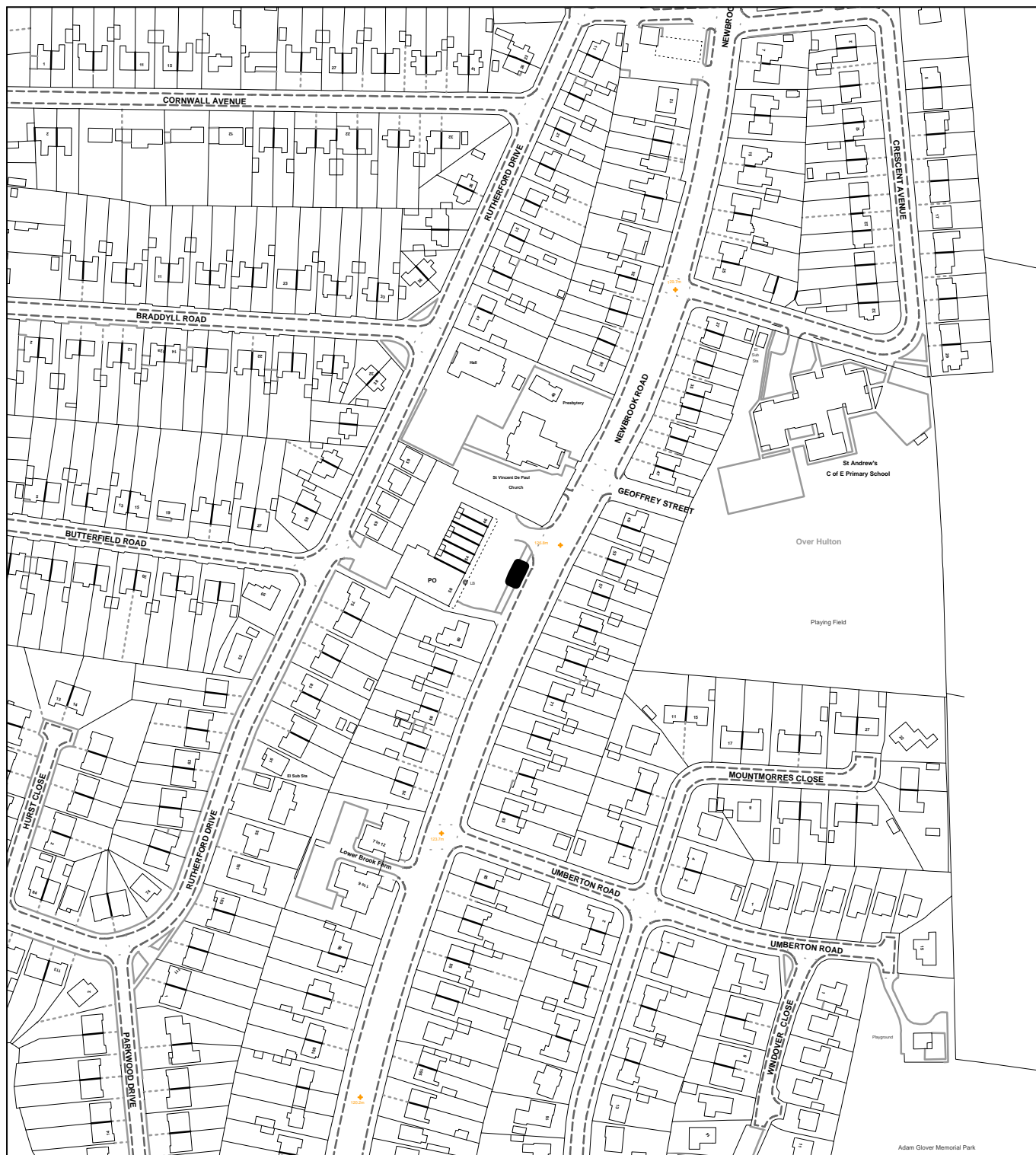
PLANNING ISSUE

A	PLANNING REVISIONS DWELLING	14.01.14
B	REVISIONS DWELLING	
C	REVISIONS DWELLING	
D	REVISIONS DWELLING	
E	REVISIONS DWELLING	
F	REVISIONS DWELLING	
G	REVISIONS DWELLING	
H	REVISIONS DWELLING	
I	REVISIONS DWELLING	
J	REVISIONS DWELLING	
K	REVISIONS DWELLING	
L	REVISIONS DWELLING	
M	REVISIONS DWELLING	
N	REVISIONS DWELLING	
O	REVISIONS DWELLING	
P	REVISIONS DWELLING	
Q	REVISIONS DWELLING	
R	REVISIONS DWELLING	
S	REVISIONS DWELLING	
T	REVISIONS DWELLING	
U	REVISIONS DWELLING	
V	REVISIONS DWELLING	
W	REVISIONS DWELLING	
X	REVISIONS DWELLING	
Y	REVISIONS DWELLING	
Z	REVISIONS DWELLING	
AA	REVISIONS DWELLING	
AB	REVISIONS DWELLING	
AC	REVISIONS DWELLING	
AD	REVISIONS DWELLING	
AE	REVISIONS DWELLING	
AF	REVISIONS DWELLING	
AG	REVISIONS DWELLING	
AH	REVISIONS DWELLING	
AI	REVISIONS DWELLING	
AJ	REVISIONS DWELLING	
AK	REVISIONS DWELLING	
AL	REVISIONS DWELLING	
AM	REVISIONS DWELLING	
AN	REVISIONS DWELLING	
AO	REVISIONS DWELLING	
AP	REVISIONS DWELLING	
AQ	REVISIONS DWELLING	
AR	REVISIONS DWELLING	
AS	REVISIONS DWELLING	
AT	REVISIONS DWELLING	
AU	REVISIONS DWELLING	
AV	REVISIONS DWELLING	
AW	REVISIONS DWELLING	
AX	REVISIONS DWELLING	
AY	REVISIONS DWELLING	
AZ	REVISIONS DWELLING	
BA	REVISIONS DWELLING	
BB	REVISIONS DWELLING	
BC	REVISIONS DWELLING	
BD	REVISIONS DWELLING	
BE	REVISIONS DWELLING	
BF	REVISIONS DWELLING	
BG	REVISIONS DWELLING	
BH	REVISIONS DWELLING	
BI	REVISIONS DWELLING	
BJ	REVISIONS DWELLING	
BK	REVISIONS DWELLING	
BL	REVISIONS DWELLING	
BM	REVISIONS DWELLING	
BN	REVISIONS DWELLING	
BO	REVISIONS DWELLING	
BP	REVISIONS DWELLING	
BQ	REVISIONS DWELLING	
BR	REVISIONS DWELLING	
BS	REVISIONS DWELLING	
BT	REVISIONS DWELLING	
BU	REVISIONS DWELLING	
BV	REVISIONS DWELLING	
BW	REVISIONS DWELLING	
BX	REVISIONS DWELLING	
BY	REVISIONS DWELLING	
BZ	REVISIONS DWELLING	
CA	REVISIONS DWELLING	
CB	REVISIONS DWELLING	
CC	REVISIONS DWELLING	
CD	REVISIONS DWELLING	
CE	REVISIONS DWELLING	
CF	REVISIONS DWELLING	
CG	REVISIONS DWELLING	
CH	REVISIONS DWELLING	
CI	REVISIONS DWELLING	
CJ	REVISIONS DWELLING	
CK	REVISIONS DWELLING	
CL	REVISIONS DWELLING	
CM	REVISIONS DWELLING	
CN	REVISIONS DWELLING	
CO	REVISIONS DWELLING	
CP	REVISIONS DWELLING	
CQ	REVISIONS DWELLING	
CR	REVISIONS DWELLING	
CS	REVISIONS DWELLING	
CT	REVISIONS DWELLING	
CU	REVISIONS DWELLING	
CV	REVISIONS DWELLING	
CW	REVISIONS DWELLING	
CX	REVISIONS DWELLING	
CY	REVISIONS DWELLING	
CZ	REVISIONS DWELLING	
DA	REVISIONS DWELLING	
DB	REVISIONS DWELLING	
DC	REVISIONS DWELLING	
DD	REVISIONS DWELLING	
DE	REVISIONS DWELLING	
DF	REVISIONS DWELLING	
DG	REVISIONS DWELLING	
DH	REVISIONS DWELLING	
DI	REVISIONS DWELLING	
DJ	REVISIONS DWELLING	
DK	REVISIONS DWELLING	
DL	REVISIONS DWELLING	
DM	REVISIONS DWELLING	
DN	REVISIONS DWELLING	
DO	REVISIONS DWELLING	
DP	REVISIONS DWELLING	
DQ	REVISIONS DWELLING	
DR	REVISIONS DWELLING	
DS	REVISIONS DWELLING	
DT	REVISIONS DWELLING	
DU	REVISIONS DWELLING	
DV	REVISIONS DWELLING	
DW	REVISIONS DWELLING	
DX	REVISIONS DWELLING	
DY	REVISIONS DWELLING	
DZ	REVISIONS DWELLING	
EA	REVISIONS DWELLING	
EB	REVISIONS DWELLING	
EC	REVISIONS DWELLING	
ED	REVISIONS DWELLING	
EE	REVISIONS DWELLING	
EF	REVISIONS DWELLING	
EG	REVISIONS DWELLING	
EH	REVISIONS DWELLING	
EI	REVISIONS DWELLING	
EJ	REVISIONS DWELLING	
EK	REVISIONS DWELLING	
EL	REVISIONS DWELLING	
EM	REVISIONS DWELLING	
EN	REVISIONS DWELLING	
EO	REVISIONS DWELLING	
EP	REVISIONS DWELLING	
EQ	REVISIONS DWELLING	
ER	REVISIONS DWELLING	
ES	REVISIONS DWELLING	
ET	REVISIONS DWELLING	
EU	REVISIONS DWELLING	
EV	REVISIONS DWELLING	
EW	REVISIONS DWELLING	
EX	REVISIONS DWELLING	
EY	REVISIONS DWELLING	
EZ	REVISIONS DWELLING	
FA	REVISIONS DWELLING	
FB	REVISIONS DWELLING	
FC	REVISIONS DWELLING	
FD	REVISIONS DWELLING	
FE	REVISIONS DWELLING	
FF	REVISIONS DWELLING	
FG	REVISIONS DWELLING	
FH	REVISIONS DWELLING	
FI	REVISIONS DWELLING	
FJ	REVISIONS DWELLING	
FK	REVISIONS DWELLING	
FL	REVISIONS DWELLING	
FM	REVISIONS DWELLING	
FN	REVISIONS DWELLING	
FO	REVISIONS DWELLING	
FP	REVISIONS DWELLING	
FQ	REVISIONS DWELLING	
FR	REVISIONS DWELLING	
FS	REVISIONS DWELLING	
FT	REVISIONS DWELLING	
FU	REVISIONS DWELLING	
FV	REVISIONS DWELLING	
FW	REVISIONS DWELLING	
FX	REVISIONS DWELLING	
FY	REVISIONS DWELLING	
FZ	REVISIONS DWELLING	
GA	REVISIONS DWELLING	
GB	REVISIONS DWELLING	
GC	REVISIONS DWELLING	
GD	REVISIONS DWELLING	
GE	REVISIONS DWELLING	
GF	REVISIONS DWELLING	
GG	REVISIONS DWELLING	
GH	REVISIONS DWELLING	
GI	REVISIONS DWELLING	
GJ	REVISIONS DWELLING	
GK	REVISIONS DWELLING	
GL	REVISIONS DWELLING	
GM	REVISIONS DWELLING	
GN	REVISIONS DWELLING	
GO	REVISIONS DWELLING	
GP	REVISIONS DWELLING	
GQ	REVISIONS DWELLING	
GR	REVISIONS DWELLING	
GS	REVISIONS DWELLING	
GT	REVISIONS DWELLING	
GU	REVISIONS DWELLING	
GV	REVISIONS DWELLING	
GW	REVISIONS DWELLING	
GX	REVISIONS DWELLING	
GY	REVISIONS DWELLING	
GZ	REVISIONS DWELLING	
HA	REVISIONS DWELLING	
HB	REVISIONS DWELLING	
HC	REVISIONS DWELLING	
HD	REVISIONS DWELLING	
HE	REVISIONS DWELLING	
HF	REVISIONS DWELLING	
HG	REVISIONS DWELLING	
HH	REVISIONS DWELLING	
HI	REVISIONS DWELLING	
HJ	REVISIONS DWELLING	
HK	REVISIONS DWELLING	
HL	REVISIONS DWELLING	
HM	REVISIONS DWELLING	
HN	REVISIONS DWELLING	
HO	REVISIONS DWELLING	
HP	REVISIONS DWELLING	
HQ	REVISIONS DWELLING	
HR	REVISIONS DWELLING	
HS	REVISIONS DWELLING	
HT	REVISIONS DWELLING	
HU	REVISIONS DWELLING	
HV	REVISIONS DWELLING	
HW	REVISIONS DWELLING	
HX	REVISIONS DWELLING	
HY	REVISIONS DWELLING	
HZ	REVISIONS DWELLING	
IA	REVISIONS DWELLING	
IB	REVISIONS DWELLING	
IC	REVISIONS DWELLING	
ID	REVISIONS DWELLING	
IE	REVISIONS DWELLING	
IF	REVISIONS DWELLING	
IG	REVISIONS DWELLING	
IH	REVISIONS DWELLING	
II	REVISIONS DWELLING	
IJ	REVISIONS DWELLING	
IK	REVISIONS DWELLING	
IL	REVISIONS DWELLING	
IM	REVISIONS DWELLING	
IN	REVISIONS DWELLING	
IO	REVISIONS DWELLING	
IP	REVISIONS DWELLING	
IQ	REVISIONS DWELLING	
IR	REVISIONS DWELLING	
IS	REVISIONS DWELLING	
IT	REVISIONS DWELLING	
IU	REVISIONS DWELLING	
IV	REVISIONS DWELLING	
IW	REVISIONS DWELLING	
IX	REVISIONS DWELLING	
IY	REVISIONS DWELLING	
IZ	REVISIONS DWELLING	
JA	REVISIONS DWELLING	
JB	REVISIONS DWELLING	
JC	REVISIONS DWELLING	
JD	REVISIONS DWELLING	
JE	REVISIONS DWELLING	
JF	REVISIONS DWELLING	
JG	REVISIONS DWELLING	

