

Planning Applications Report

Planning Committee

19 November 2015

**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: -

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

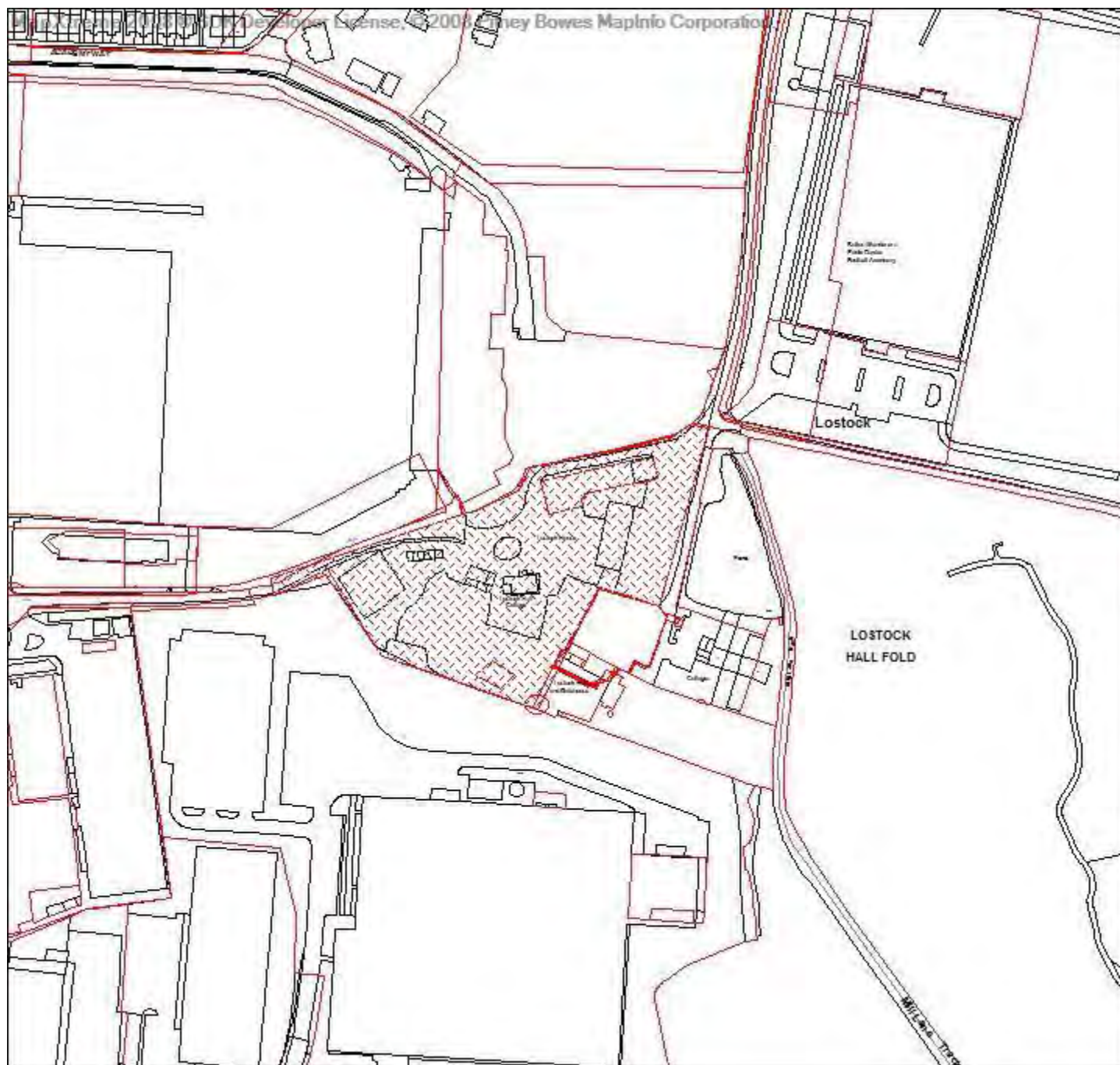
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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Application number 94316/15



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Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94316/15

Type of Application: Full Planning Application
Registration Date: 03/06/2015
Decision Due By: 28/07/2015
Responsible Officer: Helen Williams

Location: LOSTOCK HOUSE FARM, HALL LANE, LOSTOCK, BOLTON, BL6 4BS

Proposal: PARTIAL DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 7 NO. DETACHED DWELLINGS, REFURBISHMENT AND EXTENSIONS TO EXISTING FARMHOUSE AND CONVERSION OF BARN TO FORM ADDITIONAL DWELLING (PROPOSAL FOR 9 NO. DETACHED DWELLINGS IN TOTAL), INCLUDING LANDSCAPE DETAILS

Ward: Horwich and Blackrod

Applicant: Public Sector Plc
Agent : The Bunting Partnership Limited

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for the residential redevelopment of the site to create nine detached dwellings. The proposal includes:

- Γ The refurbishment of the existing but dilapidated Victorian farmhouse, to bring it back into habitable use, along with the erection of a single storey extension to the side to replace the existing flat roof side extension. A detached garage is also proposed to the side of the dwelling.
- Γ The demolition of the red brick Victorian barn to the east of the site, but followed by the conversion of the southern stone built extension to this barn (also Victorian) and its extension with a two storey stone and render extension to the north, to create a detached dwelling. The slotted vents in the western elevation of the barn are proposed to be retained (glazed) and the two large openings in the eastern elevation are also proposed to be glazed to provide large windows to the 'double height' lounge.
- Γ The demolition of the stone Victorian barn along the northern boundary of the site.
- Γ The erection of seven new two storey, detached dwellings, three to the south of the site off a cul-de-sac road and the other four to the north of the site, to the north of the converted barn and off another cul-de-sac road. Each new dwelling will have a double garage.

Vehicular access into the site is proposed from Ox Hey Lane to the north east, with the internal road being proposed along the northern boundary of the development. A footpath is to be retained linking the access road with Hall Lane to the west.

Site Characteristics

The application site measures just over 1 hectare in area and is the site of the former Lostock House Farm. The site is located within the urban area and is allocated as housing land (113SC) within the Council's Allocations Plan.

Lostock House Farm farmhouse is sited centrally within the site and is a two storey, stone built dwelling (now vacant, dilapidated and boarded up), dating back to the mid-1800s. It has a later flat roof single storey extension to the side. The front (southern) elevation of the property has a castellated parapet roof with waves detail and castellated central stone pediment which gives it character, architectural merit and connection and reference to the neighbouring listed Lostock Hall Gatehouse to the south east of the site.

Two large (former agricultural) Victorian barns are located within the north eastern corner of the site. The stone barn sited along the northern boundary of the site is part single, part two storey and has been extended with a single storey lean-to red brick extension at the rear. The second barn is sited at a 45 degree angle from the northernmost barn and is in two parts. The larger part is brick built with diamond patterned vents and the smaller part (attached to the south) is stone built with ashlar quoins and slotted vents.

The southern section of the site is predominantly grassland/shrub with several mature trees interspersed around the farmhouse and along the southern, eastern and western boundaries.

The application site is currently fenced off with security fencing.

The application site can be accessed either from Ox Hey Lane (an unadopted road) to the north east or from Hall Lane to the west. Ox Hey Lane also serves the residential properties at 1 to 4 Lostock Hall Fold, Lostock Hall Gatehouse and Lostock Hall Cottage.

To the immediate south east of the application site is the Grade II* Listed Lostock Hall Gatehouse and the attached Grade II Listed Lostock Hall Cottage. To the south is the industrial estate at Lynstock Way and to the north west is Persimmon Homes' residential development (still under construction). To the north east of the site (on the other side of Ox Hey Lane) is Bolton Wanderers' Academy site.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Green Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod.

Allocations Plan Policies: P8AP Public Rights of Way; Appendix 4 Allocated Housing Land.

SPD Accessibility, Transport and Safety
SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- Γ principle of residential development on the site
- Γ impact on the highway
- Γ impact on the setting of the nearby listed buildings
- Γ impact on archaeology
- Γ impact on the character and appearance of the area
- Γ impact on biodiversity

Principle of Residential Development on the Site

Section 6 of the National Planning Policy Framework (NPPF) concerns delivering a wide choice of high quality homes. It states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Core Strategy Policy SC1 states that the Council and its partners will identify a range of housing sites for additional provision of 694 dwellings per annum between 2008 and 2026 and states at least 80% of housing development will be on previously developed land. Policy OA1.4 states that the Council will concentrate sites for new housing in Horwich town centre, at Horwich Loco Works and on other sites within the existing urban area.

The site is previously developed, within the existing urban area and is allocated as housing land within the Council's Allocations Plan (site ref. 113SC). The principle of residential development on the site has therefore been established and has been accepted as such by the Planning Inspectorate at inquiry stage.

It is therefore considered that the proposed residential redevelopment of the site is compliant with the aims of the NPPF and Policies SC1 and OA1.4 of the Core Strategy.

Impact on the Highway

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements and parking, in accordance with the parking standards sets out in appendix 3 of the Core Strategy. Policy S1.2 states that the Council will promote road safety in the design of new development.

The application site would be accessed from Chorley New Road via Ox Hey Lane (to the north east of the site). Ox Hey Lane is unadopted from the dwelling at 18 Ox Hey Lane to its junction with Hall Lane (at the north corner of the application site). Hall Lane, which runs along the northern boundary of the site and to its west is private.

The Council's Highways Engineers agree that the most viable route to the site would be via Ox Hey Lane owing to its highway status and as Mill Lane also has restricted by-way status up to Ox Hey Lane (BOL280). Engineers raise no objection to Mill Lane being used as an access into the

development (from Ox Hey Lane) as they consider that the proposed development will only generate a negligible volume of traffic. A footpath is to be retained between the proposed access road into the development and the rest of Mill Lane to retain the route of the by-way.

Engineers have confirmed that the number of dwellings proposed within the development falls below the threshold indicated in the "Guidance for Transport Assessments" for the submission of a Traffic Impact Assessment (TIA). Engineers consider that the proposal will only potentially generate a negligible volume of traffic onto the highway network and only a negligible impact above the existing lawful use of the site. They also confirm that the analysis of the road traffic accident data for the junction of Ox Hey Lane with Chorley New Road over the last five years has revealed no accident record at that location. Engineers therefore consider that this junction is suitable to accommodate the traffic associated with the proposed development.

Highways Engineers however note that Ox Hey Lane is narrow (at 3.5 metres carriageway width), that it provides cycle access to the Middlebrook Valley Trail and is well used by pedestrians and equestrians. They therefore recommend that the applicant submits a scheme (prior to the commencement of development) to show the introduction of a number of vehicle passing bays on the lane leading to the site and possible improved traffic calming features that are both cycle and equestrian friendly, in order to reduce any potential vehicular conflict with vulnerable users of the highway. This is therefore suggested via a condition.

With regards to parking provision for the houses, each dwelling will have garage space for the parking of two vehicles along with private driveways. This therefore exceeds the on-site parking requirements for such family dwellings within appendix 3 of the Core Strategy.

Highways Engineers have also commented that the internal road layout of the development appears to comply with the Council's standard for adoption.

It is therefore considered that the proposed access into the development is acceptable and that the proposal will not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Impact on the Setting of the Nearby Listed Buildings

Section 12 of the NPPF concerns conserving and enhancing the historic environment. It states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Policy CG3.4 of the Core Strategy states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.

Neighbouring the south east of the application site are Lostock Hall Gatehouse (a Grade II* Listed dwelling) and the attached Grade II Listed Lostock Hall Cottage. Historic England have been notified of the proposal as the application site lies within the setting of a Grade II* Listed Building. They comment that the farmhouse and the associated agricultural buildings within the application site lend an understanding to how the Lostock Hall estate functioned and developed over time, and therefore the application site contributes to the setting and significance of Lostock Hall Gatehouse and Cottage.

Historic England report that during the consultation period of the Allocations Plan they raised concerns regarding the harmful impact of the demolition of the barns on this [then] proposed housing site and how redevelopment of the site would compromise its agricultural character. They however comment that these representation were made on the presumption at that time that the application site would accommodate 26 residential units. They note that the current proposal is of a much lower density (nine dwellings) within a green setting, which they state would constitute a lesser impact on the setting of the Grade II* Gatehouse. They also comment that the retention of the southern barn section (at plot 5) would be a positive aspect of the proposal, constituting both a heritage and public benefit. They conclude that whilst they still consider that the proposed redevelopment of the site would cause harm to the agricultural setting of the Gatehouse, and that they would prefer for the two large barns to be retained and converted into dwellings rather than demolished and lost, the harm of the current proposal is considered to be less than substantial.

Paragraph 134 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The public benefits of the proposal are the redevelopment of a vacant, derelict brownfield site for the provision of nine family-sized dwellings. The applicant has secured the residential re-use of the existing farmhouse (which is of architectural merit and contributes significantly to the setting of the Gatehouse and its historic association) by its sensitive refurbishment and extension, has secured a viable re-use of the southern stone barn (which is the closest barn to the neighbouring listed buildings), and has confirmed within their heritage assessment that the barns proposed to be demolished (which are neither listed or within a conservation area, but are "non-designated heritage assets") are in a "at best poor to very bad condition" and as they are vacant and decaying are "in an at risk to an extreme risk condition" (and thus would not be viable, in terms of the overall redevelopment of the site, to convert in their existing form).

Whilst it is regrettable that the two large Victorian barns would be lost (with the exception of the southern stone barn attached to the red brick barn), officers consider that the residential development of the site as proposed would not unduly harm the setting of the neighbouring listed buildings and that the benefits of the proposal outweigh the harm of the loss of the two barns. It is therefore considered that the proposal complies with section 12 of the NPPF and Core Strategy Policy CG3.4.

Impact on Archaeology

Paragraph 128 of the NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment, and where necessary, a field evaluation.

Policy CG3.4 of the Core Strategy states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.

Greater Manchester Archaeological Advisory Service (GMAAS) have commented that it is anticipated that there will significant archaeological remains of a medieval manorial complex that once existed at Lostock on the site (they believe there is significant below-ground archaeological potential). Lostock Hall, a 16th century manor house, was located to the immediate east of the site (to the immediate west of the Gatehouse). GMAAS also state that there may well be other medieval features that are not currently known about.

Following GMAAS's comments the applicant has consulted the Historic Environment Record and has submitted an archaeological desk based assessment. This has been forwarded to GMAAS for their comments, which will be reported directly to Members at the meeting.

GMAAS however recommended within their initial comments that should the local planning authority be minded to grant permission for the proposed development, then a condition requiring archaeological investigation, record and dissemination (before development is commenced) should be attached to any approval.

It is therefore considered, should GMAAS believe that the condition referred to in their initial comments is still relevant and appropriate for this site (following the additional information submitted by the applicant), that the proposed development would be compliant with paragraph 128 of the NPPF and Policy CG3.4 of the Core Strategy (in relation to archaeology).

Impact on the Character and Appearance of the Area

Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy CG3.4 states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings. Policy OA1 refers specifically to development in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment and ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.

It is acknowledged, as Historic England and the Council's Conservation Advisor have commented, that the existing agricultural character of the site (which was part of the wider Lostock Hall estate) will be lost as a result of the proposed residential redevelopment of the site, particularly due to the suburban style layout of the new dwellings. References to the former farm will however be left in situ with the retention of the farmhouse and the southern stone barn (which, as previously discussed, are the closest buildings to the listed Gatehouse).

The farmhouse (plot 1) is currently in a state of dereliction (having been vacant for many years). It is considered that the building has heritage value (it is a "non-designated heritage asset") as its castellated parapeted southern elevation strongly associates it with the listed Gatehouse, as well as architectural merit. The applicant proposes to refurbish the farmhouse and add a single storey side extension, replacing the existing flat roof side extension (not original). The refurbished farmhouse, sited centrally within the site and having an open aspect to the north, will form the focal point of the development. A condition is suggested to ensure that the stone and tiles to be used for the extension are similar to those of the existing building and that all new doors and windows are sympathetic to the character of the dwelling.

The stone barn (plot 5) is to be converted and extended to its northern side with a two storey, stone-built, L-shaped extension. The extension is large in scale compared to the existing building, however it is required to enable the barn to be used as a viable dwelling (that is, it would be too

small for a dwelling without a sizeable extension). The important architectural features of the existing barn (the slotted vents on the western elevation and the two large opening on the eastern elevation) are to be retained and glazed, and are to be replicated in a more modern style on the extension (in the form of small 'vented' windows on the western elevation and large glazed areas on the eastern elevation).

The proposed new-build dwellings are to be sited around two culs-de-sac off the northern access road, and will comprise two house types (though type 1 will have either an attached or detached garage). All dwellings are proposed at two storeys in height, with plots 3, 4, 6 and 9 being constructed in stone with render detail (and a rear balcony) and plots 2, 7 and 8 (sited adjacent the access road) being constructed from a mix of stone and render and with timber cladding details. The predominant use of stone with the development reflects the established character of the area, with the render and timber cladding details giving the dwellings a more modern appearance.

It is considered that the proposed development will respect the character and appearance of the buildings to be retained on the site as well as the surrounding area, compliant with Policies CG3 and OA1 of the Core Strategy.

Impact on Biodiversity

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

Trees

The Council's Tree Officers have confirmed that the proposed layout gives due consideration to the mature trees in the site and has resulted in a good proportion of the better trees being retained and given adequate space. Officers state that T11 (a lime) is the only tree of high quality that will be lost but that this will not have a significant impact on the landscape.

Tree Officers recommend that the trees within the application site are protected to ensure that they are retained during and after the development.

Ecology

An ecological assessment has been submitted with the application.

Greater Manchester Ecology Unit (GMEU) have recommended that a further bat survey is carried out at an appropriate time of year (partly because some of the buildings were not fully accessible when the first survey was done). The Unit also recommend that this survey covers any trees to be felled.

There is a known great crested newt breeding pond just over 250 metres to the south of the application site, however GMEU accept that the overall risk to this from the development is low.

Evidence of barn owls was found in one of the barns, however it is not known whether the barn was used as a night roost or as a nesting site owing to the time of year the survey was undertaken. GMEU therefore request that a further survey is undertaken.

It is considered, subject to the conditions recommended by the Ecology Unit, that the proposed development will safeguard the biodiversity of the site, compliant with Policy CG1.2 of the Core Strategy.

Conclusion

For the reasons discussed above, it is considered that the proposed residential development of this housing allocation site would not jeopardise highway safety, would not unduly harm the setting of the nearby listed buildings, would allow for the archaeological interest of the site to be suitably recorded, would be compatible with the character and appearance of the area, and would safeguard the biodiversity of the site. Members are therefore recommended to approve this application subject to the recommended conditions.

Representation and Consultation Annex

Representations

Letters:- five letters of objection have been received from residents of Lostock Hall Fold and Lostock Hall Cottage. These raise the following concerns:

- Γ Ox Hey Lane (a single track unadopted road) cannot support any increase in traffic;
- Γ Hall Lane should be used instead as the proposed access and route for construction traffic; Hall Lane was the original access to the farm;
- Γ The proposed access is inadequate as part of it is a single lane track without footpaths or lighting;
- Γ Ox Hey Lane is used by many pedestrians, children and horse riders, therefore more vehicles will be mixing with these;
- Γ Ox Hey Lane should be adopted and the overgrown shrubbery on either side maintained by the Council;
- Γ There should be a passing lay-by located halfway down Ox Hey Lane to mitigate jams;
- Γ Extensive removal of mature trees;
- Γ It would be more sympathetic to reuse more of the existing buildings on site;
- Γ Barn owls have been seen flying from the direction of the application site;
- Γ Existing dwellings on Ox Hey Lane/Mill Lane have leases containing access rights, which would be affected by the erection of further houses and will need updating (*officer's comment: this is not a material planning consideration*).

A letter commenting on the proposal has been received from Bolton Wanderers FC. They comment that the club has rights of vehicular and pedestrian access from Hall Lane past the application site and therefore require this access route to be maintained at all times (*officer's comment: this is not a material planning consideration*).

Consultations

Advice was sought from the following consultees: Highways Engineers, Drainage Officer, Pollution Control Officers, Tree Officers, Landscape Officers, Economic Strategy Officers, Strategic Development Officers, Conservation Advisor, Historic England, Greater Manchester Archaeological Advisory Service, Greater Manchester Ecology Unit, Greater Manchester Police's Architectural Liaison Officers and United Utilities.

Planning History

Permission was granted in November 1990 for a concrete store for agricultural manure (37727/90).

A five bay sheep-housing agricultural building was approved in August 1990 (37316/90).

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. Before the demolition of any building on site, or before the conversion of any building on site, an additional assessment of the buildings for bats and a minimum of two emergence surveys (unless following one emergence survey it is clear there are very few bats active in the area) shall be submitted to and approved in writing by the local planning authority. The findings of the assessment/surveys shall be carried out in full.

Reason

To safeguard bats, which may be present on the site, and to comply with Policy CG1.2 of the Core Strategy.

3. Before the demolition of any building on site, or before the conversion of any building on site, an additional barn owl survey shall be submitted to and approved in writing by the local planning authority. The findings of the survey shall be carried out in full.

Reason

To safeguard barn owls, which may be present on the site, and to comply with Policy CG1.2 of the Core Strategy.

4. No development shall be commenced unless and until the applicant (or successors in title) has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by local planning authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - an archaeological desk based assessment
 - historic building survey (Historic England Level 2/3)
 - a targeted watching brief during stripping out/demolition of the farm buildings
 - an archaeological evaluation through trial trenching
 - informed by the above, targeted area excavation
2. A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds
 - production of a final report on the significance of the archaeological and historical interest represented.
3. Deposition of the final report with the Greater Manchester Historic Environment Record and dissemination of the results commensurate with their significance. This might take the form of interpretation panels or/and a booklet on Lostock Hall Fold in the Greater Manchester Past Revealed Series.
4. Provision for archive deposition of the report and records of the site investigation.
5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason:

In accordance with NPPF Section 12, Paragraph 141 and Core Strategy Policy CG3.4 - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible.

5. No development approved by this permission shall be commenced until a strategy to include a Sustainable Urban Drainage System (SUDS) has been submitted to and approved in writing by the Local Planning Authority. The strategy should detail the pre-development discharge rate for the site, a plan demonstrating the impermeable areas/permeable areas of the site, a network drawing annotated clearly (manhole numbers, invert/cover levels, pipe sizes, pipe number) that can be referenced to the model, network and manhole details and results for a 1 in 1, 1 in 30 and 1 in 100 year return periods, all durations (plus the appropriate allowance for climate change) both summer and winter storms (a summary of results for these storms is acceptable), the method employed to delay and control the surface water discharged from the site, storage requirements and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; as detailed in the CIRIA SUDS Manual (C697). The approved strategy shall be carried out in full in accordance with the approved plans and it shall be retained thereafter.

Reason

To reduce the risk of contaminating surface water run-off and to reduce the risk of localised flooding and downstream flooding by ensuring the provision of a satisfactory means of surface water dispersion, compliant with Policies CG1.5 and CG2.2 of the Core Strategy.

6. Prior to the commencement of development full details of the highway works at Mill Lane/Ox Hey Lane comprising vehicle passing bays and traffic calming improvements 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, compliant with Policies P5 and S1.2 of the Core Strategy.

7. 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 of the extensions to and/or refurbishment/conversion of the farmhouse (plot 1) and the stone barn (plot 5) are to be agreed with the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the extension and works to the existing buildings on the site reflect their character, appearance and design, compliant with Policies CG3 and OA1 of the Core Strategy.

8. 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 roofs of the new build dwellings (plots 2, 3, 4, 6, 7, 8 and 9) are 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 Policies CG3 and OA1 of the Core Strategy.

9. Prior to the commencement of development a detailed specification for all doors and windows hereby approved for plots 1 and 5 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 the character, appearance and design of the buildings to be retained within the development, compliant with Policies CG3 and OA1 of the Core Strategy.

10. Prior to the commencement of development a detailed specification for all doors and windows hereby approved for the new build dwellings (plots 2, 3, 4, 6, 7, 8 and 9) 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, and to comply with Policies CG3 and OA1 of the Core Strategy.

11. 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 trees, and to comply with Policy CG1.2 of the Core Strategy.

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

Reason

To ensure the development is safe for use, and to comply with Policy CG4.3 of the Core Strategy.

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. 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, compliant with Policy CG3 of the Core Strategy.

14. Prior to the development being first occupied or brought into use, details of the treatment to all boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 21 days of the Local Authorities approval, unless otherwise agreed in writing with the Local Planning Authority and retained thereafter.

Reason

To ensure adequate standards of privacy and amenity are obtained and the development reflects the landscape and townscape character of the area, compliant with Policies CG3, CG4 and OA1 of the Core Strategy.

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

Reason

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

Policies P5 and S1.2 of the Core Strategy.

16. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed to the Council's standards for adoption.

Reason

In the interests of highway safety, and compliant with Policies P5 and S1.2 of the Core Strategy.

17. Before the approved/permitted development is first brought into use parking spaces (in the form of driveways) shall be provided within the curtilage of the site, in accordance with drawing ref: 2011-005 Rev. A. 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, compliant with Policies P5 and S1.2 of the Core Strategy.

18. All new window frames to the buildings 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 to comply with Policies CG3 and OA1 of the Core Strategy.

