

Planning Applications Report

Planning Committee

19th October 2017

**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

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

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

The following abbreviations are used within this report: -

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

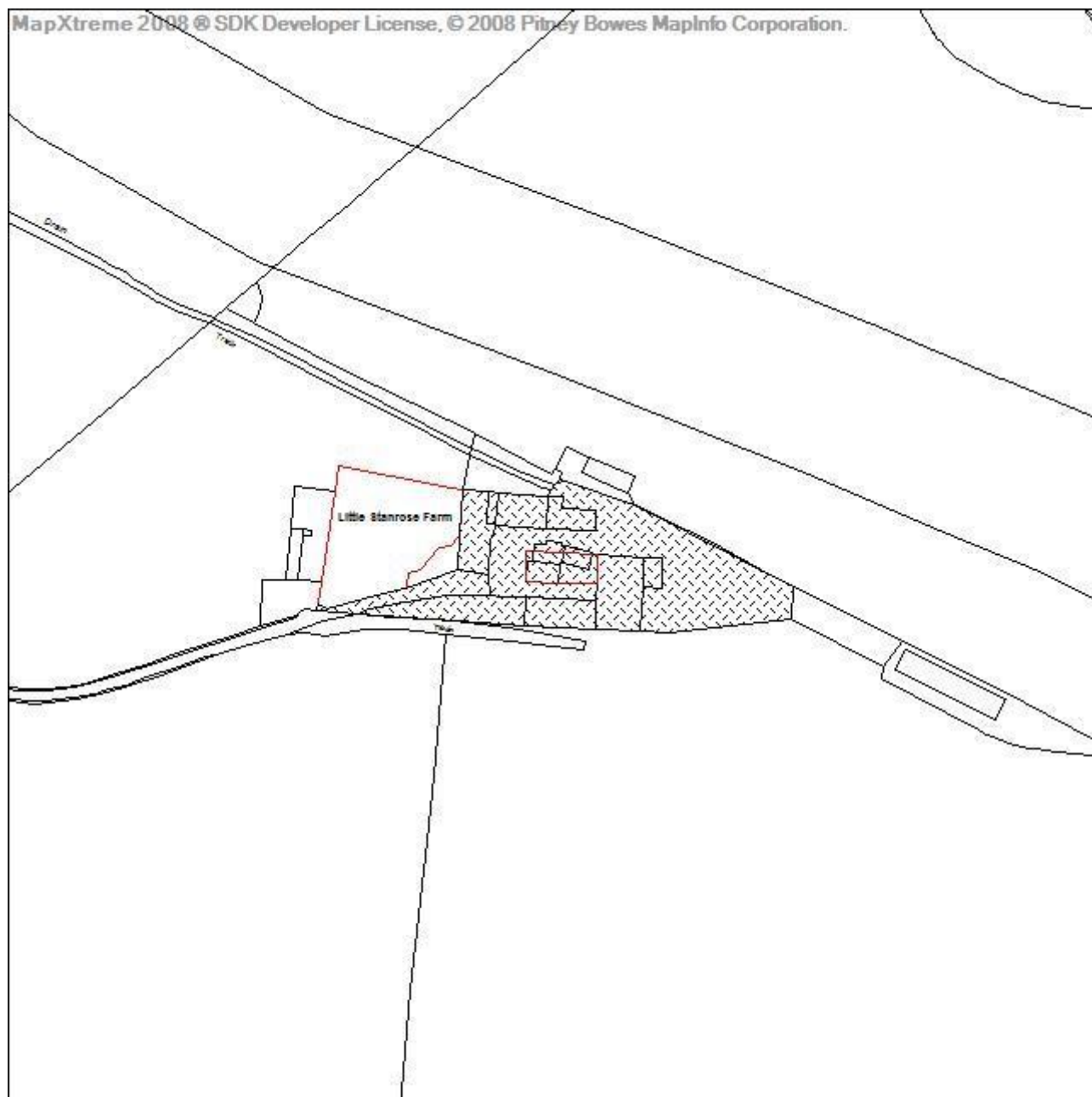
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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Application number
00600/17



Development & Regeneration Dept
Development Management Section

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Bolton
Council

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Date of Meeting: 19/10/2017

Application Reference: 00600/17

Type of Application: Full Planning Application
Registration Date: 10/04/2017
Decision Due By: 04/06/2017
Responsible Officer: Jeanette Isherwood

Location: LITTLE STANROSE FARM, COX GREEN ROAD, EGERTON, BOLTON, BL7 9RJ

Proposal: DEMOLITION OF BOARDING KENNELS AND FORMER AGRICULTURAL BUILDINGS AND ERECTION OF TWO DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING. ALTERATIONS TO EXISTING FARMHOUSE INCLUDING CONVERSION OF ATTACHED BARN.

Ward: Bromley Cross

Applicant: Gayle Taylor & Tracey Towers
Agent : The Intelligent Design Centre

Officers Report

Recommendation: Approve subject to conditions

Background

1. The application was deferred for a site visit at the Committee of 21st September 2017.

Proposal

2. The application proposes internal alterations to the existing farmhouse, with the existing single storey side element being replaced with a two storey addition. Also proposed is the erection of two new four bedroomed detached properties with associated garages and landscaping.
3. The footprints of the properties/additions are as follows:-

House 1 - Footprint: 113m² + 40m² garage giving an internal floor area of 198m²
House 2 - Footprint: 144m² + 40m² garage giving an internal floor area of 230m²
Replacement farmhouse extension - 33m² footprint giving an internal floor area of 60m²
4. The existing boarding kennels and redundant buildings are to be removed. The new build houses will stand partly on the footprints of the commercial buildings.
5. The total volume of the buildings to be demolished is 3,259 cubic metres and the total volume of the dwellings to be built is 1,740 cubic metres.
6. The applicant has detailed the use of natural stone and cladding in the construction of the new build properties, together with York stone flagging and natural landscaping.

7. The buildings on the site have not been used for agricultural purposes since 1988. Since that time they have been used for commercial storage of caravans, boats, motor homes and building materials. Caravans have also been stored on the site for a period in excess of 50 years. This was regularised in 1997 when a Certificate of Lawfulness was granted (application ref 50915/97).
8. This application is before Committee at the request of Cllr. Critchley.

Site Characteristics

9. The site is approximately 150 metres by 55 metres in maximum dimensions and generally slopes down from north to south following the natural topography. The two-storey pebble dashed farm house is located to the northeastern corner of the site with a rectangular grassed lawn to the southwest of the farmhouse. Several former farm buildings are located to the south of the house. The buildings are generally of concrete block and render construction and are utilised as storage for building materials and dog kennels. The large building to the west of the site houses a boat, caravan, cars and other vehicles. An old hen house attached to the existing house also houses dogs and garden tools, with a further building to the east utilised as a dog grooming parlour. To the rear of the farmhouse lies a linear building utilised as a cattery. This building is to remain. The open area to the east of the farm building is in use as caravan storage.
10. The main site area is predominantly laid to concrete, tarmacadam and gravel surfacing.
11. The site is accessed from the southeast via a single-track gravel road off Cox Green Road.
12. The application site is located within the Green Belt.

Policy

13. National Planning Policy Framework (NPPF)
14. Core Strategy Policies: CG1.1 Rural Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton; S1 Safe; P5 Parking and Appendix 3
15. Allocations Plan Policies: CG7AP Green Belt and P8AP Public Rights of Way
16. SPD General Design Principles; SPD Transport and Accessibility

Analysis

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

- * impact on wildlife
- * impact on trees
- * loss of employment
- * impact on Public Rights of Way

Impact on the Purposes and Openness of the Green Belt

19. National Green Belt policy is contained within section 9 of the National Planning Policy Framework (NPPF). It states that 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 87 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

20. Paragraph 89 goes on to state that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

21. Allocations Plan Policy CG7AP reflects this national advice.

22. In this case the site is considered to be previously developed land as it is currently used for commercial purposes. It is therefore considered that the last bullet point to paragraph 89 of the NPPF is applicable for the two new proposed dwellings.

23. The new proposals will result in a reduction of buildings at the site. The footprint of the existing buildings equates to approximately 810 sq. metres. The buildings are a mixture of single and two storey, and a mixture of dual pitched, mono pitched and flat roofs. In total the footprint of the new properties and garages equates to 297 sq. metres. This results in a significant reduction of building footprint on the site (by 513 sq. metres).

24. The total volume of the buildings to be demolished is 3,259 cubic metres and the total volume of the dwellings to be built is 1,740 cubic metres. Again the proposed development results in a significant reduction in the volume of buildings on the site (by 1,519 cubic metres, which is a 47% reduction).

25. House 1 would be sited within the footprint of an existing building on the site. House 2 would be sited to the east of the footprint of the existing buildings, however the 're-siting' of the building to this location would provide a linear form of development adjacent the neighbouring public footpath and would reduce the bulk of building to the south of the site/south of the farmhouse.

26. It is not considered that the siting, scale or massing of the proposed development would harm

either the purposes or openness of the Green Belt in this location.

27. It is therefore considered that the proposed development would comply with the guidance set out within section 9 of the NPPF and Allocations Plan Policy CG7AP.

Impact on the Character and Appearance of the Area _

28. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment, and will maintain and respect the landscape character of the surrounding countryside and its distinctiveness.
29. Great importance is placed on the design of the built environment in the NPPF and Bolton's Core Strategy. Good and accessible design is a key aspect of sustainable development. Schemes should contribute positively to making places better for people, enhance local distinctiveness and be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture and landscape treatment (paras. 56 and 58 of the NPPF & Core Strategy policies CG3.2, CG3.3 and OA5.12).
30. The site at present consists of the main farm house and a cluster of barns and sheds which all appear to be in a dilapidated condition. It is noted that the buildings present differing materials used in their construction, from corrugated metal panels to block work, pebble dash and render which culminates in a disjointed overall appearance in this rural setting.
31. The houses have been designed to ensure there is a sensitive relationship between the houses and the surrounding landscape, whilst ensuring that the best is made of the topography of the land and the panoramic views that it offers.
32. Internally the applicant has designed the layout of the properties for the purpose of providing family homes. Externally, the appearance of the buildings present a modern interpretation of traditional materials typically associated with agricultural sites. Standing seam roofing and part wall cladding provides a smooth and reflective finish whilst also giving the new buildings texture. Random stone brought to courses responds to the existing site vernacular and links the new structures to those being retained and improved. Extensive glazing also gives the building a reflective quality to mirror the landscape and maximise views into the countryside from within.
33. The existing farmhouse will be re-dressed and have some windows and doors added or replaced to reflect the internal modifications. The alterations will modernise and regenerate the building internally and externally to create a comfortable, modern home whilst maintaining the overall mass and feel of the existing farmhouse.
34. It is considered that the materials proposed would ensure that the building assimilates well into the landscape without appearing incongruous or overly visually dominant within its setting.
35. In relation to landscaping, the applicant has amended the plans to incorporate a more natural and simplistic design using York stone flagging and grassed lawn.
36. It is therefore considered that the proposals comply with the guidance contained within the NPPF and Core Strategy Policies CG3 and OA5 and SPD General Design Principles.

Impact on Residential Amenity _

37. Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.
38. The nearest residential properties to the site are located in excess of 200 metres away. The proposal will therefore not affect the privacy and outlook of the neighbouring residents and will not unduly affect their amenity.
39. The positioning of the houses within the site is such that there will be no negative impacts on the privacy or outlook of future occupiers.
40. It is therefore considered that the proposal complies with Policy CG4 of the Core Strategy.

Impact on the Highway

41. Policy S1 of the Bolton Core Strategy promotes road safety in the design of new development, whilst Appendix 3 provides parking guidelines for new properties.
42. The existing vehicular access to the site is a single track off Cox Green Road and will remain as existing. A new gated driveway will be created for access to the farmhouse.
43. Access to the two new build properties will be via a new access road to the south of the site.
44. Highways Officers have been consulted and had the following comments to make:-

The development will generate negligible traffic volumes and less in comparison to its permitted use. The access roads from the highway are private and ample off-road parking provision is being proposed. Acting on this, no objections on highway grounds to what is being proposed.

45. Subject to the attachment of conditions, it is considered that the development would not adversely affect the safety of highway users and therefore complies with Policies S1, P5 and Appendix 3 of the Core Strategy and SPD Transport and Accessibility.

Impact on Wildlife

46. Policy CG1.1 safeguards and enhances the rural areas of Bolton 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.
47. The applicant has submitted a full Bat Survey and the Council's Ecology Officers and Greater Manchester Ecology Unit have been consulted. It was noted that there was a low risk of bats in the existing buildings and Ecology Officers have raised no objection to the proposals subject to the precaution of inspecting the structure for nesting birds prior to demolition or undertaking such work outside the bird nesting season must be followed, as detailed in the report. It is considered beneficial if nesting provision could be incorporated into the design of the new building to help conserve this and other species.
48. It is therefore considered that the proposal would comply with Policy CG1.1 of the Core Strategy.

Impact on trees

49. Policy CG1.1 safeguards and enhances the rural areas of Bolton 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.

50. The Council's Tree and Woodlands Officers were consulted and noted that the trees to be removed are in a poor state of health with some being fire damaged. Officers also noted that the siting of the new build properties and access road had been amended, moving them slightly southward reducing the impact on the root protection zones of the mature hedgerow.

51. Officers had no objections to the development subject to conditions.

Loss of Employment

52. Objections have been raised to the loss of the boarding kennels and subsequent loss of employment at the site. However, the applicant states the following:-

The kennels, cattery and house are currently let to our tenant Mr Williamson under the terms of a lease, which expires on 10 August 2018, this lease is contracted out of the Landlord & Tenant Act 1954 and therefore the expiry date is definite with no right of renewal.

I confirm, as freeholder of the premises that this lease will not be renewed beyond 10 August 2018 and the kennels & cattery will cease to trade at this time.

53. The application site is not allocated as a protected employment site and therefore (it is considered) the loss of a business from this site can only be given very limited planning weight.

Impact on Public Rights of Way

54. Allocations Plan Policy P8AP states that the council and its partners will permit development proposals affecting public rights of way, provided that the integrity of the right of way is retained.

55. The Public Rights of Way Officer was consulted and had the following comments to make:-

It is proposed to divert public right of way Turton Egerton 012 and should planning permission be granted, a legal order will need to be made and advertised to make changes to its current legal line before any development begins.

56. The applicant has confirmed that the diversion of footpath 012 will be done at their own cost; a condition will be added to any approval to secure this. The diverted PROW will now offer a pathway down the new access road and through the centre of the site and therefore the integrity of the PROW will not be compromised and will be compliant with Core Strategy Policy P8AP.

Conclusion

57. For the reasons discussed above it is considered that the proposed development would not harm the purposes and openness of the Green Belt in this location, the character and appearance of the area, residential amenity, highway safety or biodiversity, and therefore would comply with policy.

58. Members are therefore recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- 24 letters of objection have been received with the main concerns being as follows (Officer response in italics):-

- Loss of a thriving business - *Officers note that the lease for the kennels will end in 2018 with no right of renewal*
- Loss of wildlife - *Extensive surveys have been done and officers note that the Ecology Unit has no objections*
- Setting a precedent for building on Green Belt - *Officers note that the proposal is sited on previously developed land and therefore would not set a precedent*
- Loss of employment - *Officers note that the lease for the kennels will end in 2018 with no right of renewal*
- Inappropriate design - *Officers note that the applicant is using traditional materials typically associated with agricultural sites.*
- Impact of Public Right of Way - *Officers note that the diverted prowl will now offer a pathway down the new access road and through the centre of the site and therefore the integrity of the prowl will not be compromised.*
- Increase in traffic on Cox Green Road - *Officers note that as the site will no longer be in commercial usage there is likely to be a reduction in traffic*

12 letters of support for the proposal have also been received.

Elected Members:- Cllr Critchley requested that this application be brought before Committee and requested a site visit at the last Committee meeting.

Consultations

Advice was sought from the following consultees: Highways, Greenspace, GMEU, Environmental Services, PROW, Trees and Woodlands, Ramblers Society, Peak and Northern Footpaths, Drainage and Landscapes.

Planning History

Certificate of lawfulness - Approved - 50915/97 - storage of caravans.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of the development:-

- A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to

receptors focusing primarily on risks to human health, property and/or the wider environment; and

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

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

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

Reason

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

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

Reason

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

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

1. The trees and hedgerows within or overhanging the site which are to be retained have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).
3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.

Reason

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

5. Prior to the commencement of all work, including demolition, details shall be submitted to and approved in writing by the Local Planning Authority for alternative on-site nesting bird accommodation. The approved scheme shall be implemented in full and retained thereafter.

Reason

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

6. Prior to the commencement of development of any works on site, the developer shall submit a method statement detailing how the following elements of the site will be constructed without causing harm or damage to the protected trees found on the site to the Local Planning Authority. The specified areas are:

The no-dig root system protection system for the access road and driveway construction within the

root protection zones of the retained trees

No development or site clearance shall take place until the Local Planning Authority has agreed the measures in writing, and these measures shall then be implemented fully in accordance with the approved details.

Reason

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

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

Reason

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

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

Reason

To safeguard the visual appearance and or character of the area and in order to comply with Core Strategy policies CG3 and CG4.

9. Prior to the commencement of development public right of way Turton 012 is to be diverted and new signage erected in compliance with details to be submitted to and approved in writing by the local planning authority. The diverted public right of way is to remain available to the public at all times thereafter and must not be closed, diverted or altered in any way until the appropriate statutory procedures have been completed.

Reason

Public right of way Turton 012 crosses the application site and must be retained, and to comply with policy P8AP of Bolton's Allocation Plan.

10. Before the approved/permitted development is first brought into use no less than car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: 16094 24 Rev D 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 and in order to comply with Bolton's Core Strategy policies S1, P5 and Appendix 3.

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

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

Reason

To encourage drivers to make use of the parking and circulation area(s) provided and in order to comply with Core Strategy policies S1 and P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

12. Prior to the development hereby approved/permitted being first occupied or brought into use a scheme shall be marked out as indicated on Dwg No 16094 24 Rev D and approved in writing by the Local Planning Authority for the turning 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 turning of vehicles.

Reason

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

13. 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. A re landscaping plan showing additional native hedgerow planting on the southern boundary will also be required. The approved schemes shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

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

14. Prior to the development being first occupied, 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 prior to first occupation and retained thereafter.

Reason

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

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

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety and in order to comply with Bolton's Core Strategy policies S1, P5, Supplementary Planning Document 'Accessibility, Transport and Road Safety' and Appendix 3

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, hardstandings, fences, gates, walls, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed.

Reason

To safeguard the purposes and openness of the Green Belt and the character and appearance of the area, and to comply with policy CG7AP of Bolton's Allocations Plan and policy CG3 of Bolton's Core Strategy.

17. The curtilage of the dwellings hereby approved is being treated for planning purposes as that defined on the approved drawing ref: 24 Rev D.

Reason

For the avoidance of doubt as to what is permitted and to safeguard the purposes and openness of the Green Belt compliant with policy CG7AP of Bolton's Allocations Plan.

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

Proposed floor plans house one - Dwg No 16094 -11- Rev A - dated March 2017
Proposed elevations house one - Dwg No 16094 - 12 - Rev A - dated March 2017
Proposed floor plans house two - Dwg No 16094 -14- Rev A - dated March 2017
Proposed elevations house two - Dwg No 16094 - 15 - Rev A - dated March 2017
Proposed front and rear elevations farmhouse - Dwg No 16094 - 22 - Rev C - dated Dec 2016
Proposed side elevations farmhouse - Dwg No 16094 - 23 - Rev B - dated Jan 2016
Proposed floor plans farmhouse - Dwg No 16094 - 21 - Rev A - dated Dec 2016
Proposed garages - Dwg No 16094-33
Amended site layout - Dwg No - 16094 - 25 - dated 23/08/17

Reason

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

Notes

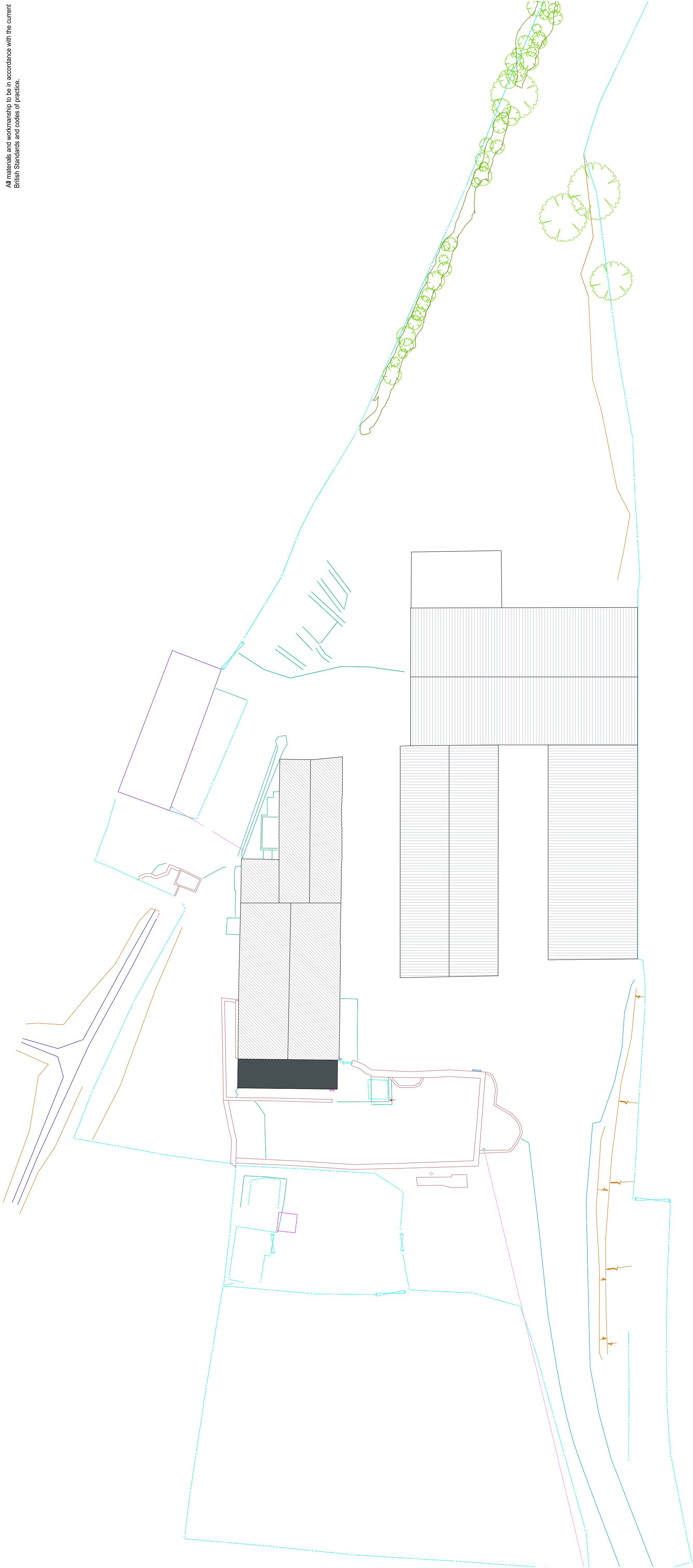
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Do not scale from this drawing

All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.