REVISIONS DWELLING	14.01.14
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DWELLING	
REVISIONS DW	

Application No.

91323/14



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office© Crown Copyright.  
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389

11

**Date of Meeting: 06/03/2014**

**Application Reference: 91323/14**

**Type of Application: Prior Notification (all)**  
**Registration Date: 16/01/2014**  
**Decision Due By: 12/03/2014**  
**Responsible Officer: Alex Allen**

**Location: PAVEMENT, NEWBROOK ROAD, BOLTON, BL5 1ES**

**Proposal: PRIOR NOTIFICATION FOR THE REMOVAL OF AN EXISTING 15M STREETWORKS COLUMN AND THE ERECTION OF A REPLACEMENT 17.5M STREETWORKS COLUMN TELECOMMUNICATIONS RADIO BASE STATION INSTALLATION AND 2 NO. ANCILLARY CABINETS.**

**Ward: Hulton**

**Applicant: Conerstone Telecoms Infrastructure Ltd - Vodafone Ltd**  
**Agent : Clarke Telecom Ltd.**

### **Officers Report**

**Recommendation: Prior Approval Granted with Conditions**

#### **Proposal**

The application is seeking prior approval for the erection of a 17.5m telecommunications mast, with the erection of 2 ancillary cabinets, following the removal of an existing 15 metre high telecommunications mast. It is for the Local Planning Authority to consider in this instance, only the siting and appearance of the development. The design of the mast and equipment cabinets would be similar to those that would be replaced.

#### **Site Characteristics**

The site forms part of the pedestrian network lining Newbrook Road. Abutting is a grass verge containing trees separating Newbrook Road and a car park serving a small parade of shops. Semi-detached residential properties face the site. To the north is St Vincent De Paul Church and associated grounds. To the south and west are residential dwellings.

St Andrews School is to the east, some 119m away approx. (to school buildings).

#### **Policy**

National Planning Policy Framework 2012

Core Strategy Policies CG3 The Built Environment, CG4 Compatible Uses, OA West Bolton, S1 Safe and P5 Accessibility.

Planning Control Policy Note No. 25 - Telecommunications.

#### **Analysis**

Applications for Prior Approval must be considered on siting and appearance grounds

only. Policies in the Development Plan relating to siting and appearance are relevant.

Applications which are acceptable in siting and appearance terms and comply with the provision of the Development Plan, should be granted Prior Approval. Similarly applications which are unacceptable in siting and appearance terms, and which are contrary to the provisions of the Development Plan, should be refused Prior Approval.

It is therefore necessary to decide whether this application is acceptable in terms of siting and appearance, with due regard being had to relevant Development Plan policies. The Government's policy is to facilitate the growth of new and existing telecommunications systems. (NPPF)

The main impacts of the proposal are:-

- \* Siting and Appearance
- \* Health Considerations
- \* Technical Justification
- \* Consideration of Alternative Sites and Mast Sharing

#### Siting and Appearance

The siting, scale and external appearance of the apparatus, and any associated landscaping, have been designed to minimise, eliminate or mitigate negative impact on amenity, visual intrusion and, if applicable, the appearance of structures on which they are mounted.

The mast would replace an existing mast that forms part of the urban fabric and has been in-situ for a number of years. Whilst the proposed monopole would be sited in a slightly different location (1.5 metres to the south west of the existing monopole) it is considered that this change makes no difference to the appearance of the structure or its setting overall.

The main difference would be the height increase from 15 metres to 17.5 metres. The mast and equipment form part of a street scene and would blend into the general background locally as does the existing, bearing in mind that the increase in height is considered to be minimal.

The mast would be sited in front of a group of trees found between Newbrook Road and a car park serving a shopping parade. Street lamps line both sides of Newbrook Road, at a height of 10m. Although the mast would project above the street lamps and tree line, it is not considered to be unreasonable or excessive. The mast and equipment will be viewed as part of the street scene and would readily assimilate into the character and appearance of Newbrook Road, rather than being a stand-alone feature. The mast would be sited over 30 metres away from the front elevations of properties facing the site on the east side of Newbrook Road.

A 2m wide strip of pavement will remain so pedestrians, push chairs and wheelchairs can pass safely.

The siting and appearance of the mast is considered to be acceptable.

#### Health Considerations

The Central Government view is that if the output levels of the proposed equipment are below the guidelines recommended by the International Commission on Non-Ionizing

Radiation Protection, there should be no need for further consideration on health grounds. Para 46 of the NPPF requires local planning authorities should not determine health safeguards if the proposal meets International Commission guidelines for public exposure.

Operators should provide Local Planning Authorities with ICNIRP compliance statements. The applicant have provided an ICNIRP compliance statement for this application. Officers consider the health risks to therefore be acceptable.

#### Technical Justification

The mast is a shared facility between Vodafone and Telefonica and will remove the need for two separate masts. The mast provides an upgrade to support future 4G coverage but also enhanced 2G/3G capacity for both Telefonica and Vodafone customers. Sufficient justification has been provided in support of the proposal technically. The proposal replaces an existing mast and the principle of such development has previously been accepted in this location. Para 46 of the NPPF states that local planning authorities should not question the need for telecommunications systems.

#### Consideration of Alternative Sites and Mast Sharing

Para 45 of the NPPF requires that applications for telecommunications development (including for prior approval under Part 24 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include, for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.

The applicant has conducted a sequential assessment when considering improvements to the existing network with the aim of site selection to ensure the overall impact of potential new monopoles is minimised. This includes the use of existing sites as the first consideration. New sites are only developed where there are no viable or accessible alternatives.