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




2011-005 Rev A; "Proposed Site Layout Plan"; dated April '15
2011-006 Rev. A; "Proposed Floor Plans - House Type 1"; dated April '15
2011-007 Rev. A; "Proposed Floor Plans - House Type 2"; dated April '15
2011-008 Rev. A; "Proposed Floor Plans - Existing Barn with New Extension"; dated April '15
2011-009 Rev. A; "Proposed Floor Plans - Existing Farmhouse with New Extension"; dated April '15
2011-010; "Plot 5 Proposed Elevations - Existing Barn with New Extension"; dated May '15
2011-011; "House Type 1 Plots 4 & 6 - Proposed Elevations"; dated May '15
2011-012; "House Type 1 Plots 3 & 9 - Proposed Elevations"; dated May '15
2011-013; "House Type 2 Plots 2, 7 & 8 - Proposed Elevations"; dated May '15
2011-014; "Proposed Farmhouse - Existing Farmhouse with New Extension"; dated May '15

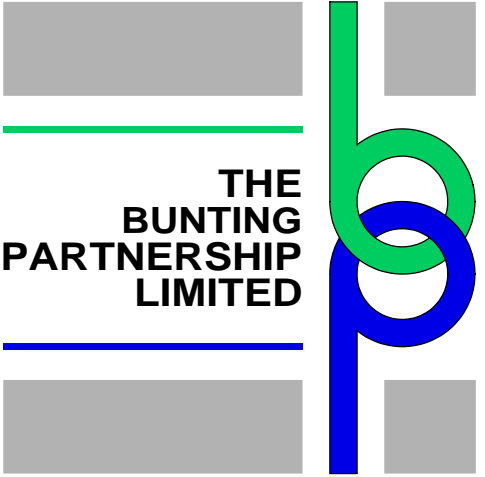
Reason

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

DO NOT SCALE TO ASCERTAIN DIMENSIONS

REV	DATE
A	12.5.15

	EXISTING TREES TO BE REMOVED
	EXISTING U/G HV ELECTRICITY CABLES
	EXISTING NORWEG WAYLEAVE



CLIENT
PUBLIC SECTOR PLC

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT,
OX HEY LANE, LOSTOCK,
BOLTON.

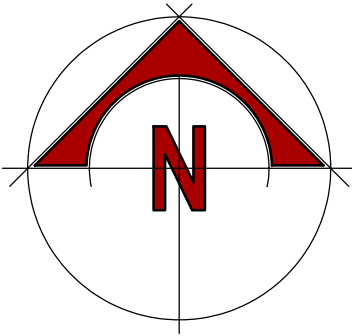
DRAWING
PROPOSED SITE LAYOUT PLAN

DRAWING NUMBER	REV
2011-005	A
SCALE	DATE
1:500@A2	APRIL 15
AUTHOR	STATUS
CSB	INFORMATION

CHARTERED ARCHITECTS
PROJECT MANAGERS
INTERIOR DESIGNERS

THE BUNTING PARTNERSHIP LIMITED

'Silverlea', Wyche Lane, Bunbury, Cheshire. CW6 9PD
Tel: 01829 261299 Fax: 01829 262533
E-mail: name@buntingpartnership.com
Web: www.buntingpartnership.com



REV	DATE
+	+

THE

BUNTING

PARTNERSHIP

LIMITED

CLIENT
PUBLIC SECTOR PLC

PROJECT

PROPOSED RESIDENTIAL
DEVELOPMENT
OX HEY LANE
LOSTOCK, BOLTON

DRAWING

PROPOSED ELEVATIONS
-
EXISTING FARMHOUSE
WITH NEW EXTENSION

DRAWING NUMBER 2011-014	REV +
SCALE 1:100@A2	DATE MAY '15
AUTHOR CSB	STATUS INFORMATION



NORTH ELEVATION

WEST ELEVATION



SOUTH ELEVATION

EAST ELEVATION



DRAWING
HOUSE TYPE 1
PLOTS 3 & 9

PROPOSED ELEVATIONS

CHARTERED ARCHITECTS
PROJECT MANAGERS
INTERIOR DESIGNERS

THE BUNTING PARTNERSHIP LIMITED

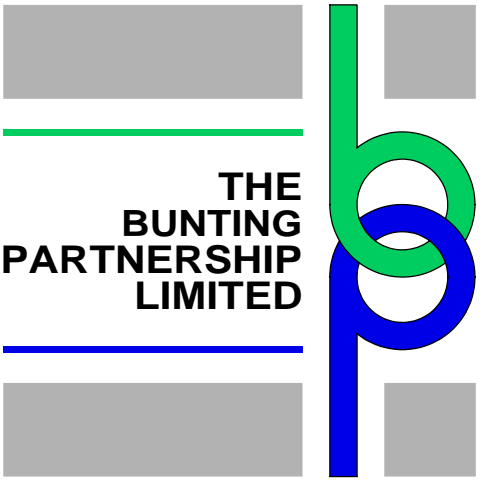
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E-mail: name@buntingpartnership.com
Web: www.buntingpartnership.com

REV	DATE
+	+



FRONT ELEVATION

SIDE ELEVATION



CLIENT
PUBLIC SECTOR PLC

PROJECT
PROPOSED RESIDENTIAL
DEVELOPMENT
OX HEY LANE
LOSTOCK, BOLTON

DRAWING
HOUSE TYPE 1
PLOTS 4 & 6

PROPOSED ELEVATIONS

DRAWING NUMBER	REV
2011-011	+
SCALE	DATE
1:100@A2	MAY '15
AUTHOR	STATUS
CSB	INFORMATION



REAR ELEVATION

SIDE ELEVATION

CHARTERED ARCHITECTS
PROJECT MANAGERS
INTERIOR DESIGNERS

THE BUNTING PARTNERSHIP LIMITED

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Web: www.buntingpartnership.com

REV.	DATE
+	+



THE BUNTING PARTNERSHIP LIMITED

CLIENT
PUBLIC SECTOR PLC

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
OX HEY LANE
LOSTOCK, BOLTON

DRAWING
HOUSE TYPE 2
PLOTS 2, 7 & 8

PROPOSED ELEVATIONS

DRAWING NUMBER	REV
2011-013	+

SCALE	DATE
1:100@A2	MAY '15

AUTHOR	STATUS
CSB	INFORMATION

CHARTERED ARCHITECTS
PROJECT MANAGERS
INTERIOR DESIGNERS

THE BUNTING PARTNERSHIP LIMITED

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Web: www.buntingpartnership.com



FRONT ELEVATION

SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION

Application number 94467/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94467/15

Type of Application: Full Planning Application
Registration Date: 16/07/2015
Decision Due By: 09/09/2015
Responsible Officer: Paul Bridge

**Location: LAND ADJ TO FERNSIDE COURT, FERNSIDE, STONECLOUGH
RADCLIFFE, BOLTON, MANCHESTER, M26 1QF**

**Proposal: ERECTION OF A THREE STOREY BLOCK OF 4 TERRACED
DWELLINGS**

Ward: Kearsley

Applicant: Mr S Costello
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the erection of a block of 4 terraced dwellings. The proposed dwellings would be located towards the southern end of the site and would effectively be two storeys with accommodation in the roof space. The dwellings will incorporate a lounge/dining, kitchen, hall and WC on the ground floor with two bedrooms and a bathroom on the first floor and a third bedroom (with en suite) located on the second floor within the roof space. The materials used for the construction of the dwellings would be brick and tile.

Two parking spaces would be provided for each plot (total of 8) adjacent to the eastern boundary. The existing dropped crossing would be extended to provide adequate vehicular access from Fernside.

Site Characteristics

The application site is roughly triangular in shape and is approximately 0.138ha in size. The site is located on the fringe of a larger housing development and was previously a children's play area until circa 2010 when the play equipment was removed. The site is now overgrown and unsightly. The site is bounded by residential properties to the east, south and west, with the other residential properties directly opposite.

There are a number of semi-mature trees on situated to the rear of the properties on plots 1-4 and along the southern boundary.

Policy

National Planning Policy Framework (NPPF).

Core Strategy Policies: P5 Transport and Accessibility; S1.2 Promote Road Safety; CG1.2 Urban Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA6 Little Lever and Kearsley.

PCPN7 Trees.

SPD Accessibility, Transport and Road Safety.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- Γ principle of proposed development
- Γ impact on the character and appearance of the area
- Γ impact on neighbouring properties/residential amenity
- Γ impact on land contamination
- Γ impact on parking and access/highway safety
- Γ impact on flood risk
- Γ impact on trees, landscaping and ecology

Principle of Residential Development

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. The proposed dwellings will be located on an irregular shaped piece of greenfield land which is overgrown and may be considered to have a negative effect on the amenities of the immediate area. Taking these factors into account and giving due weight to the fact that should the siting, scale, and design of the proposed dwellings be appropriate within the surrounding residential context, the proposal is considered to constitute a sustainable form of development in a sustainable location for the purposes of the NPPF and therefore the principle of the proposed development is considered to be acceptable.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, conserve and enhance local distinctiveness and be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA6 states that, for development proposals in Little Lever and Kearsley, the Council will require proposals to respect and enhance the built form and pattern of existing development.

Paragraph 65 of the NPPF explains that local planning authorities should not refuse planning

permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design. Paragraph 56 of the NPPF highlights that good design is a key aspect of sustainable development and is indivisible from good planning. Permission should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposed development would comprise a row of four terraced dwelling houses each providing 3 bedrooms. The area immediately surrounding the site consists of residential dwellings with 3 and 4 bedrooms with a difference in terms of size, type and designs. The proposed dwellings would respect the size and scale of the dwellings in the immediately surrounding area and therefore the size and type of dwelling is considered to be acceptable.

Taking into account the size of the proposed dwellings and the number of bedrooms, it is considered that the proposal will contribute to the mix of dwellings, in terms of size, type, tenure and affordability within the surrounding area. The proposal will therefore accord with the policies set out in the Housing Planning Guidance. Having regard to the above, the proposal is considered to accord with the guidance set out in the National Planning Policy Framework.

Having had regard to the above, the proposed development is considered to be physically well related to the character, layout and scale of existing buildings within the surrounding area and would not cause any overriding unacceptable detriment to the surrounding area. Therefore, the proposed development is considered to be in accordance with policies CG3 and OA6 of the Core Strategy and guidance within the NPPF.

Impact on Residential Amenity

The thrust of policy CG4 of the Core Strategy which relates to new development is to provide potential users and neighbours with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. The Council's guidance on minimum interface distances between dwellings and private amenity space standards are contained within the Design SPD.

Loss of Privacy/Overlooking

There would be two small non-habitable room windows located in the eastern and western side elevations of the proposal which serve the landing areas. An adequate interface distance of approximately 12m would be maintained to the western boundary and the window in the eastern side elevation would overlook the car park area of Fernside Court.

In the rear elevations there would be habitable room windows introduced at both ground and first floor level. A distance of approximately 9.5m would be maintained to the rear southern boundary. There are also a number of semi-mature trees sited along the southern boundary which will provide an element of screening to the dwellings to rear and also these windows would only offer views over the to the front and side of the dwellings on Kearsley Green.

There would be habitable room windows introduced into the northern and southern elevations at all levels, however, there are no residential dwellings directly to the north and south of the proposed dwellings.

There would be habitable and non-habitable room windows introduced into the northern front elevation. However a distance in excess of 50m would be maintained to the nearest dwellings directly opposite.

Having regard to the above, it is considered that the proposed dwellings would not result in an

unacceptable loss of privacy or overlooking on neighbouring properties.

Loss of Light/Overbearing

Given the site and siting of the proposal and the orientation of the sun and its relationship within the nearest adjacent residential dwellings, along Hollow Meadows, Fernside Court and Kearsley Green, it is considered that adequate interface distance would be maintained in order to prevent any unacceptable loss of light or being overbearing.

With regards to the future occupants of the dwelling, all the habitable room are served by adequately sized windows which would ensure that the proposed development would provide adequate residential amenity for the future occupants of the dwellings in accordance with policy CG4 of the Core Strategy.

Impact on Land Contamination

In support of the application the applicants have submitted a Groundsure Geosight Report dated 13th April 2015. The report covers a wide area and is general in nature and is not site specific. Therefore when considering the sensitive end use, the Local Planning Authority has attached a condition require further appropriate site investigations to be undertaken prior to the commencement of the development. It is considered therefore that subject to conditions the land would be suitable for the proposed use in accordance with policy CG4.3.

Impact on Highway Safety

The NPPF requires that development seeks to minimise travel. Where development will generate significant traffic it should be located within sustainable locations, maximising the use of sustainable transport modes.

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account accessibility by different types of transport, servicing arrangements and parking (in accordance with the parking standards set out in Appendix 3). Policy S1.2 states that the Council will promote road safety in the design of new development.

The proposed site plan indicates that two car parking spaces would be provided for each dwelling. (8 in total) and would be provided along the eastern boundary. Appendix 3 of the Core Strategy states that the maximum number of spaces for 2/3 bed dwellings should be two car parking spaces. Given that two car parking spaces would be provided for each plot within the curtilage of the proposal and that there is unrestricted parking along with the existing housing estate, it is not considered that inadequate parking provision would justify a reason for refusal in this case.

The Councils Highway Engineers have been consulted and have no objection to the proposal, subject to a number of conditions.

In addition the National Planning Policy Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The proposed development would provide sufficient onsite parking and it is not considered that the addition of four dwellings would generate significant additional traffic movements.

As a result, it is considered that the proposed development (subject to conditions) would not have an unacceptable impact on highway safety in accordance with policy P5 of the Core Strategy.

Impact on Flood Risk

The NPPF requires that development should ensure that flood risk is not increased elsewhere, and

seeks to steer development towards areas with the lowest probability of flooding and Policy CG1 seeks to reduce the risk of flooding in Bolton.

The proposed development is not located within a Flood Zone or Critical Drainage Area, however, a condition has been attached to minimise any surface water runoff. The applicant has provided a letter from United Utilities that there are no public sewers within the site, however, a private water course has been noted, which United Utilities are not responsible for approving the building over of this structure. An informative has been attached regarding the potential siting of a culvert which may run through the site. Having regard to the above, the proposed development is considered to be in accordance with policy CG1 of the Core Strategy and the NPPF.

Impact on Trees, Landscaping and Ecology

There are a number of semi-mature trees on the site that are worthwhile retaining to provide an instant landscaping of the site and to provide screening to existing residential properties. The trees are situated to the rear of the properties on plots 1-4. A tree survey and arboricultural method statement is recommended, which will provide details of those trees to be retained and those removed.

The proposed dwellings would have a mixture of turf and hard standings, the driveways would be constructed out of paving which is considered acceptable. A condition has also been attached requesting full details of the proposed hard and soft landscaping.

The site is overgrown and has a number of trees on the site which could potentially provide a roosting place for bats, therefore a condition has been attached to ensure a survey is undertaken prior to the commencement of development.

Other Issues

Status of 'Play Area'

The case officer has discussed the current status of the 'play area' with the Council's Legal Officers who have advised that Condition 7 of the original permission for the housing estate required that the children's play areas had to be laid out and made available for public use but it doesn't state that the play areas must remain as such.

The requirements in the Section 106 agreement were to landscape and layout the public open spaces and to pay to the Council sums of money for maintenance of the open spaces for 10 years. There is no requirement within the Section 106 agreement for the areas to be maintained as public open space indefinitely.

Therefore there is no requirement to vary the existing Section 106 agreement in order to facilitate the development.

School Provision

It is not considered that the addition of 4 new dwellings would result in an unacceptable and unsustainable impact on the provision of local services, i.e. Schools.

Conclusion

For the reasons discussed above it is considered that the proposed development would accord with all relevant policies and is therefore recommended for approval.

Representation and Consultation Annex

Representations

Letters:- Seven letters have been received in response to the planning application publicity who have raised the following issues:-

A secondary river runs across the site. (Officer's note) Both the applicant and the Local Planning Authority are aware that a culvert may run across the site, the applicant has advised that the scheme has been sited to avoid the line of the culvert. An informative has also been attached in respect of the culvert.

Where does the access road lead to and for what? (Officer's note) The proposed access road is to serve the application site only.

Has adequate publicity been carried out? (Officer's note) The Local Planning Authority has undertaken the required statutory consultation. A site notice was also displayed near the site on the 17th August 2015.

During the recent housing development past the tree line at the south of Site Plan no 2, a major overhaul of the secondary river access across the property was carried out over a number of months. Was this paid for by the authorities or the land owners? (Officer's note) The Local Planning Authority is not aware of who funded any previous works on site.

Why not allow local residents to use the site for allotments. (Officer's note) This application and future applications for the surrounding area will be assessed on their own planning merits.

Was the land sold by the Bolton Council with an option for Planning permission after a number of intervening years? (Officer's note) The Local Planning Authority is not aware of the land being sold by Bolton Council with an option for planning permission after a number of years.

Disruption during the construction phase. (Officer's note) With any development there will be an element of noise and general disturbance during the construction phase. Whilst this is capable of being a material planning consideration it is not a reason to refuse planning permission as this would be for a temporary period.

The land is 'protected open space'. (Officer's note) The application site is not located within the greenbelt nor is it allocated as protected open land.

The proposal may cause satellite signal problem. (Officer's note) No evidence has been provided to demonstrate that satellite signals may be affected, In addition a loss or interruption of a satellite signal would be a civil matter.

The buildings are three storeys. (Officer's note) The buildings whilst described as three storeys are in effect two storey with accommodation in the roof space, i.e. a dormer.

An extension to a dwelling was refused so how can this proposal be acceptable. (Officer's note) The current application will be assessed on its own planning merits.

Loss of property value. (Officer's note) The loss of property values is not a material planning consideration.

The issues listed below have been addressed in the appraisal:-

Will the trees be retained?

Has any account been taken in respect of bats?

The proposal is out of character with the area.

Overdevelopment of the site.

This was a children's recreational area, for local residents, and originally maintained by Bolton Council.

Loss of light and privacy.

Increase in traffic.

Flooding.

Consultations

Advice was sought from the following:- Tree Officer, Highways Engineers, Environmental Health, Design for Security and Landscape Officers.

Planning History

37390/90 – Erection of 53 House and 20 bungalows and construction of vehicular access, access Road, Footpaths, footways, children's play area and landscaping – Approved – 21.03.1991

39213 – Erection of 26 houses and construction of vehicular accesses and a new estate road – Approved 19.09.1991.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Sheet 1 - Location Plan dated 25th May 2015

Sheet 3 - Front Elevation dated 25th May 2015

Sheet 4 - Floor Plans dated 25th May 2015

Sheet 5 - Rear Elevation dated 25th May 2015

Sheet 6 - Side Elevation dated 25th May 2015

Sheet 6a - Amended Site Plan (incorporating landscaping/grass strip added 03.11.2015) dated 4th April 2015

Sheet 7 - Highways Layout dated 4th August 2015.

Sheet 8 - Bin Store Location & Layout dated 30th October 2015
Sheet 9 - Tree Location dated 4th April 2015

Reason

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

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.

4. The site shall be treated in accordance with a landscape scheme, which shall be submitted to and approved in writing by the Local Planning Authority before development is started. Such scheme shall include full details of trees and shrubs to be planted, walls, fences, boundary and surface treatment and shall be carried out within 12 months of the commencement of development. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

Reason: To safeguard the amenity of the area.

5. No development shall commence unless or until a Phase 1 Report (Preliminary Risk Assessment) to assess the actual and/or potential contamination risks at the site has been submitted to, and approved in writing by, the Local Planning Authority. The Report shall include a desk top study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for a Phase 2 Report.

Reason:-

To ensure the development is safe for use.

6. Prior to the commencement of development of any works on site, the developer shall submit a Tree Survey and arboricultural method statement detailing which trees are to be retained and how the development will be constructed without causing harm or damage to the retained trees on the site and any adjoining land that may be affected by the development.

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.

7. No dwelling shall be occupied until the associated provision for off street parking has been completed and made available for the use of that dwelling. Such spaces shall be available at all times for the parking of a private motor vehicle.

Reason: In the interests of highway safety.

8. Prior to the first use of the development hereby approved, the area of parking and driveways shall be constructed using permeable materials on a permeable base, the details of which shall be submitted for written approval prior to the commencement of the development and shall be retained thereafter in that condition, unless otherwise agreed in writing by the Local Planning Authority

Reason: To reduce the risk of flooding.

9. Notwithstanding the approved plan (Sheet 8 Bin Store Location & Layout) and before the development is first brought into use a detailed scheme shall be submitted to and approved by the Local Planning Authority showing the design (including the means of enclosure), location and size of a facility to store refuse. The approved scheme shall be implemented in full prior to the occupation of the dwellings and retained thereafter.

Reason

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

10. Notwithstanding the provisions of the Town and Country (General Permitted Development Order) 2015 (or any order and re-enacting that Order with or without modification), no development of the types described in Part 1, Classes A, B, D and E of Schedule 2 of that Order shall be undertaken without the express permission of the Local Planning Authority.

Reason: To safeguard the amenity of the area

11. Notwithstanding the approved plans and prior to the development hereby approved being first occupied or brought into use the means of vehicular access to the site from Fernside shall be constructed to a minimum width of 4.5 metres, with 2 x 0.5m service margins, 2 x 5.0m radius for the full length of the carriage way.

Reason

In the interests of highway safety

12. Prior to the development hereby approved being first occupied or brought into use the existing vehicular access onto Fernside shall be removed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards.

Reason

In the interests of highway safety.

13. No dwelling shall be occupied until the access roads, footway and footpaths leading thereto have been constructed and completed in accordance with drawing No. 7 Highways Layout dated 4th August 2015.

Reason

In the interests of highway safety.

14. Before the approved development is first brought into use no less than 8 car parking spaces are to be provided within the curtilage of the site, in accordance with drawing No. 7 Highway Layout dated 4th August 2015.

Reason

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

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

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

Reason

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

16. Prior to the commencement of development full details of the highway/access works onto the highway to form the junction with Fernside 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.

17. Prior to the commencement of development full details of the highway works at Fernside comprising of the potential relocation of the street lighting column 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.

18. Prior to the commencement of development, the applicant shall survey the site for evidence of bats. A report shall be submitted to and approved in writing by the Local Planning Authority containing appropriate mitigation measures. (if required) The approved mitigation measures should be implemented in full and retained thereafter.

Reason

To safeguard the habitats of protected species.



General Notes

Shared parking with
Turning Provision
Added 30.10.2015

Landscaping /grass
Strip Added
03.11.2015

Bin Store Added
30.10.2015

No.	Revision/Issue	Date

From Name and Address
Steve Costello
76 Riverside Drive
Stoneclough Prestolee
Manchester 26
M26 1HY
Tel: 07806777251

Project Name and Address
New Build Development
Gold Leaf Developments
Ex Play Area
Fernside
Stoneclough
M261FU

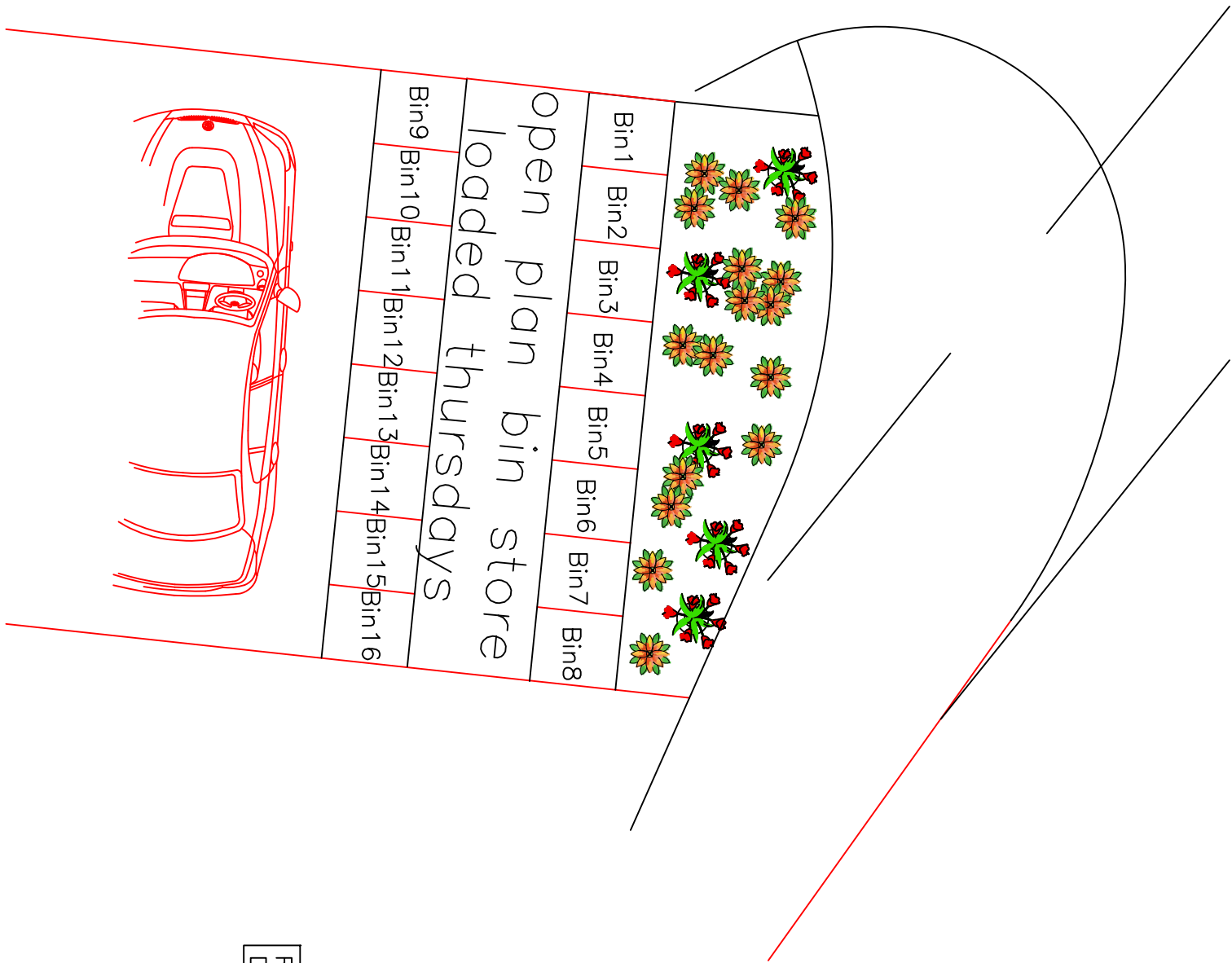
Project
New Build development
4 No 3 Bed Town Houses

