

PLANNING COMMITTEE
Schedule of Supplementary Information

12.03.15

**Members are advised of the enclosed information that was either
received or requested after the production of the planning applications report**

**Bolton
Council**

92214/14

Ward	Location
HOBL	LAND AT FORMER HORWICH LOCO WORKS, HORWICH, BOLTON

The Agent for the application, Quod, has written (see attachment) in response to the report to Officers and Elected Members to request that the determination of the application is deferred until the Section 106 legal agreement and the planning decision notice for the masterplan application by Horwich Vision (referenced 91352/14) have been issued by the Local Planning Authority. At that stage further consideration could be given to the level of infrastructure contributions to be secured via this proposal.

Officers will introduce a discussion around this point at the meeting.

A letter of objection has been received from Alpha Investments (North West) Ltd., who are adjoining landowners and Joint Venture Partners in Horwich Vision.

They raise concern that in order to deliver an access in the proposed location the applicant will have to construct a road over land in their ownership. Alpha Investments confirm that no discussions have been held with the applicant regarding this point of access and they cannot foresee circumstances where they would agree to such an access, as it would compromise the wider highways strategy for the Rivington Chase development.

Alpha Investments are also interested to note that the applicant is proposing to have the current access road linking their site to Chorley New Road adopted. This road is in the ownership of Alpha Investments; again they have had no discussions with the applicant and cannot foresee any circumstances where they would offer this road for adoption until the appropriate point in Horwich Vision's phasing strategy (current this would be approximately 8 to 10 years hence).

In the meantime the road would continue to be heavily trafficked by HGVs accessing and egressing their industrial estate. Also there would want to maintain flexibility on their security arrangements along this section of private road, which would be far from ideal for any future occupier of the development or their mortgage provider.

Alpha Investments confirm that there are no firm proposals for the positioning of the primary infrastructure within the site at this stage; this will be dealt with during reserved matters stage. If, as likely, the new spine road follows the indicative masterplan route it will be positioned some 100 metres from the boundary of the applicant's site and the land between the application site and the new spine road is again in Alpha Investment's ownership (and again there has been no discussions between the parties or regarding the contributions/payments that they would require from the applicant in order for this to happen).

Alpha Investments believe that the proposal is not capable of being delivered in the short, medium or long term without their agreement and without the applicant fully contributing to all on and off site infrastructure costs.

They accuse the applicant of "piggybacking" on the extensive work that has already been undertaken and attempting to avoid being tied into the infrastructure requirements and contributions associated with the wider Rivington Chase development. They believe that the proposal will have a very significant negative

impact on the delivery of the wider scheme, the very reason Horwich Vision sought, all along, to ensure a comprehensive approach.

our ref: **Q40390**
your ref:
email: timwaring@quod.com
date: 9th March 2015



Hanif Darvesh
C/O Members Secretariat
1st Floor, The Wellsprings
Bolton
BL1 1US

Dear Councillor Darvesh

**HORWICH LOCO WORKS, HORWICH
PLANNING APPLICATION ON BEHALF OF HONG KONG RACING LIMITED ('HKR')
LPA REFERENCE 92214/14**

You are due to make a decision on the above planning application at Planning Committee on Thursday. We are seeking that decision is deferred for the reasons outlined below.

It is explained in your officer's report that all technical aspects of the proposals have been satisfactorily addressed, and that so long as the application follows the determination of the wider redevelopment plans for the Horwich Local Work (HLW), then these proposals are consistent with the Development Plan.

It had been agreed with your Officer's that it is appropriate to hold off determination of this planning application until the legal agreement associated with the wider HLW is concluded, in order to ensure that the HKR application makes an appropriate and fair contribution to the delivery of the infrastructure required for developing the HLW site.

The planning submission supporting the HKR application, and summarised in the attached letter, demonstrates that the proposals will remove the heritage deficit which has a bearing on the HLW proposals and will in turn assist in the delivery of their proposal (and enable them to deliver more community infrastructure, such as education).