Officers agree that this is the most acceptable location as the site is an established location for such development and is preferable when compared to finding an additional site locally.

This is a shared mast between Telefonica and Vodafone. This will offer customers of both operators an improved service and minimise the need for further installations in the vicinity.

#### Other issues

Para 45 of the NPPF requires evidence to be submitted in support of the application detailing the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college.

The applicant has stated that pre-application consultation letters were sent to the head teacher of St Andrews C of E Primary School and that no response was received. The applicant has therefore complied with this requirement of the NPPF. In addition, as part of the planning consultation process St Andrews School have been informed of the proposal with no comments forthcoming.

Bolton Council's Highway Engineers have raised no objections to this application.

**Conclusion**

The Government through the NPPF views an advanced high quality communications infrastructure as being essential for sustainable economic growth. They play a vital role in the local community and offer services. For the reasons described above it is concluded that the siting and appearance of the replacement telecommunications equipment is acceptable and in accordance with National and Local planning policy and guidance.

Members are recommended to approve the application for prior notification.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** two objections have been received from nearby residents on Newbrook Road, one objects but provides no reason and one considers that the replacement mast and equipment will further result in a decline in the character of the area and their living conditions.

**Petitions:-** none received.

**Elected Members:-** none received.

### **Consultations**

A site notice was posted on site on 27/01/2014.

The following schools/colleges were consulted:- St Andrews Primary.

Advice was sought from the following consultees: Telecommunications Consultant (ECS Limited) and the Council's Highways Engineers.

### **Planning History**

Prior approval was granted by Planning Committee in November 2011 for the erection of a 15 metre high street works monopole in (Ref: 86961/11).

**Recommendation:            Prior Approval Granted with Conditions**

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

1. The equipment cabins hereby approved/permitted shall be painted in accordance with a scheme to be submitted to and approved in writing by the local planning Authority prior to its installation. The cabins shall be painted in accordance with the approved scheme on completion of the installation and shall thereafter be retained so coloured.

Reason

To ensure the development safeguards the character and visual appearance of the locality.

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

**Drawing No. 201 Rev A - Proposed Site Plan; and  
Drawing No. 301 Rev A - Propose Site Elevation.**

Reason

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

3. The existing mast and equipment cabins made redundant by this scheme shall be removed completely from the site within one month of completion and commissioning of the new installations. The land shall thereafter be reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the mast being brought into use. The approved works shall be carried out within a further 14 days and retained thereafter.

Reason.

In the interest of the visual amenity of the site and its surroundings







SHOP CAR  
PARK

TREE HEIGHTS  
APPROX  
8.00-10.00m HIGH

GRASS  
VERGE

TARMAC PAVEMENT

GROUND LEVEL  
+0.00m

NEWBROOK ROAD  
(30MPH LIMIT)

KERBLINE

EXISTING MANHOLE COVER

EXISTING TEF/VF 15.00m HIGH  
HUTCHINSON ENGINEERING JUPITER 811E  
COLUMN ON PLANTED ROOT FOUNDATION

EXISTING TEF/VF VULCAN CABINET  
C/W MEAS ON CONCRETE BASE

EXISTING TEF/VF ELECTRICAL  
METER PILLAR ON CONCRETE BASE

EXISTING ROAD SIGN

EXISTING 10.00m HIGH  
LAMPPOST

SINGLE YELLOW LINES

BOLTON COUNCIL  
DEVELOPMENT & REGENERATION  
16 JAN 2014

# EXISTING SITE PLAN (1:100)

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R E: 368915 N: 405499

CONCESSION REQUIRED NO

NOTES:

REV	Issued for Approval	MODIFICATION	BY	CH	DATE
A			SPD	SF	14.11.13

**CLARKE**  
**telecom**  
Partington House, Stock Lane, Chadderton,  
Oldham, OL9 9EY  
Tel: 0161 785 4500  
Fax: 0161 785 4501  
Web: www.clarke-telecom.com



Cell Name	Opt.
NEWBROOK ROAD	-

Cell ID No	TEF	VF
129349	040799	79333

Site Address / Contact Details  
NEWBROOK ROAD  
OVER HULTON  
ATHERTON  
BL5 1ES

Drawing Title: EXISTING SITE PLAN

Purpose of Issue: PLANNING

Drawing Number: 200

Surveyed By: SF Original Sheet Size: A3

Drawn: SPD Date: 13.11.13 Checked: SF Date: 14.11.13

Pack Issue: A





SHOP CAR  
PARK

TREE HEIGHTS  
APPROX  
8-10.0m HIGH

GRASS  
VERGE

GROUND LEVEL  
+0.00m

TARMAC PAVEMENT

NEWBROOK ROAD  
(30MPH LIMIT)

KERBLINE

EXISTING MANHOLE COVER

PROPOSED 17.50m HIGH HUTCHINSON  
ENGINEERING JUPITER 2 DUAL STACK  
POLE ON NEW ROOT FOUNDATION

PROPOSED REMOVAL OF EXISTING TEF/VF  
15.00m HIGH HUTCHINSON ENGINEERING  
JUPITER 811E COLUMN ON ROOT FOUNDATION

PROPOSED 2No. HUAWEI BTS 3900AL  
CABINETS ON NEW COMBINED CONCRETE BASE

EXISTING TEF/VF VULCAN CABINET  
C/W MEAS ON CONCRETE BASE

EXISTING TEF/VF ELECTRICAL  
METER PILLAR ON CONCRETE BASE

PROPOSED SLIMLINE METER  
CABINET ON NEW CONCRETE BASE

EXISTING ROAD SIGN

EXISTING 10.0m HIGH  
LAMPPOST.

SINGLE YELLOW LINES

NOTE:  
EXISTING SITE IS NOT  
OPERATIONAL FOR VF & TEF

NOTE:  
TRIAL DIG REQUIRED

NOTES:  
ALL WORK UNDERTAKEN ON HIGHWAYS LAND TO  
BE DONE IN ACCORDANCE WITH THE NEW ROADS  
& STREETWORKS ACT 1991. (C.22)  
THE PROPOSED COLUMN LOCATION SHOWN ON  
THIS DRAWING IS SUBJECT TO THE RECEIPT OF  
STATUTORY SEARCHES, A CAT SCAN AND A TRIAL  
DIG OF THE PROPOSED COLUMN LOCATION.  
THE FINAL COLUMN LOCATION IS TO BE  
DETERMINED BY CLARKE TELECOM BASED ON THE  
ABOVE INFORMATION USING THE RELEVANT  
STATUTORY AUTHORITY GUIDELINES

BOLTON COUNCIL  
DEVELOPMENT & REGENERATION  
16 JAN 2014

## PROPOSED SITE PLAN (1:100)

The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.  
Designed in accordance with CTIL document: SDN0008

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R E: 368915 N: 405499

CONCESSION REQUIRED NO

NOTES:

REV	Issued for Approval	MODIFICATION	SPD	SF	BY	CH	DATE
A							14.11.13

**CLARKE**  
**telecom**  
Partington House, Stock Lane, Chadderton,  
Oldham, OL9 9EY  
Tel: 0161 785 4500  
Fax: 0161 785 4501  
Web: www.clarke-telecom.com

**vodafone**  
CTIL

Cell Name	Opt.
NEWBROOK ROAD	-

Cell ID No	TEF	VF
129349	040799	79333

Site Address / Contact Details

NEWBROOK ROAD  
OVER HULTON  
ATHERTON  
BL5 1ES

Drawing Title: PROPOSED SITE PLAN

Purpose of Issue:

PLANNING

Drawing Number:

201

Surveyed By:

SF

Original Sheet Size:

A3

Drawn:

SPD

Date:

13.11.13

Checked:

SF

Date:

14.11.13

Pack Issue:

A







Application No.

91326/14



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office© Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389

11

**Date of Meeting: 06/03/2014**

**Application Reference: 91326/14**

**Type of Application: Prior Notification (all)**  
**Registration Date: 16/01/2014**  
**Decision Due By: 12/03/2014**  
**Responsible Officer: Martin Mansell**

**Location: FOOTPATH ADJACENT 221 ST GEORGES ROAD, BOLTON, BL1 2PG**

**Proposal:** PRIOR NOTIFICATION FOR THE REPLACEMENT OF AN EXISTING 15M HIGH TELECOMMUNICATIONS MAST WITH A 17.5M HIGH TELECOMMUNICATIONS MAST SUPPORTING 6NO ANTENNAE AND 2NO EQUIPMENT CABINETS TOGETHER WITH ANCILLARY DEVELOPMENT.

**Ward: Halliwell**

**Applicant: Cornerstone Telecommunications Infrastructure Ltd/Vodafone Ltd**  
**Agent : Clarke Telecom Limited**

## **Officers Report**

**Recommendation: Prior Approval Granted with Conditions**

### **Proposal**

This is an application for Prior Approval.

The proposal comprises the replacement of an existing 15m telecommunications mast with one 17.5m in height. The pole would support antennae contained within a plastic shroud - the antennae would provide service for both Vodafone and Telefonica (O2) enhancing the coverage of 3rd and 4th Generation mobile technology networks in the area.

The existing "root" would be reused and therefore the main change would be that the height would increase by 2.5m and the "shroud" part of the mast would be larger to accommodate the equipment of two telecommunication providers, rather than one as existing.

### **Site Characteristics**

This is an existing telecommunications site containing a 15m "streetworks" mast and an ancillary cabinet.

The site is part of the footway at St Georges Road, in front of the parking area to Moghuls Palace (formerly The Crofters / Magees Public House), not presently in use. This part of St Georges Road, from Marsden Road to the Chorley New / Chorley Old Road junction is characterised by typical two-storey terraced commercial properties interspersed with the occasional residential property.

The area contains street furniture typical of a major road junction including lampposts (10 metres in height) and directional signs.