Any discrepancies are to be reported to the architect for clarification.

All materials and workmanship to be in accordance with the current British Standards and codes of practice.



| Rev. | Date | Drawn by | Comments |
|--|----------|------------|----------|
| Client | | | |
| Miss Gayle Taylor | | | |
| Project | | | |
| Little Stanrose Farm Redevelopment Bolton | | | |
| Drawing | | | |
| Existing Site Plan | | | |
| Date | Drawn by | Scales | |
| December 2016 | JPD/WBT | 1:200 @ A1 | |
| Job No - Dwg No - Rev | | | |
| 16094 - 02 | | | |



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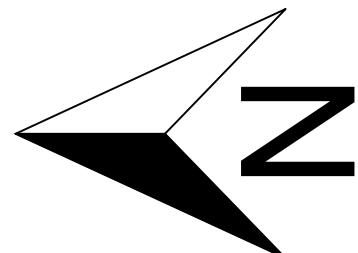
Notes

Where dimensions are not given, drawings must not be rescaled and the matter referred to Lambert Smith Hampton.

In the event of any dimensional conflict between Lambert Smith Hampton Drawings, the matter must be referred to Lambert Smith Hampton for clarification.

The Contractor must also refer to any separate Lambert Smith Hampton Specification to be read in conjunction with this drawing.

This Drawing is only for the use identified. Do not build from this drawing unless marked 'For Construction'.



| Rev | Date | Amendment | By |
|-----|------|-----------|----|
| | | | |

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G Taylor & T Towers

Project

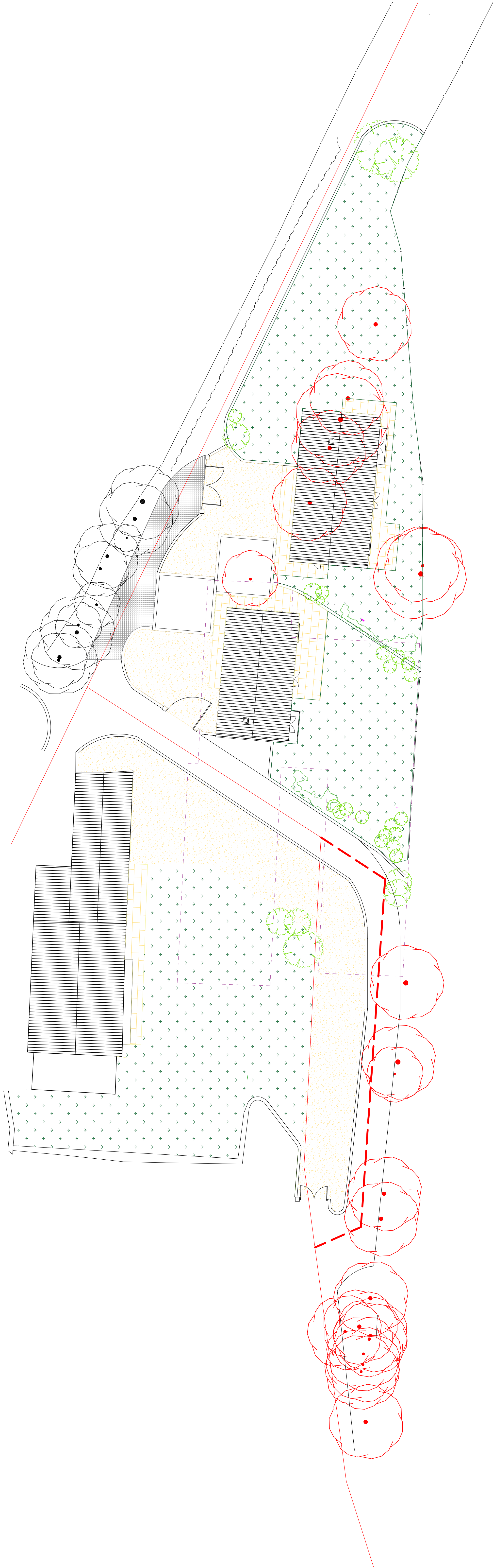
LITTLE STANROSE □ ARM
CO □ GREEN ROAD
EGERTON

Drawing

SITE LAYOUT

PLANNING

| | | |
|-------------------|----------|----------|
| Job No. | DWG No. | Revision |
| 16094 | 24 | D |
| Scale | Date | Checked |
| As Specified @ A0 | 23/08/17 | GT |



PROPOSED SITE LAYOUT

Scale 1:200 @ A0

Key:

E-EXISTING LEGAL LINE PROW

LEGAL LINE PROW

TREES TO BE REMOVED

BODPAVE 40 (OR SIMILAR) SURF ACE

LAI D TO LAWN

DEMOLITION LINE

TREES & HEDGEROW TO BE RETAINED

YORK STONE ☐ LAGGING

RESIN SET PERMEABLE HARDSTANDING

Notes

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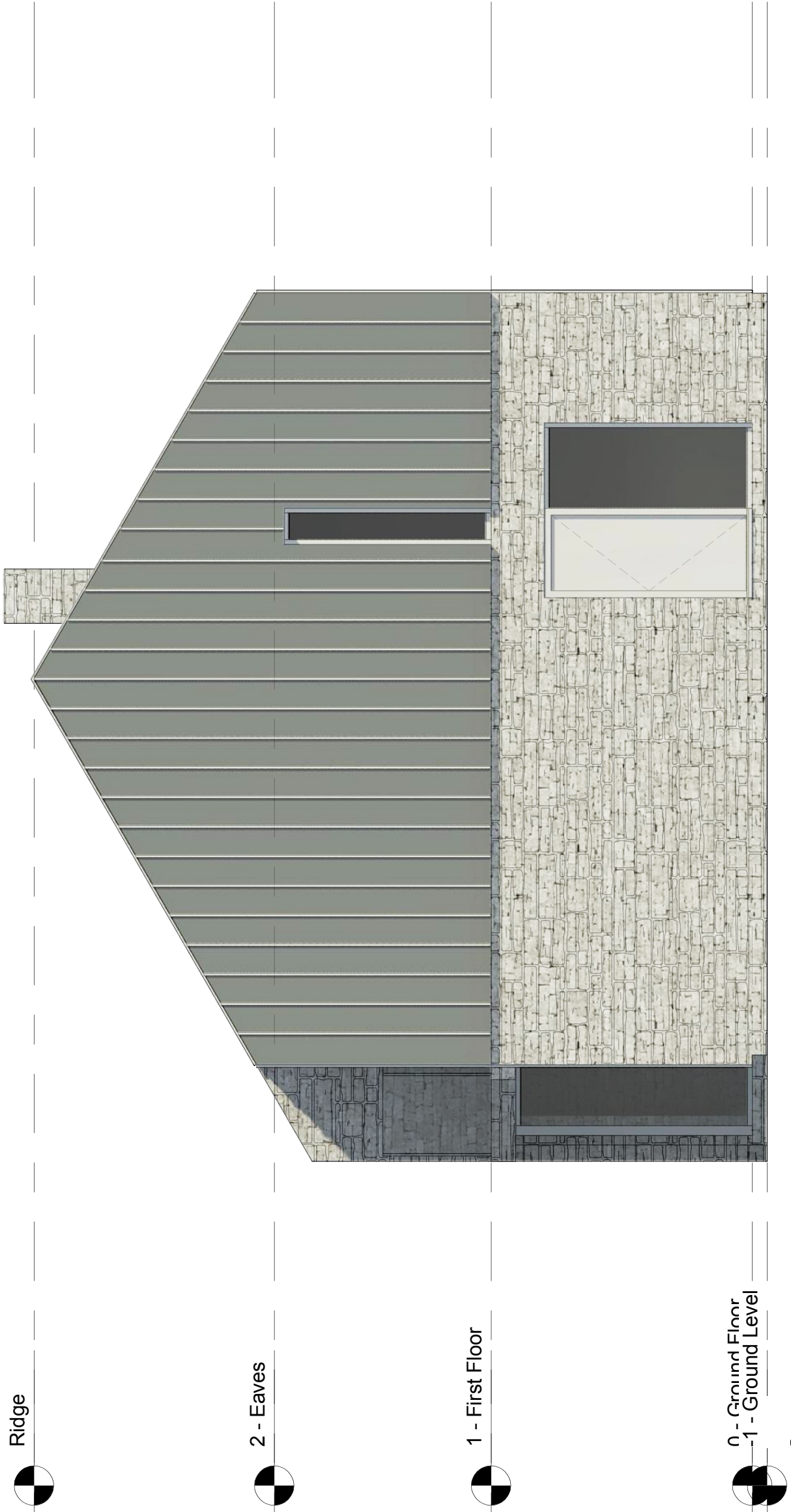
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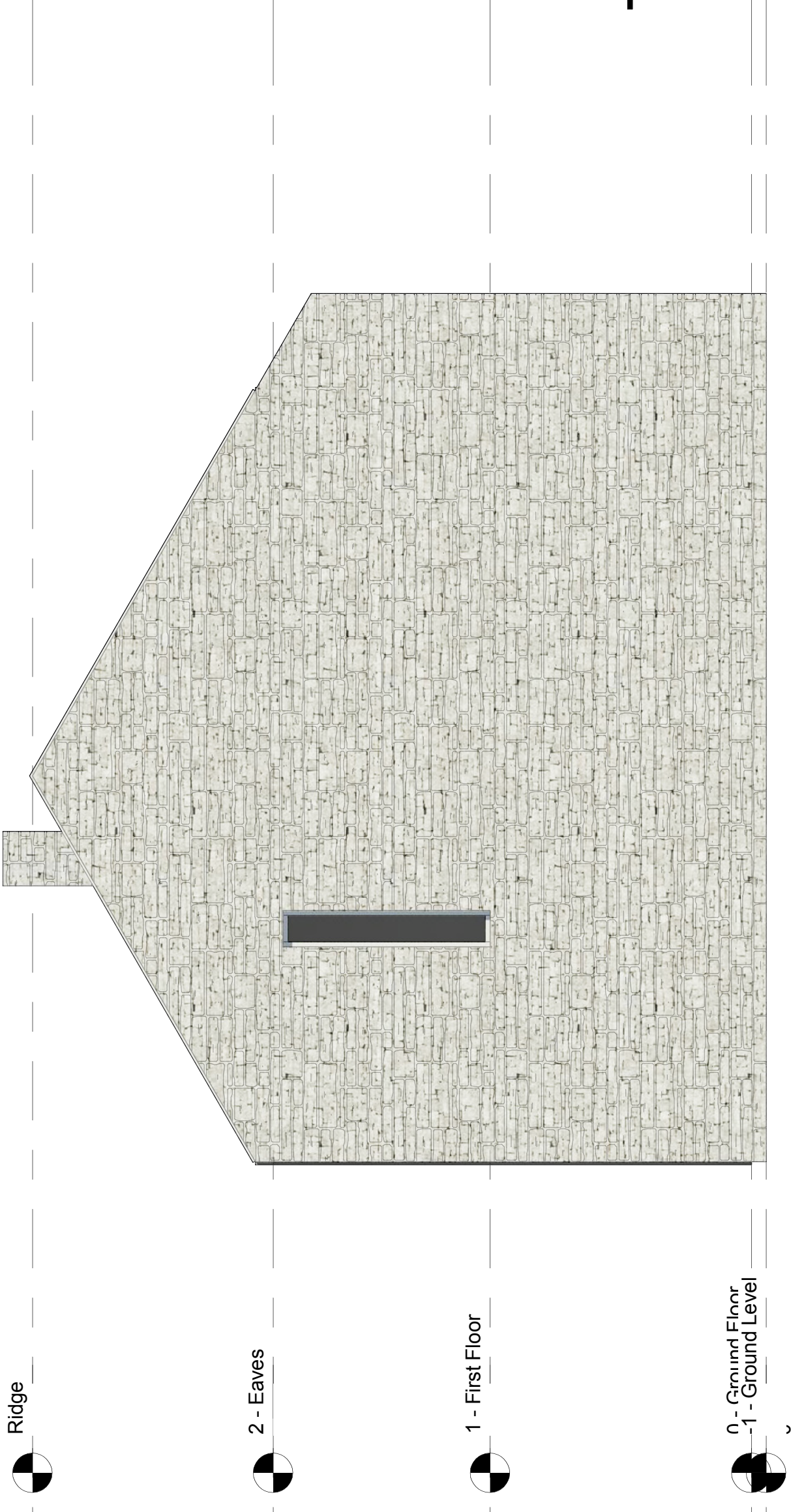
1 South
1 : 50



3 East
1 : 50



2 North
1 : 50



4 West
1 : 50

| Rev | Date | Drawn by | Comments |
|-----|------------|----------|-----------------------------------|
| A | 2017-03-08 | BT | Amended following client feedback |

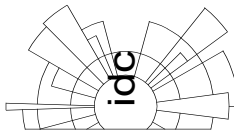
Client
Ms Gayle Taylor

Project
**Little Stanrose Farm
Egerton, Bolton**

| | |
|---------|---------------------------------|
| Drawing | Proposed Elevations - House One |
| Date | March 2017 |
| Scale | 1:50 @ A1 |

Job No: Dwg No: Rev

16094 12 A



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1 South
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3 East
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2 North
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| Rev | Date | Drawn by | Comments |
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| A | 2017-03-08 | BT | Amended following client feedback |

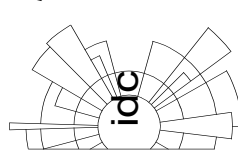
Client
Ms Gayle Taylor

Project
Little Stanrose Farm
Egerton, Bolton

| | |
|----------|---------------------------------|
| Drawing | Proposed Elevations - House Two |
| Date | March 2017 |
| Drawn by | BT |
| Scales | 1:50 @ A1 |

Job No - Dwg No - Rev

16094 15 A



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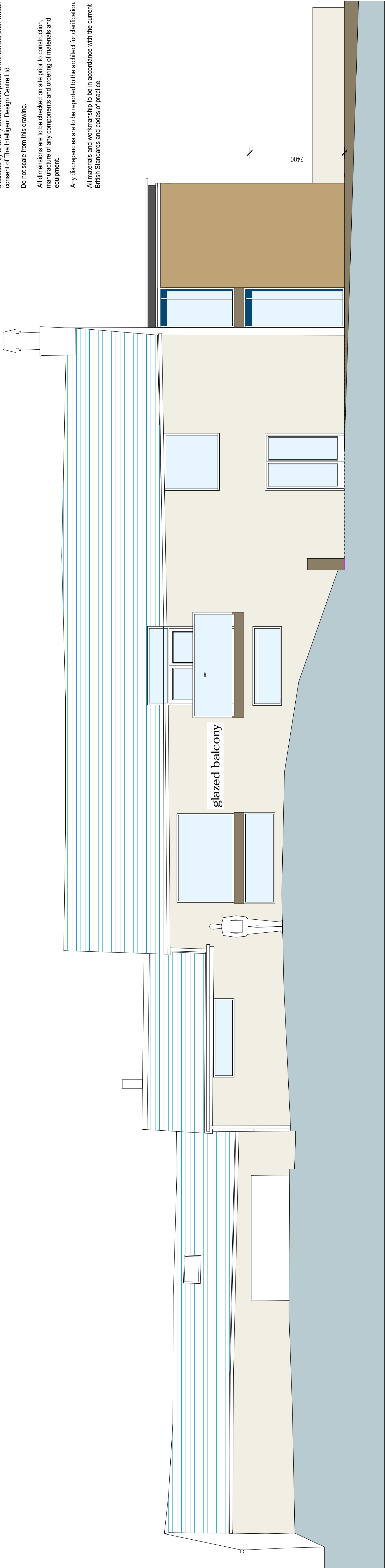
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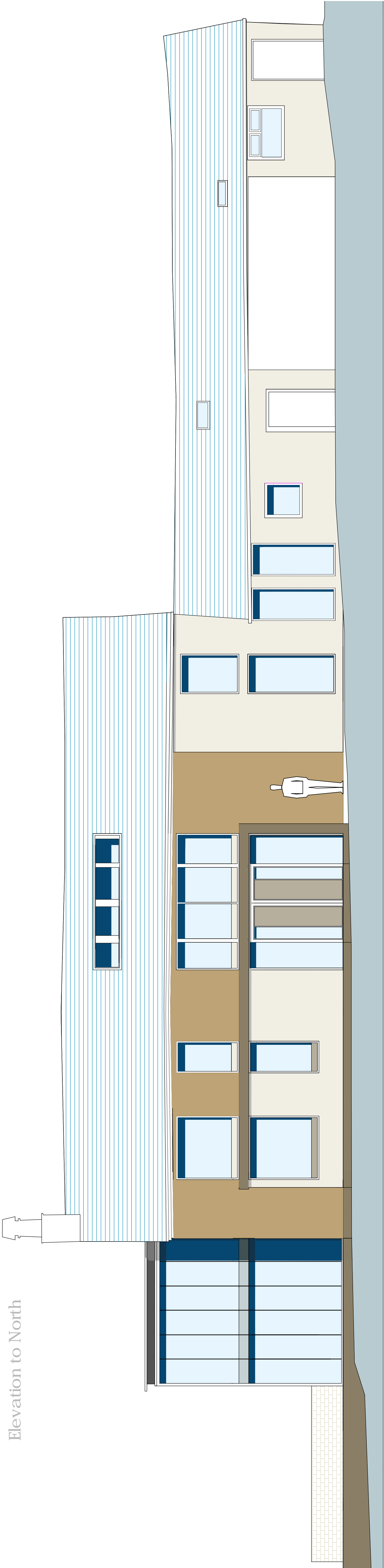
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Elevation to North



Elevation to South

| | | | |
|-----|----------|----------|---------------------------------|
| c | 27.01.17 | JNP | alterations from client meeting |
| b | 19.01.17 | DW | alterations from client meeting |
| a | 19.01.17 | DW | alterations from client meeting |
| Rev | Date | Drawn by | Comments |

Client

Gayle Taylor

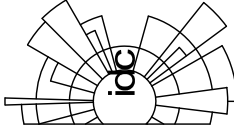
Project

Little Stanrose Farm
Bolton

| | |
|----------|--|
| Drawing | Farmhouse Proposed Front and Rear Elevations |
| Date | December 2016 |
| Drawn by | JPDW/BT |
| Scales | 1:50 @ A1 |

Job No - Dwg No - Rev

16094 - 22 - c



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Application number
01492/17



Development & Regeneration Dept
Development Management Section

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

Bolton
Council

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Date of Meeting: 19/10/2017

Application Reference: 01492/17

Type of Application: Full Planning Application
Registration Date: 25/07/2017
Decision Due By: 18/09/2017
Responsible Officer: Andrew Cotton

Location: 6 HIGHLAND ROAD, BROMLEY CROSS, BOLTON, BL7 9NL

Proposal: DEMOLITION OF DWELLING AND ERECTION OF TWO DETACHED DWELLINGS WITH ASSOCIATED ACCESS.

