

Planning Applications Report

Planning Committee

09 February 2017

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

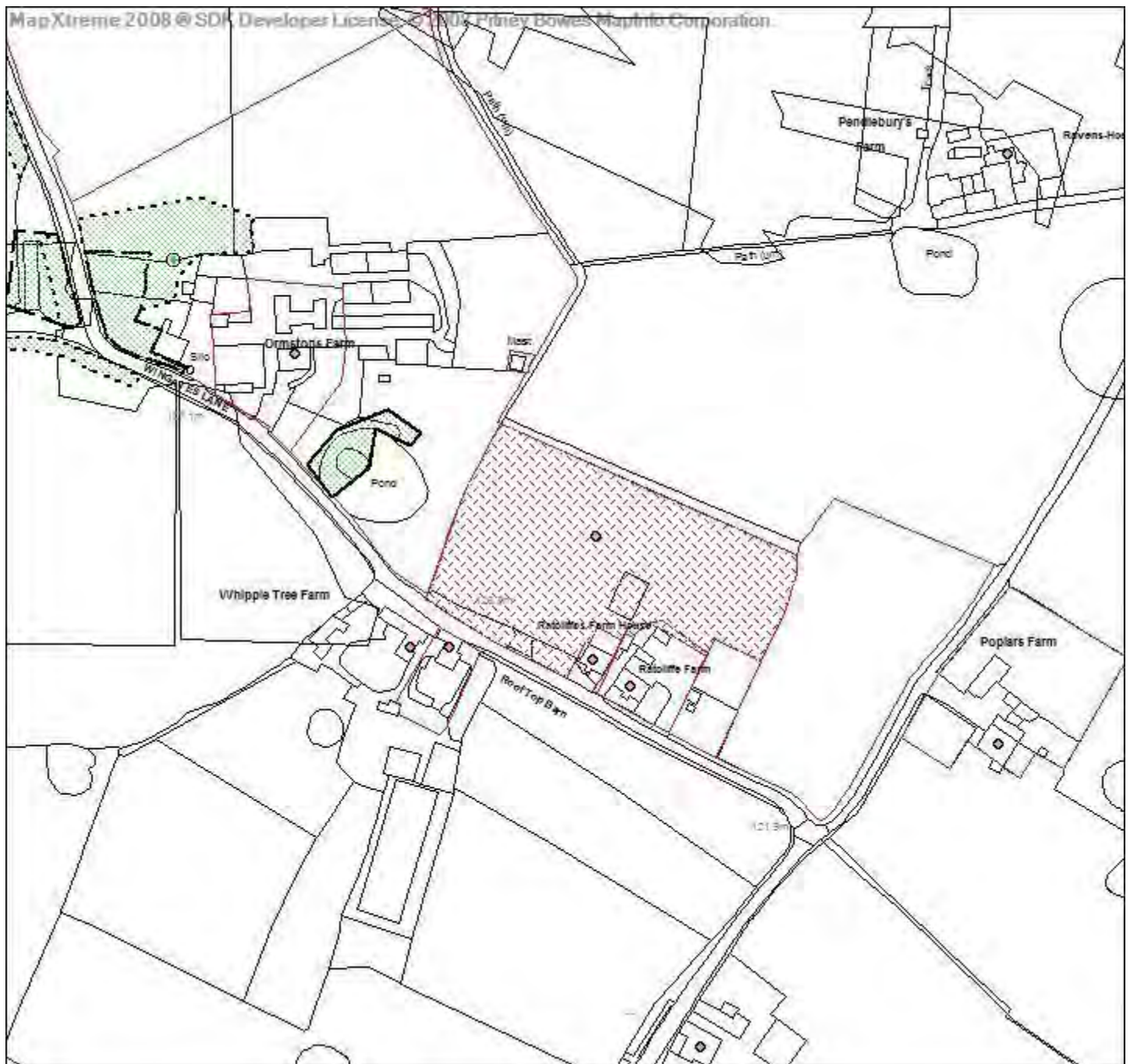
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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Application number 96066/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 09/02/2017

Application Reference: 96066/16

Type of Application: Full Planning Application

Registration Date: 23/05/2016

Decision Due By: 21/08/2016

Responsible Officer: Alex Allen

Location: RATCLIFFES FARM, WINGATES LANE, WESTHOUGHTON, BOLTON, BL5 3LT

Proposal: ERECTION OF 12No DWELLINGS TOGETHER WITH ACCESS AND LANDSCAPING.

Ward: Westhoughton North

Applicant: Mr Holden

Agent : Neil Pike Architects

Officers Report

Recommendation: Delegate the decision to the Director

Proposal

The applicant originally proposed the erection of fourteen two storey dwellings which were accessed off a new access road. The new dwellings were substantial properties to a maximum height of 4.75 metres to the eaves of the dwellings and 7.261 metres to the ridge of the properties. The original proposal was considered to be unacceptable from an officer perspective as the proposal was considered to have a detrimental impact on the openness of the Green Belt.

In response the applicant has reduced the number of dwellings from 14 to 12 and also reduced the overall massing of the proposed new dwellings, being predominantly bungalows with dormers. The new house types would also comprise of a modest two storey element. Both house types (A and B) would be 3.119 metres to the eaves and a maximum of 5.856 meters to the ridge of the roof.

The applicant's original submission made reference to a plan to relocate the existing caravan storage business to a different location. This does not form part of any formal application which the Local Planning Authority has before it. Therefore Members are requested to deal with the application as set out below.

This application is brought for Members' consideration as the proposal is over 1 hectare (a major development site) and also as representations have been received which are contrary to the Officer's recommendation.

Site Characteristics

The application site relates to an existing caravan storage business which is located off Wingates Lane and which occupies land to the north of Wingates Lane. The site has the capacity to accommodate up to 250 caravans at any one time. The site itself is well screened from the Wingates

Lane frontage as it is set back from the road by approximately 25 metres and has a number of mature trees located along the road with an established hedge line.

The boundary treatment around the remainder of the site is not consistent with solid metal sheeting to the western boundary of the site with the sight of caravans projecting over the rooftops of existing boundary treatment. The two existing dwellings which occupy the frontage of the wider caravan site are to be retained. A large storage building is located at the rear of the existing dwellings. Boundary treatment to the northern and eastern part of the site is made up of existing hedges both hawthorn hedges and leylandii.

The site is located within a small settlement located within a semi rural area. Whipple Tree Farm is located on the south side of Wingates Lane, opposite the application site with Ormstons Farm to the west, Poplars Farm to the east and Pendlebury's Farm and Gibraltar Farm to the north with open views to the north.

Policy

National Planning Policy Framework

Core Strategy P5 Accessibility, S1 Safe, CG1 Cleaner and Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, OA3 Westhoughton, IPC1 Infrastructure and Planning Contributions.

Allocations Plan policies CG7AP - Green Belts.

General Design Principles.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of redevelopment/impact on the openness of the Green Belt;
- * impact on the character and appearance of the area;
- * impact on the living conditions of adjoining residents / other uses;
- * impact on highway safety;
- * impact on ecology;
- * impact on infrastructure.

Principle of redevelopment/impact on the openness of the Green Belt

Guidance contained within the National Planning Policy Framework seeks to encourage new well designed residential development to meet housing requirements. Councils should aim:

'...to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities...'

However, guidance contained at paragraph 79 states that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The construction of new buildings in the Green Belt is considered to be inappropriate (Para. 89). There are a number of exceptions including (bullet point 6):

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

Annex 2 of the definition of previously developed land clearly states that: *'...it should not be assumed that the whole curtilage should be developed'*

In addition, Local Planning Authorities should set targets for the provision of housing. Core Strategy Strategic Objectives 14, 15 and 16 and policy SC1 seeks to provide housing which meets the needs of everybody and the growth in the number of households. Core Strategy policy SC1 seeks to ensure a total of 694 dwellings are completed per annum in the Borough with a concentration of new build on previously developed sites (80%). The Council's Housing Land position is set out elsewhere within the Committee agenda.

The site is allocated within the current Allocations Plan as Green Belt land with policy CG7AP effectively reflecting green belt guidance contained within the NPPF. Therefore, this policy designation is of primary importance in the determination of this application. It is therefore a matter for the decision maker to accurately assess the potential impact of individual development proposals would have on the openness of the Green Belt.

The original scheme was substantially higher than the proposal now under consideration. Whilst it is noted that the proposed new dwellings would be taller than the existing caravan storage use the proposal would bring about the following improvements to the site:

- improved, more sympathetic boundary treatment,
- the footprint of the proposed houses would be significantly less than the coverage of the whole caravan storage site;
- the amended scheme has sought to change the house types and the siting of the houses to reduce the impact of the development on the openness of the Green Belt in this location.

The revised layout has the potential to decrease the openness of the Green Belt marginally where the proposed dwellings would be sited, yet improve the overall openness of the Green Belt across the wider site with the removal of large areas of caravan storage and the removal of the large storage building. It is essential that a landscaping scheme is provided which involves the removal of unsympathetic boundary treatment and is replaced by native species hedge and trees which will assist in improving the overall character and appearance of the area.

In addition, it is also essential that the future occupiers permitted development rights are taken away in relation to extensions, alterations to boundary treatment and the erection of outbuildings within the curtilage of the site. This will assist in maintaining the overall semi rural character of the area.

It is considered that whilst the proposal would not be deemed to be an appropriate use of a site in

the Green Belt policy it is considered that the proposal would comply with the principle of redeveloping previously developed sites which does not have a greater impact on the openness of the Green Belt or the purposes of including land within it than the existing development.

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, landscape treatment.

The proposal would remove a number of structures located within the site which are utilitarian in character, including existing boundary treatment. The proposed new dwellings are predominantly single storey with modest two storey elements and dormers. The applicant has sought to retain the open feel of the site by providing large gardens complemented by enhanced boundary treatment. The site would provide a high quality residential location.

The proposal would comply with the Core Strategy.

Impact on the living conditions of adjoining residents / other uses

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. The General Design Principles SPD provides guidance 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 required interface guidelines to all adjoining properties.

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. Each new property would have the ability to park two cars off road within a car port with additional space provided within the proposed driveways. This is in accordance with the Council's maximum car parking standards outlined in Appendix 3 of the Core Strategy.

Whilst it is appreciated that Wingates Lane is used as a cut through between Chorley Road (A6) and Lostock Industrial Estate / Middlebrook development it is considered that the impact of the proposed housing development would be negligible, especially when compared against the existing authorised use of the site.

The proposal would comply with policy.

Impact on ecology

Core Strategy policy CG1 seeks to safeguard the rural areas of the Borough from development that would adversely affect its biodiversity. The applicant has submitted a survey in relation to bats and nesting birds.

Officers from the Greater Manchester Ecology Unit have concluded that the survey is a reasonable effort to assess the structures on site. They agree with the reports findings that there was no evidence of bats with the site having little value for bats currently. In addition, the report concludes there was no evidence of barn owls. The proposal would remove swallow nesting sites located within existing structures. Whilst there is a pond located to the west of the application site, GMEU officers conclude that the application site is devoid of any habitat suitable for Great Crested Newts.

GMEU officers recommend conditions in relation to restricting the clearance of structures outside the bird breeding season, the provision of swallow best cups within the site to compensate for the loss of existing nesting opportunities and the provision of an appropriate landscape scheme to complement the existing landscaping.

Subject to conditions it is considered that the proposal would comply with policy.

Impact on Drainage

Core Strategy policy CG1 seeks to ensure that new development proposals reduce the risk of flooding in Bolton. In addition, Core Strategy policy CG2 (iii) seeks to reduce surface water run off from previously developed sites by 50%.

The applicant has submitted a Flood Risk Assessment which has been reviewed by both the Council's Flood Risk team. It is considered to be appropriate to condition this element. Whilst the Council's Flood Risk team have stated they require further information on the drainage strategy for the site, it is considered to be not required at this stage to ensure the acceptability of the development proposal as submitted.

Impact on Sustainability

Core Strategy policy CG2 seeks to ensure that new development proposals which consist of 5 or more dwellings. Whilst the applicant has not provided any details of how policy CG2 will be complied with, it is considered essential that a developer would need to comply with the various aspects of this policy.

It is considered appropriate to condition the required sustainability criteria.

Impact on Infrastructure

Core Strategy policy IPC1 seeks to ensure that new residential development provides specific contributions for affordable housing, open space provision, health and well being, education provision and public art provision. The proposal would comprise of 12 new dwellings which be under the threshold of 15 dwellings for this policy to apply.

Value Added to the Development

To address officer concerns regarding the potential impact of the proposed development on the openness of the Green Belt in this location the applicant has reduced the number of units by 2 to 12 dwellings in total and also to change the proposed house type from wholly two storey properties to bungalows, albeit with a modest two storey elements.

Financial benefits of the proposal

Will be reported at the Planning Committee meeting.

Conclusion

The proposal would result in the redevelopment of a previously developed site which would have on balance a slightly positive impact on the openness of the Green Belt in this location. The development has the potential to improve the overall appearance of the site.

As the proposal represents new development within the Green Belt which provides over 1,000 square metres of floorspace the proposal would need to be referred to the National Planning Casework Unit (NPCU) if recommended for approval at Planning Committee. Subject to the NPCU not wishing to call the application in for determination by the Secretary of State permission could then be granted.

Officers recommendation is therefore to delegate the decision to the Director of Place to enable

consultation with NPCU.

Representation and Consultation Annex

Representations

Letters:- three letters have been received objecting to the proposed development. In summary the reasons for objecting are as follows:

- There are discrepancies within the application e.g. the application form states there is foul and surface water drainage available. This is incorrect.
- The applicant states a sewage treatment plant will be provided to the east of the development site - inadequate information is provided within the application.
- Wingates Lane is used as a commuting route between Chorley Road and the Reebok / Middlebrook development and is congested at peak times;
- No mitigation is proposed to overcome the additional burden on this minor road of additional housing;
- Comments in the Design and Access statement regarding the intention to relocate the existing caravan storage business to a more convenient location - this potential relocation should also be considered within the current application in terms of the impact on the wider environment including any proposed new site;
- Objector currently enjoys unrestricted views of Rivington Pike and Winter Hill - loss of view is not a material planning consideration;
- There is no traffic management plan, impact on air pollution, no local risk assessment and lack of an Environmental Impact Assessment and loss of quality of life for the current residents - the proposal does not represent EIA development and therefore the applicant was not required to submit an EIA.
- Land is allocated as green belt;
- Access to the site is close to a blind bend - this is dangerous;
- Traffic generation from a caravan site with modest flows to a housing estate is in comparable;
- Current condition of Wingates Lane is poor;
- Road has a weight limit of 7.5 tonnes which recognises the road is not suitable for HGV's;
- Problem with raw sewage exiting from the field opposite Poplars Farm - i.e. current drainage system is not sufficient to provide for existing dwellings;
- Problems with existing surface water drainage;
- Extension to the caravan site was rejected in 2008, why would 14 houses be a better idea?

1 comment letter has been received from an owner of one of the caravans stored on the site stating they would like to be informed of any potential alternative caravan storage proposals if the proposal is successful.

Petitions:- no petitions received to date.

Town Council:- Westhoughton Town Council comment that the application is outside their boundary and therefore have no comments.

Elected Members:- no comments received to date.

Consultations

Advice was sought from the following consultees:

Planning History

Planning permission was granted in July 1979 for the continued use of land for the parking of caravans with the provision of access and hardstanding (ref: 10156/78).

Planning permission was refused in November 1984 for the extension to existing caravan storage

(Ref: 23877/84).

Planning permission was granted in June 1995 for the use of additional land to provide increased storage space for caravans

Planning permission was refused in June 2007 for the change of use of land from agricultural to caravan storage (Ref: 76924/07).

Recommendation: Delegate the decision to the Director

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

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

3. Prior to the commencement of development full details of the highway works at Wingates Lane comprising of the widening of the carriageway along the frontage to the site to 5.5 metres with a 2 metre wide footway 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. 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.

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

Reason

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

6. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of tackling climate change.

7. No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter retained, managed and maintained in accordance with the approved details. Those details shall include:

- 1) A timetable for its implementation, and
- 2) A management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason

To ensure the site provides satisfactory means of surface water drainage.

8. Prior to the commencement of the development:-

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

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

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

Reason

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

9. Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting/floodlighting. The lighting shall be designed to an illumination value of 5 lux at the nearest residential property. Spill shields should also be fitted. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

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

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

Reason

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

11. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Wingates Lane shall be constructed to a minimum width of 5.5 metres, radii 6 metres, 2 no. footways, footway width 2 metres in accordance with a detailed scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

Reason

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

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

Reason

In the interests of highway safety.

13. 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 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 dwellings are occupied.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

14. 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.

15. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 59 metres shall be provided at the junction of Wingates Lane with the site

access, and subsequently remain free of all obstructions between the height of 1.05 metres and 2 metres (as measured above carriageway level).

Reason

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

16. 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.

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

Reason

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

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, hardstandings, fences, gates, walls, soil stacks, waste pipes (other than rainwater pipes), meter boxes, central heating or biomass heating flues, solar PV, solar thermal, wind turbines, satellite dish(s), TV or radio antenna, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed within Plots 1 - 11 (inclusive).

Reason

To safeguard the character and appearance of the land and to retain the openness of the land.

19. No vegetation clearance or demolition of buildings should take place between the months of March and August inclusive.

Reason

The site has the potential to support breeding birds. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds whilst they are breeding.

20. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the approved drawing.

Reason

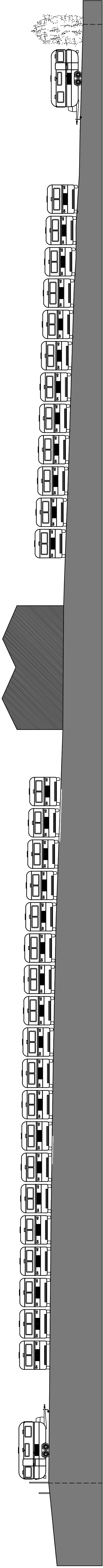
In the interests of highway safety.

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

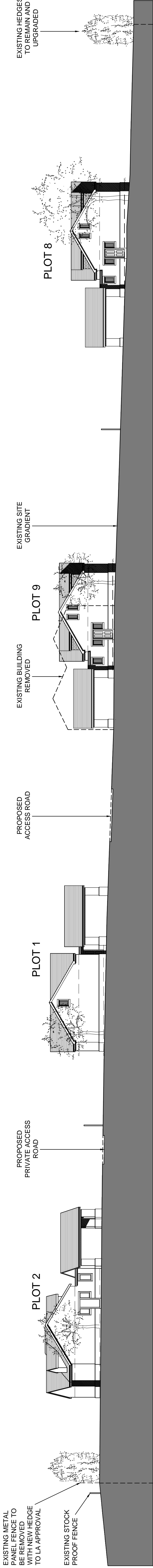
Drawing No. PI K731/01 Rev. A - Proposed site plan, dated 24.10.16;
Drawing No. PI K731/02 Rev. A - Proposed Type A Typical Floor Plans, dated 24.10.16;
Drawing No. PI K731/03 Rev. A - Proposed Type A Typical Elevation, dated 24.10.16;
Drawing No. PI K731/05 Rev. A - Proposed Type B House Type, dated 24.10.16;
Drawing No. PI K731/07 Rev. A - Existing and proposed cross sections, dated 24.10.16;
Drawing No. PI K731/10 - Existing and proposed site plans, dated 04/11/16;

Reason

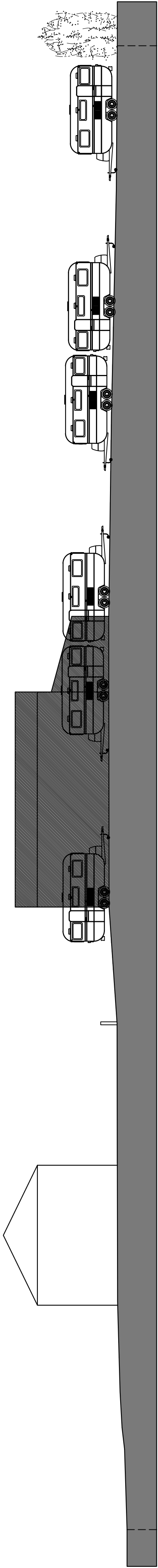
For the avoidance of doubt and in the interests of proper planning.



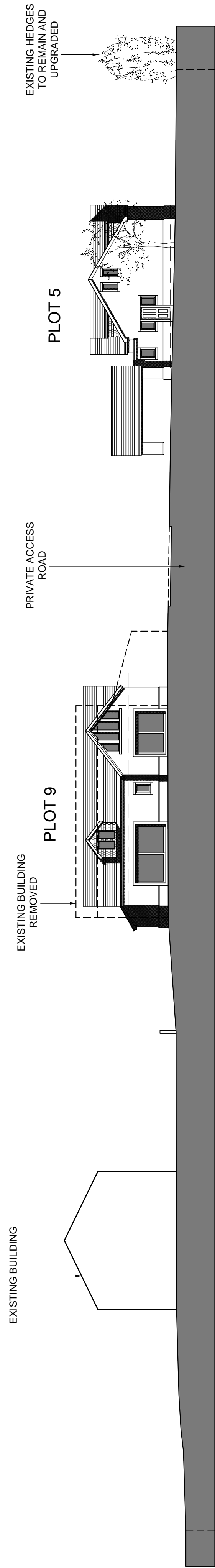
EXISTING CROSS-SECTION A-A



PROPOSED CROSS-SECTION A-A

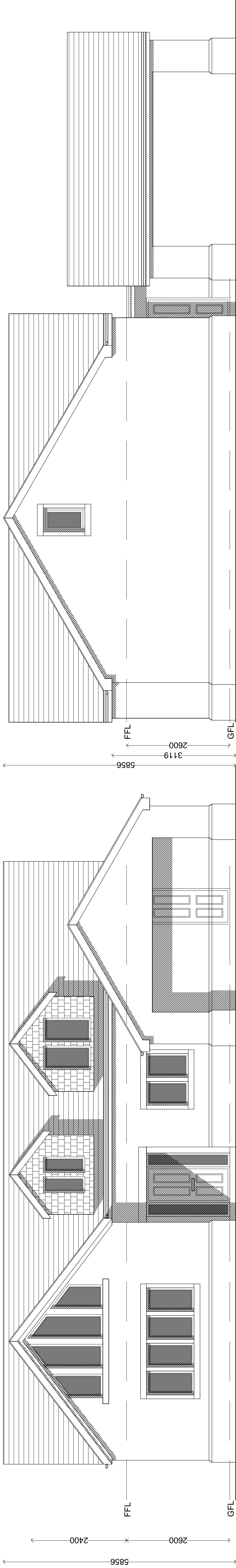


EXISTING CROSS-SECTION B-B



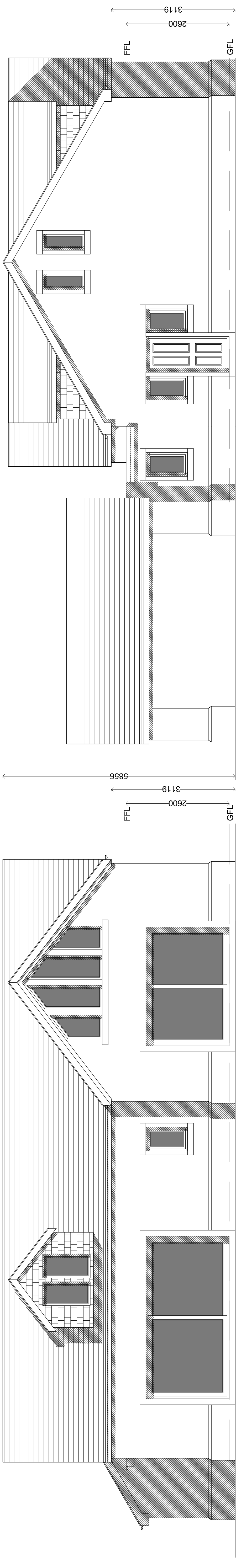
PROPOSED CROSS-SECTION B-B

REV	DESCRIPTION
A	CROSS SECTIONS AMENDED TO CORRESPOND WITH REVISED ELEVATION 24.10.16 D.D.
EXISTING AND PROPOSED CROSS SECTIONS	
PROPOSED RESIDENTIAL DEVELOPMENT WINGATES CARAVAN PARK, WINGATES LANE WESTHOUGHTON, BOLTON	
CLIENT:	HOLDEN / JACKSON
DWG NO:	PL K731/07
SCALE:	1/200 @ A1
DRAWN BY:	R.S.P.
DATE:	30/10/15
REV:	A
MICHIGAN HOUSE 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR TEL: 01204 392233 FAX: 01204 528505 WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK	
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TYPE A FRONT ELEVATION

TYPE A SIDE ELEVATION



TYPE A REAR ELEVATION

TYPE A SIDE ELEVATION

- NOTE:
- EXTERNAL WALL TO BE FACING BRICK AND K-REND TO L.A. APPROVAL.

- ROOF TILES TO LOCAL AUTHORITY APPROVAL.

- VERTICAL TILING TO DORMER FACE AND CHEEKS TO BE AGREED WITH L.A

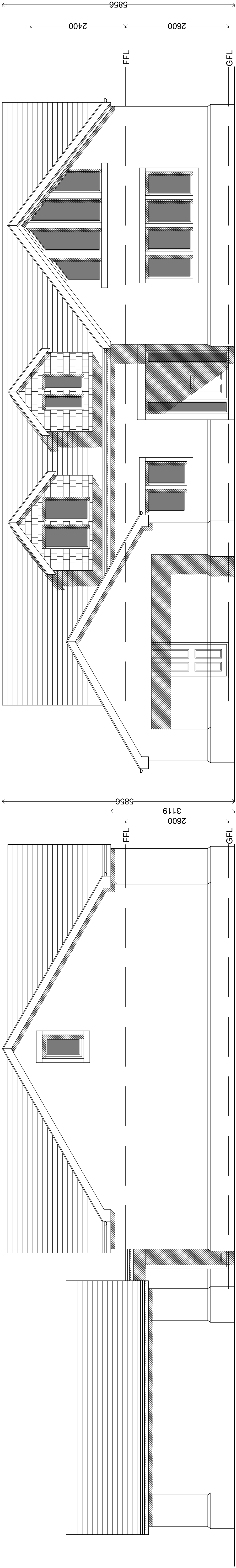
- WINDOW SURROUNDS - HEADS, CILLS, JAMBS, MULLIONS TO BE RE-CONSTITUTED STONE.

- ALL WINDOW FRAMES TO HAVE PAINT FINISH TO L.A. APPROVAL.

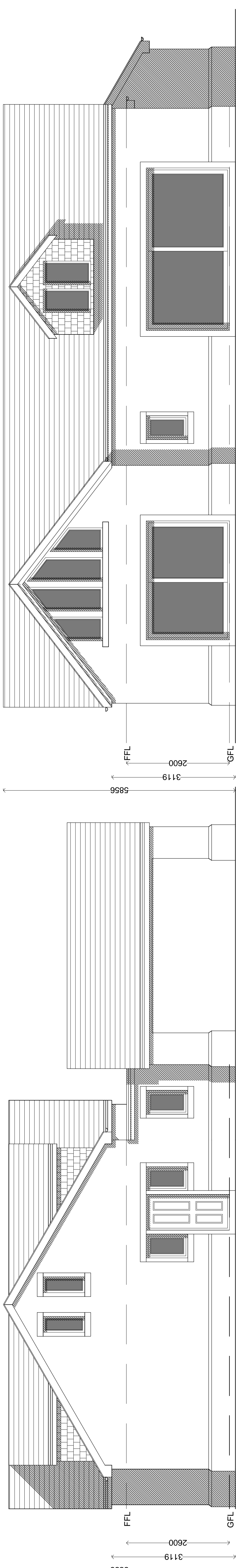
- EXTERNAL DOOR TO BE EXTERNAL QUALITY DOOR PASTED.

- SLIDING PATIO DOOR TO BE POWDER COATED ALUMINIUM FRAMES.

REV	DESCRIPTION
A	REVISED ELEVATIONS 24.10.16 D.D.
PROPOSED TYPE A TYPICAL ELEVATION	
PROPOSED RESIDENTIAL DEVELOPMENT WINGATES CARAVAN PARK, WINGATES LANE WESTHOUGHTON, BOLTON	
CLIENT:	HOLDEN / JACKSON
DWG NO:	PL K731/03
SCALE:	1/50 @ A1
DRAWN BY:	R.S.P.
DATE:	30/10/15
REV:	A
MICHIGAN HOUSE 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR TEL: 01204 392233 FAX: 01204 528505 WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK	
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TYPE B SIDE ELEVATION



TYPE B SIDE ELEVATION


- NOTE:
- EXTERNAL WALL TO BE FACING BRICK AND K-REND TO L.A. APPROVAL.
 - ROOF TILES TO LOCAL AUTHORITY APPROVAL.
 - VERTICAL TILING TO DORMER FACE AND CHEEKS TO BE AGREED WITH L.A
 - WINDOW SURROUNDS - HEADS, CILLS, JAMBS, MULLIONS TO BE RE-CONSTITUTED STONE.
 - ALL WINDOW FRAMES TO HAVE PAINT FINISH TO L.A. APPROVAL.
 - EXTERNAL DOOR TO BE EXTERNAL QUALITY DOOR PASTED.
 - SLIDING PATIO DOOR TO BE POWDER COATED ALUMINIUM FRAMES.

TYPE B REAR ELEVATION

REV	DESCRIPTION
A	REVISED ELEVATIONS 24.10.16 D.D.

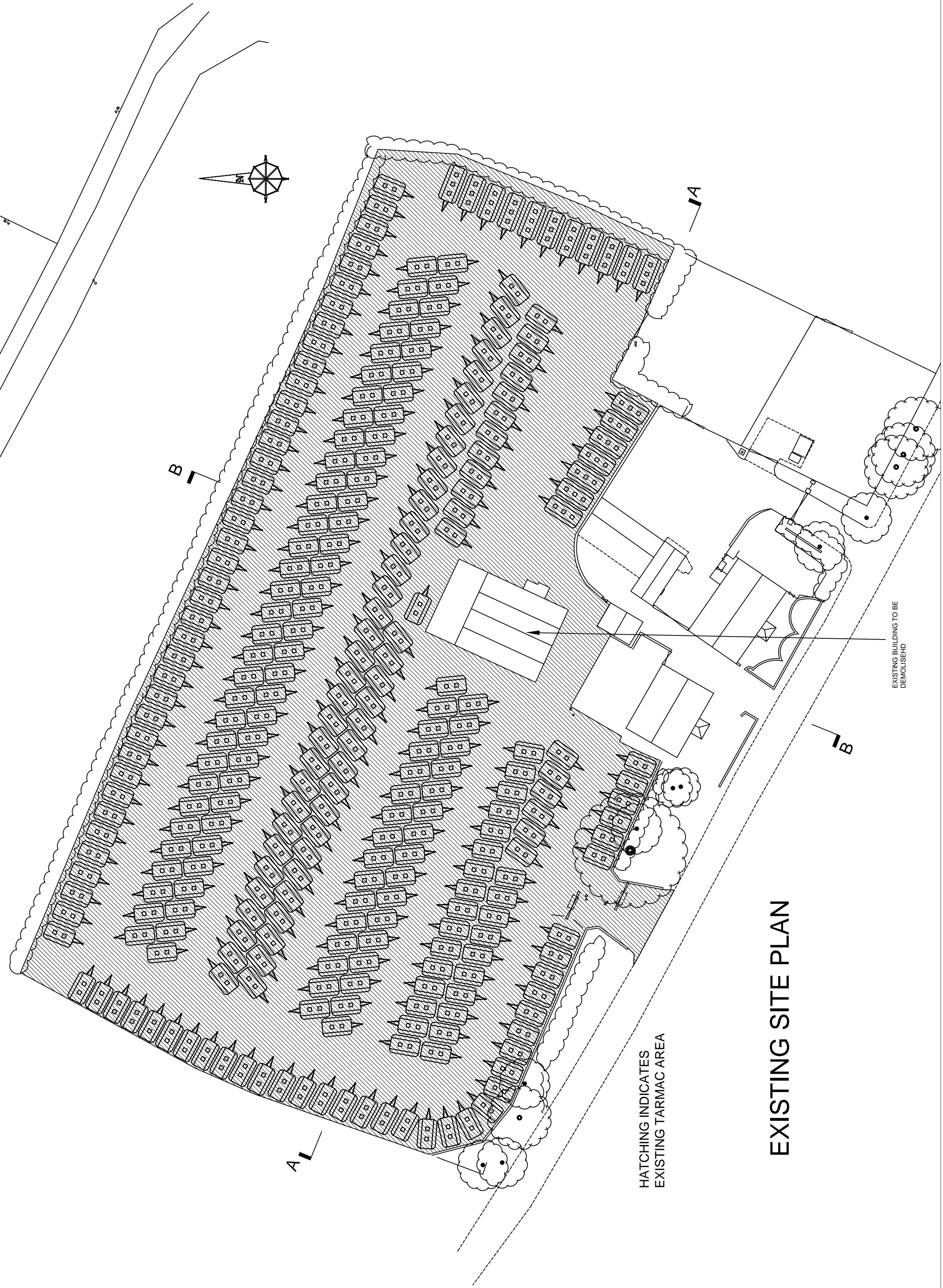
PROPOSED TYPE B TYPICAL ELEVATION

PROPOSED RESIDENTIAL DEVELOPMENT
WINGATES CARAVAN PARK, WINGATES LANE
WESTHOUGHTON, BOLTON

CLIENT:	HOLDEN / JACKSON	
DWG NO:	PL K731/05	
SCALE:	1/50 @ A1	
DRAWN BY:	R.S.P.	
DATE:	30/10/15	
REV:	A	

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TEL: 01204 392233 FAX: 01204 528505
WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK

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REV	DESCRIPTION

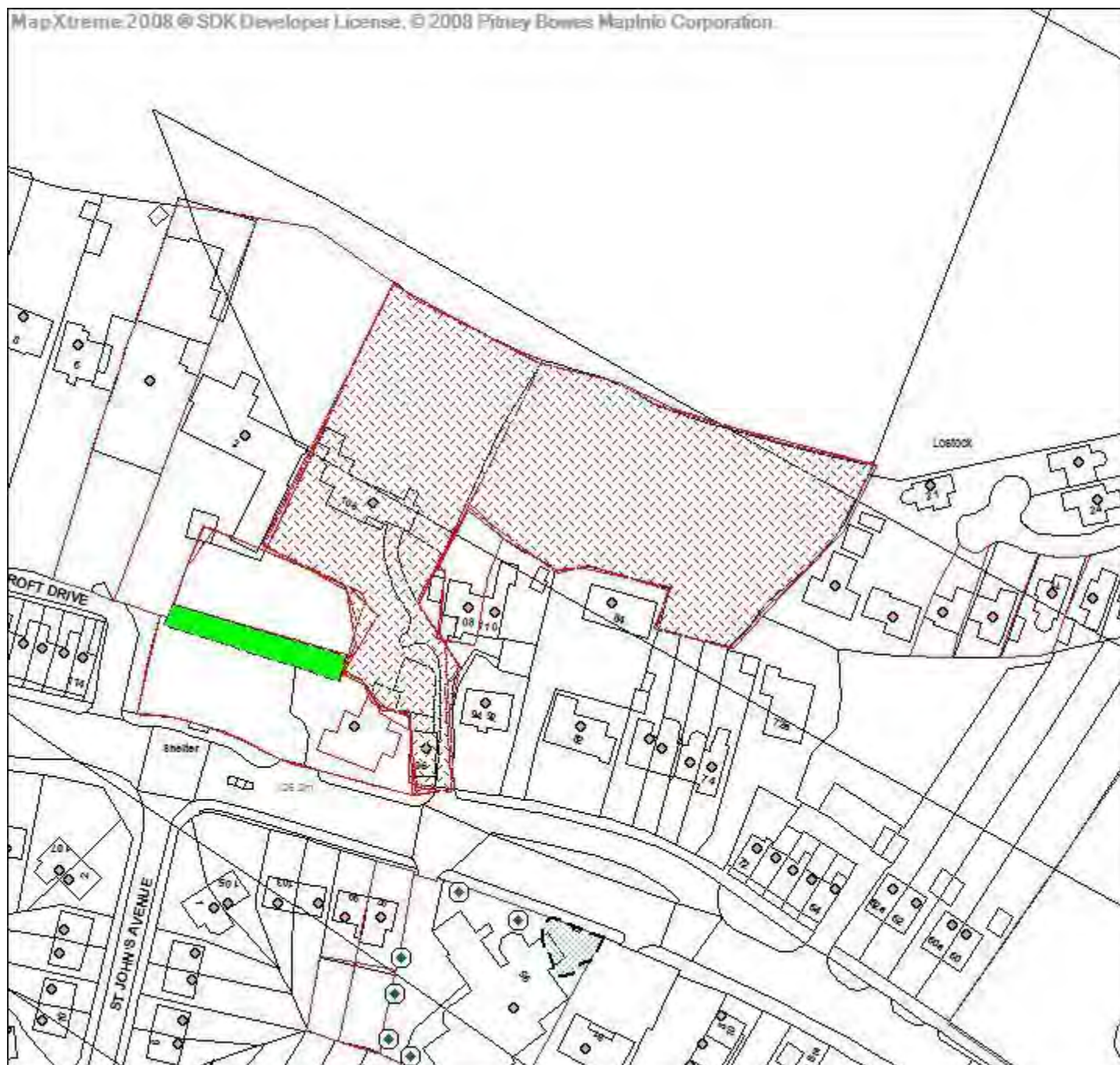
EXISTING AND PROPOSED SITE PLANS

PROPOSED RESIDENTIAL DEVELOPMENT
WINGATES CARAVAN PARK, WINGATES LANE
WESTHOUGHTON, BOLTON

CLIENT:	HOLDEN / JACKSON
DWG NO:	PL K731/10
SCALE:	1/500 @ A1
DRAWN BY:	R.S.P.
DATE:	04/11/16
REV:	

MICHIGAN HOUSE, 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR
TEL: 01204 392233 FAX: 01204 528505
WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK

Application number 97531/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 09/02/2017

Application Reference: 97531/16

Type of Application: Full Planning Application

Registration Date: 17/10/2016

Decision Due By: 15/01/2017

Responsible Officer: Paul Bridge

Location: 96,106 & PADDOCK, CHORLEY ROAD, WESTHOUGHTON, BOLTON, BL5 3PL

Proposal: DEMOLITION OF 106 CHORLEY ROAD & ERECTION OF 12NO. RESIDENTIAL DWELLINGS (5 BED) TOGETHER WITH ASSOCIATED PARKING AND LANDSCAPING

Ward: Westhoughton North

Applicant: Deluxe Architecture

Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the demolition of 106 Chorley Road and the erection of 12 5 bedroomed residential dwellings together with associated parking and landscaping.

The proposed plans indicate that the development would comprise 2 storey and 2.5 storey dwellings (5 different house types) arranged around a new road. The proposed dwellings would be no more than 8.3 metres in height from the finished ground level. The dwellings would be constructed from the following materials:-

External masonry	Edenhall Darlstone Walling Pitched Buff/Black
Cills & heads	Artstone Buff/Bathstone colour
Roof Coverings	Redland Duoplain Charcoal Grey
External frames	UPVC RAL Colour 7016 (Anthracite Grey)

Vehicular access to the site would be provided by a newly constructed access road off Chorley Road. Two parking spaces would be provided for each plot, a total of 24. The 12 dwellings would be for sale on the open market.

The application is supported by a Tree Report, Design and Access Statement, Desktop Study, Bat Survey, Coal Information, Swept Path Analysis, Sustainable Urban Drainage Report and a Phase 1 Risk Assessment.

Site Characteristics

The application site is irregular in shape and approximately 0.61 hectares in size. It is made up of

three distinct parcels of land, these being 96 Chorley Road (now demolished), 106 Chorley Road and a privately owned paddock to the rear of No.86 Chorley Road.

106 Chorley Road is a large bungalow with a large garden area to the front and rear. The rear garden area has a number of large established trees within the site and is separated from the paddock to the east by a line of established trees and bushes. The paddock has a gradient of approximately 2m from the southern boundary of the site down to the northern boundary of the site.

The site is bounded by an existing residential development to the west, south & east. Beyond the south of the site are open fields. Houses to the immediate east and west of the proposed development are executive style properties of 4 -6 bedrooms and associated accommodation.

There are 4 distinct character areas: to the east of the site is a typical row of terraced houses with large houses behind. Immediately south of the site is a row of semi-detached houses. To the west of the site are large houses set back from the main road (Chorley Road) and screened by large trees, hedges and timber fences and beyond these lie open fields. No. 92, 94, 108 and 110 Chorley Road would be sited directly adjacent to the access road. Beyond the northern boundary is a large area of greenbelt land - though the site itself does not benefit from any protective allocation.

Policy

National Planning Policy Framework - building a strong and competitive economy, promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities, protecting green belt land, meeting the challenge of climate change, flood and coastal change, conserving and enhancing the natural environment, conserving and enhancing the historic environment, facilitating the use of minerals

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; OA3 Westhoughton.

SPD Accessibility, Transport and Road Safety, Affordable Housing, General Design Principles, Sustainable Design and Construction and Infrastructure and Planning Contributions.

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 planning issues to be considered in determination of this application are as follows: -

- principle of residential development
- impact on the road network
- impact on the character and appearance of the area

- impact on living conditions
- impact on nature conservation
- impact on trees
- other issues

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.

NPPF paragraph 17 identifies twelve core land use planning principles, stating that planning should “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.” Although the NPPF does encourage the use of brownfield land, it does not identify a sequential approach to development which prioritizes the use of previously developed land over greenfield sites.

Strategic Objectives 14 and 15 of the Core Strategy aim to provide housing that meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households and to focus new housing in the existing urban area, council-owned housing areas and in mixed-use developments on existing older industrial sites.

Policy CG1 highlights the importance of safeguarding and enhancing the biodiversity in the borough as well as allowing some development on green spaces which help to meet the strategic objectives for housing.

As a paddock, part of the site is greenfield and therefore the proposed development would have an impact in terms of the loss of a limited amount of greenfield land. However, apart from views of the paddock, the site holds limited amenity value for local residents and whilst it contributes towards the overall character of the immediate area, it is a private paddock and not available for informal use by local residents; In addition, the site is not specifically identified within the Council’s Allocation Plan for its recreational value.

The applicant has indicated that the proposed development will be 5 bedroomed detached dwellings to reflect local housing requirements. The proposed mix of units therefore focuses on the delivery of 5 bed family housing and will contribute towards achieving a mixed community through delivery of this type of dwelling in accordance with policy SC1.

The site would achieve an overall net density of circa 19 dwellings per hectare. Whilst this is short of the 30 dwellings per hectare normally expected, a large proportion of the site area is taken up by the need to provide a new access road. The site constraints such as the retention of trees and the only access being available via Chorley Road prevent this figure from being achieved. It is considered, on balance that the density of dwellings that would be achieved on site is acceptable in relation to the policy framework and the location of the development within the borough.

The proposed dwellings will be located on a site comprising a mixture of previously developed land (brownfield) and greenfield land (the paddock). 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 Road Network

Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure
- safe and suitable access to the site can be achieved for all people
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety. The Council has also adopted the Accessibility, Transport and Road Safety SPD which notes that the provision of a safe, high quality transport network is vital to the economic prosperity of the borough and the ability of residents to safely access potential new jobs being created together with health, education, community facilities and housing. The SPD also seeks to ensure that the use of transport does not adversely affect the climate and therefore requires new development to reduce the need to travel by car, and encourage people who live, work and visit to walk, cycle and use public transport.

The application site is located on land to the south of Chorley Road, has good transports links and is sited within a well-established urban area. The site is located within an acceptable walking and cycling distance to Chorley Road which facilitates existing public transport services. Westhoughton Train Station is approximately 0.6 miles from the site. The proposal is therefore considered to be located in a sustainable and accessible location which has the potential to encourage future residents to travel by sustainable modes of transport.

The proposal would provide twelve 5 bedroom dwellings. Appendix 3 of the adopted Core Strategy states that dwellings with more than 4 bedrooms should have a maximum of 3 spaces per dwelling. Two parking spaces would be provided for each plot, a total of 24. It is noted that the parking standards are a maximum and that the site is located in a highly sustainable location with good public transport links. Given the above, the parking provision of 2 spaces per dwelling is considered to be acceptable and should not lead to additional overspill parking onto the highway.

The application is for a low-density development within a predominately residential area and within close proximity to public transport links. As stated above the proposed housing numbers falls below the threshold indicated in national guidance for a traffic impact assessment to substantiate the development. The Councils Highway Engineers have been consulted and have advised that the developer has been in pre-application discussions with the Highways Authority. The highway access and internal road layout was agreed in principle during these discussions. The internal road layout complies with the Councils standards for adoption, although this will be the subject of a Section 38 Agreement (Highways Act 1980) to ensure the road is constructed to a specified standard and to the satisfaction of the local highway and planning authority.

Improvements to the highway access on Chorley Road are adequate in terms of carriageway, footway and service-strip provision together with radii and visibility onto the highway network. The kerb line build-out on the eastern side of the access road was a requirement during the discussions

to rationalise the access at that location. The alterations to the lay-by access from Chorley Road was required to facilitate access to residents' vehicles. The applicant has provided a swept-path analysis which demonstrates that a large refuse vehicle can manoeuvre within the site.

The submitted road layout does not indicate how the access to 94, 108 and 110 Chorley Road will be accommodated into the build-out in order to facilitate safe access/egress from the properties. This will be secured by way of condition.

Planning permission was granted to the west of the site (former Windmill Public House site) for residential development in November 2013. Access to this site would have been via the existing access on Chorley Road which previously served the public house. This planning permission was not implemented and is no longer extant. It has been agreed with the applicant (who also owns the Windmill site), that any access to the Windmill site is to be taken from the new road form as part of this proposal. This would reduce the number of access points from the classified road thus reducing potential road safety implications. This would render the existing access from Chorley Road into the former Windmill Public House site redundant which must be closed and the footway made up to adoptable standard. A condition will be attached to ensure this.

Analysis of the available injury accident record over the last 5 years for this location indicates one slight accident in close proximity to the site. The negligible traffic volumes that will be associated with the development should pose limited road safety implications. All properties have sufficient space to the rear/side of the dwellings to store the required number of domestic refuse bins. The proposed road is sufficient in width to allow a refuse truck to access the dwellings.

In light of the comments from the Highways Officer the development is considered to have a negligible impact on the highway network. Consequently, the Local Planning Authority find no substantive evidence that the proposal would lead to a significant increase in on-street parking or have any consequential impact upon highway safety in accordance with policies S1 of the adopted Core Strategy.

Impact on the Character and Appearance of the Area

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

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

Policy OA3 relates specifically to Westhoughton and requires that new development conserves and enhances the character of the existing physical environment and has regard to the character of farm complexes, folds, vernacular cottages and the wider open landscape.

The Design and Access Statement presents an analysis of the development and design concepts which have incorporated into the scheme layout. There are no objections to the layout of the development in terms of design. It is considered that the siting of the dwellings is considered acceptable and would respect the layout of the immediate surrounding urban area.

The dwellings in the immediate surrounding area are generally constructed out of a mixture of materials including brick and render with either slate or concrete roof tiles and therefore there is considered to be no distinctive character along this section of Chorley Road. The proposed materials in this location and context are considered acceptable.

The proposed site plan shows that the proposed dwellings would all have adequately sized amenity space which would be located to the rear of the proposed dwellings. Given that the site plan lacks landscaping detail a condition is recommended to agree these details at an appropriate stage of the development. It is considered that a reasonable quality landscaping scheme could be secured and as such there are no objections to the development in this regard. 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. Having regard to the above, the proposal is considered to accord with the guidance set out in the National Planning Policy Framework and in accordance with policies CG3 and OA3 of the Core Strategy and guidance within the NPPF.

Impact on Living Conditions

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

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

The proposed dwellings are considered to be of an appropriate size to be functional and would provide any potential future occupiers with adequate living space. All of the habitable rooms within the dwellings are served by way of windows which would provide an adequate source of both light and outlook to the principal habitable rooms. In addition, the layout and siting of the dwellings demonstrates that the proposal is compliant with the Council's policies relating to achieving an appropriate level of amenity in respect of loss and privacy overlooking or overbearing.