## **Policy**

National Planning Policy Framework - Building a strong and competitive economy, supporting high quality communications infrastructure, requiring good design

Core Strategy Objectives

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

Core Strategy Policies

P5 Transport

S1 Crime and Road Safety

CG3 Design and the Built Environment

RA1 Inner Bolton

## **Analysis**

Applications for Prior Approval must be considered on siting and appearance grounds only. Policies in the Development Plan relating to siting and appearance are relevant.

Applications which are acceptable in siting and appearance terms and comply with the provision of the Development Plan in terms of siting and appearance, should be granted Prior Approval.

Similarly applications which are unacceptable in siting and appearance terms, and which are contrary to the provisions of the Development Plan in terms of siting and appearance, should be refused Prior Approval.

It is therefore necessary to decide whether this application is acceptable in terms of siting and appearance, with due regard being had to relevant Development Plan policies, and determine the proposal accordingly.

The Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum.

### Consideration of Alternative Sites and Mast Sharing

National policy on telecommunication development places strong emphases on the use and reuse of existing sites, in particular the use of existing masts, buildings and other structures. The lack of consideration of alternative sites can be a reason to refuse applications, but the Local Planning Authority must give clear and specific reasoning, having borne in mind the technical constraints of the Operators.

As this is an existing mast, currently used by one operator and would be used by two operators, no further analysis of this issue is considered to be necessary. The siting is considered to be acceptable.

### Technical Justification

National policy states that Operators may be expected to demonstrate the need for the proposal and requires that the size of the mast is justified in terms of operational efficiency, structural capacity and its relative importance in the network.

In this instance, cell coverage diagrams are not considered to assist in the determination



of the application as the 4G system is not yet widespread in Bolton. However, it is known that both the 3G and 4G systems operate over a much smaller area than the older 2G mobile phone network, due to the amount data involved in the transmission of, for example, photographs, videos and music. A technical justification has been provided and has been accepted by the Council consultant on these matters, ECS Ltd, who advise that the decision here is primarily one of design and streetscene impact.

The proposal is considered to deliver benefits in terms of improved coverage and to be justified in terms of justified in terms of operational efficiency, structural capacity and relative importance in the network.

#### Design and Visual Amenity Issues

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. Historical associations should be retained where possible.

Whilst the girth of the shroud would increase, the main consideration here is the increase in height of 2.5m. It is considered that the existing mast is now an accepted part of the streetscene.

At 17.5 metres in height with a slimline appearance, it is considered that the mast would be successfully assimilated into the existing streetscene. There are a number of lighting columns in the area and these rise to a height of 10 metres. The monopole would be viewed amongst these and other vertical elements.

The major function of St Georges Road is to distribute traffic between Marsden Road, Topp Way, Chorley Old Road, Chorley New Road and Bolton Town Centre. Whilst it does of course contain buildings, its primary function is considered to be the distribution of traffic and pedestrian use is relatively low. As such, its street scene represents this function and consists in the main of highway infrastructure.

It is considered that the mast has been designed and located in such a way as to minimise its visual impact.

#### Health Considerations

The Central Government view is that if the output levels of the proposed equipment are below the guidelines recommended by the International Commission on Non-Ionizing Radiation Protection, there should be no need for further consideration on health grounds.

National policy advises that Operators should provide Local Planning Authorities with ICNIRP compliance statements. The Applicant has provided an ICNIRP compliance certificate for this application.

#### Conclusion

As the Applicant has kept the impact of the installation to a minimum, and demonstrated

a need for the mast, it is considered that prior approval should be granted. The increase in height is material but is not considered to render the proposal unacceptable in terms of impact on the street scene.

The proposal is recommended for approval.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** none at this stage. Additional consultation has been carried out with a resident who objected after the installation of the existing mast and any response will be reported at the meeting.

### **Consultations**

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

### **Planning History**

Previous approval, 80799/08

**Recommendation:            Prior Approval Granted with Conditions**

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

1. The development hereby approved/permitted shall not be brought into use unless and until a colour scheme for all external elements of the development to be painted has been submitted to and approved by the Local Planning Authority and those elements have been coloured in accordance with the approved scheme. The approved colour scheme shall thereafter be retained.

Reason

To ensure the development safeguards the character and visual appearance of the locality.

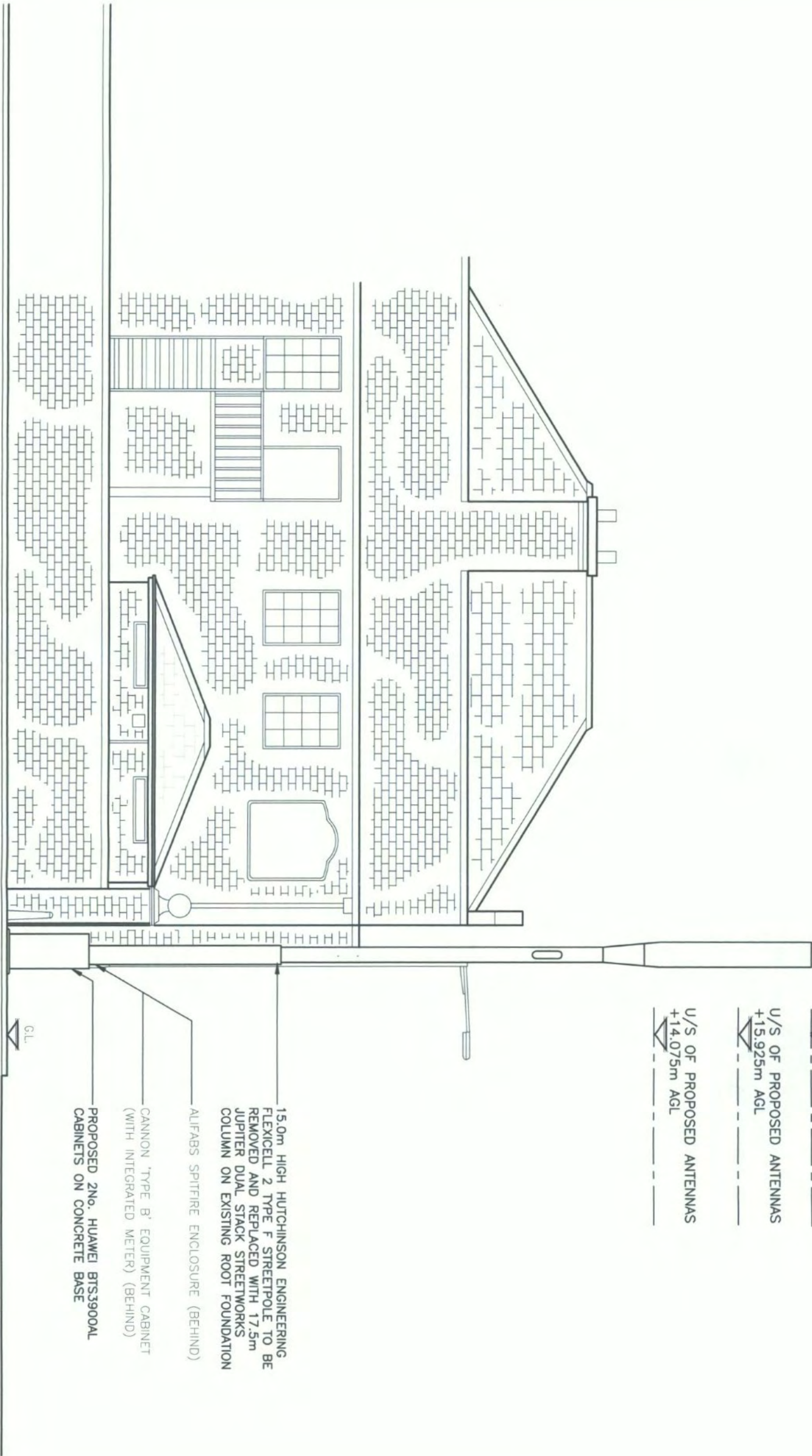
ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R E: 371029 N: 409582

CONCESSION REQUIRED NO

NOTES:

TOP OF PROPOSED STRUCTURE  
+17.5m AGL  
U/S OF PROPOSED ANTENNAS  
+15.925m AGL  
U/S OF PROPOSED ANTENNAS  
+14.075m AGL



# PROPOSED ELEVATION 'A' (1:100)

16 JAN 2014

BOLTON COUNCIL  
DEVELOPMENT & REGENERATION

REV	MODIFICATION	BY	CH	DATE
A	Issued for Approval	DJC	LB	06.11.13

CLARKE  
telecom

Partington House, Stock Lane, Chadderton,  
Oldham, OL9 9EY  
Tel: 0161 785 4500  
Fax: 0161 785 4501  
Web: www.clarke-telecom.com

CTIL

Cell Name	Opt.
BOLTON QUEENS PARK	-
Cell ID No	
CTIL	TEF VF
132883	40804 79641

Site Address / Contact Details

BOLTON QUEENS PARK  
ST GEORGES ROAD  
BOLTON  
BL1 2PG

Drawing Title:	PROPOSED SITE ELEVATION
Purpose of Issue:	PLANNING
Drawing Number:	301
Surveyed By:	DW
Drawn:	DJC
Date:	06.11.13
Checked:	LB
Date:	06.11.13
Original Sheet Size:	A3
Drawn:	DJC
Date:	06.11.13
Checked:	LB
Date:	06.11.13
Original Sheet Size:	A3
Drawn:	DJC
Date:	06.11.13
Checked:	LB
Date:	06.11.13
Original Sheet Size:	A3
Drawn:	DJC
Date:	06.11.13
Checked:	LB
Date:	06.11.13
Original Sheet Size:	A3





ST GEORGES ROAD

10.0m HIGH LAMPPOST

FOOTPATH

KERB

FOOTPATH

KERB

ALFABS SPITFIRE ENCLOSURE

CANNON 'TYPE B' STREETWORKS CABINET (WITH INTEGRATED METER), BT MEAS

15.0m HIGH HUTCHINSON ENGINEERING FLEXICELL 2 TYPE F STREETPOLE TO BE REMOVED AND REPLACED WITH 17.5m JUPITER DUAL STACK STREETWORKS COLUMN ON EXISTING ROOT FOUNDATION