We have explained to your planning officers that it is not my clients desire to avoid making fair and proportionate contributions towards the delivery of the wider regeneration plans of Horwich Vision (HV) for the HLW site. In fact up until recently it has been agreed with your officer's that it would be appropriate to await the conclusion of the HV Section 106 agreement, prior to determining the HKR application. Inexplicably, your officer's have decided to determine this application ahead of the grant of the HV planning permission. We have written to your officer's (attached) requesting deferral of the determination of the HKR application.



We have sought legal advice from Bill Hicks QC, which is attached, which demonstrates that it is entirely consistent with the development plan to permit this planning application where it follows the grant of planning permission for the wider redevelopment of HLW.

As there are no technical objections to the proposal, and any technical issues can be appropriately mitigated by planning conditions.

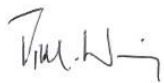
In this case, there is therefore nothing to prevent planning permission being granted other than in concluding the terms of the legal agreement and the planning conditions.

On this basis, we hope you agree that it is not appropriate to determine this application now, and it would be beneficial to wait for completion of the s106 for the HV application in order to enable the fair and appropriate scale of s106 contributions for this proposal.

It serves no planning purpose to determine this application until after the HV permission is granted. Moreover, there are strong merits in the HKR proposals which will ease the financial burden on the HV proposals and enable them to deliver greater contributions towards local infrastructure, such as schooling.

We trust you will support our request for a deferral.

Yours sincerely,



Tim Waring
Director

Enc: As noted.

92860/14

Ward	Location
WESO	97 ST GEORGES AVENUE, WESTHOUGHTON, BOLTON, BL5 2EZ

One additional objection/comment has been received from the occupant of No. 119 St Georges Avenue.

1. Whether there is adequate off road parking for users of the premises;
2. Comments that Highways Engineers comment there is no room for parking;
3. Lack of comment from Westhoughton Town Council:

Officer comment

Highways Engineers comment that there is no curtilage parking provision for the proposed use. They do state that as the proposal is a family run firm, however, there would be no need for taxi drivers to stop at the premises. In addition, Highways Engineers comment that customers should not be picked up from the premises.

The property is located within an existing row of shops with residential above. There is lay by parking at the front of the properties together with some servicing and parking available at the rear of the property. Therefore, due to the layout of the property it does not have its own private curtilage but there is available parking as outlined.

Reference is made to a planning application for a Hot Food Takeaway / Chippy /Café which was refused planning permission due to inadequate parking. This application (Ref: 85558/11) was for No. 93 St Georges Avenue. The primary reason for refusal of permission was the type of use, a hot food takeaway, which would have resulted in an increase in activity in and around the property. In terms of car parking this issue was made in passing within the officers report but did not form a reason for refusal.

The current proposal is for a more low key usage of one of the vacant units. Hot food takeaways tend to result in relatively high volume of customers. It is considered that subject to the conditions proposed then the proposal is unlikely to result in harm to residential amenity in the area.

Westhoughton Town Council have provided clarification on their initial consultation response as follows:

The Town Council expressed concerns at the opening hours, particularly on Saturday 0700 am until 330 am.

In addition, one letter has been received from an unspecified address on St Georges Avenue querying the level of consultation with local residents, whether a taxi use in this location is appropriate (re: noise and disturbance). This resident considers two solutions, (i) property not to have shutters so as not to wake residents when they are pulled up/down and (ii) taxis do not call back to the premises.

Officer comment:- The main concerns raised are assessed within the main Committee report.

In terms of the proposed solutions, (i) the property already has shutters – Officers recommend that the main shutters of the premises are closed when the office is not open [via condition]. Solution (ii) has already been proposed and forms the basis for Condition No. 2.

93421/15

Ward	Location
TOHA	329 BURY ROAD, BOLTON, BL2 6BB

Officers consider that due to the number of hot food takeaways already located within the Tonge Fold Centre that even an ancillary hot food takeaway use as part of the proposal would not be acceptable.

It is suggested that the if the proposal is approved a condition be placed on the decision notice to ensure no hot food is taken away from the premises.