There are no residential dwellings beyond the northern boundary of the site. To the east of the site are the residential dwellings that occupy Ploughfields, whilst to the south are a number of residential dwellings along Chorley Road and beyond the eastern boundary are the residential dwellings that occupy Ryecroft Drive.

19 Ploughfields is a bungalow located directly adjacent to the eastern boundary of the site - given the topography of the application site it is set on a slightly higher level. The nearest proposed dwelling to 19 Ploughfields would be plot 12. This would be house type 5 which has an 'L' shaped configuration. In terms of loss of privacy or increased overlooking there would be two small windows at both ground and first floor level in the eastern side elevation which would directly face No.19 Ploughfields. An interface distance of approximately 11.5m would be maintained to the eastern boundary of the site which is considered acceptable to prevent any unacceptable impact on residential amenity in terms of loss of privacy or overlooking to these dwellings. In addition, a

condition has been attached to ensure obscure glazing is provided and maintained to these windows.

In respect of loss of light/overbearing, No.19 has a principal habitable room window in the main rear elevation which serves a bedroom. The outlook from this window is already restricted due to its close proximity (approx.3m) to the existing rear boundary fence. In addition, the proposed dwelling at plot no.12 would be set further north and would maintain a separation distance of approximately 7m at its nearest point and approximately 12.5m at its further point. Therefore, given the siting of the proposed dwelling in relation to No.19 Ploughfields, the separation distances and the orientation of the sun, it is considered that there would not be any unacceptable loss of light or overbearing impact on No.19 Ploughfields.

In respect of 84 (bungalow), 108 and 110 Chorley Road, adequate interface distances would be maintained between the proposed dwellings to prevent any unacceptable impact on privacy or outlook. As such, it is not considered that the proposal would result in an unacceptable impact upon the living conditions of neighbouring occupiers in accordance with policy CG4 of the Council's Cores Strategy.

Impact on Nature Conservation

The NPPF incorporates measures to conserve and enhance the natural and local environment, including 'Biodiversity and Geological Conservation'. Paragraph 118 of the NPPF requires that significant harm resulting from a development be avoided, adequately mitigated, or, as a last resort compensated for and that opportunities to incorporate biodiversity in and around developments should be encouraged.

The proposal is not located within a local nature reserve or a site of biological importance. Whilst objectors have stated that deer have been sited on the paddock, the site is not a designated wildlife corridor and deer are not a protected species. Greenspace Management have been consulted and have no objection to the proposal in this respect. It is considered therefore that the development would not cause unacceptable harm to wildlife. The site is not identified as a site of biological importance, site of special scientific interest or for its ecology value.

However, the presence of newts is known in the area of the site. A condition has therefore been attached to ensure that an ecological investigation to determine if the protected species (Great Crested Newt) are present and recommendations for protection and mitigation carried out if found. In support of the application, a Preliminary Roost Assessment (A1763/16) of October 2016 was submitted which concluded that no evidence of roosting bats was recorded during the survey and that the building is very unlikely to be used by roosting bats. There is a very low risk of the proposed works resulting in any impacts to bats or their roosts and no further surveys are considered necessary. Notwithstanding this, a note has been attached to inform the applicant of the care needed when removing tiles in the unlikely event that a bat is encountered. The tree and shed features assessed provided no suitable features for roosting bats.

The Council's Greenspace Officer has been consulted and has advised that the proposed development would not cause any significant impact upon the biodiversity of the area, but has requested conditions in respect of Great Crested Newts and nesting birds.

Impact on Trees

Core Strategy policy CG1.1 states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees. The applicant has submitted a Tree Survey and Tree Constraints Plan. The Tree Report provides a schedule of trees surveyed and a Tree Constraints Plan. Within the proposed development area there are a number of trees that will be affected by the development proposal.

There are a considerable number of trees within this site to the front, rear and sides of the property that varying in age, form and condition. These trees are situated in what was a large back garden of 106 Chorley Road and include a number of native and exotic trees species, and a variety of shrub species that create a dense understorey to the existing tree cover. There are no trees of significant value within the parcel of land to the east of the 106 Chorley Road curtilage and behind 84,108 & 110 Chorley Road.

The new proposed access road would require a number of trees to be removed due to the impact on the root protection zones of the trees (T53 & G47 will require removal). Generally these are poor quality trees, damaged or naturally regenerated seedlings of low amenity value. The proposed access road then continues northward along the eastern boundary of the existing 106 Chorley Road site. This will result in the loss of a number of mature trees T33 Scots Pine, G34 (a line of poorly conditioned Cypress trees behind the existing Hawthorn hedge (H30), G35 2x Larch trees, G36 (a mixture of specimen and fruit trees and flowering shrubs, all of varying condition and limited visual and long-term amenity), T37 Cherry, T38 Laburnum (poor form), G39 (a group of mixed Sorbus sp. of poor form and condition).

The access road then turns eastward into the eastern parcel of land behind 84, 108 & 110 Chorley Road. The new layout of the access road results in plot 6 infringing into the tree group within the north eastern corner of the 106 Chorley Road plot, resulting in further tree losses.

There is a mature tree in the rear of 76 Chorley Road and further detail as to how this is to be constructed without damaging the root protection zone of this tree will be secured by way of condition.

Plot 1

This will result in the loss of G41 which is a group of mixed Laurel, Rhododendron and Bamboo shrubbery and & G42 (H42) Hawthorn which means there will be a visual screening loss along the southern boundary of plot one. T51 Cherry tree will be removed due to its poor structural form.

Plot 2

This plot would have no impact on any large trees.

Plot 3

This will have no impact on G1/(T1) or G2 the group of Hollies along the western boundary which will be retained to create a natural screen. Partial loss of G6 (Holly understorey) will be incurred.

Plot 4

This plot will have an impact on a number of trees along the western boundary and also within the site itself. T4 (Goat Willow) is a large mature tree that has a good future life expectancy and therefore should be retained. T3 Silver Birch is also a healthy tree that should be retained. T5 Cherry is a poorly formed specimen that could be removed. G6 Holly trees are of generally poor form and limited visual amenity. G7 Cypress trees are of poor form and not worthy of retention.

Plot 5

T8 Oak tree is a well formed specimen and should be retained. Trees T10, T11 are of limited amenity and would require removal to accommodate this building. T12 is dead will be removed. Trees T13, T14, T15, T16, T17, T18, T19, T20, T21, T22, T23, T24, T25, and T26 are outside the influence of the development and should be retained; A condition will be attached to ensure that protective fencing is sited (as detailed in BS5837 2012: Trees in Relation to Design Demolition and Construction on the periphery of the root protection zones (RPZs) of the retained trees during development

The lower understorey and shrub vegetation within G29 along the northern boundary will be removed.

Plot 6

This plot will have the most impacts on the trees on the site. Trees T27, T29, G29, H30, T30, T31 & T32 will be lost to development due to the proximity of the trees in relation to the plot.

Plot 7 to Plot 12

There are some naturally regenerated trees on the northern border of these plots. These trees will ideally be retained and protective fencing will be required (as detailed in BS5837 2012: Trees in Relation to Design Demolition and Construction on the periphery of the root protection zones (RPZs) of the retained trees during development.

The access road will result in the loss of a large number of trees along the eastern boundary. In mitigation a scheme for substantial replanting of trees and landscaping are detailed at the end of this report.

Additional arboricultural method statements will be also be requested that detail the road construction and how this is to be engineered so not to damage the root protection zones of the trees T45,T46 or where the canopies overhang the proposed road way and will require pruning for access. It is also considered that T37 will also be lost to the road as the tree canopy will require extensive works to ensure road clearances.

In respect to any future boundary treatments, care needs to be taken to ensure that any new fencing to be erected is without loss of the trees & shrubs. This will be relevant to all the plots along the western boundary.

Subject to appropriate conditions which are detailed at the end of this report, the development is therefore considered to be in accordance with NPPF paragraph 117 and policy CG1 of the adopted Core Strategy.

Other Issues

The site is located within an area defined by the Coal Authority as high risk. The applicants have submitted Coal Mining Risk Assessment dated October 2016 prepared by ADS Structural Limited. The Site Investigation Report submitted sets out details of the intrusive site investigations carried out on site and their findings. The Coal Authority concurs with the recommendations within the phase 1 Desk Top Study that coal mining legacy potentially poses a risk to the proposed development and that further intrusive site investigation works are carried out. A condition has been attached to ensure this is undertaken. Subject to an appropriate condition the Coal Authority do not object to the proposal.

NPPF paragraph 121 states that planning decisions should ensure that the proposed site is suitable for its new use taking account of ground conditions, including pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation. The applicant has submitted a Phase 1 desktop study prepared by ADS Structural. The Councils Environmental Health Team has been consulted and have no objections to the scheme subject to a condition requiring further site investigation work to be undertaken. Details of this condition are outlined at the end of the report.

Policy CG2.2 states that on brownfield sites the rate of run-off should be 50% less than conditions before development and on greenfield sites the rate of run-off should be no worse than the original

conditions before development. The Sequential Test does not apply to residential development within flood zone 1 and as such residential development is considered appropriate on the site

The applicant has not submitted a Sustainability and Energy Statement in support of the application and no sustainability information has been included within the design and access statement. Therefore conditions have been attached to ensure that the proposed dwelling contribute to the delivery of sustainable development. Subject to appropriate conditions the proposed development is considered to be in accordance with the NPPF, policy CG2 and the relevant policies in the Sustainable Design & Construction SPD.

Local finance considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The following is considered to be a local financial consideration in this case:

New Homes Bonus for the proposed dwellings – this is not a material planning consideration.

Conclusion

The site is located in a sustainable location with access to local amenities. The adverse impacts of the proposed development have been considered, assessed and weighed against the benefits of the scheme. It is considered that the impacts associated with the proposed development can be largely mitigated through the use of planning conditions where necessary.

The need to widen the choice of high quality homes is reiterated in paragraph 9 and Section 6 'Delivering a Wide Choice of High Quality Homes' of the NPPF. In addition to this, there have been several ministerial statements since the publication of the NPPF that reinforce the need to deliver on housing land supply as part of economic regeneration.

The proposed development would help to meet the objectively assessed needs for housing in Bolton. The proposed site is wholly deliverable (i.e. suitable, available and achievable) and would contribute towards addressing the lack of a 5 year supply of deliverable housing land. Delivering new housing is an important factor in helping to retain and attract a skilled and talented workforce. It is considered that the development would make a contribution towards achieving this aim through the supply of relatively affordable units which would contribute towards meeting the shortfall of housing across the borough. The social benefits of the development, in particular the delivery of housing, are considered to be significant and must be afforded significant weight in the overall planning balance.

It is not considered that the adverse impacts would significantly and demonstrably outweigh the benefits of the development, when considered in the context of the current housing supply position and the delivery of new housing in a sustainable location. The development would not have a capacity of 15 or more dwellings and therefore the applicant is under no obligation to provide any affordable housing within the development. The overall conclusion is that the key material considerations in relation to housing land supply justify the development. Development of the site represents an opportunity to provide housing to meet pressing housing needs in a sustainable location. The proposal is therefore in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Representation and Consultation Annex

Representations

Westhoughton Town Council - Objects to the proposal on the loss of green area, loss of trees, overdevelopment of the site, highway safety issues and drainage issues.

Letters:- Objection letters have been received from 11 different households in response to the planning application publicity (including multiple letters from the same households) who have raised the following issues:-

- highway safety
- increase in traffic
- lack of car parking provision
- loss of greenspace
- overdevelopment
- design, size and scale
- loss of privacy/overlooking
- loss of light/overbearing
- land contamination
- loss of trees
- flooding/drainage
- the site is located within the greenbelt
- maintenance of new road
- ecology/habitat/wildlife
- the land is not suitable for development
- landscaping,
- the former Windmill Public House site also has planning permission for housing

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

- loss of property value. Officer's note - the loss of property values is not a material planning consideration
- accuracy of plans. Officer's note – the case officer has reviewed the submitted plans and consider they are accurate
- lack of school spaces/education provision. Officer's note - it is not considered that the proposed development (in itself) would result in a material increase in the demand for primary school places and therefore it is not deemed necessary for a planning obligation to secure a financial contribution towards creating additional primary school places
- loss of view. Officer's note - the loss of a view is not a material planning consideration
- extension to existing houses could be prejudiced. Officer's note - this application and future applications for the surrounding area will be assessed on their own planning merits
- light pollution. Officer's note - the site is for residential development and as such would not materially alter light levels outside the development site and/or have the potential to adversely affect the use or enjoyment of nearby dwellings
- lack of consultation from developer. Officer's note - the Council does recommend that applicants

consult with neighbours before the submission of a formal application, however this a recommendation and not a statutory requirement on the applicants

- covenants on the land restrict development. Officer's note - restrictive covenants protect private rights and benefits of the owners or occupiers of the land specified in them. Covenants are privately negotiated and agreed. If a covenant is breached, it would be for those affected to see if enforcement would be possible; through the courts, if necessary. Private rights are quite separate from planning considerations. Planning decisions are taken in the broader public interest, in the light of policies in development plan documents and of any other factor relevant to land-use planning. There is public involvement when plan documents are put forward for adoption, or planning applications made. Accordingly, the existence of a restrictive covenant should not be the basis of a decision about a planning application or appeal
- breach of Article 1 and 8 of the Human Rights Act. Officer's note - in considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 1 and 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention. Right to respect the private and family life has been considered in coming to this recommendation and has been robustly assessed against planning policy, especially potential impact on neighbouring properties
- disruption and potential damage to property 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. In respect of any potential damage to property, this is a civil matter

Consultations

Advice was sought from the following:- Westhoughton Town Council, Commercial Services Landscape Development and Design, Greenspace Management, Drainage, Tree Officer, Coal Authority, Highways Engineers, Environmental Health (pollution control), Design for Security.

Planning History

96205/16 – Outline application for the erection of 7 No. residential dwellings (all matters reserved). – Withdrawn April 2016

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 following details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details, that is:-*
The submission of a scheme of intrusive site investigations for the mine entries for approval;

- * The submission of a scheme of intrusive site investigations for the underground coal workings for approval;
- * The undertaking of both of those schemes of intrusive site investigations;
- * The submission of a report of findings arising from both of the intrusive site investigations;
- * The submission of a scheme of treatment for the mine entries on site for approval;
- * The submission of a scheme of remedial works for the underground coal workings for approval; and
- * The implementation of those remedial works.

Reason:- Coal mining legacy potentially poses a risk to the proposed development and intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

3. Prior to the commencement of development, including demolition, the applicant shall survey the site for evidence of Great Crested Newts. 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 and to comply with policy CG1 of Bolton's Core Strategy.

4. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of tackling climate change.

5. Development shall not commence until a site investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property or the environment;
- (iii) an appraisal of remedial options and proposal for a preferred option

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

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

Reason

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

6. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 6.5 l/s.

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

7. Prior to the commencement of development hereby approved, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult, advertise, promote and implement Traffic Regulation Orders to promote waiting restrictions at the site access and turning provision within site. Traffic order/lining to be funded at the applicants expense.

Reason: In the interests of highway safety.

8. Prior to the commencement of development full details of the highway works at Chorley Road comprising of the creation of a right-turn pocket and arrow markings within the central hatching on Chorley Road at the new access and the removal and re-hatching of redundant right-turn pocket 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.

9. Prior to the commencement of development the highway improvements indicated on submitted site plan (S_01 dated 16.9.16 - Site Layout) for access onto Chorley Road (5.5m carriageway/2.0m footway/1.0m service margin-6.0m radii) comprising of formation of kerb line build out on the eastern side and alteration to access width to lay-by from Chorley Road (which should also be designed to accommodate unrestricted access to 94, 108 and 110 Chorley Road) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

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

Reason

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

11. No development shall take place until details of earthworks have been submitted to and approved in writing by the local planning authority. These details shall include the existing and proposed finished ground levels, showing the relationship of the proposed finished ground levels to the existing

dwelling on Ploughfields and Chorley Road. The development shall be carried out in accordance with the approved details.

Reason: To safeguard and enhance the character of the area and in the interest of residential amenity.

12. Prior to the commencement of development an Arboricultural Impact Statement and Arboricultural Method Statement shall be submitted and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full thereafter.

Reason

To ensure that trees and other vegetation to be retained are not damaged during construction work.

13. Prior to the development hereby approved being first occupied or brought into use the existing vehicular access to the western part of the site from Chorley Road and which served the former Windmill Public House shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards.

Reason

In the interests of highway safety.

14. Prior to the development being first occupied or brought into use, full details (including height, siting and materials) 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 and in order to comply with policies CG3 and CG4 of Bolton's Core Strategy.

15. Before the first occupation of the Plot 12 (House Type 5) hereby permitted the secondary habitable room windows in the side elevation of the eastern elevation facing No.19 Ploughfields shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy, outlook and living conditions of neighbouring occupiers.

16. 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.

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

Reason

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

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

Reason

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

19. Prior to the development hereby approved being first occupied or brought into use a tracking analysis for a large refuse vehicle to demonstrate accessibility to the lay-by from Chorley Road shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter and not to be used for any purpose except the [parking/turning/loading/unloading] of vehicles.

Reason

In the interests of highway safety.

20. Prior to the occupation of the dwelling houses hereby permitted provision shall be made for the parking or garaging of (a) motor vehicles adjacent to each of the dwelling houses in the area identified for that purpose on the approved plan S_01 Dated 19.6.16 - Site Layout. Garage driveways shall be a minimum of 6 metres long. The areas shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 that area.

Reason

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

21. Before the approved permitted development is first brought into use no less than 2 car parking spaces per dwelling (including garage space) shall be provided within the curtilage of the site, in accordance with 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 and to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

L_01 Location Plan Rev B dated 16.9.16
16-1928-400 Rev D Road Geometry
S_01 - Site Layout dated 16.9.16

PL_01 House Type 1 dated 16.9.16
PL_02 House Type 1 dated 16.9.16
PL_03 House Type 1 dated 16.9.16
PL_04 House Type 1 dated 16.9.16
PL_05 House Type 1 dated 16.9.16
S16-229 Topographical Land Survey dated 01.08.16 Rev A

Reason

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

23. No vegetation clearance or demolition of buildings should take place between the months of March and August inclusive.

Reason

The site has the potential to support breeding birds. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds whilst they are breeding.

24. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

25. 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 on all plots without the express permission of the Local Planning Authority.

Reason: To safeguard the amenity of the area

26. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within 5 years from the date of commencement of the development hereby approved, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority. If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted in a location to be agreed by the Local Planning Authority within the next available planting season and that tree shall be of a size and species that is first agreed in writing with the local planning authority.

Reason: To ensure the protection and retention of important landscape features

27. The garages hereby approved shall be made available at all times for the parking of motor vehicles.

Reason

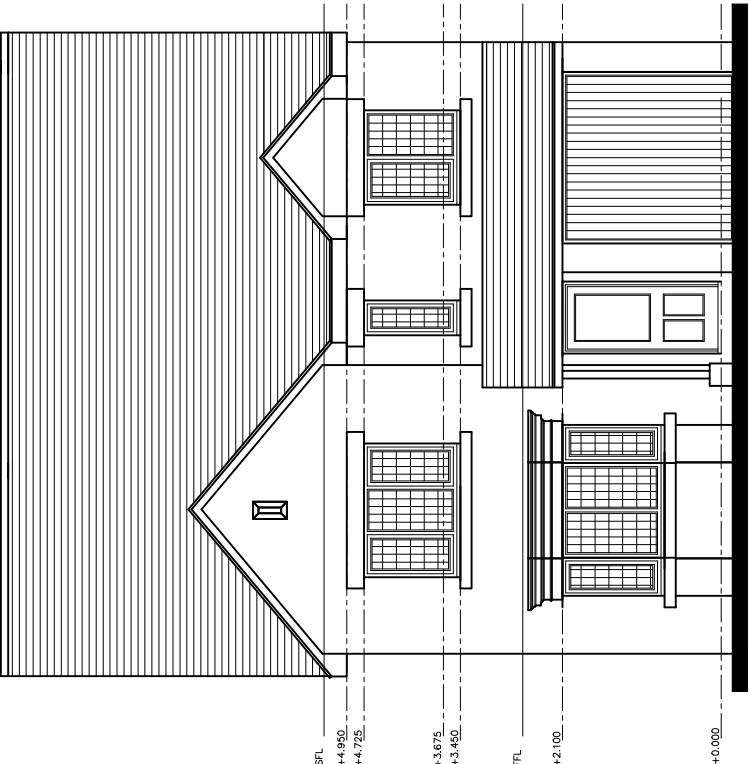
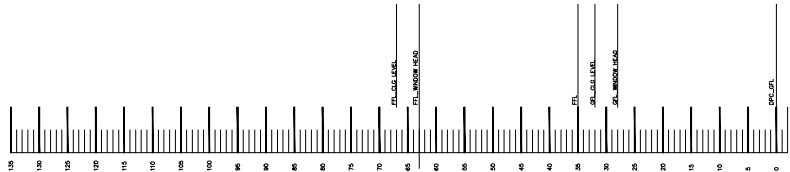
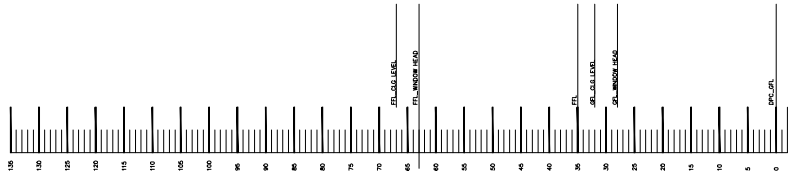
The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety and in order to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

28. No dwelling shall be occupied until the access roads, footways and footpaths leading thereto have been constructed and completed (5.5m carriageway/2.0m footway/1.0m service margin) in accordance with drawing No. 16-1925-100 RevC or any subsequent revisions as approved in writing by the Local Planning Authority.

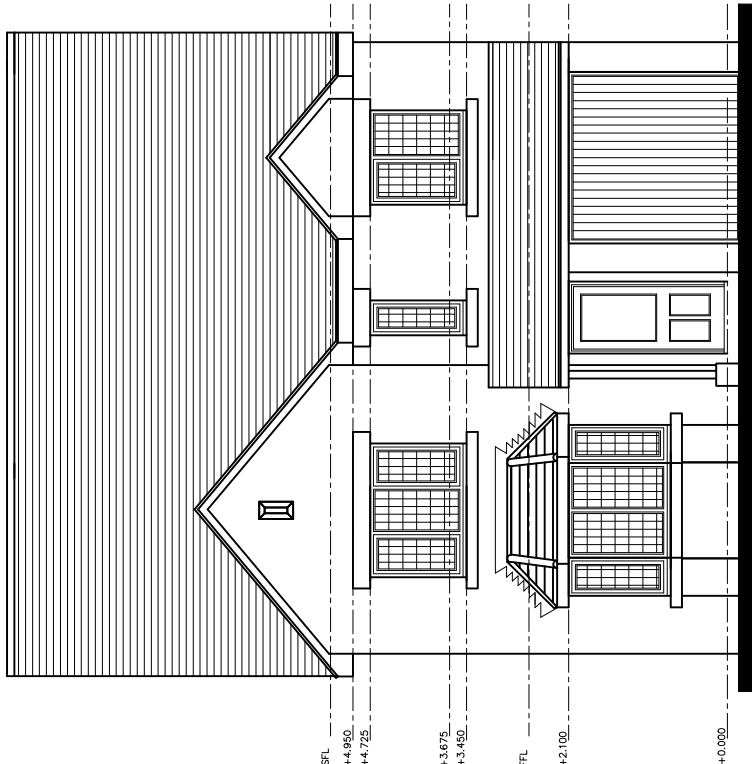
Reason

In the interests of highway safety.

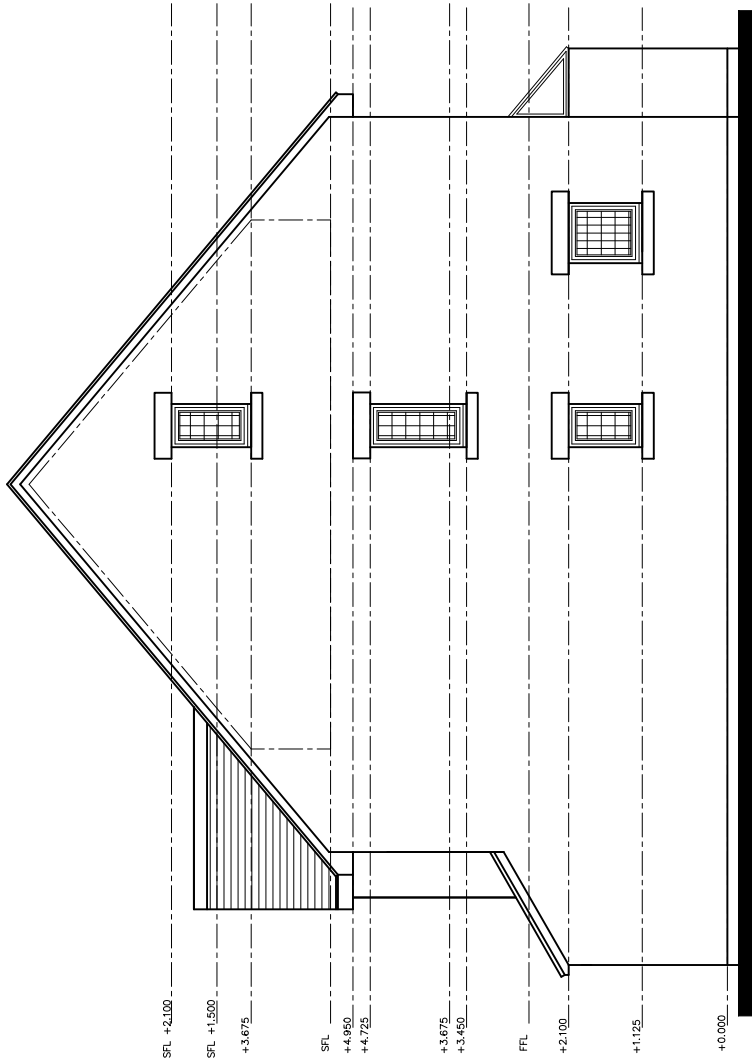
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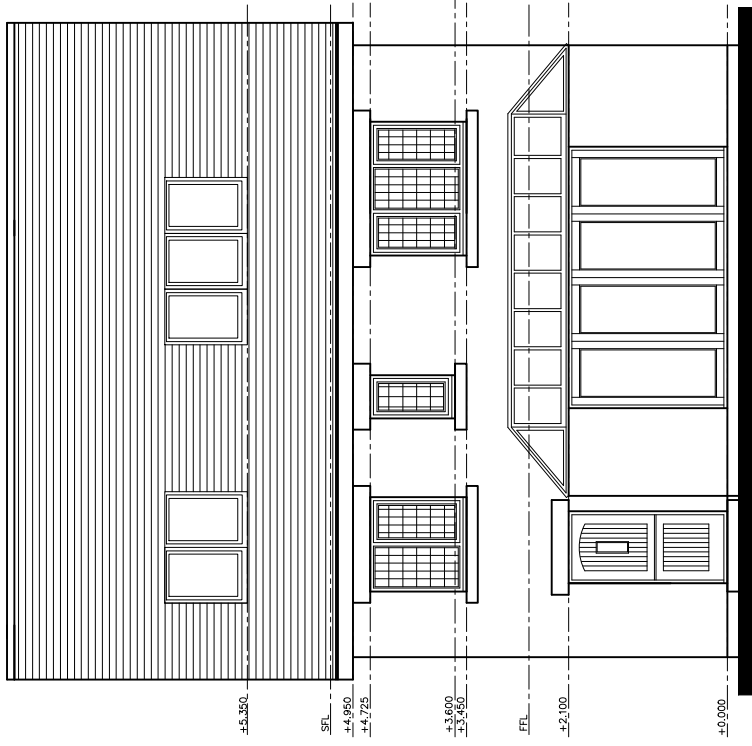
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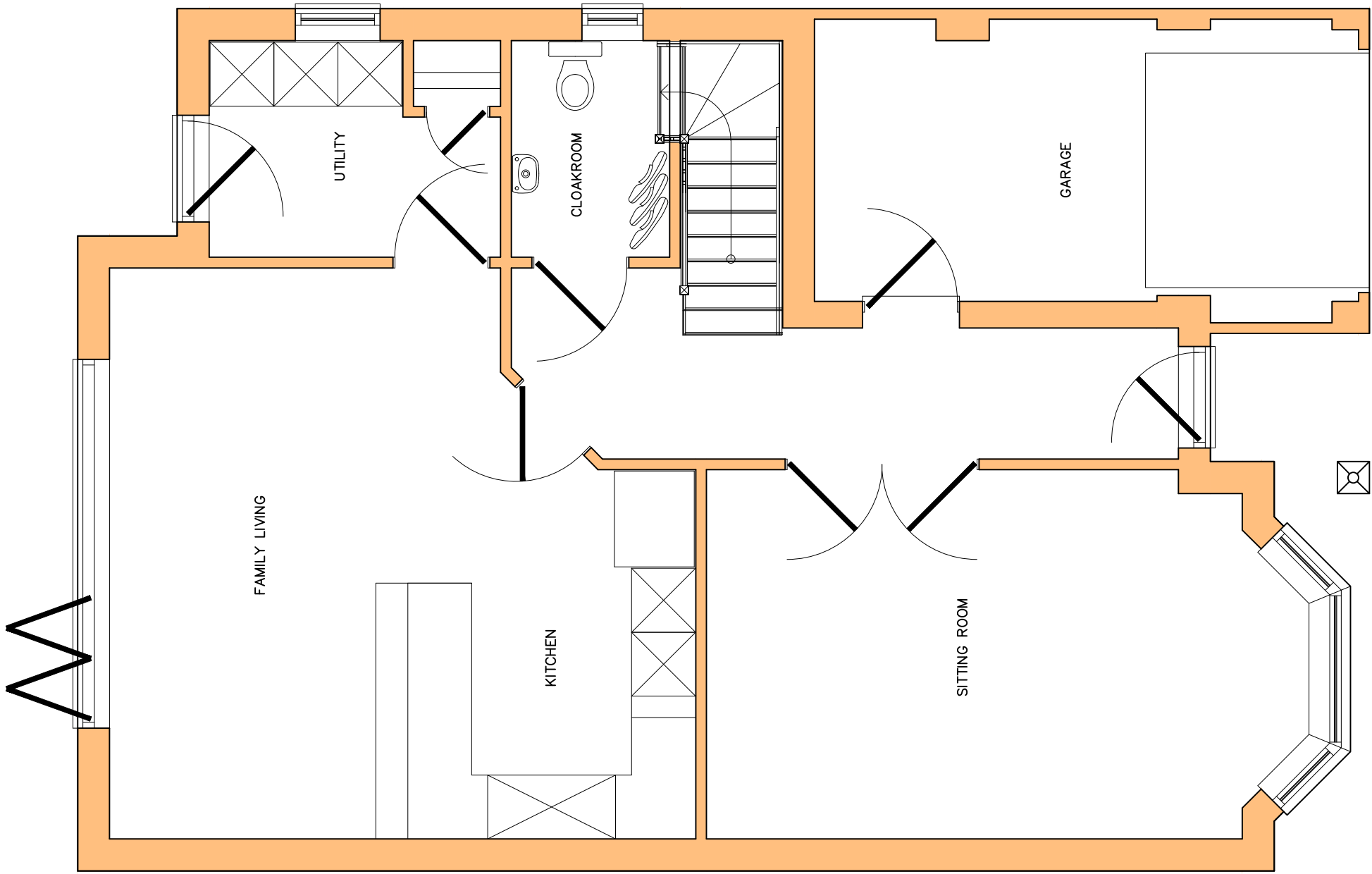
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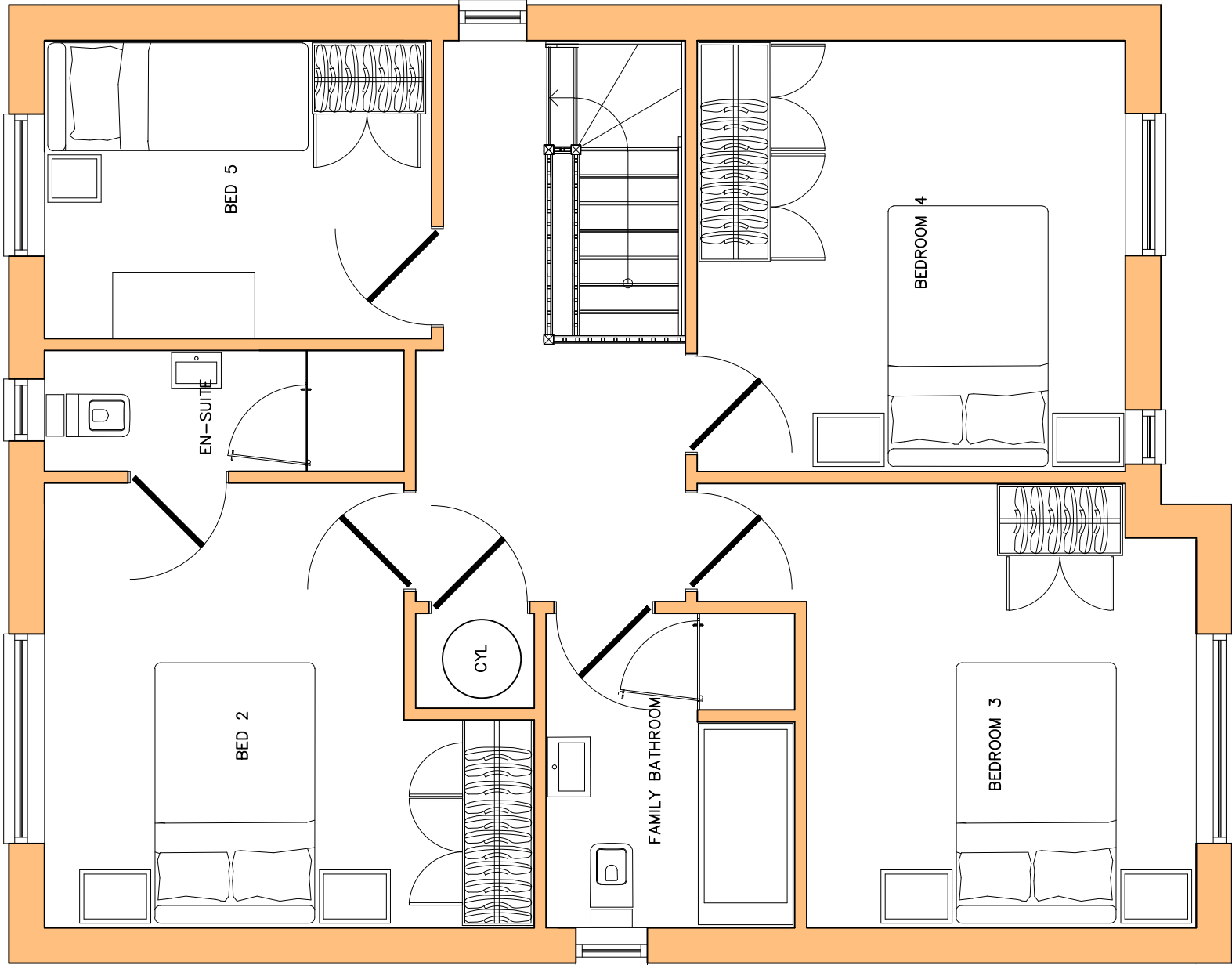
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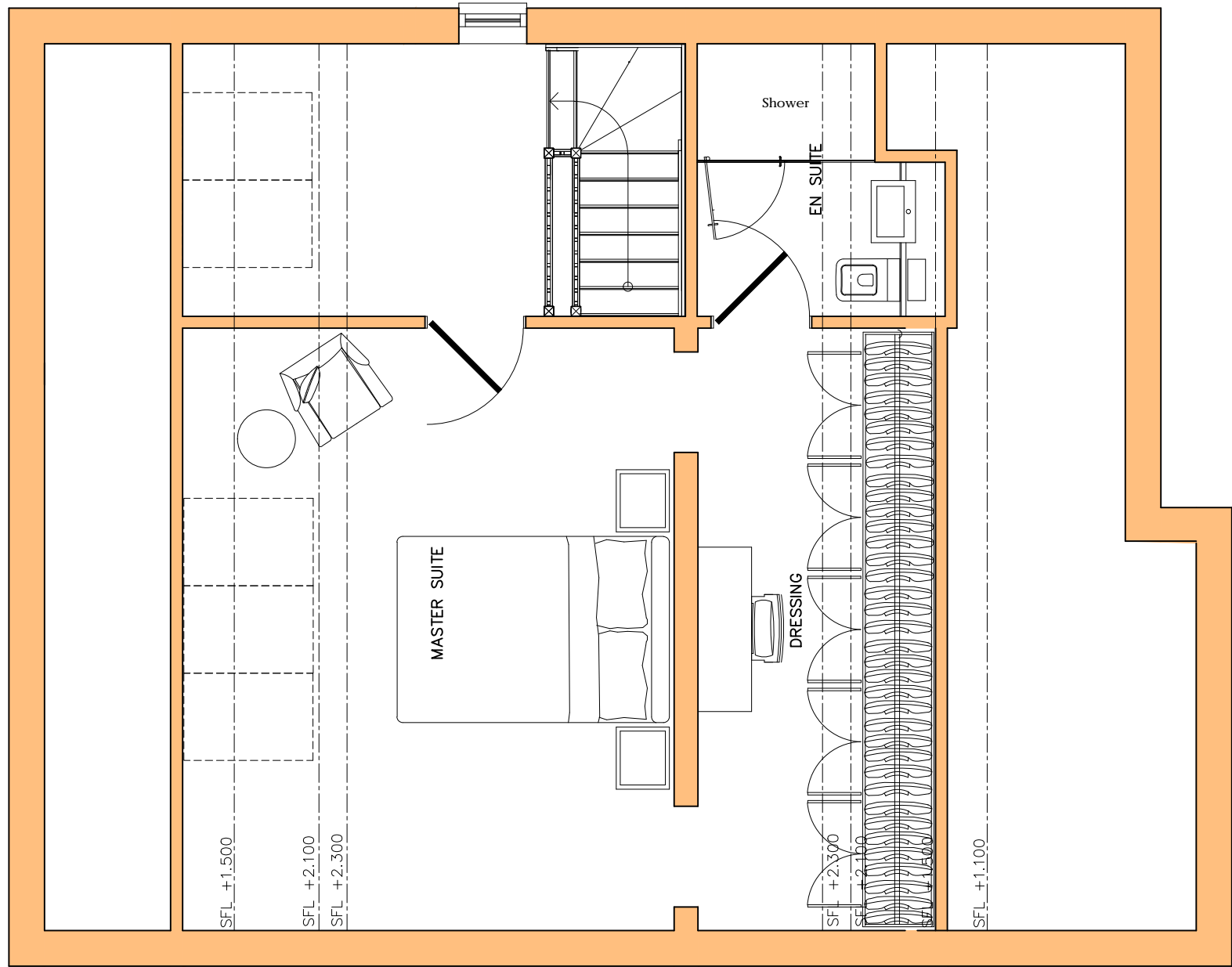
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TYPE 1
GROUND FLOOR
PLAN