PROPOSED 2No. HUAWEI BTS3900AL CABINETS ON CONCRETE BASE

ELEVATION

CONCRETE BOLLARDS

METAL FIRE ESCAPE

N.B. AWAITING H.E.L. CONFIRMATION ON EXISTING ROOF

CAR PARK

COBBLED ACCESS ROAD

FOOTPATH

CAR PARK

BOLTON COUNCIL DEVELOPMENT & REGENERATION

16 JAN 2011

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R E: 371029 N: 409582

CONCESSION REQUIRED NO

NOTES:

REV	Issued for Approval	DWG	LB	06.11.13
MODIFICATION	BY	CH	DATE	

CLARKE

telecom

Partington House, Stock Lane, Chadderton, Oldham, OL9 9EY  
Tel: 0161 785 4500  
Fax: 0161 785 4501  
Web: www.clarke-telecom.com

vodafone

CTIL

Cell Name	BOLTON QUEENS PARK	Opt.	-
Cell ID No			
CTIL	TEF	VF	
132883	40804	79641	

Site Address / Contact Details  
BOLTON QUEENS PARK  
ST GEORGES ROAD  
BOLTON  
BL1 2PG

Drawing Title:	PROPOSED SITE PLAN
Purpose of Issue:	PLANNING
Drawing Number:	201
Surveyed By:	OW
Drawn:	DJC
Date:	06.11.13
Checked:	LB
Date:	06.11.13
Issue:	A

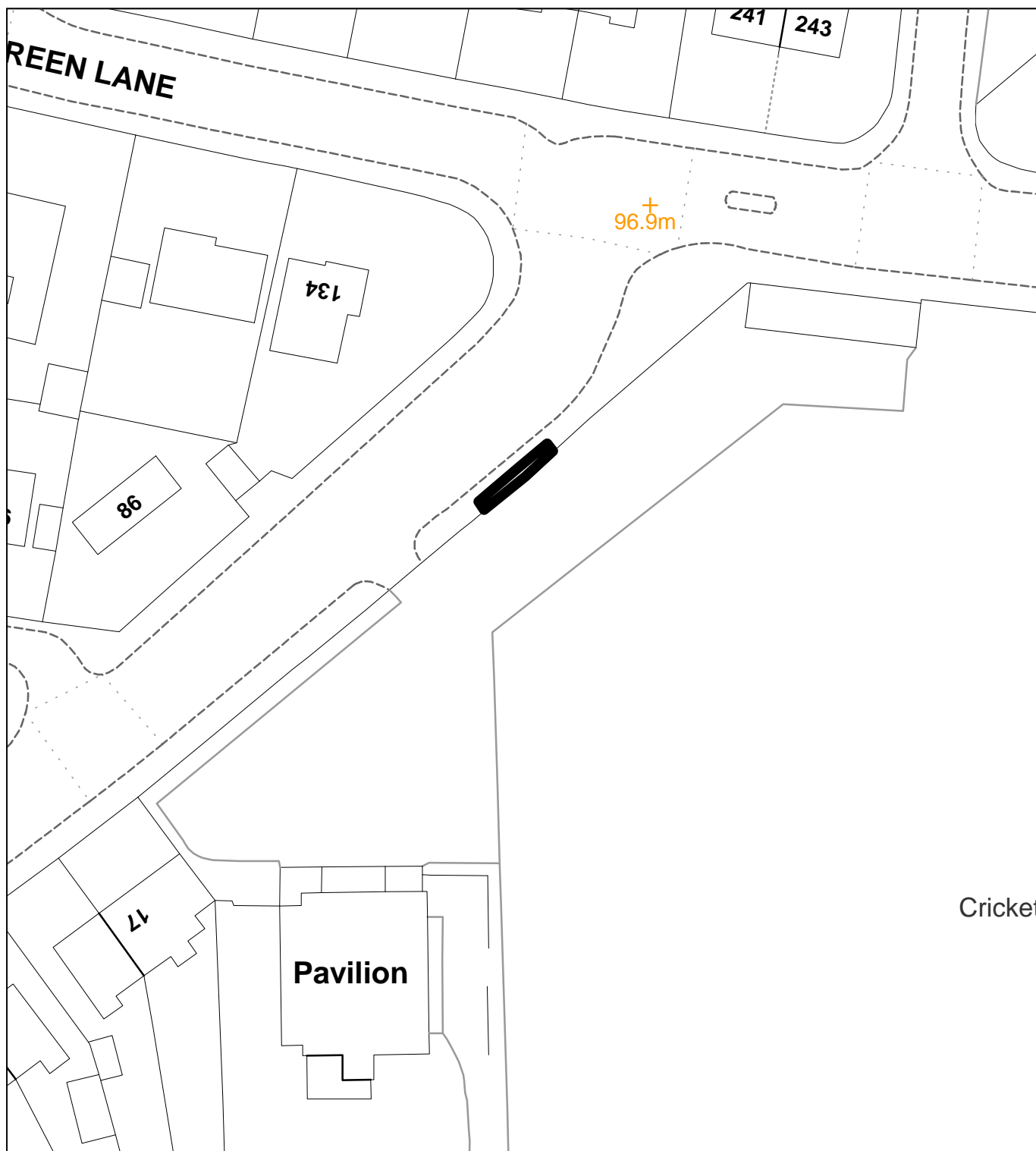
The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.

Designed in accordance with CTIL document: SDN0008



Application No.

91327/14



Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of  
the Controller of Her Majesty's Stationery Office© Crown Copyright.  
Unauthorised reproduction infringes Crown Copyright and may lead to  
prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389

11



**Date of Meeting: 06/03/2014**

**Application Reference: 91327/14**

**Type of Application: Full Planning Application**  
**Registration Date: 16/01/2014**  
**Decision Due By: 12/03/2014**  
**Responsible Officer: Martin Mansell**

**Location: PAVEMENT, BISHOPS ROAD, BOLTON, BL3 2JB**

**Proposal: REMOVAL OF EXISTING PHOSCO COLUMN ROOT AND  
INSTALLATION OF A REPLACEMENT 15M STREETWORKS  
TELECOMMUNICATIONS COLUMN, TOGETHER WITH THE  
ADDITION OF 1 NO. EQUIPMENT CABINET.**

**Ward: Great Lever**

**Applicant: Cornerstone Telecommunication Infrastructure Ltd - Vodafone Ltd**  
**Agent : Clarke Telecom Ltd.**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Proposal**

This is an application for planning permission.

The proposal comprises the installation of a 15m telecommunications mast. The pole would support antennae contained within a plastic shroud - the antennae would provide service for both Vodafone and Telefonica (O2) enhancing the coverage of 2nd, 3rd and 4th Generation mobile technology networks in the area.

Members are advised that planning permission was granted by the Planning Inspectorate in 2012 for a 11.7 metre mast at this site. The development has commenced - the "root" or base has been installed, but has not been completed.

The main differences between the development as approved and as now proposed is that the height would increase by 3.3 metres and the "shroud" element would be larger to accommodate antennae necessary to provide a 4G service and to accommodate increasing demand for bandwidth.

#### **Site Characteristics**

This is a proposed new telecommunications site, albeit one with a partially implemented consent. The monopole and equipment cabinets would be situated to the rear of the footway on Bishop's Road, in the centre point between the junctions with Green Lane and Lakeside Avenue. To the rear of the site are the Pavilion and cricket ground of Bolton Cricket Club. The surrounding area is predominantly residential in nature.

There are no schools in direct close proximity to the application site. The nearest school is Mount St Joseph Secondary School (482 metres).

## **Policy**

National Planning Policy Framework - Building a strong and competitive economy, supporting high quality communications infrastructure, requiring good design

Core Strategy Objectives

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

Core Strategy Policies

P5 Transport

S1 Crime and Road Safety

CG3 Design and the Built Environment

RA1 Inner Bolton

## **Analysis**

Applications for Prior Approval must be considered on siting and appearance grounds only. Policies in the Development Plan relating to siting and appearance are relevant.

Applications which are acceptable in siting and appearance terms and comply with the provision of the Development Plan in terms of siting and appearance, should be granted Prior Approval.

Similarly applications which are unacceptable in siting and appearance terms, and which are contrary to the provisions of the Development Plan in terms of siting and appearance, should be refused Prior Approval.

It is therefore necessary to decide whether this application is acceptable in terms of siting and appearance, with due regard being had to relevant Development Plan policies, and determine the proposal accordingly.

The Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum.

### **Consideration of Alternative Sites and Mast Sharing**

National policy on telecommunication development places strong emphases on the use and reuse of existing sites, in particular the use of existing masts, buildings and other structures. The lack of consideration of alternative sites can be a reason to refuse applications, but the Local Planning Authority must give clear and specific reasoning, having borne in mind the technical constraints of the Operators.

As this is a site already benefiting from planning permission for one operator and would be now used by two operators, no further analysis of this issue is considered to be necessary. The Inspector considered the suggested alternative sites at the appeal and accepted that they could not be effectively developed. The siting is considered to be acceptable.

### **Technical Justification**

National policy states that Operators may be expected to demonstrate the need for the proposal and requires that the size of the mast is justified in terms of operational efficiency, structural capacity and its relative importance in the network.

In this instance, cell coverage diagrams are not considered to assist in the determination of the application as the 4G system is not yet widespread in Bolton and the principle of

telecommunications development has already been accepted at this site. However, it is known that both the 3G and 4G systems operate over a much smaller area than the older 2G mobile phone network, due to the amount data involved in the transmission of, for example, photographs, videos and music. A technical justification has been provided and has been accepted by the Council consultant on these matters, ECS Ltd, who advise that the decision here is primarily one of design and streetscene impact.

The proposal is considered to deliver benefits in terms of improved coverage and to be justified in terms of justified in terms of operational efficiency, structural capacity and relative importance in the network.

#### Design and Visual Amenity Issues

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. Historical associations should be retained where possible.