93440/15

Ward	Location
HOBL	LAND BOUNDED BY MANCHESTER ROAD, HILLSIDE AVENUE, STATION ROAD, BLACKROD, BOLTON

The following letter, addressed to Committee Members, has been received from Cllr. Alan Bury:

Members of Bolton Council Planning Committee,
Town Hall,
Victoria Square,
Bolton,
BL1 1RU.

Re: Planning Application 93440/15: The erection of 20 dwellings together with demolition of 341 Manchester Road, associated access and landscaping.

Members of Bolton Council Planning Committee,

I have been asked by a number of residents of the village of Blackrod to express the many concerns that they have over this proposed development. I have attempted to summarise their views as briefly as possible but with well over 100 objections this was a difficult task. I have split the issues raised into two sections, these are: a)

Objections to the development as a whole and b) Detailed objections to particular issues of the proposed plans.

a) Objections to the development as a whole.

Blackrod is a linear development that is surrounded by Green Belt land. However, there is very little open green space within the village that is available for people to use. If this proposed development is allowed to go ahead it will result in the loss of one of the few such areas that the village has left.

Residents are particularly unhappy about 3 sections in the Planning Inspectorate's Report. These are:

- Section 56 says "The site is currently informal space and is used for children's play and informal recreation. It is clearly valued by the local community."

Residents feel that they were not adequately consulted, or given the chance to offer sufficient feedback, during the production of the Planning Inspectors Report. As a result, they were not able to represent the true extent to which this asset is valued by the local community and therefore the author of the report was not in possession of all the facts about this site when he made his decision to include it in the Development Plan. If he had been, he might "on balance" have made a different decision.

- Section 58 says "...the site is only expected to accommodate approximately 30 dwellings..."

The proposed development is to be made up almost entirely of family houses. If we take the national average family size as having 1.5 children then this development could result in as many as 45 extra children living in this area of the village. This development will mean the loss of an area where children can play safely away from traffic and it will also result in these additional children having to cross busy main roads to reach the next nearest play areas at Vicarage Road and Scot Lane.

- Section 59 says "There are very limited opportunities to develop elsewhere in Blackrod and the alternative site suggested in Whitehall Lane is in Green Belt. On balance therefore the allocation of the site for housing is justified".

There are alternative sites in Blackrod to build houses without losing this valued asset. In particular there are two sites on Whitehall Lane. Yes, one of these alternatives is on Green Belt land but this used to be the site of housing that has since been demolished and it is now overgrown scrubland of no recreational use. The other alternative on Whitehall Lane is not on Green Belt land and could accommodate approximately 10 dwellings. Beyond Whitehall Lane there is also the site of the former re-cycling depot (plus the area behind it) at Nightingale Farm. This could accommodate approximately another 10 dwellings. Building on any or all of these sites would avoid many of the problems associated with the Manchester Road site.

b) Detailed objections to particular issues of the proposed plans

The Report from the Planning Inspector, in passing this land as suitable for development, states that certain conditions should be met:

- Section 46 says "proposals will need to address issues relating to the living conditions of local residents, access and parking and the character and appearance of the area".
- Section 56 says "there is potential to improve Shawbury Close (for children's play and informal recreation) ... although this would involve crossing a busy road"
- Section 57 says "although the site is surrounded by existing houses with some on lower ground, a scheme could be designed to avoid any significant adverse effect on the living conditions of local residents in terms of privacy and outlook"

These conditions concern: children's play areas, parking and traffic, the privacy and outlook of local residents as well as the character and appearance of the area. For ease of understanding I have grouped the residents concerns under the same headings.

Children's play areas

Shawbury Close is mentioned in the Inspector's Report as an alternative site on which children can play. However, at present there are no facilities on this site to accommodate children playing and no measures have been proposed to provide any improvements to address this. In addition, there is currently a sign

on the Shawbury Close field stating that all ball games are prohibited in this area.

There could be over 30 additional children living in this area of the village if this planning application goes ahead. Residents are concerned that no plans have been provided for a pedestrian crossing to be put in place on this "busy road". There is an ongoing problem of vehicles speeding in this area and the Council is in effect directing children to cross the busiest road in the village without providing any measures to ensure their safety.