TYPE 1
FIRST FLOOR
PLAN



TYPE 1
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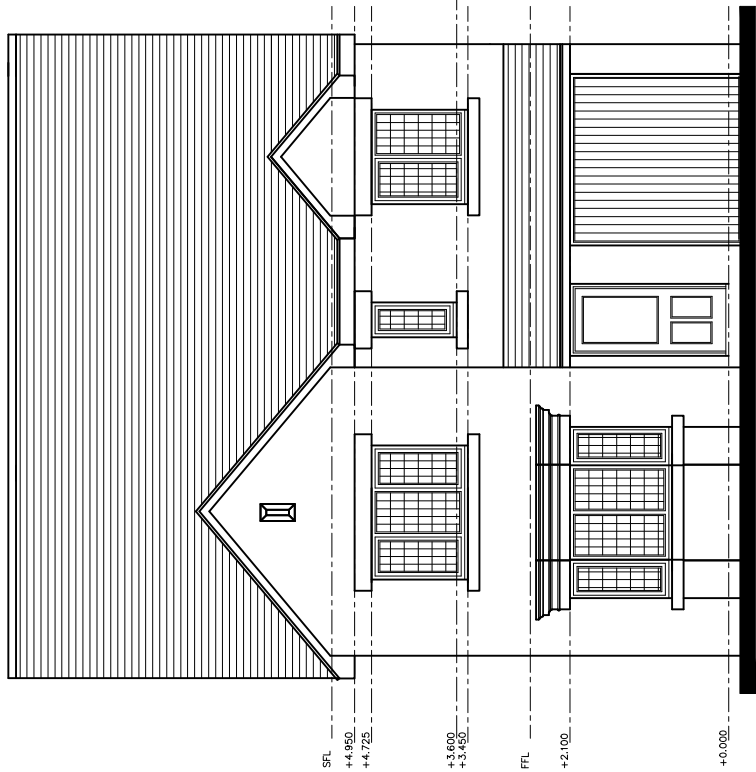
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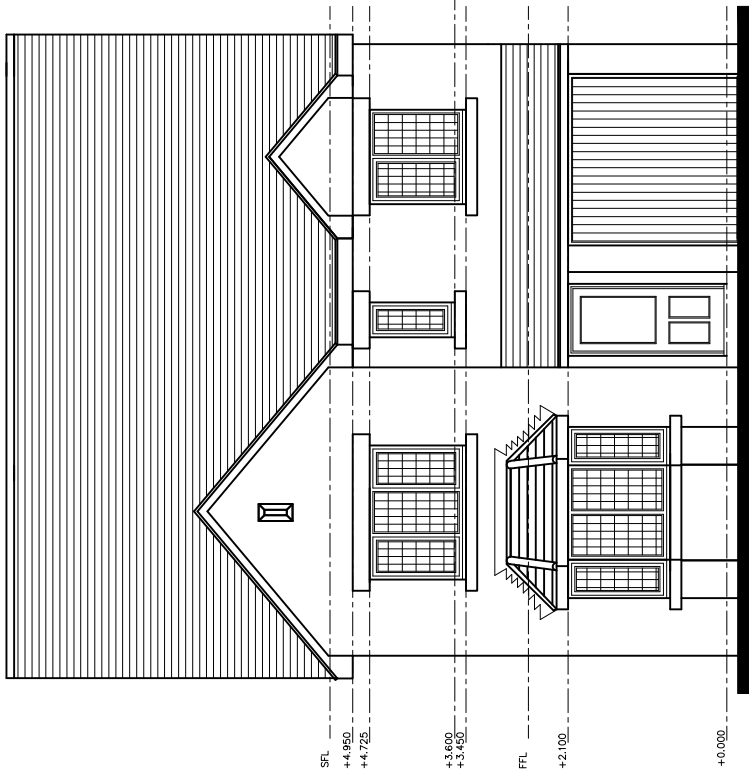
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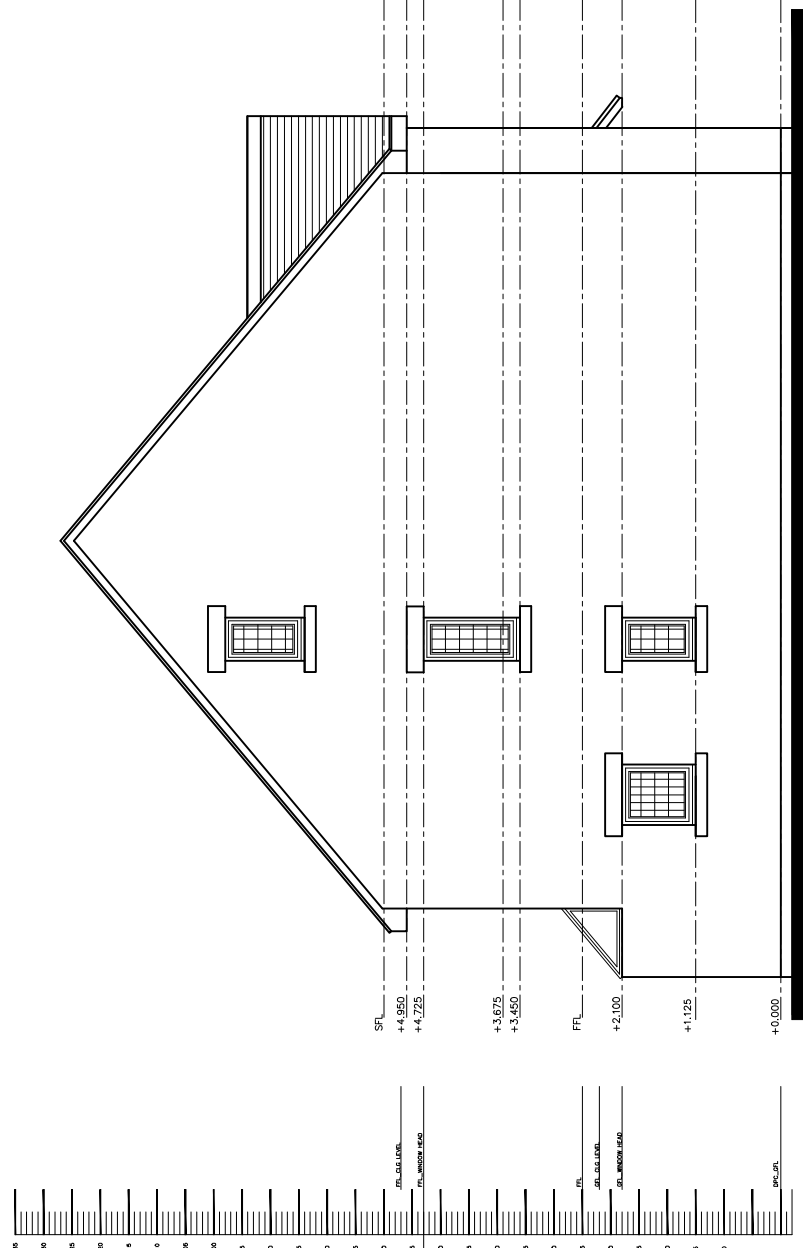
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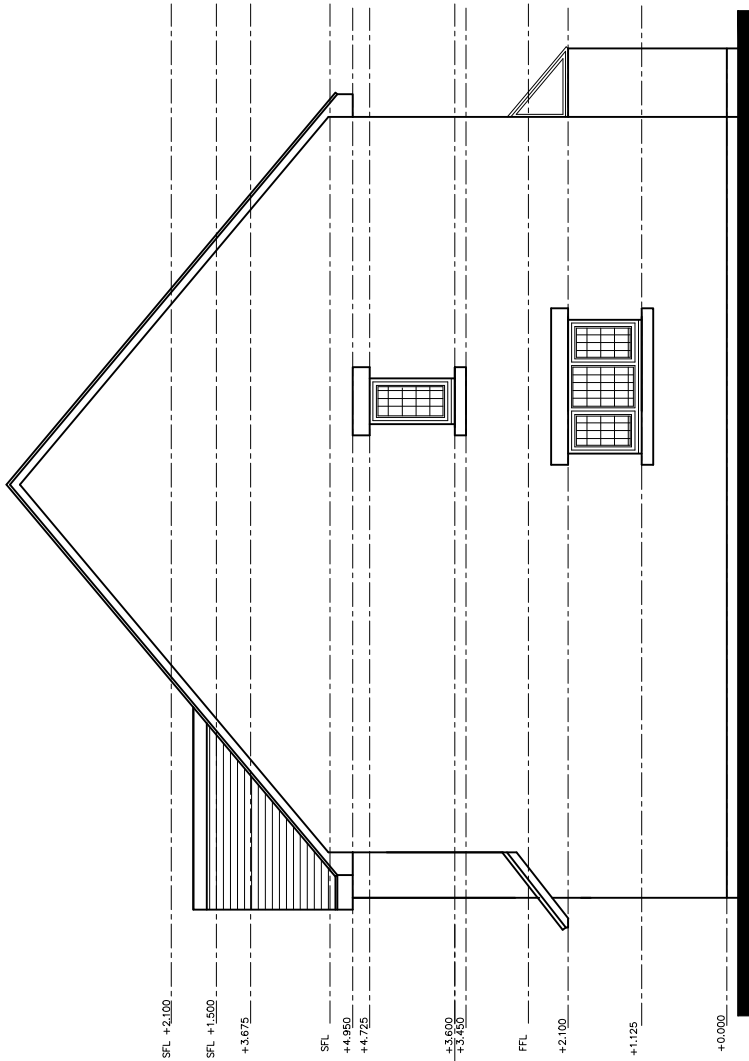
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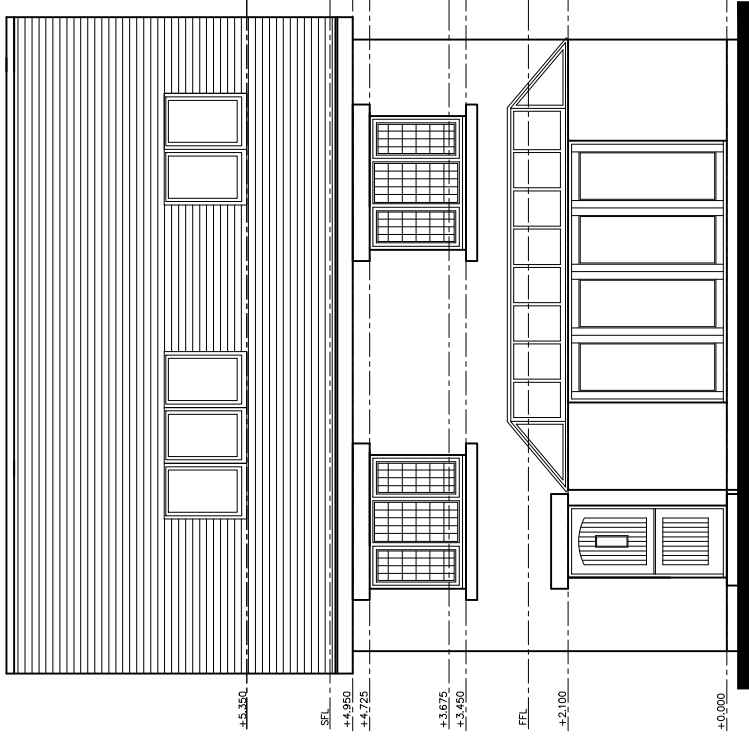
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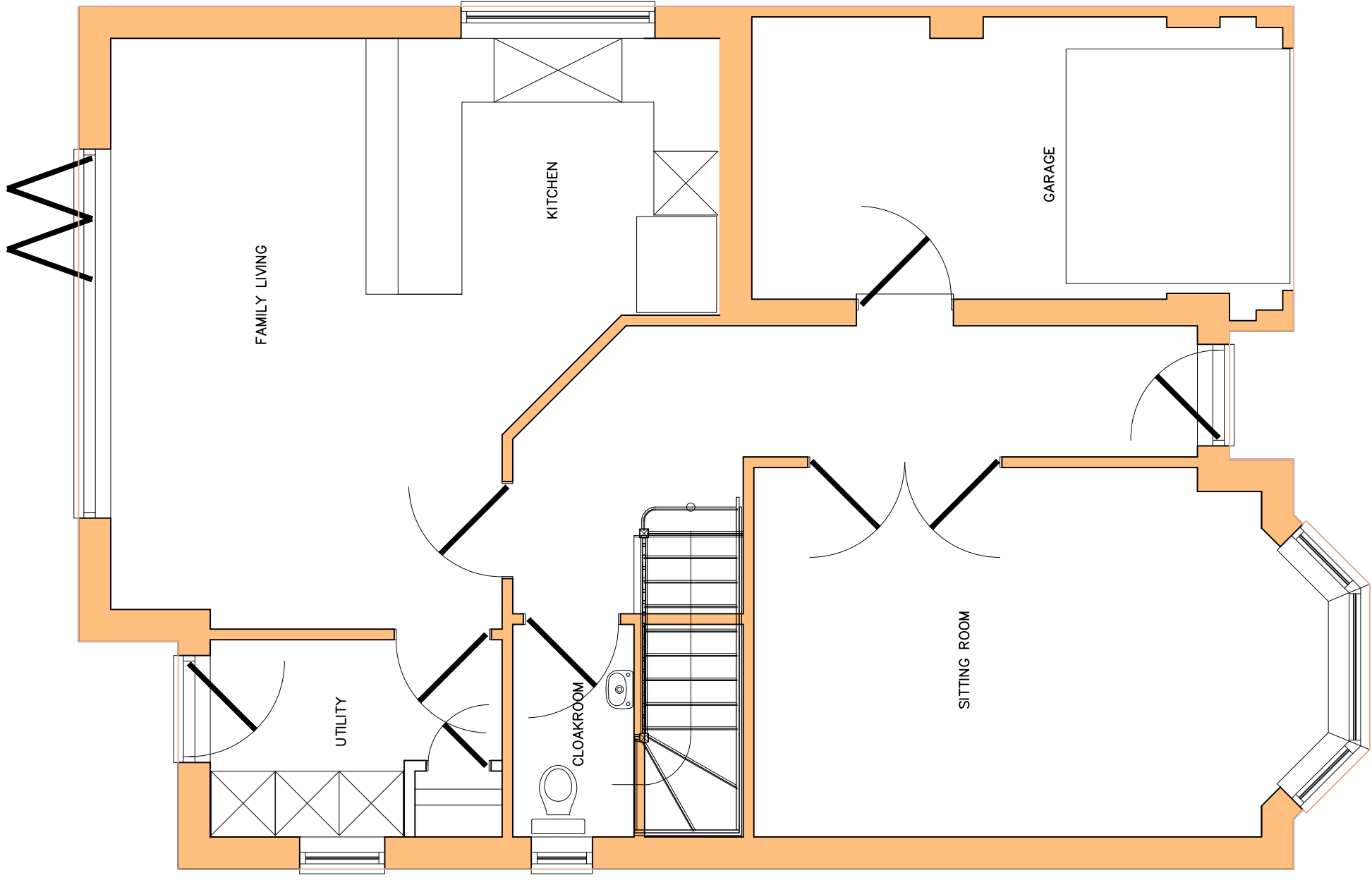
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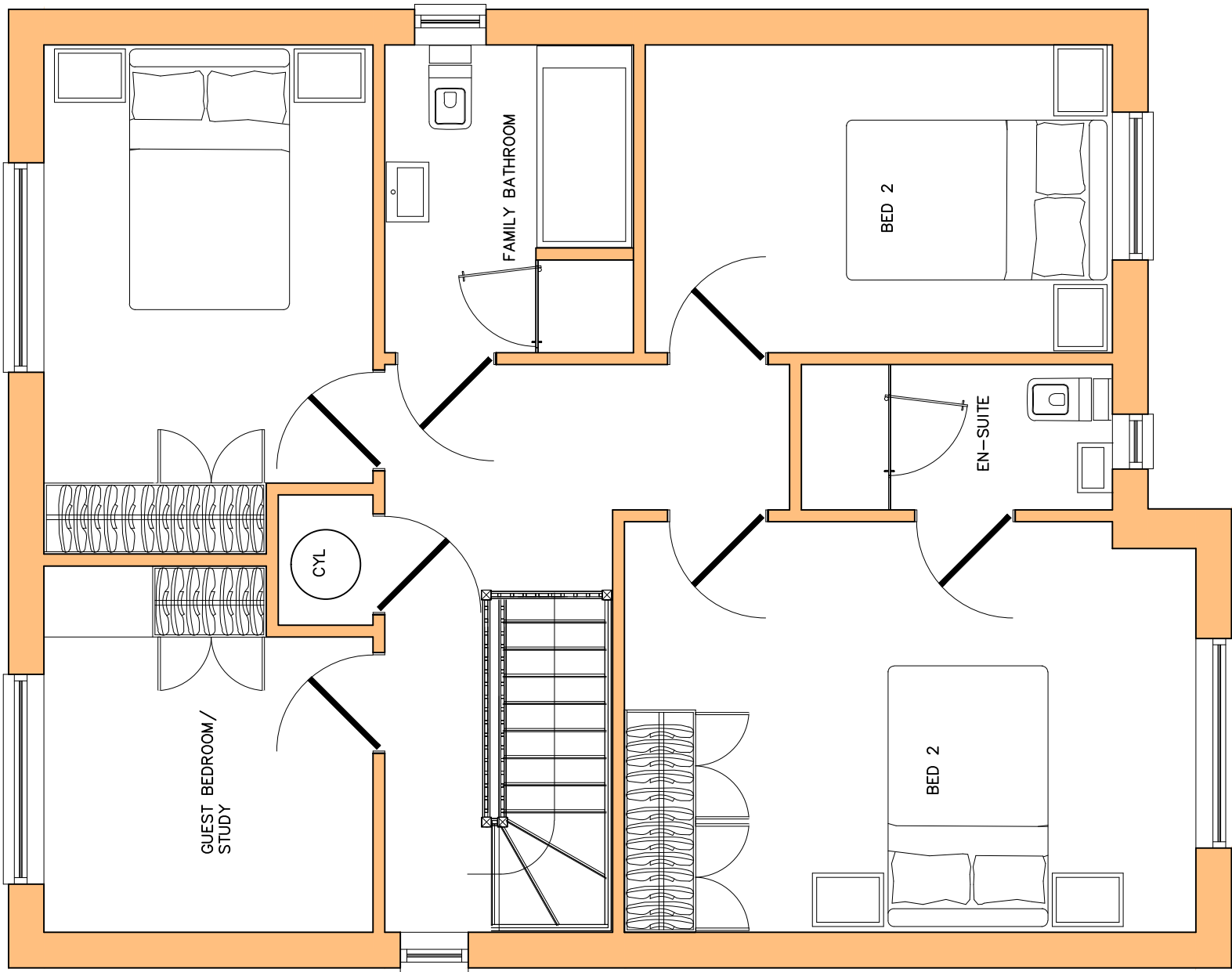
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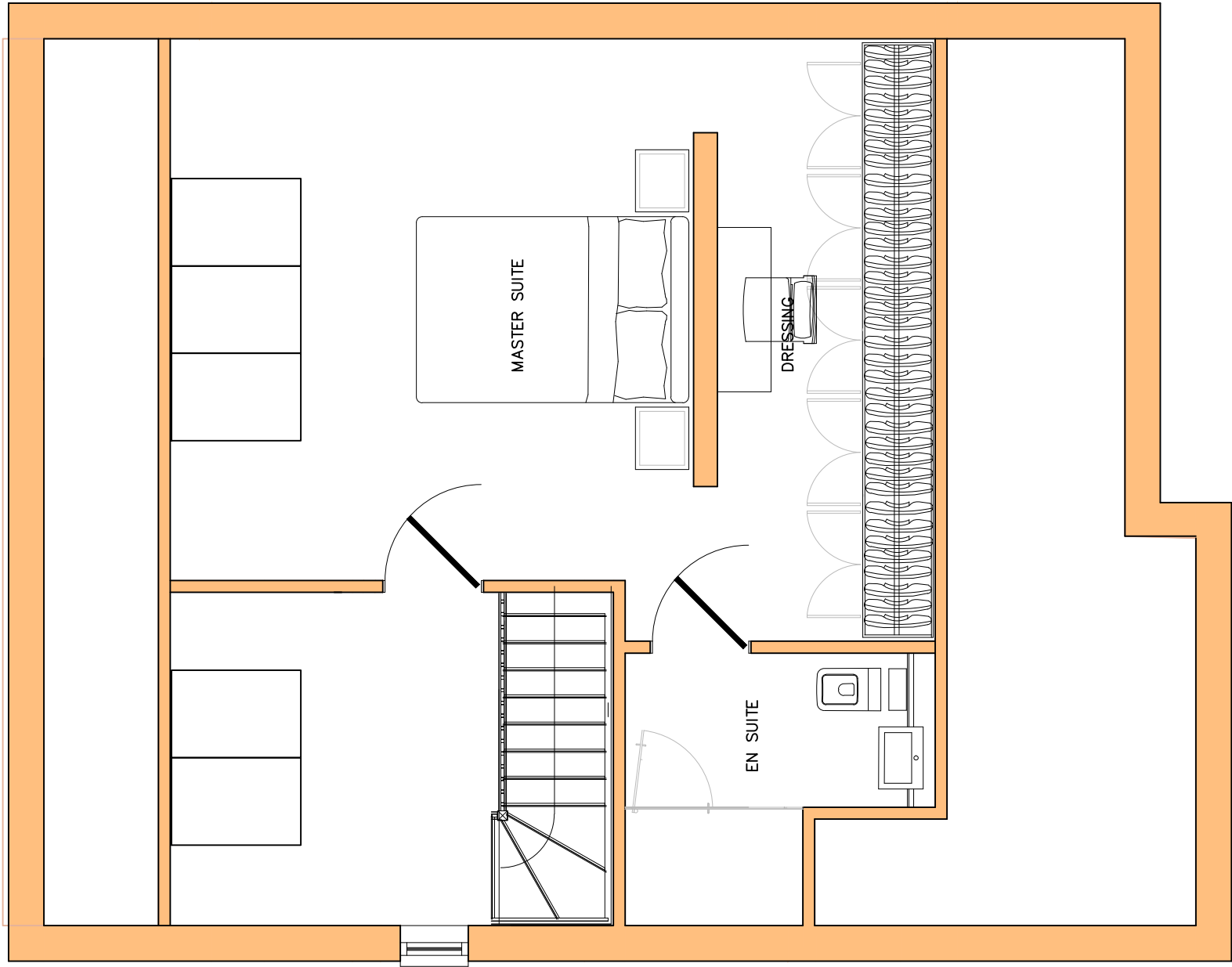
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TYPE 2
FIRST FLOOR
PLAN



TYPE 2
FIRST FLOOR
PLAN



TYPE 2
FIRST FLOOR
PLAN

Revision:	Date:	Details:	Drawn:
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PROJECT:	CHORLEY ROAD WESTHOUGHTON	PROJECT N°:	14-DA0064
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DRAWING:	HOUSE TYPE 2
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DRAWING N°:	PL_02	REV:	DATE:
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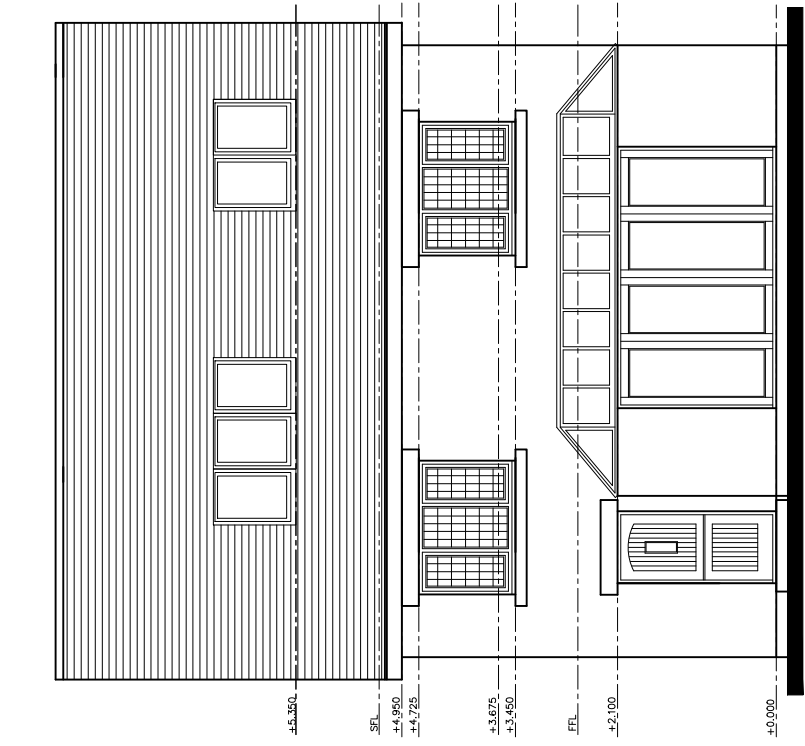
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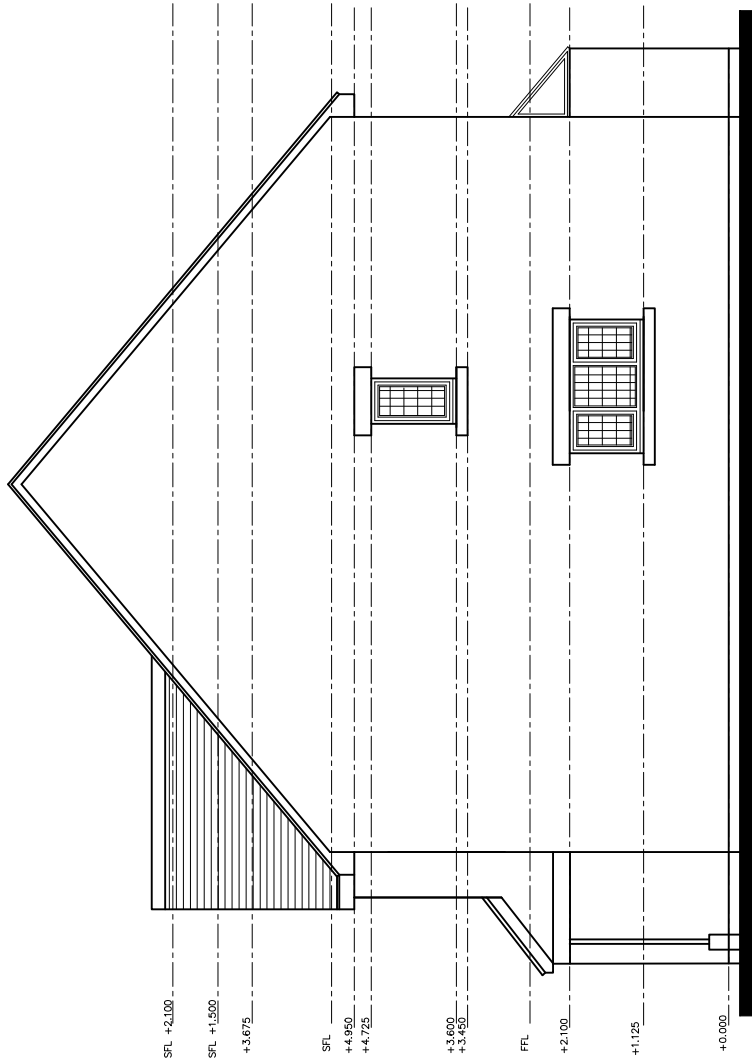
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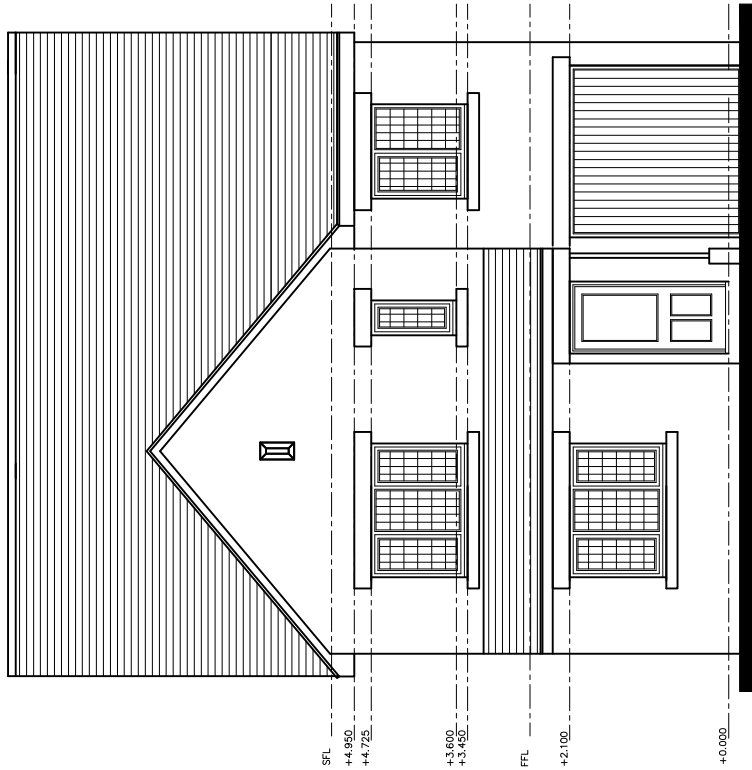


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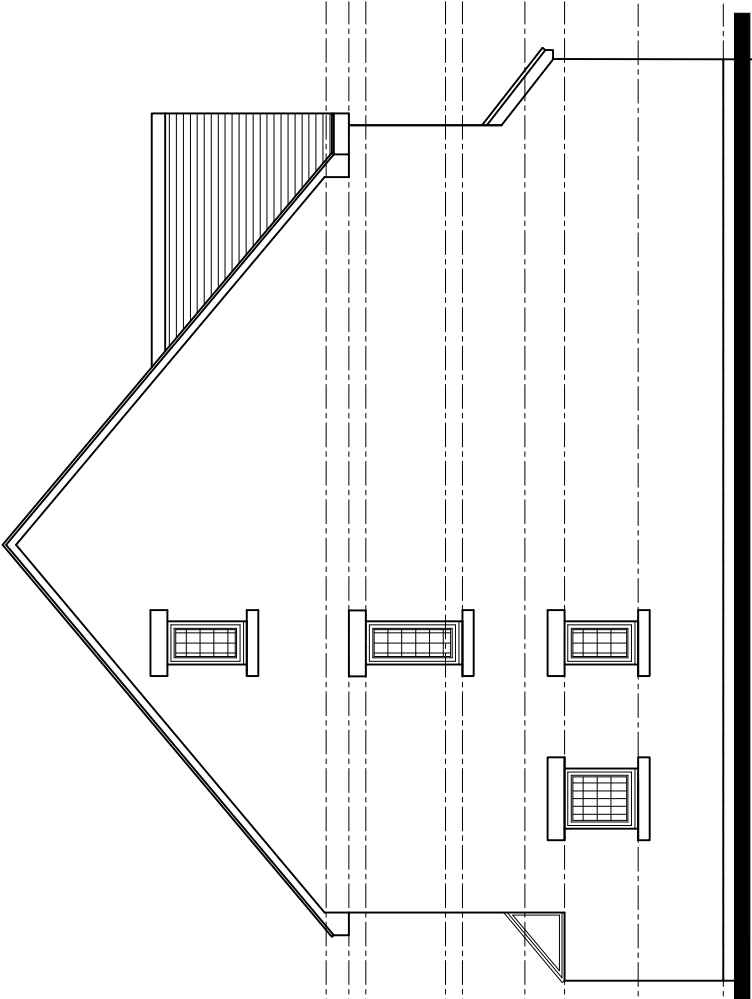
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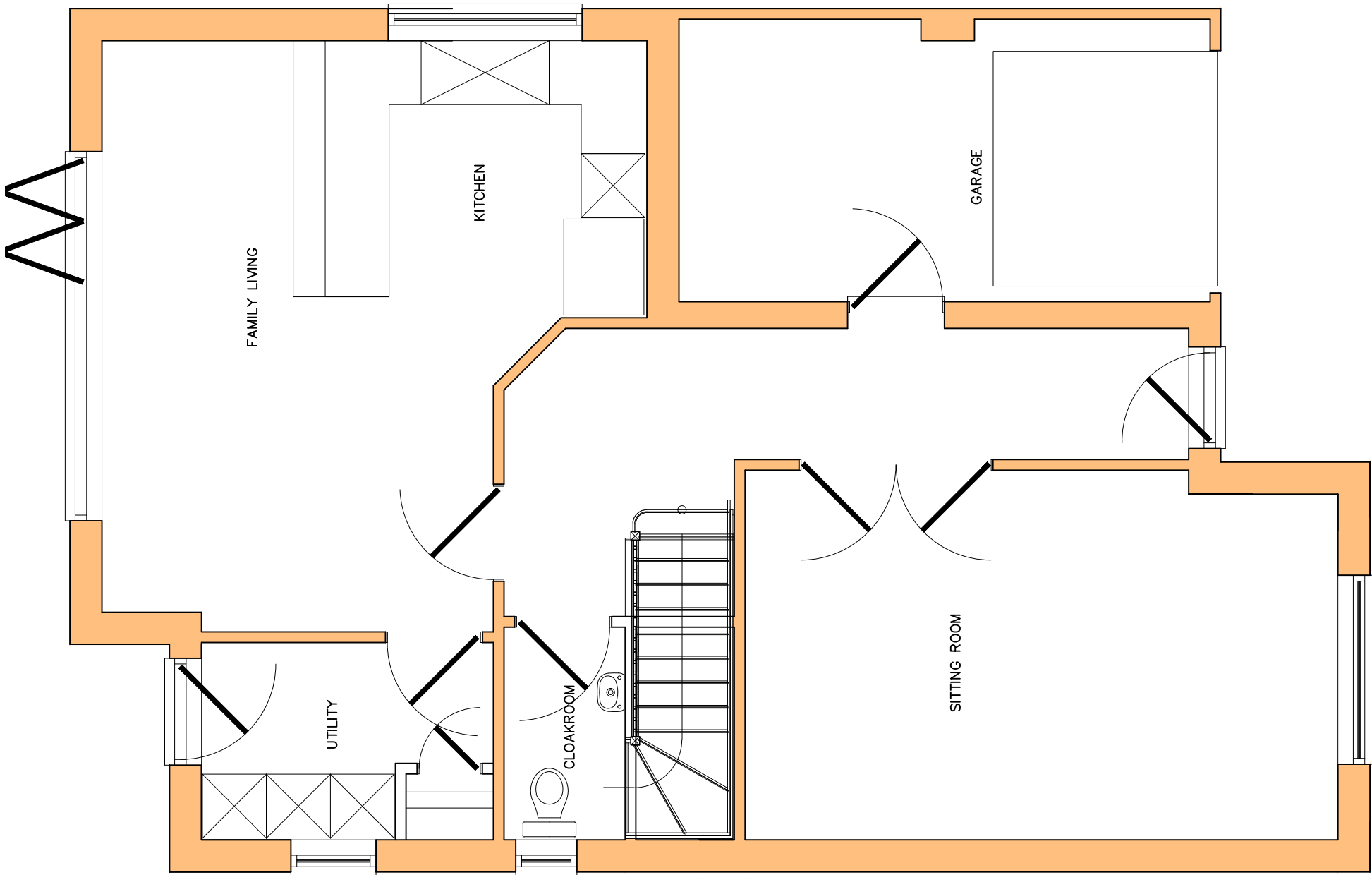
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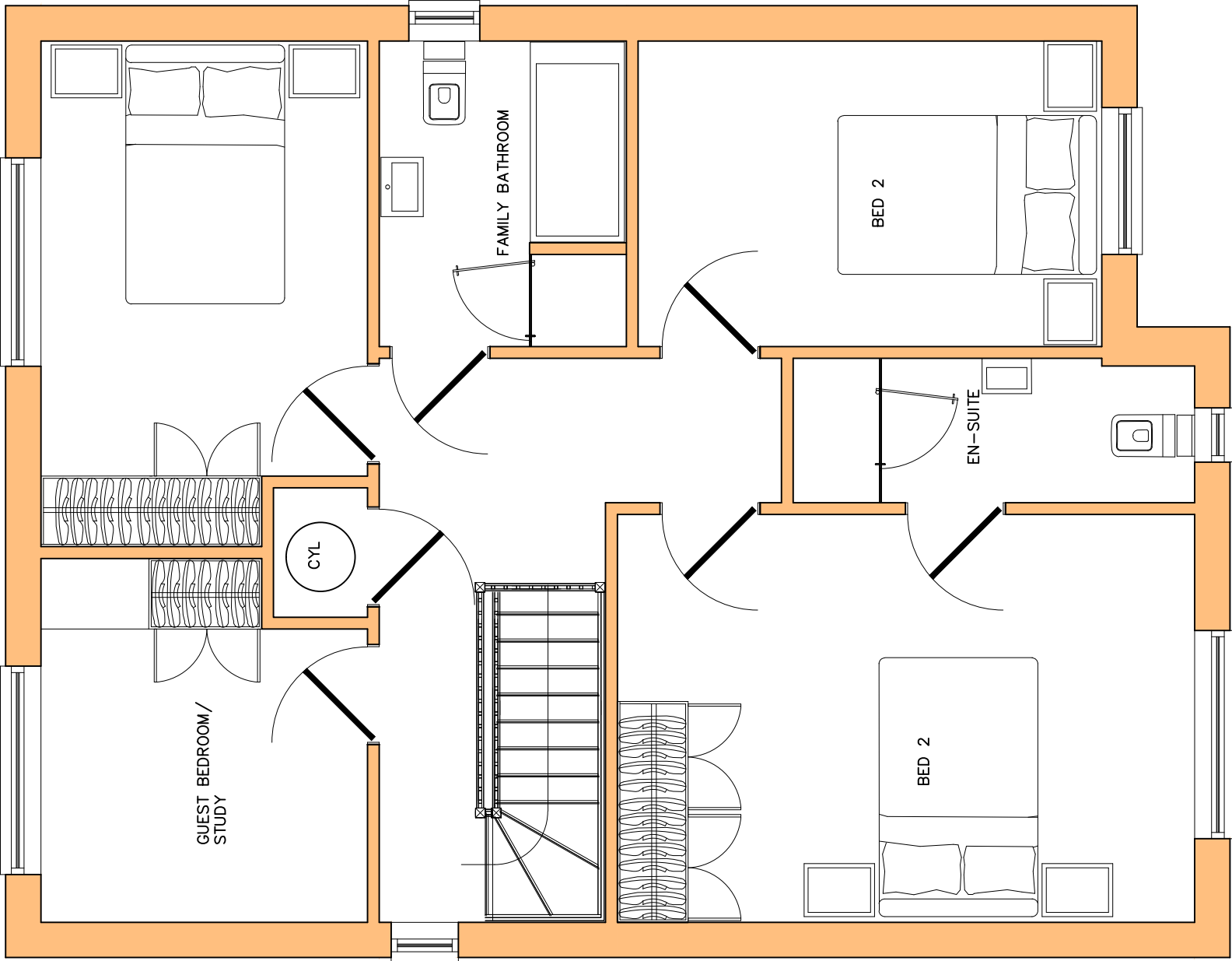
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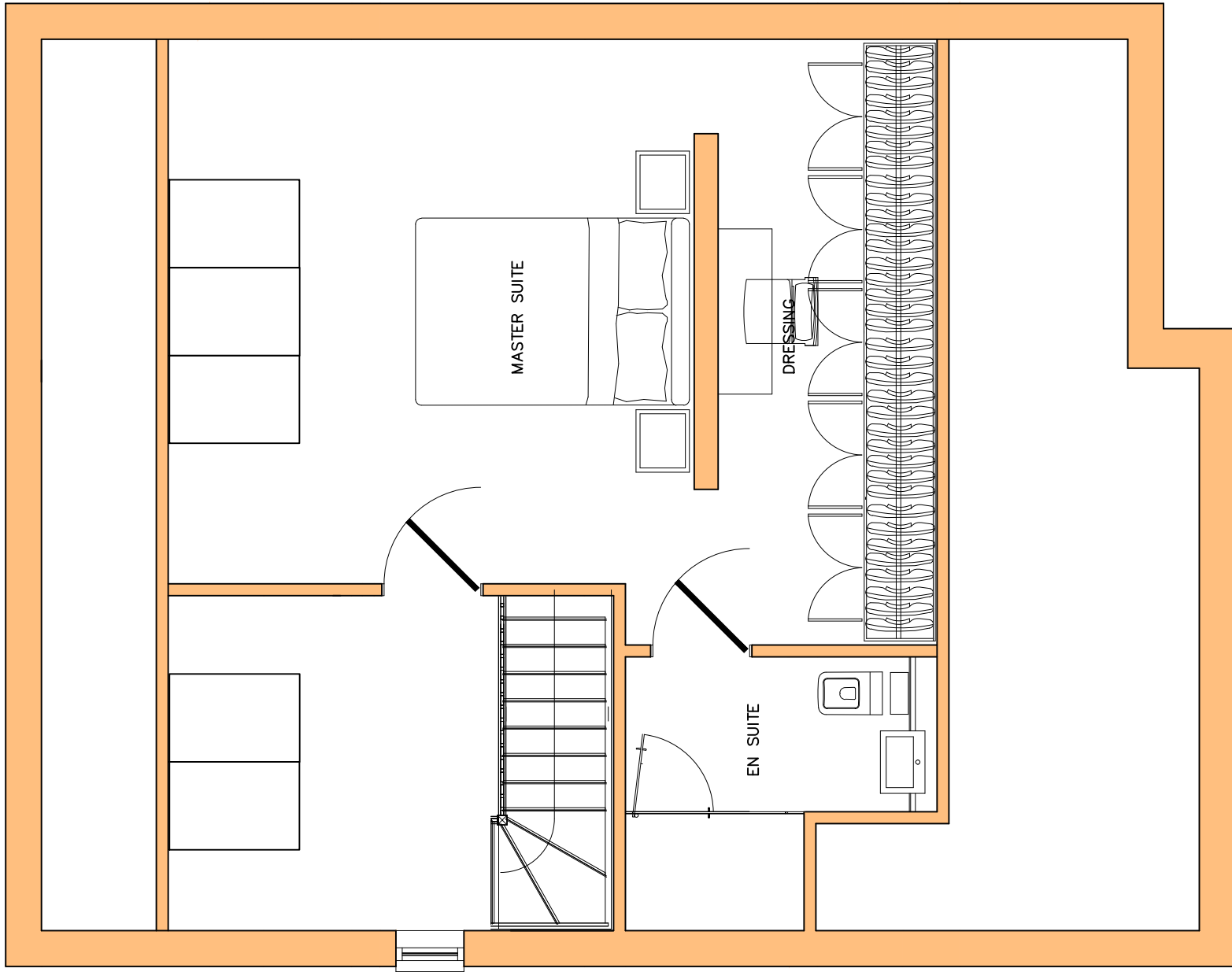
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TYPE 3
FIRST FLOOR
PLAN



TYPE 3
FIRST FLOOR
PLAN



TYPE 3
FIRST FLOOR
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Revision: Date: Details: Drawn:

PROJECT: CHORLEY ROAD WESTHOUGHTON PROJECT N°: 14-DA0064

DRAWING: HOUSE TYPE 3

DRAWING N°: PL_03 REV: DATE: 16.9.16

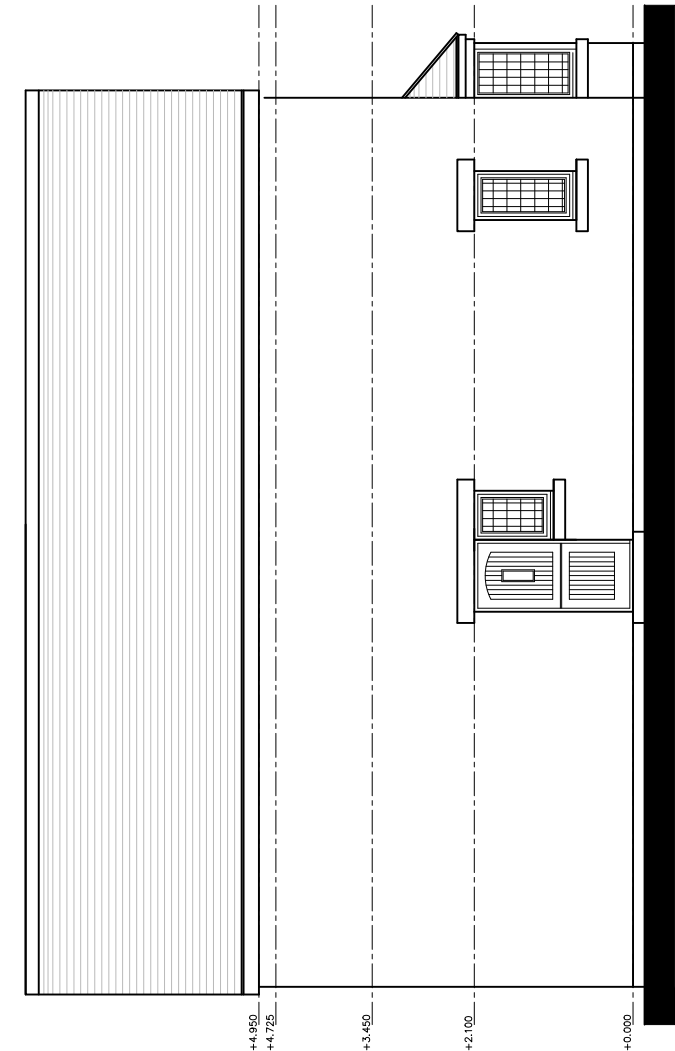
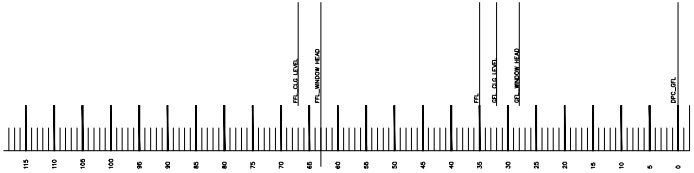
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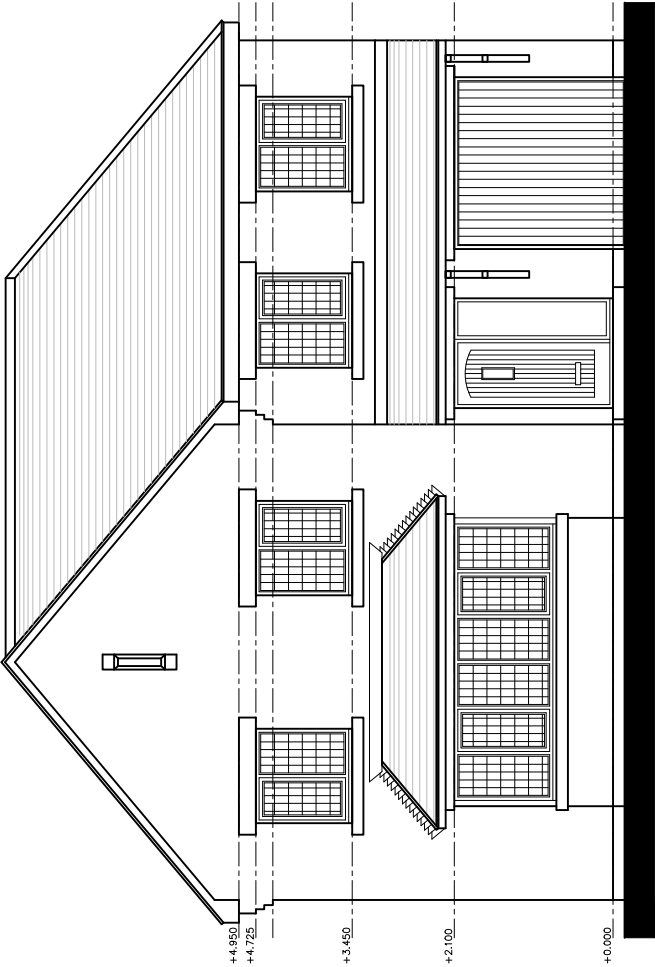
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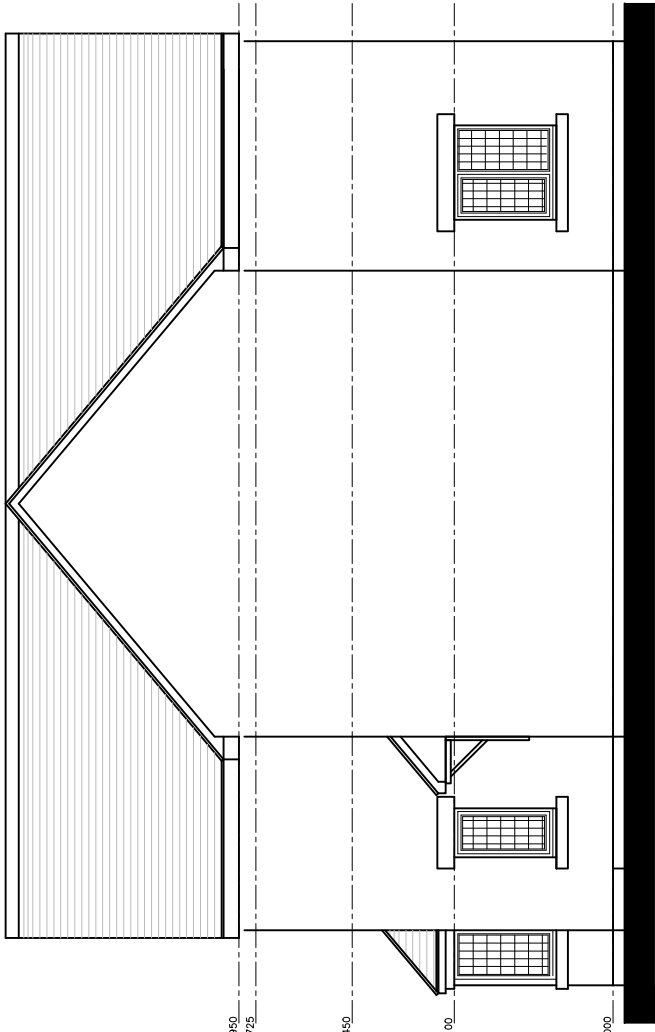
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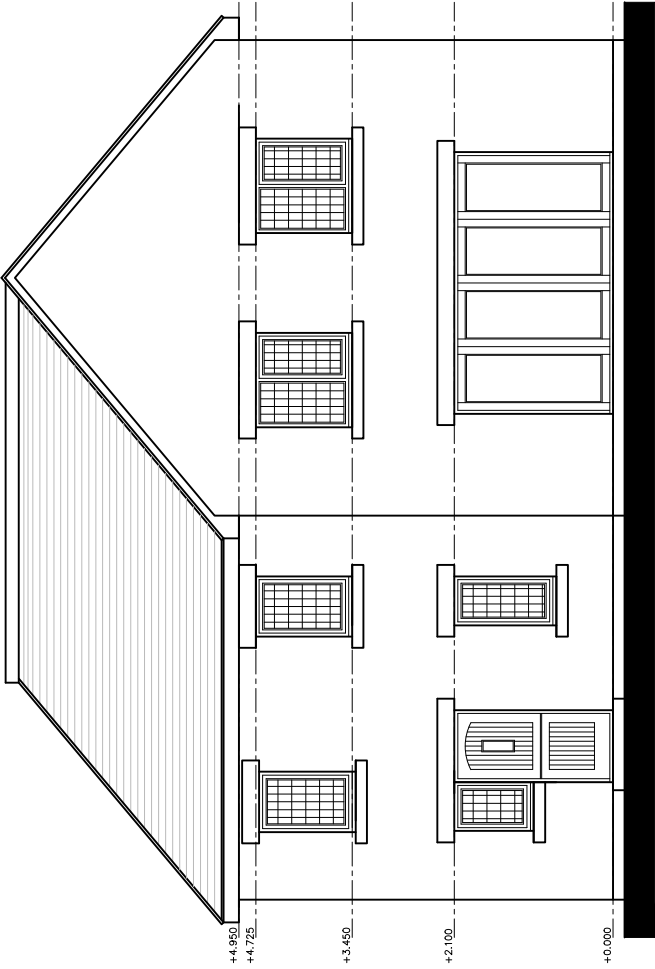
SIDE ELEVATION
HOUSE TYPE 4



FRONT ELEVATION
HOUSE TYPE 4



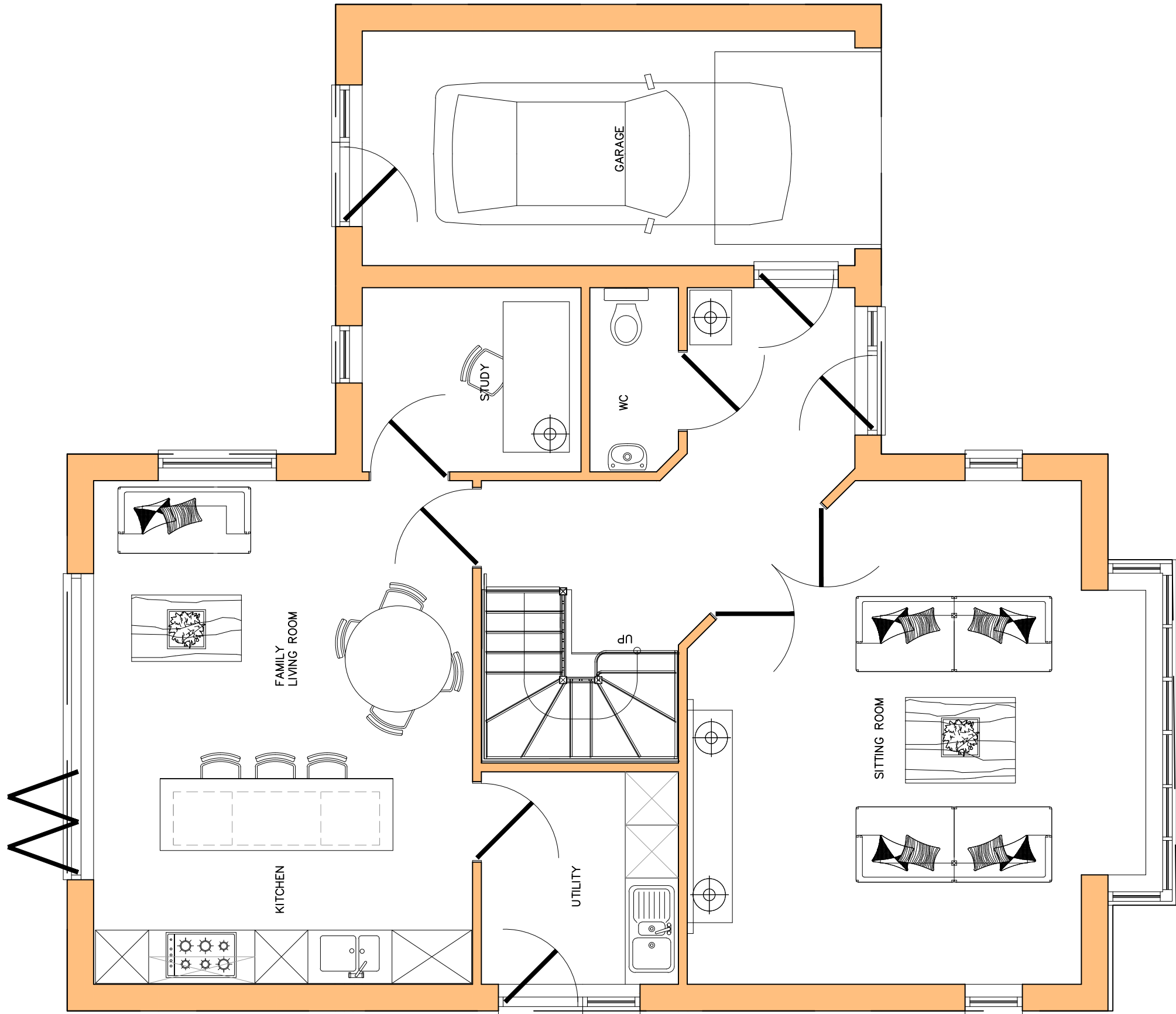
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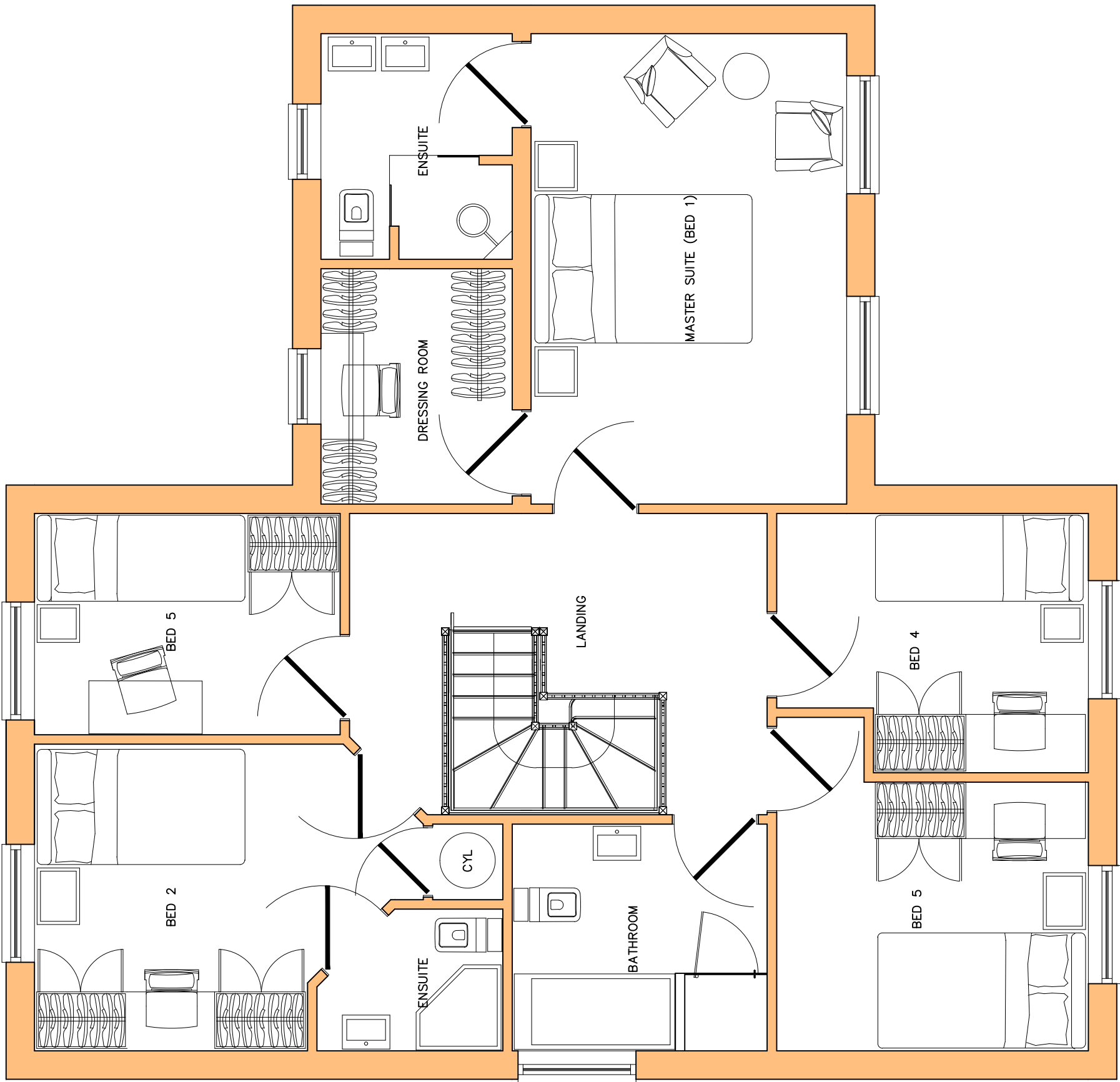
SIDE ELEVATION
HOUSE TYPE 4