Whilst the girth of the shroud would increase over that of the approved scheme, the main consideration here is the increase in height of 3.3m. The Inspector considered that the proposed installation of a 11.7 metre mast would not give rise to a significant change in the overall visual appearance of the street scene or in the outlook from the cricket club and nearby residential properties. At 15 metres in height with a slimline appearance, it is considered that the mast would be successfully assimilated into the existing streetscene and the difference between the two structures is not so great as to prevent this.

It is considered that the mast has been designed and located in such a way as to minimise its visual impact.

#### Impact on the Highway

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 objected to one of the cabinets which, if installed as originally proposed, would reduce the footway to 1.6 metres - less than the recommended 2 metres. The Applicant has addressed this and an amended plan shows a clearance of 1.9 metres, considered to be acceptable.

#### Health Considerations

The Central Government view is that if the output levels of the proposed equipment are below the guidelines recommended by the International Commission on Non-Ionizing Radiation Protection, there should be no need for further consideration on health grounds.

National policy advises that Operators should provide Local Planning Authorities with ICNIRP compliance statements. The Applicant has provided an ICNIRP compliance

certificate for this application.

Conclusion

As the Applicant has kept the impact of the installation to a minimum, and demonstrated a need for the mast, it is considered that prior approval should be granted. The increase in height is material but is not considered to render the proposal unacceptable in terms of impact on the street scene.

The proposal is recommended for approval.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** an objection has been received from the nearby cricket club, on the grounds that:-

- This application has been rejected once by the Council, who were then overridden by the Government.
- The initial application was for a 14.8 Metre pole in October 2010, this was changed to a 11.8 Metre pole in June 2011. Only the base has been erected.
- There is still a mast within 50 Metres of this proposal, which could accommodate another mobile provider, without the need for another mobile mast, especially one at 15 metres.

### **Consultations**

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

### **Planning History**

Previous approval, 86435/11

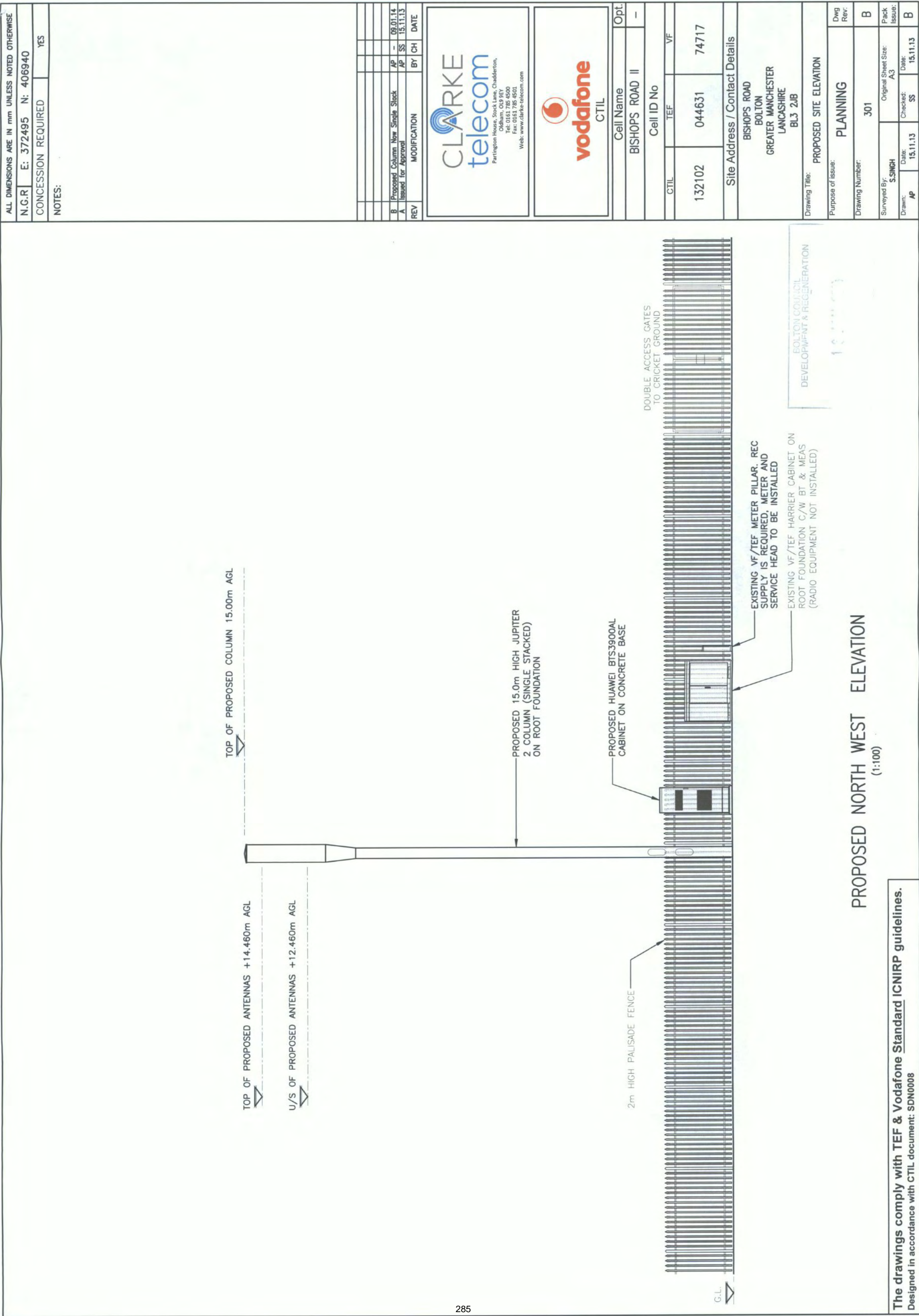
**Recommendation:            Approve subject to conditions**

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

1. The development hereby approved/permitted shall not be brought into use unless and until a colour scheme for all external elements of the development to be painted has been submitted to and approved by the Local Planning Authority and those elements have been coloured in accordance with the approved scheme. The approved colour scheme shall thereafter be retained.

Reason

To ensure the development safeguards the character and visual appearance of the locality.







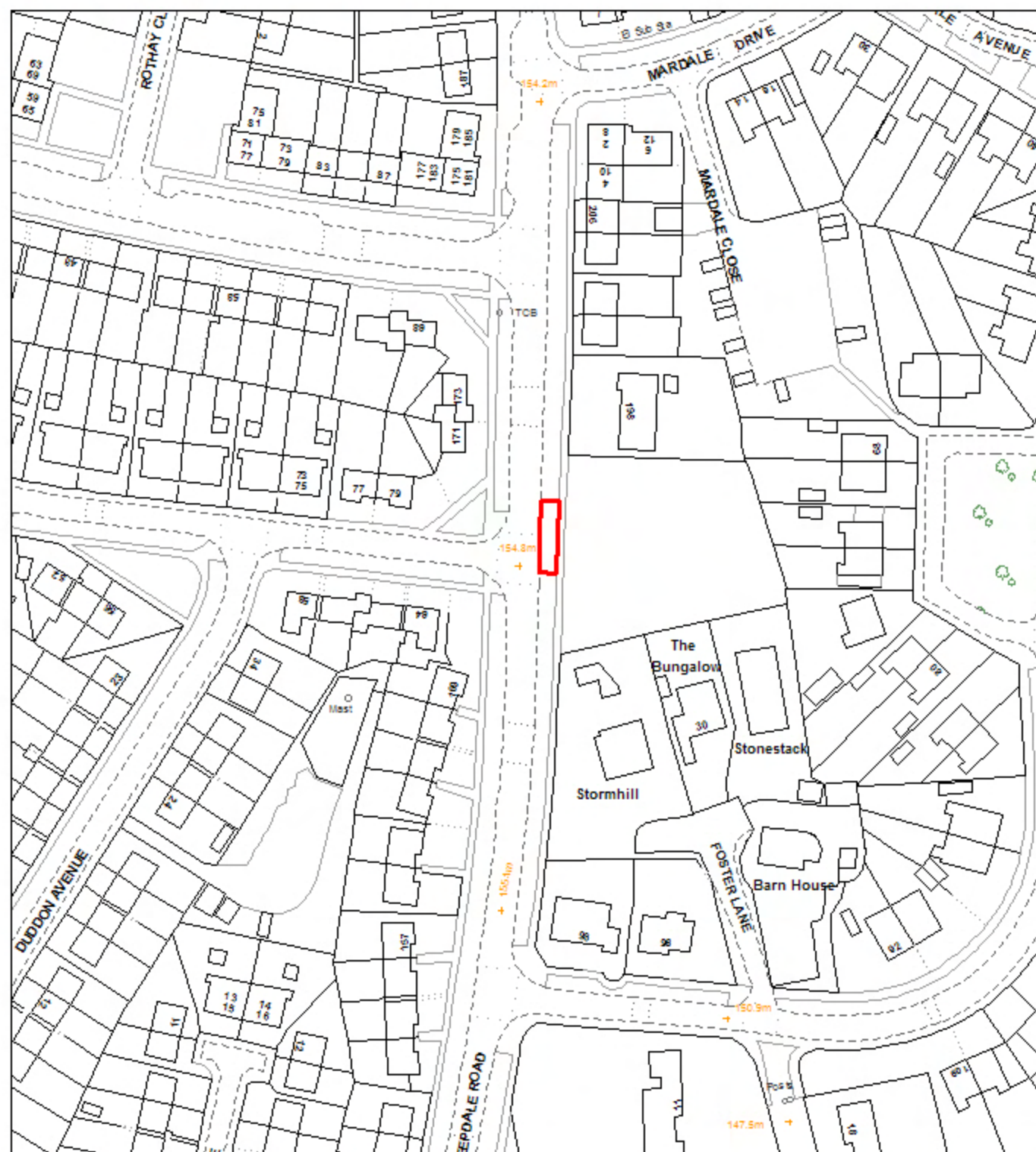
# PROPOSED SITE PLAN (1:100)

The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.  
Designed in accordance with CTIL document: SDN0008



Application No.