Date
4th April 2015

Scale
1 : 500

Sheet
6a

Bin Store Location & Layout



Read With
Drawing 6a

General Notes

No.	Revision/Issue	Date

Firm Name and Address
Steve Costello
76 Riverside Drive
Stonelough Prestolee
Manchester 26
M26 1HY
Tel: 07806777251

Project Name and Address
New Build Development
Gold Leaf Developments
Ex Play Area
Fernside
Stonelough
M261FU

Project New Build Development 4 No 3 Bed Town Houses	Sheet 8
Date 30th October 2015	
Scale 1 : 50	



Location Plan

General Notes

No.	Revision/Amend	Date

Prepared by and Address
Steve Costello
76 Riverside Drive
Stonelough Prestolee
M26 1HY
Tel: 0780677251

Project Name and Address
New Build Development
Ex Play Area
Fernside
Stonelough
M26PU

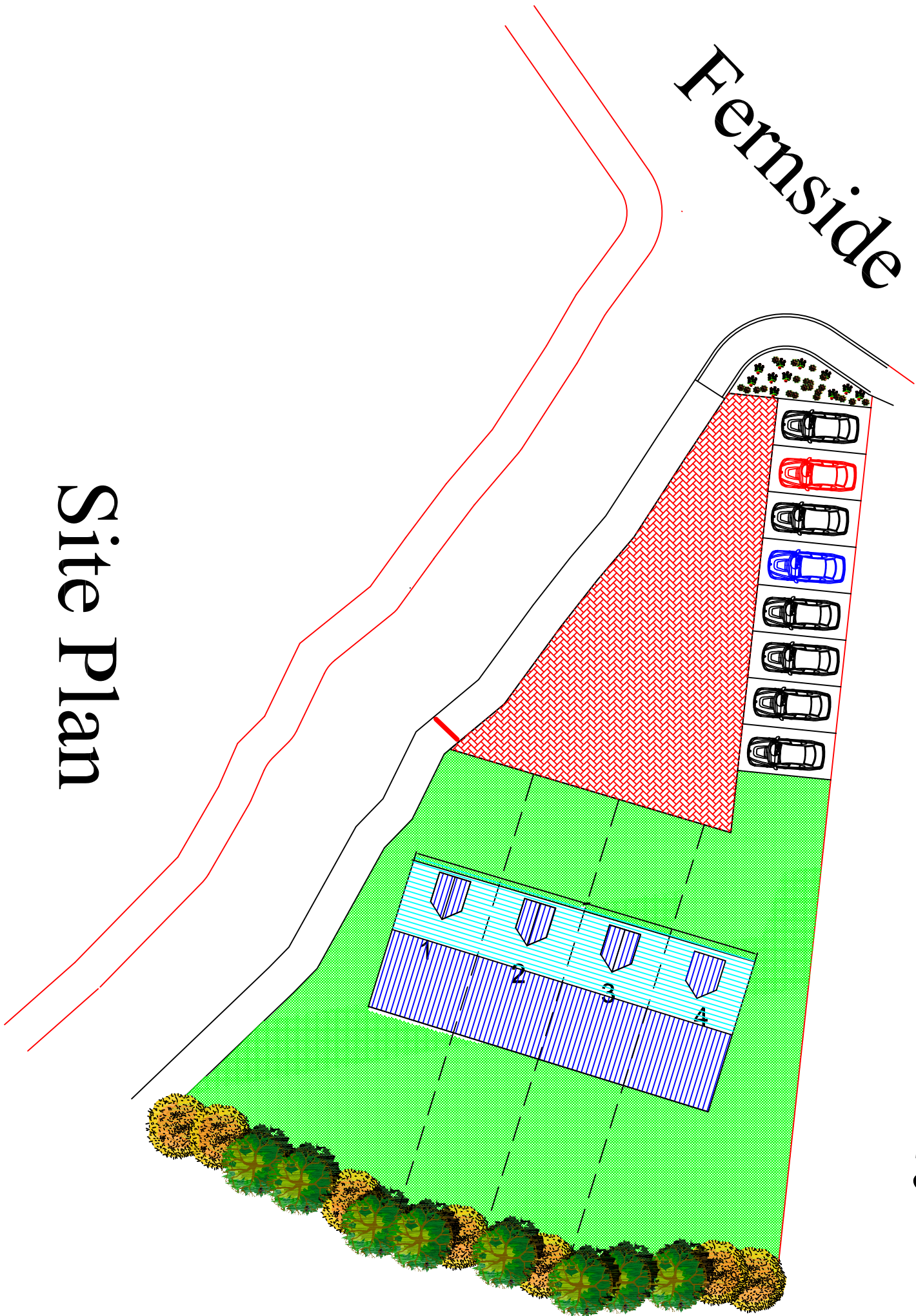
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New Build Development
No. 2 Build from House
26th May 2015
Scale 1 : 1000

1



Fernside

Fernside Court



Site Plan

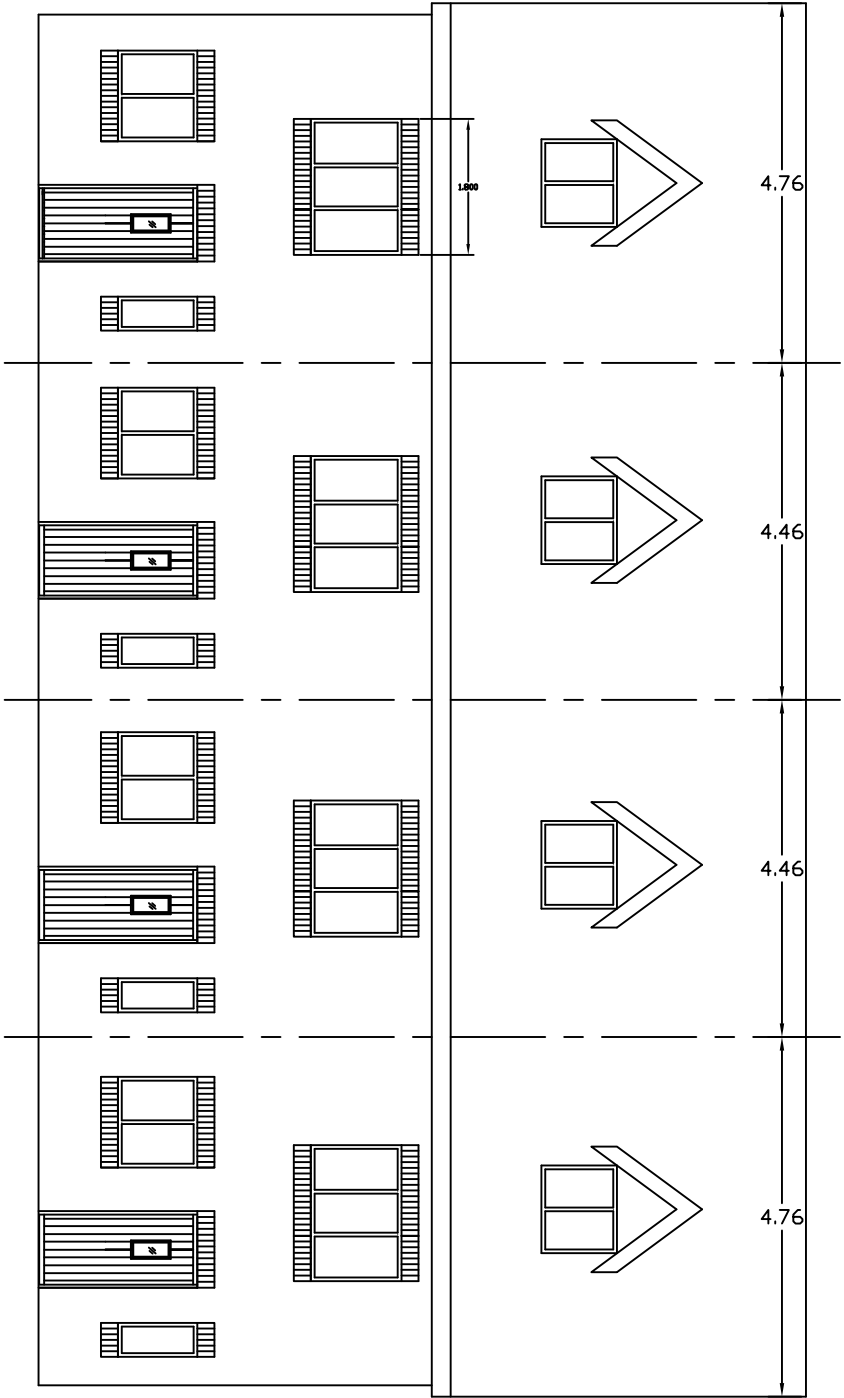
General Notes

No.	Revision/Issue	Date

Plot Name and Address
Steve Costello
76 Riverside Drive
Stoneclough Prestolee
Manchester M26 1HY
Tel: 07806777251

Project Name and Address
New Build Development
Ex Play Area
Fernside
Stoneclough
M261FU

Project	Sheet
New Build development 4 No 3 Bed Town Houses	2
Date 25th May 2015	
Scale 1 : 2500	



Front Elevation

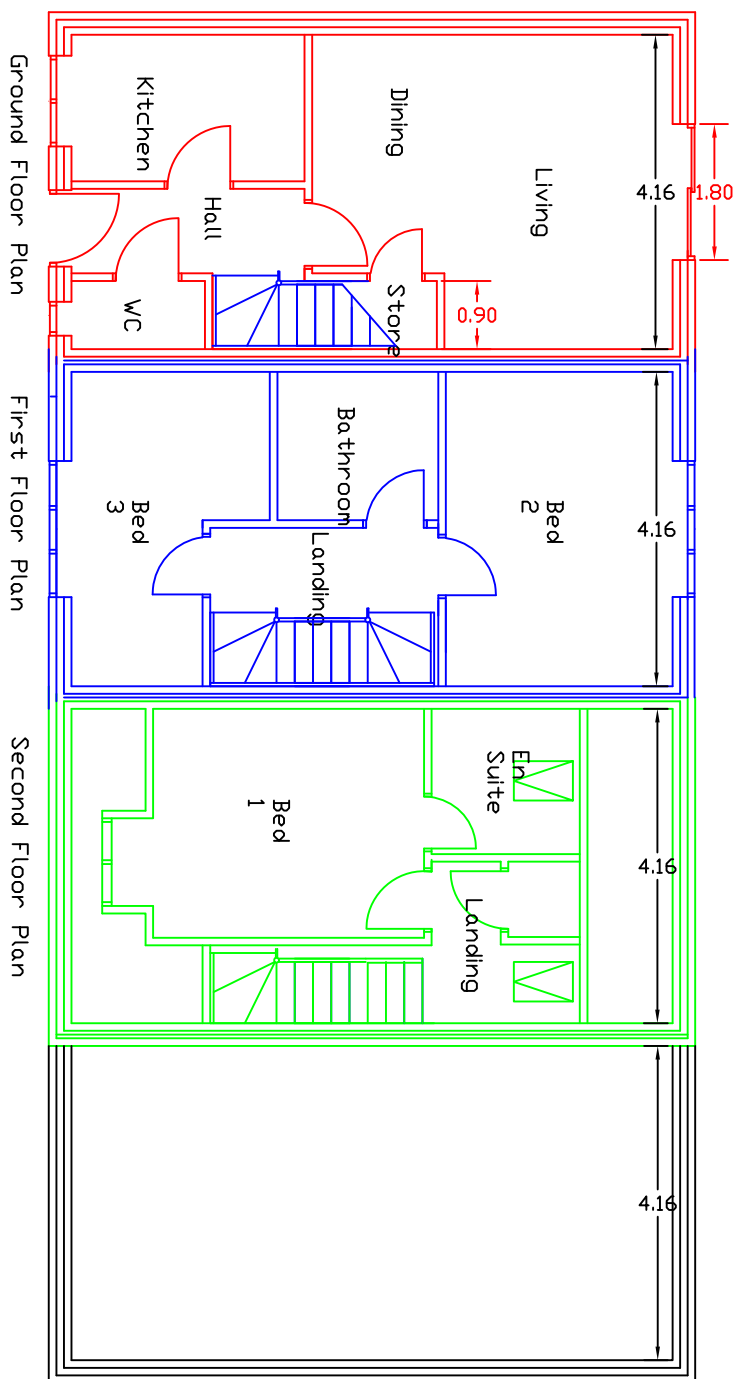
General Notes

No.	Revision/Issue	Date

Plot Name and Address
Steve Costello
76 Riverside Drive
Stoneclough Prestolee
Manchester M26 1HX
Tel: 07806777251

Project Name and Address
New Build Development
Ex Play Area
Fernside
Stoneclough
M261FU

Project New Build development 4 No 3 Bed Town Houses	Scale 1 : 100	Sheet 3
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Floor Plans

General Notes

No.	Revision/Issue	Date

Plot Name and Address
Steve Costello
76 Riverside Drive
Stoneclough, Prestolee
Manchester M26 1HX
Tel: 07806777251

Project Name and Address
New Build Development
Ex Play Area
Fernside
Stoneclough
M261FU

Project New Build development 4 No 3 Bed Town Houses	Scale 1 : 100
Date 25th May 2015	Sheet 4

General Notes	
<p> Project Name and Address Steve Costello 76 Riverside Drive Stonecrough Prestolee Manchester M26 1HY Tel: 07806777251 </p>	
<p> Project Name and Address Ex Play Area Fernside Stonecrough M261FU </p>	
<p> Project Name and Address New Build Development </p>	
<p> Project New Build development 4 No 2 Bed Town Houses 25th May 2015 </p>	<p> Sheet 5 </p>

General Notes

No.	Revision/Issue	Date

Project Name and Address

Steve Costello
76 Riverside Drive
Stoneclough, Prestolee
Manchester M26 1HX
Tel: 07806777251

Project Name and Address

New Build Development
Ex Play Area
Fernside
Stoneclough
M261FU

Project

New Build development
4 No 3 Bed Town Houses

Date

25th May 2015

Scale

1 : 100

Sheet

6

Side Elevation



Tree Location

General Notes

No.	Revision/Issue	Date

Firm Name and Address
Steve Costello
76 Riverside Drive
Stoneclough Prestolee
Manchester M26 1HY
Tel: 07806777251

Project Name and Address
New Build Development
Gold Leaf Developments
Ex Play Area
Ferntide
Stoneclough
M261FU

Project New Build Development 4 No 3 Bed Town Houses	Sheet 9
Date 4th April 2015	
Scale 1 : 500	

Application number 94528/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94528/15

Type of Application: Full Planning Application
Registration Date: 14/07/2015
Decision Due By: 07/09/2015
Responsible Officer: Jeanette Isherwood

Location: 126 NEWBROOK ROAD, BOLTON, BL5 1EX

Proposal: ERECTION OF HOUSE AND DETACHED GARAGE FOLLOWING
DEMOLITION OF EXISTING HOUSE

Ward: Hulton

Applicant: Mr Pope
Agent : Artform Architects

Officers Report

Recommendation: Approve subject to conditions

Background

This application was deferred for a site visit at the Committee Meeting of 24/09/15. Members expressed concern with the loss of the original building and requested further information as to the reasons that demolition was required.

Planning Officers took into consideration Members comments from the last Committee and have liaised with the applicant with regards to the need for demolition and the size and scale of the replacement dwelling. The applicant has since submitted a full structural report for the fabric of the building. Below is a summary of the main issues.

It is indicated that there are a number of separate issues which make renovation of this property impracticable. These are as follows:-

1. The effect of subsidence, the distortion of the building – the walls are out of level and out of vertical alignment and they are held together by tie bars – which are corroded. To put all this right would require the removal of the ties bars – at which point the building could fall down – and the walls would need to be rebuilt.

2. The building is located in a coal mining 'Development High Risk Area' which have the potential for instability and risk because of the legacy of coal mining operations. Development in these areas has to be undertaken in such a way to avoid the risk of a claim. To renovate the property and reduce the risk of a claim for mining subsidence damage would require the construction of new foundations that would minimise distortion (a raft foundation for example). To provide a raft foundation for this building would entail demolishing it first.

3. The main external walls: constructed of solid brickwork (English garden bond) – no cavity wall and as the bricks are of a porous type they have been adversely affected by penetrating damp from leaking gutters and rainfall running down the walls and from significant frost damage causing them to be eroded in several places. Also the mortar pointing is eroded in many places.

4. All the floors are very uneven and there is significant dampness coming through the (ground floor) concrete which appears to have been laid directly over the original stone flags. The plasterwork on the walls and ceiling is very poor.

5. Woodworm was noted in all three bedroom floors and the landing floor. Dust underneath the floorboards suggests it is still active.

6. The results of a damp meter test showed excessive rising damp (likely to cause health problems) present in the ground floor walls, penetrating damp in two bedrooms, severe penetrating damp through the solid masonry walls, dampness to the concrete floor surface of the kitchen and lounge and dampness and corroded nails in the dining room floor.

7. The roof: a pitched timber frame consisting of purlins, rafters, ridge board etc. and covered in random slates. A random slate roof is more difficult to repair than if the slates are of a uniform size. The roof structure is bowing meaning that the purlins have bent over the years. The rear bay roof is covered in felt which has lifted in places resulting in dampness on the ceiling.

8. The ceiling joists have bent – normally as a result of pressure from the bowing of the roof.

The report concludes the building is in a very poor state of repair and has been significantly affected by subsidence. The distortion of the building and the fact that it is now held together with tie bars (which are themselves significantly corroded) means that renovation would entail removing most of that which exists – i.e. demolition. In reality, this building has reached the end of its useful life. The building has been lying vacant and unmaintained for over three years with the result that many of the underlying structural problems have been compounded.

With regards to the scale of the development the applicant justifies this due to the history of the site and previously approved applications to extend the dwelling.

From a review of the historical maps of Bolton the building which was known as 'The Firs' begins to appear as a very small footprint, possibly a one up one down cottage, on maps surveyed in 1892 and published in 1894. The building does not appear on maps published in 1849. So it seems that the original small building would have been constructed between 1849 and 1892. The building on the site now has been extended in the intervening years in a fairly adhoc manner resulting in the two storey section which presents at an odd angle to the road.

The total internal floor space of the existing house is 122 m². The construction of the proposed new building will increase the existing total internal floor space from 122 sq m to 293 sq m.

However permission has already been granted within the previous 12 months to extend the existing building at single and two storey level adding a further 70 sq m, taking the overall internal floorspace to just under 200 sq m. The resulting appearance of this extended building is not considered to be attractive from a design point, nor conducive with the surrounding area.

Proposal

The application proposes the demolition of the existing building and the erection of a four bedroomed detached property with associated double garage. The property has a dual apex frontage with symmetrical bay window design at ground and first floor level. To the rear are similar bays at ground and first floor with two juliette balconies at first floor level. The proposal is sited squarely on the plot, set back and with the frontage running parallel with Newbrook Road.

Access will be taken direct from Newbrook Road as existing, with the addition of timber gates, replacing the existing temporary entrance.

Site Characteristics

This property is sited as a sole dwelling on the edge of Hulton Park, within the green belt. It is sited with an off set location and is bounded by a 1.6 metres high stone wall with a pedestrian gate and recently created vehicular access with temporary timber gate, abutting the footpath serving Newbrook Road. To the sides and rear the plot is well screened by large trees. To the front are similar styled properties of a smaller scale, both detached and semi-detached in style.

Newbrook Road is the main thoroughfare from Bolton to Atherton.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses, SC1 Housing and OA4 West Bolton.

Allocations Plan Policies: CG7AP Green Belt.

SPD General Design Guidance

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on housing provision;
- * impact on the purposes and openness of the Green Belt and the wider area;
- * impact on the amenity of neighbouring residents;
- * impact on parking; and
- * impact on trees.

Impact on Housing Provision

Policy SC1.2 of the Core Strategy states that at least 80% of housing development will be on

previously developed land in accordance with the Regional Spatial Strategy. Policy OA4.1 refers specifically to development in West Bolton and states that the Council will concentrate sites for new housing within the existing urban area.

The proposal will ensure the effective use of existing housing stock and enable this large vacant dwelling to be utilised for accommodation in a sustainable location.

Impact on the Purposes and Openness of the Green Belt and the wider area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA4 of the Core Strategy states that the Council will conserve and enhance the character of the existing physical environment, and will ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings – these features should be retained where possible.

Newbrook Road is characterised by a mix of architectural styles and house types. Directly opposite the site are detached properties with apex frontage details and two storey bays, as shown on the applicants plans. The existing property occupies an offset position which gives the appearance of the property being at odds with the street scene. The new house will sit squarley on the plot occupying a position that mimics the relationship of the majority of the other surrounding properties, with Newbrook Road.

As such the proposal is not thought to unduly impact on the street scene or the character of the wider area.

Policy CG7AP of the Allocations Plan states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of new buildings except for [amongst other things] the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. It also states that the council will permit development proposals which fail to meet the above criteria in CG7AP only in 'very special circumstances.' It is the responsibility of the applicant to prove that such circumstances exist.

The applicant submits that the existing building is dilapidated and in a very poor state of disrepair that is consequently having a negative impact on the surrounding area. The applicant is committed to returning the site to a well maintained natural environment and establishing a low carbon family home that sits well in the plot and embraces the designs of surrounding dwellings.

Other avenues have been explored with the possibility of extending the existing property being one of them. This has been hampered by the poor existing build and demolition and rebuild is the only option to restore this site.

On balance the benefits of the scheme outweigh the larger scale development and therefore the proposal is considered to comply with Allocations Policy CG7AP and also guidance contained within NPPF on Green Belt matters.

Impact on the Amenity of Neighbouring Residents

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

security.

SPD General Design Guidance sets out the Council's minimum interface standards between dwellings.

The adjoining property at No. 122 is sited to the north of the application site and is screened by mature trees which are sited along the shared boundary. Properties on the eastern side of Newbrook Road overlook the property and yet are sited some distance away from the dwelling. The property is sited to meet all the required interface distances from surrounding dwellings.

The proposal complies with CG4 of Boltons Core Strategy.

Impact on Parking

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] parking, in accordance with the parking standards set out in Appendix 3. Policy S1.2 states that the Council will promote road safety in the design of new development.

The proposed plans would make for c. 3 off road car parking spaces within the curtilage of the property. This would ensure compliance with the maximum car parking standards.

Highways have requested that the proposed gates are set back a distance of 5.5 metres from the westerly kerb line of Newbrook Road to avoid waiting vehicles from obstructing the bus lane, together with a turning area to allow vehicles to enter and leave in forward gear.

The applicant has provided amended plans that meet the above requested information and therefore the proposal as amended is now considered to be acceptable.

Impact on Trees

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

The Council's Trees and Woodland Officer was consulted on the proposal and slight amendments were made to the siting of the house and garage on the plot, to avoid the root protection zone of protected trees on the site.

The applicant has provided amended plans that meet the above requested information and therefore the proposal as amended is now considered to be acceptable with proposal respecting the health of the existing trees located within the site curtilage.

The proposal now complies with CG1.1 of the Core Strategy.

Conclusion

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

Representation and Consultation Annex

Representations

Letters/petitions:- none received.

Consultations

Advice was sought from the following consultees:- Historic England, Greater Manchester Ecology Unit, Drainage, Coal Authority, Highways, Trees and Woodlands, Greenspace, Environmental Health.

Planning History

The applicant submitted an application which sought part retrospective permission for the creation of a new vehicular access from Newbrook Road, new driveway, dropped kerb and the relocation of a street lamp (Ref: 93181/14). AC January 2015

An application, 93182/14 for the erection of a two storey side extension comprising an enlarged living room, master bedroom and ensuite, two storey extension to front of property to enlarge existing hall and provide further bedroom accommodation, a single storey rear extension with lantern roof and internal reconfigurations has recently been approved in January 2015.

Planning permission was granted in September 2009 (Ref: 82487/09) for a dropped kerb, formation of a vehicular access and driveway to facilitate off road car parking.

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.

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

Reason

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

4. Prior to the commencement of development 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:

\) Cantilever and piled foundations for garage/utility

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.

5. Prior to the commencement of development (including demolition) the applicant shall survey the site for evidence of bats, submit to and obtain approval in writing by the Local Planning Authority that the submitted bat report including appropriate mitigation measures is acceptable.

The approved mitigation measures should be implemented in full in accordance with an agreed timetable and retained thereafter.

Reason

To safeguard the habitats of protected species.

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

1. The trees and hedgerows within or overhanging the site which are subject of a Tree Preservation Order (TPO) have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.

2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).

3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.

Reason

To protect the health and appearance of the tree(s).

7. Before the approved/permitted development is first brought into use no less than 3 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: NBR_PL_102 Rev 02 details to be submitted to and approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

8. 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, 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 character and appearance of the dwelling/land

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

Proposed ground floor plan - NBR_PL_103 Rev 01 - Dated 22/04/15

Proposed first floor plan - NBR_PL_104 - Dated April 15

Proposed east and west elevation - NBR_PL_106 Rev 01 - Dated 12/06/15

Proposed north and south elevation - NBR_PL_107 Rev 01 - Dated 12/06/15

Proposed highways layout - NBR_PL_102 Rev 01 - Dated 10/06/15

Proposed site plan (trees) - NBR-TCP-001 Rev A - Dated October 14

Reason

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

UTILITY ROOM CANTILEVERED OFF STEEL FRAME OF THE GARAGE TO AVOID ANY FOUNDATIONS BELOW AND ANY IMPACT ON ROOTS OF T7

EXISTING GARDEN WALL

PIG

FOOTPRINT OF HOUSE (shaded)

NOTE:

- This drawing is an tree survey plan of the new house a
- Tree nos. 5,6,8 and
- Orange lines indica
- Dashed green and
- It is proposed that protection area, mi any detrimental imp Design and Access appointed to design
- To be read in conj documents submitt

Artform Architects, 06.09.