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GROUND FLOOR PLAN
HOUSE TYPE 4



FIRST FLOOR PLAN
HOUSE TYPE 4

Revision:	Date:	Details:	Drawn:
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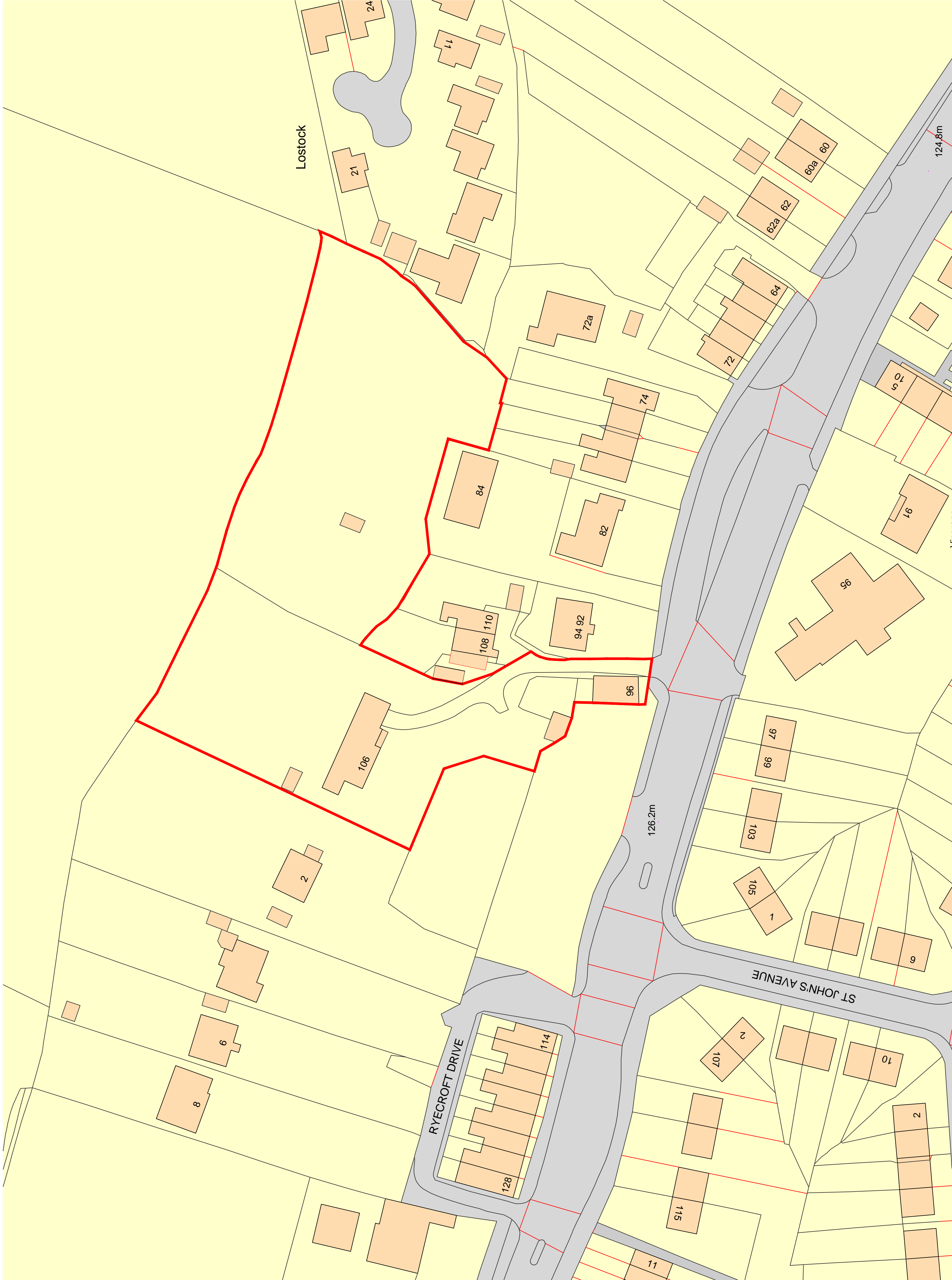
PROJECT:	PROJECT N°:
CHORLEY ROAD WESTHOUGHTON	14-DA0064
DRAWING:	HOUSE TYPE 4

DRAWING N°:	REV:	DATE:
PL_04		16.9.16
SCALE:	SHEET:	
1:50 1:100	A1	
DRAWN BY:	ISSUED FOR:	
adm	PLANNING PURPOSES ONLY	

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PROJECT: CHORLEY ROAD WESTHOUGHTON	PROJECT Nr: 14-DA0064
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DRAWING: LOCATION PLAN	DRAWING N°:	REV:	DATE:
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	SCALE:	SHEET:	
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sdm	PLANNING PURPOSES ONLY		

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ADVICE FROM LOCAL AUTHORITY TREES
OFFICER

NEW PLANTING



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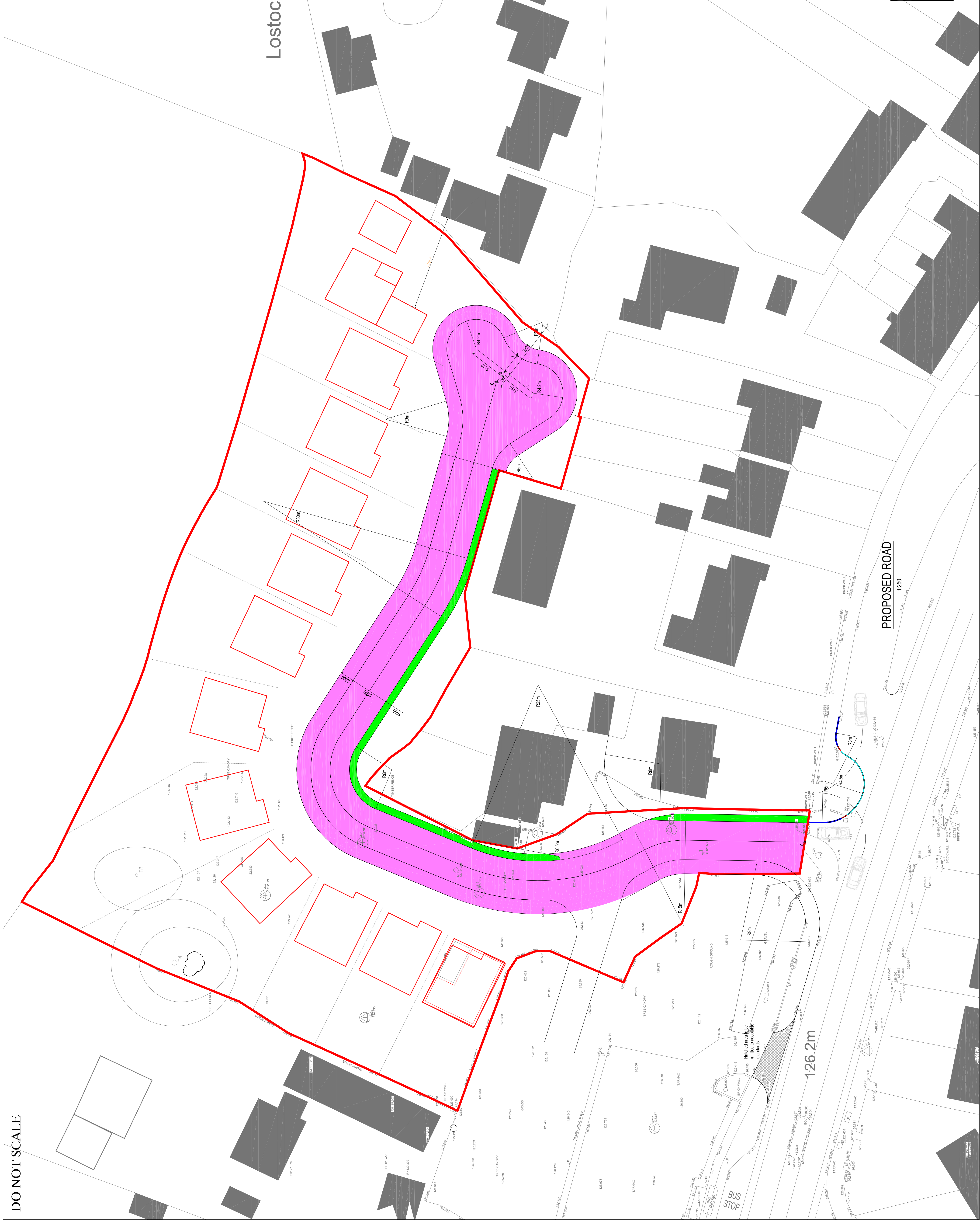
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Notes

NOTES:



REV	DATE	REVISION DETAILS	DRAWN	CHKD	APPRD
-	08.09.2016	FIRST ISSUE	AR	SWH	ADS
A	04.09.2016	Amended to clients comments	AR	SWH	ADS
B	14.09.2016	Issued for highways comments	AR	SWH	ADS
C	15.09.2016	Amended to suit highways comments	AR	SWH	ADS
D	27.10.2016	Amended to access to existing properties	AR	SWH	ADS

Oaktree Developments

CLIENT REFERENCE:

West Houghton

Road Geometry

DRAWING STATUS: **PRELIMINARY**

ads:
structural

25 Peel House Lane
Widnes
Cheshire
WA8 6TN
Tel: 0151 541 4000
info@adsstructural.co.uk

1.250@

16-1928-400

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Revision: Date: Details: Drawn:

PROJECT: CHORLEY ROAD WESTHOUGHTON	PROJECT Nr: 14DA0064
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DRAWING: SITE LAYOUT_TREE RETENTION

DRAWING Nr: S_02	REV:	DATE: 16.9.16
SCALE:	SHEET:	

DRAWN BY: sdm	ISSUED FOR: PLANNING PURPOSES ONLY
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NOTES AND AMENDMENTS

REVISIONS

REV.	DESCRIPTION	DESKIN	CHRD.	DATE
A	Additional area surveyed		CH	01/06/16

Topographical Survey Legend

BENCHMARK INFORMATION

All levels relate to OSBM Normy'n
Datum Generated by VRS GPS

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**JLP Surveying
Limited**

Suite 25,
Rosedale House,
King Street,
Wigan
WN1 1BT
Tel - 01942 243333
Fax - 01942 492222
Mobile - 07710 444444
EMAIL:- ret@ret.co.uk

CHORLEY ROAD, WESTHOUGHTON

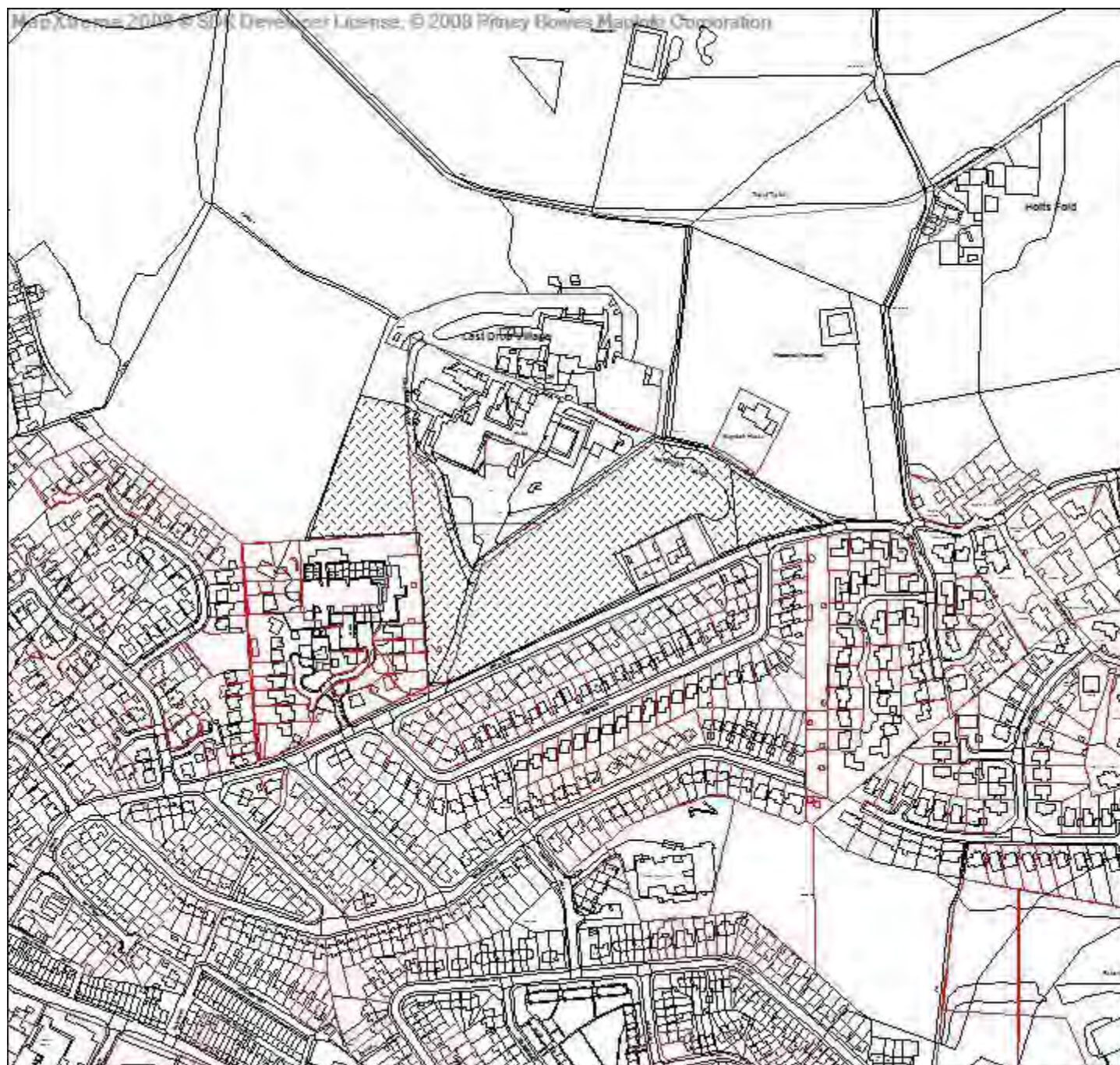
DRAWING TITLE
Topographical Land Survey

SCALE 1:200	SHEET SIZE A/D	NO. of SHEETS 1	DATE 01.08.16	REVISION A
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DRAWING NUMBER

S16-229

Application number 97617/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 09/02/2017

Application Reference: 97617/16

Type of Application: Full Planning Application
Registration Date: 07/10/2016
Decision Due By: 05/01/2017
Responsible Officer: Helen Williams

Location: LAND AT THE LAST DROP, HOSPITAL ROAD, BROMLEY CROSS, BOLTON, BL7 9PZ

Proposal: ERECTION OF 98NO. RESIDENTIAL DWELLINGS (TO INCLUDE A MIX OF 1 & 2 BEDROOM APARTMENTS & 2, 3 & 4 BEDROOM HOUSES) INCLUDING NEW FOOTPATHS, LANDSCAPING AND BOUNDARY TREATMENTS

Ward: Bromley Cross

Applicant: Jones Homes (North West) Ltd
Agent : Sedgwick Associates

Officers Report

Recommendation: Delegate the decision to the Director

Proposal

Permission is sought for the erection of 98 residential units on the open field to the front (south) of the Last Drop Village. The proposed development comprises:

- * 31 detached dwellings (six house types proposed; 30 four bedroom and 1 three bedroom dwelling);
- * 24 semi-detached dwellings (three house types proposed; all three bedroom);
- * 27 terraced/town houses (five house types proposed; 22 two bedroom and 5 three bedroom);
- * 8 bungalows (one house type; 2 bedroom);
- * 8 apartments (seven 1 bedroom and one 2 bedroom).

Of these dwellings:

- * 41 of the dwellings are proposed as open market properties;
- * 8 (all the bungalows; plots 6 to 13) are proposed as social rented;
- * 14 (the town houses and semis at plots 16 to 46) are proposed as intermediate housing (at a 20% discount);
- * 35 (the semis, town houses, apartments and one detached property at plots 64 to 98) are proposed as open market over 55 accommodation.

All houses, with the exception of the bungalows, are proposed at two storeys. The apartment building is proposed at three storeys. The residential units are to be constructed from a mix of stone and render, with stone and timber detailing and slate roofs.

Plots 1 and 6 to 14 are proposed to front Hospital Road. Plots 2 to 4 are also proposed off Hospital Road but are proposed to be sited in a courtyard formation facing an existing group of five ash trees. The other dwellings proposed would be sited around the proposed internal roads, which will fork off the existing entrance road into the site. The existing public rights of way through the site would be retained.

An open grassed area to the west of the access road is proposed to be retained, as is the wooded area at the eastern corner of the site. The majority of the trees on the site are also proposed to be retained.

Site Characteristics

The application site measures 3.45 hectares and comprises the open field to the front (south) of the Last Drop Village, the entrance road into and around the Last Drop Village and a wooded area at the eastern corner of the site. The site rises in level (slopes uphill) to the north and the east and is bounded along its southern boundary with an undulating dry stone wall. The vehicular entrance to the Last Drop Village is accessed off Hospital Road at the south western corner of the application site. The entrance road (which also contains Public Right of Way TEA005) is lined with mature trees before it forks into two in north westerly and north easterly directions around the Last Drop Village. The Public Right of Way continues through the hotel complex. Public Right of Way TEA004 adjoins the application site to the east (to the east of the woodland).

The trees within the wooded area at the eastern corner of the site are protected under Tree Protection Order Bolton (Hospital Road) 1977. The trees within the adjacent residential development of Clarendon Gardens, which border the application site to the south west, are protected under the same Tree Preservation Order. The other trees within and bordering the application site are not afforded protection.

The Last Drop Village comprises a hotel and spa, a variety of small shops and a public house, and is a tourist destination within the town. The Village was developed within a former farm complex (formerly Orrell Fold), with the old farm buildings being converted, extended and altered to accommodate the new uses. The Last Drop Hotel and Spa, now owned by the applicant, is sited immediately to the north of the application site and is located on a higher ground level.

Hospital Road (which also contains Public Right of Way TEA006) runs to the immediate south of the application site, along the southern boundary. Hospital Road meets the main road, Darwen Road (B6472), to the west. There are a number of residential roads off Hospital Road, with some to the south allowing alternative access to Darwen Road.

The site encompasses the two storey residential properties at 130, 132 and 134 Hospital Road and a section of land to the east of no.134, though these are excluded from the application site itself. Semi-detached bungalows face the application site to the south on Hospital Road, and the rears of apartments and houses on Clarendon Gardens adjoin the site to the west. To the north west of the application site, on Haydock Lane, is the detached two storey dwelling, Haydock House.

The application site is allocated as "Other Protected Open Land" within the Council's Allocations Plan. The site occupied by the Last Drop Village is unallocated ("white land"), as is the residential area to the south and west of the application site. The land to the north west, north east and north of the Last Drop Village is allocated as Green Belt.

The application site is also allocated as a Minerals Safeguarding Area for surface coal, brick clay and sandstone.

Policy

National Planning Policy Framework (NPPF)
Planning Policy Guidance

Greater Manchester Joint Minerals Plan

Core Strategy Policies: H1.2 Health Contributions; A1.4 Education Contributions; P4 Minerals; P5 Accessibility and Transport; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA5 North Bolton; IPC1 Infrastructure and Planning Contributions.

Allocations Plan Policies: P8AP Public Rights of Way; CG6AP Other Protected Open Land.

SPD Accessibility, Transport and Safety; SPD Affordable Housing; SPD Infrastructure and Planning Contributions SPD; SPD General Design Principles.

Bolton's Authority Monitoring Report 2014/2015

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:-

- * the principle of the residential development of the site
- * impact on the highway
- * impact on the character and appearance of the area
- * impact on the living conditions of neighbouring residents
- * impact on flooding and drainage
- * impact on trees
- * impact on biodiversity
- * impact on public rights of way
- * impact on mineral safeguarding areas
- * impact on crime and the fear of crime
- * impact on local infrastructure
- * whether the proposal constitutes sustainable development
- * benefits of the proposal
- * other matters

Principle of Residential Development on the Site

The application site is allocated within Bolton's Allocations Plan as 'Other Protected Open Land'.

Protected Open Land is defined within paragraph 5.12 of the Allocations Plan as countryside that is not within the Green Belt but is protected from inappropriate development.

Allocations Plan Policy CG6AP states that the Council will permit development proposals within the defined areas of Protected Open Land shown on the Proposals Map provided that they fall within one or more of the following categories:

1. the development represents limited infilling within an established housing or industrial area, is in scale with it and would not adversely affect its character or surroundings; or
2. it forms part of, and is required for, the maintenance of an existing source of employment; or
3. the development requires a location outside the urban area, but is inappropriate within the Green Belt, and providing it maintains the character and appearance of the countryside; or
4. the development would be appropriate within the Green Belt.

The proposed residential development of the application site does not fall within any of the four categories within Policy CG6AP and therefore, by definition, represents inappropriate development of 'Other Protected Open land', contrary to Allocations Plan Policy CG6AP.

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan (that is, for Bolton, the Core Strategy, the Allocations Plan and the Greater Manchester Joint Minerals Plan,) *unless material considerations indicate otherwise*.

The National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making however it is a material consideration. Whether Bolton Council can demonstrate a five year supply of deliverable housing land is also a material consideration relevant to the housing supply policies.

Paragraph 47 of the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against the local planning authorities' housing requirements, with an additional buffer. Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Where policies relating to the supply of housing are out-of-date (as a result of not having a five year supply of deliverable housing land), the second bullet point of Paragraph 14 of the NPPF is triggered, which affirms that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Members will be aware that within an appeal decision last year (Hill Lane, Blackrod - APP/N4205/W/15/3136446 - also a proposal for the residential development of 'Other Protected Open Land') the Planning Inspector concluded that Bolton Council only had between a 2 and 3.4 year supply of deliverable housing sites (April 2016). The Inspector stated, "...it is clear that the Council cannot currently demonstrate a five year supply of deliverable housing land by some considerable margin." She therefore concluded, having regard to paragraphs 47 and 49 of the NPPF, that the relevant policies for the supply of housing (including Policy CG6AP of the Core Strategy) are not up-to-date and therefore carry very limited weight.

The latest assessments of which sites are deliverable within the five year period show that Bolton remains short of the five year requirement required by national planning policy. These sites have been re-examined against the deliverability tests in national policy, which are that sites should be available now, offer a suitable location for development now, and be achievable with a realistic

prospect that housing will be delivered on the sites within five years and in particular that the development of the sites is viable.

Therefore whilst the proposal conflicts with Policy CG6AP of Bolton's Allocations Plan, as Policy CG6AP is a relevant policy for the supply of housing (as its purpose in part is to restrict housing development on 'Other Protected Open Land') and as the Council is unable to demonstrate a five year supply of deliverable housing sites in the borough, paragraph 49 of the NPPF states that it must therefore be considered to be out-of-date and (as confirmed by the Planning Inspector in the Hill Lane, Blackrod appeal) and can only carry very limited weight in the assessment of planning applications for residential development. This means that Paragraph 14 of the NPPF applies whereby permission should be granted unless adverse impacts outweigh the benefits.

Thus it is considered that in accordance with NPPF, as the relevant housing supply policies are out of date, there is a presumption in favour of approving principle of developing the application site for housing unless the other impacts of the development are so harmful as to outweigh the benefits associated with the development. This material consideration is considered to outweigh the housing supply policies in the development plan.

Impact on the Highway

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements, parking (in accordance with the parking standards set out in Appendix 3), and the requirement for a Transport Assessment and Travel Plan with major trip generating developments. Policy S1.2 states that the Council will promote road safety in the design of new development.

Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- * the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- * safe and suitable access to the site can be achieved for all people; and
- * improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The applicant has submitted a Transport Assessment in support of the proposal. This has been written by CBO Transport Ltd., who have been commissioned by the applicant. The Assessment has reviewed the existing highway conditions and the existing accessibility of the application site, and has considered the proposed traffic generation that would be associated with the proposed development and the impact this would have on the highway (for example, traffic flows and the operation of junctions).

The Transport Assessment has been reviewed by both the Council's Highways Engineers and Transport for Greater Manchester (TfGM) (under their remit as the Integrated Transport Authority). TfGM has confirm that they are satisfied that CBO's assessment work concerning observed traffic flows, trip rates, trip distribution and assignment, extent of traffic impact, traffic growth, committed developments in the area and assessment traffic flows represent a robust approach. CBO have re-run their PICADY assessment for the capacity of the Hospital Road with Darwen Road junction following advice from TfGM.

Accessibility

There is a bus stop within 300 metres of the site on Hospital Road and a bus stop within 500 metres

on Darwen Road. These provide regular daytime services between Bromley Cross and Bolton Town Centre at regular intervals Monday to Saturday. Bromley Cross Rail Station is located around 1 kilometre from the application site, providing regular services on the Manchester to Blackburn line. (TfGM use the word "regular" within their consultation response with regard to the bus and rail services). It is therefore considered that the application site is highly accessible to sustainable modes of transportation.

Existing local highways conditions

It has been observed by the Council's Highways Engineers (and comprehended from comments received from local residents) that the roads leading into/out of the Bromley Cross area (particularly Darwen Road/Turton Road) do suffer from congestion issues during the peak periods of traffic flow. It is noted that there are capacity issues at the junctions on either ends of this route, especially at the junction of Turton Road with Bradshaw Brow).

Trip generation

The Transport Assessment has examined the potential trip generation of the proposal using the industry standard database (TRICS). The results of the Assessment demonstrate that the proposed residential development of the site is likely to generate 54 two-way trips in the morning peak (08:00-09:00) and 63 two-way trips in the afternoon peak (17:00-18:00). TfGM confirms that this represents roughly one additional vehicle movement per minute on the highway network.

Further to the submitted Transport Assessment and comments from TfGM, the applicant has amended their plans to incorporate "over 55 accommodation" at plots 64 to 98 (35 of the 98 dwellings proposed on the site). It is therefore reasonably expected (although not verified) that the potential morning and afternoon peak trips generated by the proposed development would be less than estimated within the Transport Assessment.

Impact on the local highway as a result of the proposed development

TfGM has confirmed that the potential trip generation of the proposed residential development equates to approximately one additional vehicle movement per minute on the highway network. The Council's Highways Engineers advise that the net impact on the capacity of the local highway, based on the potential development flows, would only be negligible and therefore would only have a limited impact on the current operational capacity of the existing highway network locally. They also advise that the proposed development would therefore only pose limited road safety implications.

Junction of Hospital Road with Darwen Road

Following advice from TfGM, the applicant's transport consultant (CBO) have re-run their PICADY (Priority Intersection Capacity and Delay) assessment for the capacity of the junction of Hospital Road with Darwen Road to take into account the correct lane widths and existing traffic light cycle. TfGM consider that, following the proposed residential development of the application site, the junction would continue to operate above practical capacity in 2021. TfGM and the Council's Highways Engineers have however recommended that the applicant funds the installation of MOVA (Microprocessor Optimised Vehicle Actuation) at the junction of Hospital Road with Darwen Road in order to help increase junction capacity. This would help improve the existing flow of traffic at this junction. MOVA operates in a delay minimising mode; if any approach becomes overloaded, the system switches to a capacity maximising procedure to allow improved traffic flow.

A condition requiring the installation of MOVA at the junction of Hospital Road with Darwen Road is therefore recommended should the application be approved.

Proposed access into the development site

The existing privately owned access road into the application site (the entrance to the Last Drop

Village) is proposed as the access road to the residential development. Improvements to the visibility splays at the existing access (2.4 by 43 metres) are proposed to increase visibility when leaving the site.

A new internal road is proposed off the main entrance to serve the houses at the east of the site (plots 16 to 57). An internal 'ring road' is also proposed off the existing access road to the west of the hotel (Gledhill Way) to serve the "over 55 accommodation" at plot 64 to 98. The Council's Highways Engineers recommend that the internal roads are constructed to the Council's standard, even though they are not going to be put forward for adoption by the Highways Authority.

Northern pavement on Hospital Road

The Council's Highways Engineers recommend that the pavement (footway) on the site side of Hospital Road is widened to 2 metres and that dropped kerbs (VACs) are installed to facilitate access to the new dwellings proposed to be accessed directly off Hospital Road. A condition requiring these improvements is therefore suggested should the application be approved.

Residential Travel Plan

To encourage sustainable travel choices for the future residents of the site (such as walking and cycling), TfGM has recommended that the applicant submit a Residential Travel Plan. Should the application be approved it is suggested that a suitably worded condition be attached to the approval for this plan.

For the reasons discussed in this section of the report, it is considered that the proposed residential development would not harm the operational capacity/traffic flows at the junction of Hospital Road with Darwen Road (the introduction of MOVA, funded by the applicant, would instead improve the operation of the junction), would only have a negligible impact on the local highway network, and would not jeopardise highway safety in the locality. Neither the Council's Highways Engineer nor Transport for Greater Manchester (TfGM) object to the proposal.

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The applicant has proven that the impact of the development on the local highway network would certainly not be severe. It is therefore considered that the proposed development would comply with national guidance on sustainable transport (section 4 of the NPPF) and Policies P5 and S1.2 of Bolton's Core Strategy.

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 Bolton's Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA5 refers specifically to developments in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, and will require special attention to be given to the massing and materials used in new development.

The application site is previously undeveloped (greenfield) land located between two developed urban areas ("white land"); that is between the Last Drop Village complex to the north and the residential areas along Hospital Road to the south and Clarendon Gardens to the west. The application site (as discussed above) is allocated within Bolton's Allocations Plan as "Other Protected

Open Land" rather than Green Belt land, presumably owing to its location between two previously developed areas, rather than to the north of the established built area of Bromley Cross (where the Green Belt allocation instead begins).

The proposed residential development of the application site would inevitably change the character of the site, the setting of the Last Drop Village, and the appearance of the street scene along Hospital Road in that it would result in an open field becoming a residential estate. It is however considered that the development as proposed duly respects the established built form (urban grain) of the area, reflecting local housing density and the informal local street patterns.

Open views of the Last Drop Village from Hospital Road would be reduced by the presence of the residential estate. Whilst the Village complex has some historical value in that the site contains/contained former farm buildings dating back to what is believed to have been the 17th century, the buildings within the complex have been significantly altered and extended in the late 20th century so that they have become somewhat of a pastiche of a rural village (that is, the historic farm buildings have not been conserved in their original form). It is therefore considered that the historic value of the Last Drop Village is limited and that the protection of its setting cannot be afforded much planning weight.

The layout, appearance and scale of the proposed dwellings have been designed by the applicant to respond to and reflect the character and appearance of the surrounding area. The residential areas neighbouring the application site contain a mix of house types and designs. Opposite the site on Hospital Road, are semi-detached bungalows, and to the west within Clarendon Gardens are a mix of two storey dwellings and three and four storey apartments. The majority of the housing stock in the vicinity of the site are however two storeys in height. The predominant building material in the area is brick, although the newer dwellings within Clarendon Gardens and the development containing Saxby Avenue and Somersby Drive have introduced render as a local characteristic.

The dwellings proposed on the application site are to be constructed from a mix of stone and render, with stone and timber detailing and slate roofs. Whilst stone is not a characteristic material of the immediate neighbouring houses, it is considered that the decision to construct the dwellings from a mix of stone and render would help visually connect the proposed residential estate with the Last Drop Village to the north (which is also constructed from stone and render) and with the newer built dwellings to the west (which are constructed from brick and render).

The dwellings proposed at plots 1 and 6 to 15 would front onto Hospital Road, providing an active frontage to the development. The dwellings at plots 2 to 5 will be sited in a courtyard style formation around five Ash trees that are to be retained along the frontage of the site: these are considered to be of visual amenity value on Hospital Road and therefore worthy of retention. Plots 6 to 13 have been amended so that they are terraced bungalows rather than the originally proposed two storey semi-detached dwellings.

The open space proposed to be retained to the west of the entrance road would provide an attractive entrance into the development, as would the retention of the mature trees along both sides of the entrance road. Each dwelling would have ample garden space, which in turn allows for the retention of a number of existing trees within the site and also additional landscaping. The low dry stone wall at the frontage of the site (along Hospital Road) is proposed to be rebuilt (leaving gaps for the proposed driveways) and either low (at 0.9 metres) or taller dry stone walls (at 1.8 metres in height) are proposed along public boundaries to the plots.

13 different house types are proposed within the development, which adds variety to the Hospital Road street scene and also the internal street scenes. The three storey apartment building

(containing eight apartments) would be sensitively sited in the western corner of the site, adjacent the large apartment buildings within the neighbouring Clarendon Gardens.

The mix of house types and tenures on the site would also result in a wider choice of homes within the development, helping to creating a sustainable, inclusive and mixed community, which is in line with national planning guidance (paragraph 50 of the NPPF).

For these reasons it is considered that the proposed development would be compatible with the character and appearance of the local built area, complying with Policies CG3 and OA5 of Bolton's Core Strategy.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. SPD General Design Principles sets out the Council's minimum interface distance requirements between new dwellings and neighbouring dwellings.

Two storey properties were originally proposed at plots 6 to 13. These have now been replaced by two terraced rows of bungalows within the applicant's amended plans. These bungalows are proposed to face the fronts of the bungalows at 56 to 64 Hospital Road, with an interface distance of approximately 23 metres (at the closest measurement). The Council's recommended minimum interface distance between two dwellings facing each other is 21 metres, therefore this recommended distance is exceeded.

The two storey dwellings proposed at plots 2 and 5 would side onto the fronts of 44 and 46 Hospital Road and 53 Hospital Road respectively. An interface distance of approximately 19 metres would be achieved here, which exceeds the minimum interface requirement of 13.5 metres set out in the SPD, where two storey dwellings side on to the fronts of dwellings (where the side elevation contains no main windows).

The proposed gatehouse at plot 1 would be approximately 25.5 metres away from the front of 38 Hospital Road and approximately 24.5 metres away from the front of 40 Hospital Road. Again these proposed interface distances exceed policy guidance.

57 Horseshoe Lane has its side elevation facing proposed plots 14 and 15, and therefore it is not considered that there would be any loss of privacy.

130, 132 and 134 Hospital Road are proposed to be surrounded by the development to the west, north and east. The two storey houses proposed to the rear of the existing houses are over 26 metres away (at the nearest measurement), which exceeds the recommended minimum interface distance of 21 metres. The proposed bungalows to the west would be sited slightly forward of the front elevation of no.130, however their siting would not infringe upon an imaginary line drawn at a 45 degree angle from the nearest main window at the front of this existing neighbour. Plots 14 to 18 are separated from no.134 by a vacant piece of land.

The apartments to the north of Clarendon Gardens would be over 33 metres away from the proposed apartment building and the dwellings proposed at plots 68 to 70. A minimum interface distance of 30 metres is recommended for four storey buildings (that is, the apartment building at Clarendon Gardens) and therefore this interface standard is exceeded by the proposed development.

Plots 58 and 59 are over 30 metres away from the rear of the apartment building at 14 to 62 Clarendon Gardens.

Haydock House, to the north east of the development, is over 45 metres away from the proposed development.

As the proposed interface distances between all the proposed and existing dwellings exceed the Council's recommended interface distances it is considered that the proposed development would not unduly harm the amenity of any neighbouring resident, compliant with Policy CG4 of Bolton's Core Strategy.

Impact on Flooding and 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. Policy CG2.2c states that all proposals for five or more residential units should demonstrate the sustainable management of surface water run-off from developments. On greenfield sites the rate of run-off should be no worse than the original conditions before development.

The applicant has submitted a Flood Risk Assessment and Drainage Strategy with their application, to support the proposed development. This has been amended following initial comments from the Council's Drainage Officers.

The application site at present has some minor drainage issues, with surface water flowing down the site owing to its topography. There is a partly culverted watercourse to the east of the site, which is connected to the public surface water sewer beneath Hospital Road. There appears to be a second watercourse again to the east of the site, although this appears to be dry. There are also two areas of boggy ground located close to the south western boundary of the site.

The proposed development presents an opportunity to resolve the drainage issues on the application site and to provide a sustainable long term drainage solution for the site, which would not only provide adequate drainage for the proposed development but would also be of benefit to the dwellings surrounding the site.

Owing to the topography of the site and the existing ground conditions it is proposed to install below ground attenuation features such as storage tanks or oversized pipework as part of the proposed drainage strategy. These features would be maintained by the management company for the estate, with the costs being met by the future occupants of the dwellings.

The Council's Drainage Officers have confirmed that they are satisfied with the applicant's proposed drainage strategy, subject to standard drainage conditions.

United Utilities have raised no objection to the application.

It is considered that the proposed development would help to reduce flooding in the area, compliant with Policies CG1.5 and CG2.2c of Bolton's 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.

The trees within the wooded area at the eastern corner of the site are protected under Tree Protection Order Bolton (Hospital Road) 1977. This area is to be retained and will remain

undeveloped.

The trees within the adjacent residential development of Clarendon Gardens, which border the application site to the south west, are also protected under Tree Preservation Order Bolton (Hospital Road) 1977. The other trees within and bordering the application site are not afforded protection.

The mature trees that line both sides of the entrance road into the Last Drop Village, and create an attractive avenue into the development, would be retained, with the exception of a Maple and a Sycamore tree which would be felled to accommodate the proposed new internal road to the eastern part of the proposed development. Both of these trees have been identified within the submitted Tree Survey as being of low quality and value.

A group of five Ash trees are proposed to be retained at the front of the site, along Hospital Road. These are considered to be of good quality and value, and the proposed siting of plots 2 to 5 facing these trees in a courtyard formation would make a feature of these trees both within the development and along the street scene.

The majority of the trees within the application site are proposed to be retained within the development. Where trees are to be lost to accommodate the proposed development, these trees have generally been identified by both the Tree Survey and the Council's Tree Officers as being of lower quality and value. To mitigate for the loss of a number of trees within the site, the Council's Tree Officers have recommended replacement planting within the development: this is suggested by a landscaping condition.

With regard to the potential impact of the development on the trees adjoining the site, the Council's Tree Officers have identified a number of cases where the root protection zones of these trees will be impacted upon. The Tree Officers have not objected to the proposed development, but request further detail as to how these trees would be protected during the construction phase. A condition requiring this further detail is therefore suggested should the application be approved.

A protective fencing condition is also suggested to ensure that the trees to be retained within and adjoining the application site are safeguarded during the construction phase.

Should the proposed development be approved, the Council's Tree Officers recommend that the remaining trees within the site are protected by way of a new Tree Preservation Order, to prevent their future loss.

It is considered that the proposed development would not result in the unacceptable loss of trees from the site and therefore would, subject to the suggested conditions, comply with Policy CG1.2 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.

An Extended Phase 1 Habitat Survey (dated May 2016) has been submitted with the application.

Greater Manchester Ecology Unit has confirmed that no part of the development site is designated for its ecological importance and it is not adjacent to any such sites. They state that the majority of the site is dominated by rather species-poor open grassland, although the mature and semi-mature

broadleaved trees on the site have some local nature conservation value. The Unit notes that the majority of the trees on site are to be retained and that those lost will be compensated for by replacement tree planting.

Both Greater Manchester Ecology Unit and the Council's Wildlife Liaison Officer raise no objection to the proposed development. It is therefore considered that the proposed development complies with Policy CG1.2 of Bolton's Core Strategy.

Impact on Public Rights 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.

The entrance road into the Last Drop Village (off Hospital Road) contains Public Right of Way TEA005. This Public Right of Way continues through the hotel complex. Public Right of Way TEA004 adjoins the application site to the east (to the east of the woodland) and Hospital Road contains Public Right of Way TEA006 (which runs to the immediate south of the application site).

A new footpath is proposed to be created in the woodland area at the eastern corner of the site (linking Hospital Road with Haydock Lane), but this would not be an adopted Public Right of Way.

The proposed development, by virtue of the proposed siting of the dwellings, would not affect the integrity of any of the rights of way. Should the application be approved an informative note is suggested to remind the applicant that the Public Rights of Way must remain unobstructed during the construction phase.

It is therefore considered that the proposed development would comply with Policy P8AP of Bolton's Allocations Plan.

Impact on Mineral Safeguarding Areas

The application site is allocated as a Minerals Safeguarding Area for surface coal, brick clay and sandstone.

Policy 8 of the Greater Manchester Joint Minerals Plan states that all non-mineral development proposals within the Mineral Safeguarding Area should extract any viable mineral resources present in advance of construction. Proposals for non-mineral development within the Mineral Safeguarding Areas that do not allow for the prior extraction of minerals will only be permitted where:

1. The need for the development outweighs the need to extract the mineral; or
2. It can be clearly demonstrated that it is not environmentally acceptable or economically viable to extract the mineral prior to non-mineral development taking place; or
3. It can be clearly demonstrated that the mineral is either not present or of no economic value or too deep to extract in relation to the proposed development; or
4. The development is limited or temporary and would not prevent minerals extraction taking place in the future.

Policy P4.3 of the Core Strategy states that the Council will safeguard known resources of minerals, and existing and planned infrastructure that supports mineral exploitation including facilities for manufacturing and the handling, processing and distribution of substitute recycled and secondary aggregate materials.

The proposed erection of dwellings on the site is a non-mineral development. As Bolton does not have a deliverable 5 year supply of housing land it is considered that the need for the development outweighs the need to extract mineral at this site. Furthermore, mineral working is environmentally

intrusive: the site is very close to sensitive uses (neighbouring dwellings and the hotel) and therefore mineral extraction at the site would be contrary to planning policies concerning residential amenity.

It is therefore considered that the proposed development complies with Policy 8 of the Greater Manchester Joint Minerals Plan.

Impact on Crime and the Fear of Crime

Policy S1.1 of the Core Strategy states that the Council will ensure that the design of new development will take into account the need to reduce crime and the fear of crime.

Following consultation comments from Greater Manchester Police the applicant has commissioned a Crime Impact Statement from Greater Manchester Police's Design for Security Officers. The applicant has responded to the findings of the statement by making the following minor amendments:

- * Creating more secure private areas;
- * Clearly defining front gardens;
- * Showing position of side gates;
- * Altering the line of the proposed path by the pumping station;
- * Reducing the recess to the entrances to house type F.

It is considered that the proposed design of the residential development and the residential units have taken into account the need to reduce crime and the fear of crime, compliant with Policy S1.1 of Bolton's Core Strategy.

Impact on Local Infrastructure

Policy IPC1 of the Core Strategy states that the Council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or to mitigate the impact of that development. In doing so, the Council will ensure that a scheme is made acceptable in planning terms and achieves the objectives of sustainable development.

Policy H1 of the Core Strategy states that the Council will ensure that new developments contribute appropriately through planning contributions to meet the health needs that they generate. Policy A1 states that the Council will ensure that new developments contribute appropriately through planning contributions to meet the educational and training needs that they generate. Policy SC1 requires that on greenfield land (which the application site is) 35% of the total dwelling provision should be affordable.

The Council's SPD Infrastructure and Planning Contributions provides further guidance to support the delivery of infrastructure and the implementation of Core Strategy Policy IPC1. SPD Affordable Housing provides further guidance with regard to the provision of affordable housing and the implementation of Core Strategy Policies IPC1 and SC1.

The proposed development of 98 dwellings in this location generates the following Section 106 requirements:

- * Affordable housing: 34 affordable units on site.
- * Education: £373,068.94; £182,574.56 of which would be for primary education and £190,494.38 of which would be for secondary education.
- * Public Open Space: £84,294 for off-site provision (£1,338 per proposed family unit, therefore this does not include the proposed over 55 accommodation).
- * Health: £68,600 (£700 per dwelling) *only if* the primary care facility servicing the catchment area

is full or the new development (taking into account any unimplemented planning permissions for new dwellings in the area) would result in the total number of patients exceeding the capacity of the primary care facility and spare capacity in adjacent primary care facilities cannot be used to meet the deficiency of patient places.

Affordable housing

The applicant is proposing 22 affordable housing units within the development, by way of 8 2 bedroom bungalows for social rent and 14 2 and 3 bedroom discounted market units (intermediate housing). The 8 bungalows would be allocated to the Council's preferred registered provider (housing association). The 14 discounted market dwellings would be offered for sale at a 20% discount for first time buyers under 40 years old.

The applicant is also proposing 35 units with the development at plots 64 to 98 (semis, town houses, apartments and one detached property) as special over 55 accommodation. These residents would, for a small fee per month (the applicant is currently estimating £25 per month), have use of the hotel facilities (such as the 24 hour concierge service, cleaning, maintenance and security), a 24 hour careline and teleline. The siting of these properties to the north west of the development would therefore create a village type development for older residents. These units however would be offered on the open market and therefore would not fall within the Council's planning policy definition of affordable housing.

The Council's Housing Strategy Officers have been in negotiations with the applicant regarding the required affordable housing provision for the scheme and are supportive of the applicant's proposals. They have confirmed that the Bolton Housing Needs Assessment 2016 has identified the Bromley Cross has:

- * above average house prices resulting in affordability issues, particularly for first time buyers;
- * a need for two bedroom affordable housing;
- * a need for accommodation and support services for older people to assist independent living.

The proposed development would help meet the identified housing needs of the Bromley Cross area.