Ward: Bromley Cross

Applicant: Mr Gregory
Agent : SDA Architecture Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. Planning consent is sought for the demolition of the existing bungalow at No.6 Highland Road and the erection of two detached dormer bungalows (to be named No.6 and No.6a).
2. Each property would be identical in terms of external appearance and internal layout. The two properties would be located within the existing site boundary with vehicle access provided for each side off Highland Road, with the exception of a single vehicle access point off Longridge serving what would be No.6. Each dwelling would have three vehicular parking spaces.
3. The properties would be orientated at 90 degrees to the existing bungalow with their side gable elevations facing onto Highland Road.
4. Each dwelling would have a maximum height of 6.71 metres and would incorporate a footprint of 105m/sq. Each property would feature a modern design with a mix of brick and composite cladding. The bungalows would feature a large central dormer window that would extend down to the ground floor.
5. On the ground floor each property would be provided with a large kitchen/dining/living area, entrance hallway, toilet, sitting room, bedroom with en suite, utility and plant room. At first floor level each dwelling would have three bedrooms, each with en suite and a study.
6. The plans before Committee are amended plans, received during the life of this application.
7. The application in its original form was recommended for refusal. Bolton Planning Department has a duty to work positively and proactively as per paragraphs 186-187 of the National Planning Policy Framework and as such the case officer informed the agent that in its original form the proposal was not acceptable and would be recommended for refusal. The agent requested that they be allowed to submit amended plans in an attempt to resolve the issues highlighted with

the initial submission. As per good planning practice and in accordance with the NPPF the Planning Department allowed the submission of an amended scheme. Upon receiving the amended scheme neighbour notification letters were sent out to notifying neighbours and objectors of the amended plans and allowing a further 10 days to make additional comments on the amended scheme. Objections and comments received on both the original submission and amended scheme have been considered when assessing the application. Any comments or objections received after this report has been written, up until the day prior to Planning Committee will be summarised and included in the Schedule of Supplementary Information prior to Committee considering the application, as is normal planning practice.

Site Characteristics

8. The application site is located on a corner plot at the junction of Highland Road and Longridge. The site is currently occupied by a bungalow dwelling which is of a modest height and a design similar to other properties in the area. The immediate surrounding area is open plan in nature and is occupied by detached bungalows which are similar in size, type and design and a number of which have front or rear dormers.
9. The building line along Highland Road is staggered, is therefore not uniform, and to some degree the building line follows the bend in the road.

Policy

10. National Planning Policy Framework (NPPF)
11. Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing and OA5 North Bolton.
12. Supplementary Planning Documents: General Design Principles

Analysis

13. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. 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.
14. The main impacts of the proposal are:-
 - * Principle of Residential Development
 - * Impact on the Character and Appearance of the Area
 - * Design for Security
 - * Impact on Residential Amenity
 - * Highway Safety/Parking Provision

Principle of Residential Development

15. National policy on residential development is contained in the National Planning Policy Framework. In order to promote more sustainable patterns of development, NPPF makes it clear that the focus for additional housing should be on existing towns and urban areas. It is important that new housing is located where it is accessible to jobs, shops and services by modes of transport other than the car. The inefficient use of land should be avoided and to this

end maximum use should be made of previously developed land. This is consistent with advice contained within Core Strategy policy SC1 Housing.

16. At the heart of national policy within the NPPF is a presumption in favour of sustainable development. The NPPF maintains the importance of supporting sustainable economic development and delivering homes (paragraph 17). The NPPF sets out a presumption in favour of sustainable development. Given that the land is currently in residential use it is considered that to re-use the land for residential purposes is acceptable.

Impact on the Character and Appearance of the Area

17. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness and will require development to be compatible with the surrounding area. Policy OA5 specifically concerns developments in North Bolton.
18. The proposal would introduce a pair of detached dormer bungalows on the site. The heights of the proposed dwellings are taller than the existing bungalow however the dwellings would only be slightly higher than the other bungalows located along Highland Road. However due to the rising land levels along Highland Road to the west and the lack of a defined building line, it is not considered that the proposed design of the dwellings would appear at odds with the wider character of the area in terms of height.
19. The proposed scheme has been designed with the front elevations of the two properties facing east. The property closest to the junction of Highland Road and Longridge (No.6) would face onto Longridge, and the other (No.6a) would face onto the rear elevation of the first property (No.6). Vehicle access would be provided off Highland Road with an additional singular vehicular access off Longridge for No.6.
20. While the entrances would in fact be within the front elevation of each dwelling, given the orientation of the properties it would appear from Highland Road that they were in the side elevation. Given its corner plot location No.6 would front onto Longridge, thus giving an active frontage to that street. Furthermore the layout of the properties is such that both pedestrian and vehicular access would be taken from Highland Road (with the exception of one vehicle space off Longridge).
21. The proposed dwellings would incorporate a modern design with a mix of brick and composite cladding, with large glazed areas to the front and side gable features. When considering design, it is important to be considered both the context of the existing streetscene and the quality of the proposed design.
22. In this instance the surrounding houses along Highland Road and Longridge consist of a variety of materials, and are of a design suggesting 1960s era construction. It must be noted that No.4 Highland Road has in recent years been extended and remodelled under planning permission ref: 94005/15. The design of No.4 is similar to the proposed design under this application and as such to some extent provides precedent for this design. Additionally, the fact that the proposal introduces a pair of houses, which would be seen within the context of each other rather than a stand alone property, lends further support to the introduction of this design. While the design of the proposed bungalows is modern, it draws reference from the existing features of the 1960s architecture of the existing bungalows on Highland Road through the use of cladding, strip windows, dormer windows and the window proportions in the side elevation and thus it is considered appropriate in this location.
23. Overall it is considered that the design of the proposed properties would appear of its time,

introducing quality modern architecture while respecting the character of the area by incorporating some features of the existing properties on the estate.

24. The existing property is sited on a relatively spacious plot characterised by a large open plan lawned area to the front and a large fenced off private garden area to the rear; the plot is significantly larger than most of the other plots on the estate. The proposal would split the plot relatively equally in two with the resulting plots of a similar size to the other existing plots on Highland Road and Longridge. Each property would have in excess of the recommended 50 sq. metres of useable private amenity space, and would have open plan frontages onto Highland Road, according with the existing estate. While the driveway to No.6a is wide, considering the proposed areas of landscape to either side of the hardstanding it is considered that this would not introduce an incongruous feature into the area. Furthermore in order to ensure that the driveway is constructed of appropriate materials a condition is recommended for details of hardstanding to be submitted to the LPA for approval.
25. Considering these facts it is not considered that the proposal would constitute overdevelopment of the plot and would provide for adequate private amenity space and car parking provision for each dwelling whilst respecting the character of the area. The proposal is considered to be physically well related to the character and layout of existing buildings within the surrounding area and as such would not cause unacceptable detrimental harm to the surrounding area so as to warrant a refusal. Therefore, the proposed development is considered to accord with policies CG3 and OA1 of the Core Strategy and guidance within the NPPF.

Impact on Residential Amenity

26. Policy CG4 of the Core Strategy has the objective of ensuring that proposal do not adversely affect the level of residential amenity neighbouring occupants can reasonably expect to enjoy.

Neighbouring Occupiers

27. The main windows for the dwellings would either face to the east or to the south of the site.
28. All main habitable room windows, with the exception of bedroom one on the ground floor of each property, would be in the front elevation of each dwelling. Therefore the main room windows in the front elevation of No.6a would be screened by No.6. The main room windows in the front elevation of No.6 would maintain a distance of approximately 19.5 metres to the property on the opposite side of Longridge.
29. The main room window serving bedroom one at ground floor level of both properties would maintain a distance of 26 metres to the properties to the opposite side of Highland Road to the south.
30. It is noted that the introduction of the dormer window at No.6a would result in the side flank of the proposed dormer approximately 5.6 metres from the side dormer window of No.1 Longridge. However this would only partially extend across this window in the neighbouring property and considering that the neighbouring property No.1 Longridge is set at a higher land level the proposed property would not have a detrimental impact in terms of overshadowing on that window, and as such would not be so significant so as to warrant a refusal in this instance. Additionally it is noted that the property has been moved towards the western boundary of the site and therefore the dormer would not look directly onto the side elevation of the proposed property.
31. For the reasons above, it is not considered that there would be a significant detrimental impact upon neighbouring occupiers amenity.

Future Occupiers

32. Section 3 of the General Design Principles SPD states that 50 sq. metres of private amenity space should be provided for each dwelling.
33. The Supporting Statement submitted with the application states that both properties would have in excess of the recommended 50 sq. metres private amenity space with No.6 being provided with 113 square metres and No.6a with 139 square metres. It is however considered that the calculations are not correct as the private amenity space that is included for this calculation must include the space to the front of the properties, which is not normally used in the same way as a private rear garden given the inherently less private nature of these areas. Furthermore the interface distance between the front elevation of No.6a and the rear elevation of No.6 is 8.4m, with only 0.8m between the rear elevation of No.6 and the boundary. It is noted that there is a difference in land levels which is shown on the streetscene drawing provided, however it is nonetheless considered that this arrangement would not result in a significant potential for overlooking for future occupiers, thus providing future occupiers with adequate levels of amenity.
34. Given the above it is considered that the proposed development provides for adequate protection of existing occupiers' amenity compliant with Policy CG4 of the Core Strategy and the General Design Principles SPD.

Design for Security

35. Policy S1 of the Core Strategy states that the Council will aim to ensure that the design of new development will take into account the need to reduce crime and the fear of crime.
36. In this instance Greater Manchester Police - Design for Security have provided comments regarding the proposal. A number of recommendations have been made to improve security on the site. It has been recommended that the development should be constructed to Secured by Design standards, ensure that all boundary treatments adjacent to publicly accessible land should be 2.1m in height and all boundary treatments should be a minimum of 1.8m so the rear of the properties is not accessible via the front or side of the properties.
37. Given the siting and orientation of the properties within the plots it is not considered that a boundary treatment to the front elevation of No.6 would be acceptable given that it would front onto Longridge. However given that there is limited private amenity space most of the plot benefits from good natural surveillance from the surrounding properties.
38. It is considered that the proposal is in accordance with policy S1 of the Core Strategy.

Highway Safety/Parking Provision

39. Policy P5 of the Core Strategy the Council will aim to ensure that parking provision and servicing arrangement are taken into consideration when it comes to new development. Policy S1 seeks to promote road safety in the design of new development.
40. Appendix 3 of the Bolton Council's Core Strategy states that a maximum of three car parking spaces should be provided for a four bedroomed property. It is considered in this instance the proposed development complies with the relevant guidance.
41. The applicant is proposing adequate off-road parking provision to support the level of development and adequate accessibility from Highland Road to the properties. The Highways department have raised no objection to the application subject to the inclusion of a number of

conditions should permission be granted. However the Highways Department have advised that the Highways Authority is currently in the process of promoting a 20mph speed limit on Highland Road and that the applicant would need to ensure that the proposed development would be able to achieve the required visibility splays as per the national guidance (Manual for Streets).

Conclusion

42. It is considered that the proposal, as amended, would respect and be compatible with the existing character and appearance of the area, would not harm the amenity of neighbouring residents, would provide ample parking provision on-site and would not jeopardise highway safety in the area.
43. Members are therefore recommended to approve this application, subject to the suggested conditions.

Representation and Consultation Annex

Representations

Letters:- 57 objection letters were received from 55 individual properties in response to the initial consultation.

Below is a summary of the representations received as a result of the initial consultation on the original scheme:

i) Matters already addressed in the main body of the report

- * Overdevelopment of the site/ High density housing which is over scale for the plot
- * Not in keeping with the character of the area/ Design would not blend in and would not fit in the context of the area
- * Over established building line/ Not set back from the road enough
- * Sets a precedent for other properties in the area/ 'garden grabbing'
- * Overshadowing
- * Loss of privacy
- * Blank gables presented to the north, south and west
- * Lack of private amenity space for plot No. 6
- * Road safety/ sight lines and visibility at the junction
- * Increase in traffic
- * Increased risk of flooding due to loss of greenspace
- * No space for waste bins
- * No private garden space
- * Oblique views into the windows of No.1 Longridge
- * Open plan spacious appearance is the main character of the estate

ii) Other matters

- * Loss of small affordable bungalow – new houses will be unaffordable therefore not compliant with policy (*officer comment: an element of affordable housing provision on site is only required by policy where 15 or more dwellings are proposed*)
- * Streetscene appears to be misleading
- * Labelling the proposed properties as dormer bungalows/ proposal is for houses not for dormer bungalows
- * Reference to Highlands Road rather than Highland Road and Longridge Road rather than Longridge
- * No regard for existing residents
- * Inaccurate description of the estate in the design and access statement
- * 4m high hedge is not there between 1 Longridge and 6 Highland Road
- * Dormer is not a recent development on No.1 Longridge

iii) Neighbour notification and Council process

- * Lack of communication with surrounding residents regarding this major development (*Officer Comment: Bolton Planning Department has acted in accordance with all local and national guidance regarding the process for determining a planning application. The application is classed as minor development.*)

iv) Concerns that are not material planning considerations

- * Hedges too high/ hedges around the properties would be contrary to deeds and covenants
- * Loss of value to surrounding properties
- * Development is purely for profit, a non-local landlord
- * Loss of views

(Officer Comment: Loss of view, loss of value of properties and whether or not the applicant is intending to carry out the development for personal use or as a business venture are not material planning considerations. Private rights and covenant are private rights and as such are civil matter and not for the Council to pursue.)

Notification letters of the amended plans were sent to all neighbours originally notified as well as any addresses from which representations were received (a total of 55 individual properties) by letter dated 28th September 2017, allowing an extra 10 days from the date of the letter to make any additional comments.

Below is a summary of the representations received as a result of the above consultation on the amended scheme:

i) Matters already addressed in the main body of the report

- * Overdevelopment of the site/plot
- * Gardens too small
- * Over established building line/ Not set back from the road enough
- * Sets a precedent for other properties in the area
- * Overshadowing
- * Loss of privacy
- * Hedges at the junction of Longridge and Highland Road still a safety concern
- * Location of bin store too close to pavement
- * Parking too close to pavement
- * Now space for waste disposal bins but still beyond the building line

ii) Other matters

- * Amended plans do nothing to address neighbour initial concerns/objections
- * Changes that are proposed are minor
- * Amended plans make matters worse
- * Cluttered appearance

iii) Neighbour notification and Council process

- * Concern as to why the LPA have allowed such large amendments seems contrary to their own policies
- * Matters relating to this application appear to be unclear to the public as the applicant appears to believe that planning permission will be granted even before the closing dates for comments
- * Concern over length of time given to make additional comments on amended plans

(Officer Comment: Bolton Planning Department has acted in accordance with all local and national guidance regarding the process for determining a planning application. Paragraph 186-187 of the National Planning Policy Framework requires the Local Authority to work positively and proactively with the applicant as is good planning practice. The scale of the amendments is considered to be appropriate.)

iv) Concerns that are not material planning considerations

- * Restrictive covenants on the land which prevent development of two properties on one plot
- (Officer Comment: Private rights and covenant are private rights and as such are civil matter and not for the Council to pursue.)*

Elected Members:- Councillor David Greenhalgh has requested that this application is referred to planning committee for a decision and requested that committee makes a site visit prior to the meeting on 19th October 2017.

Consultations

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers and Greater Manchester Police.

Planning History

None relevant.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

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

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

Reason

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

4. Prior to the commencement of development full details of the highway works to construct 2 no. vehicular access points (VAC) to facilitate access to the proposed off-road parking provision, removal of the redundant VAC and the re-grading of the footway at that location shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

5. Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property or the environment;
- (iii) an appraisal of remedial options and proposal for a preferred option. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.
Prior to first use/occupation of the development hereby approved:
- (iv) A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the LPA.

Reason

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

6. Before the approved/permitted development is first brought into use no less than 6 car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be provided within the curtilage of the site, in accordance with drawing Ref:0280-(S)2-02-PP REV C. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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 and drained shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter made available for the use of vehicles at all times the development is in use.

Reason

To encourage drivers to make use of the parking and circulation area(s) provided and in order to comply with Core Strategy policies S1 and P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

8. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4m x 25.0m be provided at the access points to nearside kerblines, and subsequently remain free of all obstructions between the height of 1.05 metres and 2 metres (as measured above carriageway level).

Reason

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

9. 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 access points and back of footway, and subsequently remain free of all obstructions between the height of 0.6 metres and 2 metres (as measured above carriageway level).

Reason

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

10. 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 and in order to comply with Core Strategy policies CG1 and CG3.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, garages, outbuildings, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed.

Reason

To safeguard the character and appearance of the dwelling and as the plot size is limited and any extension could result in an unsatisfactory scheme, and to comply with policies CG3 and CG4 of Bolton's Core Strategy.

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

0280 (S)2-02-PP Rev C; "Site Plan, as 'Proposed'"; dated 25.09.17

0280 (GA)3-01-PP Rev A; "Floor Plans & Elevations, as 'Proposed'"; dated 25.09.17

Reason

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

Project Information:

Client: M. Gargoy
Project Title: 2 Proposed New Dwelling Homes
Project Address: 6 Highland Road, Stanley Cross, Saltern
Project Stage: Planning Consent Application
Date of Drawing: 21.04.17

Drawn By: SW
Respected By: SLP
Drawing Sheet Size: A1 (841 x 594)
Drawing Scale: As indicated on drawing

Drawing Title:

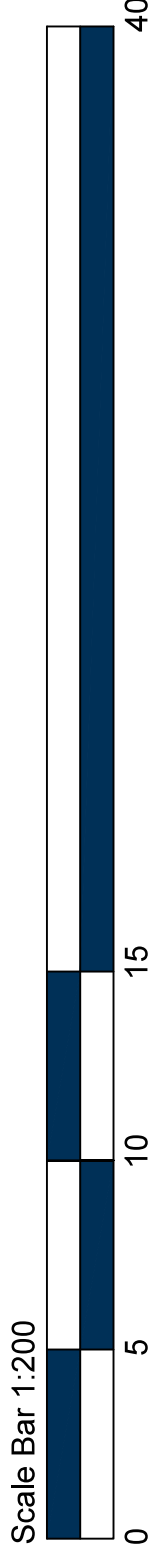
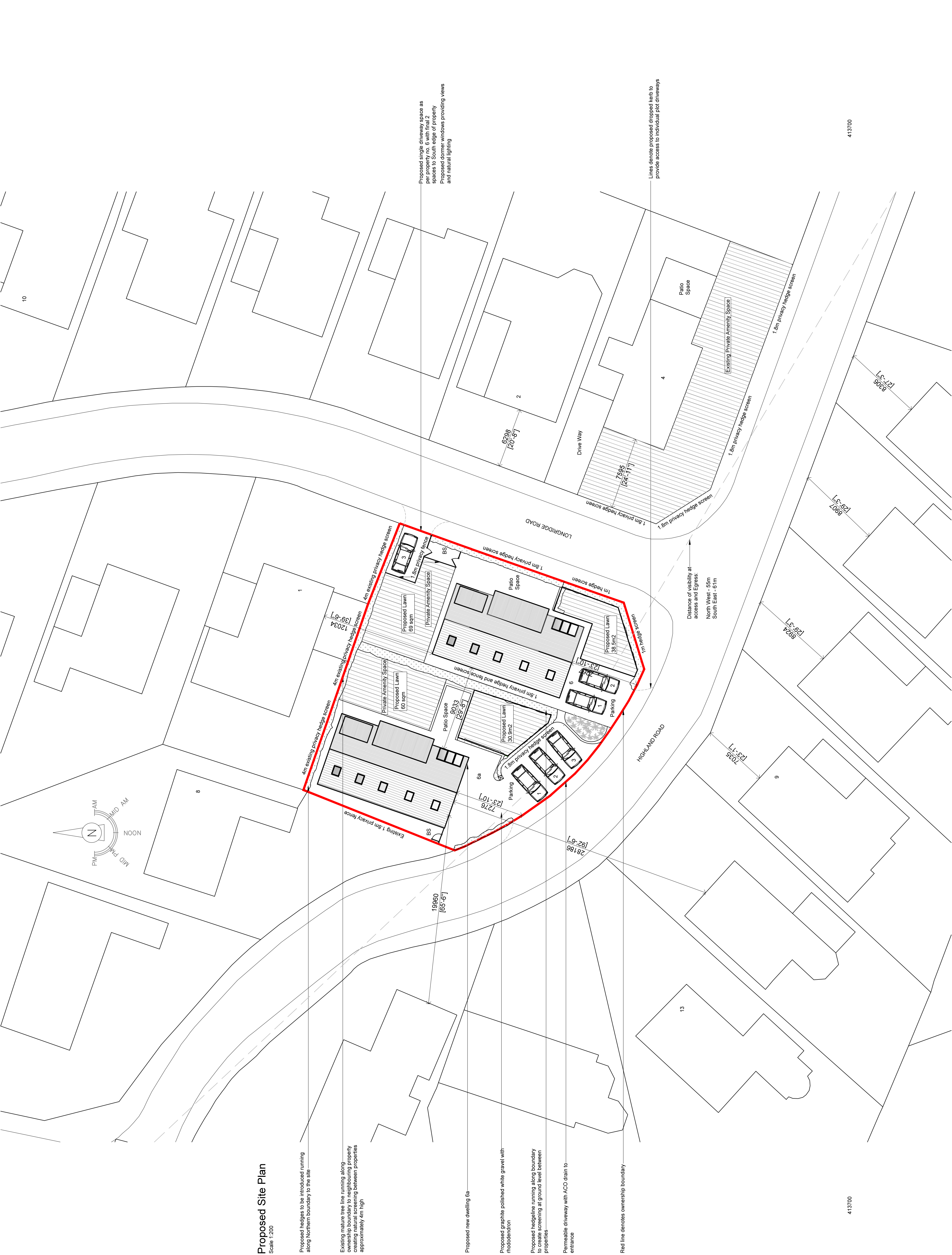
Site Plan, as 'Proposed'

| Job Number | Drawing Number | Revision |
|------------|----------------|----------|
| 0280 | (S)2-02-PP | C |