53

NOTE:

- This drawing is an overlay of the original Christians tree survey plan of the site with the proposed footprint of the new house and garage drawn by Artform Architects
- Tree nos. 5,6,8 and 10 have been removed
- Orange lines indicate tree root protection ares
- Dashed green and blue lines indicate tree canopies
- It is proposed that where the new garage sits over T4 tree root protection area, mini piled foundations will be used to avoid any detrimental impact on the existing tree (as noted in the Design and Access Statement). A civil engineer will be appointed to design these foundations in detail.
- To be read in conjunction with all other drawings and documents submitted with the application

Artform Architects, 06.09.15

	Surveyed tree category A
	Surveyed tree category B
	Surveyed tree category C
	Surveyed tree category D
	Surveyed tree vectors of root (proportion oak) (P10)
	Existing building and/or flood-prone area (P10)

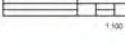


Figure 1. Schematic representation of the 100 kb genomic region on chromosome 10p12. The top part shows a scale from 0 to 100 kb with markers Z, G, Z, and A. Below this, a blue bar represents the genomic region with labels 'chr10', 'chr10p12', 'chr10p12', and 'chr10p12'. The bottom part shows a table with columns 'chr10', 'chr10p12', 'chr10p12', and 'chr10p12'. The table contains the following data: chr10, chr10p12, chr10p12, chr10p12. The table is titled 'CHRISTIANS' and has a subtitle 'CHRISTIANS'.

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drawing title	Tree Construction Plan		
scale	drawn	date	
1:1.50 @ A3	CB, CL	Dec 1959	
drawing number			rev
A08, T2P-001			A

NEWBROOK ROAD

notes:

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No dimensions to be scaled from drawings.

Specific details are subject to further design development.



01	Dimensions added	20.07.15	JE
Rev	Description	Date	By

PROJECT: 126 Newbrook Road

DRAWING STATUS: PLANNING

DRAWING TITLE: Proposed Site Plan

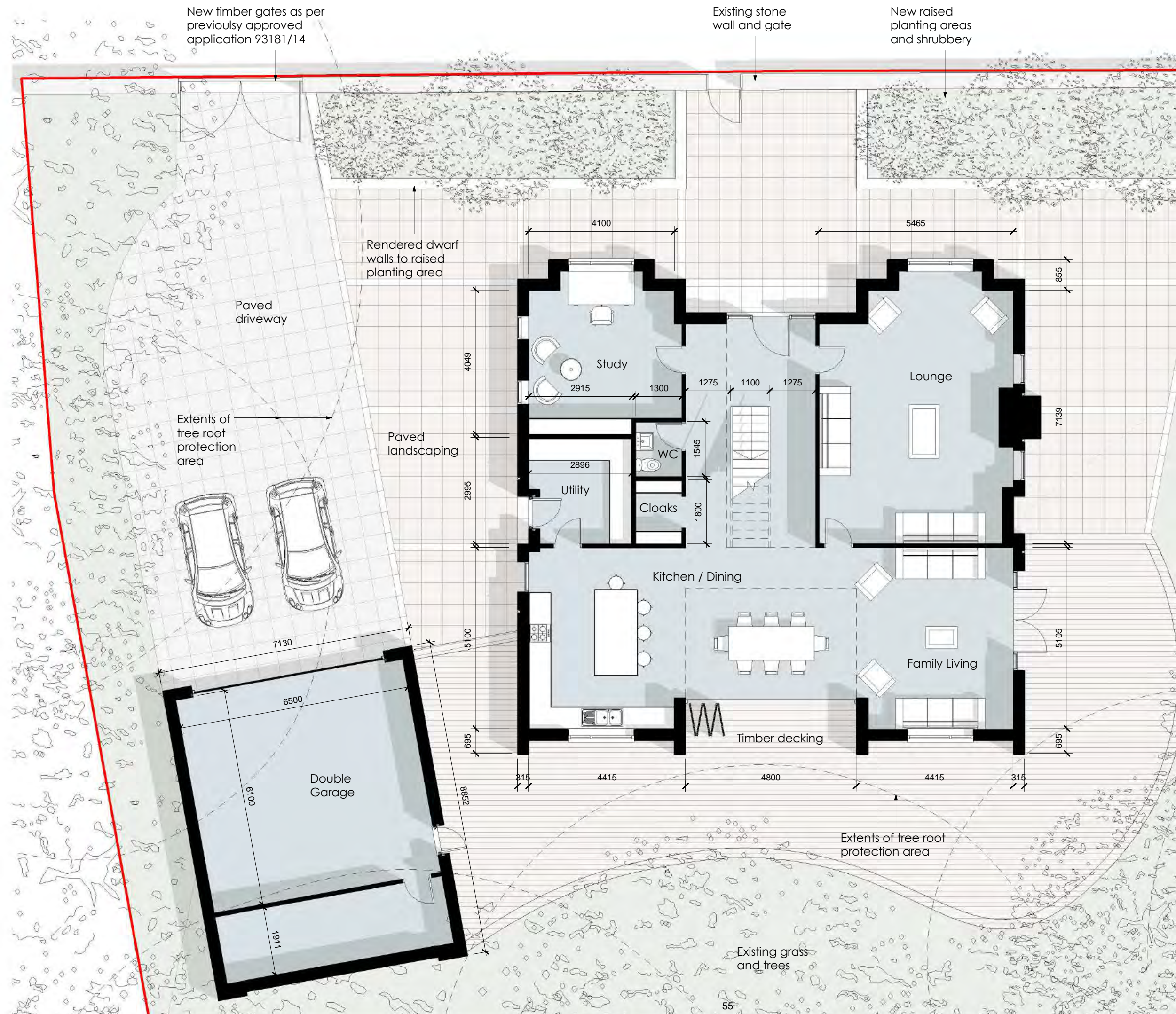
SCALE: 1 : 200 @ A3

DATE: 10/06/15 DRAWN: JE

DRAWING NO: NBR_PL_102 REV: 01

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architects

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notes:

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Specific details are subject to further design development.

GROUND FLOOR
INTERNAL AREA:
162 sqm (not inc. garage)



01	Dimensions added	20.07.15	JE
Rev	Description	Date	By

PROJECT: 126 Newbrook Road

DRAWING STATUS: PLANNING

DRAWING TITLE: Proposed Ground Floor Plan

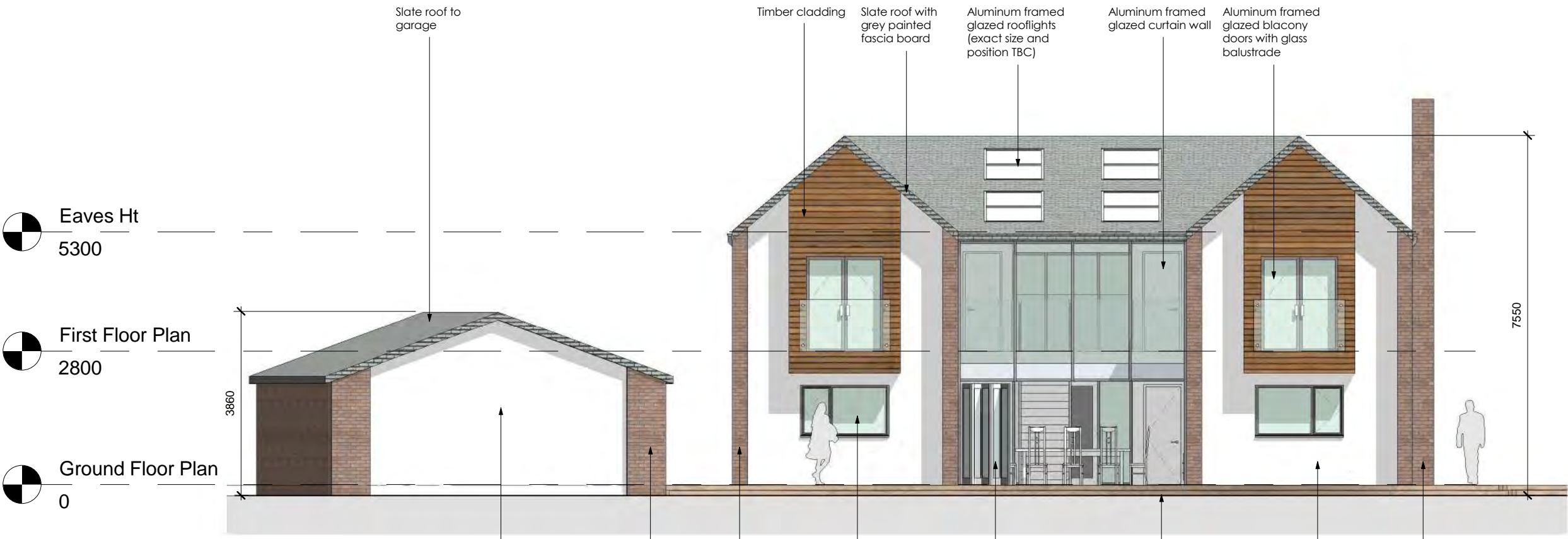
SCALE: 1 : 100 @ A3

DATE: 22.04.15 DRAWN: SJ

DRAWING NO: NBR_PL_103 REV: 01



PROPOSED EAST ELEVATION
Scale 1:100



PROPOSED WEST ELEVATION
Scale 1:100

notes:

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Specific details are subject to further design development.

01	Height dimensions added	20.07.15	JE
Rev	Description	Date	By

PROJECT: 126 Newbrook Road

DRAWING STATUS: PLANNING

DRAWING TITLE: Proposed East & West Elvs

SCALE: 1 : 100 @ A3

DATE: 12/06/15 DRAWN: JE

DRAWING NO: NBR_PL_106 REV: 01

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PROPOSED NORTH ELEVATION
Scale 1:100



PROPOSED SOUTH ELEVATION
Scale 1:100

notes:

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No dimensions to be scaled from drawings.

Specific details are subject to further design development.

01	Height dimensions added	20.07.15	JE
Rev	Description	Date	By

PROJECT: 126 Newbrook Road

DRAWING STATUS: PLANNING

DRAWING TITLE: Proposed North & South Elvs

SCALE: 1 : 100 @ A3

DATE: 12/06/15 DRAWN: JE

DRAWING NO: NBR_PL_107 REV: 01

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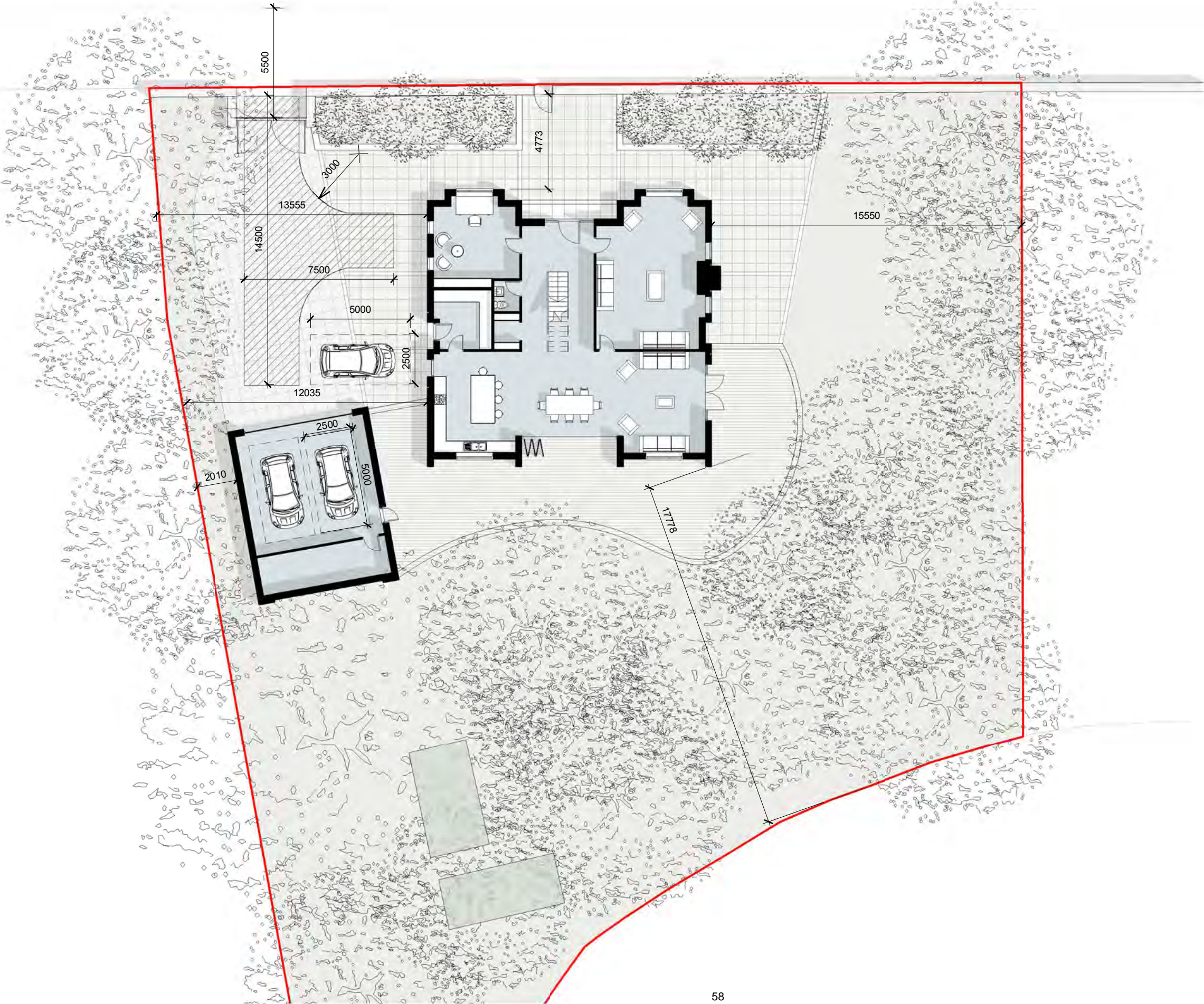
NEWBROOK ROAD

notes:

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All dimensions are in millimetres unless stated otherwise.
No dimensions to be scaled from drawings.

Specific details are subject to further design development.



02	Access gate amended, parking space and turning head added	18.08.15	JE
01	Dimensions added	20.07.15	JE
Rev	Description	Date	By

PROJECT: 126 Newbrook Road

DRAWING STATUS: PLANNING

DRAWING TITLE: Proposed Site Plan

SCALE: 1 : 200 @ A3

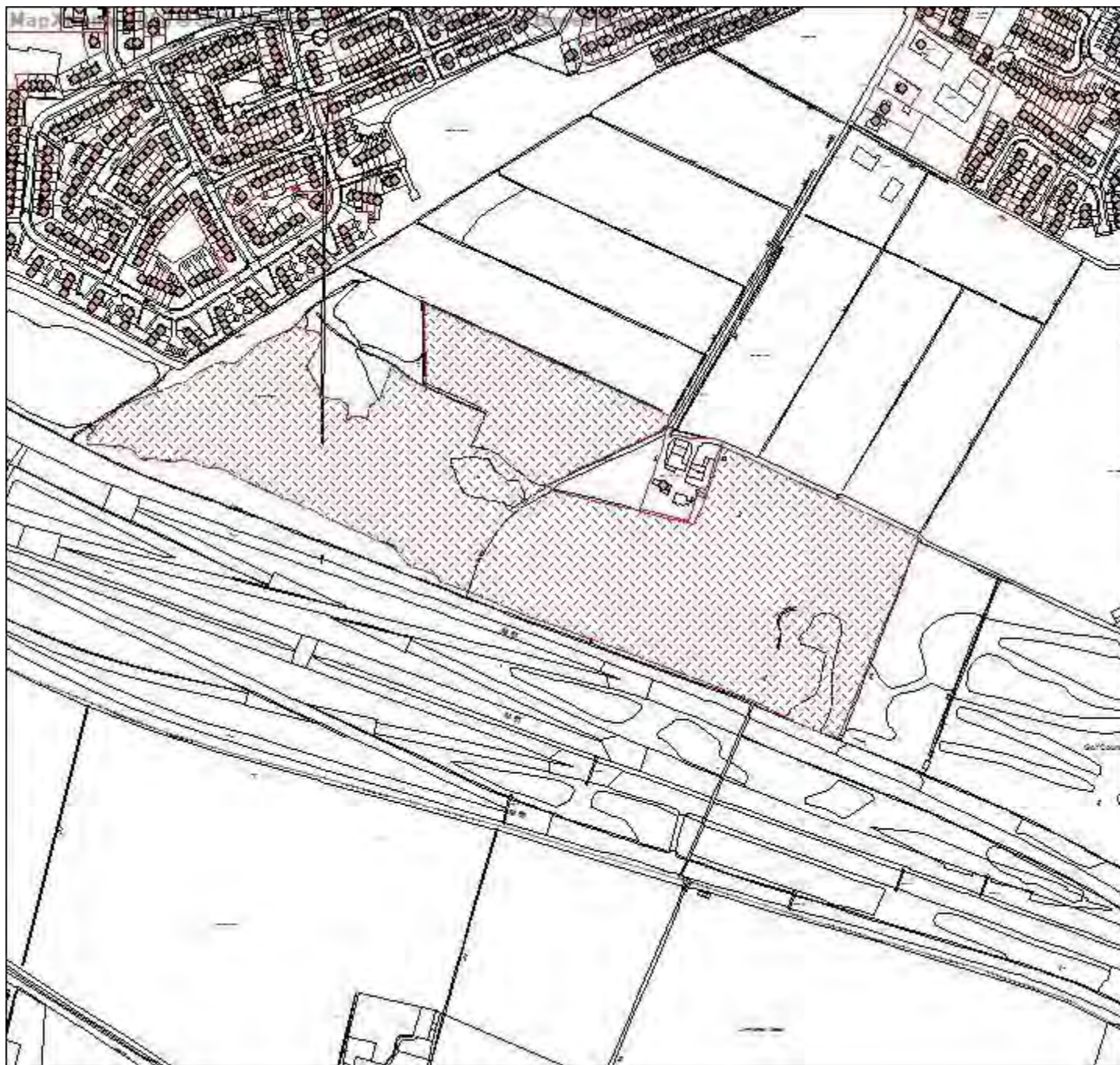
DATE: 10/06/15 DRAWN: JE

DRAWING NO: NBR_PL_102 REV: 02

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Application number
94654/15



Development & Regeneration Dept
Development Management Section

Town Hall, Bolton, Lancashire, BL1 1RU
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Bolton
Council

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Date of Meeting: 19/11/2015

Application Reference: 94654/15

Type of Application: Full Planning Application
Registration Date: 24/08/2015
Decision Due By: 22/11/2015
Responsible Officer: Alex Allen

Location: BENT SPUR FARM, BENT SPUR ROAD, KEARSLEY, BOLTON, BL4 8SJ

Proposal: SITING OF SOLAR FARM TOGETHER WITH ASSOCIATED INFRASTRUCTURE.

Ward: Kearsley

Applicant: AR Partners Ltd
Agent : RPS

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the erection of a 5 MW Solar Photovoltaic (PV) Farm with just over 20,100 modules each measuring 1.64 metres by 0.99 metre by 0.04 metres. Each panel would be mounted on a supporting structure with a base rail. Each supporting structure would be piled into the ground to a depth of 1 metre. Each full bank of panels would contain 100 panels with half banks containing 48 panels.

Each panel bank will be located at a height of around 2.5 metres above the ground with each bank being set back from existing hedges by 5 metres and from trees by c. 10 metres. An integral part of the proposal would be the creation of a compound which would contain a parking area and the required switchgear (3 metres x 2.5 metres x 2.5 metres) and substation buildings (6 metres x 4 metres x 2.5 metres). The site would be accessed directly from Bent Spur Road both construction and maintenance traffic.

The proposal would also include the provision of a 2.3 metre high security fence together with CCTV cameras.

Site Characteristics

The application site is located on land at Bent Spur Farm, Bent Spur Road in the Kearsley area of Bolton. The site covers an area of 12.9 hectares and comprises low quality agricultural land of mostly Grade 4 classification. The application site consists of three fields of irregular shape which are currently enclosed by post and wire fences and/or linear belts of trees. The land is allocated as Green Belt land and has a public right of way which runs through the application site.

Vehicular access is via the existing farm access along Bent Spur Road which is itself accessed from

the A666 Bolton Road some 600 metres to the north. The closest residential properties are to the north west accessed from Mossfield Road some 16 metres away from the application site and have their gable elevations adjacent to the site. The closest properties with a direct view of the site are some 50 metres away on Mossfield Road. There are other residential properties which have more distant views of the site, Holcombe Close to the north (c. 260 metres away) and Dee Drive (c. 300 metres away).

Policy

National Planning Policy Framework

National Planning Policy Guidance: Renewable and Low Carbon Energy

Core Strategy Policies: S1 Safe Bolton, CG1 Green Bolton, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses and OA6 Little Lever and Kearsley.

Allocations Plan Policies: P8AP Public Rights of Way; CG7AP Green Belt.

A Landscape Character Appraisal of Bolton (October 2001).

Analysis

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

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

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

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

The main impacts of the proposal are:-

- Γ impact on the purposes and openness of the Green Belt
- Γ impact on the character and appearance of the surrounding landscape
- Γ impact on the outlook and living conditions of neighbouring residential properties
- Γ impact on agricultural land
- Γ impact on the adjacent public right of way
- Γ impact on the highway
- Γ impact on biodiversity
- Γ impact on aircraft safety
- Γ impact on drainage
- Γ impact on renewable energy generation
- * whether the benefits of the proposed development will outweigh the recognised harm caused ("the balancing exercise")

Impact on the Purposes and Openness of the Green Belt

Section 9 of the NPPF relates specifically to the Green Belt. It explains that the Government attaches great importance to Green Belt. 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 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 continues to say that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Allocations Plan Policy CG7AP is reflective of this national guidance and sets out exception criteria (similar to paragraph 89 and 90 of the NPPF) where new development is not inappropriate.

Paragraph 91 of the NPPF states that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

It is considered that the proposed photovoltaic array is, by definition, inappropriate development in the Green Belt as ground mounted photovoltaic panels do not fall within any of the five exception criteria within Allocations Plan Policy CG7AP or any of the criteria within paragraph 89 and 90 of the NPPF.

In terms of the openness of the Green Belt, the proposed rows of panels will be low in height, c. 2.5 metres above ground level.

It is considered that there would be some harm to the openness of the Green Belt by reason of the length of the rows and numbers of panels proposed, but this harm would be kept relatively limited given the existing screening around the fields where they are proposed. Some of the fields, in particular along the western edge of the site, are raised and are therefore likely to have a greater impact on openness. However, given the retention of existing trees and hedgerows within the site and the provision of further hedgerows along the northern boundaries the impact would be mitigated over time. In addition, the panels also only have a lifespan of approximately 25 years, therefore they will not be permanent structures.

The NPPF and Allocations Plan Policy CG7AP both state that inappropriate development will only be permitted in very special circumstances and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The potential for other harm is considered below and the matters considered by the applicant to be very special circumstances are addressed later within this analysis ("the balancing exercise").

Impact on the Character and Appearance of the Surrounding Landscape

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness ensuring development has regard to the overall built character and landscape quality of the area, will require development to be compatible with the surrounding area, and will maintain and respect the landscape character of the surrounding countryside and its distinctiveness. Policy OA6 relates specifically to developments in Little Lever and Kearsley and states that the Council will maintain current Green Belt boundaries, ensure that allocated Protected Open Land remains undeveloped and will protect significant open recreational areas in the Croal Irwell Valley at Moses Gate Country Park, and along the line of the Manchester, Bolton and Bury Canal, from adverse development.

The application site lies within the Green Belt but is not designated as a distinct landscape character.

The application site represents part of the open gap which is located between the urban edge of Kearsley and the M61 motorway to the south. The application site consists of 3 fields of irregular shape enclosed by post and wire fences or linear belts of trees. Field A within the site is relatively flat with a fall of 3 metres between the SE corner of the site and the NW boundary of the site.

The landform created in Field B was created by spoil from the excavation of the M61 junction cutting to the south of the site and rises c. 7 metres above the surrounding area whilst parts of the western part of Field C were also formed by spoil from the excavation of the motorway with the landform c. 2 metres in height above the surrounding area. The topography of the surrounding landscape is relatively flat with land to the north west rising. A line of conifers runs along the eastern boundary of the site whilst linear groups of trees form a buffer between the site and the M61. A linear group of trees also runs along the drainage ditch between the NW boundary of the site and Mossfield Road.

The Council's Landscape Officers have commented on the proposed development that subject to the provision of additional hedge planting along the boundary of the site the impacts of the proposal would be mitigated.

It is therefore considered that the proposed photovoltaic array would not harm the character and appearance of the surrounding landscape, compliant with Policies CG3 and OA6 of the Core Strategy.

Impact on the Outlook and Living Conditions of Neighbouring Residential Properties

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

The applicant has confirmed that the proposed photovoltaic panels are non-reflective; their aim is to absorb light rather than reflect it.

The nearest residential properties to the proposed photovoltaic array are at Mossfield Road to the north west of the site. The majority of properties adjacent to the site on Mossfield Road present gable ends to the site and would therefore only have peripheral views of the solar panels. These properties would also benefit from the retention of existing trees and hedges in this area and additional hedge planting where necessary.

Properties on Mossfield Road which have main room windows directly overlooking the site would be at least 50 metres away from the edge of the site. The proposed solar panels would therefore not be visually intrusive to residents outlook. Whilst their views would change, in planning there is no right to a view. Properties to the north and north east would be further from the closest part of the site, between 260 m (Holcombe Close) and 300 metres away (Dee Drive).