Whilst the 22 affordable houses proposed on site fall below the policy requirement of 34 units (35% of the 98 dwellings proposed), officers consider that the proposal for 35 units specifically for over 55 accommodation should be treated as material consideration, and one with significant weight given the recognised need for accommodation and support services for older people in Bromley Cross within the Council's 2016 Housing Needs Assessment and as only 41 of the 98 dwellings proposed will be for general sale on the open market. Furthermore, the mix of house types and tenures on the site would also result in a wider choice of homes within the development, helping to creating a sustainable, inclusive and mixed community, which is in line with national planning guidance (paragraph 50 of the NPPF). It is also anticipated that sales of the proposed over 55 accommodation to local people would help free up larger family homes in the area, which are also in high demand.

Education

The applicant has confirmed that they will pay the required contributions to primary and secondary education.

The £182,574.56 (for the 14.62 primary places calculated to be generated by the proposal) would go to Walmsley CE Primary School. The £190,494.38 (for the 11.78 secondary places calculated to be generated by the proposal) would go to Turton School.

Public Open Space

The applicant has agreed to pay the required public open space contribution. This £84,294 would go towards improvements and maintenance of the nearest local community play area at Little Brow (off Darwen Road).

Health

At the time of writing the officer's report, NHS Bolton Clinical Commissioning Group was unable to confirm either that:

- * the primary care facility servicing the catchment area is full;
- * or the new development (taking into account any unimplemented planning permissions for new dwellings in the area) would result in the total number of patients exceeding the capacity of the primary care facility and spare capacity in adjacent primary care facilities cannot be used to meet the deficiency of patient places.

Therefore officers are unable to request a contribution towards health without this evidence (as there is no policy requirement to do so).

Public art

Policy IPC1 of the Core Strategy states that the Council will also expect public art for all development over one hectare in area. SPD Infrastructure and Planning Contributions advises that artwork should be incorporated as an integral part of the design of a development, whereby its implementation will be condition of the planning approval. A planning condition is therefore suggested for the construction of some form of public art on the site, should the application be approved.

Whether the Proposal Constitutes Sustainable Development

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 7 of the NPPF sets out the three dimensions of sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform an economic, social and environmental role. These roles are mutually dependent and should be jointly sought.

It is considered that the proposal would constitute sustainable development by providing sufficient land to meet housing requirements and providing sufficient infrastructure to meet the requirements of the new development, whilst providing new homes to meet the needs of present and future generations and creating a high quality built environment.

It is considered that the application site is in a sustainable location, being close to public transport (regular bus and rail services), to schools, services and shops.

It is therefore considered that the proposal constitutes sustainable development.

Benefits of the Proposal

The proposed development would contribute to the supply of housing, which is a significant benefit of the proposal and one which should be attached great weight given the national requirement to significantly boost the supply of housing and the Council's shortage of deliverable housing land supply.

The proposal would have economic benefits, providing employment opportunities and support for local businesses and services, initially during the construction phase and then following during occupation.

Other Matters

Members will also be aware that consultation has just ended for the creation of the Greater Manchester Spatial Framework, which seeks to provide sufficient housing and employment land within Greater Manchester up to 2035. This Strategy seeks to allocate sites outside the existing urban area as well as developing those sites which are currently allocated within existing Core Strategy plans.

The application site is located within the 'North Bolton Area of Search' of the draft plan of the Spatial Framework (this is an area of search that covers a large area in the north of Bolton). The Spatial Framework is however only at an early stage (consultation responses are now being considered) and therefore should only be given very limited weight in the determination of applications.

Local finance considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The following is considered to be a local financial consideration in this case:

New Homes Bonus for the 98 proposed dwellings – this is not a material planning consideration.

Conclusion

It has been established through an appeal decision last year (Hill Lane, Blackrod - APP/N4205/W/15/3136446) that the Council cannot demonstrate a five year supply of deliverable housing land. At that time the Planning Inspector concluded that Bolton only had between a 2 and 3.4 year supply of deliverable sites (April 2016). The Council's latest assessment on deliverable housing land (undertaken as part of the 2016 Authority Monitoring Report) suggests that Bolton can only demonstrate between a 2.8 and 3.5 year supply of deliverable housing sites, with the most appropriate figure being around 3.1 years (which is well short of the five year requirement set within the NPPF). As the Council is unable to demonstrate a five year supply, paragraph 49 of the NPPF states that planning policies for the supply of housing should be considered out-of-date. Bolton's Allocations Plan Policy CG6AP (protecting 'Other Protected Open Land' from residential development) must therefore be considered out-of-date and to carry very limited weight in planning decisions for residential development.

As the Council's development plan's policies relating to housing are out-of-date, the second bullet point of paragraph 14 of the NPPF is triggered, which affirms that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Officers consider for the reasons discussed above that the proposed development would not harm the operational capacity/traffic flows of the junction of Hospital Road with Darwen Road, would not have a harmful impact on the local highway network, would not jeopardise highway safety, would not harm the character and appearance of the area, would not harm the amenity of neighbouring residents, would not result in the unacceptable loss of trees or biodiversity, and would not lead to the increase in crime or the fear of crime. It is also considered that the proposed development would reduce the risk of flooding in the area. The applicant has agreed to pay off-site planning contributions in full and will provide both affordable housing and over 55 accommodation on site.

It is considered that the proposed development constitutes sustainable development.

Members are therefore recommended to delegate the decision to the Director to secure the Section 106 Agreement.

Representation and Consultation Annex

Representations

Letters:- 611 letters of objection have been received. These raise the following concerns:

Highways

- * Traffic in the morning and early evening peak hours is already horrendous/chaotic - the new development will add to this;
- * The road infrastructure is already dreadful in the area. It cannot cope with any more traffic; The existing roads will not be able to accommodate any further traffic; The local roads are currently at saturation point;
- * Traffic jams are a common occurrence as there is limited access in and out of Bromley Cross; There are only two routes in and out of Bromley Cross (Hough Lane has been closed off); The area is frequently gridlocked;
- * Further congestion on Blackburn Road and Tonge Moor Road;
- * Traffic on Hospital Road will be horrendous at peak times; Vehicles will be queuing back to Ramwells Brow;
- * It is near impossible to get out of Hospital Road onto Darwen Road at peak times; It is not uncommon to queue for 20 minutes to get onto Darwen Road from Hospital Road;
- * Traffic backs up from the junction of Darwen Road and Blackburn Road to Hospital Road already; Traffic backs up to Blackburn Road/war memorial junction;
- * Leaving Bromley Cross in the morning is nightmare; It can take 30/40/60 minutes to leave Bromley Cross; Can take 45 minutes to travel 1 mile; A 2 minute journey takes 20 minutes in the morning/a 5 minute journey can take up to 40 minutes/a 10 minute journey can take up to 30/45 minutes; In winter it can take up to 2 hours;
- * Roads are gridlocked at school dropping off and picking up times;
- * Roads are also busy at weekends, particularly Saturday mornings;
- * The submitted transport assessment is incorrect/inaccurate/cannot be right; A further assessment should be undertaken; It is not an independent assessment;
- * The transport assessment is only limited to the immediate area;
- * Most families have two cars meaning an extra 196 cars on the road; Potentially 200 plus vehicles on the road; Some families can have up to 5 cars;
- * Traffic stops over the box junction at the junction of Hospital Road with Darwen Road (drivers ignore these markings);
- * Housing developments over the last 20/30 years have added to additional traffic on the roads;
- * The condition of the surrounding roads is poor; This will get worse with an increase in traffic; Roads are riddled with potholes;
- * Side roads and neighbouring estates will become a rat run as vehicles avoid the main roads; Estate roads are already used as rat runs; the Toppings estate may be used as a cut through;
- * There is already on-street parking on Hospital Road, making it difficult for vehicles to pass;
- * Trouble reversing off driveways owing to current traffic;
- * People will spend more time commuting, which will have a knock on effect on people's livelihoods and free time;
- * Parking at Bromley Cross Station is already at a premium; Cars will be parked on neighbouring residential streets;
- * Concerns about pedestrian safety (especially school children crossing the local roads and around Eagley Junior School); Possibility of someone getting killed;
- * Traffic often travels at speed down Hospital Road, therefore concerns about the proposed access and pedestrian safety;
- * The junction of Darwen Road and Blackburn Road has no crossing facility making it hard for children to cross;
- * Highway safety concerns; There have been a number of serious accidents in the area;

- * Concerns about emergency services getting to their destinations owing to congestion;
- * Hospital Road is often not gritted in winter;
- * Traffic calming measures must be put in place on Hospital Road;
- * The highways infrastructure should be improved before more dwellings are built; Traffic flow should be improved before more dwellings are built;
- * The Council should build new roads;
- * The proposal will also affect residents of Blackburn/Darwen who use the roads to commute; Will affect residents of Harwood who travel down Tonge Moor Road;

Local infrastructure

- * Will additional spaces in local schools be made available for the extra children?;
- * There is already a strain on local schools; Schools are already oversubscribed;
- * Walmsley Primary School was forced to take an increase in intake from 45 to 60 children and is does not have enough room for this number of children; There will be an increase in class sizes, which will stretch teachers;
- * Extra demand and more competition for school places for local residents;
- * Local nurseries have a 14 month waiting list;
- * Doctors are over subscribed; Waiting times are long; Difficult to get an appointment;
- * Dentists are over subscribed; There are no local spaces;
- * The Bolton-Manchester train service from Bromley Cross Station is already over capacity; It is very common that not everyone waiting for a train will manage to get on one owing to a lack of carriages;
- * Needs to be further investment in the trains if additional passengers are to use them;
- * The car park to Bromley Cross station is already overflowing with cars from local commuters;
- * Buses are useless as they also have to sit in the congested traffic; Buses are not frequent;
- * Lack of sufficient open green spaces in the area;
- * Lack of facilities for young children and teenagers;
- * Will there be extra policing as a result of the development? Police resources are already stretched in the area;
- * Children centres have closed;
- * Pressure on public services;
- * Water pressure in the area is already very low;

Application site

- * Development of Green Belt (officer's comment: the application site is not within the Green Belt);
- * The site is supposed to be allocated protected land;
- * Loss of green space; loss of a field; there are only a few green spaces left in North Bolton;
- * Loss of outdoor space for dog walkers and children to play on (officer's comment: the application site is privately owned and therefore the landowner could restrict access at any time);
- * Loss of trees; It is unclear which trees are to be retained;

Design

- * The development will ruin the setting of the Last Drop Village; The Last Drop Village will be hidden behind houses;
- * This development will impact on the number of visitors to the Last Drop as nobody will want to visit a housing estate;
- * Impact on the heritage of the Last Drop Village;
- * The design of the dwellings are not in keeping with the surrounding dwellings; The two storey dwellings do not respect the bungalows on Hospital Road;
- * Loss of open space; The open space makes a very important contribution to the character of the area;
- * Loss of trees to the detriment of the area;

- * The development will ruin the appearance of Hospital Road;
- * It does not respect local context and street pattern;
- * The houses will overlook neighbouring properties and will affect privacy of neighbouring residents;

Drainage

- * There are significant drainage issues in the area when it rains; Neighbouring houses have been flooded;
- * Development of the site will increase surface water run off; Water comes off the application site/downhill, over the stone boundary wall;
- * The main drains will not be able to cope with additional houses;
- * Increase in flooding to neighbouring properties;
- * Concerns about the capacity of local sewers (officer's comment: United Utilities have been consulted and raise no objection to the proposal);
- * Drainage works on site have commenced without planning permission (officer's comment: site investigations have been undertaken by the applicant during the application process to inform the amended flood risk assessment and proposed drainage scheme).

Other issues

- * Fears that the whole of the area around the Last Drop Village will be developed for housing - "thin end of the wedge"/"tip of the iceberg" (officer's comment: the proposal before the local planning authority is only for the application site and therefore this proposal must be determined on its own merits. The applicant has however submitted information to demonstrate that they have recently invested significant amounts of money in renovating the hotel, and they are continuing to do so);
- * It will lead to the Last Drop being shut down; The Last Drop will then be developed for housing;
- * Creeping urbanisation; The development will lead to the area being over developed;
- * The houses on the site will not be affordable to first time buyers;
- * Disruption to public footpaths;
- * Concerns about nature conservation; Have seen owls, moles, newts and deer on the site;
- * More cats, which will kill more wildlife;
- * Increase in anti-social behaviour with more youths in the area with little to do;
- * Noise from additional traffic; The area was once a quiet area;
- * Increase in pollution and traffic pollution;
- * Impact on the appeal of the area; Bromley Cross will lose its village feel;
- * There are sinkholes and springs all over the site;
- * Potential mining subsidence (officer's comment: the application site is located within a low risk area for coal development);
- * There are so many alternative sites that are more suitable for housing (officer's comment: the Planning Inspectorate found in 2016 that the borough does not have a 5 year supply of available housing land, based on available previously developed sites and allocated housing sites);
- * The development is for the commercial gain of the landowner and not for the community;
- * Disruption and damage caused by the construction of the development; Disruption from construction traffic (officer's comment: some disruption during construction is evitable for such a development and therefore this concern can only be given limited planning weight);
- * Demand for housing in this area is not evident. There are a lot of houses and flats for sale and rent currently; There are enough houses in the area (officer's comment: Bolton has a recognised shortage of housing land supply);
- * Allegations of Council backhanders; It's a done deal;
- * Threats of action and withdrawal of Council tax payments if the application is approved;
- * Impact on views from neighbouring properties (officer's comment: this is not a material planning consideration);

- * Reduction in value of neighbouring houses (officer's comment: this is not a material planning consideration).

Consultations

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Pollution Control Officers, Tree Officers, Landscape Officers, Wildlife Liaison Officer, Housing Strategy, Asset Management and Pupil Place Planning Unit, Economic Strategy Officers, Strategic Development Unit, Greater Manchester Ecology Unit, Greater Manchester Police, Primary Care Trust, NHS Bolton Clinical Commissioning Group, Ramblers Association, Peak and Northern Footpath Society, the Open Spaces Society, Greater Manchester Pedestrians Association and United Utilities.

Planning History

The erection of an extension to form a tea room and bakery was approved in October 1996 (49269/96) and revised plans were approved in August 1997 (51155/97).

A porte cochere and reception infill at the hotel were approved in July 1996 (48675/96).

An extension to the leisure facilities to provide saunas, a spa pool, lounge and squash court and a gymnasium on the first floor of the hotel were approved in August 1987 (29617/87).

Permission was granted in April 1983 for the erection of 37 cottages, 13 flats and 50 garages in terraces around landscape courtyards, together with 30 parking spaces, on 1.203 hectares of land west of the Last Drop Village and north of Blair Hospital (20566/83).

A conservatory for the cultivation, display and sale of shrubs and flowers was refused in May 1982 (18926/82).

The retention of an extension to the car park was approved in September 1979 (12014/79).

Permission was granted in January 1976 for the provision of an extension to the Drop Inn and Penny Farthing, hairdressing salon, tavern, craft workshop, riding stables, smithy, builder's workshop, antique salesroom and shops, 46 service flats, 24 bed hospital and 26 bed convalescent units, sports/health centre, lodge and gatehouse, hotel bedroom extension and admin offices, cottage extension, stores and staff accommodation, together with car parking facilities and access roads at the Last Drop Village (3518/76).

Recommendation: Delegate the decision to the Director

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of the development:-

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

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

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

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

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

Reason

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

3. Prior to the commencement of development a strategy to include a Sustainable Urban Drainage System (SUDS) shall be 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, 1 in 100 and 1 in 200 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, proposals for dealing with exceedance flows generated from the development site, the measures taken to prevent pollution of the receiving groundwater and/or surface waters; as detailed in the CIRIA SuDS Manual (C753), and proposals for the future on-going maintenance of the approved drainage scheme. The approved strategy shall be carried out in full in accordance with the approved plans and it shall be retained thereafter.

Reason

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

4. Prior to the commencement of development a scheme for the provision and implementation of Land Drainage Systems, as indicated on the approved plans, shall be submitted to and approved in writing by the Local Planning Authority. The approved system shall be completed in full accordance with the approved plans and retained thereafter.

Reason

To reduce the risk of flooding, particularly in relation to overland flow reaching Clarendon Gardens, and to comply with policy CG1.5 of Bolton's Core Strategy.

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

1. The trees within or overhanging the site which are to be retained/or 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 trees and to comply with policy CG1.2 of Bolton's Core Strategy.

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

- New footpath proposed along the access road off Hospital Road
- * The driveways for plots 2 to 5, 46 and 58
- * Parking area to the rears of plots 71 to 78
- * Proposed fencing along the western boundary to the rear of G1007
- * Proposed walls

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

Reason

To ensure the safe development of the site and favourable retention of trees, and to comply with policy CG1.2 of Bolton's Core Strategy.

7. Prior to the commencement of development full details of the highway works at the junction of Hospital Road with Darwen Road comprising the installation of MOVA 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, traffic flows in the area and junction operation capacity, and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

8. Prior to the commencement of development full details of the highway works at Hospital Road comprising the widening of the footway on the northern/development site side to 2.0 metres (to include dedication of land to highway, resurfacing in its entirety, installation of VAC (drop-kerb) provision to facilitate access to the new dwellings served directly from Hospital Road, and the potential relocation of street lighting with the footway) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

9. Prior to the commencement of development full details of the highway works within the adopted highway associated with the proposed access 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 and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

10. Prior to the commencement of development details of the public art to be provided within the development shall be submitted to and approved in writing by the Local Planning Authority. The public art shall be installed in full accordance with the approved details, in a timeframe agreed with

the Local Planning Authority, and retained thereafter.

Reason

To enhance the built environment and to comply with Strategic Objective 11 and Policy IPC1 of Bolton's Core Strategy and the guidance contained within SPD Infrastructure and Planning Contributions.

11. 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 all residential units, along with the stone to be used for the approved boundary walls shall be submitted to be agreed in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

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

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

Reason

To reflect and soften the setting of the development within the landscape and to comply with policy CG3 of Bolton's Core Strategy.

13. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Hospital Road shall be constructed in accordance with the drawing ref. LDV-P-001 Rev. H.

Reason

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

14. Before the approved/permitted development is first brought into use no less than 196 car parking spaces shall be marked out and provided within the site, in accordance with drawing ref: LDV-P-001 Rev. H. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

15. Prior to the development hereby approved 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 areas provided and to comply with policy P5 of Bolton's Core Strategy.

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

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

Reason

To ensure the site is safe for use and to comply with policy CG4 of Bolton's Core Strategy.

17. No dwelling shall be occupied until the access roads, footways and footpaths leading thereto have been constructed and completed in accordance with the drawing ref: LDV-P-001 Rev. H.

Reason

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

18. The garages hereby approved/permitted shall be made available at all times for the parking of motor vehicles.

Reason

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

19. The boundary fences and dry stone wall as shown on drawing ref: LDV-P-0016 Rev D shall be erected fully in accordance with the approved design and retained thereafter.

Reason

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

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

LDV-P-001 Rev. H; "Site Plan Village Extension"; dated 26.1.17
LDV-P-003 Rev A; "Apartment Block Elevations"; dated 21.12.16
LDV-P-004 Rev B; "Apartment Block Plans with Lift"; dated 21.12.16
LDV-P-005 Rev A; "Type G Plans & Elevations"; dated 18.1.17
LDV-P-006 Rev A; "Type F Plans & Elevations"; dated 6.1.17
LDV-P-007 ; "Type B Plans & Elevations"; dated 8.9.16
LDV-P-008 Rev A; "Type C Plans & Elevations"; dated 18.1.17
LDV-P-009; "Types D&E Plans & Elevations"; dated 8.9.16
LDV-P-010; "Type A Plot 1 The Gate House Pland & Elevations"; dated 8.9.16
LDV-P-011; "Type I Plans & Elevations"; dated 8.9.16
LDV-P-012; "Type K Plans & Elevations"; dated 8.9.16
LDV-P-013; "Type J Plans & Elevations"; dated 8.9.16
LDV-P-014; "Type L Plans & Elevations"; dated 8.9.16

LDV-P-015 Rev A; "Type M Plans & Elevations"; dated 18.1.17
LDV-P-0016 Rev D; "Site Finishes & Boundary Treatment"; dated 17.1.17
LDV-P-021; "Type N 2 bedroom Bungalow"; dated 20.01.17

Reason

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

The Contractor is responsible for checking dimensions and any discrepancy to be verified with the Architects before proceeding. Figured dimensions to be worked to only.
DO NOT SCALE

KEY

Tree Retained

Tree Removed

NORTH

Material for & route of
footpath to be agreed with
Tree & Woodland Manager.

Retained Woodland

HORSESHO

	Rev	Date	By	Description
A	H	26.1.17	WDC	Schedule completion
B	G	24.1.17	WDC	Changes to drawings of 55 specification plots added to key
C	F	17.11.17	WDC	Plots 6-18 changed to bungalows
D	E	6.11.17	WDC	Plots added and general D for S amendments made
E	D	21.12.16	RIC	Prior revision to Plopts 71+78 parking arrangement.
F	C	25.11.16	RIC	Footpath to main access road re-aligned outside indicated where within Trees' root protection zone. Plot 40 re-oriented, turning head & road layout submitted to Birch house type all to minimize build within RPZ. Plot 68 substituted to Birch house type, and Plots 69-78 re-positioned to minimize build within trees' root protection area and indicative R1 and Finish Floor Levels described.
G	B	21.11.16	RIC	
H	A		WDC	
I			WDC	
J			WDC	
K			WDC	
L			WDC	
M			WDC	
N			WDC	
O			WDC	
P			WDC	
Q			WDC	
R			WDC	
S			WDC	
T			WDC	
U			WDC	
V			WDC	
W			WDC	
X			WDC	
Y			WDC	
Z			WDC	

location
Last Drop Village
Bromley Cross Bolton

Site Plan Village Extension

scale 1:500	size A1	drawn by RIC	checked by WDC	date 27.10.16
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drawing no. LDV-P-001

100m

10

55

0

16

features
see details

JONES
HOMES

JONES HOMES
EMERSON HOUSE, HYES LANE, ALDERLEY EDGE, CHESHIRE. SK9 7LF
Tel: (01625) 588400 Fax: (01625) 588270

Schedule

1	Type A
8	Type B
9	Type B (55 spec)
6	Type C
5	Type C (55 spec)
4	Type D
6	Type D (55 spec)
3	Type E
5	Type E (55 spec)
2	Type F (55 spec)
2	Type G
8	Type H (55 spec)
13	Type I
5	Type J
9	Type K
2	Type L
2	Type M
8	Type N

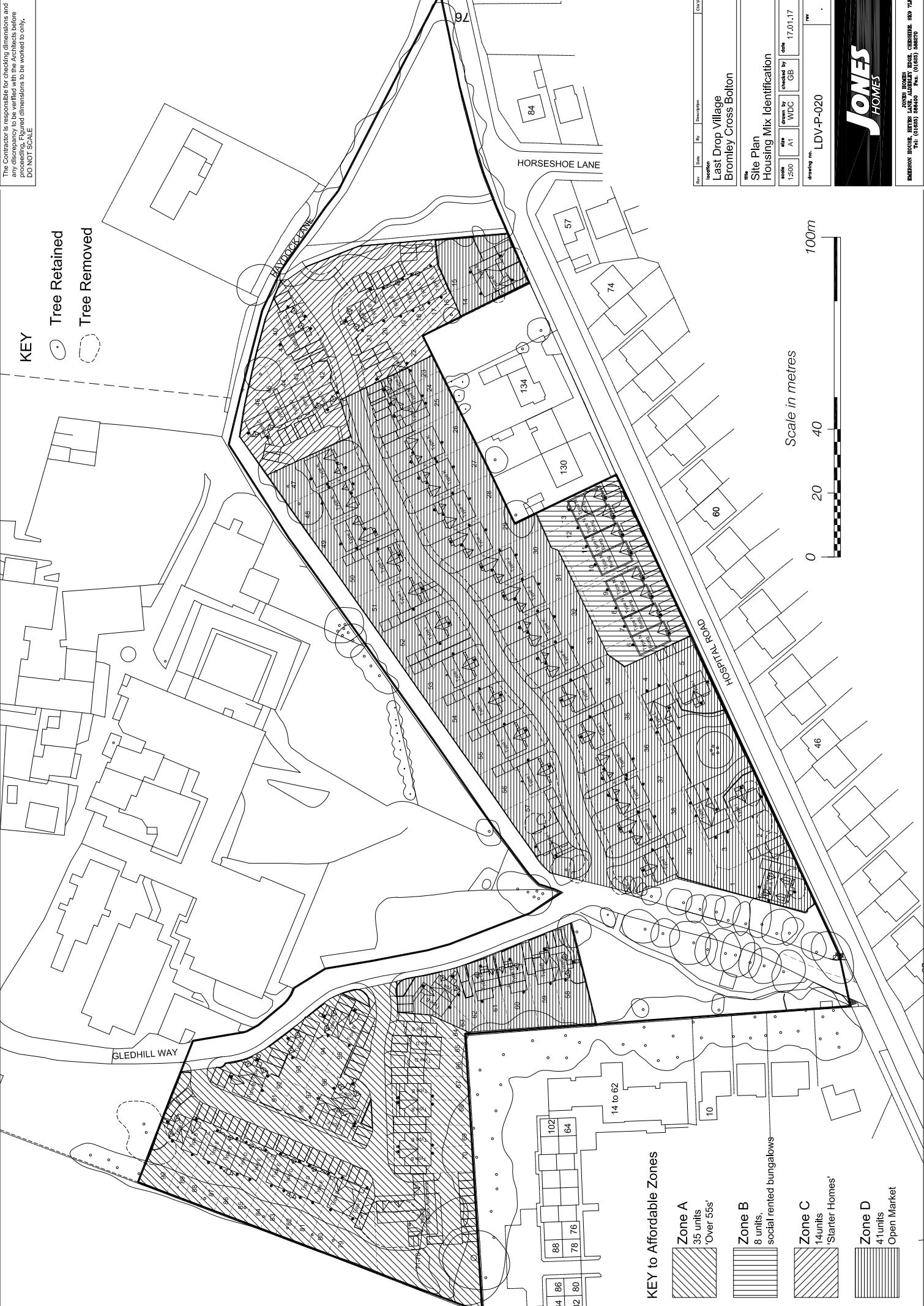
98 plots

The Contractor is responsible for checking dimensions and any discrepancy to be verified with the Architects before proceeding. Figured dimensions to be worked to only.
DO NOT SCALE

KEY

Tree Retained

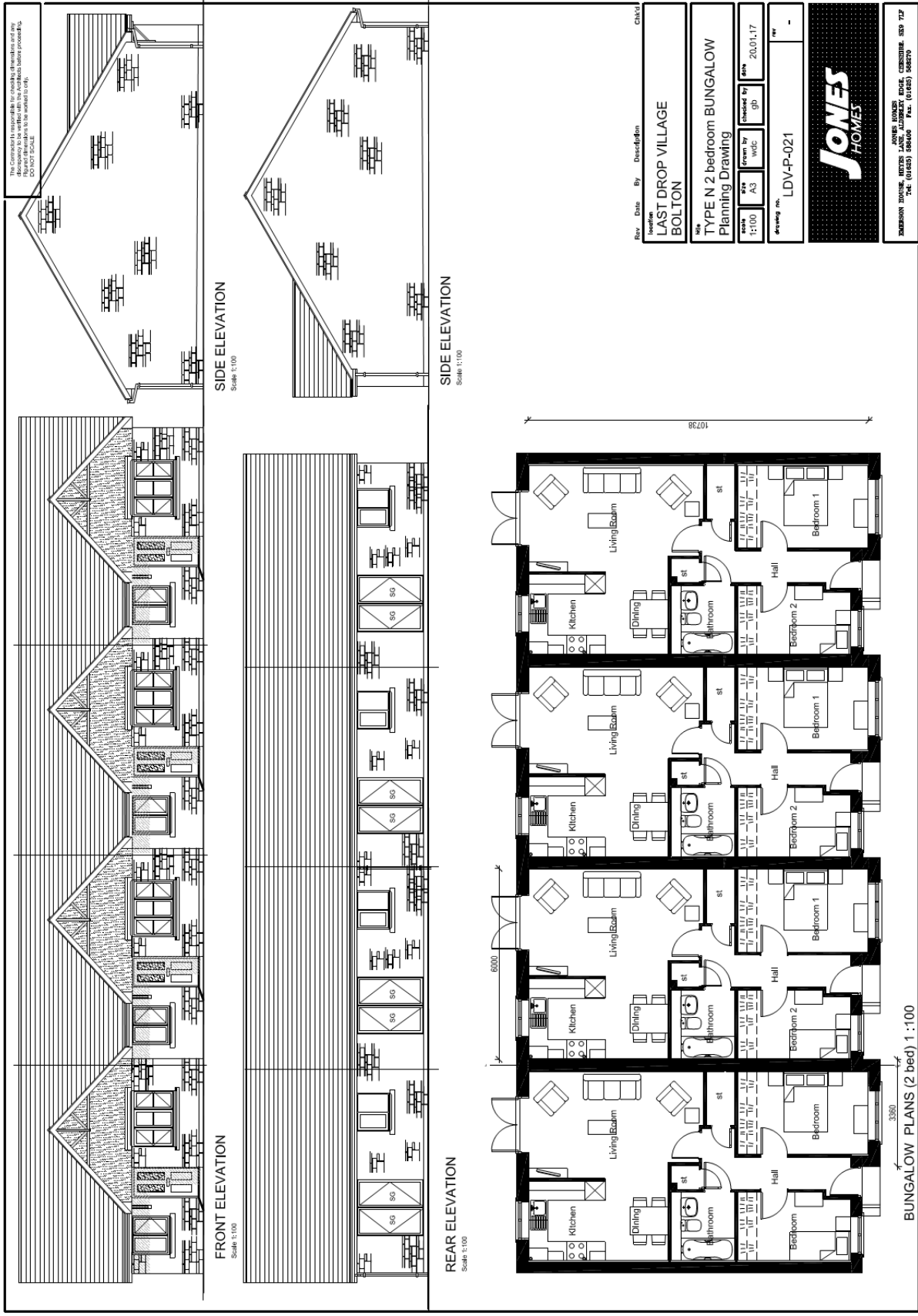
Tree Removed



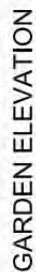
Rev	Date	By	Description	Check			
Location Last Drop Village Bromley Cross Bolton							
Site Site Plan Housing Mix Identification							
Scale	1:500	Drawn by	WDC	Checked by	GB	Date	17.01.17
Drawing no.					LDV-P-020		

JONES HOMES

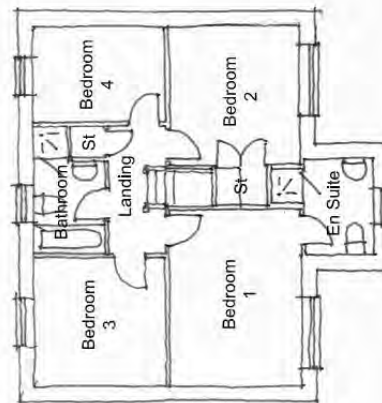
JONES HOMES
AMERICAN WAY, WYTHEN - LIVERPOOL, L24 0JY
Tel: (01524) 584500 Fax: (01524) 584770



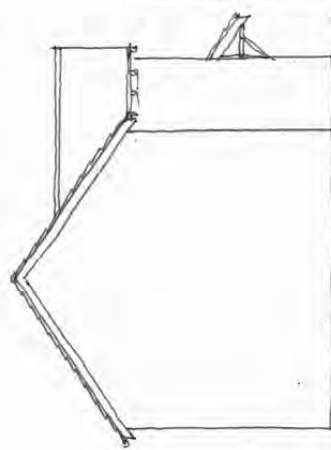
Refer to street scenes for variations to elevations



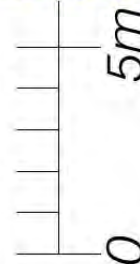
GROUND FLOOR



FIRST FLOOR



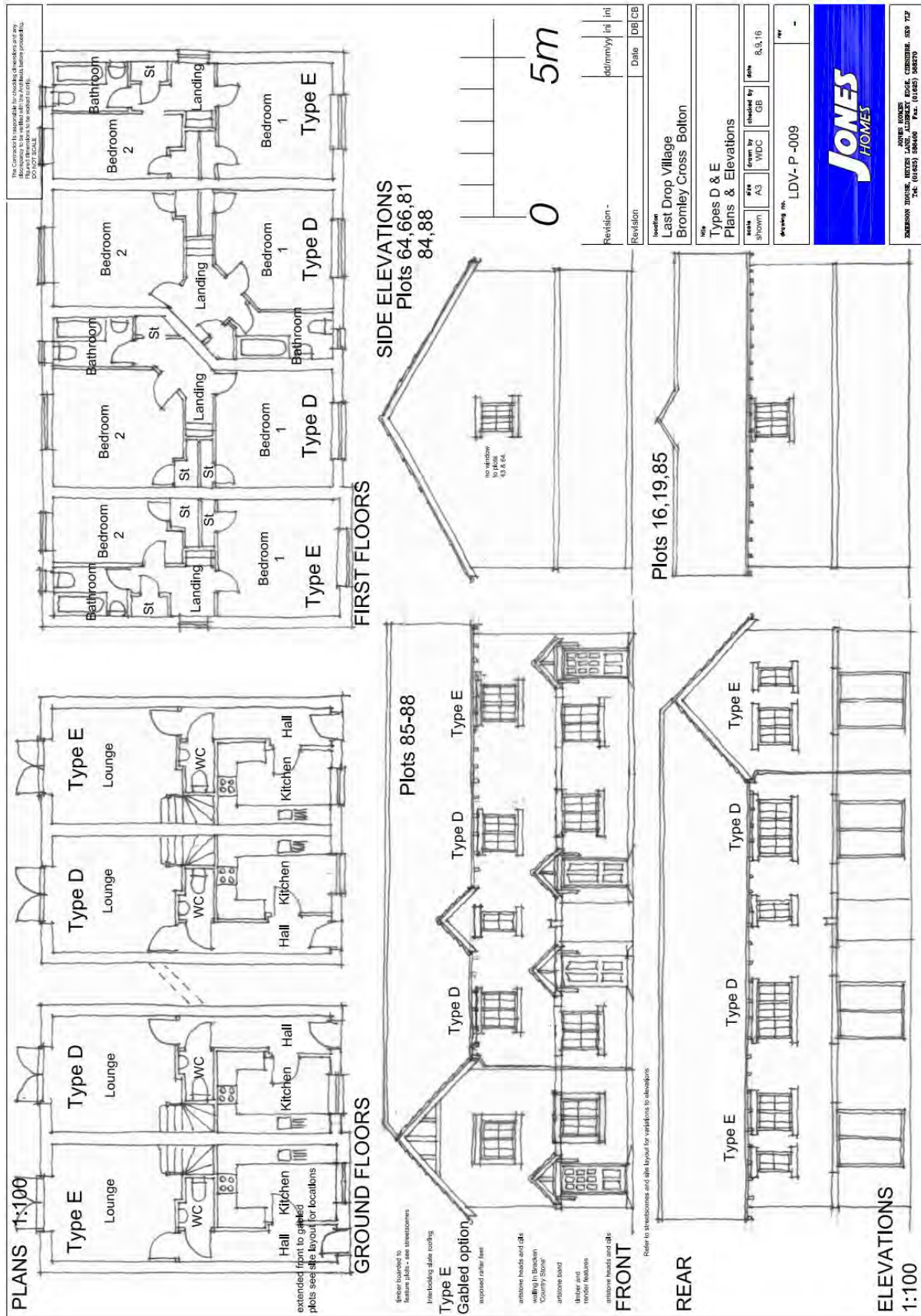
SIDE ELEVATION



Revision -	dd/mm/yyyy	ini	DE	GB
Revision	Date			
Location				
Last Drop Village				
Bromley Cross Bolton				
N/A				
Type I				
Plans & Elevations				
scale shown	size A3	drawn by WDC	checked by GB	date 8.8.16
drawing no.				rev
LDV-P-011				-

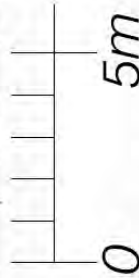


JONES HOMES
EMERSON HOUSE, HEYES LANE, ALDENLEY EDGE, CHESHIRE. SK9 7LP
Tel: (01625) 588400 Fax: (01625) 588270

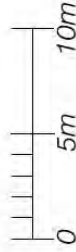




NORTH ELEVATION 1:100



WEST ELEVATION 1:200



SOUTH ELEVATION 1:200

artstone band
artstone heads and cills

A - Lift Added	21.12.16 Wed	
Revision	Date	DSI CB

location
Last Drop Village
Bromley Cross Bolton

HI • Apartment Block Elevations

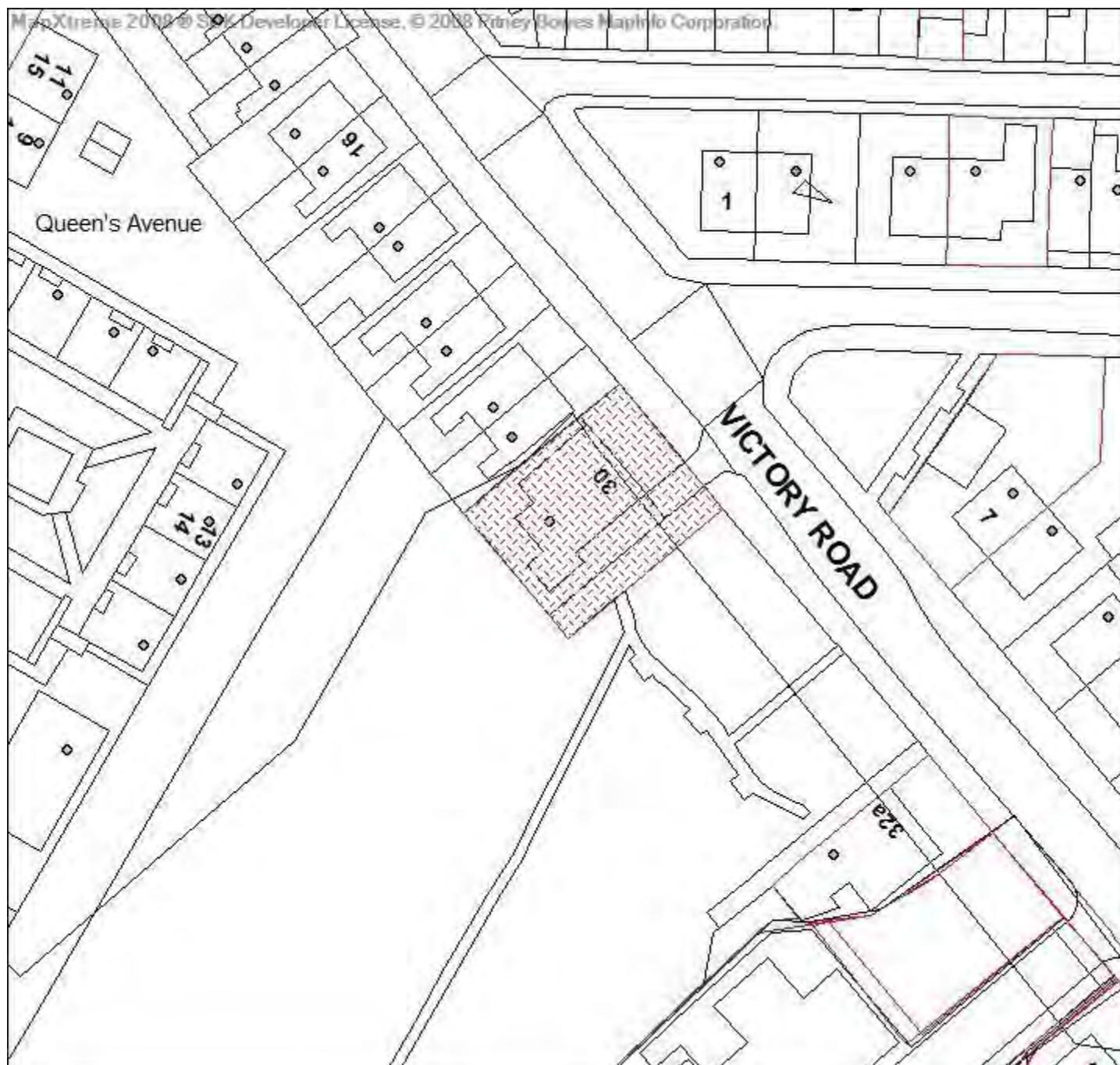
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design no. LDV-P-003 rev. A



JONES HOMES
EMERSON HOUSE, HEYES LANE, ALDERLEY EDGE, CHESHIRE, SK9 7LP

Application number 97635/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 09/02/2017

Application Reference: 97635/16

Type of Application: Full Planning Application

Registration Date: 07/10/2016

Decision Due By: 28/12/2016

Responsible Officer: Gila Middleton

Location: 30-32 VICTORY ROAD, LITTLE LEVER, BOLTON, BL3 1QY

Proposal: CHANGE OF USE OF RESIDENTIAL DWELLING INTO 2 NO. HOUSES OF MULTIPLE OCCUPANCY, (1 NO. 4 BED AND 1 NO. 5 BED)

Ward: Little Lever and Darcy Lever

Applicant: Clifton Park Residential Limited

Agent : DJK Architectural Design Services

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning consent is sought for the conversion of a detached dwelling into two semi-detached properties to form two separate dwellings of House of Multiple Occupation containing 4 and 5 units in each dwelling.

The proposal would also incorporate the demolition of an existing store room to create a small extension to form a rear living room for the southern property (No. 32 Victory Road). The proposed extension would project approximately 1.3 from the rear of an existing extension. It would measure approximately 3.6 metres in width and would incorporate a flat roof.

The northern property (No. 30 Victory Road) would incorporate 4 en-suite rooms with a living room and kitchen on the ground floor. The south property (No. 32 Victory Road) would incorporate 5 en-suite rooms with a kitchen and living room also on the ground floor.

No additional car parking provision has been made available within the site other than the removal of the existing roller shutter to the side of the southern property for use as a driveway. The driveway provides 2 - 3 parking spaces.

Building work has already started at the application site.

This application is the second submission on the site. The previous application (96654/16) was for the change of use from a dwellinghouse (class c3a) to two separate semi detached houses in multiple occupation (class c4) including demolition of store and erection of single storey extension to rear. This application was refused for the following reasons:

1. The proposal represents an over development of the site which will result in insufficient private, useable amenity space for the future occupiers of the properties and would be out of character with the surrounding locality and is thus contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions'.
2. The proposal will result in insufficient parking provision at the properties and will lead to an increase in demand for on-street parking to the detriment of highway safety and is contrary to Policies P5 and S1.2 and Appendix 3 of Bolton's Core Strategy and Supplementary Planning Document 'Accessibility, Transport and Safety'.

The number of bedrooms has been reduced and one of the proposed extensions has been removed compared to the previous application.

Site Characteristics

The application site comprises of a two storey detached dwelling sited on Victory Road, Little Lever.

Originally the property was built as two semi-detached properties and was converted into one four bedrooomed dwelling during the 1990's.

The property incorporates a single storey rear extension. The existing rear extension leaves a small yard to the rear. The property is bounded to the side and rear by a wall approximately 3 metres in height, whilst the front boundary is formed by a 1 metres high garden wall. To the side is the pedestrian access to an open grassed space, this space continues to the rear of the property.

Policy

National Planning Policy Framework

Core Strategy Policies: CG3 - the Built Environment, CG4 - Compatible Uses, OA6 - Little Lever and Kearsley, P5 – Accessibility and S1 – Safe.

Supplementary Planning Documents (i) Accessibility, Transport and Safety, (ii) General Design Principles and (iii) House Extensions.

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 property;
- * Impact on the users of the property / adjoining users;
- * Impact on highway safety; and
- * Impact on designing out crime.

Impact on the character and appearance of the property and the surrounding area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA6 of the Core Strategy relates specifically to development in Little Lever and Kearsley and states that the Council will conserve and enhance the character of the existing physical environment, and will respect and enhance the built form and pattern of existing development.

There would be minimal alterations to the external elevations in order to accommodate the proposal. The proposal would mainly incorporate additional windows, roof lights and entrance doors. As the alterations to the external appearance of the building are minimal, the appearance of the building would remain fundamentally the same and is considered acceptable.

The addition of the small single storey rear extension would not be clearly visible from the street scene and therefore is not considered to detract from the wider character and appearance of the area.

For the reasons given above, it is considered the proposed extensions and alterations would not unacceptably affect the character and appearance of the existing building and area in accordance with policy CG3 of the Core Strategy.

Impact on the users of the property / adjoining users

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

The proposal includes the erection of a small single storey extension to the rear of southern property (No. 32). One of the proposed extensions has been removed from this application compared to the previous application. The current proposed extension would occupy the same footprint as the existing store room currently on site. Each dwelling would be provided with between 25 – 30 m/sq of outdoor amenity space.

The General Design Principles SPD states that 50 square metres of private amenity space should be provided for dwellings. It is acknowledged that the proposed dwellings would fall below this level. However in this instance the level of private outdoor amenity space is considered acceptable for a number of reasons

- a number of the neighbouring properties along Victory Road are characterised by small rear yards. It is considered that the small are part of the wider character of the area;
- the application site is located adjacent to an area open grass land which could easily be used as outdoor space.

In this instance it is considered that the occupiers of the properties would not fall short of outdoor amenity space.

The General Design Principles SPD states that 9 metres should be maintained between main windows and blank elevations. In this instance the main window for bedroom 3 of the northern property (No.

30) would face onto the blank gable elevation of the adjacent property. A separation distance of approximately 2.2 metres would be maintained. The living room window of the southern property (No. 32) would face onto the 3 metre high boundary wall and a separation of 2 metres would be maintained. It is acknowledged that these situations are not ideal however two additional roof windows would be introduced to both rooms. In addition, due to the additional light from the roof lights it is considered that bedroom 3 and the living room would be provided with a sufficient level of amenity for future users of the rooms.

Bedroom 2 of the southern property (No. 32) would also face onto the 3 metres high boundary wall. A separation distance of approximately 3 metres would be maintained. It is also acknowledged that this is not an ideal situation however given the southerly orientation of the property it is considered that occupiers of this room would be given sufficient levels of the light.

One of the previous reasons for refusal was the lack of internal amenity space due to the small bedroom sizes and no communal lounges. In this instance the proposed bedrooms would still be considered small however that each dwelling would now be provided with a communal lounge on the ground floor of each property. In this instance it is considered that the proposed occupiers would be provided with adequate for living accommodation.

On balance it is considered that the proposed development complies with Core Strategy policy CG4 and SPD General Design Principles.

Impact on Highway Safety/Parking Provision

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 applicant has reduced the number of bedrooms proposed from the previously submitted application (96654/16-12 bedrooms to 9 bedrooms) and is proposing 3 off-road parking spaces to support the level of development. This coupled with the fact that the site is reasonably accessible to sustainable transport modes and the town centre of Little Lever and its amenities, should reduce the potential for overspill parking on the surrounding highways associated with the dwelling. Based on this observation, the Highways Authority cannot reasonably object to what is being proposed.

It is considered that the proposal would not result in an unacceptable impact on highway safety and does not comply with policies P5 and S1 of the Core Strategy and SPD Accessibility, Transport and Safety

Impact on designing out crime

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.

Access to the units would be from two separate entrances located in the front elevation of the building at ground floor level. Both of these entrances are afforded a high level of natural surveillance from Victory Road, which is directly to the front.

It is therefore considered that the proposal complies with policy CG4.

Conclusion

Given the above it is considered that the proposed development would comply with the requirements of the Core Strategy, SPDs General Design Principles and Accessibility, Transport and Safety and therefore should be recommended for approval.

Representation and Consultation Annex

Representations

Letters:- two letters of objection have been received from No.'s 26 Victory Road and 28 Victory Road which raise the following issues:

- Insufficient car parking facilities – this is assessed within the officer report above.
- Over development of the house – it is not considered that the proposed development would result in an over development of house. Impact on the amenity of future occupiers is assessed within the officer report above.

Petitions:- no petitions received.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: the Council's Highways Engineers, Environmental Health officers, Housing and Public Health officers. Design for Security (Greater Manchester Police).