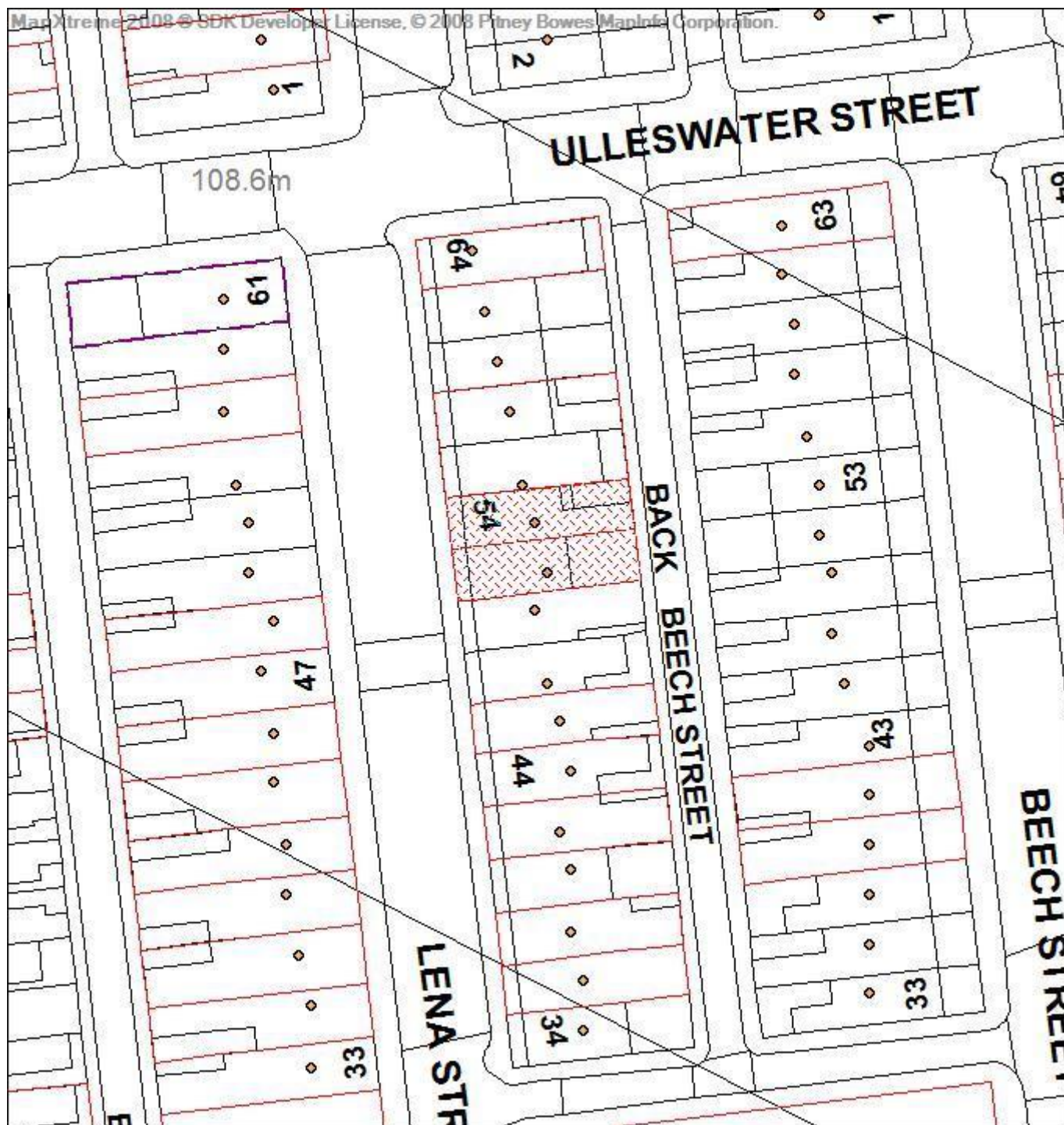
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Drawing Revisions

| Rev. | Date | Description | Author |
|------|----------|---|--------|
| A | 10.09.17 | Proposed site plan amended in accordance with comments of planning officer regarding amenity spaces. | SLP |
| B | 20.09.17 | Proposed site plan amended in accordance with comments of planning officer regarding further amenity spaces to provide improved internal amenity spaces to neighbouring properties. | SLP |
| C | 20.09.17 | Proposed site plan amended in accordance with comments of planning officer regarding further amenity spaces to provide improved internal amenity spaces to neighbouring properties. Proposed site plan amended in accordance with comments of planning officer regarding further amenity spaces to provide improved internal amenity spaces to neighbouring properties. Proposed site plan amended in accordance with comments of planning officer regarding further amenity spaces to provide improved internal amenity spaces to neighbouring properties. | SLP |



**Application number
01489/17**



**Development & Regeneration Dept
Development Management Section**

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



Date of Meeting: 19/10/2017

Application Reference: 01489/17

Type of Application: Full Planning Application

Registration Date: 03/08/2017

Decision Due By: 27/09/2017

Responsible Officer: Melissa Pagan

Location: 52 AND 54 LENA STREET, BOLTON, BL1 8LU

Proposal: ERECTION OF PART SINGLE PART TWO STOREY REAR EXTENSIONS TOGETHER WITH DORMERS TO REAR, ON BOTH PROPERTIES.

Ward: Crompton

Applicant: M Patel & Mr F Chhadat

Agent : RA Design & Project Management Ltd

Officers Report

Recommendation: Refuse

1. This application is being presented to Planning Committee at the request of Councillor Ismail (Crompton Ward).

Proposal

2. This is a joint application for both No.52 and No.54 Lena Street. Planning permission is sought for the erection of a part single and part two storey rear extension together with the construction of rear dormers for both properties. The proposed ground floor elements of the rear extension would have a staggered projection; projecting 2m along the boundaries shared with No.56 and No.50 Lena Street and would then be set in 1m before projecting to the full length of the rear yard, 5.2m in full length. The first floor elements would be set in 1m from the boundary shared with No.50 Lena Street and 1.10m from the boundary shared with No.56. Both first floor elements would project 5.2m from the rear elevation of the original dwellings. The proposed rear dormers would be set in from the eaves, but would be built up to the gables.

Site Characteristics

3. The application properties are mid-terrace dwellings sat within a row of 16 properties. No.54 Lena Street has an existing small single storey rear extension close to the boundary with No.56 and a rear dormer built up to the boundary. Several properties along Lena Street benefit from part single/part two storey rear extensions, as well as single storey rear extensions and rear dormers. There are no changes in land levels across the site.

4. The adjoining neighbour at No.56 Lena Street has a large part single/part two storey rear extension and rear dormer, similar to that which is proposed under this application, this was part of a joint application with No.58 Lena Street. No.50 Lena Street has a full length single storey rear extension along the common boundary shared with No.52.

Policy

5. National Planning Policy Framework (NPPF)
6. Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; RA1 Inner Bolton.
7. SPD House Extensions; SPD General Design Principles.

Analysis

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

9. The main impacts of the proposal are:-

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

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

10. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy RA1 of the Core Strategy relates specifically to developments in Inner Bolton and states that the Council will conserve and enhance the character of the existing physical and natural environment, and will require special attention to be given to the massing and materials used due to the predominance of red-brick, slate-roofed, two-storied terraced housing. The Council will also strengthen the traditional grid-iron pattern and street-scaping of existing housing and mills and will make efficient use of land in inner Bolton due to existing higher levels of development density, requiring development to conform to the overall spatial approach.
11. 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.
12. Para.4.21 of the SPD states that rear single or two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be considered acceptable. Single storey extensions longer than 4 metres may be acceptable if the space remaining at the end of the yard would be unusable or if the impact on the neighbour would be limited by screening - for example, where there is an existing extension which the proposal would abut in the adjacent dwelling.
13. The proposed two storey extensions would project 5.2m at first floor level which exceeds the

4m projection that is considered acceptable in the House Extensions SPD policy guidance. Paragraph 4.22 of the House extensions SPD states that the Council recognises that applying this 4m approach will mean more issues will necessarily arise in terms of loss of natural light and over shadowing to neighbours. This is based on a 4m projection, acknowledging that 4m will result in an impact on neighbouring residential amenity, therefore a projection of 5.2m is considered to have an even greater and unacceptable impact.

14. An extension similar to that which is proposed has been constructed at 56 and 58 Lena Street. This extension was approved in 2015 and was part of a joint application submitted between No.56 and No.58 Lena Street. Para 4.23 of the adopted House Extensions SPD strongly encourages applicants to submit joint proposals with their neighbours for "handed" extensions which minimise impacts of scale and over shadowing and maintain the cohesiveness of the street scene. Although joint applications are encouraged, at no point in the SPD does it state or suggest that a joint application would justify a longer extension.
15. The existing full length two storey rear extensions on No.56 and No.58 Lena Street appear dominant, overbearing and incongruous as they are the only full length first floor extensions within the streetscene. If the proposed development at numbers 52 and 54 Lena Street were approved, as well as appearing as a prominent block of over-development, together with the extensions to No.56 and 58, a precedent would be set for full length two storey rear extensions which would be of a significant detriment to the character and appearance of the surrounding area. The neighbouring extensions have the potential to set a precedent for other large rear extensions, and therefore development control must be exercised to ensure large, over-sized extensions do not result in a loss of character in the area.
16. Although the proposed rear dormers are set in from the eaves, it is unclear if they will sit below the ridge of the original dwelling. The side edges of the rear dormers are proposed to be built up to each other without retaining a gap in between. This gives the appearance of a solid block of extensions within the roof space and the form of the original roof is lost. This will significantly impact the character of the original dwelling, and is therefore not considered to be acceptable.
17. No supporting information has been submitted to demonstrate why an extension which would not normally be considered acceptable in planning terms should be granted permission and therefore it is not considered that the proposed extension, which does not comply with policy guidance, would be acceptable in this circumstance.
18. It is considered that the combination of the length, width, height and design of the proposed extension would have a harmful impact on the character and appearance of the dwelling and the street scene along Back Beech Street and is therefore contrary to Policies CG3 and RA1 of the Core Strategy and the policy guidance contained within the SPD.

Impact on the Amenity of Neighbouring Residents

19. Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.
20. SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking.
21. Para 4.21 of the adopted House Extensions SPD states rear single or two storey extensions on

terraced properties of up to 4m in length (taken from the original rear elevation of the property) will normally be considered acceptable. Although applying this approach will mean that more issues will necessarily arise in terms of loss of natural light and overshadowing to neighbours, however the benefits in terms of improving the living conditions of residents overall is a significant consideration which should attract substantial weight.

22. Although the ground floor element of the proposed rear extensions will project more than 4m, the extensions have been designed with consideration given to adjoining neighbours as there would be a staggered projection reducing the potential impact on the residential amenity. Both adjoining neighbours No.56 and No.50 Lena Street have ground floor extensions which will also reduce the impact caused to the residential amenity.
23. The proposed extensions also exceed the 4 metre allowance at first floor level for rear extensions on terraced properties. The extensions have been set in from the boundary shared with No.56 and No.50 Lena Street, however the proposed extension would still infringe on the 45 degree rule, measured from the first floor bedroom window on the rear elevation of No.50. No.50 Lena Street does not have any first floor rear extensions that could reduce the impact of the proposed extension and it is considered that together with the overbearing presence of the proposed extension, the proposed development would unduly impact on the residential amenity of the neighbours at No.50, contrary to Policy CG4 of Bolton's Core Strategy and the guidance contained within the SPD.
24. It is therefore considered that the proposed 5.24m projection, which is in excess of the SPD guidelines, would unduly reduce natural light reaching the rear of No.50 Lena Street and would therefore result in a significant detrimental impact on the amenity of No.50. It is noted that the interface distance between the proposals and the properties to the rear falls short of the guidance contained within SPD - General Design Principles. However the original design of these properties is such that interface distances are substandard.

Conclusion

25. The proposed extensions would exceed the acceptable projections set out in the guidelines contained in the SPD - House Extensions (2012), resulting in a dominant and overbearing appearance. The development would also have a detrimental impact on the residential amenity of No.50 Lena Street and is therefore contrary to Bolton's Core Strategy (2011) and the House Extensions SPD (2012) by reason of its scale and massing. For the reasons given above the proposal is recommended for refusal.

Representation and Consultation Annex

Representations

Letters:- None received

Petitions:- None received

Elected Members:- Councillor Ismail has requested that this application be brought to Committee

Consultations

N/A

Planning History

00833/17 - Erection of two storey rear extension. Refused 23.06.2017

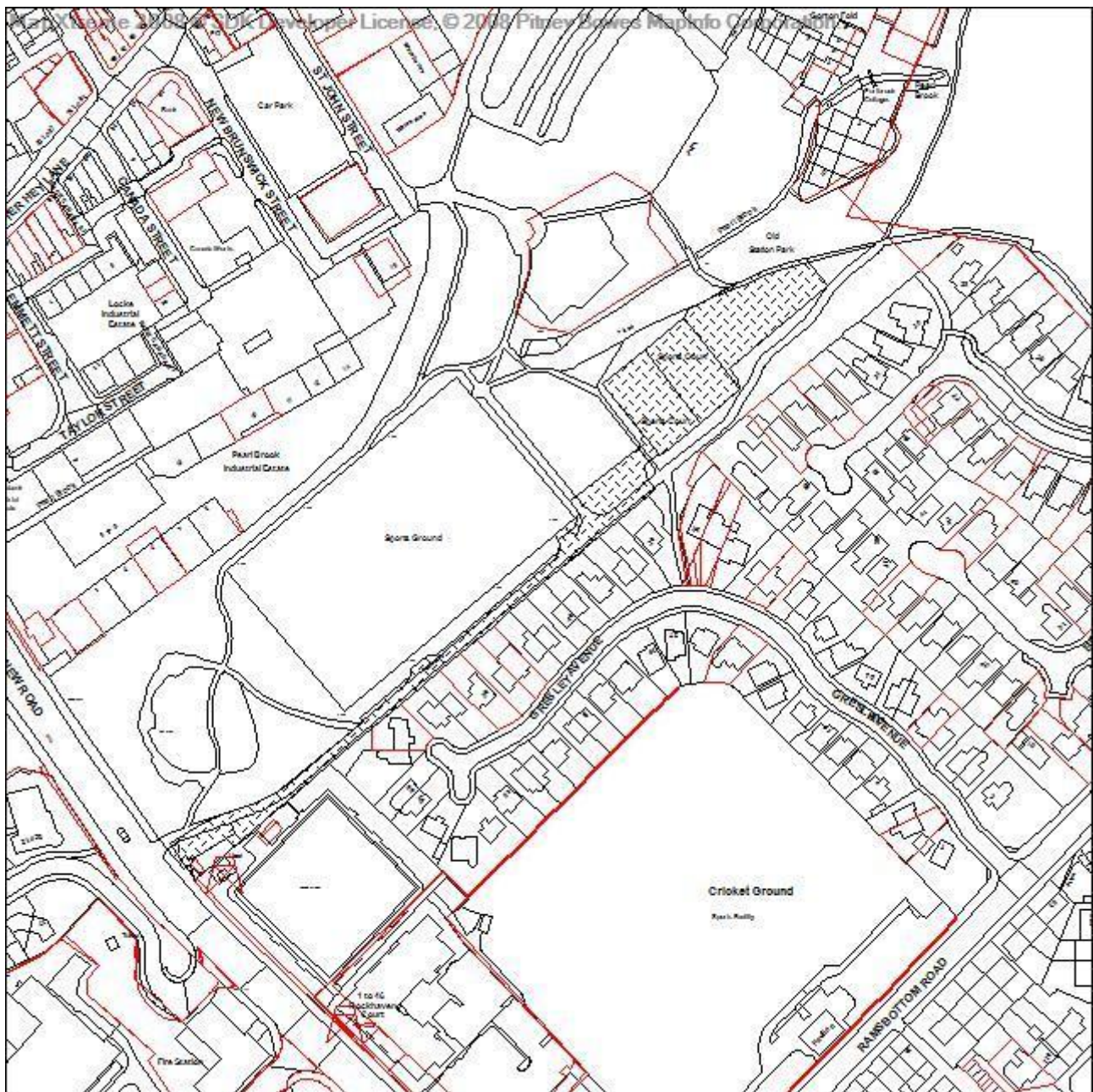
01270/17 - Erection of two storey rear extension. Approved 22.08.2017

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 and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at No.50 Lena Street and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

Application number 01803/17



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/10/2017

Application Reference: 01803/17

Type of Application: Full Planning Application
Registration Date: 01/09/2017
Decision Due By: 26/10/2017
Responsible Officer: Helen Williams

Location: LAND AT OLD STATION PARK, CHORLEY NEW ROAD, HORWICH, BOLTON

Proposal: CHANGE OF USE FROM TEMPORARY CONTRACTOR'S COMPOUND AND ACCESS PATH TO PUBLIC CAR PARK WITH ACCESS FROM CHORLEY NEW ROAD FOR A TEMPORARY PERIOD OF TWELVE MONTHS.

Ward: Horwich and Blackrod

Applicant: Bolton M B Council
Agent : Bolton M B Council

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. Planning permission is sought for the change of use of the area of Old Station Park that is currently being used as the contractor's compound (during the construction of the new Horwich Leisure Centre) to a temporary car park for the new leisure centre. A temporary period of 12 months has been applied for.
2. Vehicular access to the temporary car park will be along Drinkwater Lane, which has been used by the contractors during the construction of the leisure centre. A vehicular crossing at Chorley New Road has already been installed and the gates and hoarding installed at the access are proposed to be retained for the additional 12 month period. Two passing places are also proposed along the lane.
3. The 2.4 metre high weldmesh fencing around the compound is proposed to be retained and the existing hard surfaced area is proposed to be temporarily marked out for 82 car parking spaces. The proposed times of use for public parking are between 5pm and 9pm weekdays and 10am to 4pm at weekends. The hours of use are proposed to be controlled by the use of the access gates on Chorley New Road (controlled by Serco staff - the leisure centre provider).
4. After the 12 months temporary period the temporary car park will be reinstated back to a multi-use games area, the temporary fencing and stone surfaced compound and paths will be removed, and the paths within the park (affected by the proposal) will be made good.
5. Condition 14 of the planning approval for the new leisure centre (96141/16) required 153 car parking spaces to be marked out and provided within the site prior to the opening of the leisure centre. The applicant has explained within their submission that, owing to a delay in health

funding for the demolition of the former leisure centre, the new leisure centre is due to open before the parking spaces can physically be provided on site (most of the car parking was proposed to be where the former leisure centre is still sited). The temporary car park would therefore provide the deficit parking for the new leisure centre until parking can be provided within the leisure centre site.

6. 53 car parking spaces (including disabled parking) will be available within the leisure centre site. It is acknowledged that these spaces plus the proposed temporary 82 spaces do not total the 153 spaces required within condition 14, however these spaces are only temporary for 12 months and only 82 spaces could be provided within the compound area (without encroaching further into the park). The applicant has indicated that they will formally apply to vary condition 14 (to reflect the proposed situation) should this application be approved.

Site Characteristics

7. The application site is located within Old Station Park and comprises a multi-use games area (MUGA), an area of park to the north east of the MUGA and the private Drinkwater Lane. The application site is currently being used as a contractor's compound in association with the construction of the neighbouring new Horwich Leisure Centre. Drinkwater Lane is currently being used as the vehicular access to this compound.
8. The application site is bounded by black weldmesh fencing. It currently contains a number of portable cabins, skips and building materials. Drinkwater Lane is accessed off Chorley New Road (A673) to the west of the park. Gates and hoardings have been installed at the lane's entrance onto Chorley New Road. There are existing streetlights along Drinkwater Lane.
9. The main part of the application site (the area currently being used as the compound and proposed as the temporary car park) is sited to the south east of Pearl Brook (which runs through the park), to the north east of the sports ground and to the south west of the new leisure centre. Existing footpaths run along the south eastern and north western sides of the MUGA, which will link the temporary car park to the new leisure centre.
10. To the south east of the proposed temporary car park are the rears of the houses at 30 to 46 Brooklands and 34 Gresley Avenue. The rear gardens of 36 to 64 Gresley Avenue adjoin Drinkwater Lane to the south east.
11. A number of trees are sited adjacent the application site, within the park.
12. Old Station Park is an allocated recreation site within Bolton's Allocations Plan.

Policy

13. National Planning Policy Framework (NPPF)
14. Core Strategy Policies: P5 Accessibility and Transport; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.
15. SPD General Design Principles; SPD Accessibility, Transport and Road Safety.