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

Impact on Agricultural Land

National Planning Policy Guidance "Renewable and Low Carbon Energy" states that local planning authorities should encourage the effective use of land by focusing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value, and where a proposal involves greenfield land (i) the proposed use of any agricultural land should be shown to be necessary and poorer quality land should be used in preference to higher quality land, and (ii) the proposal should allow for continued agricultural use where applicable and/or encourage biodiversity improvements around arrays.

The applicant has stated that they believe the field where the array is proposed to be grade 4 agricultural land, which is low quality. They have also confirmed that the site has never been used for arable crops, only grazing.

The panels will be elevated from the ground, which will allow for continued low-level grazing around the array.

It is therefore considered that the proposed development would not result in the loss of quality agricultural land.

Impact on the Adjacent Public Right of Way

Allocations Plan Policy P8AP states that the Council will permit development proposals affecting public rights of way provided that the integrity of the right of way is retained. There is a public right of way which bisects the application site. This would be retained to the satisfaction of the Council's Public Rights of Way officer.

It is noted that the Ramblers Association raise objection to the proposal on the basis that the proposal will result in an unattractive walking environment. Whilst it is appreciated that the direct views of the site when walking close to the solar farm would be restricted the only area which would be restricted is the corridor between Field B and C. It is considered that this only represents a small part of the proposal which when walking is passed through in a short period of time, therefore limiting the reduction in quality of the overall walking experience.

It is therefore considered that the proposal complies with Allocations Plan Policy P8AP.

Impact on the Highway

Policy S1.2 of the Core Strategy states that the Council will promote road safety in the design of new development.

The photovoltaic array will only be glimpsed from the adjacent M61 due to existing trees which provide an effective screen to the south. The proposal is 600 metres from Bolton Road to the north. It is also not considered that there would be excessive glint or glare from the panels (as they are designed to absorb light, not reflect it). In terms of construction traffic this will only be temporary with maintenance traffic to the solar farm being low key.

The installation of the array would not require the creation of a new access; the existing access from the A666 Bolton Road would be used. The applicant estimates that the installation will take 12 weeks to complete with a total of 50 HGV deliveries expected in that period in addition to 5 light good vehicle movements per day and 5 minibus visits per day carrying contractors.

It is therefore considered that the proposed development would not jeopardise highway safety, compliant with Policy S1.2 of the Core Strategy.

Impact on Biodiversity

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

There are no Sites of Special Scientific Interest, Important Bird Areas or National Nature Reserves within 500 metres of the application site.

The Council's Wildlife Liaison Officer has stated that the proposed development is unlikely to have any major implications on biodiversity. It is therefore considered that the proposal complies with

Policy CG1.1 of the Core Strategy.

Impact on Aircraft Safety

As discussed above, it is not considered that there would be harmful glint or glare from the proposed photovoltaic panels. It is therefore considered that there would not be an effect from the development (which is not a large scale array or near an airport) on aircraft safety.

Impact on Drainage

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

The application site is not within a flood risk area and the Council's Drainage Officers have raised no concern subject to a condition requiring a drainage scheme to be implemented.

The panels do not need a concrete base and no access track is required.

It is therefore considered that the proposal complies with Policy CG1.5 of the Core Strategy.

Impact on Renewable Energy Generation

At the heart of the NPPF is the presumption in favour of sustainable development and it is a core planning principle to encourage the use of renewable resources.

Core Strategy Policy CG1.6 states that the Council will work towards minimising energy requirements, improving energy efficiency, lessening the reliance on fossil fuel-based energy and reducing carbon dioxide (CO₂) emissions. Policy CG1.7 continues by stating that the Council will minimise the potential for renewable energy targets set out in the RSS.

The electricity generated from the proposed solar farm would enable the diversification and viability of an existing rural business.

The NPPF (in paragraph 89) makes it clear that local planning authorities should not require Applicants for energy developments to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location.

National and local planning policies are therefore fully supportive of the principle of such developments and therefore it is considered that the proposal complies with Policies CG1.6 and CG1.7 of the Core Strategy and main objectives of the NPPF.

Whether the Benefits of the Proposed Development Will Outweigh the Recognised Harm Caused ("the Balancing Exercise")

Allocations Plan Policy CG7AP and paragraph 88 of the NPPF state that inappropriate development will only be permitted in very special circumstances and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The NPPF acknowledges that very special circumstances for renewable energy projects may include the wider environmental benefits associated with increased energy production from renewable sources.

The proposed photovoltaic array is considered (as discussed above) to be inappropriate development in the Green Belt as ground mounted photovoltaic panels do not fall within any of the five exception criteria within Allocations Plan Policy CG7AP or any of the criteria within paragraph

89 and 90 of the NPPF. The only harm identified within the above analysis however is a limited harm to the openness of the Green Belt. No other harm has been identified.

The applicant has put forward the following as very special circumstances for the proposed solar farm:

- Γ The proposed array would produce in the region of 5 MW of electricity by annum by way of renewable energy;
- Γ The generation of electricity using the panels does not produce any CO₂, consequently the panels would reduce CO₂ emissions by c. 1,500 tonnes per annum when compared to fossil fuels;
- Γ Continued agricultural use of the site and diversification of the Farm;
- Γ Access to be arranged for local schools and groups to visit;
- Γ 50 employment opportunities will be provided during the construction phase of the development;
- Γ Biodiversity enhancements - to include new hedgerows and trees, bat / bird boxes etc;
- Γ Proximity of the site to the grid connection;
- Γ Temporary nature of the proposed development;
- Γ Any electricity not used on site would be exported to the National Grid, providing a wider community benefit and a positive benefit to the existing farm business.

As the harm identified to the Green Belt is only considered to be minor, it is considered that the very special circumstances in this instance outweigh the recognised harm.

Other Matters

A screening opinion has been undertaken by officers. Photovoltaic panels fall within Schedule 2, paragraph 3(a) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The proposed site does not exceed the threshold in Column 2 of this Schedule.

Conclusion

For the reasons discussed above it is considered that the very special circumstances associated with the proposed photovoltaic array outweigh the limited harm it would cause to the purposes and openness of the Green Belt in this location and therefore should be supported. The proposed development would also not harm the landscape character of the area, would not result in the loss of quality agricultural land, would not unduly harm the amenity of neighbouring residents, would not harm the integrity of the adjacent public right of way, would not harm highway safety, would not harm local biodiversity, would not impact on aircraft safety and would not result in flooding.

Representation and Consultation Annex

Representations

Letters:- four objection letters have been submitted as part of the neighbour notification process. The letters raise the following concerns:

-) Selective distribution of neighbour notification letters - *the application has been notified by way of neighbour notification letter, 4 site notices and a press notice within the Bolton News. Additional neighbour notification letters have been sent out to local residents. Given the peripheral location of the site there are not many properties which are directly adjacent to the site. The level of notification is in accordance with the Council's consultation requirements and also compliant with national consultation standards.*
-) Natural habitats of birds, insects, animal life will be removed / disturbed;
-) Additional traffic generation especially during the construction phase;
-) Visual impact of the proposal / spoil views;
-) The site is in the Green Belt.

Petitions:- no petitions received.

Elected Members:- Cllr C Burrows has requested an advanced site visit.

Consultations

Advice was sought from the following consultees: Greater Manchester Archaeological Advisory Service, Minerals Waste and Energy Unit, Design for Security (GMP) Wildlife Liaison Officer, Landscape Architects, Open Spaces Society, Ramblers Association, Peak and Northern Footpath Group, Public Rights of Way officer, Drainage/Flood Risk team, United Utilities, Salford City Council, The Coal Authority, Highways Engineers, the Trees and Woodland Officer and Highways England.

Planning history

No relevant planning history.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to the commencement of development a sample photovoltaic panel with frame shall be made available for viewing on site by the Local Planning Authority. The agreed panels shall be approved in writing by the Local Planning Authority and implemented in full thereafter.

Reason

To ensure the development does not create excessive glint and glare and to safeguard highway safety and the amenity of neighbouring residents.
3. The permission hereby granted is for the proposed development to be retained on site until the

photovoltaic panels are decommissioned or until no later than 25 years from the first use of the panels hereby approved, whichever is sooner. The Local Planning Authority shall be notified in writing of the decommissioning and the applicant or any subsequent land owner shall remove all above ground structures from site within 6 months of the date of decommissioning. Six months before decommissioning of the panels a scheme for the restoration of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with its provisions.

Reason

To restore the land back to its original state following the decommissioning of the panels.

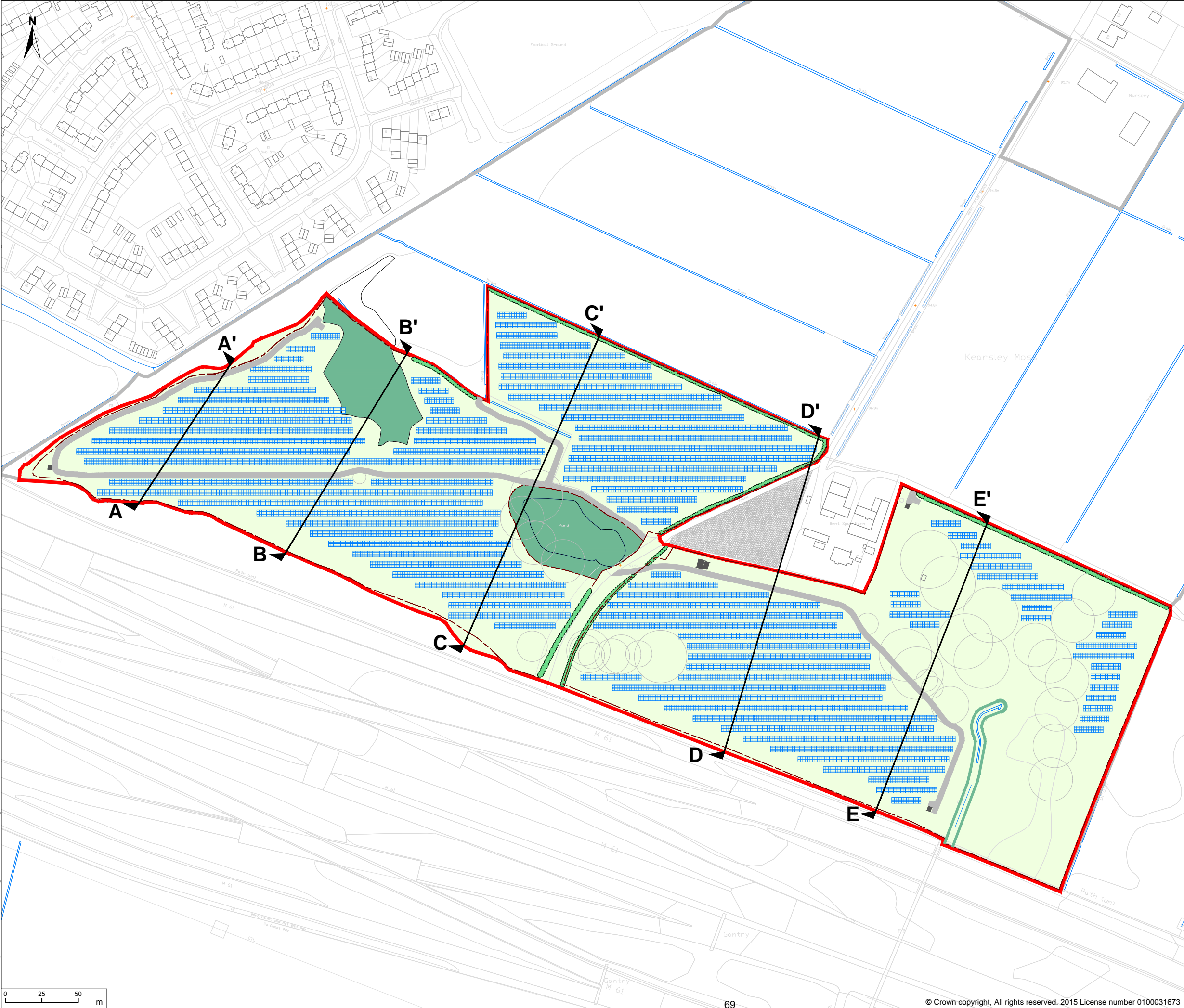
4. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

2ARP_Bent-001 Rev. A - Site Layout dated July 2015;

Reason

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

1. The Local Planning Authority would point out the a grant of consent for this development proposal does not change the status of the land from greenfield to brownfield.



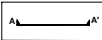
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Client

Project Bent Spur Farm

Title Cross-Section Plan

Status
DRAFT

Drawn By
AVG

PM/Checked by
RG

Job Ref
OXF9072

Scale @ A3
1:2,500

Date Created
OCT 2015

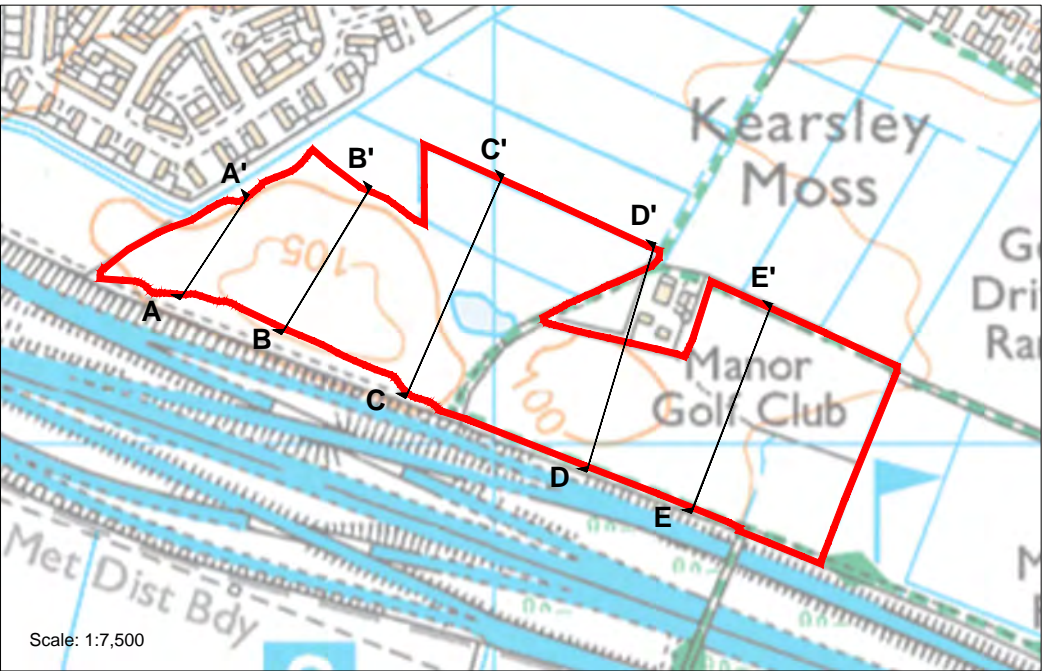
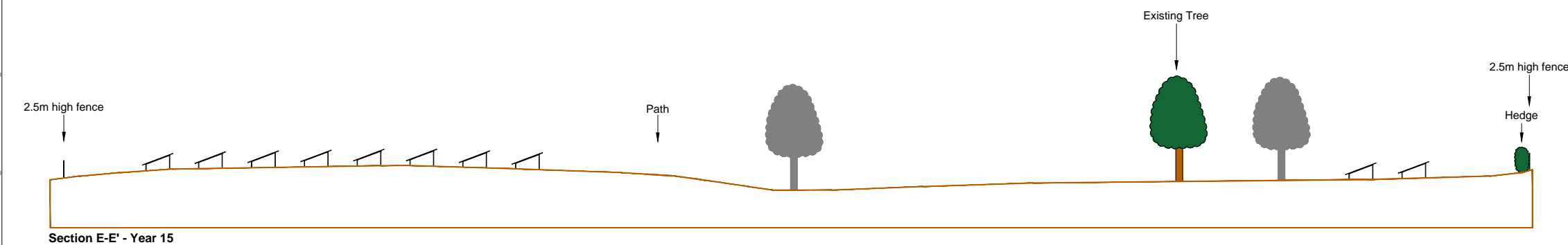
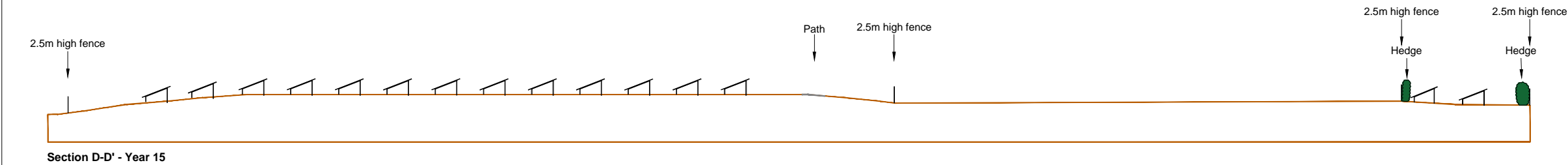
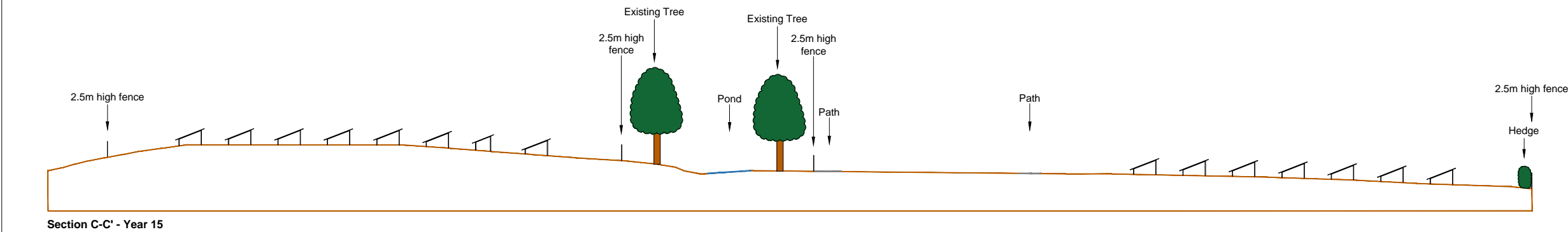
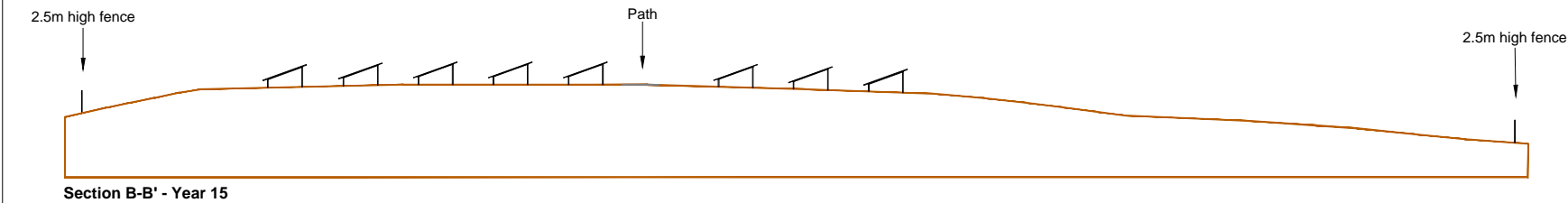
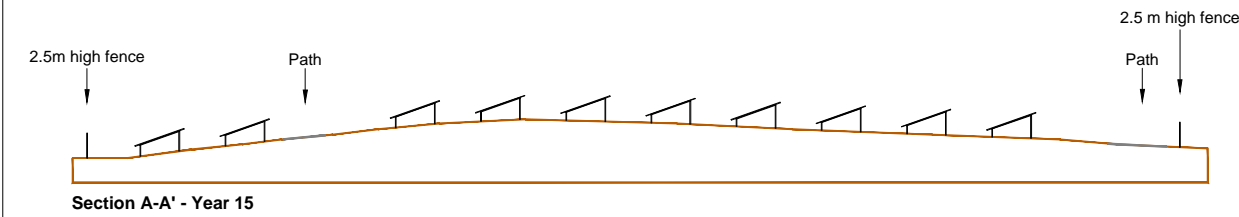
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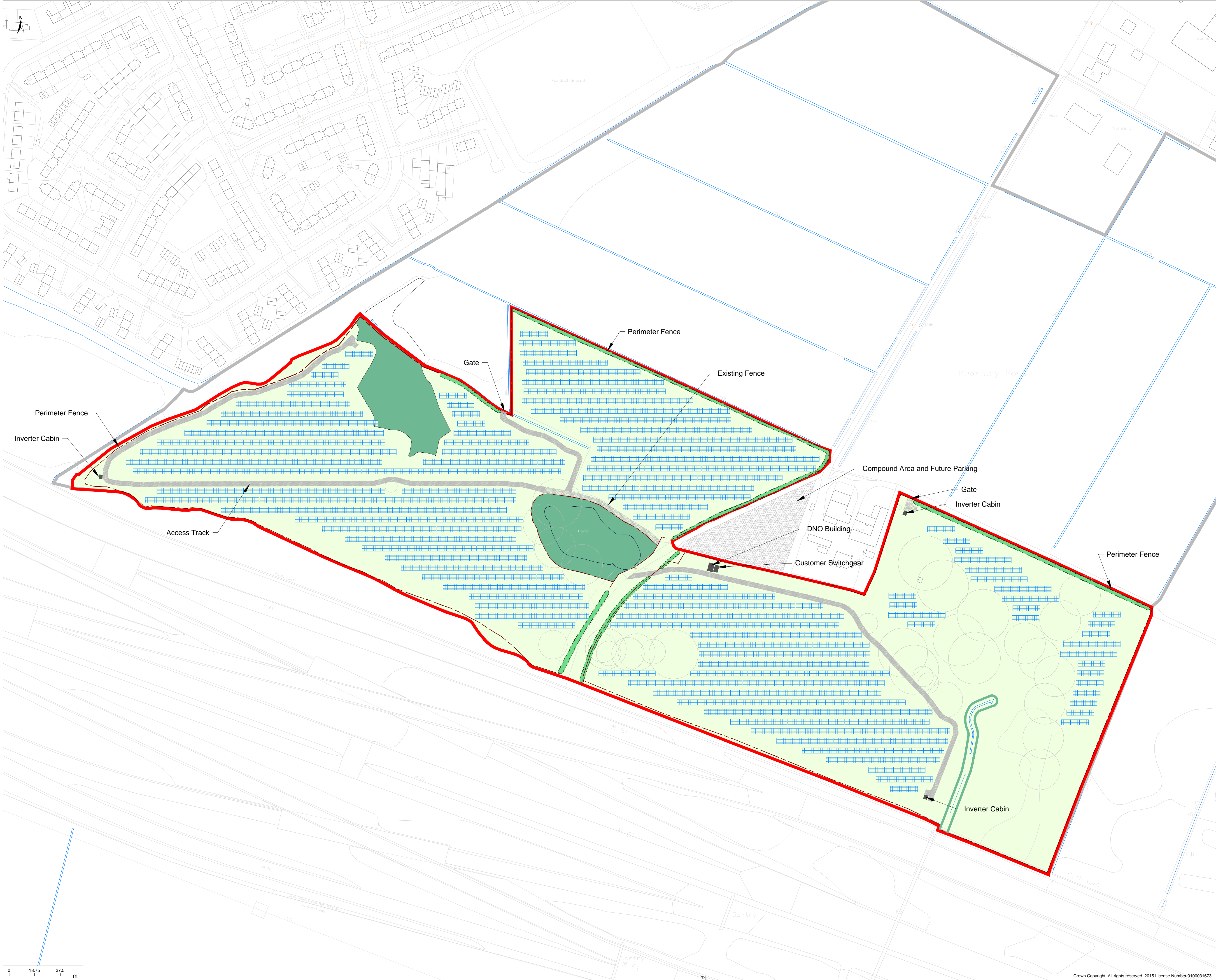
Client .