Planning History

Planning permission was refused in July 2016 by officers under delegated powers for the change Of Use from one house to 2 houses in multiple occupation each comprising of 6 units due to concerns over overdevelopment of the site (i.e. insufficient internal / external private amenity space) a lack of curtilage car parking for the proposed residents (Ref: 96654/16).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Before the approved development is first brought into use no less than 3 car parking spaces with minimum dimensions of 4.8 metres by 2.8 metres shall be provided within the curtilage of the site. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

Reason

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

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

**Drawing No: 03/16/001-F111 Rev C - Proposed Layouts, sections and elevations, dated 09.01.17; and
Site Location Plan - dated 16/05/16.**

Reason

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

- . All ensembles will require forced mechanical ventilation in line with current Building Regulations.

Both lounges will require a mains wired interlinked smoke detector with integral battery back up to be fitted: the drawing shows only one fitted



Application property facing north



Front elevation



Rear elevation



Separation distance between the application property and No. 28 Victory Road



Separation distance between the application property and No. 28 Victory Road

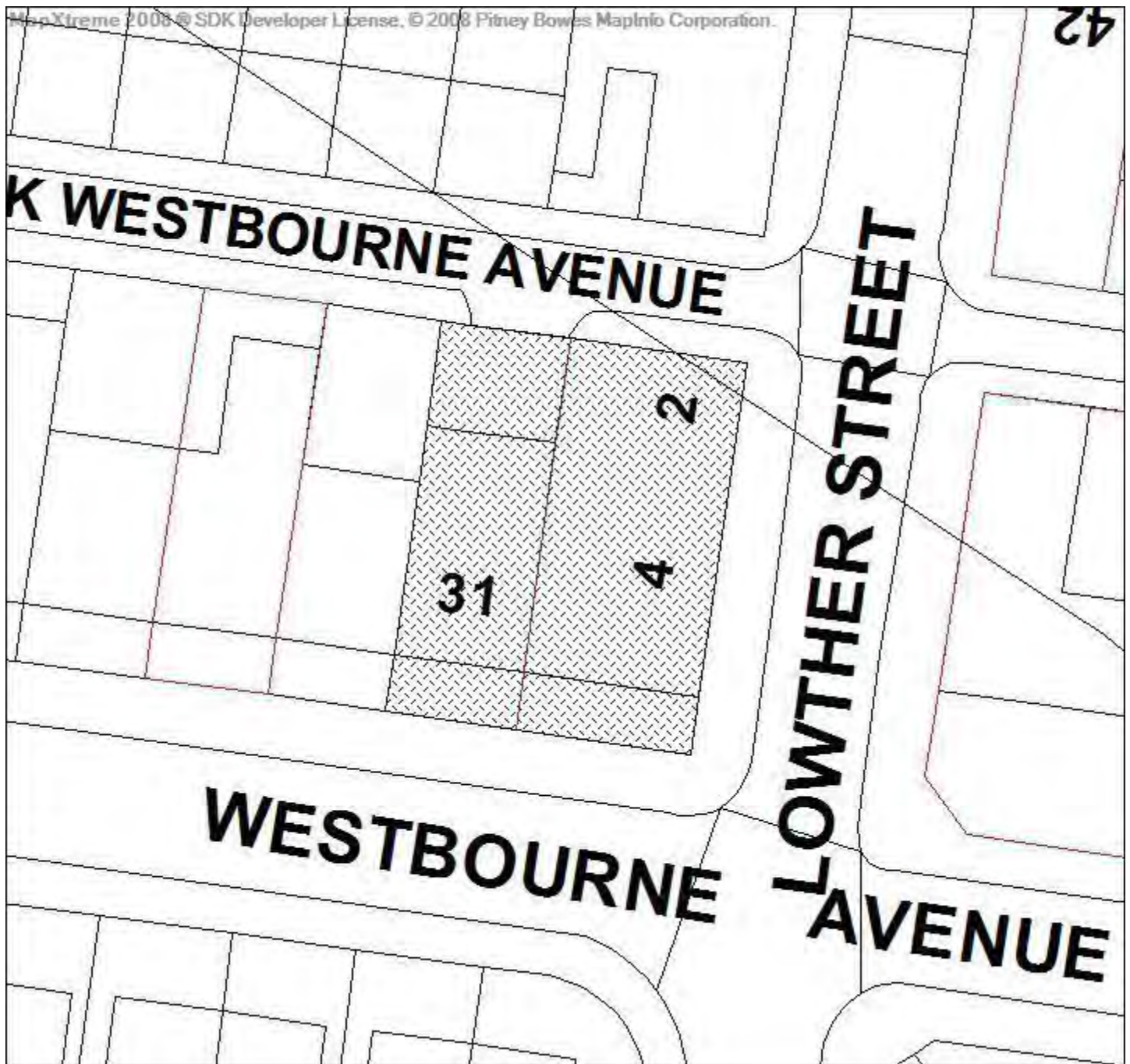


SITE LOCATION PLAN
 AREA 2 HA
 SCALE 1:1250 on A4
 CENTRE COORDINATES: 375396, 407698



Supplied by Streetwise Maps Ltd
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 16/05/2016 13:22

Application number
97773/16



Development & Regeneration Dept
Development Management Section

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

**Bolton
Council**

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Date of Meeting: 09/02/2017

Application Reference: 97773/16

Type of Application: Full Planning Application
Registration Date: 28/10/2016
Decision Due By: 22/12/2016
Responsible Officer: Martin Mansell

Location: AK GROCERS, 2-4 LOWTHER STREET & 31 WESTBOURNE AVENUE, BOLTON, BL3 2HP

Proposal: ERECTION OF SINGLE STOREY EXTENSION WITH ROLLER-SHUTTERS

Ward: Great Lever

Applicant: AK GROCERS

Agent : RA Design & Project Management Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought to erect a single storey lean-to extension to the side elevation of this property. The extension would be constructed in brick with a grey concrete tile roof and the southern elevation would contain a set of double doors and two windows with powder-coated open grille roller shutters and housing boxes flush with the outer wall. The extension would project 2.7 metres from the existing gable elevation of the building and would run the length of this elevation, 13.3 metres. It would be 2.9 metres to the eaves, 3.8 metres at its highest point where it meets the existing building and would have a total footprint of 35.7 square metres. The existing building has a footprint of approximately 151 square metres - therefore the extension represents a 23% increase in retail floor space over and above the existing situation.

The plans show that the AK Grocers retail use would extend into the adjacent and vacant former hair salon fronting Westbourne Avenue; however, this element does not require the benefit of planning consent as the two uses already fall within the same use class, class A1.

Site Characteristics

The primary frontage of the premises faces Lowther Street; however, the building does have a secondary frontage onto Westbourne Avenue. It has the appearance of a former Co-operative Society building but has since been subdivided into the current AK Grocers use and the Shaam Pizza Place to the north.

The wider area is almost entirely residential except for the application site itself, another former Co-operative Society building directly to the north and the occasional other end of terrace shop. Westbourne Avenue consists of a row of semi-detached properties facing a row of terraced housing. Nos. 20 and 22 Westbourne Avenue directly face the application site and No. 29 is directly adjacent

to the application site, sharing a common party wall. A row of mature street trees lines the northern side of Westbourne Avenue with two close to the footprint of the proposed extension - one of these trees is misshapen though the other appears to be healthy.

Policy

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

Core Strategy Objectives

SO1 Access to Food, SO5 Bolton's Economy, SO6 Accessibility, SO9 Crime and Road Safety, SO11 Built Heritage, SO12 Biodiversity

Core Strategy Policies

P2 Retail, P5 Transport

S1 Crime and Road Safety

CG1 Biodiversity CG3 Design and the Built Environment, CG4 Compatible Uses

RA1 Inner Bolton

Supplementary Planning Documents

General Design Principles, 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:-

- * impact on the character and appearance of the area
- * impact on the road network
- * impact on living conditions
- * impact on retail viability and access to food
- * impact on trees
- * impact on economic development and employment

Impact on the Character and Appearance of the Area

The National Planning Policy Framework recognises the role of the planning system in creating a high quality built environment and notes that well-designed buildings and places can improve the lives of people and communities. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including replacing poor design with better design. The Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of

these principles is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Planning decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials; create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture.

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

The Core Strategy notes that Inner Bolton contains a wide range of different land uses, but the area is characterised by concentrations of older private sector terrace housing, a high proportion of local authority owned housing and a large numbers of former textile mills. Policy RA1 relates specifically to Inner Bolton and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment; ensure that development has particular regard to massing and materials used, due to the predominance of red brick, slate-roofed, two-storied terraced housing; respect and strengthen the traditional grid-iron pattern and the street-scaping of existing housing and mills where it is compatible with good urban design; make efficient use of land in inner Bolton due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach.

The extension is of a simple lean-to design and is clearly subservient to the main building. It is accepted front extensions such as this do not currently form part of the street scene; however, the extension would not project further than the front walls of the adjacent terraced houses. The existing gable end of the building consists of a range of materials with slate, red facing brick and stone detailing forming the upper half and rendered or painted brickwork, stone detailing and unpainted galvanised roller shutters forming the lower half. The application proposal would cover the lower half of the building, meaning that the proposed extension would be viewed in conjunction with the slates and red brick above and would therefore be compatible with the street scene in terms of materials. It is also noted that other lean-to extensions exist in nearby parts of Bolton, not least on Crescent Road nearby.

The impact on the character and appearance of the area is considered to be acceptable.

Impact on the Road Network

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety. The Council has also adopted the Accessibility, Transport and Road Safety SPD which notes that the provision of a safe, high quality transport network is vital to the economic prosperity of the borough and the ability of residents to safely access potential new jobs being created together with health, education, community facilities and housing. The SPD also seeks to ensure that the use of transport does not adversely affect the climate and therefore requires new development to reduce the need to travel by car, and encourage people who live, work and visit to walk, cycle and use public transport.

The proposed extension represents a 23% increase in retail floor space over and above the existing situation and is therefore not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and above the existing lawful use. It is also noted that the Council's Highway Engineers do not raise an objection - they state that the extension would be on private land at the side of the building (and would therefore not encroach onto the footway). Whilst there is no off-road parking provision associated with the premises in its present form and the building is located in a predominately residential area which suffers from the usual associated on street parking issues, the proposed extension would increase the footprint of the building for retail use by approximately 36m² which would potentially have a negligible increase on the current on street parking situation surrounding the site based on the Council's parking standards for this level of A1 use. Therefore, based on the above observations, the Highways Authority do not consider that they can reasonably object to what is being proposed.

The comment by an objector that the pavement is already narrowed and will be further narrowed by the extension is noted but as the extension will project no further than the front gardens of the adjacent row of terraces this is not considered to be the case.

Planning Officers agree with the assessment of the Council's Highway Engineers and therefore the proposal is considered to comply with Core Strategy Policies SO9, P5 and S1 and the Accessibility, Transport and Road Safety SPD.

Impact on Living Conditions

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

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

No new use is proposed - the proposal is for an existing building and use to be extended. However, the extension is small and subservient and therefore the increase in scale of 23% is not considered to be of such a degree that nearby uses would be unacceptably affected in comparison to the existing and long-standing situation.

In terms of the impact on No. 29 Westbourne Avenue directly adjacent, the Applicant has provided a plan demonstrating that the extension (if it was an extension to a house) would comply with the provision of the Council's House Extensions policy that new development should not impinge on a 45 degree line drawn from the centre of the closest affected window - in this instance, the front room window. For this reason, and whilst the concerns of the objector are noted, the impact on No. 29 is considered to be acceptable.

In terms of the impact on Nos. 20 and 22 directly opposite, the Applicant has provided a plan demonstrating that the extension would be 14.4 metres from the ground floor front window of these properties. Again, the Council's adopted House Extensions SPD provides some useful (though not definitive) guidance on this issue, recommending that the interface between a principal ground floor window (such as the front windows of Nos. 20 and 22) and an elevation that does not contain a principal window should be at least 9 metres. This should be extended to 21 metres in cases where the elevation would contain a principle window. In this instance it is considered that the shop would continue to have its principal windows facing east onto Lowther Street and therefore that the

windows fronting Westbourne Avenue would not be principal windows. It is also noted that the former vacant hair salon already has windows and a door fronting on to this road (currently covered by roller shutters) and that the other half of the building does appear to have once had windows facing No. 22 Westbourne Avenue - though it is accepted that it is likely that these windows were blocked up many years ago.

As this is a small extension to an existing and long standing retail use it is not possible to control the hours of opening or deliveries - these are not stated on the application form but have been sought from the Applicant.

The impact on living conditions is considered to be acceptable and therefore the proposal is considered to comply with Policy CG4 of Bolton's Core Strategy.

Impact on Retail Viability and Access to Food

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should promote the vitality of our main urban areas and town centres.

The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for (amongst other things) retailing. The Core Strategy proposes to increase the quantity of retail floor space in the borough, concentrated mostly in Bolton town centre. A transformed and vibrant Bolton town centre is essential to Bolton's prosperity. The quality and scale of retailing will ensure that Bolton town centre is vibrant, safe, active and prosperous. It will act as a retail centre to serve the whole of the borough, as well as a wider catchment area. There is existing capacity within the town centre for further retail development, and this will provide for most of the additional comparison floor space. The Retail and Leisure Study also shows that Bolton town centre needs more high quality retail units, building on developments that have recently been completed or are proposed.

Core Strategy TC1 is a spatial policy which relates specifically to Bolton Town Centre and states that the Council will continue to support the civic and retail core as the principal location in the borough for retailing with an emphasis on renewal and improvement to achieve high quality floor space and that this area will continue to be the most significant retail location in the borough over the next 15 years.

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, maximise access to supplies of fresh food, especially for those living in the most deprived areas.

As an extension of 35.7 square metres to an existing building with retail floor space of approximately 151 square metres this development is not considered to be of a scale that could affect the retail viability of Bolton town centre as it would clearly remain a local facility. As the extension is to an existing grocers shop it is considered to make a positive contribution to achieving the goals of Strategic Objective SO1 of Bolton's Core Strategy.

Impact on Trees

Section 40 of the Natural Environment and Rural Communities Act (NERC) of 2006 requires all public bodies to have regard to biodiversity conservation when carrying out their functions. Section 197 of the Town & Country Planning Act 1990 places a general duty upon Local Planning Authorities to ensure the preservation of trees, where appropriate.

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should contribute to conserving and enhancing the natural environment. It also states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss

Policy SO12 of Bolton's Core Strategy is as strategic policy and states that one objective of the Core Strategy is to protect and enhance Bolton's biodiversity. Policy CG1.2 of Bolton's Core Strategy states that the Council and its partners will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development. Policy RA1 relates specifically to Inner Bolton and states that the Council will ensure that development takes opportunities to improve upon the existing low levels of green infrastructure and soft landscaping in inner Bolton, using native plant species where appropriate.

Officers have consulted the Council's Tree & Woodland Manager who notes that there are two third-party trees (Council owned) that fall within the influence of the proposed development.

- a Whitebeam tree where the tree has a natural lean toward the existing property, but is considered to be generally of poor form and has a limited life expectancy
- a healthy Lime tree to the front of 29 Westbourne Avenue and is considered that the foundation for the extension will be too close to this tree and will infringe on the root protection zone, affecting its stability

Planning Officers have considered whether it would be possible to redesign the extension to ensure the retention of the Lime tree but have concluded that this would result in the building having a strange appearance and would leave a small and partially enclosed area that would have the potential to become a focus for anti-social behavior including littering.

As it would be likely to result in the loss of a healthy mature tree, the proposed development would not comply with policies seeking to retain or increase trees in Bolton, in particular in Inner Bolton.

Impact on Economic Development and Employment

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should proactively drive and support sustainable economic development to deliver the infrastructure, business and industrial units and thriving local places that the country needs. In the section "Building a Strong, Competitive Economy" it states that significant weight should be placed on the need to support economic growth through the planning system.

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

Policy RA1 relates specifically to Inner Bolton and states that the Council will continue to focus jobs in modern employment areas in The Valley, locate new employment-related development on undeveloped sites in the Valley and surrounding area, regenerate mills and other older industrial premises in the area with a mixture of new build and refurbishment for primarily employment uses, with supporting residential and mixed uses.

As an extension to an existing retail operation, the proposal would make a small but positive contribution to economic development and employment and would assist in ensuring the viability and competitiveness of this business.

Value Added to the Development

A previous application proposed the erection of an extension consisting almost entirely of roller shutters with a metal roof. The Applicant was encouraged to withdraw this application and consider instead an extension of traditional design and materials.

Local finance considerations

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

Conclusion

The proposed extension has been found to be acceptable in terms of impact on the road network, living conditions, the building itself and on the street scene. It would make a small but positive contribution to economic development, employment and to accessibility to food supplies. Given these benefits and the lack of harm to other planning considerations it is considered, on balance and notwithstanding the presumption of the retention of trees of Policy RA1, that the advantages of the proposal outweigh the disadvantages.

Representation and Consultation Annex

Representations

Letters:- representations of objection have been received from the adjacent residential property and a property directly facing the site. The grounds of objection are:-

- this is a substantial construction and will take considerable light from our living room
- there is very limited parking as none of the properties have a drive and there will be an increase of traffic on a road which is already in a bad state of repair
- damage has already been caused to residents' cars by vehicles delivering to AK Grocers
- the adjacent pizza place also placed demands on the nearby street due to customers and pizza delivery
- an increase in traffic and parking will be hazardous to pedestrians and there have already been accidents in the area
- the pavement is already narrowed and will be further narrowed by the extension
- concerns about the proposed hours of opening and the impact of this on living conditions
- our view will be overlooking a shop bringing customers all day and not just a building as it is now, therefore it will be a commercial property in our residential street
- there is a tree on or close to the proposed site

Consultations

Advice was sought from the following consultees: Highways, Trees and the Coal Authority.

Planning History

An application for the erection of an extension in the same location constructed from metal shutters with a metal roof was refused in September 2016 on the basis that it would not be consistent with the street scene (97175/16)

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 roller shutters shall be of an open grille design with a housing box flush fitted to avoid projecting from the southern elevation, details of which, including their colour shall be submitted to and approved by the Local Planning Authority before the shutters are first installed. The shutters shall be installed and coloured in accordance with the approved details prior to the premise being first brought into use and or coloured within 14 days of installation.

Reason

In the interests of reducing crime and the fear of crime and to ensure the development safeguards the visual appearance of the building, and to comply with policies S1.1 and CG3 of Bolton's Core Strategy.

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

approved plans:

RAD/1467/16/1 rev B

Reason

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

4. Within 12 months of any trees being felled, suitable replacements of a size, species and location to be agreed in writing with the Local Planning Authority shall be replanted. Any such trees which die or are removed within 2 years of planting shall be replaced in the next available planting season with others of a similar size and species.

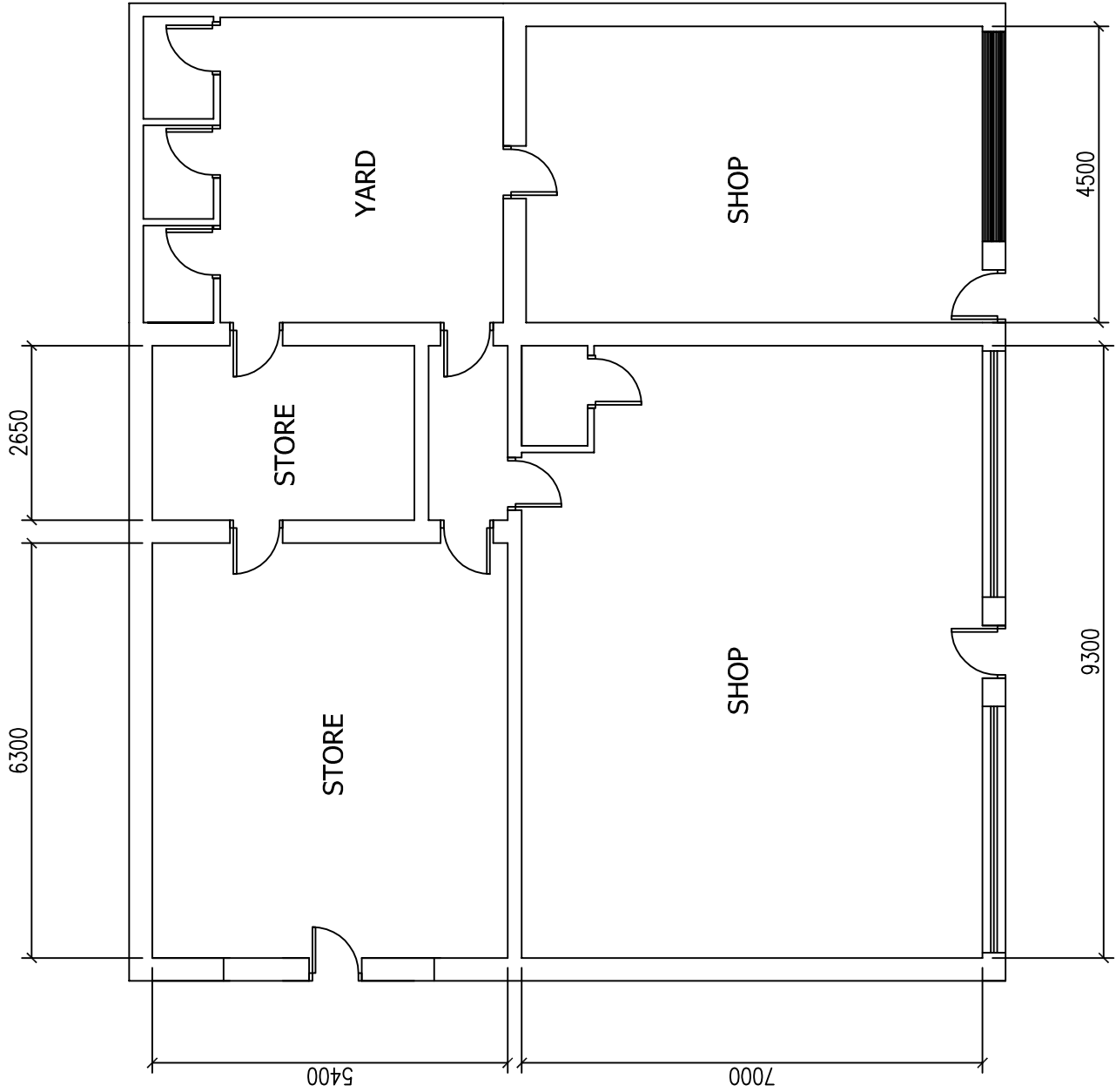
Reason

In the interests of protecting the landscape of the area. and to comply with policy CG3 of Bolton's Core Strategy.

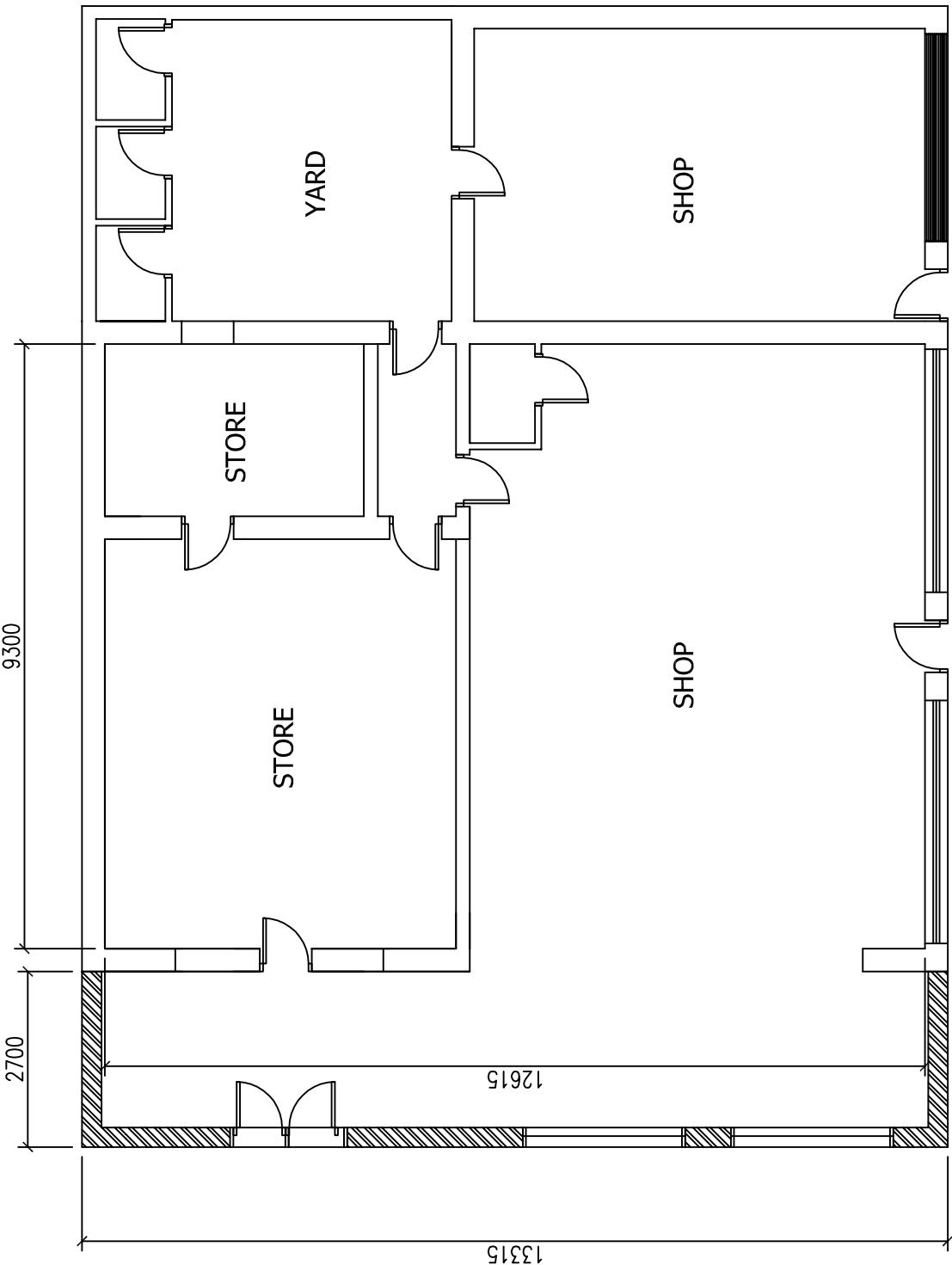
5. The external surfaces of the extension hereby permitted shall be of a similar colour, texture and size of those of the existing building - in particular the bricks must be similar to those used in the gable of the existing side elevation, and shall be retained thereafter.

Reason

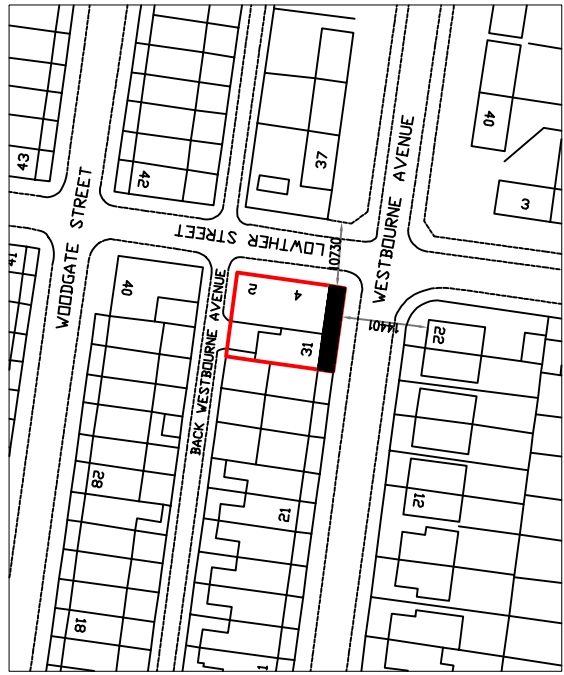
To ensure the development visually reflects the existing building and to comply with policy CG3 of Bolton's Core Strategy.



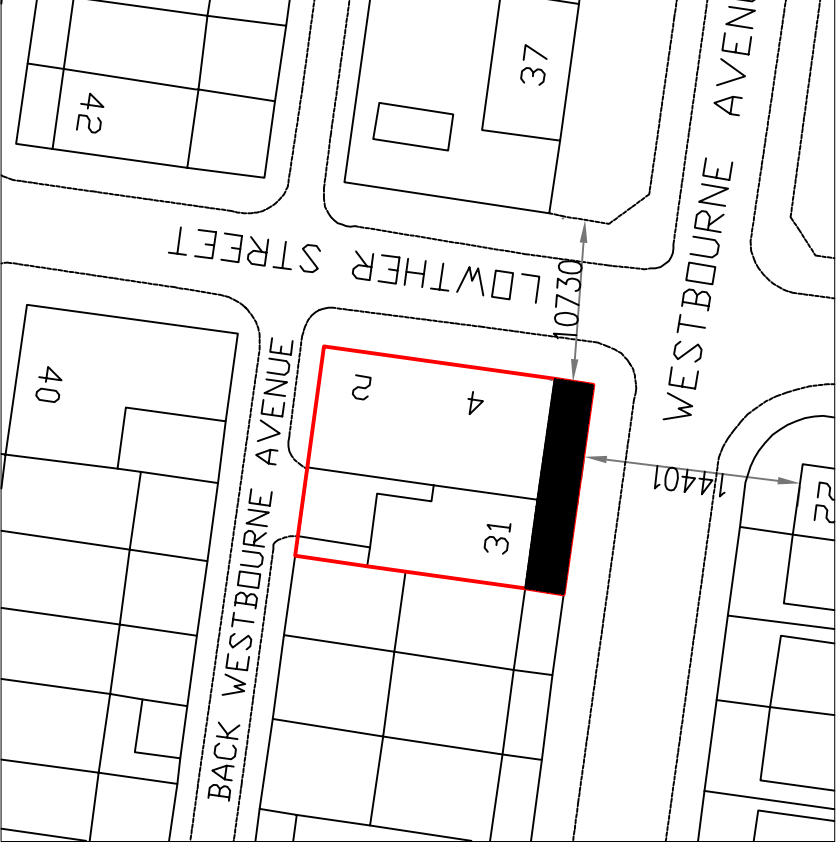
EXISTING GROUND FLOOR PLAN



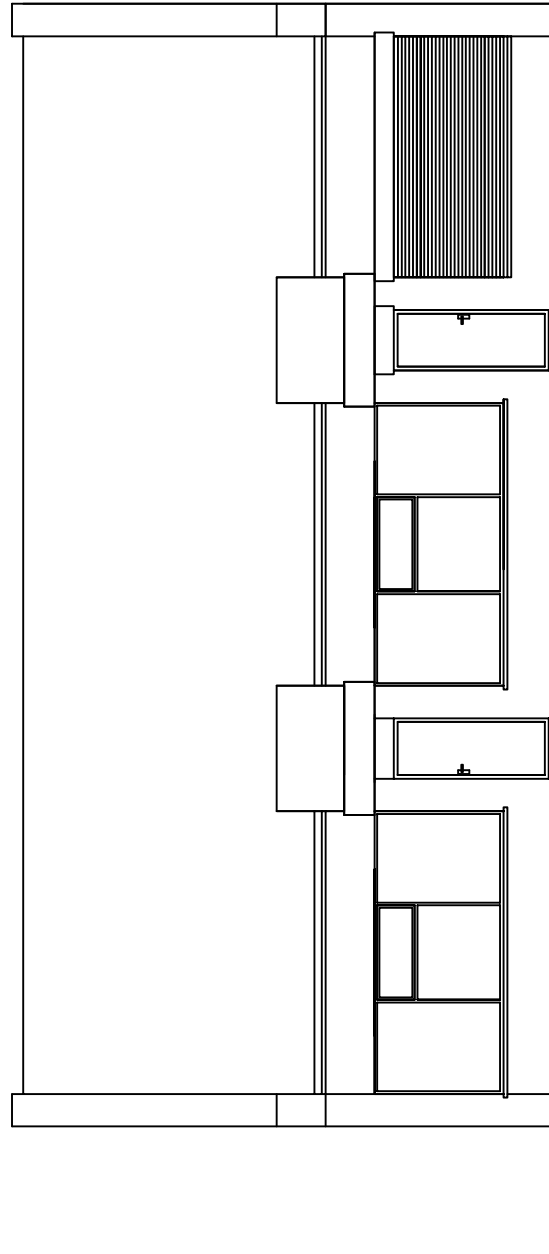
PROPOSED GROUND FLOOR PLAN



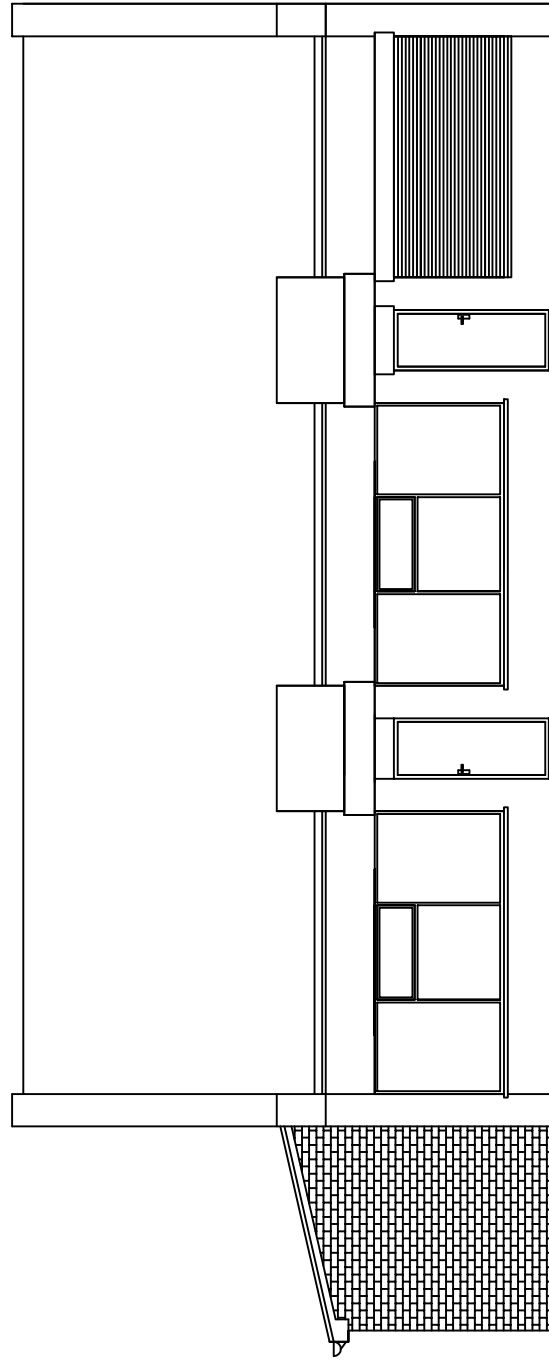
LOCATION PLAN (1:1250)
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Ordnance Survey 0100031673



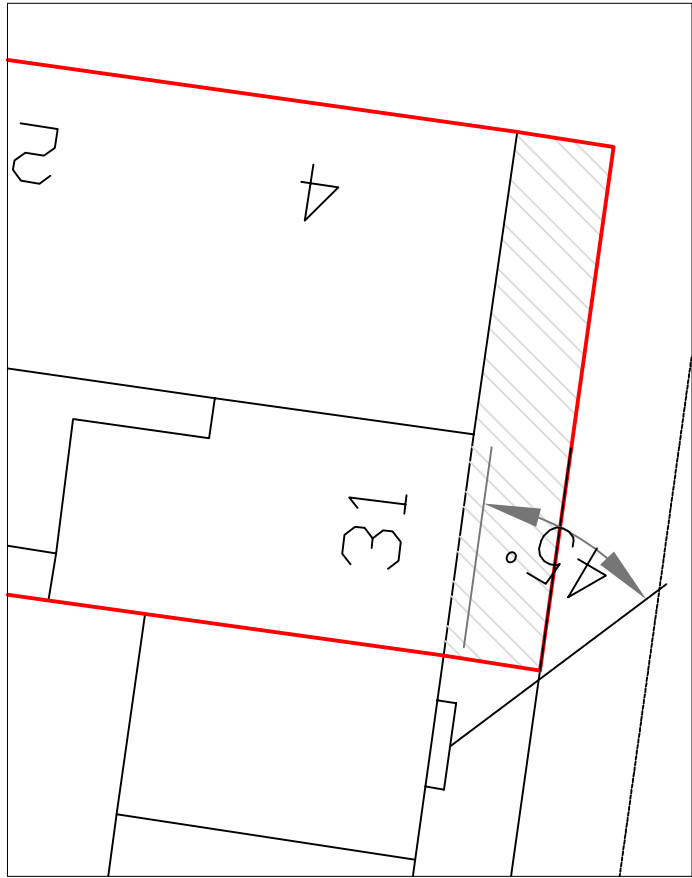
BLOCK PLAN (1:500)



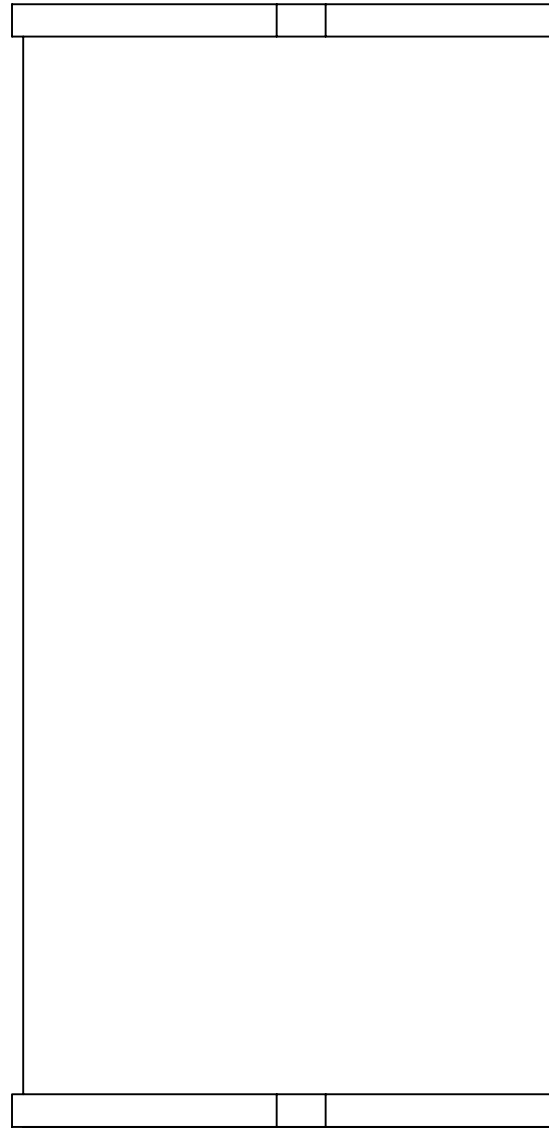
EXISTING FRONT ELEVATION



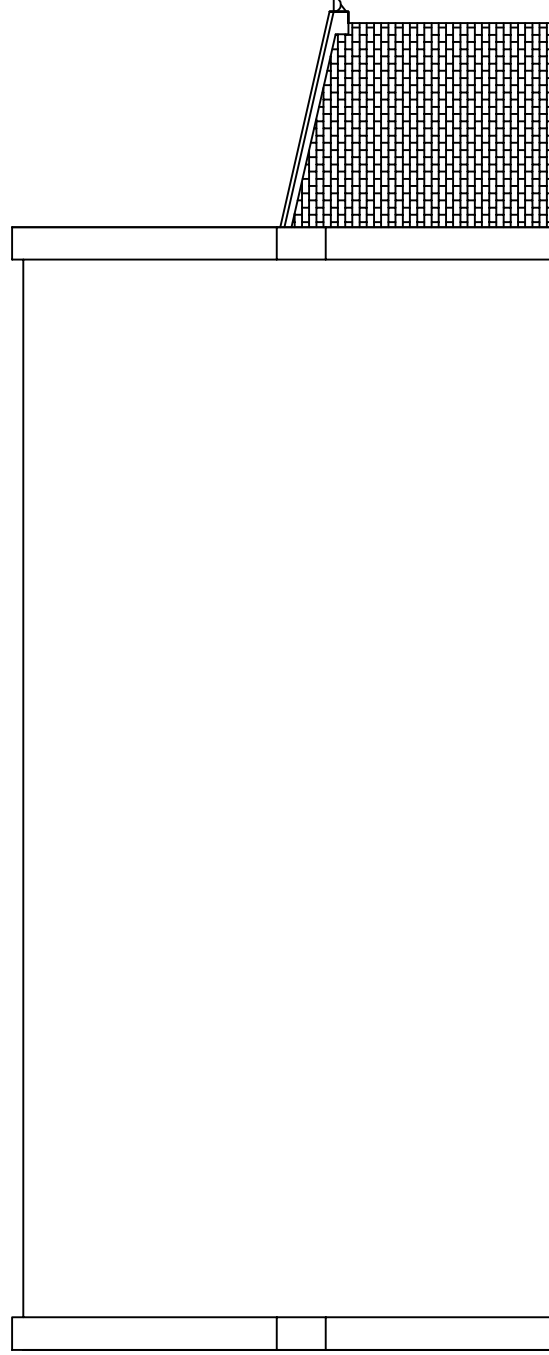
PROPOSED FRONT ELEVATION



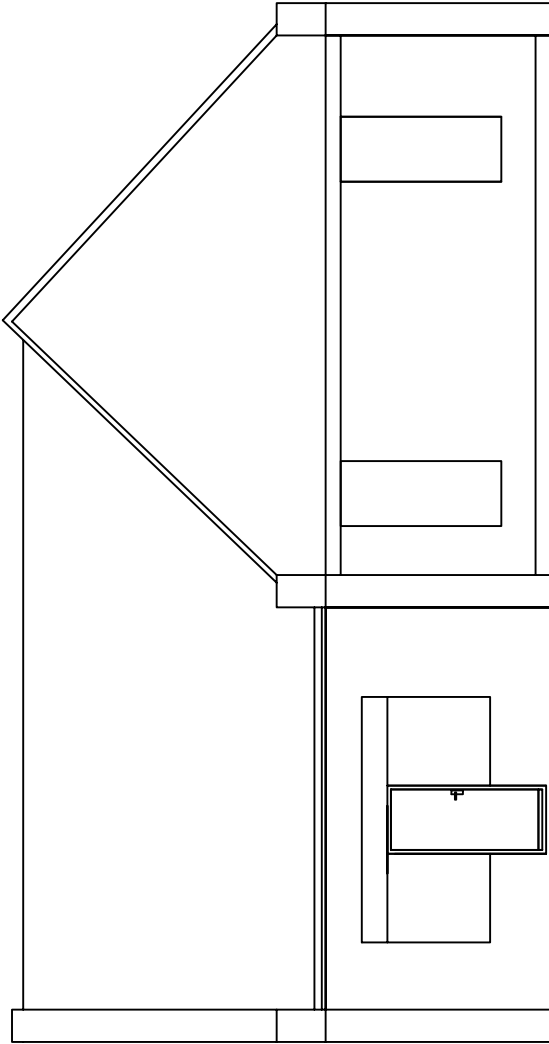
45° PROJECTION AT FRONT FROM No29 (SCALE 1:200)



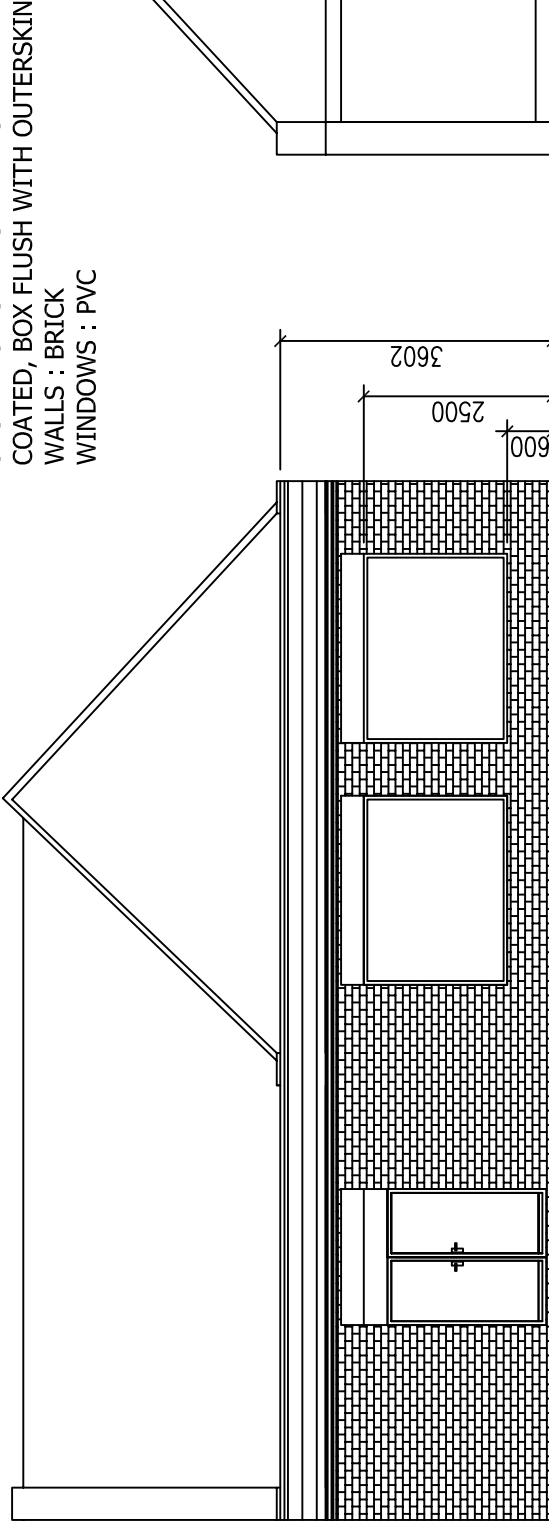
EXISTING REAR ELEVATION



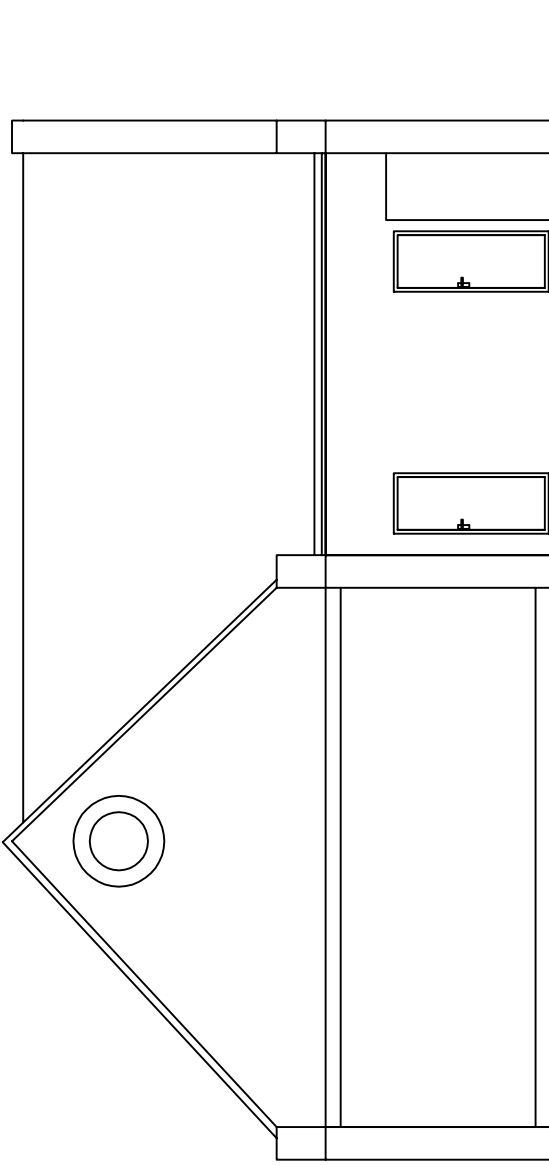
PROPOSED REAR ELEVATION



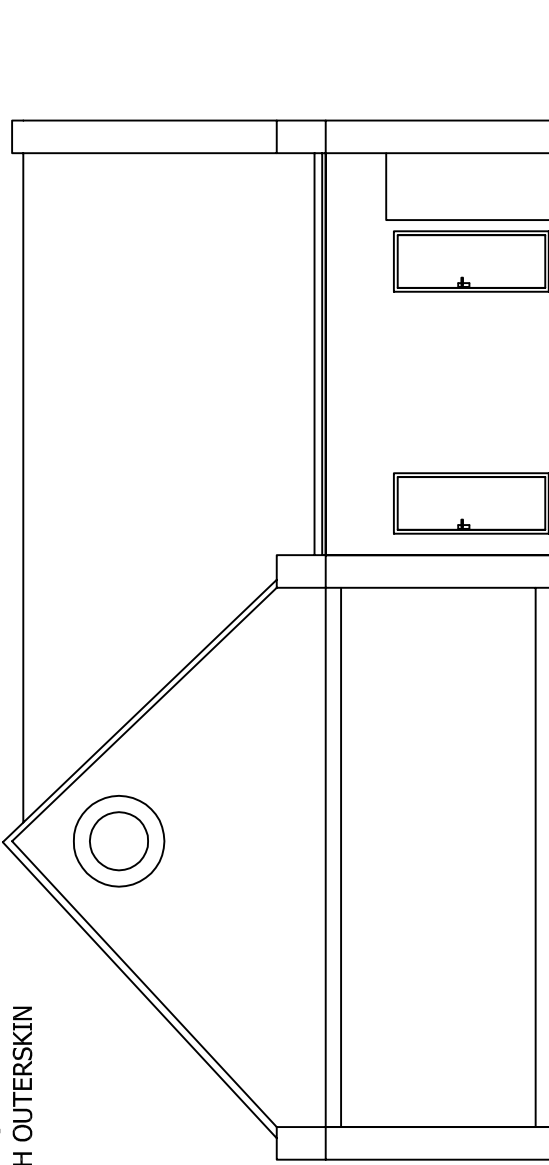
EXISTING SIDE ELEVATION



PROPOSED SIDE ELEVATION



EXISTING SIDE ELEVATION



PROPOSED SIDE ELEVATION

ROOF : FLAT GREY TILE
SHUTTERS : OPEN-GRILLE POWDER
COATED, BOX FLUSH WITH OUTERSKIN
WALLS : BRICK
WINDOWS : PVC

Owner to ensure compliance with Party Wall Act 1996 - further info available at
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Date	Rev.	Extension amended to brick 45° angle shown, location amended, doors amended	Initials
22/10/16	A.		RA
10/1/17	B.		RA