Analysis

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

17. The main impacts of the proposal are:-

- * impact of the temporary loss of part of Old Station Road
- * impact on the highway
- * impact on the amenity of neighbouring residents
- * impact on the character and appearance of the area

Impact of the Temporary Loss of Part of Old Station Road

18. Policy CG1.3 of the Core Strategy states that the Council will safeguard and enhance parks, gardens, allotments, civic spaces, cemeteries and playing fields and improve the quality and multi-functional benefits of these assets.
19. The proposed temporary car park would occupy approximately 3,630 sq. metres of Old Station Park, which is approximately a tenth of the park. The car park would be sited on a multi-use games area (MUGA) and the immediate area to the north east of the MUGA. Vehicular access to the car park is proposed along Drinkwater Lane (an existing private road into the park).
20. The application site is currently being used as a compound for the contractors constructing the new leisure centre on Church Street. The use of the site for this compound did not require the benefit of planning permission (under Part 4, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015).
21. It is proposed to use the application site as a temporary car park for a 12 month period. During this period it is expected that the former leisure centre building will be demolished and that the on-site parking required under condition 14 of the new leisure centre planning approval 96141/16 will be provided.
22. The 82 parking spaces are proposed to be temporarily marked out on the MUGA surfacing and the stone surfacing that has been laid on the area of the compound to the north east of the MUGA. After the 12 month period it is proposed to reinstate the MUGA (re-instate the former pitch lines and playing surface), remove the stone surfaced area, remove the temporary fencing and make good the existing routes within the park.
23. Should the application be approved, officers recommend a condition be attached to ensure that the car park use is discontinued within 12 months of the decision and that a scheme to re-instate the part of the park affected by the temporary development be approved and implemented in full within 3 months of the car park use ceasing.
24. As the proposed development is temporary and as the part of the park affected by the development will be fully reinstated following the development, it is considered that the proposal would only have a short-term harm on the function of the park (temporary loss of a MUGA). It is considered that this short-term harm is outweighed by the benefits of the proposal (that is providing additional parking for the new leisure centre and therefore making the centre more accessible to the public).
25. It is therefore considered that the proposed development would not be contrary to Policy CG1.3 of Bolton's Core Strategy.

Impact on the Highway

26. Policy P5 of the Core Strategy states that the Council will ensure that new developments take into account [amongst other things] parking, in accordance with the parking standards set out in appendix 3. Policy S1.2 states that the Council will promote road safety in the design of new development.
27. Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
28. The proposed temporary car park for the new leisure centre is required as the parking provision that was expected to be available on-site before the new centre opens cannot be fully provided, owing to the delay in demolishing the former leisure centre building (which is owing to a delay in funding). The proposed temporary car park is intended to reduce any necessity for visitors to the leisure centre to park on neighbouring residential streets before the former leisure centre building is demolished (should the current 53 parking spaces within the leisure centre site be full).
29. Leisure centre staff will continue to be encouraged to travel to the site by public transport (as they have been during the construction of the centre). If staff have to travel by car then they will be encouraged to park off-site, so not to take up the most accessible parking spaces on the leisure centre site.
30. It is proposed that the temporary car park would only be open between 5pm and 9pm on weekdays and 10am to 4pm at weekends. These hours have been identified as the peak times for parking for the existing leisure centre.
31. Vehicular access to the temporary car park is proposed to be along Drinkwater Lane. Drinkwater Lane is a private road, which is currently being used by contractors during the construction of new leisure centre. A vehicular crossing at Chorley New Road has already been installed. Owing to the existing width of the lane, two passing places are also proposed along the lane to allow vehicles to pass one another.
32. The Council's Highways Engineers have commented that it is difficult to predict whether the proposed passing places would be sufficient to prevent potential vehicular obstruction during the peak use of the car park and potential queuing onto Chorley New Road, owing to the restricted width of Drinkwater Lane (which is 3.1 metres wide). Engineers however comment that the access has been utilised for the demolition and construction phases of the new leisure centre without detriment to other road users and pedestrians and therefore this adds an element of justification to the temporary use of the application site as a car park.
33. A zebra crossing, with appropriate signage, is proposed to be provided where the existing footpath linking Gresley Avenue to the park crosses over the proposed access road. Officers suggest that a condition is attached to any approval to ensure that this crossing is provided before the car park first comes into use, to safeguard the safety of pedestrians/users of the park.
34. Concerns have been raised by local residents that the entrance to the proposed temporary car park (on Chorley New Road) is some distance away from the new leisure centre (on Church Street) and therefore is less likely to be used by visitors than surrounding residential roads. The applicant has confirmed that the temporary car park will be advertised by temporary signage on Chorley New Road, within the new leisure centre site and within newsletters that are sent to the

users of the centre. The site of the proposed temporary car park would only be a short walk away from the entrance of the new leisure centre, and therefore closer than neighbouring residential roads.

35. It is not considered that the proposed temporary car park would not jeopardise highway or pedestrian safety in the area, compliant with Policies P5 and S1.2 of Bolton's Core Strategy.

Impact on the Amenity of Neighbouring Residents

36. 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.
37. The proposed car park and access road to the car park (Drinkwater Lane) are sited to the rears of the residential properties on Gresley Avenue and Brooklands. The car park is proposed to be in used between the hours of 5pm and 9pm on weekdays and 10am to 4pm at weekends. These hours will be controlled by the leisure centre operator (Serco) who will have responsibility for opening and closing the gates at the entrance on Chorley New Road.
38. There will be an element of disturbance to neighbouring residents by the nature of the proposed use (such as noise from vehicles driving into and out of the car park, car doors shutting, people chatting), however it is considered that the proposed hours of use are not unreasonable or unsocial (they are less than the leisure centre's hours of opening), and the proposed car park would only be a temporary solution (for a maximum of 12 months) until the old leisure centre building is demolished and parking is provided on-site.
39. The Council's Pollution Control Officers have suggested a planning condition for an acoustic fence to be erected along the boundary of the houses on Gresley Avenue and Brooklands, to lessen any impact on residential amenity, however officers consider that such a condition would be unreasonable and unnecessary (as per the "six conditions test" of paragraph 206 of the NPPF) given the proposed hours of use and the temporary nature of the proposal.
40. No additional lighting is proposed for the temporary car park. Existing streetlights (lighting columns) are already located along Drinkwater Lane and along the footpaths that bound the area proposed for the car park. These lights are linked to the existing streetlight system in the area and therefore are not in use during daytime hours.
41. It is considered that the proposed temporary development would not unduly harm the amenity of neighbouring residents, compliant with Policy CG4 of Bolton's Core Strategy.

Impact on the Character and Appearance of the Area

42. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA1 specifically concerns development in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment.
43. The area where the temporary car park is proposed comprises an existing hard surface (the MUGA) and a temporary hard surface (stone covered) and is currently temporarily being used as a compound for the contractors working on the neighbouring new leisure centre. The area currently has a number of portable buildings, skips and building materials located within it.

44. The temporary hard surfaced area (to the north east of the MUGA) would remain for a further 12 months, as would the temporary fencing. The gates and hoarding installed at the entrance to Drinkwater Lane are also proposed to be retained for the additional 12 month period.
45. After the 12 month period the temporary car park will be reinstated back to a MUGA (multi-use games area), the temporary fencing and stone surfaced compound and paths will be removed, and the paths within the park (affected by the proposal) will be made good. The negative impact on the character and appearance of the park by the presence of the car park and the temporary fencing will therefore only be for a temporary period. The park will be reinstated back to its former appearance following the cessation of the car park use.
46. The trees surrounding the proposed application site will not be affected by the proposed development.
47. It is therefore considered that the proposed development would not be contrary to Policies CG3 and OA1 of Bolton's Core Strategy.

Other Matters

48. The applicant has stated that they considered (as an alternative site) using the hard surfaced former platforms sidings area within Old Station Park (where the contractor's parking is currently sited), however they considered that siting the car park here would involve visitors to the leisure centre having to use "a tortuous footpath route" crossing Pearl Brook, which does not benefit from the existing streetlights within the park.
49. The applicant has also stated that a further reason for choosing the application site as a temporary car park is that Drinkwater Lane will also be required as an access for the new contractor for the proposed refurbishment of the synthetic turf pitch surfacing, fencing and lighting within the park (a 16 week period of work ending in January 2018).

Local finance considerations

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

Conclusion

51. For the reasons discussed below it is considered that the proposed temporary use of the application site as an additional car parking area for the new leisure centre (for a 12 month period) would only have a short term harm on the function and appearance of the park, would not jeopardise highway or pedestrian safety and would not unduly harm the amenity of neighbouring residents. Members are therefore recommended to approve this application subject to the suggested conditions.

Representation and Consultation Annex

Representations

Letters:- 24 letters of objection have been received from local residents. These raise the following concerns:

- * Old Station Park is a public space and should not be used as a car park;
- * Reduction in space within the park where children can play; Loss of green space and recreational facilities;
- * Residents have already been without this part of the park for 18 months;
- * Residents had been assured that Old Station Park would be returned to its former status once the leisure centre was completed;
- * How can residents be certain that this temporary car park will not be made permanent? (*officer comment: only a temporary period of 12 months has been applied for*);
- * The Council had assured residents that there would be enough parking spaces available on the leisure centre site;
- * Residents have said all along that there would not be enough car parking spaces for the leisure centre (for staff and the public using both the leisure centre and the proposed health centre);
- * The entrance to the car park is some distance away from the leisure centre, on Chorley New Road, and is less likely to be used than the surrounding residential streets;
- * Concerns about the safety of park users as the proposed access road will cut across the path leading to Gresley Avenue - especially the safety of children;
- * Concerns about safety at the access onto Chorley New Road;
- * Have previously notified the Council about the speed of contractors' vehicles up and down Drinkwater Lane. What measures are going to be put in place to stop speeding?;
- * Impact on the amenity of neighbouring residents. The car park is proposed to be used until 9pm. Disturbance to children trying to sleep;
- * Neighbouring residents have already had to endure 18 months of demolition, construction, dust and noise nuisance, and poor access into the park;
- * Increase in the use of the footpath behind the neighbouring houses and the impact of this on the amenity of neighbours;
- * Object to Pollution Control's suggestion that a 2.6 metre acoustic fence be erected behind the houses, as this will be an eyesore;
- * Effect on the character of the park;
- * Lighting around the car park and along Drinkwater Lane needs to be improved;
- * Alternatives should be looked at, such as the cobbled paving currently used by the contractors or the old station ramp;
- * Air pollution from vehicles using the car park and the impact of this on the health of neighbours and children using the park;
- * Property has been damaged by debris from trees being hit by contractors' vehicles (*officer comment: this is not considered to be a material planning consideration as any damage to property is instead a civil matter. In any event, smaller vehicles would be accessing the temporary car park as compared to wagons accessing the contractor's compound*);
- * How will residents access their boundary fences and shrubbery if Drinkwater Lane is being used frequently for access to the car park (*officer comment: this is not considered to be a material planning consideration and instead would be a civil matter*);
- * Will residents be paying reduced Council Tax during this period of inconvenience? (*officer comment: this is not a material planning consideration*);
- * Effect on property prices (*officer comment: this is not a material planning consideration*);
- * Contravention of a covenant covering the park (*officer comment: this is not a material planning consideration*).

Horwich Town Council:- raised an objection at their meeting of 21st September 2017 owing to concerns that the car park will become permanent, the loss of recreational space, there were not enough parking spaces proposed for the leisure centre site so users will continue to use surrounding areas, and the impact on children's safety owing to an increase in traffic on Drinkwater Lane.

Consultations

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

Related Planning History

Planning application 96141/16 was approved at Planning Committee in May 2016 for:

Part A: Full application - erection of new leisure centre following demolition of existing car park.

Part B: Outline application (all matters reserved) - erection of primary care centre following demolition of existing leisure centre.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. This permission shall be for a temporary period expiring on **26th October 2018** when the car park hereby approved shall be discontinued and the land reinstated in accordance with a scheme to be approved in writing by the Local Planning Authority before the expiry of this permission. The approved scheme shall be implemented in full within 3 months of the car park use being ceased and retained thereafter.

Reason

The applicant has only applied for temporary permission, and to ensure that the park and games area are fully reinstated to their former use following the development (to comply with policies CG1.3 and CG3 of Bolton's Core Strategy).

2. Prior to the first use of the car park hereby approved, the zebra crossing as shown on drawing 3014/003 (along with the associated traffic calming measures and signage) shall be provided and retained until the use of the car park has ceased. The footpath where the crossing is approved/proposed shall then be reinstated in accordance with the details to be submitted and approved under condition 1 of this consent.

Reason

To safeguard highway and pedestrian safety and to comply with policy S1.2 of Bolton's Core Strategy.

3. The temporary car park subject of this consent shall not be open to visitors and staff of the leisure centre outside the following hours:-

1700 to 2100 Mondays to Fridays

1000 to 1600 Saturdays, Sundays and Bank Holidays

Reason

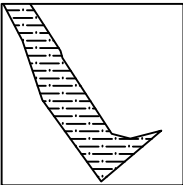
To safeguard the living conditions of residents with regard to noise and/or disturbance and in order to comply with Bolton's Core Strategy policy CG4.

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

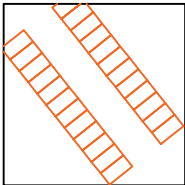
3104/003; "Layout Plan"; dated Aug 2017

Reason

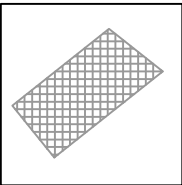
For the avoidance of doubt and in the interests of proper planning.



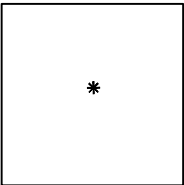
Access Road to construction site and proposed temporary car park



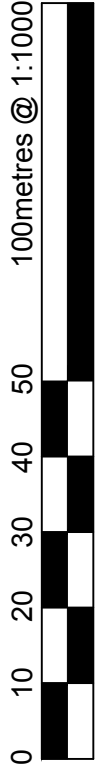
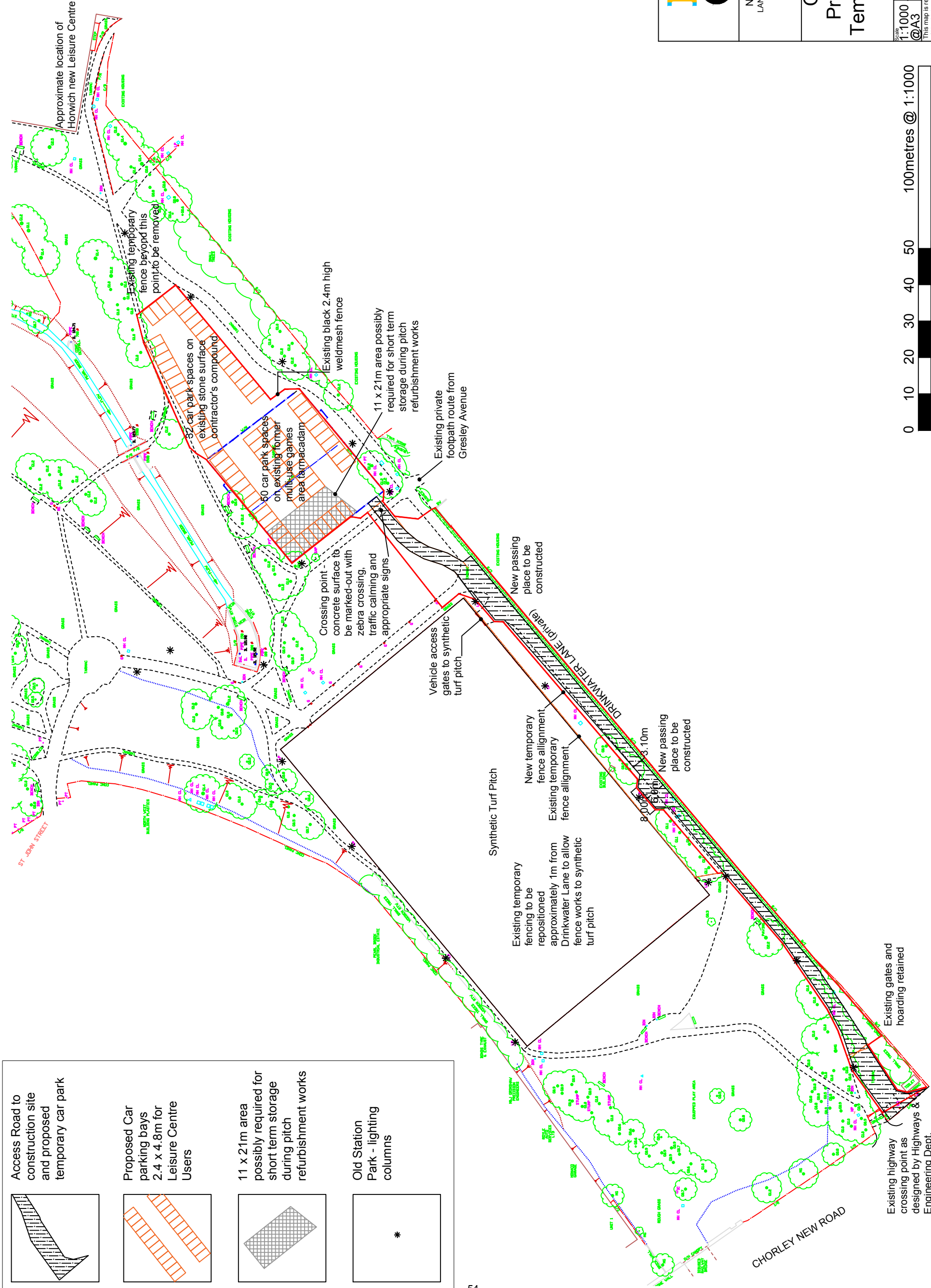
Proposed Car parking bays 2.4 x 4.8m for Leisure Centre Users




11 x 21m area possibly required for short term storage during pitch refurbishment works



Old Station Park - lighting columns





Bolton Council

NEIGHBOURHOOD SERVICES
LANDSCAPE DEVELOPMENT AND DESIGN
ELLESMEERE HOUSE MAYOR STREET DEPOT
ELLESMEERE STREET, BOLTON, BL3 5DT
Tel: (01204) 333333
Director of Place - Stephen Young

Old Station Park
Proposed 12 month
Temporary Car Parking
Layout Plan

Scale: 1:1000
Date: Aug 2017
Drawn/Checked by: SM
Drawing No: 3014/003

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Application number
01659/17



Development & Regeneration Dept
Development Management Section

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

**Bolton
Council**

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Date of Meeting: 19/10/2017

Application Reference: 01659/17

Type of Application: Full Planning Application

Registration Date: 11/08/2017

Decision Due By: 05/10/2017

Responsible Officer: Monika Dubacka

Location: 364 TEMPEST ROAD, LOSTOCK, BOLTON, BL6 4HS

Proposal: ERECTION OF TWO DWELLING HOUSES AND ALTERATIONS INCLUDING PART DEMOLITION OF EXISTING BUNGALOW.

Ward: Westhoughton North

Applicant: Ms Wilkinson
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. The proposal comprises of two x 4-bedroom detached dwellings (with an additional study at the first floor) with new pedestrian and vehicular access from Tempest Road. The dwellings will be two storey in height with a high-pitched hipped roof. Each dwelling will feature a dining room/kitchen, living room, lounge, utility room, WC and a double integral garage at ground floor with four bedrooms (House 2 would include two en-suite bedrooms whilst House 1 would have only one en-suite bedroom), study room and bathroom at first floor.
2. Two balconies would be provided to each dwelling to the front bedroom and front study rooms.
3. The existing property at no.364 will be partially demolished to accommodate a new vehicular (4.5 metres wide) access which will be taken from Tempest Road, with a vehicular access track and driveways to the front of each proposed dwelling. With the current application no amendments are being proposed to the rear boundary of no.366 (as it was proposed with the most recent application).
4. This application is an exact resubmission of a scheme previously approved by Planning Committee in 2012 (Ref: 88385/13).
5. This application is being presented to committee for decision at the request of Councillor Christine Wild. Councillor Wild does raised concerns over the impact on residential amenity by proposed balconies and removal of the hedgerow to the north of the proposed House 01 (as shown on the proposed plans) .

Site Characteristics

6. No. 364 Tempest Road is an existing semi-detached bungalow found in the urban settlement of

Chew Moor. An extensive garden area to the rear is associated with no. 364. A number of semi-detached and detached dwellings back onto the land. A detached single berth garage bounds with no. 368 Tempest Road; this is accessed across a strip of hardstanding to the side of no. 364.

7. For the majority of dwellings abutting the site it is the rear elevations which face the site, though a number are side onto the site. Party boundaries are made up of timber fencing and landscaping. Landscaping and trees are present inside the rear garden. The site is reasonably level, though dips down to the rear.

Policy

8. National Planning Policy Framework 2012

9. Bolton's Core Strategy: CG1 Cleaner and Greener Bolton, CG3 The Built Environment, CG4 Compatible Uses, S1 Safe, P5 Accessibility, SC1 Housing, and OA4 West Bolton.

10. Supplementary Planning Documents: General Design Principles and Accessibility, Transport and Safety.

Analysis

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

12. The main impacts of the proposal are:-

- * principle of development
- * impact on the character and appearance of the area
- * impact on neighbouring residential amenity
- * impact on the highway and parking provision
- * impact on trees
- * Crime and Design
- * Flood Risk
- * Contamination

Principle of Development

13. The principle of a residential development was established under the previous planning permission ref. 88358/12, which permitted the development of the site for two detached dwellings. This planning permission has now expired.

14. The application site represents an infill development in an existing residential area which is well related to local amenities and has good transport links. The site currently accommodates a large garden space for the applicant's property at No. 364 Tempest Road, the sub-division of which leaves a sufficient sized garden area for no. 364, similar in size to the gardens of the dwellings surrounding the site along Tempest Road and Copperfields.

15. With regard to objections raised about the principle of developing this garden site, it is also

acknowledged that 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."

16. The previously approved application at the site established the principle for residential development here and deemed that the loss of the garden site would not cause harm to the local area. Furthermore, there is a presumption in favour of sustainable development as a fundamental part of the NPPF and it is noted that the delivery of sustainable development is not restricted solely to the use of previously developed land.
17. The residential use of the site is considered an appropriate use and as such is acceptable in principle subject to compliance with other relevant planning policies.