Project Bent Spur Farm

Title Cross-Section

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- Legend**
- Application site boundary
 - Proposed hedge
 - EM2 - Standard general purpose meadow mixture
 - EM10 - Tussock mixture

Rev	Description	Date	Initial	Checked



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Project Bent Spur Farm

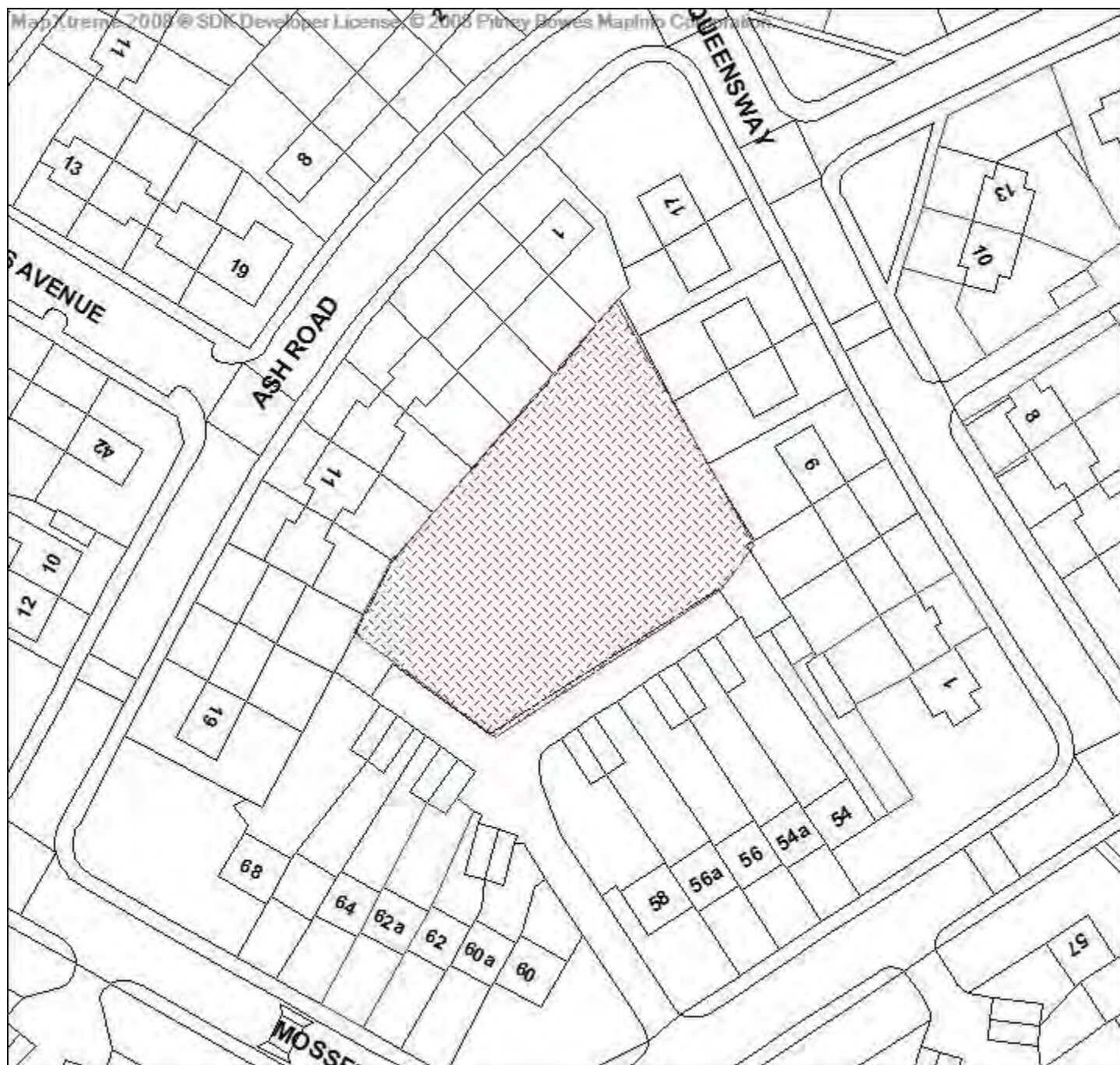
Title Landscape Proposals Plan

Status FINAL	Drawn By AVG	PM/Checked by RG
Job Ref OXF9072	Scale @ A1 1:1,250	Date Created OCT 2015

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Application number 94691/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94691/15

Type of Application: Full Planning Application

Registration Date: 05/08/2015

Decision Due By: 29/09/2015

**Responsible
Officer: Paul Bridge**

Location: LAND OFF MOSSFIELD ROAD, KEARSLEY, BOLTON, BL4 8LD

**Proposal: CHANGE OF USE OF VACANT LAND TO COMMUNITY USE
INCLUDING LANDSCAPING**

Ward: Kearsley

**Applicant: Bolton at Home
Agent :**

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the change of use of this vacant land to a community use together with new landscaping.

The proposal would include a football pitch (kick about area) sited centrally on the site which would be approximately 24.5m x 12.5m. Adjacent to the kick about area to the east, west and south would be earth mounds, (not exceeding 800mm in height). Beyond these would be a woven willow and timber entrance in the south western corner of the site, a bog garden and picnic area in the south eastern corner of the site and a toddlers' play area in the north eastern corner. Adjacent to the northern boundary would be a series of raised timber beds (approx. 1m x 2x 0.5m) and a fruiting hedgerow.

In order to navigate around the site there would be a number of grass and stone pathways. Both pedestrian and vehicular access to the site would remain as existing, whilst the vehicular access to the garages which serve the dwellings on Mossfield Road would also remain. The area is open to members of the local community and would not be secured and therefore access would be available 24 hours a day.

Prior to the submission of the application, the Applicant held a number of events throughout 2014 with the community, in partnership with Bolton at Home and Proffitts CIC. The proposal was initiated through the local residents who approached Bolton at Home to transform this area to benefit local families.

Site Characteristics

The application site relates to a vacant and disused area of land, is roughly triangular in nature and is approximately 1,341 square metres. It is bounded by residential dwellings to the north, east, south

and west. Vehicular access to the site is via Mossfield Road.

Policy

National Planning Policy Framework

Core Strategy Strategic Objective 5 - Prosperous Bolton, Strategic Objective 9 - Safe Bolton, P5 Accessibility, S1 Safe, CG1, Cleaner and Greener, CG3 The Built Environment, CG4 Compatible Uses, SC2 Cultural and Community Provision and OA6 Little Lever and Kearsley.

Planning Control Policy Notes: No. 10 Planning Out Crime and 21 Highways Considerations.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on community provision
- * impact on the character and appearance of the area
- * impact on nearby uses and residential amenity
- * impact on highway and pedestrian safety
- * impact on crime reduction
- * impact on land contamination
- * impact on drainage

Impact on Community Provision

Paragraphs 69 and 70 of the National Planning Policy Framework states that the planning system can play an important role in facilitating social and interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning". Paragraph 70 goes on to state (amongst other things) that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

The proposal will be discussed against the above criteria, but given that the proposal would provide a landscaped recreational space for the local community of Kearsley and would result in the re-use of an underused and vacant piece of land, it is considered that the principle of the development is acceptable in principle and in accordance with the relevant paragraphs of the NPPF and Policy SC2 of

the Council's Core Strategy.

Impact on the Character and Appearance of the Area

Given the location of the site, it would only be visible from the rear of the residential dwellings which surround it. The proposal would introduce both hard and soft landscaped areas which would visually enhance this area of land which is currently unused and vacant. The proposed development has been well considered and would result in a high quality landscape content, which can be properly used and effectively maintained. It is considered that the proposal would enhance landscape quality of the area in accordance with Core Strategy Policy CG3

Impact and Nearby Uses and Residential Amenity

The site is bounded to the north, east, south and west by residential dwellings, however given the nature of the proposed use and the fact that it would be principally used throughout daytime hours, it is not considered that the proposal would have an unacceptable impact on neighbouring residential dwellings in terms of noise and disturbance. The proposal would potentially improve outlook by revitalising an area of unattractive vacant land into a safe and attractive community facility. It is considered therefore that the proposal is in accordance with policy CG4.

Impact on Highway and Pedestrian Safety

Core Strategy policy P5 and S1 seek to ensure that new development proposals provide adequate off road car parking, servicing and access arrangements.

Both pedestrian and vehicular access to the site would remain as existing, with vehicular access to the garages being maintained via the private access road off Mossfield Road. Given that the proposal is for a community facility it is envisaged that there would be negligible vehicle movements to the site as most of the residents and users of the proposal would be within walking distance. In addition, the Council's Highway Engineers have been consulted and have no objections to the proposal.

The proposal would comply with policies P5 and S1

Impact on Crime Reduction

The proposal would potentially be open for access 24 hours a day, which is not entirely desirable given the lack of visibility within the street scene. However, the site is currently open and is bounded by residential dwellings to the north, east, south and west which allow a degree of surveillance over the application site which should deter any potential unsociable activity. It is considered, on balance, that the proposal would not increase the potential for crime and the fear to an unacceptable degree to warrant a refusal of the application. It is considered therefore that the proposal is in accordance with policy S1 of the adopted Core Strategy.

Impact on Contaminated Land

Given the sensitive end use of the site an informative has been attached so that should contamination be suspected or found whilst works are being carried out the Local Planning Authority shall be notified immediately.

Impact on Drainage

The Applicant has submitted a drainage plan in support of the application. The Council's Drainage Engineers have assessed the submitted plan and have no objections to the proposal. It is considered therefore that the proposal would not be at risk of flooding and would not increase the risk of flooding elsewhere, in accordance with Policy CG1.

Conclusion

The proposal provides a new community facility in an accessible location to a local catchment

population without compromising highway safety or the operations of adjoining uses. The proposal would comply with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters: - Two letters of objection have been received in response to the planning application publicity and which raise the following concern:-

-) potential increase in vandalism and anti-social behaviour.

It is considered that the issues raised above have been addressed in the appraisal.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: Pollution Control, Highways, Corporate Property, Children's Services 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

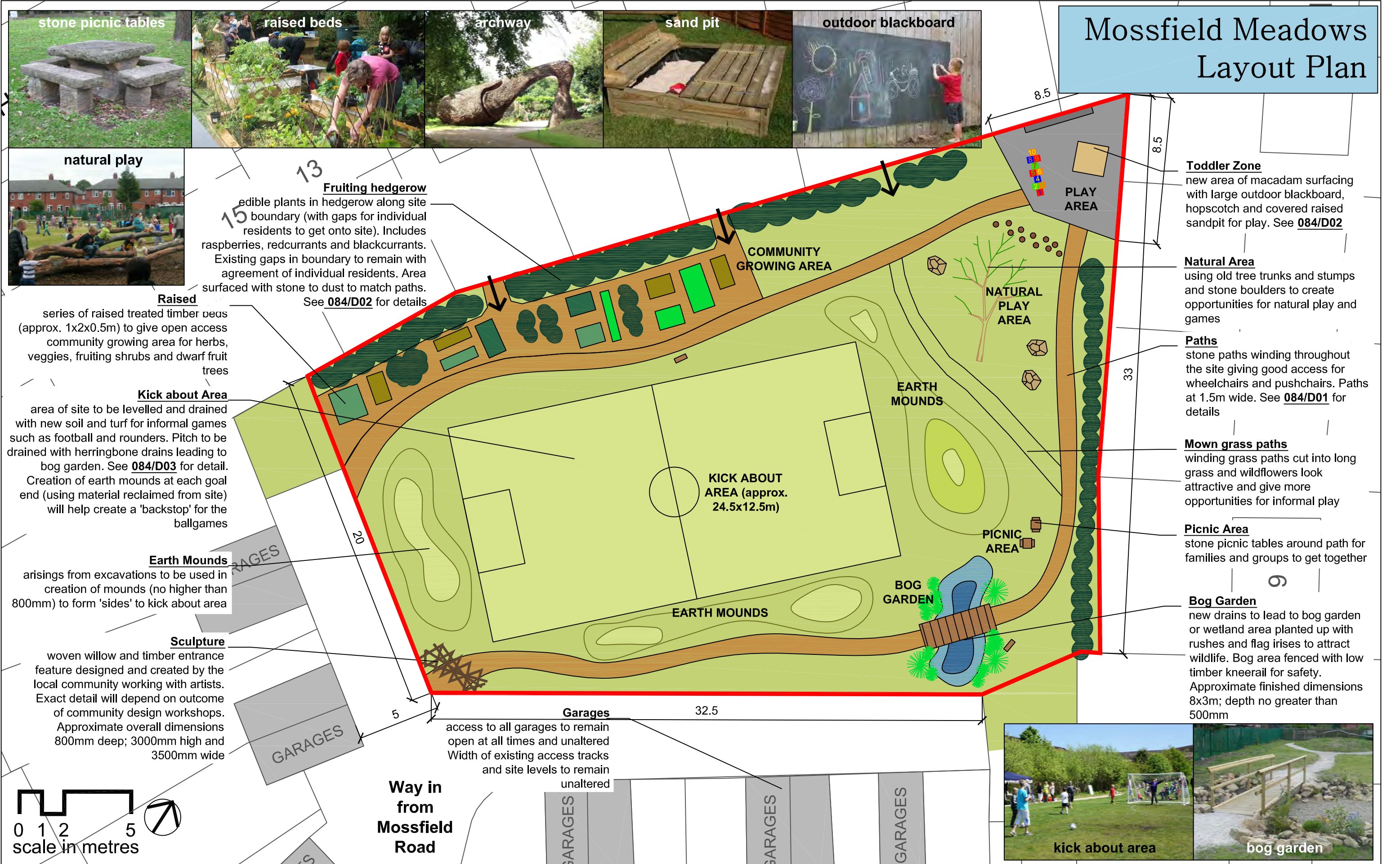
Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

**Location Plan,
084/LO1 - Layout Plan, dated May 2015
084/D03 - Detail of Drainage, dated May 2015**

Reason

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



Notes

- 1) Figured dimensions to be taken. Do not scale dimensions. Contractors must verify all dimensions on site before preparing shop drawings or commencing any work.
- 2) Copyright ©. This drawing must not be reproduced without the permission of Proffitts CIC
- 3) Reproduced from 1998 Ordnance Survey mapping with permission of the controller of HMSO.

DATE	REVISION NOTES	ISSUE	CHKD

KEY

bog garden

boardwalk/bridge

paths

tarmac surfacing with hopscotch

fruiting shrubs/hedgerow

raised beds

bog planting

entrance archway

stone boulders

timber play features

picnic tables and seats

sand pit

Bolton at Home

PROFFITTS - INVESTING IN COMMUNITIES
53 Deardengate
Haslingden
Rossendale
Lancashire
BB4 5QN
Tel: 01706 223700
email: communities@proffittsdc.com
www.proffittsdc.com

CLIENT	
Bolton at Home	
PROJECT	
Mossfield Meadows	
TITLE	
Layout Plan	
SCALE	DATE
1:200@A3	May 2015
DRAWN BY	CHECKED BY
RG	MP
PROJECT CODE	ISSUE
084	084

Application number 94701/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94701/15

Type of Application: Full Planning Application

Registration Date: 30/07/2015

Decision Due By: 23/09/2015

Responsible Officer: Paul Bridge

Location: SS OSMUND AND ANDREW ROMAN CATHOLIC PRIMARY SCHOOL, FALKIRK DRIVE, BOLTON, BL2 6NW

Proposal: VARIATION OF CONDITION 02 ON APPLICATION 90726/13 TO RESITE THE DEVELOPMENT ON THE EASTERN BOUNDARY AND ALTER THE WINDOW AND DOOR OPENINGS.

Ward: Breightmet

Applicant: Mr Thorpe
Agent : MTC Designs

Officers Report

Recommendation: Approve subject to conditions

Proposal

Members will recall that in July 2014, a conditional planning permission was granted for the demolition of the existing nursery modular building and the erection of a single storey nursery school building and formation of play area, with the erection of fencing to boundaries.

This current proposal seeks an amendment to that permission.

Planning permission is sought for the variation of condition 2 on application 90726/13 to re-site the development closer towards the eastern boundary and alterations to the window and door openings.

Condition 2 stated that:-

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

P192/02A-Existing Ground Floor Plan received on 27th July 2014

P12/05A-Proposed Ground Floor Plan received on 27th July 2014

P192/06A-Proposed Ground Floor Plan received on 27th July 2014

P192/07A-Proposed South and North Elevations received on 27th July 2014

P192/08-Proposed East and West Elevations

P192/SP1B-Existing Site Plan received on 27th July 2014

P192/SP2B-Proposed Site Plan received on 27th July 2014

P192/SP3-Streetscene Drawing."

The development is now built and is occupied by the nursery. The temporary building which was previously occupied by the nursery has been removed from the site.

This current development is sited 2.05m from the acoustic fence and approximately 6.75m from the eastern common boundary. The design of the building is fundamentally the same as the building previously approved. However, for completeness the building is a single storey structure with staggered sloping flat roofs. The external walls have been constructed in facing brickwork similar to the existing school buildings. An external hard and soft play surface, garden area for outdoor play and learning has also been created adjacent to the western elevation of the building and which is enclosed with a 1.8m high timber fence.

The building is 19.55m long and 11.0m wide. Due to the staggered design of the roof, it has a minimum height of 3.5m at the western end and a maximum height of 5.5m at the eastern end.

The building provides facilities for up to 45 children at any one time and employs 7 full time staff and 7 part time staff. The hours of operation for the nursery remain unchanged. The nursery operates between 7.30am and 6.00pm Monday to Friday.

The existing car parking arrangements for the nursery remain unchanged. Staff parking is in the existing car park to the north of the site which is accessed from Connel Close. Visitor parking is provided in the existing car park. The existing pedestrian entrance to the building on Falkirk Drive also remains.

In addition to the above there have been some minor amendments to the fenestration of the previously approved building which have been listed below:-

Southern Elevation – The width of the windows has been increased by 150mm.

Northern Elevation – There has been a reduction in the number of windows from 7 to 6 and the location of some have changed.

Eastern Elevation – A window has been introduced.

Western Elevation – Two windows have been removed and the doors re-positioned.

Site Characteristics

The site is an established primary school which comprises of a number of buildings. Residential properties are located adjacent to the eastern boundary of the site on Kilbride Avenue and to the west on Falkirk Drive. A 3 metre high wooden acoustic fence is sited between the eastern boundary of the site and the residential properties on Kilbride Avenue. Sited between the acoustic fence and the rear common boundaries of the dwellings along Kilbride Avenue are two silver Birch Trees, (which are not protected by way of tree preservation orders).

Policy

National Planning Policy Framework

Core Strategy policies:

P5 Transport and Accessibility, CG1 Green Bolton; CG3 the Built Environment, CG4 Compatible Uses, RA3 Brightmet, and S1 Safe Bolton.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on trees
- * impact on residential amenity
- * impact on the highway
- * impact on flood risk and drainage

Impact on the character and appearance of the area

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

The building in terms of its design is fundamentally the same as previously approved, with the exception of the minor alterations to the fenestration, which have been listed above. The external play areas are located to the west of the building and are enclosed by way of a 1.8m high fence.

The building is single storey structure consisting of staggered sloping flat roofs with the external walls being constructed in facing brickwork which complements the existing school buildings. The external hard and soft play surface and garden area are enclosed with a 1.8m high fence and are therefore not highly visible from within the streetscene.

Given the above and that the design of the proposal was considered acceptable previously, it is considered that the design of the building and the minor alterations to its fenestration are considered acceptable and provides a major visual improvement to the previous temporary building which was on site. The design of the building is therefore acceptable as it enhances and complements the character and appearance of the surrounding area in accordance with policy CG3 of the Core Strategy.

Impact on trees

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

During consideration of the previous application the Council's Tree and Woodland Officer advised that the building was sited close to two Silver Birch trees on the eastern boundary of the school. Whilst these trees are not protected by way of Tree Preservation Orders, they were considered to be of high amenity value being visible from Brodick Drive. An additional 3 metres clearance was therefore required to ensure their retention in the long term. The development has been sited closer to these trees than the previously approved position and therefore any potential impact must be further assessed.

During consideration of this current application the Council's Tree and Woodland Officer visited

during the construction phase and has advised that the siting of the building closer to the Silver Birch trees to the rear of the building will have caused some damage to the tree roots. However, it is considered that there would be no benefit to the Silver Birch trees in removing the eastern section of the building beyond the line of the previously approved drawing as any demolition would result in further damage.

Whilst the trees have not been destabilised by the building works the Council's Tree and Woodland Officer has advised of the possibility that they may go into decline in the next few years. As a result a condition has been attached to ensure that suitable replacement trees would be planted if the trees die or are required to be removed within the next five years.

No damage has been reported in respect of the Field Maple tree during the construction of the development and as such, a condition requiring a replacement is not felt reasonable or is indeed required in this instance.

Impact on residential amenity

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

As stated earlier in the report the development has been sited closer to the eastern boundary of the site than the previously approved building. Therefore, it is necessary to re-asses any potential unacceptable impact the development has on the residential dwellings along this section of Kilbride Avenue. The application site is located on a slightly higher level than No's 1, 3 and 5 Kilbride Avenue and there is a 3 metre high acoustic fence which partially screens the development at ground floor level and from the single storey extension at No.1 Kilbride Avenue. In addition a distance of approximately 25.5m would be maintained to the main two storey rear elevation of the proposal, which is approximately 12m more that is normally considered acceptable. Given the above and the orientation of the sun it is not considered that development in its current location results in an unacceptable loss of light or is overbearing on the neighbouring residential dwellings.

There are windows in all the elevation of the buildings, however the windows in the northern, southern and western elevations do not directly overlook any residential dwellings.

As stated above a window has been introduced into the western side elevation of the building at ground floor level. Given the size and siting of this window it would directly face the 3 metre high acoustic fence and does not offer any views in to the rear garden areas of the residential dwellings along Kilbride Avenue. Therefore, it is not considered that the development would result in an unacceptable loss of privacy or overlooking on the occupiers of adjacent residential dwellings.

Given that the proposed building is a 'like for like' replacement of the previous temporary building there is no increase in the number of children attending the nursery than at present. Furthermore, whilst the nursery operates between the hours of 7.00am-6.00pm, the outdoor play area is not in use for the full 11 hours and therefore there are only to be a small proportion of children outside at any one time. Whilst the site has introduced a potential noise source from the outdoor play areas, the position of the play areas to the western area of the site in conjunction with existing acoustic fencing will help to reduce noise levels.

Whilst the applicants have not submitted a Noise Assessment in support of this revised application, the situation remains the same. The previous assessment concluded that the development would not cause an unacceptable worsening of noise disturbance from children playing. Bolton's Environmental

Health Officers raised no objections to the previous application and were satisfied with the findings of the Noise Assessment and there is no reason for the Local Planning Authority to reach a different view in respect of this application.

It is considered therefore that the development does not cause any unacceptable impact on the residential amenity of adjacent residential dwellings in accordance with policy CG4 of the Council's Core Strategy.

Impact on the highway

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

The existing car parking arrangements for the nursery remain unchanged and staff park on the existing school car parking area to the north of the site which is accessed from Connel Close. Visitors to the nursery are encouraged to park in this car park and then walk to the nursery using Crinan Way and the existing footpath running north-south along the western boundary of the school field. The existing pedestrian access also remains unchanged and parents will be asked to use these when bringing the children into the nursery.

Bolton Council's Highways Engineers raised no objections to the previous application but noted that there are traffic related issues within the vicinity of the site mainly generated at certain times of the day, namely at school start/finish times. However, the applicants provided evidence showing there would be no specific spike in dropping off or picking up times. Car parking activity tends to be spread fairly evenly throughout the day which results in less demand for parking. In addition, the nursery management encourages parents to drop off and pick up the children either before or after the beginning and end of the school day to limit potential congestion around the site.

Bolton's Highways Engineers have also previously advised that analysis of the last 5 years accident data has revealed that there has been no injury reported accidents at this location thus adding a certain level of assurance in terms of road safety implications.

The development does not therefore result in an unacceptable impact in highway safety or the accessibility of the site nor does it raise any issues around the undue impact on highway matters to warrant refusal of the application in accordance with policy S1 of the Core Strategy. A condition attached to the previous permission for a full review of traffic orders within the vicinity of the site and any promotions/revocations deemed necessary shall be funded at the Applicant's expense has also been attached to the current application.

Impact on flood risk and drainage

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.

The application site is located in Flood Zone 1 which is at low probability of flooding.

The drainage from the nursery is connected into the school's system then discharged into the main sewer. However, a condition has been attached requiring the submission of a scheme for the disposal of foul and surface waters as this will ensure the development has not increased the risk of flooding either on site or elsewhere in accordance with advice given in the NPPF.

Conclusion

It is not considered that the re-siting of the nursery school building will have any greater harm to the

character and appearance of the area, the amenity of neighbouring residents, the highways and drainage than the previously approved location of the building. A condition is recommended to ensure that suitable replacement trees would be planted if the (unprotected) Silver Birch trees die or are required to be removed within the next five years. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- Letters have been received from two neighbouring residential dwellings in respect of the planning application publicity and who have raised the following issues:-

- Γ The application should not be dealt with as a 'minor material amendment' Section 73 application. *Response:- The definition for minor material amendments states that "a minor material amendment is one which scale and nature results in a development which is not substantially different from the one which has been approved". The Case officer is satisfied that the application can be determined under Section 73 of the Town and Country Planning Act as 'minor material application' as the development would not be substantially different from the one which has been approved.*
- Γ The siting of the building will restrict the fire access on the eastern elevation. *Response:- Any issues in respect of restricted fire access will/have been addressed by an approved Building Inspector who responsibility is to ensure an adequate means of escape exist.*
- Γ The area of land between the acoustic fence and the properties along Kilbride Avenue is overgrown. *Response:- The maintenance of this area of land is the responsibility of the land owner and is not a matter which can be considered as part of this current application.*
- Γ Enforcement Action should have been taken during the construction phase. *Response:- Enforcement Action is discretionary and not mandatory and should only be taken when expedient to do so, in the wider public interest and where demonstrable harm can be identified. The Local Planning Authority brought the situation to the attention of the developer who chose to continue work entirely at their own risk. This current application has to be determined therefore entirely on its own merits and any other material planning considerations. In addition the Town and Country Planning Act allows for the submission of applications after the date of development.*

The issues raised below have been addressed in the appraisal.

- Γ Loss of privacy,
- Γ The building is intrusive and excessive,
- Γ Impact of the Silver Birch trees,
- Γ The land is already overdeveloped,
- Γ Drainage

Consultations

Advice was sought from the following consultees: Tree and Woodland Officers and Drainage.

Planning History

A planning application 90726/13 for the demolition of the exiting nursery modular building and the erection of a single storey nursery school building and formation of play area with the erection of fencing to boundaries. The application was approved with conditions at committee on the 31st July 2014.

A planning application (89764/13) for variation of Condition 1 on Planning Permission 83982/10 (to facilitate the retention of single storey modular building with pergola and external plan area for an additional period of three years) approved by committee in June 2013.

A planning application (86432/11) for the erection of a 3 metre high acoustic fence to boundary with numbers 1-15 Kilbride Avenue together with associated shrub planting was approved by committee in August 2011.

A planning application(85979/11) seeking consent for the felling of 2 no. silver birch trees was refused by committee in June 2011.

A planning application (83982/10) for the retention of single storey modular building with pergola and external play area for an additional temporary period of three years was granted approval by committee in June 2010.

A planning application (77949/07) for the erection of a single storey modular building with pergola and associated external play area for a temporary period of 3 years was approved with conditions in October 2007.

A planning application (74468) for the erection of extensions to front, side and rear together with 2.4 metre high perimeter fence (without complying with con. 10 on planning application 73072/05 requiring the provision of a drop off prior to the school re-opening) was approved with conditions in July 2006.

A planning application (73072/05) for the erection of extensions at front, side and rear together with a 2.4m high perimeter fence was approved with conditions in April 2005.