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Figured dimensions take precedence over scaled measurements from the drawing. All dimensions to be checked by Contractor and discrepancies clarified with the Client prior to commencement.
The whole of the works to comply with current Building Regulations. No work to commence without Building Regulations approval.
The client must ensure the project complies with the Construction Design and Management Regulations 2015

Notes

RAD

The White House,
42-44 Chorley New Road,
Bolton
BL1 4AP

Tel : 01204 322196
Fax : 01204 214110
Mob: 07790 361104
Email: info@radesignprojects.co.uk

Project
AK GROCERS
4 LOWTHER STREET
BOLTON
BL3 2HP

Client
MR AMJAD KARIM

Drawn
RA

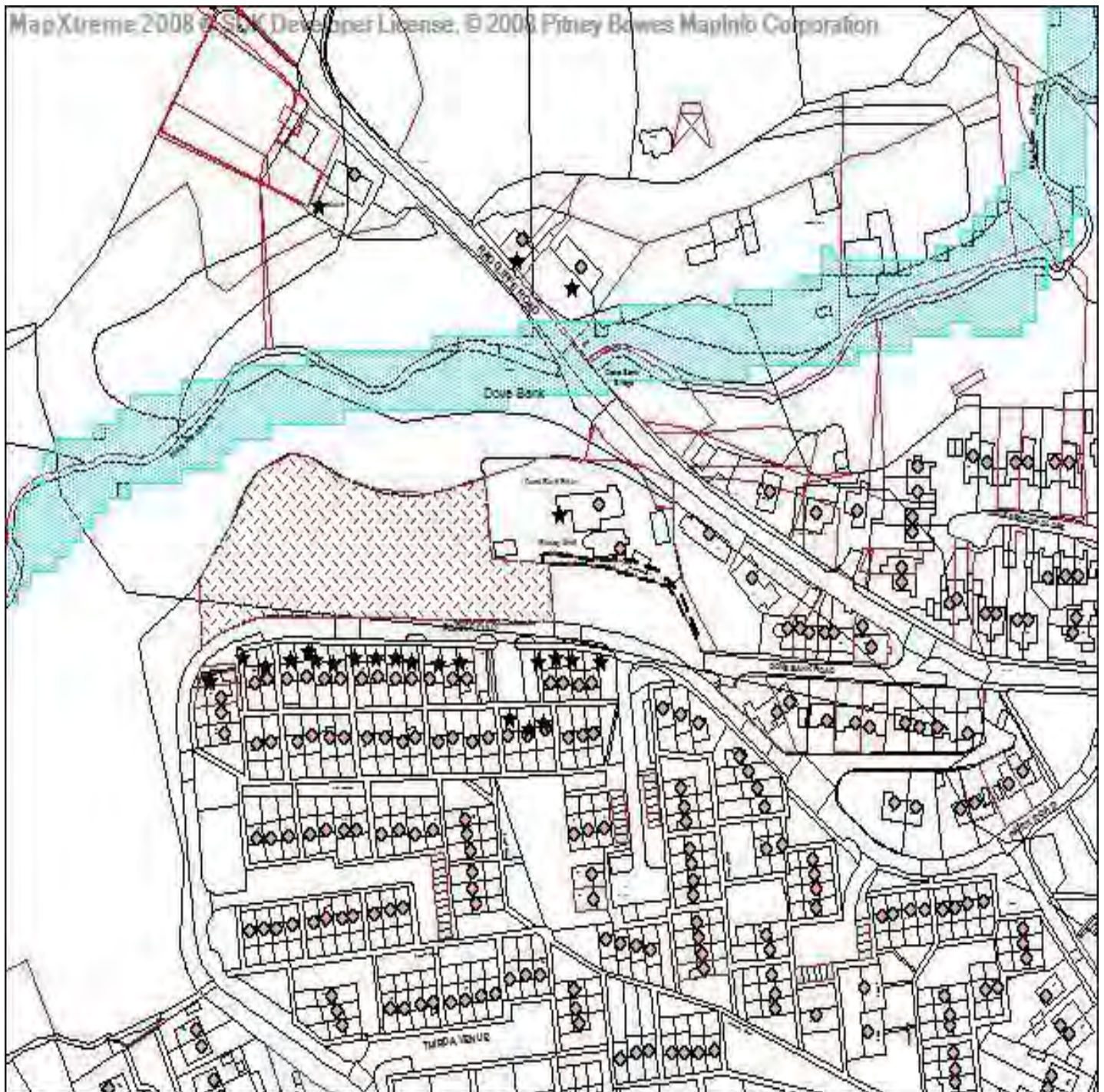
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Drawing Number
RAD/1467/16/1/RevB

Title
EXISTING & PROPOSED PLANS

**Application number
97826/16**



**Development & Regeneration Dept
Development Management Section**

**Bolton
Council**

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

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Date of Meeting: 09/02/2017

Application Reference: 97826/16

Type of Application: Full Planning Application
Registration Date: 08/11/2016
Decision Due By: 06/02/2017
Responsible Officer: Paul Bridge

Location: LAND TO THE NORTH OF PARK ROAD, LITTLE LEVER, BOLTON

Proposal: ERECTION OF 25NO. RESIDENTIAL DWELLINGS (2 BED AND 3 BED) TOGETHER WITH ASSOCIATED INFRASTRUCTURE, ACCESS AND LANDSCAPING DETAILS.

Ward: Little Lever and Darcy Lever

Applicant: Great Places Housing Group
Agent : Paddock Johnson Partnership

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the erection of 25 new affordable dwellings consisting of a mixture of accessible 2 bed and 3-bed family houses, together with associated infrastructure, access and landscaping details. The breakdown of on site land uses includes 0.55 hectares of informal greenspace with the density of dwellings being 45 residential units/hectare.

The 25 homes will be for affordable rent which will be allocated to tenants in partnership with Bolton Council through Choice Based Lettings.

The proposed plans indicate that the development would comprise of two storey dwellings arranged around two new adopted roads running perpendicular to Park Road. The proposed dwellings would be no more than 8.5 metres in height. The dwellings would be constructed out of contrasting Buff Stock Brick (Primary Brick – Cream Multi (light), Secondary/Contrast Brick – 'Dark' Blend) with a grey box frame and cladding window surrounds. The roofs would have concrete interlocking tiles coloured dark grey.

The accommodation at ground floor level would comprise of kitchen/dining rooms, utility room, W.C. living room, hall and stores. At first floor level would be 2/3 bedrooms, a hall, store and bathrooms.

Vehicular access to the site would be provided by two access points off Park Road running to the South of the site. Park Road itself travels around the surrounding houses before returning upon itself.

Two parking spaces would be provided for each plot with the exception of plots 12 and 13 which would have 1 (total of 48).

Site Characteristics

The application site is irregular in shape and is approximately 0.55 hectares in size. The site is currently informal greenspace and forms part of an allocated housing site (52SC Park Road). The site is mainly a grassed area, but is bounded to the north by a line of established trees and bushes. Beyond the northern boundary (Green Belt) the land falls steeply away and down to Blackshaw Brook. There are a number of semi-mature trees and a strip of vegetation situated to the rear of the properties on plots 1-4 and along the southern boundary.

To the east of the site are two detached residential dwellings, Dove Bank Farm and Stoney Wall House, whilst directly opposite to the south is a row of dwellings on Park Road, which itself forms part of an established housing estate.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1.2 Promote Road Safety; CG1.2 Urban Biodiversity; CG1.4 Informal Green Spaces; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA6 Little Lever and Kearsley.

SPD Accessibility, Transport and Road Safety, Affordable Housing, General Design Principles, Sustainable Design and Construction and Infrastructure and Planning Contributions.

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 planning issues to be considered in determination of this application are as follows: -

- * principle of residential development
- * impact on the loss of informal greenspace
- * impact on the highway
- * impact on the character and appearance of the area
- * impact on the amenity of future and neighbouring residents
- * impact on crime and the fear of crime
- * impact on biodiversity
- * impact on flood risk and drainage

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.

Core Strategy Policy SC1 concerns housing developments. Policy OA6.3 states that the Council will concentrate sites for new housing within the existing urban area.

The proposed dwellings will be located and form part of an allocated housing site (52SC Park Road with Bolton's Allocations Plan), which itself is an irregular shaped piece of informal greenfield land. 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.

NPPF paragraph 50 requires Local Authorities to "deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand."

Paragraph 4.53 of the Core Strategy states the Housing Market Assessments have provided an evidence base to inform the required mix of housing types. This shows that there is a requirement to construct larger houses than has recently been the case, as well as to continue to provide for the increasing proportion of small households.

The applicant has indicated that the proposed development will include a mixture of semi-detached 2/3 bedroomed dwellings to reflect local housing requirements. The proposed mix of units therefore focuses on the delivery of 2 and 3 bed family housing and will contribute towards achieving a mixed community through delivery of this type of dwelling in accordance with policy SC1.

Core Strategy policy SC1.3 states that the Council should ensure that 35% of new housing is affordable, broken down into 75% for social renting and 25% for intermediate housing. All developments which incorporate open market housing and with a capacity of 15 or more dwellings should ensure that provision of affordable housing is made. On previously developed land 15% of total provision should be affordable and in the case of Greenfield land 35%. A lower proportion and/or a different tenure split may be permitted where it can clearly be demonstrated that development would not be financially viable and affordable housing provision is being maximised. The proposal is to provide all 25 homes for affordable rent.

Core Strategy policy SC1.5 which seeks to ensure that new housing has a density of at least 30 dwellings per hectare, and achieve higher densities where possible taking into account local character. Details within the Design and Access Statement indicate that the site would achieve an overall net density of 45 dwellings per hectare. It is considered that the density of dwellings that would be achieved on site is acceptable in relation to the policy framework and the location of the development within the borough.

Impact of the Loss of Informal Greenspace

Policy CG1.4 of the Core Strategy allows some development on informal green spaces in the urban area, provided that it allows for the improvement of remaining green spaces and helps to meet the strategic objectives for housing.

The site currently forms part of an area of informal greenspace, albeit an allocated housing site. The site holds amenity value for local residents and contributes towards the overall character and enjoyment of local residents, a point raised by a number of objectors. The site is not however

specifically identified within the Council's Allocation Plan for its recreational value. The site is (at the time of writing) in Council's ownership, however access to the site is permitted all along this section of Park Road and allows users the opportunity to take advantage of informal pursuits such as dog walking and small scale ball sports. The development would result in the loss of a large area of this land. However, the applicant has agreed a sum of £20,000 that would deliver a number of improvements to public open space within the immediate surrounding area.

The proposed development would also help the meet the strategic objectives for housing, providing 25 homes for affordable rent.

Impact on the Highway

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

The presumption in favour of sustainable development, which is identified by the National Planning Policy Framework (NPPF), means that it is necessary to consider whether the proposed development represents a sustainable form of development. As part of this overall assessment, consideration of whether the proposed development is accessible to everyday facilities and employment by non-car modes of transport should be given.

The application site is located on Park Road, Little Lever, the site has good transports links and is sited within a well-established urban area. The site is located within an acceptable walking and cycling distance of Dove Bank Road and Radcliffe Road which facilitate existing public transport services. The proposal is therefore considered to be located in a sustainable and accessible location which has the potential to encourage future residents to travel by sustainable modes of transport. It is considered that the scheme is consistent with the objective of locating development where there is good access to public transport and non-car modes of transport as advocated by NPPF and as such the location of the development is considered to be in a sustainable location.

Vehicular access to the site would be provided by two access points off Park Road running to the South of the site.

The proposal would provide 25, 2/3 bedroom rooms dwellings. Appendix 3 of the Core Strategy states that dwellings with 2/3 bedrooms should have a maximum of 2 spaces per dwelling. Two parking spaces would be provided for each plot with the exception of plots 12 and 13 which would have 1 (total of 48). The parking provision is therefore considered acceptable and should not lead to additional overspill parking onto the highway.

The application is for a low-density development (25 dwellings) within a predominately residential area and within close proximity to public transport links. The proposed housing numbers falls below the threshold indicated in the NPPF for a traffic impact assessment to substantiate development. The Councils Highway Engineers have been consulted and have advised "*according to OS data, Park Road is scaling at approximately 5.0m carriageway width. Although this falls slightly below the Council's standards for a residential road, the negligible traffic volumes that would be associated with the proposed development means that the Highways Authority cannot reasonable object to what is being proposed*".

The case officer has noted the issue with current on-site parking arrangements along Park Road. However, the issue appears to be caused by inappropriate parking by existing residents causing obstruction of the highway.

The area is a 20mph zone which has been traffic-calmed. Analysis of the available injury accident record over the last 5 years for this location (30/06/11-30/06/16) indicates no accidents record to warrant concern. The negligible traffic volumes that will be associated with the development should pose limited road safety implications. In addition, the internal site roads appear to comply with the Council's standards for adoption.

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. This is effectively defining unacceptable as severe and therefore in refusing any planning application on transport grounds it will be essential to be able to demonstrate that impacts are severe. In light of the comments from the Highways Officer the development will have a negligible impact on the highway network and the proposed development would not result in a severe impact on the highway network. Consequently, Officers find no substantive evidence that the proposal would lead to a significant increase in on-street parking or have any consequential impact upon highway safety in accordance with policies P5 and S1.2 of the Core Strategy.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA6 relates specifically to developments in Little Lever and Kearsley.

The Design and Access Statement presents an analysis of the development and design concepts which have incorporated into the scheme layout. There are no objections to the layout of the development in terms of design. It is considered that the siting of the dwellings is considered acceptable and would respect the layout of the immediate surrounding urban area.

The dwellings in the immediate surrounding area are all principally two storey dwellings, with the proposed dwellings being generally arranged around two new roads running perpendicular to Park Road. There is a mixture of roof types in the area, and the development proposes gabled types to both front and side elevations. The front gabled roofs have been used largely to reduce the mass and impact of the new dwellings on the surrounding properties, so as not to appear overbearing. This also helps to break up the elevations and provide some variation within the street scene. Therefore there are no objections from the Local Planning Authority in respect of the scale and massing of the proposal which is considered to be appropriate in the context of the dwellings in the immediate area.

The dwellings fronting onto Park Road would have a contemporary appearance to the front, in the form of a feature window which adds interest and a focal point to these elevations. The dwellings would be constructed out of contrasting Buff Stock Brick. (Primary Brick – Cream Multi (light), Secondary/Contrast Brick – 'Dark' Blend) with grey box frame and cladding window surrounds. The roofs would have concrete interlocking roof tiles coloured dark grey. The proposed materials are considered acceptable.

The proposed site plan shows that the proposed dwellings would all have adequately sized amenity space which would be located to the rear of the proposed dwellings. Given that the site plan lacks landscaping detail a condition is recommended to agree these details at an appropriate stage within the development. It is considered that a high quality landscaping scheme could be secured and as such there are no objections to the development in this regard. 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. Having regard to the above, the proposal is considered to accord with the guidance set out in the National Planning Policy Framework and in accordance with policies CG3 and OA6 of the Core Strategy and guidance within the NPPF.

Impact on the Amenity of Future and Neighbouring Residents

Policy CG4 of the Core Strategy has the objective of ensuring that proposal do not adversely affect the level of residential amenity neighbouring occupants can reasonably expect to enjoy. The Council's guidance on minimum interface distances between dwellings and private amenity space standards are contained within the Design SPD.

The proposed dwellings are considered to be of an appropriate size to be functional and would provide any potential future occupiers with adequate living space. All of the habitable rooms within the dwellings are served by way of windows which would provide an adequate source of both light and outlook to the principal habitable rooms. In addition the layout and siting of the dwellings demonstrates that the proposal is compliant with the Council's policies relating to achieving an appropriate level of amenity in respect of loss and privacy overlooking or overbearing.

To the east of the site are two detached residential dwellings, (Dove Bank Farm and Stoney Wall House), whilst directly opposite to the south is a row of dwellings along Park Road, which are located on a slightly lower level. In respect of loss of light/overbearing a distance of approximately 19 metres would be maintained between the dwellings along Park Road (No's 9 to 33) and the side gable ends of plots 1, 12, 13 and 23 of the proposal. A distance of 21 metres would be maintained between 5 Park Road and plots 24 and 25 of the proposal. It is considered that these interface distances are sufficient and are in excess of the recommended interface distances in order to prevent any unacceptable loss of light or being overbearing.

Plot 25 would have principal habitable room windows in the front elevation directly facing No.7 Park Road. However an interface distance of 21 metres would be maintained which is considered acceptable to prevent any unacceptable loss of privacy/overlooking issues.

In respect of Dove Bank Farm and Stoney Wall House, plots 19, 20, 24 and 25 would have windows at both ground and first floor level. Adequate screening will be provided at ground floor level by way of the boundary fence which will have a minimum height of 1.8 metres.

In respect of the windows at first floor level, distances of approximately 6 to 8 metres would be maintained to the rear common boundary from plots 24 and 25 to the rear garden area of Stoney Wall House and 6 metres to the rear garden area of Dove Bank Farm. It is acknowledged that the first floor windows would offer views into the rear garden areas of Stoney Wall House and Dove Bank Farm. However, due to siting of plots 19, 20, 24 and 25, the views afforded would be towards the western end of the large garden areas for Stoney Bank and Dove Bank Farm. It is reasonable to assume therefore that these areas of the gardens would not be used as intensively as the areas of garden immediately to the rear/side of the houses and on balance is considered acceptable. 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.

As such, it is not considered that the proposal would result in an unacceptable impact upon the residential amenity of neighbouring occupiers in accordance with policy CG4 of the Council's Core Strategy.

Impact on Crime and the Fear of Crime

Policy S1.1 of the Core Strategy states that the Council will ensure that the design of new

development will take into account the need to reduce crime and the fear of crime.

The scheme has been designed with 'best practice' in mind and heights of walls/fences, and the guidance provided by Secured by Design regarding the avoidance of dark corners and alleyways have all been incorporated into the scheme. All of the car parking spaces are in front of the properties and the layout offers excellent natural surveillance, secure rear gardens and a logical layout. In addition the scheme will be submitted for a Secured by Design accreditation.

Given the above, it is considered that the proposal is in accordance with policy S1.1 of 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.

The site is not identified as a site of biological importance or for its ecology value. The proposed application site does not contain any important habitats.

The Council's Greenspace Team have been consulted and have advised that it would be unlikely that the development will directly affect any protected species.

The applicant has submitted an Arboricultural Method Statement (AMS) and an Arboricultural Implication Statement (AIS).

The Tree Report provides a schedule of trees surveyed (classified according to BS 5837:2012) and a Tree Constraints Plan. Within the proposed development area and including adjacent land there are a number of trees that will be affected by the development proposal. These trees are defined in the AIS (drawing no. 16/00046/BSP dated 22/06/16) and are Trees T1, T2, T3, G1, G2, G3, G4, G5 and G6.

The tree survey classifies the trees on site into the following categories: -

Category A: Trees of high quality and value: in such a condition as to be able to make a substantial contribution (a minimum of 40 years is suggested). Trees in this category are the best trees on the site and should be retained where possible.

Category B: Trees of moderate quality and value: In such a condition as to make a significant contribution (a minimum of 20 years is suggested).

Category C: Trees of low quality and value: Currently in adequate condition to remain until new planting could be established (minimum of 10 years is suggested), or young trees with a stem diameter below 150mm.

Category U: Trees in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management.

None of the trees within or adjacent to the site are covered by way of Tree Preservations Orders.

A number of trees will have to be removed in order to accommodate the proposal and a number due to their condition.

The trees to be removed due to their condition are trees G3 (Two Trees), (G2 Two Trees), G4 and G5 (Two trees).

Trees to be removed in order to accommodate the development are T2 (Maple), G2, (Two trees), G4 & G5 (Two trees).

None of the trees to be removed are Category A trees.

The Council's Tree and Woodland Officer has been consulted and has no objections to the removal of the trees, subject to adequate mitigation (replanting) of the lost trees and adequate protection measures for the remaining trees. Details of these conditions are provided at the end of the report.

The development is therefore in accordance with policy CG1.2 of the Core Strategy.

Impact on Flood Risk and 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. Policy CG2.2 c) states that on brownfield sites the rate of run-off should be 50% less than conditions before development and on greenfield sites the rate of run-off should be no worse than the original conditions before development.

The Sequential Test does not apply to residential development within flood zone 1 and as such residential development is considered appropriate on the site as the site is located within flood zone 1. No drainage details have been submitted.

United Utilities, as the statutory undertaker raised no objections to the proposals and indicate that there are no site specific issues associated with the proposed development. They indicate that the site must be drained on a separate system with only foul drainage connected into the foul sewer; and that no surface water from the development is discharged either directly or indirectly to the combined sewer network. A number of planning conditions are proposed and outlined at the end of the report which secures these requirements.

Other Matters

The site is located within an area defined by the Coal Authority as high risk. The applicants have submitted Coal Mining Risk Assessment dated 5th October 2016 prepared by GRM Development Solutions. The Site Investigation Report submitted sets out details of the intrusive site investigations carried out on site and their findings. The Coal Authority has been consulted and has no objections to the scheme.

Local finance considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The following is considered to be a local financial consideration in this case:

New Homes Bonus for the 25 proposed dwellings – this is not a material planning consideration.

Conclusion

The site is located in a sustainable location and is an allocated housing site with access to local amenities. It is considered that the proposed development would not jeopardise highway safety, would not harm the character and appearance of the area, would not harm the amenity of

neighbouring residents, would safeguard biodiversity and would not lead to an increase in flooding in the area. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- 32 letters have been received in response to the planning application publicity (some from the same household and also multiple letters from the same households) who have raised the following issues:-

- * Highway Safety,
- * Increase in traffic,
- * Lack of car parking provision,
- * Loss of greenspace,
- * Overdevelopment,
- * Design,
- * Loss of privacy/overlooking,
- * Loss of light/overbearing,
- * Land stability,
- * Land contamination,
- * Loss of Trees,
- * Flooding.
- * Loss of property value (Officer's comment: The loss of property values is not a material planning consideration).
- * Lack of school spaces/Education Provision (Officer's comment: It is not considered that the proposed development (in itself) would result in a material increase in the demand for primary school places and therefore it is not deemed necessary for a planning obligation to secure a financial contribution towards creating additional primary school places).
- * Loss of view (Officer's comment: The loss of a view is not a material planning consideration).
- * Loss of Access (Breach of law 13 of the Property Act 1925) – (Officer's comment: The applicant has signed Certificate A to state that the proposed development would be wholly contained within the application site. Therefore the existing access arrangements would not be compromised. In addition one cannot rely on entering another person/bodies land for maintenance purposes).
- * Light pollution – (Officer's comment: The site is for residential development and as such would not materially alter light levels outside the development site and/or have the potential to adversely affect the use or enjoyment of nearby dwellings).
- * Lack of consultation – (Officer's comment: The Local Planning Authority has undertaken the required statutory consultation. A site notice was also displayed near the site on the 15th November 2016 and the planning application published in the local press on the 17th November 2016. In addition the applicants undertook a public consultation event on the 6th July 2016).
- * Breach of Article 1 and 8 of the Human Rights Act – (Officer's comment: In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 1 and 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention. Right to respect the private and family life has been considered in coming to this recommendation and has been robustly assessed against planning policy, especially potential impact on neighbouring properties).
- * Disruption during the construction phase (Officer's comment: 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).

Consultations

Advice was sought from the following:- Tree Officer, Coal Authority, Highways Engineers,

Environmental Health (pollution control), Design for Security, Greenspace Management, Economic Strategy, Strategic Development Unit and Landscape Officers.

Planning History

None Relevant.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development full details of the highway works, comprising of the formation of the site access points on Park Road (5.5m carriageway 2 x 2.0m footway/5.0m radii) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

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

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

Reason

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

4. Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health, property or the environment;
 - (iii) an appraisal of remedial options and proposal for a preferred option. This should include details

of testing methodology for any soil or soil forming materials to be brought onto site.

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

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

Reason

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

5. Prior to the commencement of development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult , advertise, promote and implement Traffic Regulation Orders to implement a 20 mph speed limit on the residential Roads. (To be funded at the applicants expense).

Reason

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

6. Prior to the commencement of development hereby approved, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult , advertise, promote and implement Traffic Regulation Orders to promote no waiting at any time restrictions at the access junctions onto Park Road and turning heads within the site. This order/lining will be funded at the applicant's expense.

Reason

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

7. Prior to the commencement of development full details of the highway works comprising of the extension to the footway/service margin on the north Side of Park Road as indicated on submitted site plan Drg No 14087-109-C. The details shall include potential relocation of street-lighting provision on the site to facilitate development and the implementation of a vehicular access crossing (drop-kerb) provision to facilitate access to plots 24-25. shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the dwellings being first brought into use and retained thereafter.

Reason

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

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

Reason

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

9. No soil or soil forming materials shall be brought to the site until a testing methodology including testing schedules, sampling frequencies, allowable contaminant concentrations (as determined by

appropriate risk assessment) and source material information has been submitted to and approved in writing by the Local Planning Authority. The approved testing methodology shall be implemented in full during the importation of soil or soil forming material.

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

Reason

To ensure the site is safe for use. and to comply with policy CG4 of Bolton's Core Strategy.

10. Prior to the dwellings being first occupied or brought into use, details (including a brick or masonry specification and colour scheme) of the treatment to all boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 42 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 and in order to comply with policies CG3 and CG4 of Bolton's Core Strategy.

11. A landscape scheme shall be submitted and approved in writing by the Local Planning Authority prior to the dwellings being first brought into use/occupied. The submitted scheme shall include full details of trees and shrubs to be planted, visual features to be placed at the northern ends of the site to warn pedestrians and vehicles of the steep drop beyond the northern boundary of the site and details of any raising of land levels (specifically to the rear of Dove Bank Farm). The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

To reflect and soften the setting of the development within the landscape and to comply with policy CG3 of Bolton's Core Strategy.

12. Prior to the development hereby approved being first occupied or brought into use, all Traffic Regulation Orders required by the Local Highway Authority to mitigate the impact of the development and implement a 20mph speed limit shall be implemented in full.

Reason

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

13. Before the approved/permitted development is first brought into use no less than 48 car parking spaces with minimum dimensions of 4.8 metres by 2.4 metres shall be provided within the curtilage of the site, in accordance with [Drawing Ref:14087-109-C Site Plan and Street Elevations dated 04.10.2016.]. Such spaces shall be made available for the parking of cars at all times the dwellings are in use.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

14087-001 Site Location Plan dated 04.11.2016
14087-109-C Site Plan and Street Elevations dated 04.10.2016
14087-110 -B Plots 1-4 Plans, Elevations and Sections dated 04.10.2016
14087-111-B Plots 5-12 Plans Elevations and Sections dated 04.10.2016
14087-112-B Plots 13-18 Plans Elevations and Sections dated 04.10.2016
14087-113-B Plots 19-23 Plans Elevations and Sections dated 04.10.2016
14087-114-B Plots 24-25 Plans Elevations and Sections dated 04.10.2016

Reason

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

15. Foul and surface water shall be drained on separate systems.

Reason

To secure proper drainage and to manage the risk of flooding and pollution and to comply with policy CG1.5 of Bolton's Core Strategy.

16. 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 on plots 4, 5, 19, 20, 21, 23, 24 and 25 (as shown on drawing no. 14087-109-C Site Plan and Street Elevations dated 04.10.2016) without the express permission of the Local Planning Authority.

Reason

To safeguard the amenity of neighbours and to comply with policy CG4 of Bolton's Core Strategy.

17. The development hereby approved shall be carried out in accordance with the submitted Arboricultural Impact Assessment and Arboricultural Method Statement (AMS) contained within report prepared by We Know Services dated July 2016.

Reason

To protect trees and to comply with policy CG1.2 of Bolton's Core Strategy.

18. No dwelling shall be occupied until the access roads, footways and footpaths leading thereto have been constructed and completed in accordance with drawing ref: 14087-109-C Site Plan and Street Elevations dated 04.10.2016.

Reason

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

19. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan refs:

14087-110 -B Plots 1-4 Plans, Elevations and Sections dated 04.10.2016
14087-111-B Plots 5-12 Plans Elevations and Sections dated 04.10.2016
14087-112-B Plots 13-18 Plans Elevations and Sections dated 04.10.2016
14087-113-B Plots 19-23 Plans Elevations and Sections dated 04.10.2016
14087-114-B Plots 24-25 Plans Elevations and Sections dated 04.10.2016

Reason

For the avoidance of doubt as to what is permitted.

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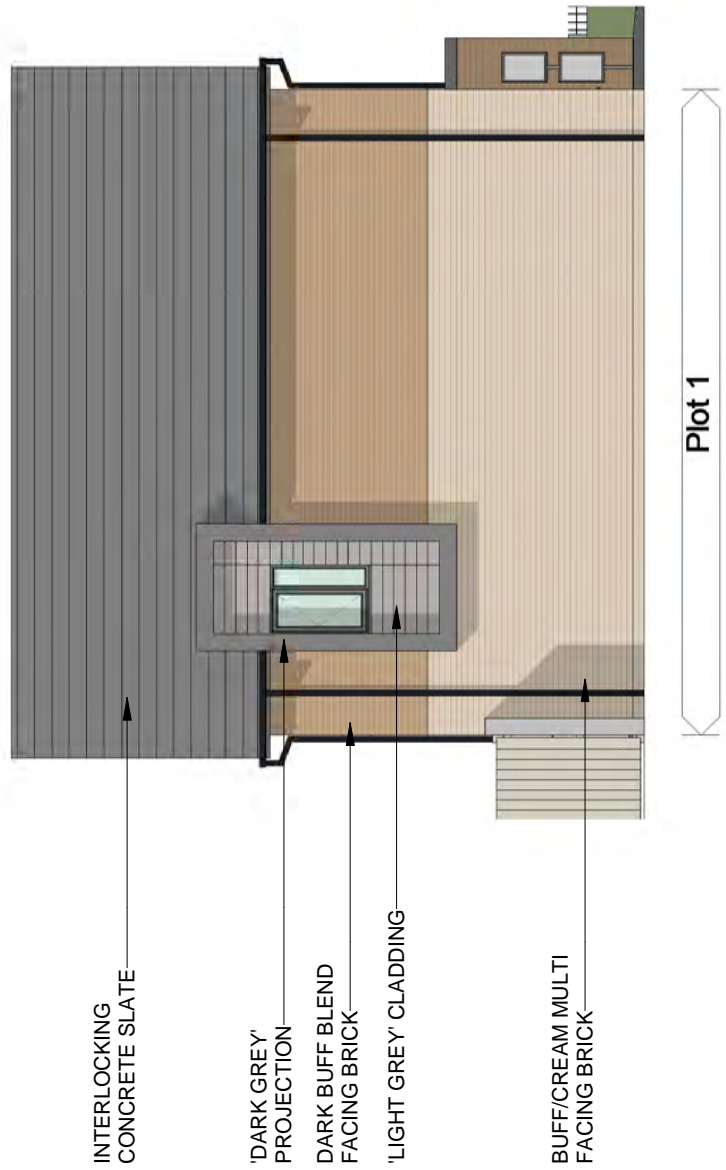
Plots 1-4 Front Elevations
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Plot 1

Plot 2

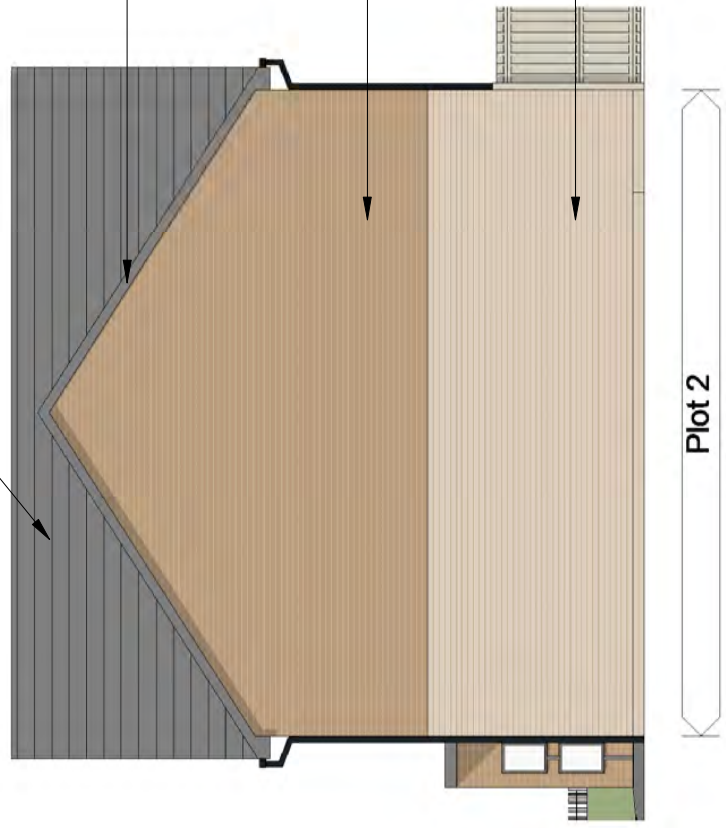
Plot 3

Plot 4



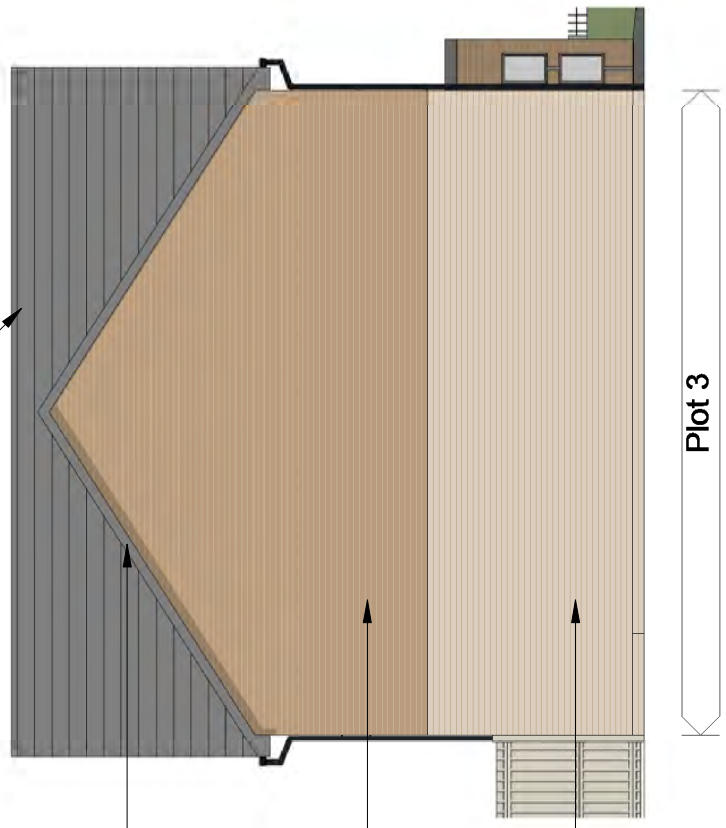
Plot 1

Plot 1 Side Elevation
1 : 100



Plot 2

Plot 2 Side Elevation
1 : 100



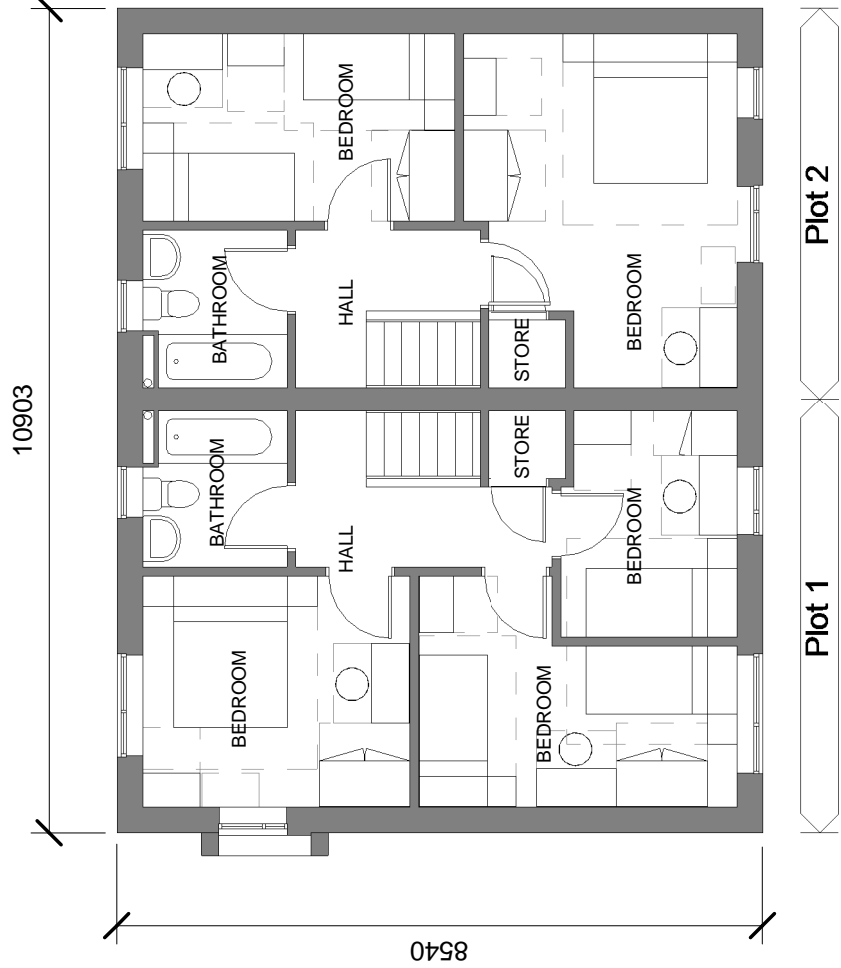
Plot 3

Plot 3 Side Elevation
1 : 100



Plot 4

Plot 4 Side Elevation
1 : 100



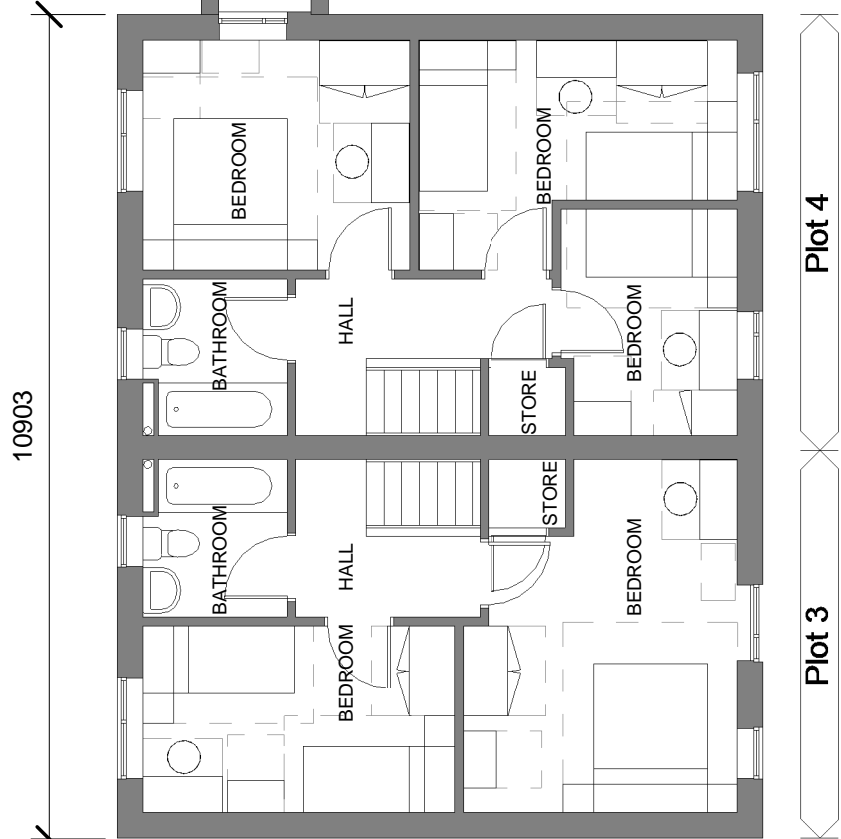
Plots 1-4 First Floor Plan
1 : 100

Plot 1

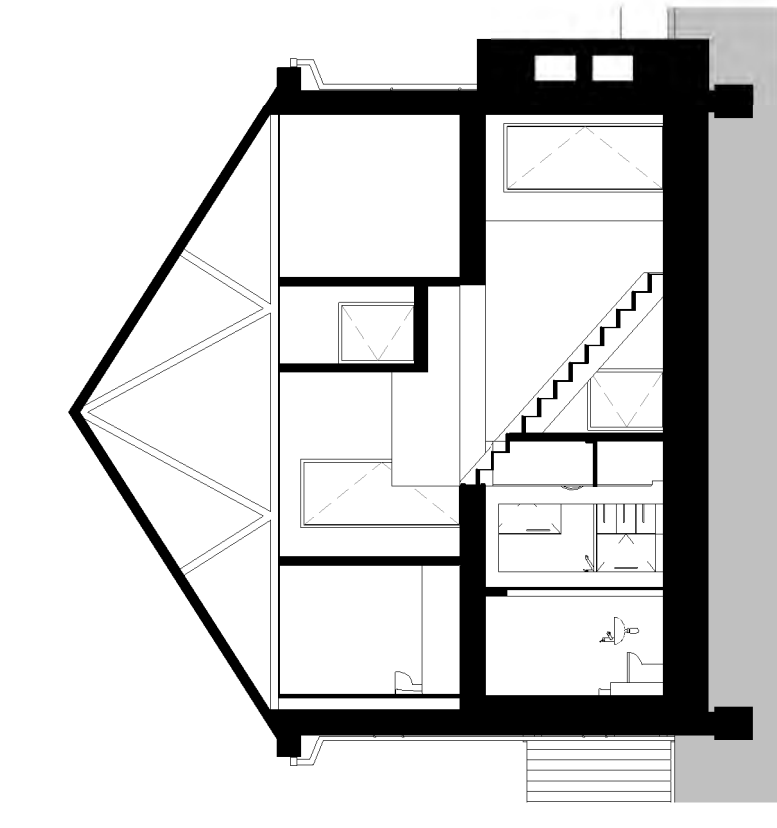
Plot 2

Plot 3

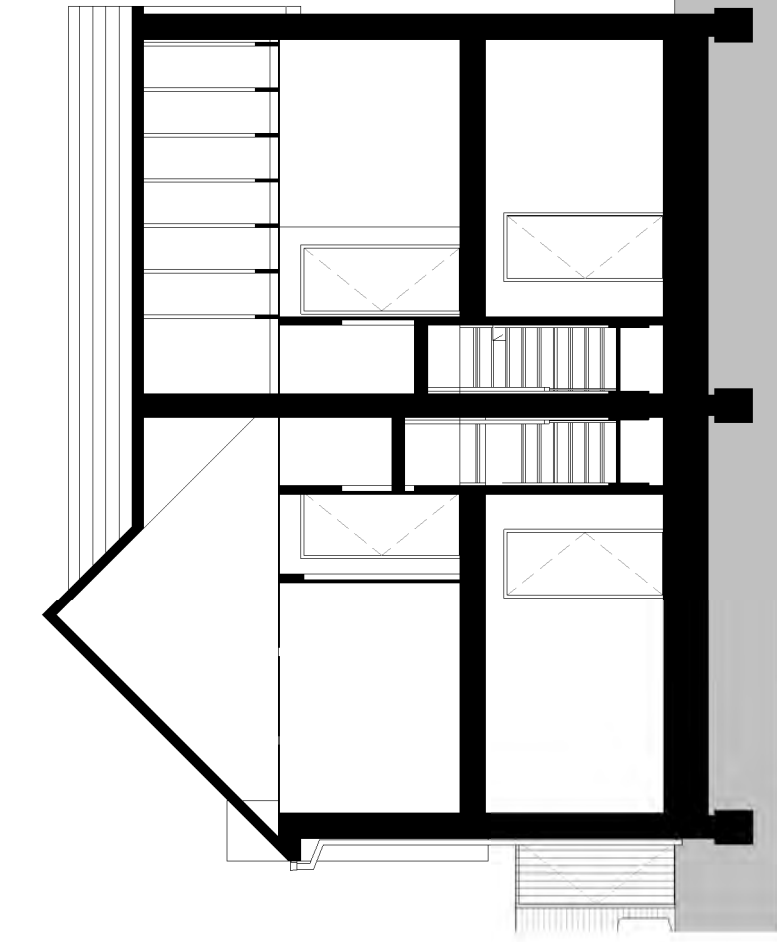
Plot 4



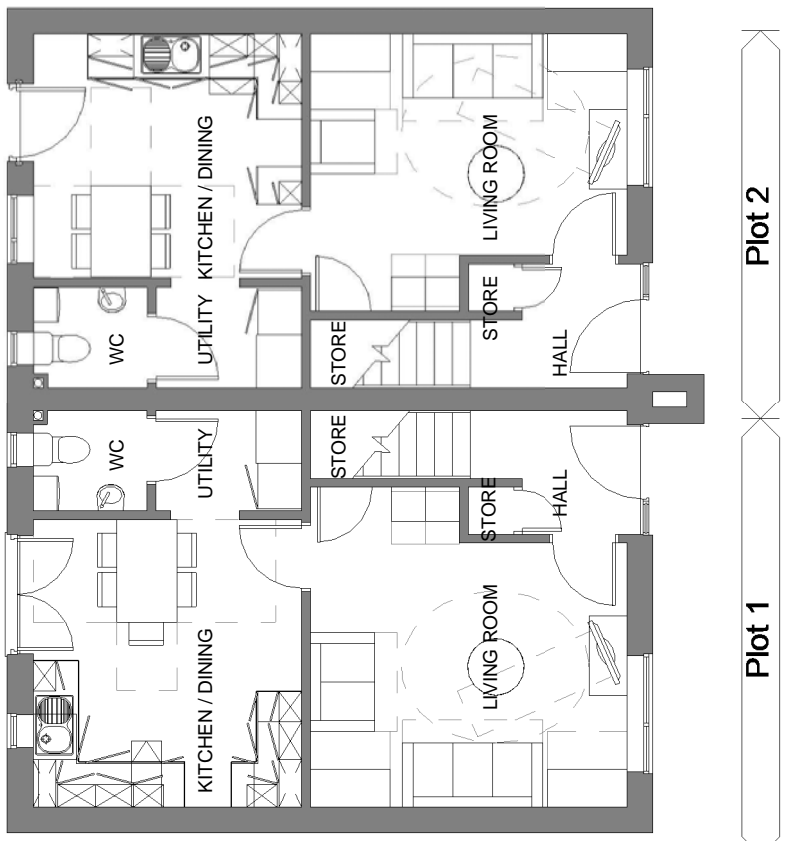
Plots 1-4 First Floor Plan
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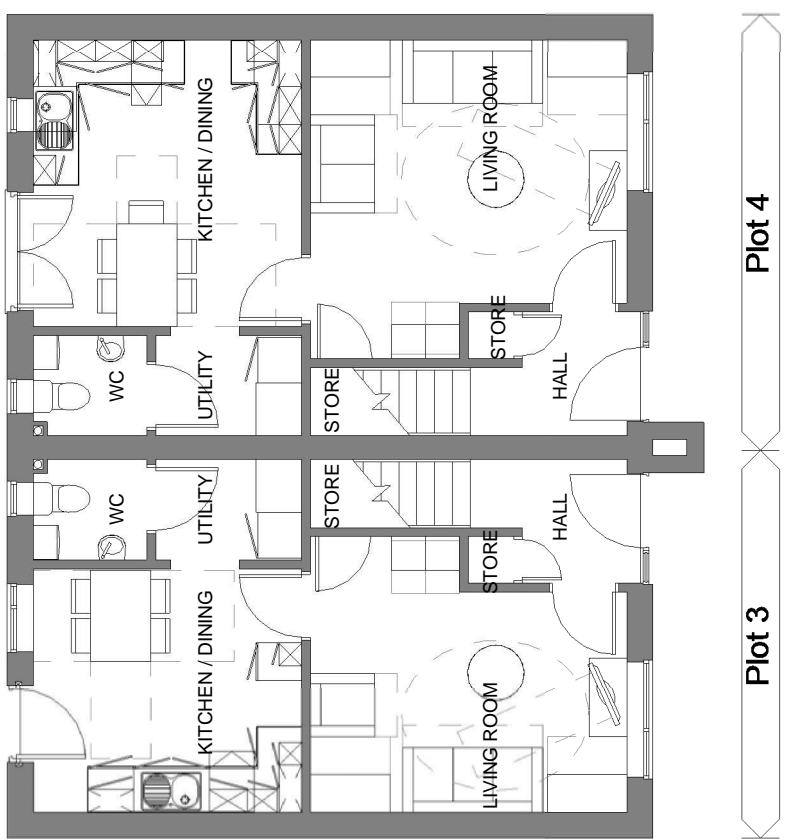
Typical Wide Section
1 : 100