Impact on the Character and Appearance of the Area

18. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA4 of the Core Strategy aims to ensure the character of the existing environment is conserved and enhanced.
19. Guidance on design principles and levels of private amenity space is contained within the General Design SPD.
20. It is acknowledged that the current application is an exact resubmission of the previously approved application granted consent by Planning Committee in 2012. The submission shows a less cramped form of development with greater interface distances to neighbouring dwellings and larger garden areas for the proposed dwellings when compared with recently refused application for erection of 3no. dwelling houses. It is considered that the scheme as proposed represents the best development solution for the land.
21. The application site is a residential garden, which is considered to be greenfield land as defined by the National Planning Policy Framework. The garden is made up of grassland with a mix of trees, shrubs and plants, bounded on all sides by existing residential gardens. The backland nature of the site prohibits any new development at the site from having a direct relationship with the street, and following the established pattern of development in the area. It is acknowledged that this is not ideal however the development of backland sites for residential purposes is not uncommon and consequently it is considered that subject to careful design a satisfactory residential environment can be created.
22. It is considered that the loss of this garden site would not unduly harm the wider character and appearance area. As mentioned above the land in question is surrounded by domestic gardens of nearby properties to the rear and sides, which perform the function of creating an urban character enclosure from the wider surrounding area, on balance, the development as proposed is not considered to result in any undue visual harm to the site or its setting, particularly as much of the existing/retained trees and landscaping are capable of being retained.
23. The proposals would introduce two story properties with pitched hipped roofs and uniform features as the previously approved in 2012. There is a mix of two storey dwellings, spread between detached and semi-detached together with semi-detached bungalows to the front of

the site addressing Tempest Road. Each unit has private amenity space and on a general basis off street parking provision, though this is not always the case for properties on Tempest Road.

24. Each new house is set in spacious plots which reflect the sense of space found in Chew Moor. Architecturally each design is modern and reflective of the style, scale and massing of dwellings to the north and west. Architecturally each design is traditional and reflective of the style, scale and massing of dwellings to the north and west.
25. The proposed dwelling houses will measure approximately 8.2 metres in height (each). Whilst the currently proposed houses would be approximately 1.3 metre taller in height than the neighbouring properties along Copperfields, it is considered that their massing and scale are acceptable which would respect the style and design of the neighbouring properties and would be in keeping with the character of the surrounding area. According to the information submitted with the current application the new dwellings would be constructed in red facing brickwork with stone heads and cills together with modern interlocking grey tiles matching materials used on some of the surrounding properties. However, in order to ensure the suitability of the materials in the context of the surrounding area, a condition would be attached requesting samples of the materials to be submitted for the Local Planning Authority's approval.
26. A further condition will be attached to ensure that areas for refuse bins will be provided within the curtilage of each dwelling house.
27. Alterations to 364 Tempest Road would see the left hand rooms halved. The applicant has sought to minimise visual changes, by keeping existing windows together with ridge and eaves heights. Reducing the width of the dwelling changes the balance and proportionality of the semi-detached house, but taken within a wider context of the street scene this is not considered to be unacceptable. In width the revised dwelling would closely mirror the widths of dwellings south of the access. Private amenity space will be retained to the front and a small garden to the rear.
28. On balance, it is considered that the design, massing and scale of the proposal are acceptable. It is considered that a development of two houses on this site offers an acceptable and comfortable development in terms of layout and relationship with neighbouring properties. Furthermore, it is not considered that the proposed development would appear as an overly prominent feature in the street scene nor would it have an unacceptable impact of the character and appearance of the neighbouring vicinity in accordance with policies CG3 and OA4 of Bolton's Core Strategy.

Impact on Neighbouring Residential Amenity

29. Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Section 3 of the General Design Principles SPD outlines the recommended interface distances for conventional housing layouts where houses face each other to provide for 21 metres between principal room elevations overlook each other. Where principal/main room elevations overlook a blank gable this distance can be reduced to 13.5 metres.
30. The same as with the previous submission, the currently proposed layout shows that adequate distances would be maintained from the proposed dwellings to the surrounding residential properties in compliance with all the interface guidelines outlined within the General Design Principles SPD. It is also considered that the proposal would not result in detrimental overshadowing or be overbearing to the surrounding properties. In addition, once built it is not

considered that the activity associated with three x 4-bed dwellings, would have an unacceptable impact upon the level of residential amenity neighbouring residents currently enjoy.

31. In relation to privacy, a condition will be attached ensuring that no additional windows are installed at first floor level to the side and rear elevations of the proposed dwelling houses and that proposed rear windows are fitted with obscurely glazed windows in order to safeguard the amenity of the surrounding neighbouring properties. There is no need to obscurely glaze the first floor side bedroom windows as they would be maintained at an adequate distance to the surrounding properties and would comply with the SPD. With regards to the ground floor windows as these would be screened by the existing and proposed boundary fencing they would not result in overlooking.
32. In addition, in line with the previous approval and a further condition will be attached ensuring that no windows are installed in the rear elevations of the proposed dwelling houses.
33. With regards to the proposed balconies, it is noted that these were also part of 2012 approval. The proposed balconies would not project any further than the proposed first floor windows, thus there will be no additional impact in relation to views towards north. However, given that the balconies would be overlooking the properties to the side a condition will be attached ensuring that the sides of each balcony is provided with an adequate screening in form of a high quality obscurely glazed panels or by continuation of a brick wall. The applicant confirmed that she would be happy to comply with this condition.
34. Furthermore, given the height of the proposed houses a additional condition will be attached ensuring that there are no dormers added to the roof space unless otherwise agreed with the LPA.
35. With regard to the future occupants of the proposed dwellings, given the internal layout and space, it is considered that the proposed dwellings would provide sufficient space, outlook and natural light to provide adequate amenity for the future occupants. The site would include private gardens which would provide adequate outdoor amenity space for the future occupants.
36. Having regard to the above, it is considered that the proposals would comply with the standards of amenity in policy CG4 of Bolton's Core Strategy, and the General Design Principles SPD and would in principle provide satisfactory levels of amenity for future occupants and surrounding residents.

Impact on the Highway and Parking Provision

37. Core Strategy policies P5 and S1 and the maximum car parking standards provided in Appendix 3 of the Core Strategy seek to provide adequate off road car parking and to promote road safety in the design of new development.
38. Representations have been received regarding the proposed access and highway safety.
39. The proposal was reviewed by the Council's Highway Officers and they have confirmed that the private access from Tempest Road complies with the council's code of practice for highway width/margins to support the level of development proposed. Vehicular access into the site would utilise the existing driveway and a strip of land following the demolition of part of 364 Tempest Road. The proposed plans show this access to be 4.5 metres wide. Parking provision is to be provided for each dwelling. Appendix 3 of the Core Strategy seeks a maximum standard of 3 spaces for 4+ bedroom dwellings. Each new dwelling will satisfy this standard, whilst the existing dwelling would provide 2 spaces - this is considered acceptable considering the use will

convert back from bed and breakfast accommodation to a private dwellinghouse.

40. In addition, the proposal is for a low-density development which should generate negligible traffic volumes onto the surrounding highway network. Visibility from the access onto Tempest Road will potentially be affected by parked vehicles at that location, however, the level of proposed vehicle movement (above that already consented for the site) along with the fact that Tempest Road forms part of a 20mph traffic calmed zone (with no injury accident record over the last 5 years) will help to alleviate possible road safety implications and reduce concerns.
41. In addition, the proposed plans show that there appears to be adequate manoeuvring space within the site curtilage to allow a vehicle to enter/leave plots for House 01 and House 02 in forward gear.
42. For the above reasons it is therefore considered that the proposal complies with policy.

Impact on Trees/Biodiversity

43. Policy CG1.2 safeguards and enhances 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.
44. The site contains a number of trees, but none are subject to preservation orders and the Council's Tree and Woodland Officer considers that none of them are considered to be worthy of long term protection through TPO. Any loss of trees within the site would be regrettable, however, the proposed plans suggest that numerous other trees and landscaping are to be retained as part of the new gardens and an condition will be attached ensuring that these are protected by adequate fencing during the construction period. In addition, a further condition will be added requesting a landscape scheme to be submitted in order to mitigate any tree losses within the site.
45. It is noted that the Tree Officer recommended retention of the hedgerow to the north of the site (north of House 01). However, the applicant clarified this is to be removed. Given the size of the this hedge and the existing fencing, it is not considered that the loss of this part of the hedgerow will have a detrimental impact on the character of the surrounding area nor on the privacy or amenities of the neighbouring residents.
46. Furthermore, an informative will be also attached informing the applicant that as the site has the potential to support breeding birds and in accordance with Section 1 of the Wildlife & Countryside Act 1981 (as amended) no vegetation clearance or demolition of buildings should take place between the months of March and August so not to disturb birds whilst they are nesting.
47. In view of the above, Officers consider the proposal accords with policy CG1.2.

Crime and Design

48. Core Strategy policy S1 seeks to ensure that the design of new development proposals will take into account the need to reduce crime and fear of crime.
49. Whilst no comments have been received from Greater Manchester Police on the current application, it is acknowledged that they reviewed the previous 2017 submission and have

suggested that due to the location of the proposed development it will lack of natural surveillance and lack of rear boundary to the rear of 364 Tempest Road will leave residents vulnerable to crime. However, whilst the site will not be facing Tempest Road directly, it will be surrounded by residential properties providing natural surveillance to the proposed dwelling houses. In addition, the rear of no.364 will be secured by fencing of which details will be requested by a planning condition.

50. With regards to the recommended security measures including construction of the building to be up to Secured by Design standards, external lighting, shrub planting and pedestrian access they will be all secured by an informative as recommended on the previous 2017 application.

Flood risk

51. Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Paragraph 103 of the NPPF states that when determining planning applications local planning authorities should ensure flood risk is not increased elsewhere.
52. The application site is located within Flood Zone 1 and is therefore within an area defined as having the lowest risk of a flooding event occurring (less than 1 in 1,000 annual probability of flooding from rivers or the sea). According to the Environment Agency's website they have no comments to make on the application as the site is below 1 hectare and within Flood Zone 1.
53. United Utilities have raised no objections subject to a number of informatives and conditions to secure the provision of separate systems to drain foul and surface water and approval of surface water drainage scheme. A condition has therefore been recommended requiring the approval and implementation of a drainage scheme in line with the requirements for surface water drainage based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions.
54. The Council's Flood Risk team also commented on the proposal and whilst raised no objections asked for details of groundworks surface water drainage to be submitted for LPA's approval what will be secured be a further condition.
55. In light of the above and subject to conditions, it is considered that the proposal would not be at unacceptable risk of flooding and so is in accordance with NPPG and the NPPF.

Contamination

56. The development proposal has been reviewed by the Councils Contaminated Land Officer who upholds his previous comments as submitted in response to the previous 2017 application. The officer has raised no objections to the proposed residential use and agreed with the conclusion the desktop submitted with the application. Thus, it is agreed with the consultant's recommendation that a Phase II is not required. The applicant should keep a watching brief for any ground contamination during construction what will be secured by a condition.

Local finance considerations

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

Conclusion

58. For the reasons discussed above, it is considered that the proposal will not harm the character and appearance of the host dwelling or the surrounding area and will not unduly harm the amenity of neighbouring residents, compliant with the above mentioned policies. Concerns raised by residents are considered to be addressed by the proposal and the policies outlined above, including highway safety concerns. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- eight representations were made from seven individual representations have been received. Summary of views expressed are as follows, where issues raised are not addressed in the main body of the report Officer's comments are shown in italics:

- visual impact and appearance;
- loss of privacy and amenity to neighbouring properties;
- the size and style of the properties is not in-keeping with surrounding properties by virtue of scale;
- mass, height and design, nor does it appear to be innovative;
- the proposed house would provide substandard living conditions with small dining and family areas with limited access to natural light;
- traffic congestion and road safety issues;
- GM Police objected to the proposal previously;
- the current scheme as the previous proposal for three houses "... would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development"
- The proposed houses would overshadow and will be overbearing to the neighbouring properties;
- the proposed 4 car parking spaces for each dwelling does not include spaces for visitors (*Officer's response: this is not a material planning consideration*);
- loss of view (*Officer's response: this is not a material planning consideration*);
- not enough space for vehicles to manoeuvre within the site;
- the building will increase the risk of floods - loss of natural drainage;
- the proposed dwellings would be at the height and scale that would have an overbearing impact on the surrounding properties;
- insufficient access to the site including for emergency vehicles;
- greenfield development in a private residential garden - Government against garden grabbing/ this proposal is the destructive practice of 'garden grabbing'
- overdevelopment of the site;
- Bins will be stored to the front of Tempest Road blocking the access to the site;
- No.364 is being used as a bed and breakfast adding to the existing traffic and parking issues within the area;
- No.364 after the proposed alterations will result in a property that is totally out of character with the street scene along this part of Tempest Road and in substandard living conditions for its occupiers;
- The development will be detrimental to the existing landscape and wildlife;
- Unclear what type of boundary treatment would be erected (*Officer's response: details to be secured by a condition*);
- Unclear who would be responsible for the hardstanding area of 4 car parking spaces (*Officer's response: this is not a material planning consideration*);
- This is a development of a residential garden within green belt. (*Officer's response: The site is not within green belt area*);
- The proposed access is not wide enough for the emergency vehicles to enter the site;
- The 2 proposed properties are referred to as '1 Market Housing' and '1 Key Worker Housing' in the application...this is an incorrect statement as both properties are the same and intended for Market Housing (*Officer's response: the application is simply for erection of two dwelling houses*).

Petitions:- none received

Elected members: this application is being presented to Committee for decision at the request of Councillor Christine Wild. Councillor Wild has raised concerns over the impact on residential amenity by proposed balconies and removal of the hedgerow to the north of the proposed House 01 (as shown on the proposed plans).

Consultations

Advice was sought from the following consultees: Response - Greater Manchester Police, Highway Engineer, Drainage Engineer, Environmental Health, United Utilities and Tree and Woodland Officer, Greenspace Neighbourhood Services, United Utilities and The Coal Authority.

Planning History

85494/11 erection of two detached houses. Withdrawn.

88358/12 erection of 2no dwellings together with alterations to gable side of no 364 to provide vehicular access from tempest road. Approved with conditions by Planning Committee in 2012. This permission expired in 2015.

95014/15 outline application for demolition of dwelling and detached garage and erection of 9no dwellings together with access and landscaping (layout and scale details only). Withdrawn by the applicant.

88358/17 erection of 4no dwellings together with alterations to gable side of no 364 to provide vehicular access from Tempest Road. Withdrawn by the applicant.

01031/17 erection of 3no dwellings together with alterations to gable side of no 364 to provide vehicular access from Tempest Road. Refused by Planning Committee in July 2017 for the following reason:

"The proposed development represents an overdevelopment of the site which would result in harm to the outlook from neighbouring residential properties, harm to the built character of the area, and a lack of manoeuvring space for vehicles (particularly for plot 1) which would prevent vehicles from leaving the site in forward gear and would create an internal conflict between vehicles, contrary to Policies CG3, CG4, S1.2 and OA3 of Bolton's Core Strategy."

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

1. The development hereby permitted shall be begun before the expiration of two 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. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples or full details of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval

Reason

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

3. No demolition, development or stripping of soil shall be started until:
1. The trees and hedgerows within or overhanging the site which are to be retained have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
 2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).
 3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.

Reason

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

4. Notwithstanding any details submitted in the application, prior to commencement of development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance shall be submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system is to be provided, the submitted details shall:
- i) 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.
 - ii) Include a timetable for its implementation, and
 - iii) 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

The drainage scheme shall be implemented in full before the development is first occupied and in accordance with the approved details.

Reason

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

5. 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.

6. The Phase I Report (submitted with previous application 01031/17) does not recommend that a Phase II Report is required, from commencement of development through to completion of development a watching brief shall be carried out on the site, if 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.

A verification report, which details that the objectives of a watching brief have been complied with

should be submitted to, and approved in writing by the Local Planning Authority before the development is first brought into use or first occupied. If it is found that a remediation scheme is required, the proposed remediation scheme shall include provision for verifying that the remediation objectives (verification report) have been met and also for any subsequent monitoring and maintenance in accordance with Model Procedures for the Management of Land Contamination (CLR 11). Full 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 safeguard the amenity of the future occupants of the development and to comply with Core Strategy policy CG4.

7. Prior to the commencement of development full details of the highway access works between nos. 364 and 366 Tempest Road, as shown on the approved Existing & Proposed Site Plans and Proposed Floor Plan for 354 drawing number 04 to be undertaken within the adopted footway (5.0m radii/4.5m carriageway full carriageway construction with margins/relocation of gulley and telegraph pole) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the commencement of any works to construct the dwellings hereby approved in accordance with approved details and retained in such condition thereafter.

Reason

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

8. The development hereby approved/permitted shall not be brought into use unless and until a visibility splay measuring 2.4 metres by 25 metres is provided at the junction of Private Access with Tempest Road, 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. 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 marking/turning of vehicles within the curtilage of each dwelling house hereby approved 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 and in order to comply with Bolton's Core Strategy policies S1, P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

10. 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 application site (including new boundary treatments to the rear and side of nos. 364 Tempest 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 occupied or brought into use.

Reason

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

11. Prior to the development being first occupied or brought into use, full details of both hard and soft landscape works has been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved. These details shall include hard surfacing materials and soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and opportunities for biodiversity enhancement including native tree / shrub planting, bat boxes and bolstering of hedgerows where appropriate. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

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

12. Upon first installation of the first floor en-suite and hallway windows in the rear elevation of dwellings House 02 and first floor bathroom window in the rear elevation of dwelling House 01 hereby approved, shall be either non opening or with openings more than 1.7 metres above the finished floor level and fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely) of the Pilkington Glass scale (or equivalent) and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy, outlook and living conditions of neighbouring occupiers and in order to comply with Core Strategy policy CG4.

13. 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 prior to the development hereby approved being first occupied or brought into use and thereafter made available for the use of vehicles at all times the development is in use.

Reason

To encourage drivers to make use of the parking and circulation area(s) provided and in order to comply with Core Strategy policies S1 and P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

14. Before the approved/permitted development is first brought into use, a scheme detailing the proposed bin storage for each dwelling house hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The bin storage(s) shall be implemented in full, in accordance with the approved details, before the dwelling houses are first occupied and shall be retained thereafter.

Reason

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

15. Before the approved/permitted development is first brought into use no less than 2 car parking spaces per one approved dwelling house and 4 car parking spaces for 364 Tempest Road with minimum dimensions of 2.5 metres by 5.0 metres shall be provided within the curtilage of each dwelling house mentioned above, in accordance with approved Existing & Proposed Site Plans and Proposed Floor Plan for 354 drawing number 04 (undated). Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

16. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the approved Existing & Proposed Site Plans and Proposed Floor Plan for 354 drawing number 04 (undated).

Reason

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

17. Before the approved/permitted development is first brought into use, a scheme detailing the proposed screens to the sides of balconies of the dwelling houses hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The proposed screens should be at least 1.7 metres high above the finished floor level and constructed of high quality materials comprising of either obscure glazing (whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely) of the Pilkington Glass scale (or equivalent)) or brick wall matching the approved materials. The screens shall be implemented in full, in accordance with the approved details, before the dwelling houses are first occupied and shall be permanently retained in the approved condition thereafter.

Reason

To protect the privacy, outlook and living conditions of neighbouring occupiers and in order to comply with Core Strategy policy CG4.

18. The materials to be used in the re-construction of the external surfaces of 364 Tempest Road 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 in accordance with Bolton's Core Strategy Policy CG4.

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

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety and in order to comply with Bolton's Core Strategy policies S1, P5,

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, fences, gates or walls shall be erected within the curtilage of (any of) the approved dwellinghouse(s) in front of the forward most part of any wall of the dwellinghouse which fronts onto a highway, other than those expressly authorised by this permission, if any.

Reason

To safeguard the character and appearance of the dwelling/land and or the plot size is limited and any extension would result in an unsatisfactory scheme which would impact on the parking spaces and area for manoeuvring to the front of the approved dwellinghouse(s) and in order to comply with Bolton's Core Strategy Policies CG3 and P5.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no dormers to any part of the roof (other than those expressly authorised by this permission) of the dwelling houses hereby approved shall be constructed.

Reason

To safeguard the character and appearance of the approved dwellings and safeguard the amenity of the surrounding residential properties in accordance with Bolton's Core Strategy Policies CG3 and CG4.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no additional windows shall be formed in the side/south elevation and rear/west elevation of the dwelling House 02 and rear elevation/west and side/north elevation of dwelling House 01 hereby approved other than those shown on the approved drawings, nor shall those approved windows or doors be enlarged or altered.

Reason

To safeguard the outlook, privacy and living conditions of neighbouring residents and to comply with policy CG4 of Bolton's Core Strategy.