A planning application (58848/01) for an extension to the existing car park for 6 cars was approved with conditions in May 2001.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. Within 28 days of the date of this decision details of how both the foul and surface water is being disposed of on site shall be submitted to, and approved in writing by, the local planning authority. Any further recommendations as required by the Local Planning Authority shall be carried out within 28 days of applicant receiving them in writing and shall be maintained thereafter, to the satisfaction of the Local Planning Authority.

Reason

To prevent pollution to the water environment.

2. With 28 days of the date of this decision a full review of traffic orders within the vicinity of the site shall be submitted to and approved in writing by the Local Planning Authority. Any promotions/revocations deemed necessary shall be implemented in full at the Applicant's expense and within 56 days of being notified of any recommendations in writing and retained thereafter.

Reason

In the interests of highway safety.

3. If within a period of 5 years from the date of this decision, either or both of the two Silver Birch Trees identified on plan number SP317/04 are removed, uprooted, destroyed or die or become, in the opinion of the local planning authority, seriously damaged or defective, two trees of similar size and species (or as agreed with the local planning authority) shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original trees unless the local planning authority gives its written consent to any variation.

Reason

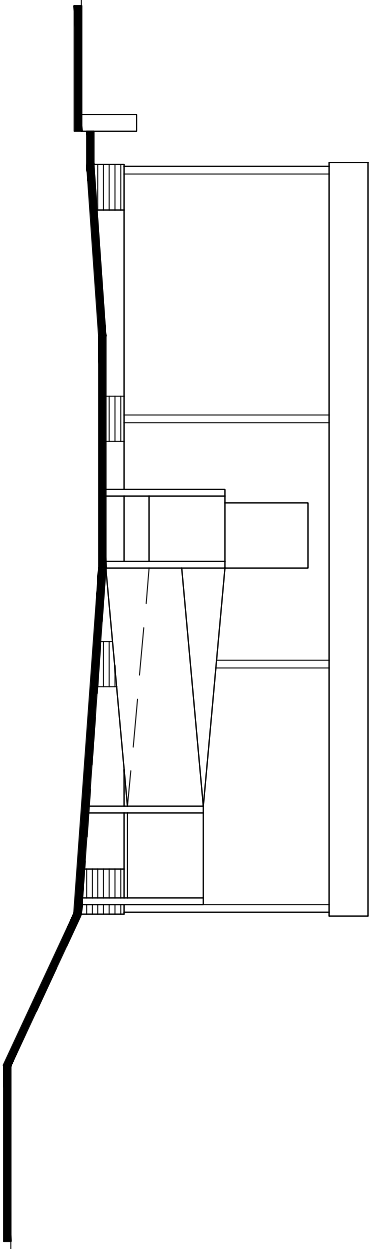
To safeguard and enhance the character of the area and secure high quality landscaping.

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

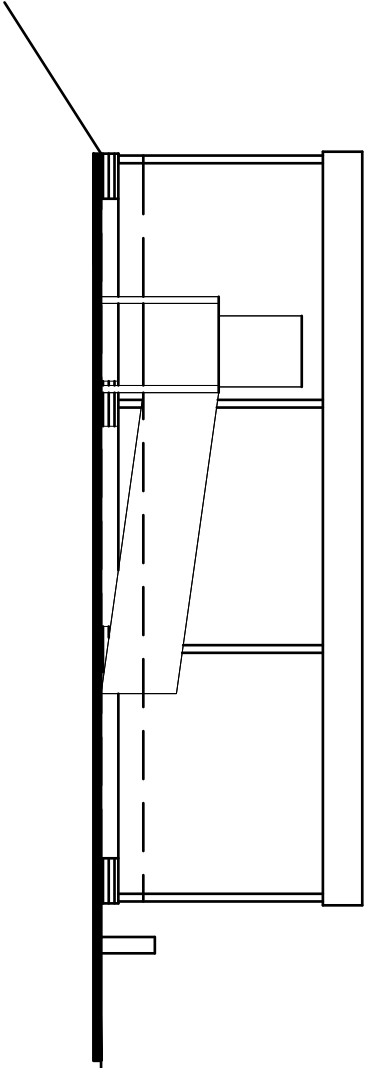
**P317/05 - Part Proposed Ground Floor Plan, dated July 2015,
P317/06 - Part Proposed Ground Floor Plan, dated July 2015,
P317/08 - Proposed East and West Elevations, dated July 2015,
P317/07 - Proposed South and North Elevations, dated July 2015,
P317/SP2 - Proposed Site Plan, dated July 2015 and
SP317/04 - Proposed Site Plan Showing External Facilities.**

Reason

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

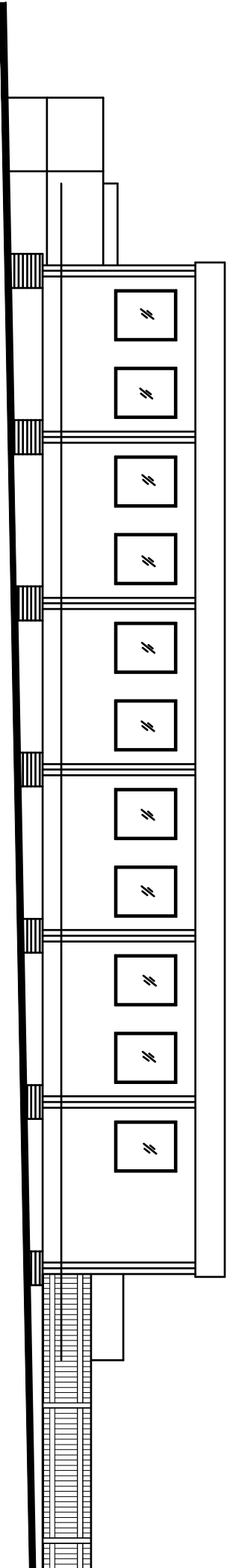


EXISTING WEST ELEVATION.

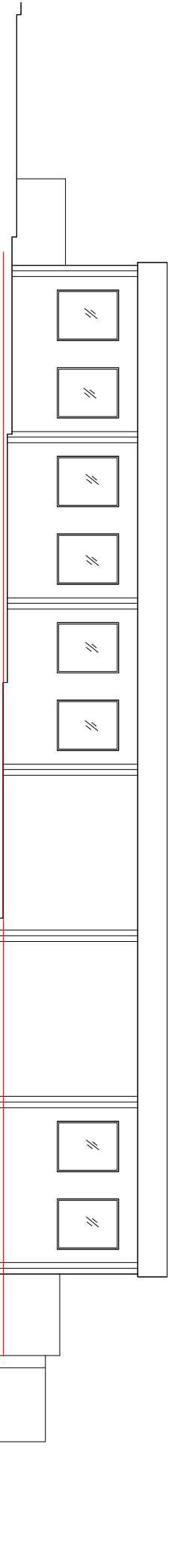


EXISTING EAST ELEVATION.

Revision	Title : PROPOSED NEW SINGLE STOREY NURSERY BUILDING.	Project : LITTLE OZZIES COMMUNITY NURSERY SS OSMUND & ANDREW RC PRIMARY SCHOOL FALKIRK DRIVE, BOLTON BL2 6NW	MTC Designs Scale 1:100 Date: July 2015.	31 Exford Drive Bolton BL2 6TB T: 01204 418714 M: 07709028514 Drawing No: P317/04
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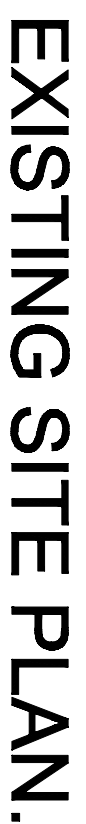


EXISTING SOUTH ELEVATION.



EXISTING NORTH ELEVATION.

Revision	Title : PROPOSED NEW SINGLE STOREY NURSERY BUILDING.	Project : LITTLE OZZIES COMMUNITY NURSERY SS OSMUND & ANDREW RC PRIMARY SCHOOL FALKIRK DRIVE, BOLTON. BL2 6NW	MTC Designs Scale 1:100 Date: July 2015.	31 Exford Drive Bolton BL2 6TB T: 01204 418714 M: 07708028514 Drawing No: P317/03
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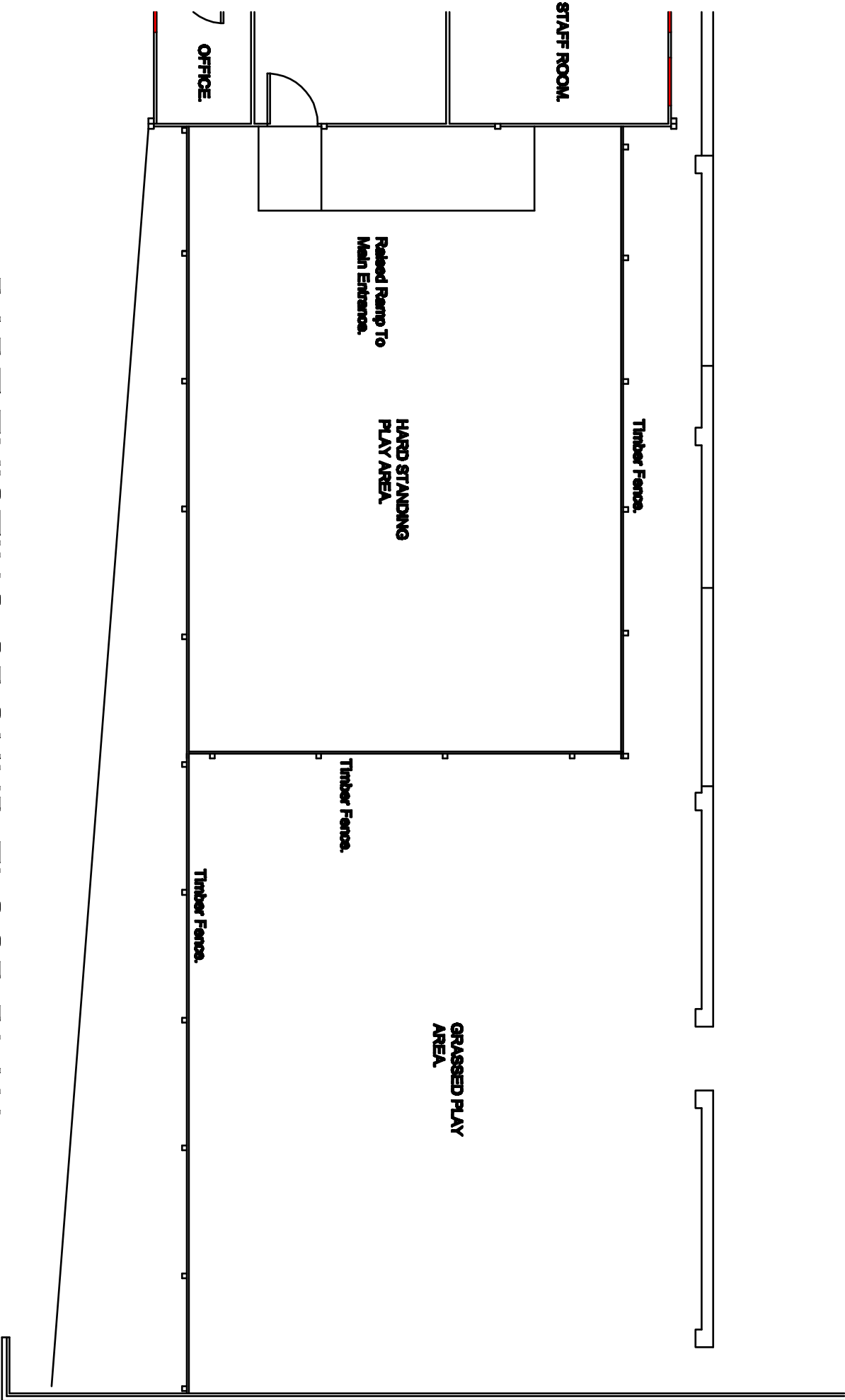
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			Drawing No: P317/SP1

BOUNDARY LINE.

Existing Silver Birch Trees.

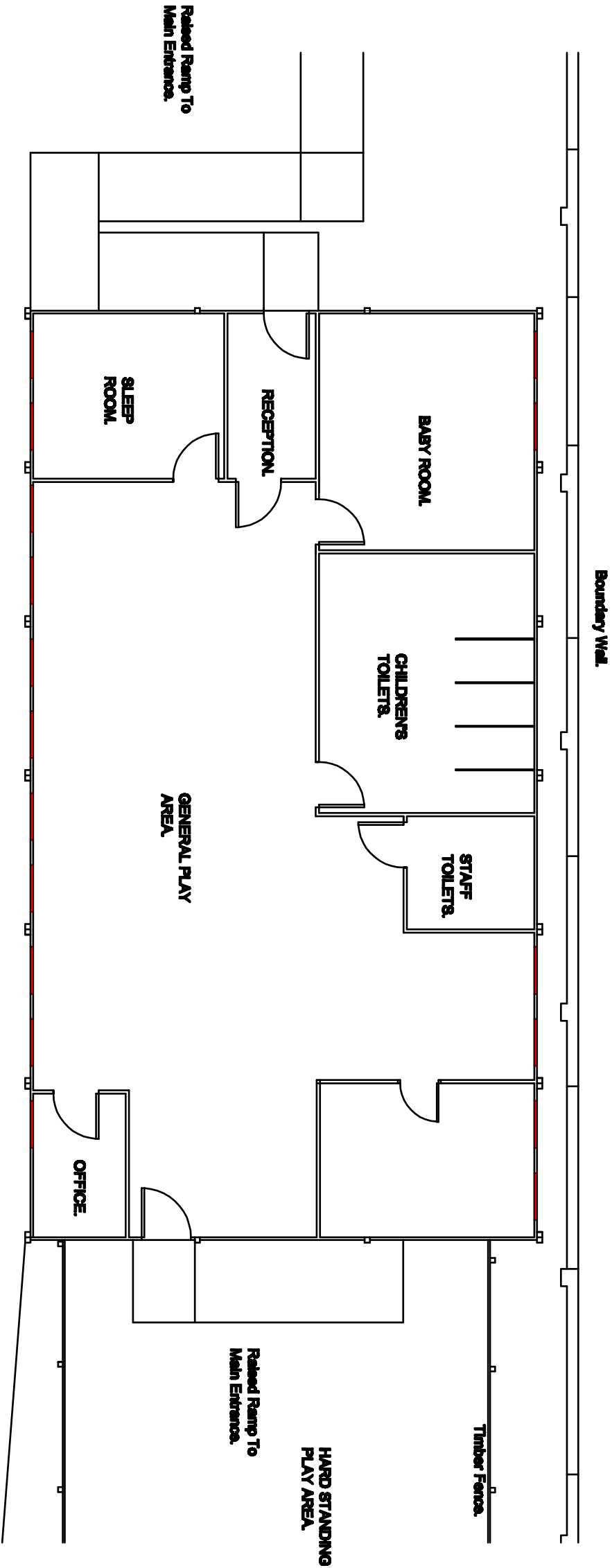


ACOUSTIC FENCE.



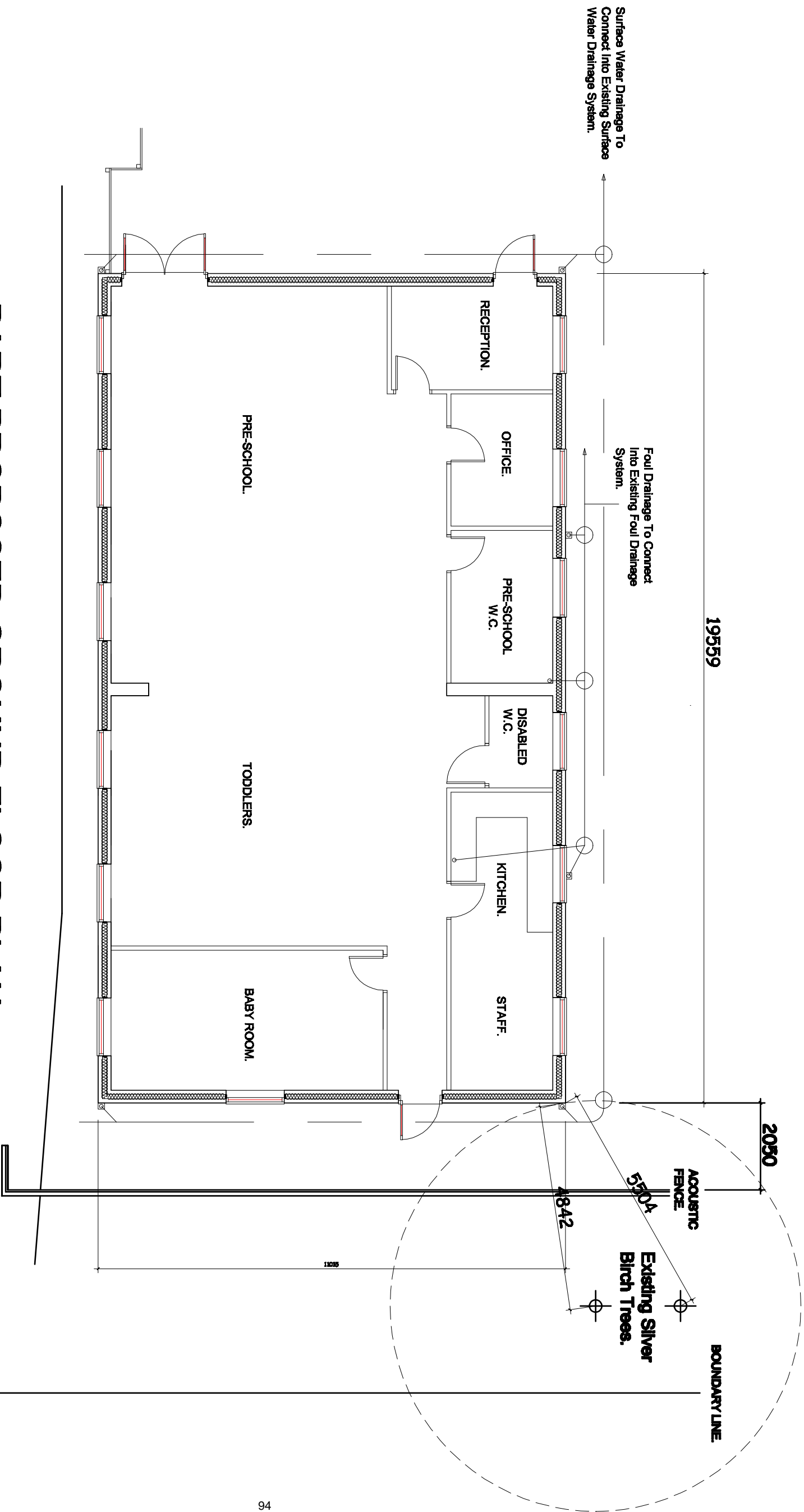
PART EXISTING GROUND FLOOR PLAN.

Revision	Title : PROPOSED NEW SINGLE STOREY NURSERY BUILDING.	Project : LITTLE OZZIES COMMUNITY NURSERY SS OSMUND & ANDREW RC PRIMARY SCHOOL FALKIRK DRIVE, BOLTON. BL2 6NW	MTC Designs 31 Exford Drive Bolton BL2 6TB T: 01204 418714 M: 0770626514 Scale 1:100 Date: July 2015.	Drawing No: P317/02
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PART EXISTING GROUND FLOOR PLAN.

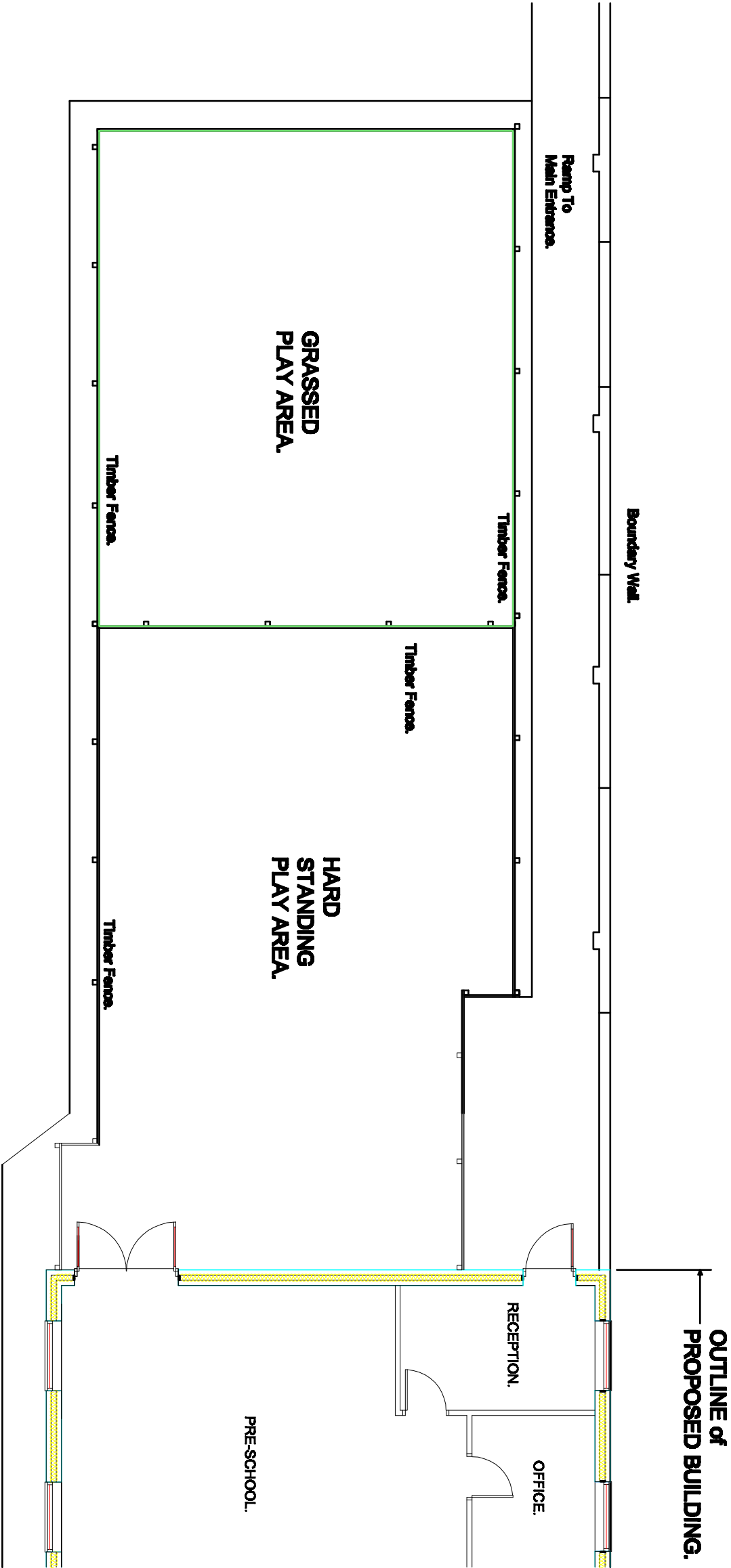
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LINE OF FENCE

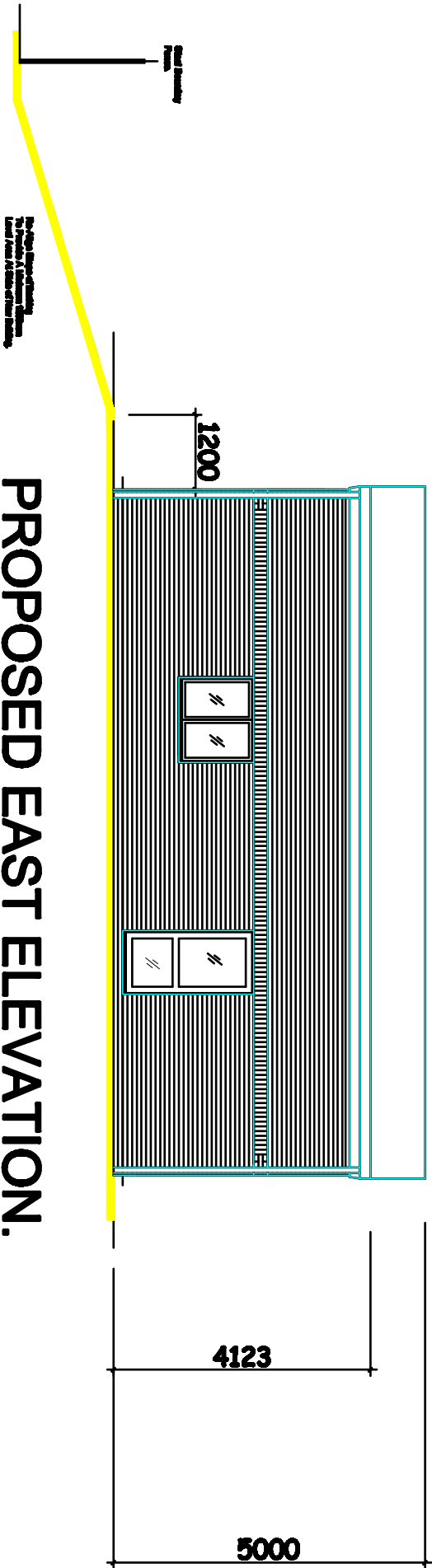
PART PROPOSED GROUND FLOOR PLAN.