Parking and traffic

For parking on new sites, Highways normally require 2 spaces for 3 bedroom properties and 1.5 spaces for 2 bedroom properties. This would give 35 parking spaces, but in the case of this application only approximately 26 spaces are provided on the site. If more than 6 of the 20 dwellings have more than one car, they will need to be parked on the main road. In addition, if the 6 "parking-court" places are occupied, then any visitors will also have to park on the main road.

Cars will have to park on the main road because there are no side roads nearby. There is already a problem with on-road and even on-pavement parking in this part of the village. This often means that pedestrians need to enter the road to pass parked vehicles that are blocking the pavement. Recently there have been accidents along this stretch of road that have involved pedestrians. In one particular case a pedestrian was struck by a vehicle whilst its driver was attempting to park on the pavement. It is anticipated that if this development goes ahead it will make the current situation worse.

Privacy and outlook

The sloping ground on which this application plans to build means that the separation distances between structures should be increased beyond the standard 21m and 13.5m. This is especially the case for:

- Units 18 to 20 in the proposed development when considering their relation to existing properties at numbers 343 to 349 Manchester Road.
- Unit 15 on the proposed development would be 13.5m from the existing properties at numbers 7 and 9 Station Road. However, unit 15 would be built on higher ground.

- Number 7 Hillside Avenue which would have a unit located approximately 1m from his side fence.
- Numbers 9 to 13 on Hillside Avenue would, to the rear, look out to the back of units 8 to 13 on the new development. These have a 1m gap between each unit. In addition, the gable ends of units 9 to 12 will have a further negative impact upon the outlook from Hillside Avenue. It is felt that hip roofs on all these units would significantly improve the outlook from existing properties.

Character and appearance of local area

The north-west end of the playing field is surrounded by 4 bungalows (these are numbers 13 and 15 Hillside, Dunbar and number 331 Manchester Road). If houses were built here, they would not be in keeping with the surrounding properties and would involve substantial loss of privacy. Living and bedroom accommodation in the existing properties would be overlooked by the bedrooms of the new houses.

In this part of the site, 11 of the 18 proposed new houses are situated behind just 6 existing properties, 4 of which are bungalows. The inclusion of more bungalows at this end of the site would be more in keeping with the existing character and appearance of the area.

Units 3 to 13 of the proposed development are very close together in the North West corner of the site. The separation distances between units will typically vary from 1 to 3 metres. This will give the impression of a cramped environment. When the North West corner of the site is compared to the South East corner this is particularly evident. The separation distances in the South East corner are as high as 25 metres in some parts but never less than 6 metres.

In summary, the main concerns raised by residents (listed in no particular order) include:

- Loss of green space.
- Loss of a children's play area.

- Lack of sufficient places for children to cross the road to alternative play areas.
- Concerns about disrupting the contaminated in-filled areas that exist on the site and the impact that this will have upon the health of the community.
- Increased parking on an already congested main road.
- Demolition of an existing property to create access to the site.
- The negative impact upon privacy and outlook that would result for existing properties.
- The proposed development not being in fitting with the surrounding area.

I have attempted to summarise the wide range of concerns that are held by residents in as organised and concise a manner as possible without losing focus on the key issues. I hope that I have achieved this task and in doing so I also hope that I have managed to convey to the members of the Planning Committee the complex nature of the concerns that residents have regarding planning application 93440/15. It is the firmly held belief of the residents of Blackrod that other sites in the village exist that are better positioned to accommodate this type of development.

Regards

Councillor Alan Bury

Horwich and Blackrod Ward

Regarding Blackrod Town Council's request that all the roofs of the 2 bedroom houses be hipped, the applicant has confirmed that the reason for the gabled side roofs at plots 9 to 12 is to assist in providing variation of form and as the gutters and roofs would be extremely difficult to clean out due to their close proximity to one another (that is, you would not be able to get a ladder up).

One further third party representation has been received raising objections on the following grounds:

- Impact on Green Belt
- Impact on wildlife
- Increased traffic near to site