23. 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 and in order to comply with Bolton's Core Strategy Policy CG3

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

Existing & Proposed Site Plans and Proposed Floor Plan for 354 drawing number 04 (undated)

House 01- Proposed Site Plans and Proposed Floor Plans for 364 drawing number 04 (undated)

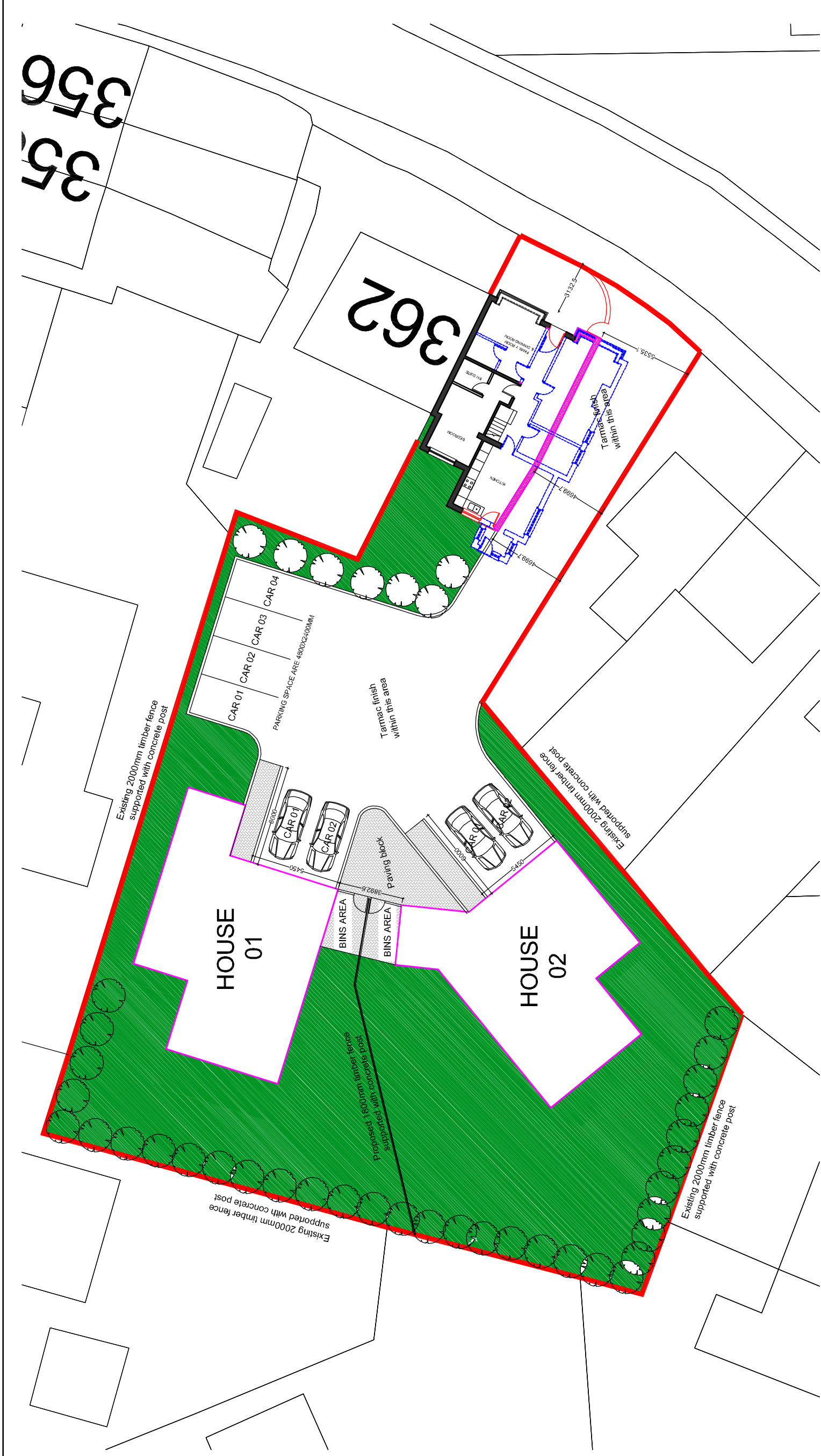
House02- House 01- Proposed Site Plans and Proposed Floor Plans for 364 drawing number 04 (undated)

Proposed Site Plan drawing number 04 (undated)

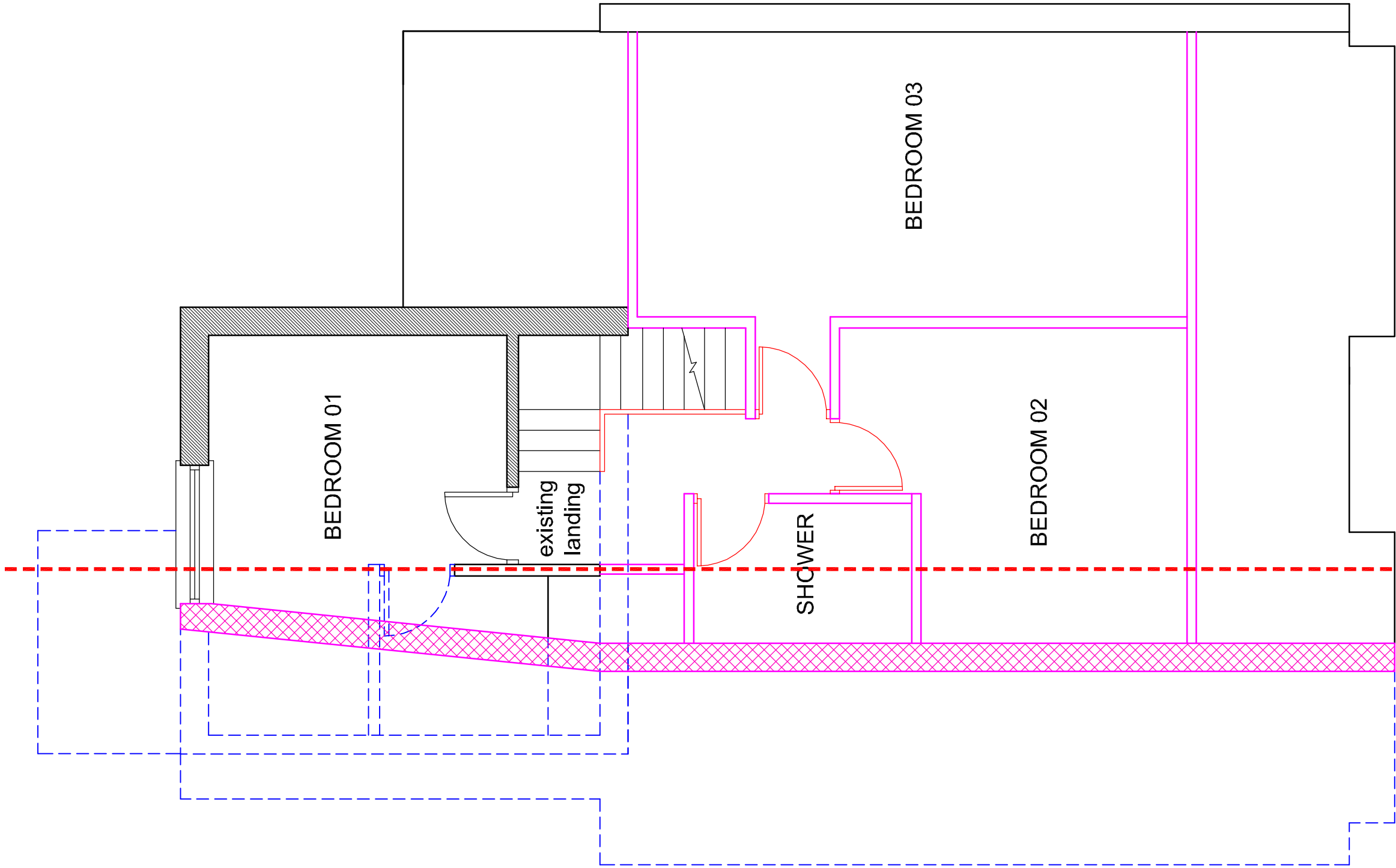
Existing and Proposed Plans & Elevations of the Bungalow drawing number 05 (undated)

Reason

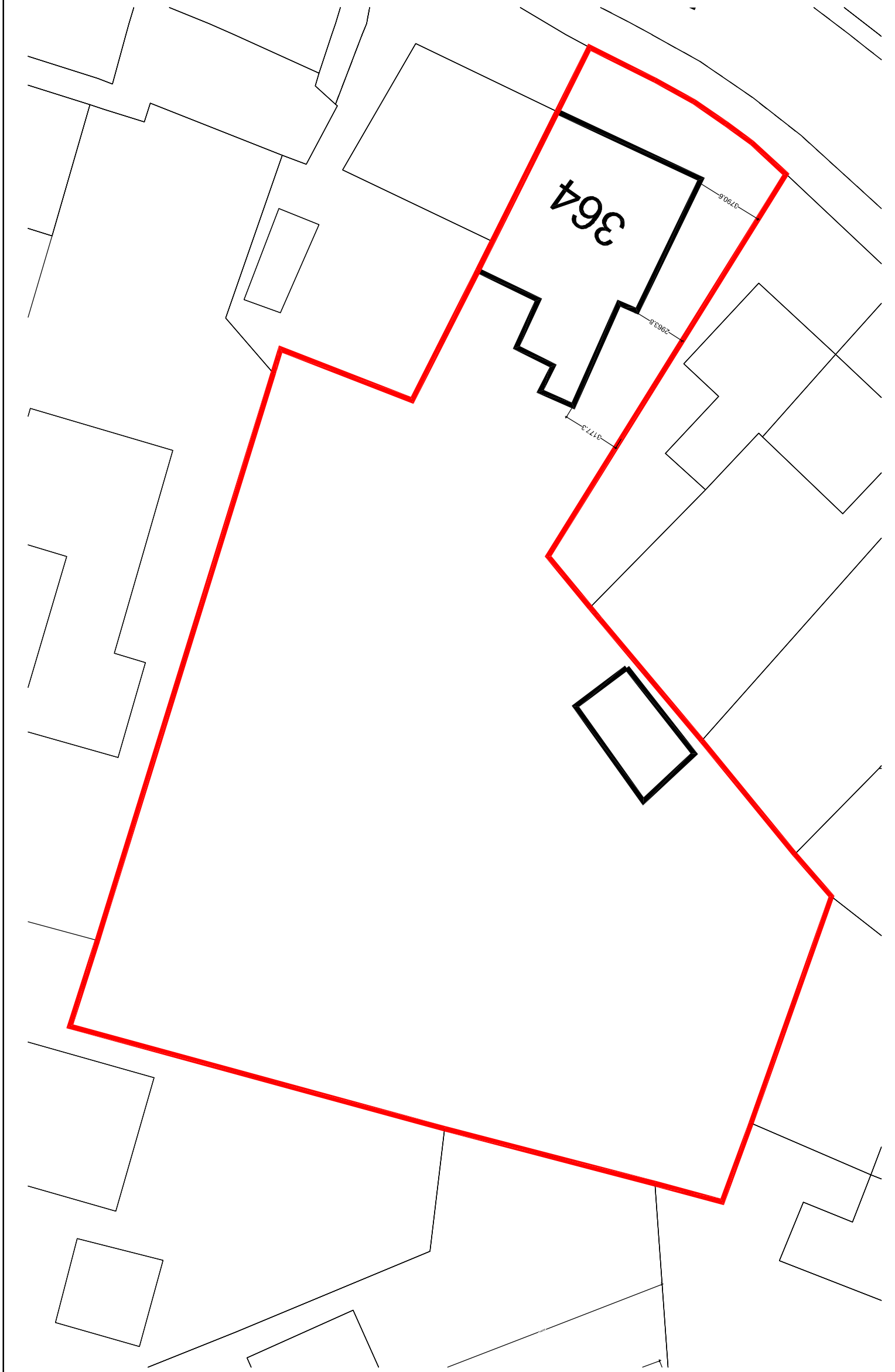
For the avoidance of doubt and in the interests of proper planning.