**91365/14**



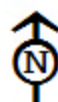
Development and Regeneration Department  
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.  
Telephone (01204) 333333  
Fax (01204) 336399

**Bolton  
Council**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Bolton © Crown Copyright and database rights 2011. 010019389



**Date of Meeting: 06/03/2014**

**Application Reference: 91365/14**

**Type of Application: Full Planning Application**  
**Registration Date: 23/01/2014**  
**Decision Due By: 19/03/2014**  
**Responsible Officer: James Berggren**

**Location: LAND AT DEEPDALE ROAD, BOLTON, BL2 5HY**

**Proposal: REMOVAL OF EXISTING 12.8M COLUMN SUPPORTING 3 NO. ANTENNAS. INSTALLATION OF A REPLACEMENT 15M COLUMN SUPPORTING 6 NO. ANTENNAS, 2 NO. EQUIPMENT CABINETS , A METER PILLAR AND ANCILLARY DEVELOPMENT.**

**Ward: Breightmet**

**Applicant: Cornerstones Telecommunications Infrastructure Ltd/Vodafone Ltd**  
**Agent : Clarke Telecom Ltd.**

### **Officers Report**

**Recommendation: Approve subject to conditions**

#### **Background**

An application for a 14.8 metre high pole and associated equipment was refused by committee in 85062/10. A subsequent application was refused under delegated powers for a 12.8 metre high mast. The decision was issued but due to this being later than the 56 day requirement, the application benefited from deemed consent and the mast has since been erected.

#### **Proposal**

The application proposes the removal of the 12.8 metre high column and its replacement by a 15 metre high column together with a meter cabinet and 2no. equipment cabinets. The new column would be positioned approximately 3.5 metres south of the existing column. It also provides for a share of the installation between two separate operators

#### **Site Characteristics**

The existing installation is located on a grassed highway verge between the road and pavement areas, opposite Wasdale Avenue. The mast is grey/silver with a white antenna. The associated equipment cabinet is finished in a dark green colour. To the east of the site is an area of open land.

The nearest residential properties are:

- To the north is 198 Deepdale Road being 28 metres approx away and having a gable facing relationship;
- To the south is Stormhill and 30 Foster Lane (The Bungalow) being 34 metres approx away and rear facing, these elevations are well screened from the proposed site by

- tall trees;
- To the west is 64 Wasdale Avenue being approx. 28 metres away and 79 Wasdale Avenue at approx 30 metres. Both these properties have a gable facing relationship with the site;
- To the east is Dovedale Road, the nearest properties to the site being 70, 72 and 74. Number 70 is approx 64 metres away, number 72 is approx 61 metres away and number 74 is approx 60 metres way. All these properties rear elevations face the site.

There is an existing mast (lattice tower style) to the rear of Duddon Avenue and properties 163 - 169 Deepdale Road which is located at distances of less than 15 metres from the rear of these dwellings.

### **Policy**

National Planning Policy Framework 2012

Core Strategy Policies CG3.2 Conserve and Enhance Local Distinctiveness; CG3.3 Scale, OA5 North Bolton; Massing, Grain and Form; S1.2 Road Safety; P5 Accessibility.

Planning Control Policy Note No. 25 - Telecommunications.

### **Analysis**

Applications for Prior Approval must be considered on siting and appearance grounds only. Policies in the Development Plan relating to siting and appearance are relevant.

Applications which are acceptable in siting and appearance terms and comply with the provision of the Development Plan, should be granted Prior Approval. Similarly applications which are unacceptable in siting and appearance terms, and which are contrary to the provisions of the Development Plan, should be refused Prior Approval.

It is therefore necessary to decide whether this application is acceptable in terms of siting and appearance, with due regard being had to relevant Development Plan policies. The Government's policy is to facilitate the growth of new and existing telecommunications systems. (NPPF)

The main impacts of the proposal are:-

- \* Siting and Appearance
- \* Health Considerations
- \* Technical Justification
- \* Consideration of Alternative Sites and Mast Sharing

### **Siting and Appearance**

The siting, scale and external appearance of the apparatus, and any associated landscaping, have been designed to minimise, eliminate or mitigate negative impact on amenity, visual intrusion and, if applicable, the appearance of structures on which they are mounted.

The mast would replace an existing installation that forms part of the urban fabric. The main difference would be the height increase from 12.8 metres to 15 metres. The mast and equipment form part of a street scene and would readily assimilate into the urban character of the site and its surroundings, as does the existing mast.

The Council has allowed masts similar to the proposed structure in similar residential areas and they are considered to generally be accepted as forming part of the urban fabric.

The proposed 2no. equipment cabinets, being designed as one unit, would not unduly affect the character and appearance of the area, being typical of similar installations allowed within the borough. The proposed meter cabinet is also small in height and scale and unlikely to represent a visual intrusion into the street scene.

Given that there is an existing mast in-situ Officers consider that the principle of a replacement mast, with an increased height of 2.2 metres, is acceptable, especially given that this is a mast share and eliminates the need for a new mast locally. On balance Officers do not consider that the mast and associated equipment units would unduly affect the character and appearance of the street scene to a degree that would warrant refusal of the application.

#### Health Considerations

The Central Government view is that if the output levels of the proposed equipment are below the guidelines recommended by the International Commission on Non-Ionizing Radiation Protection, there should be no need for further consideration on health grounds. Para 46 of the NPPF requires local planning authorities should not determine health safeguards if the proposal meets International Commission guidelines for public exposure.

Operators should provide Local Planning Authorities with ICNIRP compliance statements. The applicant has provided an ICNIRP compliance statement for this application. Officers consider the health risks to therefore be acceptable.

#### Technical Justification

The mast is a shared facility between Vodafone and Telefonica and will remove the need for two separate masts. The mast provides an upgrade to support future 4G coverage but also enhanced 2G/3G capacity for both Telefonica and Vodafone customers. Sufficient justification has been provided in support of the proposal technically. Para 46 of the NPPF states that local planning authorities should not question the need for telecommunications systems.

#### Consideration of Alternative Sites and Mast Sharing

Para 45 of the NPPF requires that applications for telecommunications development (including for prior approval under Part 24 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include, for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.

The applicant has not assessed other options in respect of the site search process, rather they consider the best option to be upgrading the existing installation on Deepdale Road. They consider that the site is not overly sensitive to such development and could cope with the replacement mast and equipment cabinets.

Officers agree that this is the most acceptable solution, as the site is established and thus preferable when compared to finding an additional site locally and as a shared mast will offer customers of both operators an improved service and minimise the need for further installations in the vicinity.

#### Other issues

Para 45 of the NPPF requires evidence to be submitted in support of the application detailing the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college.

The applicant has stated that pre-application consultation letters were sent to the head teacher and chair of governors of Red Lane Primary School (nearest school building 320 metres away) on 26th November 2013 and that no response was received. Letters were also sent to all three Ward Councillors and MP David Crausby on 26th November 2013. The applicant states that no responses were received. The applicant has therefore complied with this requirement of the NPPF.

Bolton Council's Highway Engineers have raised no objections to this application.

#### **Conclusion**

The Government through the NPPF views an advanced high quality communications infrastructure as being essential for sustainable economic growth. They play a vital role in the local community and offer services. For the reasons described above it is concluded that the siting and appearance of the replacement telecommunications equipment is acceptable and in accordance with National and Local planning policy and guidance.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** Four letters of objection have been received from residential occupiers of properties on Dovedale Road and Deepdale Road (which have a close relationship to the site).

Objections:

- The proposal to be contrary to Policy D6 'Telecommunications of the Bolton Unitary Development Plan, as well as Planning Control Policy No.25 'Telecommunications'.
- The proposed siting of a 15 metre high mast in a residential area will have a significant, detrimental impact and will represent a very unwelcome visual intrusion into the streetscene.
- The proposed height of the mast is such that it would be more expected to be found next to an industrial estate or tucked up against the side of a wood, not in the centre of a residential area.
- At twice the height of a normal house, such a proposal is not considered appropriate on Deepdale road.
- At 15M in height, this mast is higher than any of the other applications and would be over 2 metres higher than the current mast.
- The existing construction is a complete eyesore to the neighbourhood.
- This is a major health hazard, especially for young children and it is alleged that residents have experienced health problems which are alleged to be attributed to electromagnetic radiation from the existing mast.

Comments:

- Bolton Council has already rejected 2 planning applications for a telecommunications mast at this location. The current mast is only in situ due to an error on the part of the council planning department. To now allow the current proposal would only compound that error and make a mockery of the Councils own planning rules and procedures.
- The message it sends out to the telecommunication companies and local residents is that Bolton Council planning rules do not really apply to telecommunication companies.
- The planning department has in a letter publicly pointed out the previous 'deemed consent was a genuine mistake and apologised, so to now approve a new mast that would be even higher and more prominent with an additional pillar and ancillary development would be a travesty and call into question the integrity of the council and its officials.
- The fact that the pole would now be even higher than the current mast or any other previous application, and at more than twice the height of a normal house would demonstrate a clear lack of consistency in the councils decision making process.
- The Council should be consistent with previous applications for a telecommunication mast on this site and reject this application, ensuring that the planning department adhere to the rules they are there to enforce once a decision is made.

**Elected Members:-** Councillor Linda Byrne has objected to the application.

### **Consultations**

Advice was sought from the following consultees: ECS Ltd and Highways.

### **Planning History**

**86131/11** - Prior notification for the erection of a 12.8 metre high telecommunications street pole with six antennae, together with one equipment cabinet and one shared electrical metre cabinet. Refused under delegated powers but benefited from deemed consent due to decision being issued later than the 56 day requirement.

**85062/10** - Prior notification for the erection of a 14.8 metre high telecommunications street pole with six antennae and one equipment cabinet. Refused by committee.

**Recommendation:            Approve subject to conditions**

**Recommended Conditions and/or Reasons**

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

Reason

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

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

**Drawing number: 201 Rev B**

**Drawing number: 301 Rev B**

Reason

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

3. The existing mast and equipment cabins made redundant by this scheme shall be removed completely from the site within one month of completion and commissioning of the new installations. The land shall thereafter be reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the mast being brought into use. The approved works shall be carried out within a further 14 days and retained thereafter.