Revision	Title : PROPOSED NEW SINGLE STOREY NURSERY BUILDING.	Project : LITTLE OZZIES COMMUNITY NURSERY 88 OSMAUND & ANDREW RD PRIMARY SCHOOL FALKIRK DRIVE, BOLTON, BL2 6NW	MTC Designs Scale 1:100 Date: July 2016.	31 Edson Drive Bolton BL2 6TB T: 01204 418714 M: 0770028914 Drawing No: P317/05
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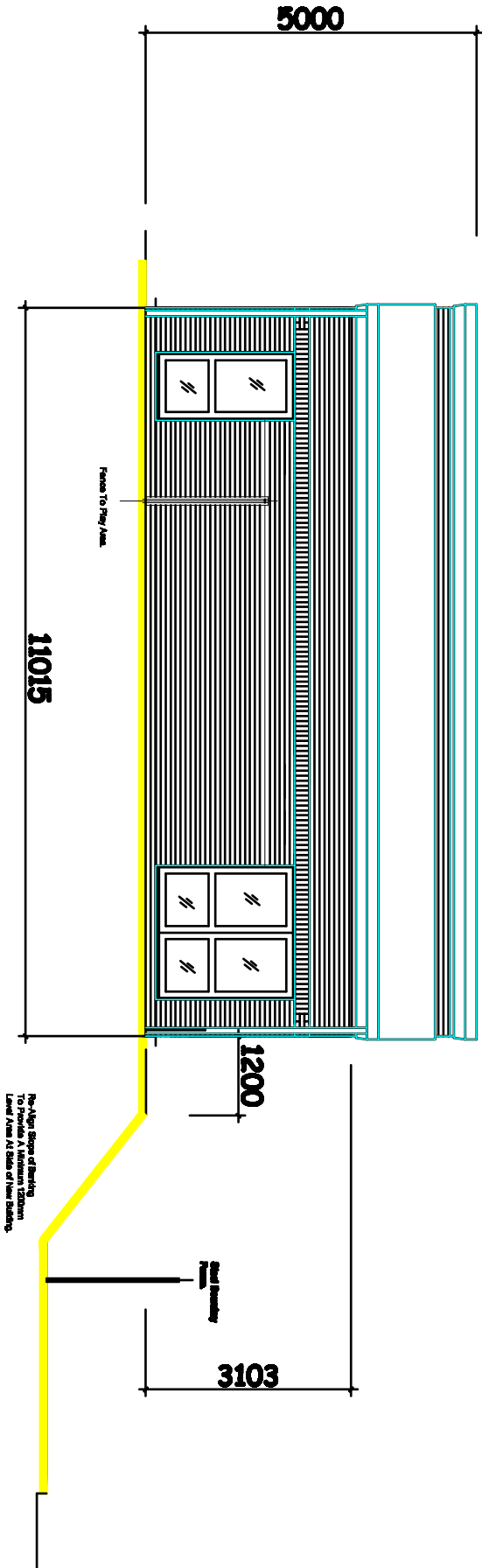


PART PROPOSED GROUND FLOOR PLAN.

Revision	Title : PROPOSED NEW SINGLE STOREY NURSERY BUILDING.	Project : LITTLE OZZIES COMMUNITY NURSERY 88 OSMAUND & ANDREW RC PRIMARY SCHOOL FALKIRK DRIVE, BOLTON, BL2 6NW	MTC Designs 31 Eskdale Drive Bolton BL2 6TB T: 01204 418074 M: 07760028014 Scale 1:100 Date: July 2016. Drawing No: P317/06
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PROPOSED EAST ELEVATION.



PROPOSED WEST ELEVATION.

Revision	Title : PROPOSED NEW SINGLE STOREY NURSERY BUILDING.	Project : LITTLE OZZIES COMMUNITY NURSERY 88 OSMAUND & ANDREW RD PRIMARY SCHOOL, BOLTON, BL2 8NW	MTC Designs 31 Eckard Drive Bolton BL2 8TB T: 01504 418714 M: 0770028914 Scale 1:100 Date: July 2015.	Drawing No: P317/08
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Conditions Related To Previous Planning Application No 90726/13.

Conditions To Be Satisfied Before The Approval Development Is Commenced.

6. Removal Of Existing Temporary Building.

The Existing Building Was Removed July 2015.

Conditions To Be Satisfied Before The Use or Building Work Started

7. Traffic Review.

A Traffic Review Was Undertaken With GMTransport And Bolton Highways Department, Temporary Bus Stops And Partial Road Closure Agreed.

Conditions Always Relevant To The Use or Development.

3. Disposal of Foul & Surface Water.

The New Drainage For Both Foul & Surface Water Are To Be Connected Into The Existing Drainage System of The School.

5. Materials.

Roof.

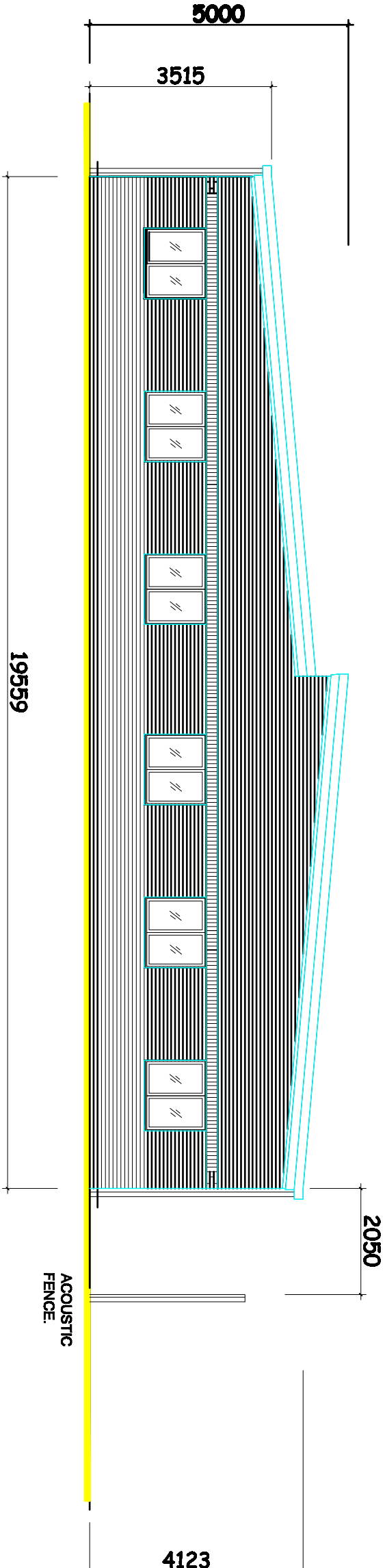
Metssec Plastisol Profile Steel Sheeting
Colour: Goose Wing Grey.

External Walls.

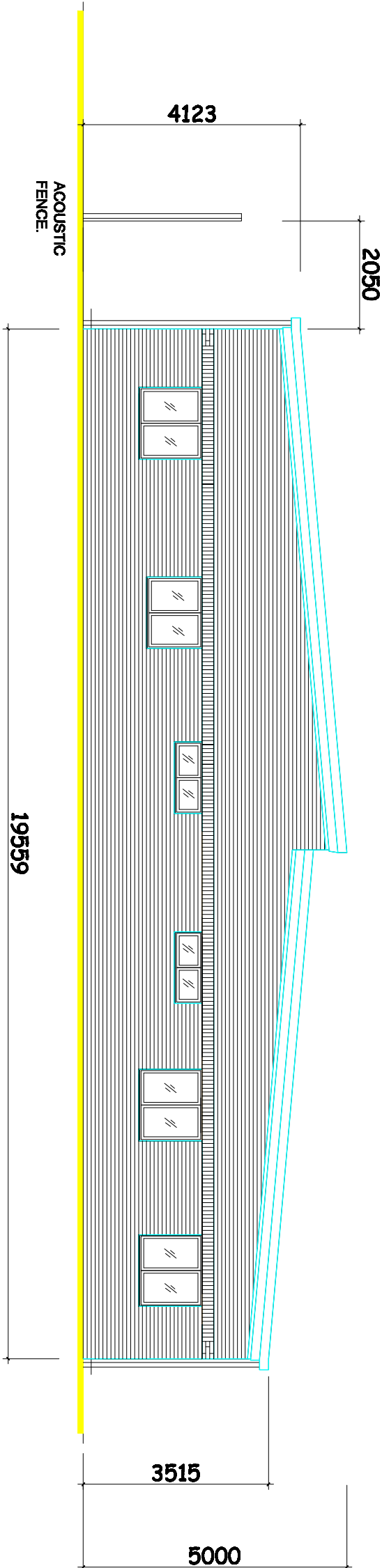
100mm Facing Bricks
Colour: Barclay Silver
225mm Facing Bricks Solder Course
Colour: Copper Red

Windows & Doors.

Veka Matrix 70 White UPVC Frames
Supplied By Grosvenor Windows Ltd
Horwich, Bolton.
Tel: 01204 664488.



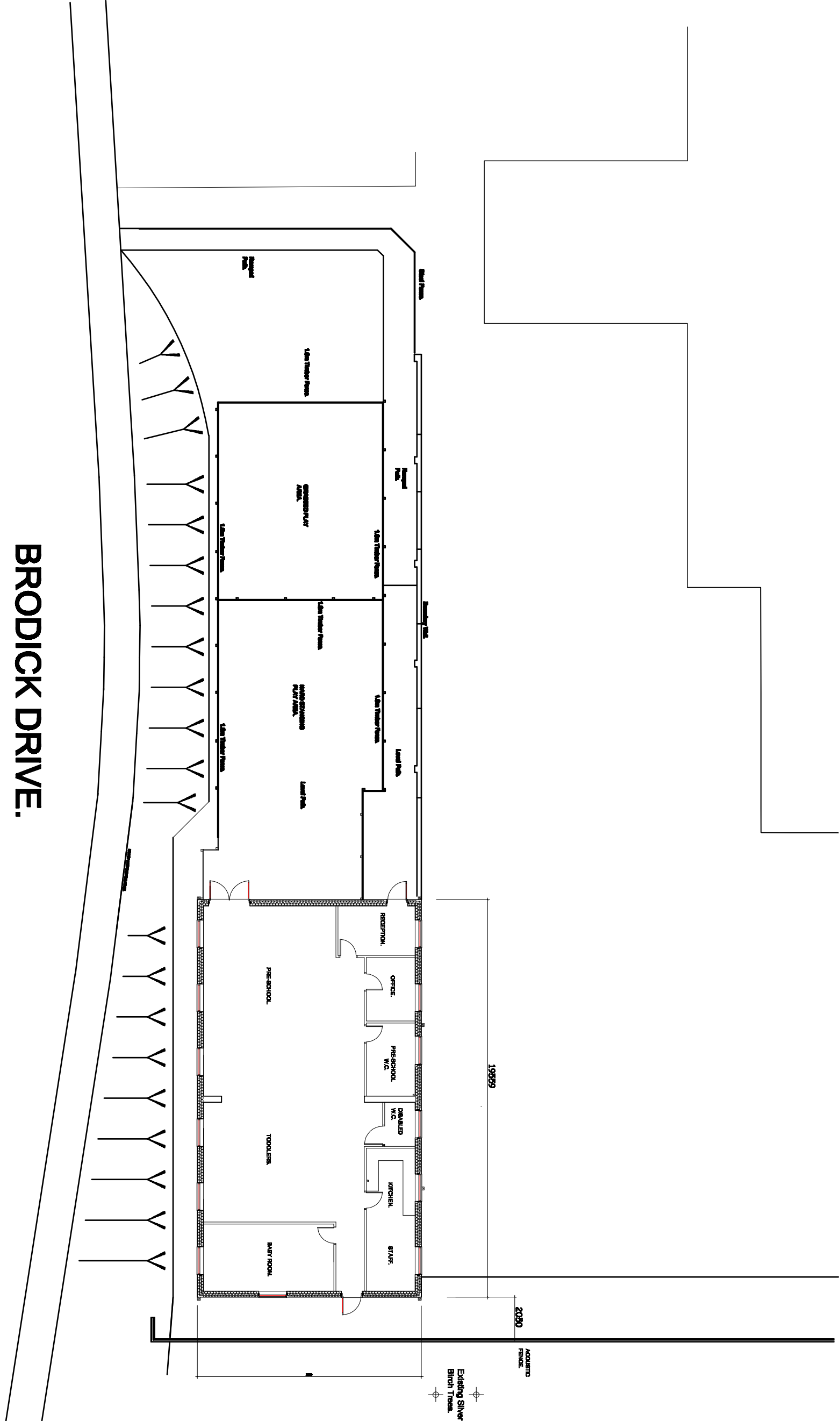
PROPOSED SOUTH ELEVATION.



PROPOSED NORTH ELEVATION.

Revision	Title : PROPOSED NEW SINGLE STOREY NURSERY BUILDING.	Project : LITTLE OZZIES COMMUNITY NURSERY SS OSMUND & ANDREW RC PRIMARY SCHOOL FALKIRK DRIVE, BOLTON, BL2 6NW	MTC Designs Scale 1:100 Date: July 2016.
		31 Extord Drive Bolton BL2 6TB T: 01204 418714 M: 0770826514	Drawing No: P317/07

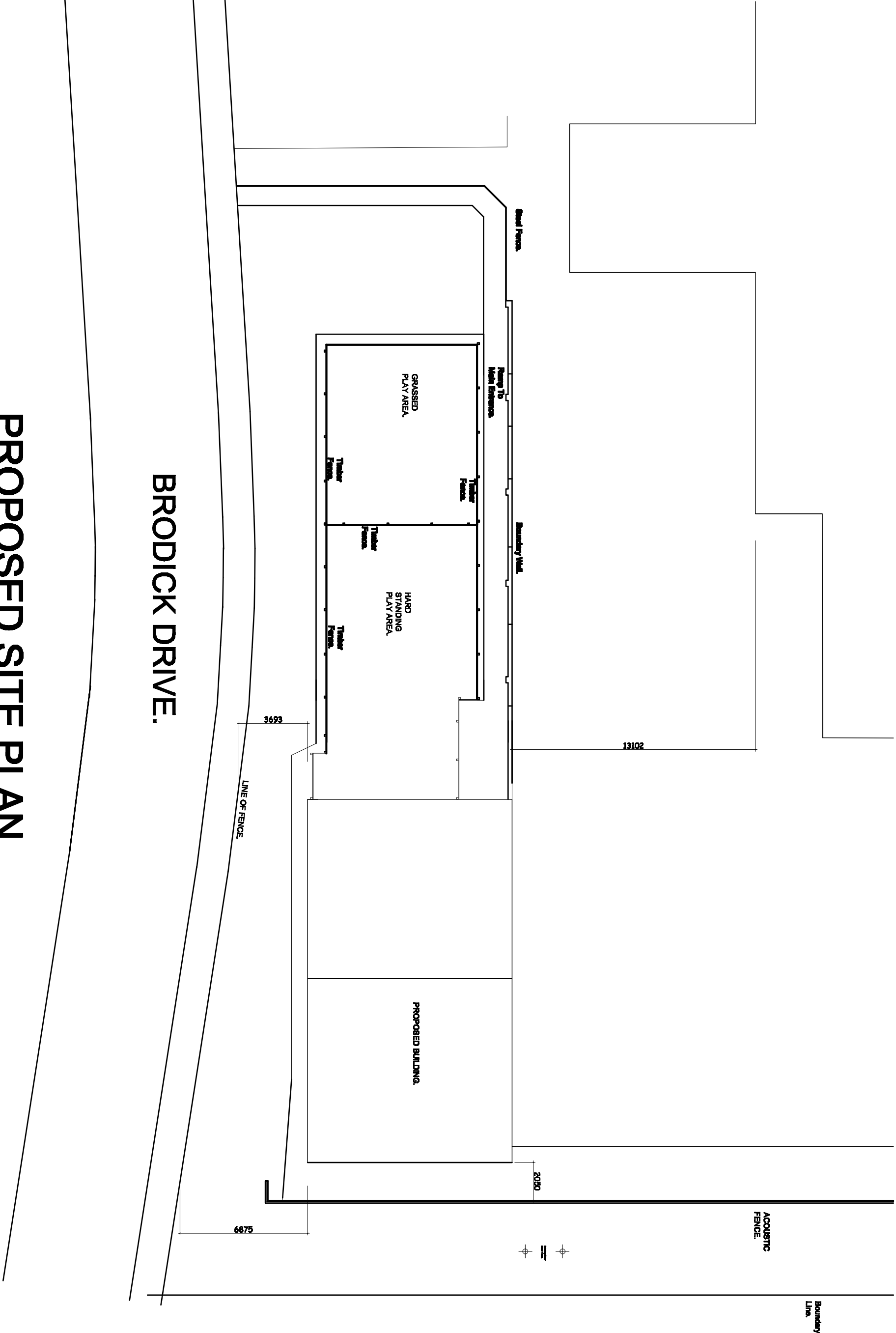
BOUNDARY LINE



BRODICK DRIVE.

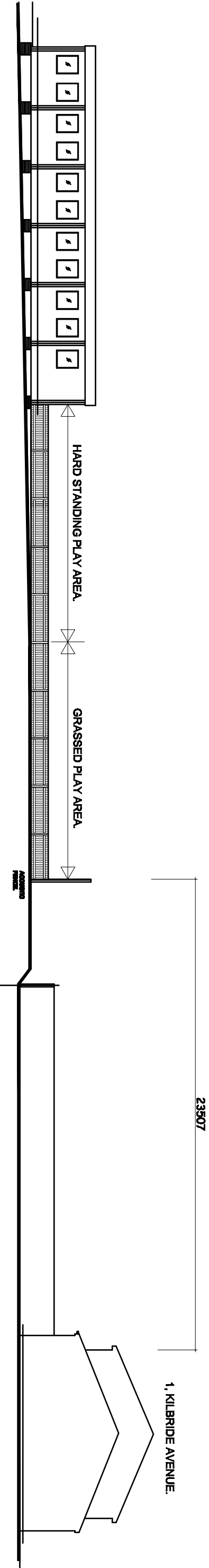
Proposed Site Plan Showing External Facilities.

Revision.	Title :	Project :	MTC Designs
	PROPOSED NEW SINGLE STOREY NURSERY BUILDING.	LITTLE OZZIES COMMUNITY NURSERY 88 OSMAUND & ANDREW RC PRIMARY SCHOOL, FALKIRK DRIVE, BOLTON, BL2 8NW	31 Exford Drive Bolton BL2 8TB T: 07534 418714 E: 0776828514
			Scale: 1:250 Date: July 2016. Drawing No: SP317/04

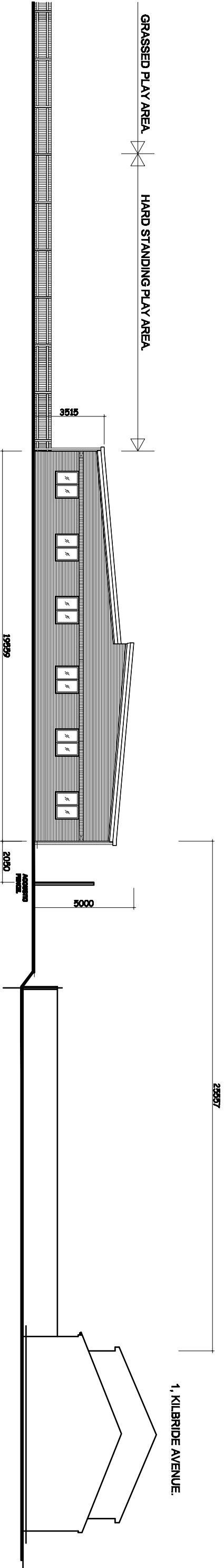


PROPOSED SITE PLAN.

Revision:	Title: PROPOSED NEW SINGLE STOREY NURSERY BUILDING.	Project: LITTLE OZZIES COMMUNITY NURSERY 88 OSWALD & ANDREW RD PRIMARY SCHOOL FALGIRK DRIVE, BOLTON, BL2 6NW	<div> <div>MTC Designs</div> <div> Scale: 1:500 Date: July 2018 </div> </div> <div> <div> 31 Edend Drive Bolton BL2 6TB T: 01204 416714 E: 0776000014 </div> <div> Drawing No: P317/SP2 </div> </div>
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EXISTING STREET SCENE.
(Viewed From Brodick Drive)



PROPOSED STREET SCENE.
(Viewed From Brodick Drive)

Revision.	Title : PROPOSED NEW SINGLE STOREY NURSERY BUILDING.	Project : LITTLE OZZIES COMMUNITY NURSERY 88 OSMAUND & ANDREW RD PRIMARY SCHOOL, FALKIRK DRIVE, BOLTON, BL2 6NW	MTC Designs Scale: 1:200 Date: July 2016.	31 Exford Drive Bolton BL2 6TB T: 01204 418714 E: 0776888064 Drawing No: P3177/SP3
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Application number 94720/15



**Development & Regeneration Dept
Development Management Section**

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94720/15

Type of Application: Full Planning Application
Registration Date: 03/08/2015
Decision Due By: 27/09/2015
Responsible Officer: Alex Allen

Location: LAND ADJ. 58 FRANCE STREET, WESTHOUGHTON, BOLTON, BL5 2HP

Proposal: ERECTION OF A FIVE BEDROOMED DETACHED DWELLING AMENDED HOUSE STYLE TO PREVIOUSLY APPROVED APPLICATION.

Ward: Westhoughton South

Applicant: Mr Kings
Agent : BPD Architecture

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the erection of a two storey, 5 bedroomed property with roof space created in the loft, with the provision of a dormer in the proposed rear elevation and a roof light within the front roof plane. The revised house type would retain an integral garage with the provision of two car parking spaces located within the front garden/curtilage of the property.

Site Characteristics

The application site is located within an established residential area of Daisy Hill in Westhoughton. The area is characterised by a mix of property types. In the immediate vicinity there are two blocks of four terraced properties, of which the application site relates to the side and rear garden of the end terraced property (No. 58). Directly to the west of the application site is a shared access road which provides vehicular access and parking for local residents.

Policy

National Planning Policy Framework

Core Strategy - Strategic Objective 6 - Prosperous Bolton, Strategic Objective 9 - Safe Bolton, Strategic Objective 11 - Cleaner and Greener Bolton, Strategic Objective 12 - Biodiversity, Strategic Objective 14/15 - Strong and Confident Bolton.

P5 Accessibility, S1 Safe, CG1 Cleaner and Greener, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing and OA3 Westhoughton.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development;
- * impact on the character and appearance of the area;
- * impact on the living conditions of existing/future residents;
- * impact on highway safety.

Principle of Residential Development

The principle of residential development of this site has been established at Planning Committee under 92499/14 in November 2014. The key outstanding issues are the impact of the change in the proposed house type in relation to the impact on the character of the area, the impact on highway safety and the potential impact on adjoining existing/future residents.

Impact on the Character and Appearance of the Area

Guidance contained within NPPF and Core Strategy policies CG3 and OA3 seek to ensure that new development proposals are compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment. Guidance on design principles and level of private amenity spaces is contained within the General Design SPD and House Extension SPD.

The site in its current form offers little to the character and appearance of the area, being a relatively low quality grassed area located at the side and rear of No. 58 France Street. The area does provide a visual break between two blocks of housing. The loss of such a piece of land would still retain a visual break between the new house and properties sited to the west (No's 60 to 68 France Street).

In urban design terms the proposed new property would complement the character and appearance of the existing dwellings, having the same eaves line of the adjoining property at 58 France Street. The properties to the west at No. 52 France Street are at a slightly higher level with higher ridge lines. Due to the use of the loft space for living accommodation, the property would have a higher ridge line than No. 58 France Street which would reflect the higher ridge line of properties to the west. The proposed dormer would not be viewed from the main street scene and as such would not be detrimental to the character of the area.

The elevational detail, in terms of fenestration would also be similar to properties in the wider area.

In terms of recommended garden space, guidance is contained within the table at section 3 of the SPD 'General Design Principles'. This states the size of a minimum reasonable standard for a

detached or semi detached property is 50 sq. metres. In terms of external amenity space the proposed new property would have a rear garden of 73.5 square metres in area.

It is considered that the proposal would complement the existing character of the area providing adequate space to be retained for both the existing and proposed new dwelling and is thus considered to comply with Core Strategy policies CG3 and OA3.

Impact on the Living Conditions of Existing/Future Residents

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 at blank gable this distance can be reduced to 13.5 metres.

The proposal would comply with all the interface guidelines outlined within the General Design Principles SPD. The new dwelling would have a single storey element at the rear which would not conflict with a 45 degree angle as measured from the closest main room window located in the rear elevation of No. 58 France Street.

The proposal complies with Core Strategy policy CG4.

Impact on Highway Safety

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.

Vehicular access and car parking for the retained No. 58 would not change with access down the side of the new house with parking in the detached garages to the rear. New parking provision would be provided for the new house at the site frontage with an integral garage with driveway for two spaces at the front. The proposal would meet the requirements of both Policy P5 and the standards outlined in Appendix 3 of the Core Strategy.

For the above reasons it is therefore considered that the proposal complies with policy.

Conclusion

The proposal whilst larger than the previous approval would complement the character of the wider area without compromising the living conditions of existing residents whilst providing sufficient off road car parking. The proposal complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- two letters have been received from local residents. The following concerns have been expressed:

-) The erection of a house will adversely affect the density of the area and result in garden grabbing;
-) Will result in an increase in on street car parking as a single garage is insufficient for the proposed dwelling;
-) Loss of sunlight in the rear garden of No. 58 France Street; and
-) Perception that the plot is not big enough for the proposed dwelling.

Issues raised under the previous application were in the main related to retention of shared access at the rear of the plot. The proposals approved under the previous permission have been implemented and would be retained under the current application.

Petitions:- no petitions received.

Town Council:- raise no objections.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: Westhoughton Town Council, Pollution Control officers, Highways Engineers, Corporate Property Services, Strategic Development Unit, Public Rights of Way team and Design for Security (Greater Manchester Police).

Planning History

Planning permission was granted in November 2014 by Planning Committee for the erection of a two storey 3 bedroom property (Ref: 92449/15).

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

3. Prior to the commencement of development full details of the highway works at the site frontage on France Street comprising of and extension to the VAC (drop kerb) to support the proposed driveway access 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.

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

Reason

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

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

Reason

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

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

Reason

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

7. The integral garage 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.

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

Dwg No. 616/FSD/PL1A - Proposed Planning Drawing; Rev A dated 06/10/2015.

Reason

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

58a France Street, Daisy Hill, Bolton BL5 2HP