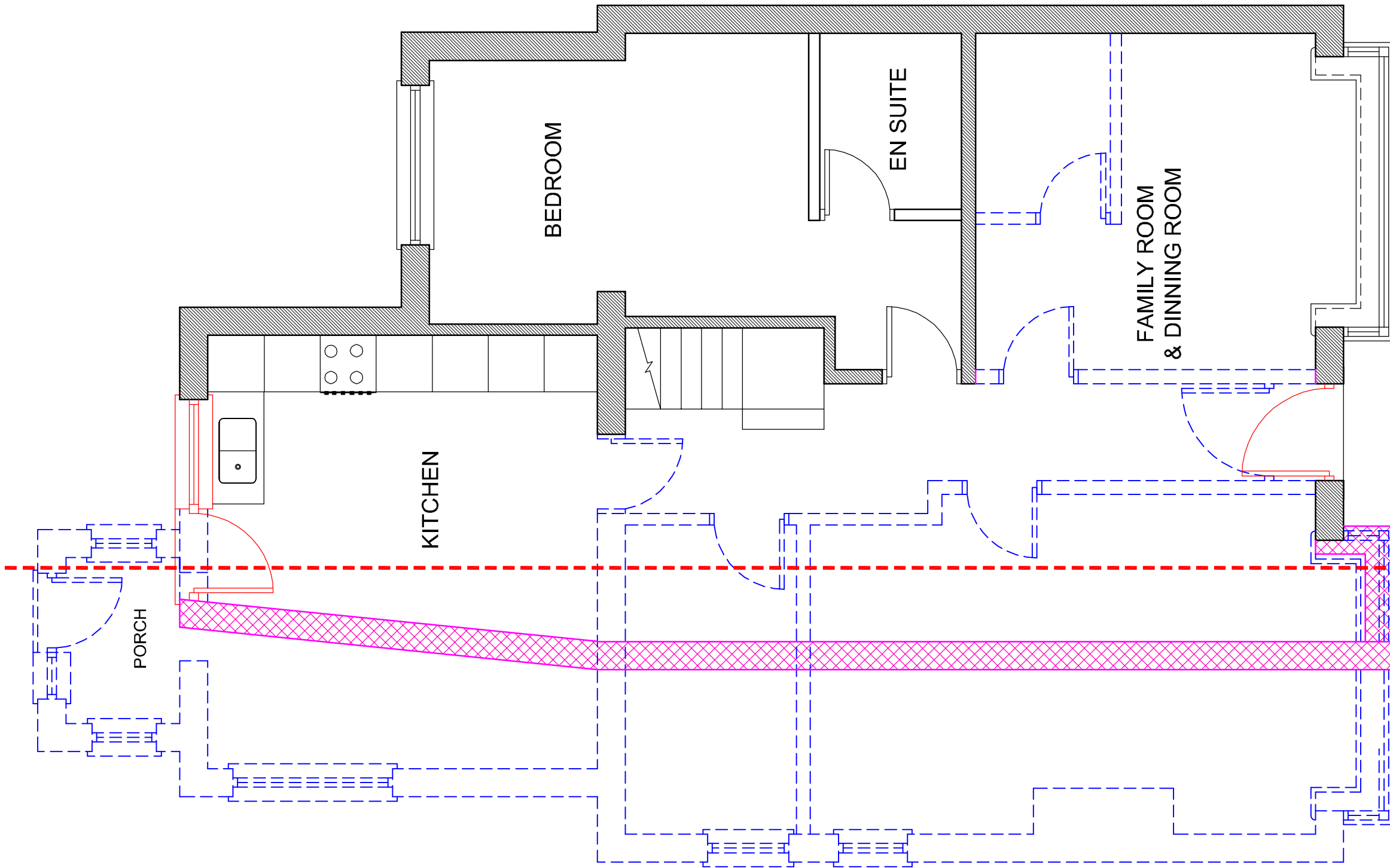
PROPOSED SITE PLAN
Scale 1:250




PROPOSED FIRST FLOOR
Scale 1:50

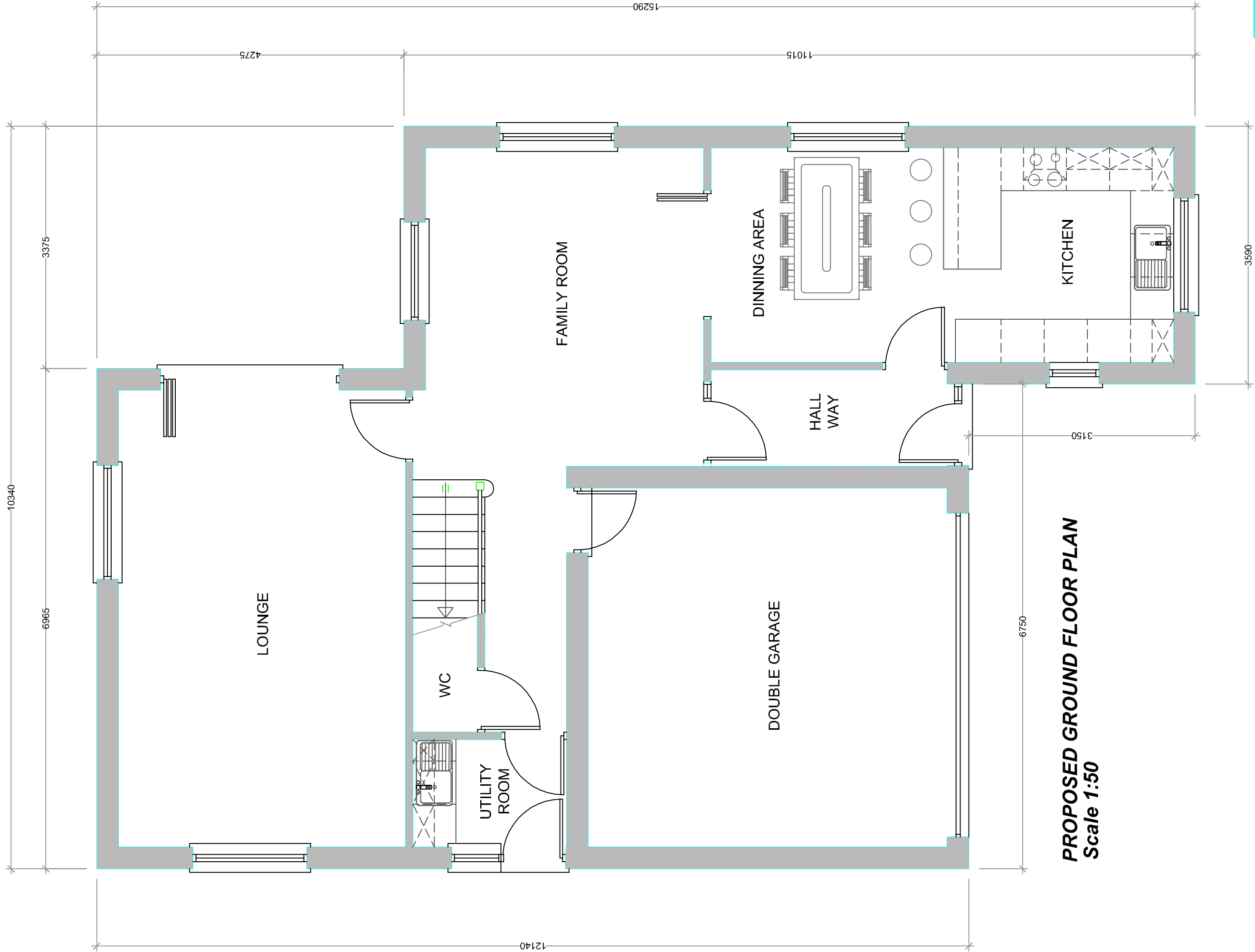


EXISTING SITE PLAN
Scale 1:250

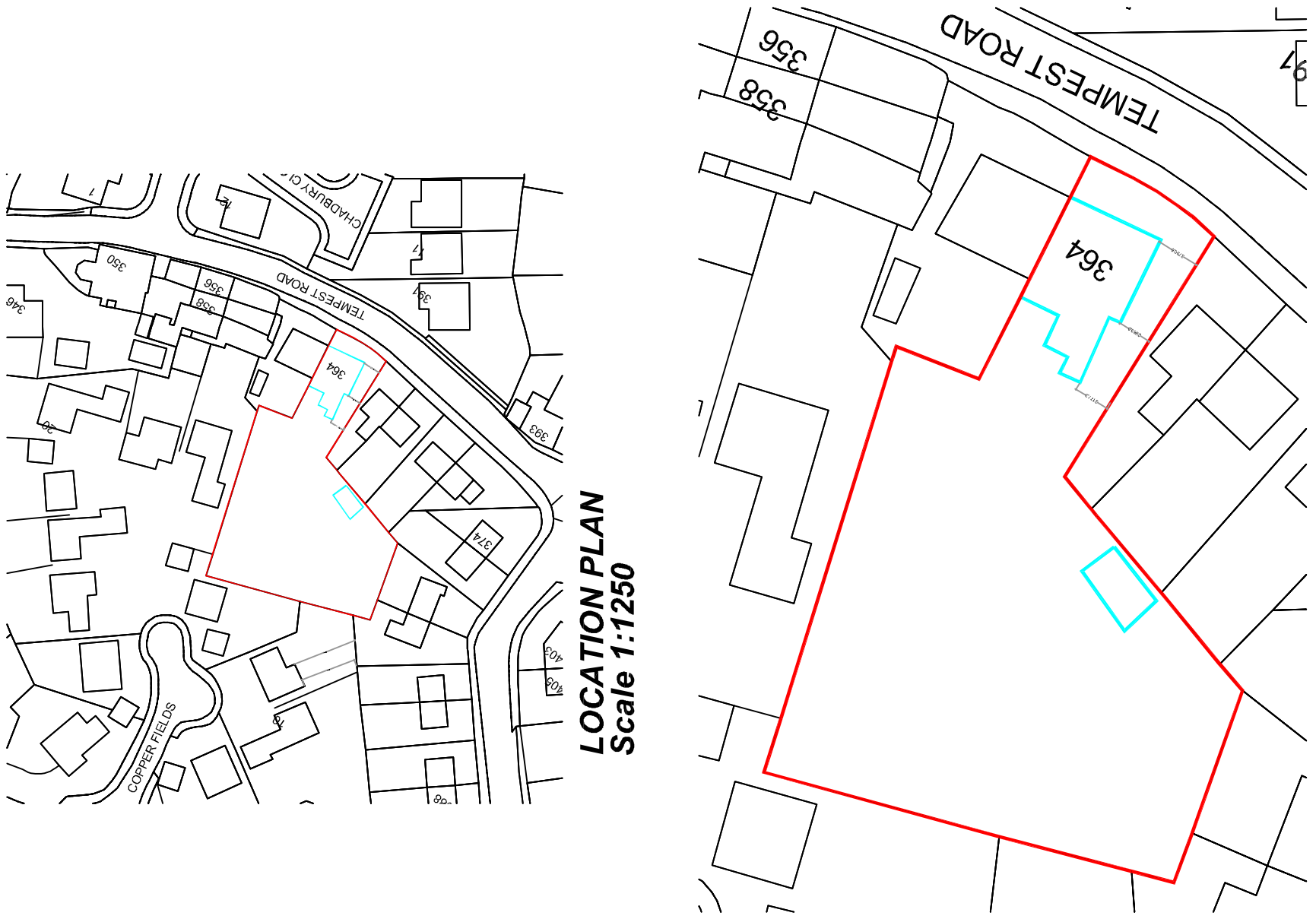


PROPOSED GROUND FLOOR
Scale 1:50

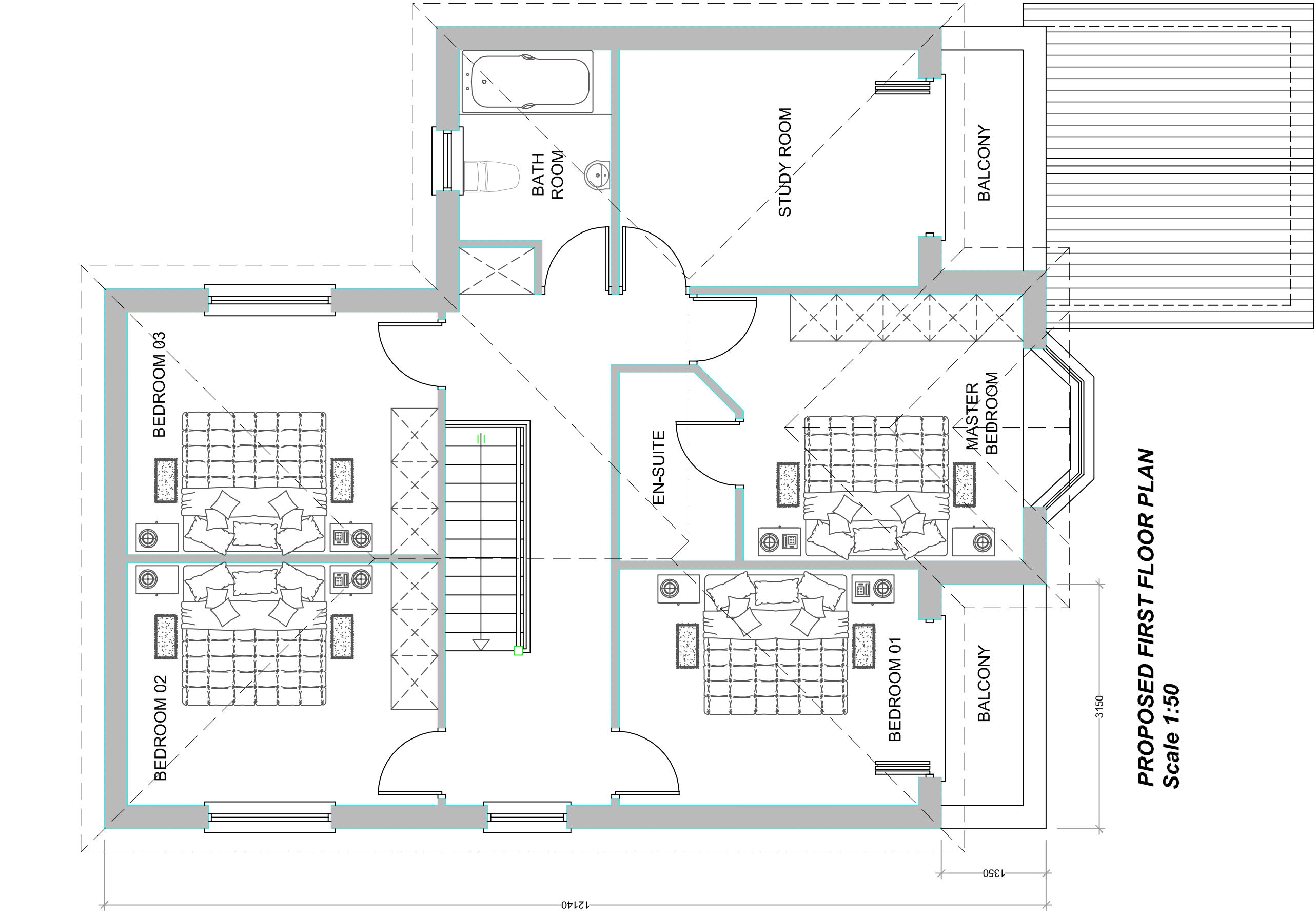
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| Notes It is the Contractor's responsibility to report any inconsistencies on this Drawing, or between Drawings, to the company and to request clarification and instruction before proceeding. This drawing and design is copyright of the Designer and the and may not be reproduced in any form whatsoever without prior or written consent. This drawing is copyright of ABE professionals | GENERAL KEY: EXISTING WALL TO BE REMOVED PROPOSED EXISTING DOOR PROPOSED DOOR EXISTING WINDOW PROPOSED WINDOW | |
| | rev date | in't description |
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|  DESIGN CONSULTANTS & project management 48 Spa Road Atherton M46 9NQ Greater Manchester TEL: 0845 8340365, Mob: 07743161929 E-MAIL: admin@abeprofessionals.org WEBSITE: www.abeprofessionals.org | | |
| CLIENT MISS CHRISTINE WILKINSON | | |
| PROJECT 364 TEMPEST ROAD, LOSTOCK BOLTON | | |
| TITLE EXISTING & PROPOSED SITE PLANS AND PROPOSED FLOOR PLAN FOR 364 | | |
| <input type="checkbox"/> FEASIBILITY <input type="checkbox"/> TENDER | <input checked="" type="checkbox"/> SCHEME DESIGN <input type="checkbox"/> CONSTRUCTION | <input type="checkbox"/> CONTRACT <input type="checkbox"/> AS BUILT |
| SCALE AS SHOWN ON A1 | CONTRACT ABE 164 | DRWG No. 04 |
| REV | | |



PROPOSED GROUND FLOOR PLAN
Scale 1:50



EXISTING SITE PLAN
Scale 1:500



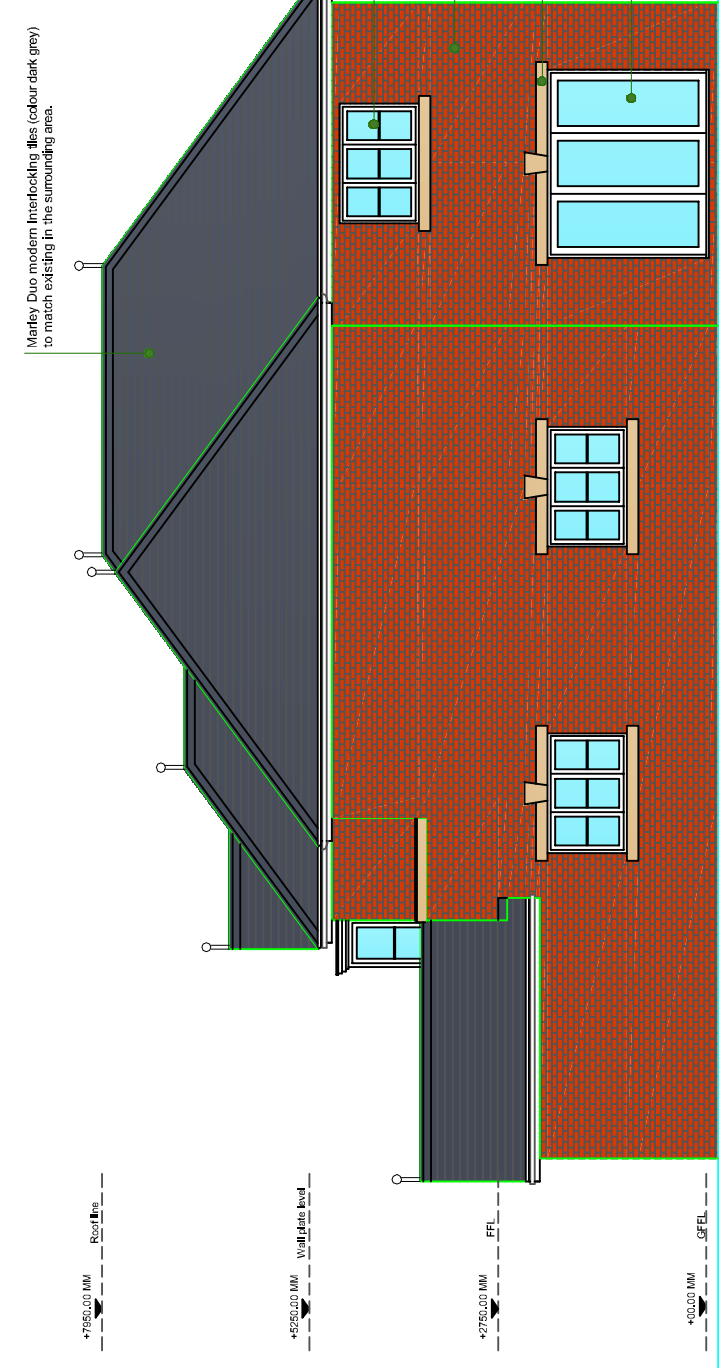
PROPOSED FIRST FLOOR PLAN
Scale 1:50



PROPOSED FRONT ELEVATION
Scale 1:100



PROPOSED SIDE ELEVATION
Scale 1:100



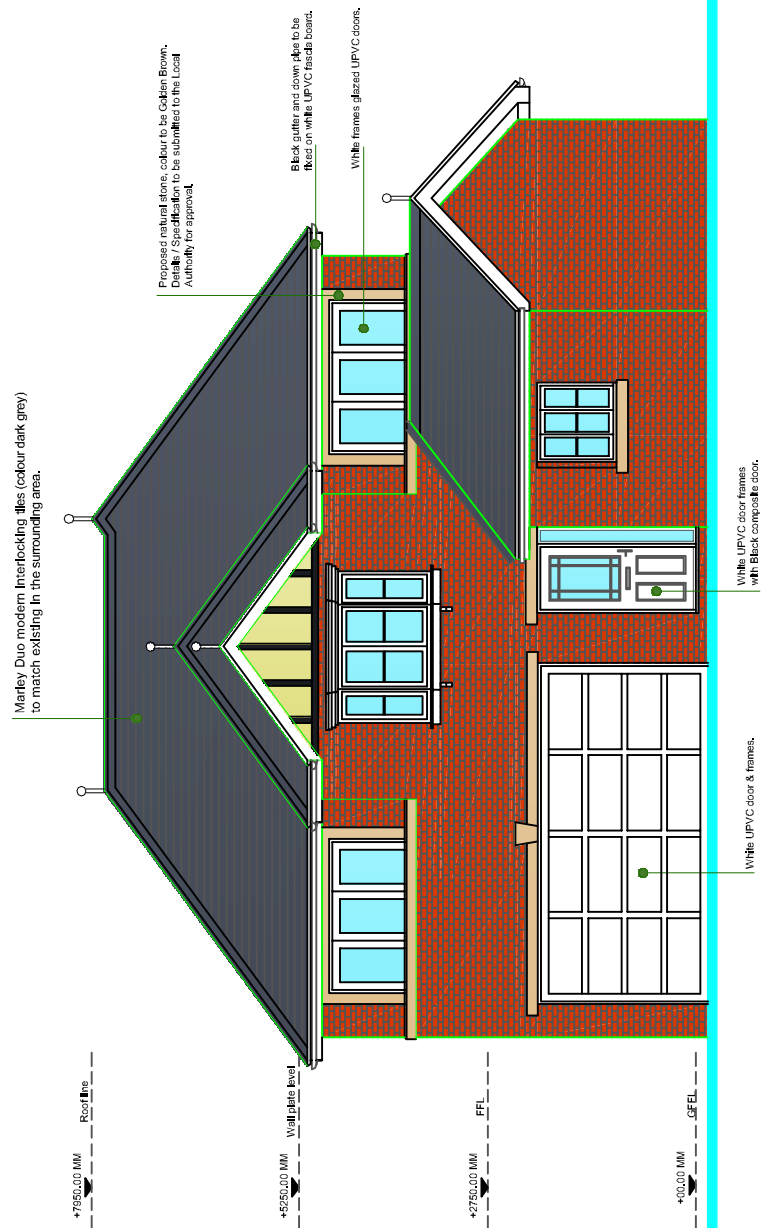
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PROPOSED REAR ELEVATION
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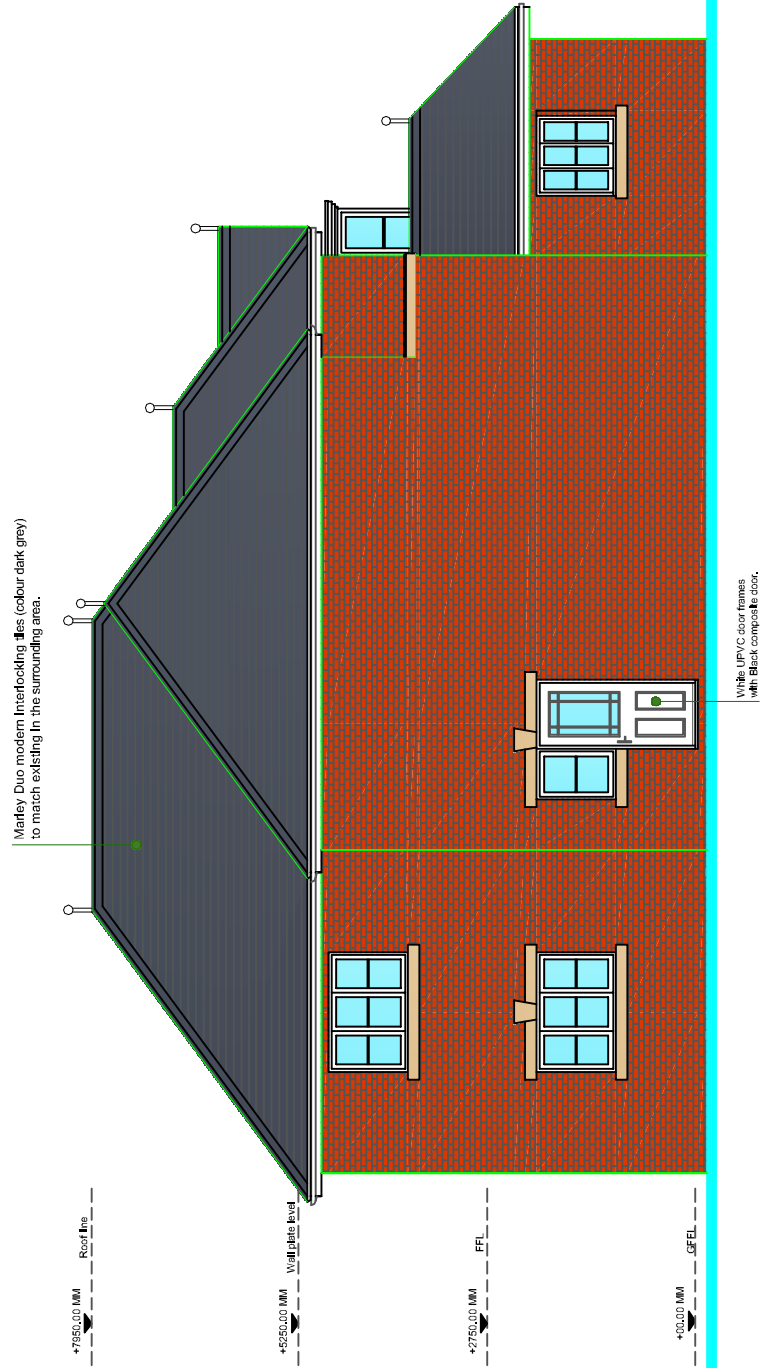
| CLIENT/CONSULTANT | | | |
|---|--|---|-------------------|
| MISS CHRISTINE WILKINSON | | | |
| PROJECT: HOUSE 1 | | | |
| 364 TEMPEST ROAD LOSTOCK BOLTON | | | |
| TITLE | | | |
| PROPOSED SITE PLANS AND PROPOSED FLOOR PLAN FOR 364 | | | |
| <input type="checkbox"/> FEASIBILITY <input type="checkbox"/> TENDER | <input checked="" type="checkbox"/> SCHEME DESIGN <input type="checkbox"/> CONSTRUCTION | <input type="checkbox"/> FEASIBILITY <input type="checkbox"/> TENDER | |
| SCALE | CONTRACT | DRWG.NO. | REV |
| AS SHOWN ON A1 | ABE 164 | 04. | AS SHOWN ON A3 |



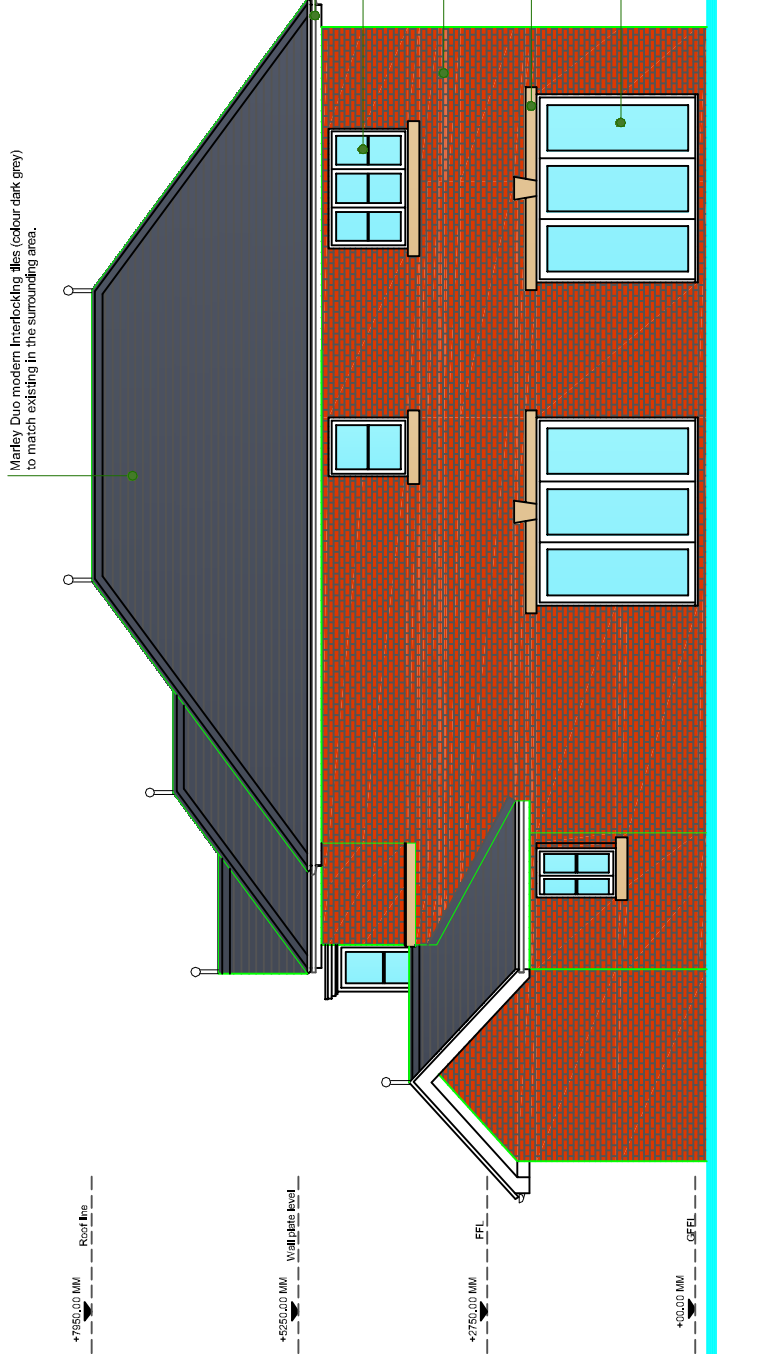
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| CLIENT/CONSULTANT | | | | | |
| MISS CHRISTINE WILKINSON | | | | | |
| PROJECT: HOUSE 2 | | | | | |
| 364 TEMPEST ROAD LOSTOCK BOLTON | | | | | |
| TITLE | | | | | |
| PROPOSED SITE PLANS AND PROPOSED FLOOR PLAN FOR 364 | | | | | |
| FEASIBILITY TENDER | SCALE | SCHEME DESIGN CONTRACT | | FEASIBILITY TENDER | |
| | | DRWG.NO. | | REV | |
| AS SHOWN ON A1 | | ABE 164 | 04. | AS SHOWN ON A3 | |



PROPOSED FRONT ELEVATION
Scale 1:100



PROPOSED SIDE ELEVATION
Scale 1:100



PROPOSED REAR ELEVATION
Scale 1:100