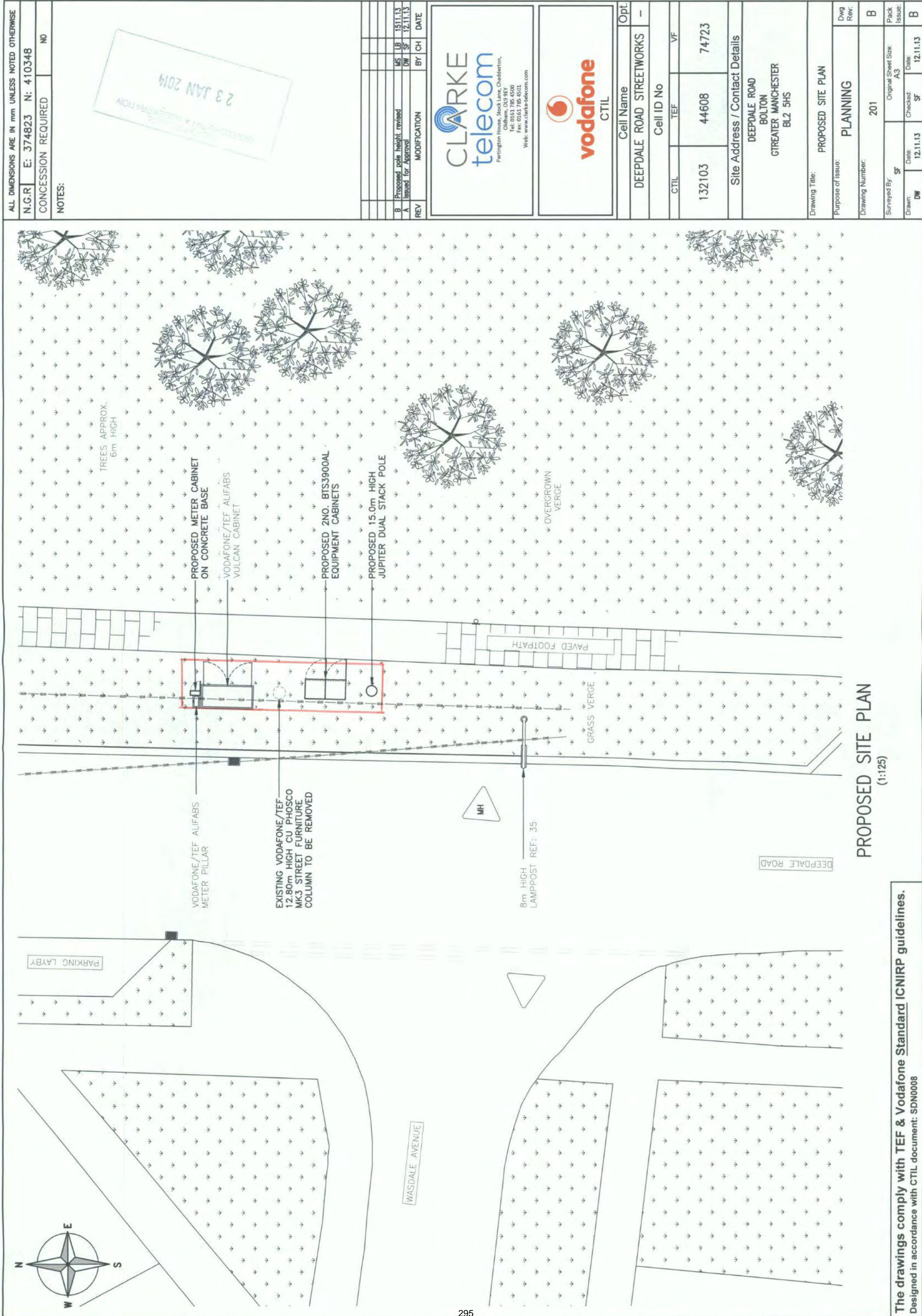
Reason.

In the interest of the visual amenity of the site and its surroundings









ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE	
N.G.R	E: 374823 N: 410348
CONCESSION REQUIRED	
NOTES:	
23 JAN 2014	
PROPOSED SITE PLAN	
Cell Name	
DEEPPDALE ROAD STREETWORKS	
Cell ID No	
CTIL	TEF
132103	44608
VF	
74723	
Site Address / Contact Details	
DEEPPDALE ROAD	
BOLTON	
GREATER MANCHESTER	
BL2 5HS	
Drawing Title:	
PROPOSED SITE PLAN	
Purpose of issue:	
PLANNING	
Drawing Number:	
201	
Dwg Rev:	
B	
Surveyed By:	
SF	
Original Sheet Size:	
A3	
Date:	
12.11.13	
Checked:	
SF	
Date:	
12.11.13	
Drawn:	
DW	
Pack Issue:	
B	

The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.  
Designed in accordance with CTIL document: SDN0008

PROPOSED SITE PLAN  
(1:125)



NOTES:	

[illegible]

**CLARKE**  
telecom

Partington House, Stock Lane, Chadderton,  
Oldham, OL9 9EY  
Tel: 0161. 785 4500  
Fax: 0161. 785 4501  
Web: [www.clarke-telecom.com](http://www.clarke-telecom.com)



Cell Name	Opt.
DEEPALE ROAD STREETWORKS	-

Cell ID No

CTL	TEF	VF
132103	44608	74723

Site Address / Contact Details

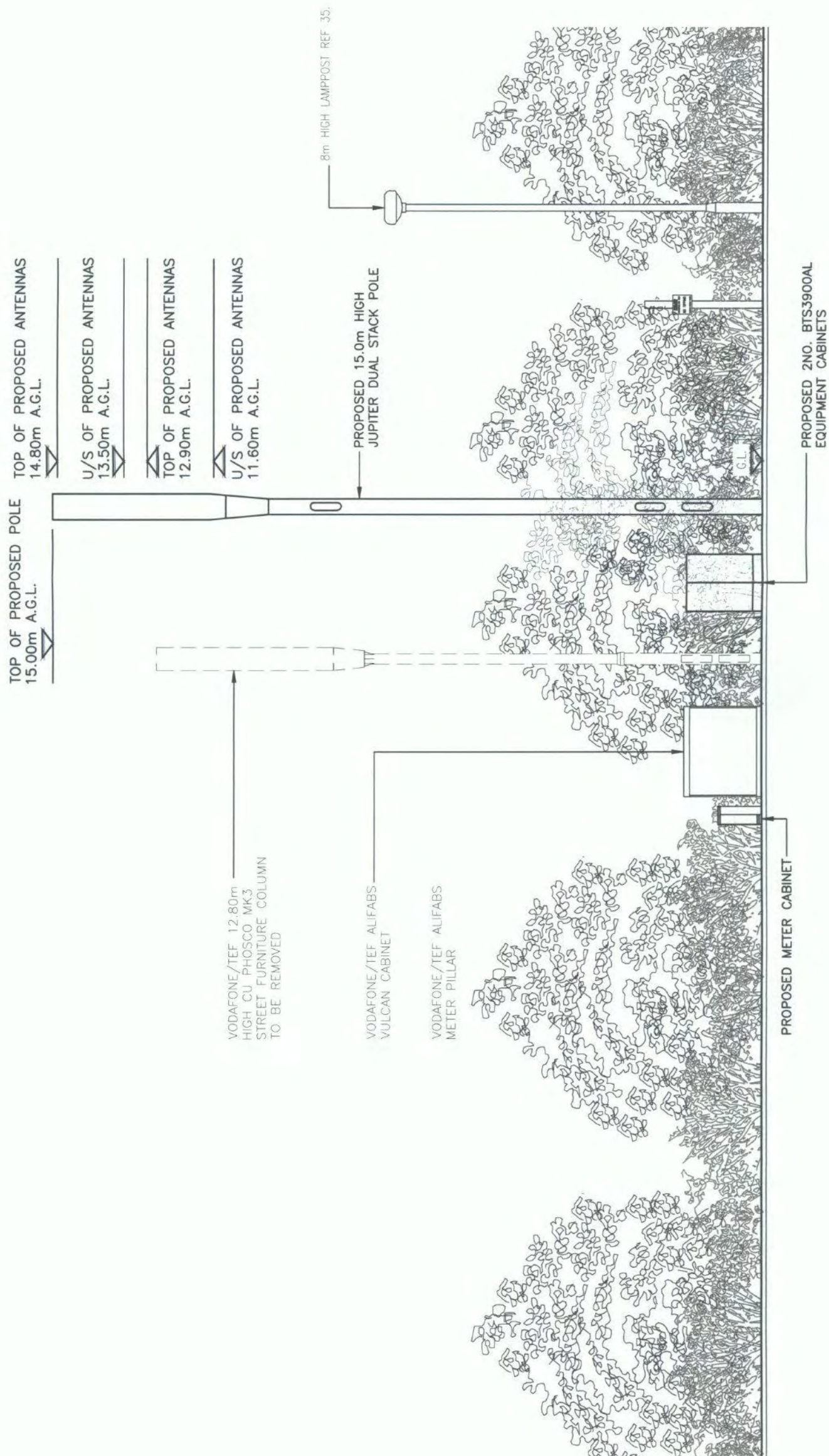
DEEPALE ROAD  
BOLTON  
GTREATER MANCHESTER  
BL2 5HS

Drawing Title: PROPOSED SITE ELEVATION

Purpose of issue:	PLANNING	Dwg Rev:
-------------------	----------	-------------

Drawing Number:	301	B
-----------------	-----	---

Drawn: DW	Date: 12.11.13	Checked: SF	Date: 12.11.13	Original Sheet Size: A3	Pack Issue: B
-----------	----------------	-------------	----------------	-------------------------	---------------



PROPOSED WEST ELEVATION  
(1:100)

The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.  
Designed in accordance with CTIL document: SDN0008