Typical Long Section
1 : 100



Plots 1-4 Ground Floor Plan
1 : 100



Plot 1

Plot 2

Plot 3

Plot 4

rev	date	description	by
A	27.10.16	Revised in response to client feedback	PO
B	03.11.16	Revised in response to client feedback	PO

status:	Planning
client:	Great Places Housing Group

project:	New Housing Development Park Road, Little Lever
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drawing title:	Plots 1-4 Plans, Elevations and Sections
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drawing no:	14087-110-B
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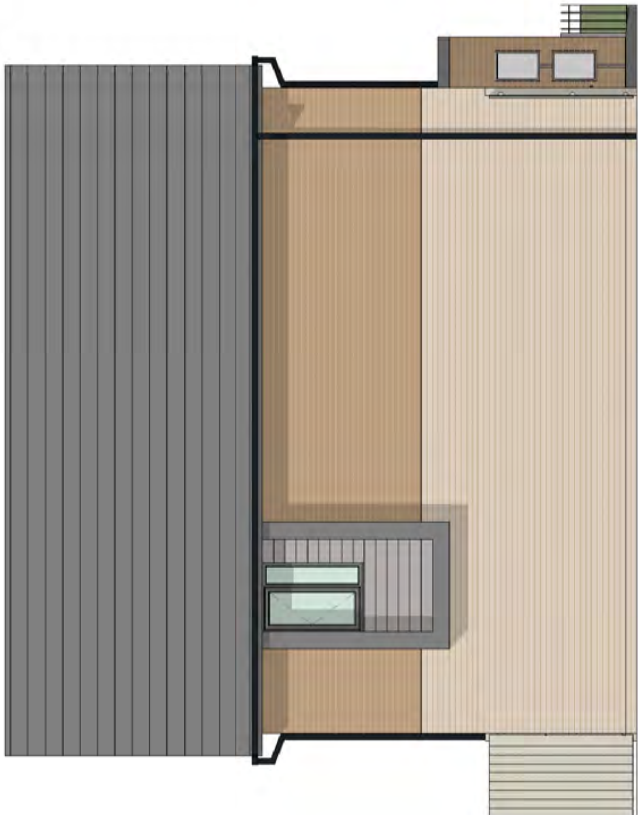
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sheet:	A1

date:	04.10.16
by:	PO
checked:	SH

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architects
Studio 2, The Lyncum, Bath Street, Port Sunlight, Wirral, CH42 4JL
Tel: 0151 644 1234 Fax: 0151 644 1235
Email: info@paddockjohnson.com
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Plot 5
Plot 5 Side Elevation
1 : 100



Plot 5
Plot 6
Plot 7
Plot 8
Plot 9
Plots 5-12 Front Elevations
1 : 100



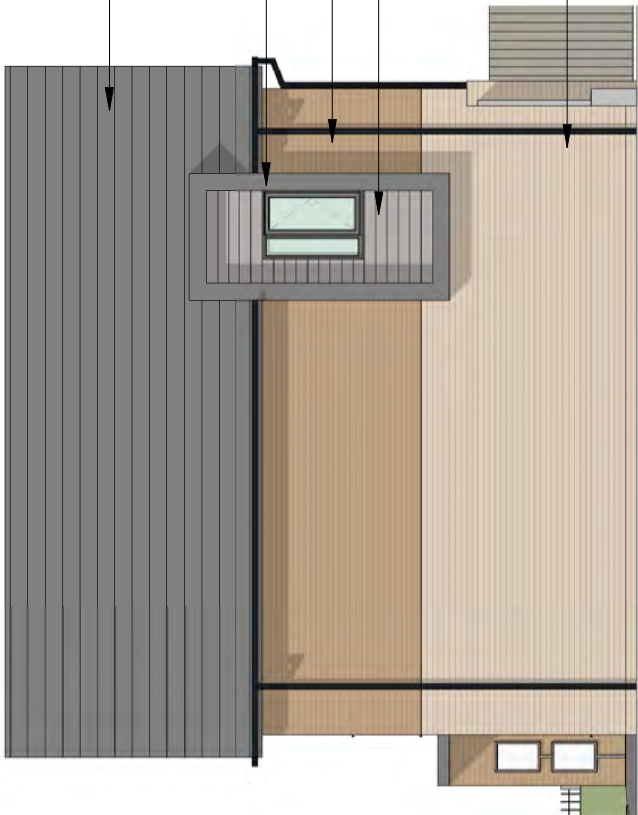
Plot 7
Plot 8
Plot 9
Plot 10



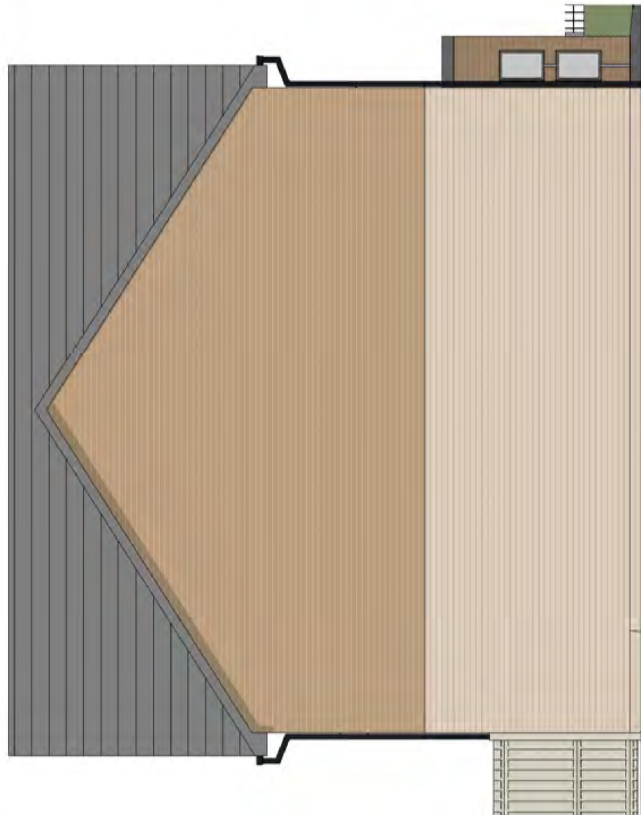
Plot 9
Plot 10



Plot 11
Plot 12



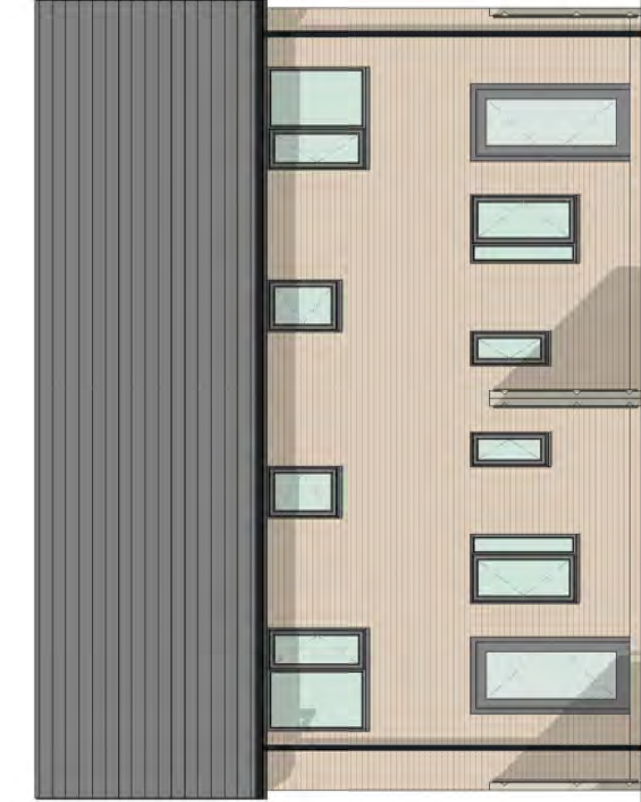
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Plot 12 Side Elevation
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Plot 11
Plot 11 Side Elevation
1 : 100



Plot 11
Plot 12
Plots 5-12 Rear Elevations
1 : 100



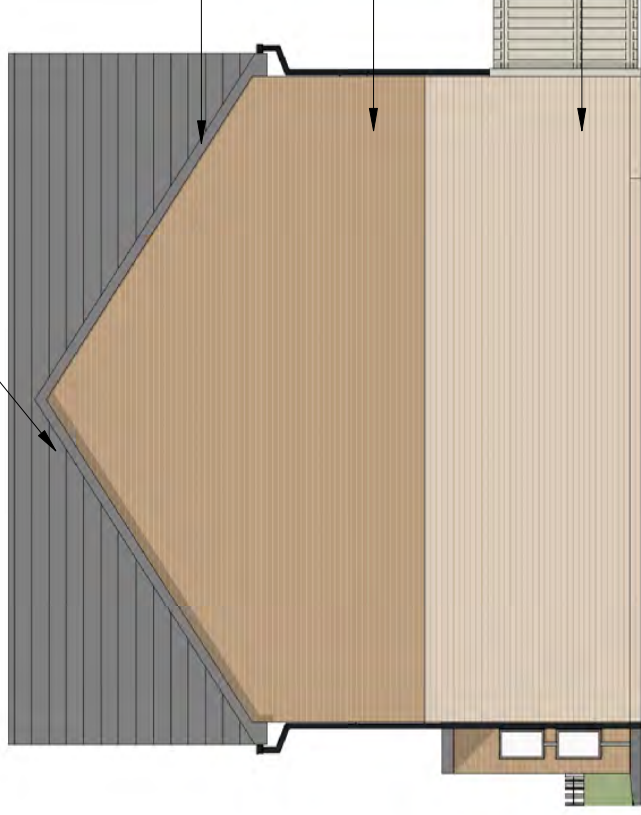
Plot 10
Plot 11



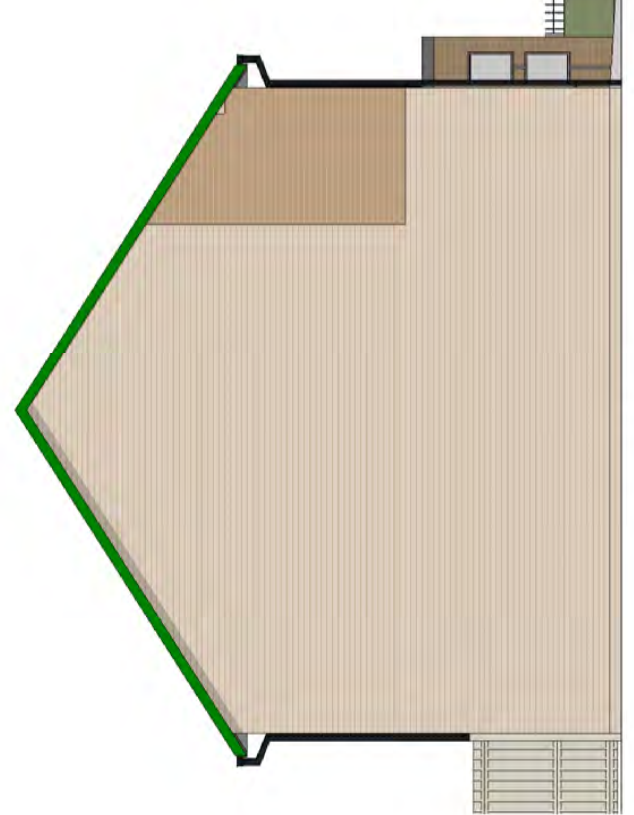
Plot 8
Plot 9



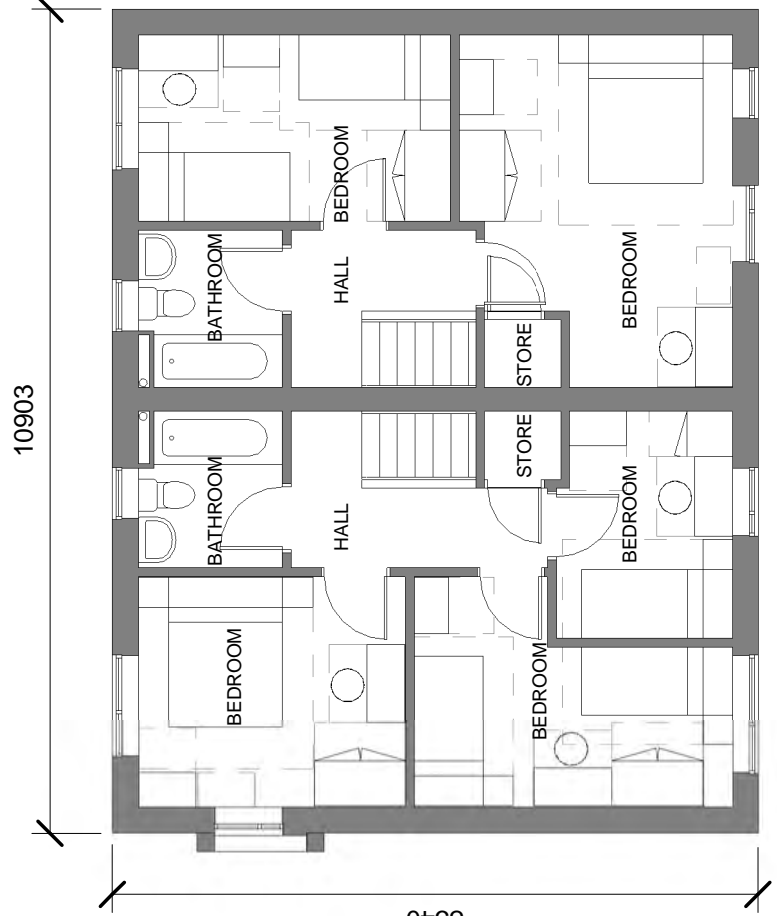
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Plot 8



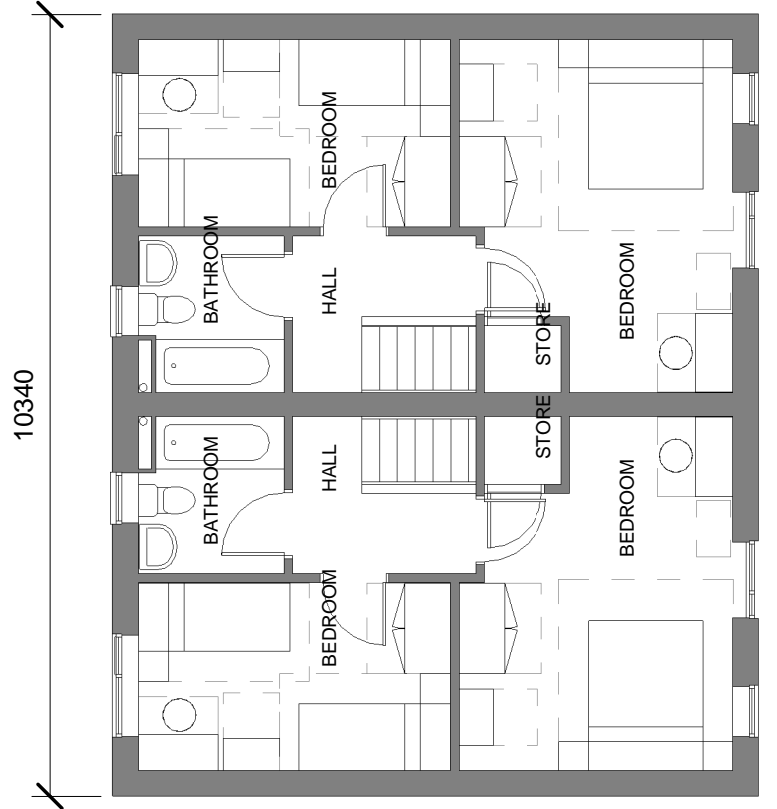
Plot 6
Plot 6 Side Elevation
1 : 100



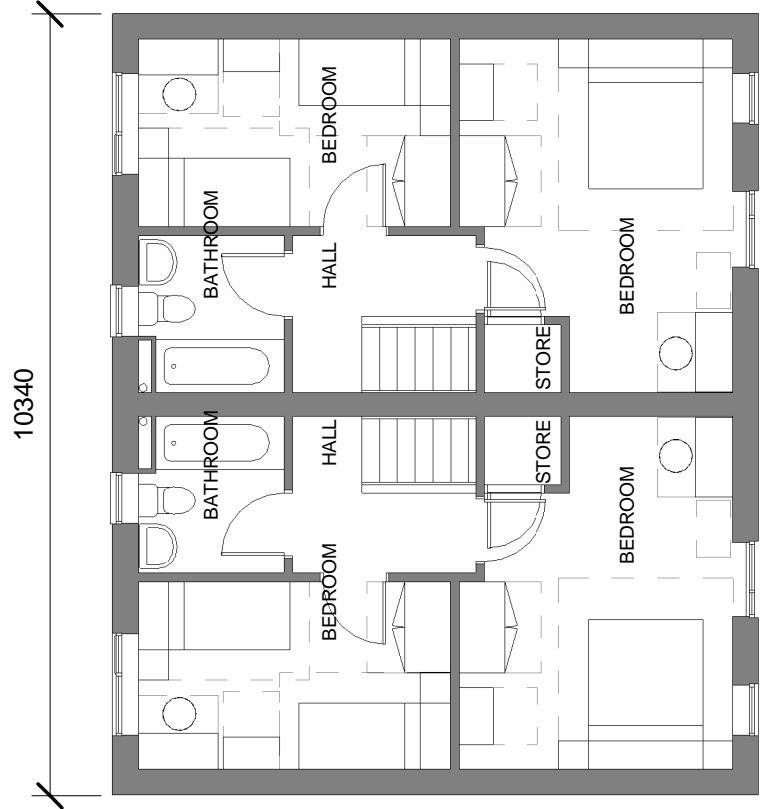
Plot 7 & 9
Plot 7 & 9 Side Elevation
1 : 100



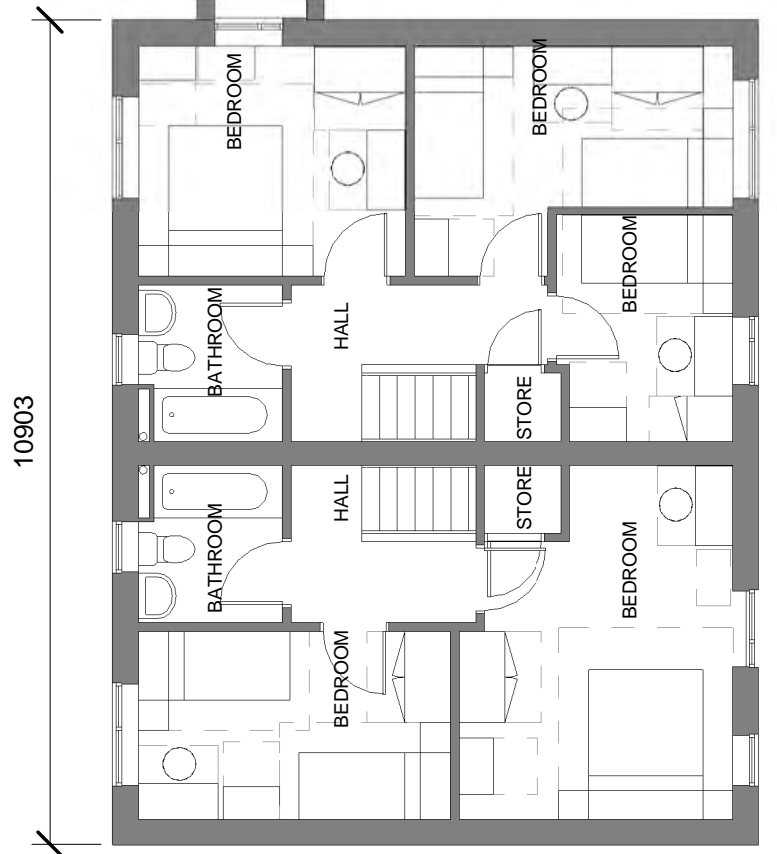
Plot 5
Plot 6
Plot 7
Plot 8
Plot 9
Plots 5-12 First Floor Plan
1 : 100



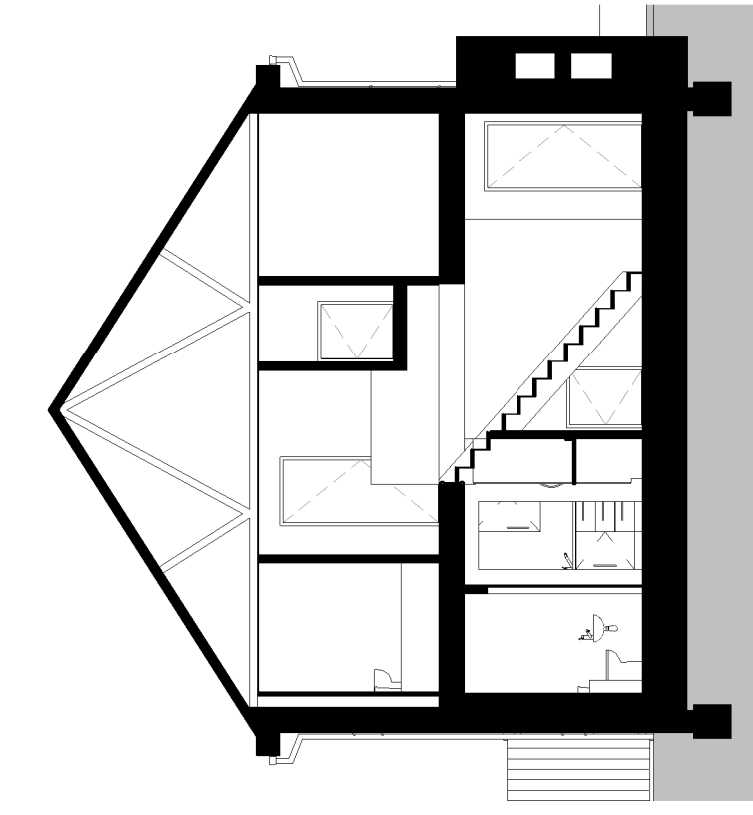
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Plot 8
Plot 9
Plot 10



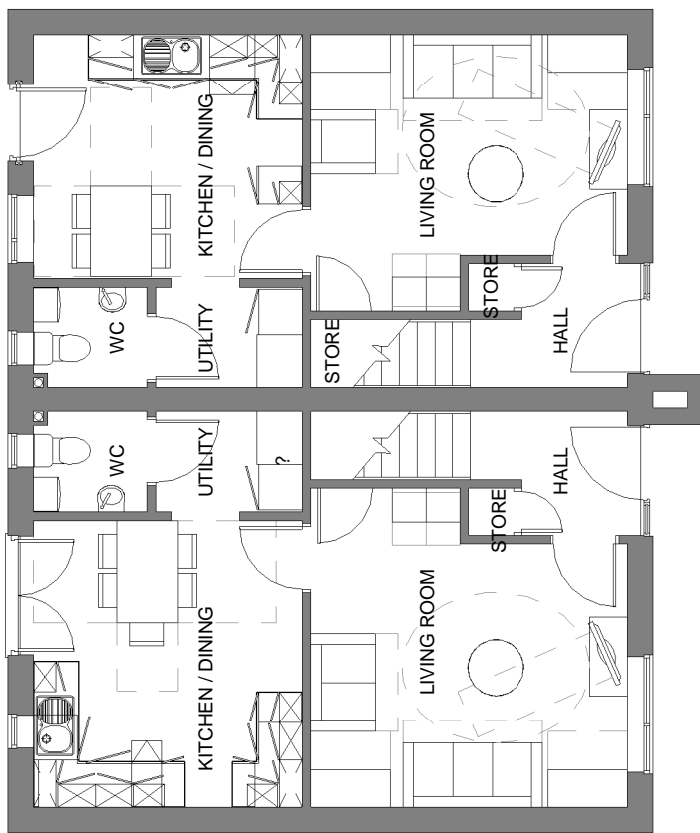
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Plot 10



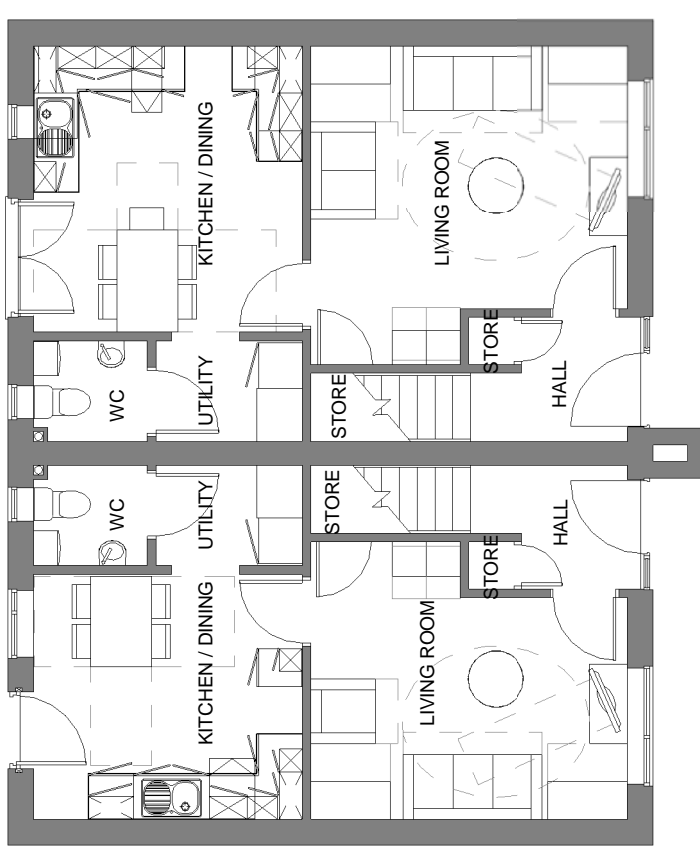
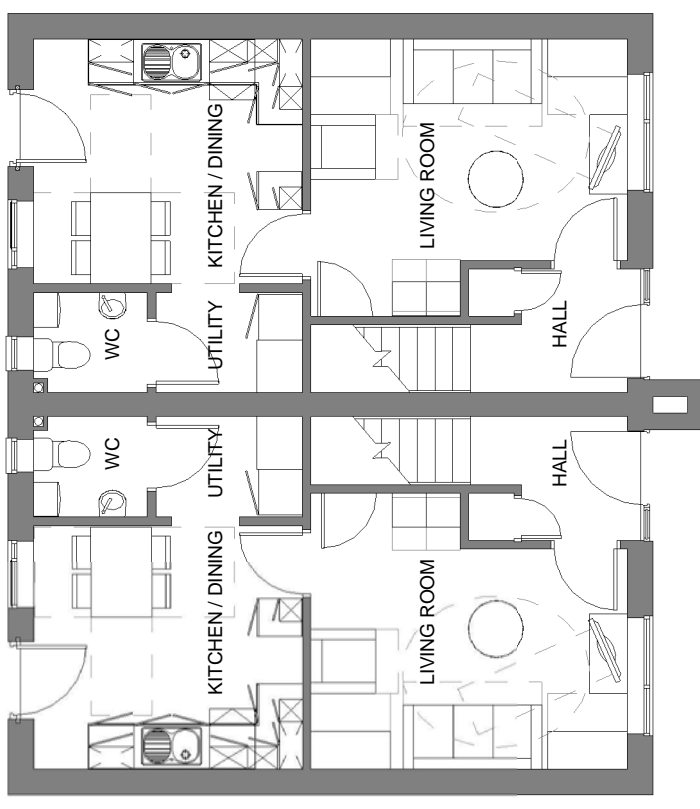
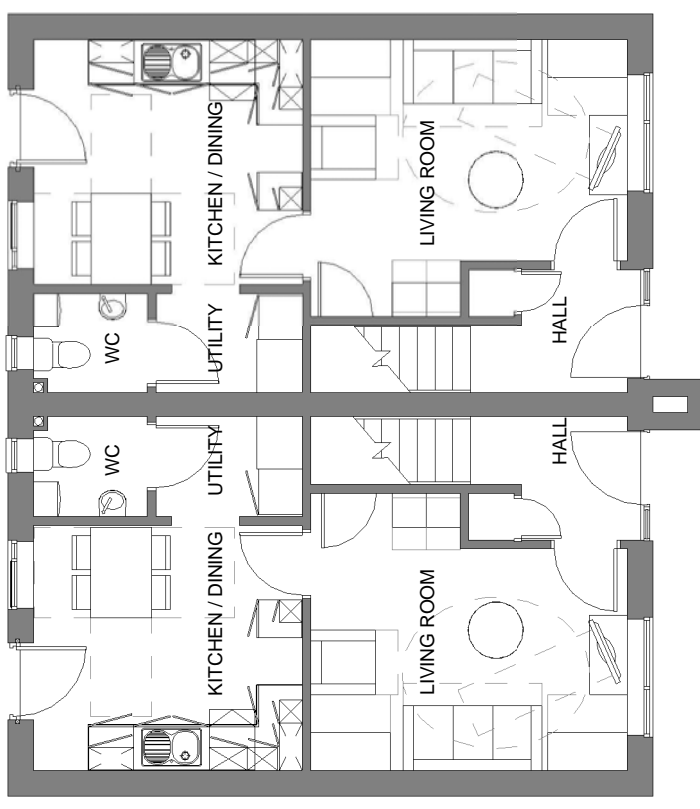
Plot 11
Plot 12



Typical Wide Section
1 : 100



Plot 5
Plot 6
Plot 7
Plot 8
Plot 9
Plots 5-12 Ground Floor Plan
1 : 100



A 27.10.16 Revised in response to client feedback PO
B 03.11.16 Revised in response to client feedback PO

rev date description by

status:

client:

project:

drawing title:

drawing no:

scale:

date:

by:

checked:

PO

SH

Planning

Great Places Housing Group

New Housing Development
Park Road,
Little Lever

Plots 5-12 Plans, Elevations and
Sections

14087-111-B

1 : 100

04.10.16

by: checked:

PO

SH

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architects

Studio 2, The Lychurn, Bath Street, Port Sunlight, Wirral, CH42 4JL
Tel: +44(0)151 644 1234 Fax: +44(0)151 644 1235
Email: info@paddockjohnson.com
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Plot 19 Side Elevation
1 : 100



Plot 19 Front Elevation
1 : 100



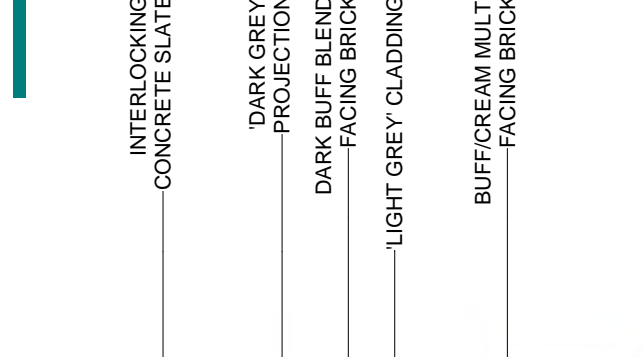
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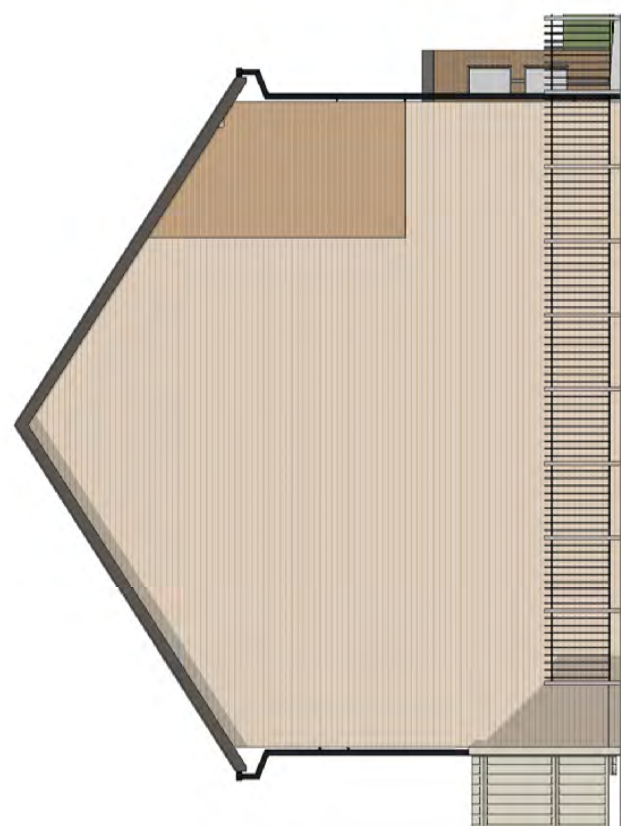
Plot 21 Front Elevation
1 : 100



Plot 22 Front Elevation
1 : 100



Plot 23 Front Elevation
1 : 100



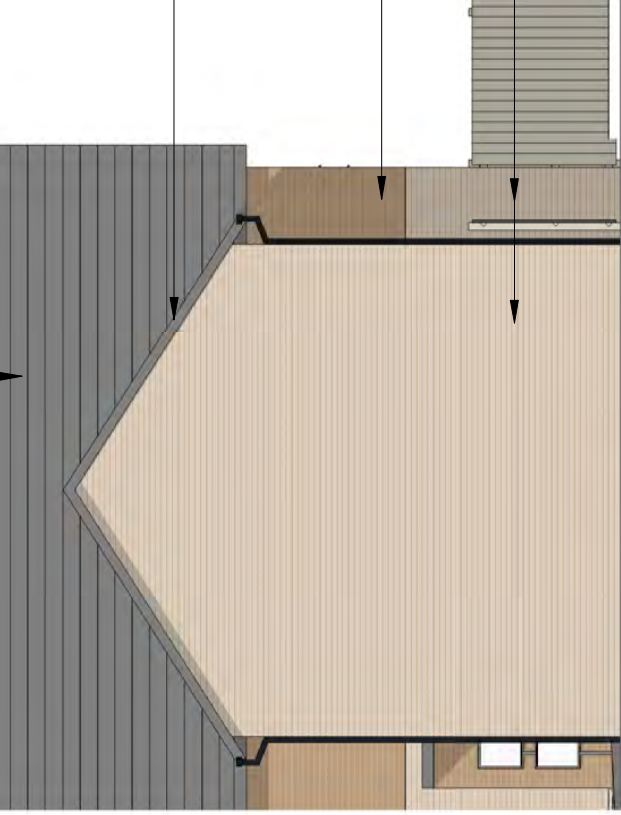
Plot 21 Side Elevation
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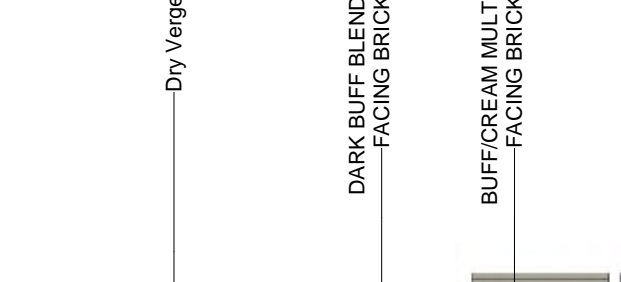
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Plot 23 Side Elevation
1 : 100



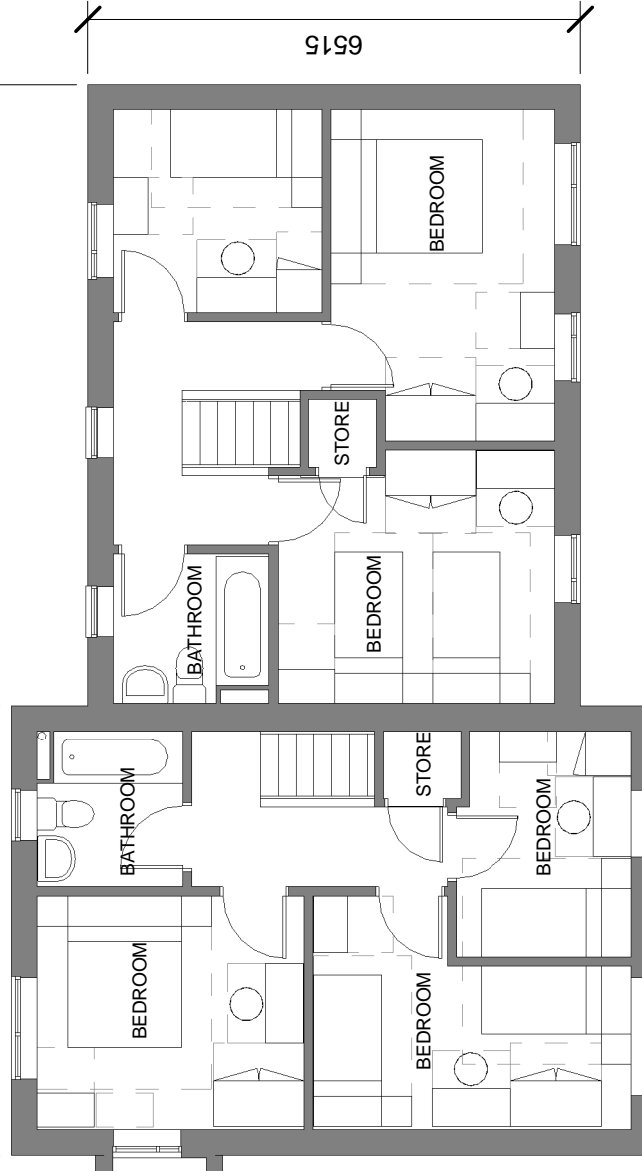
Plot 20 Side Elevation
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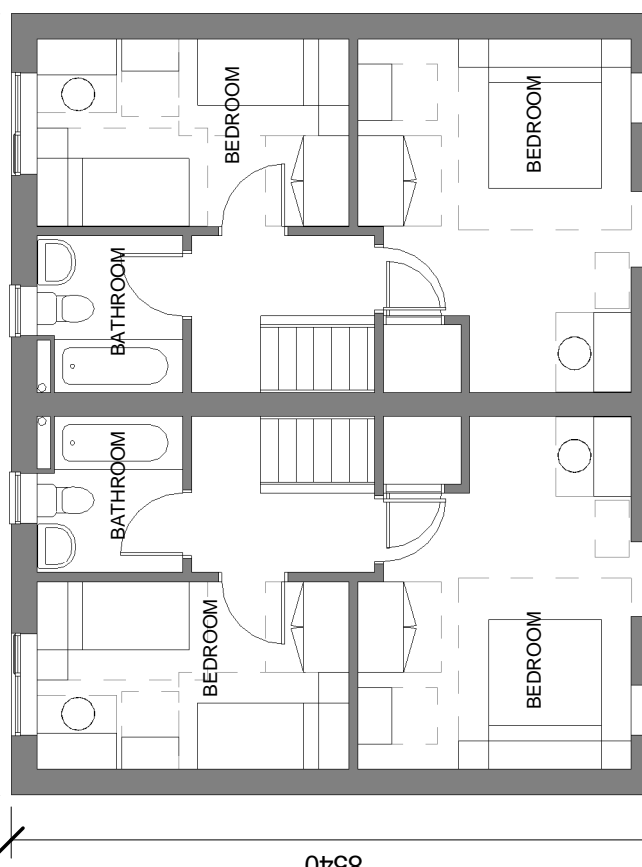
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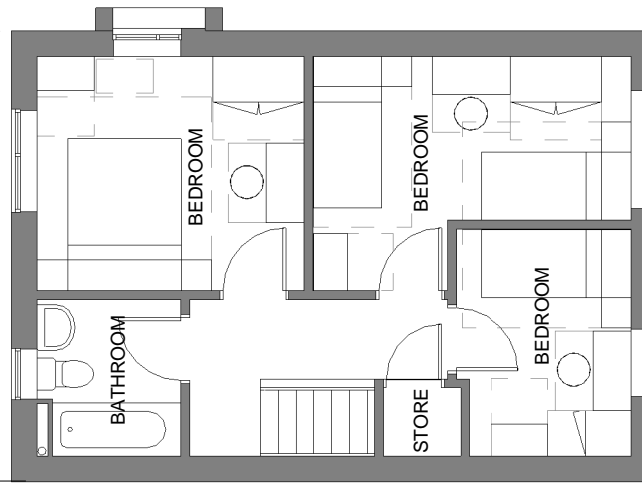
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Plot 19 First Floor Plan
1 : 100



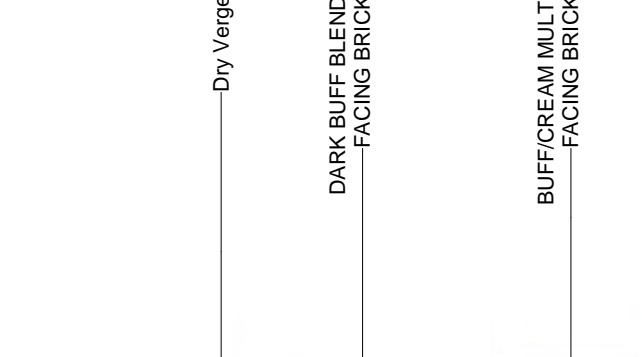
Plot 20 First Floor Plan
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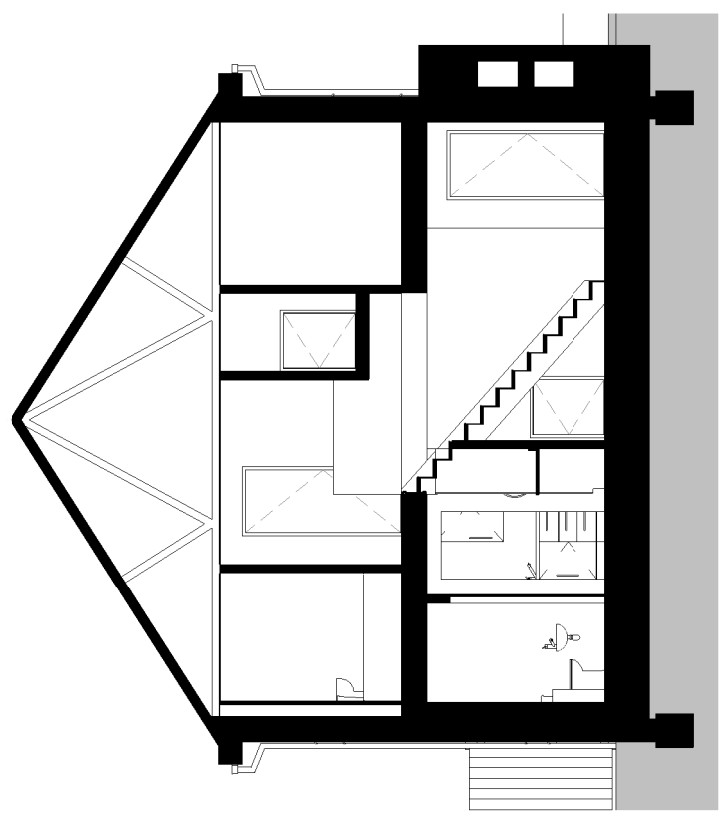
Plot 21 First Floor Plan
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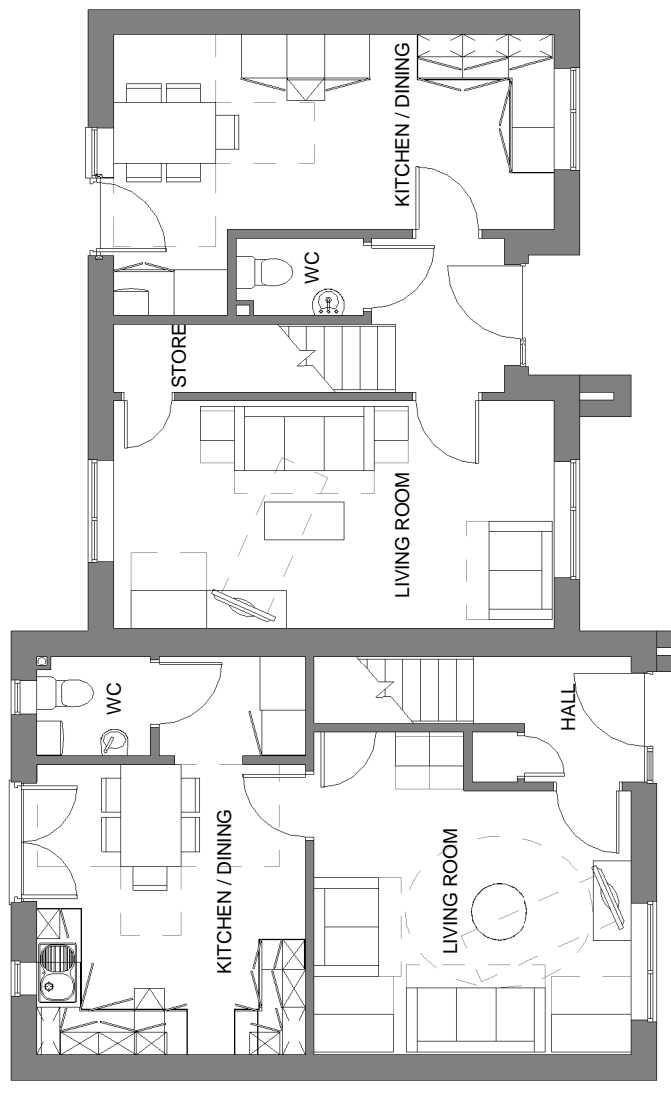
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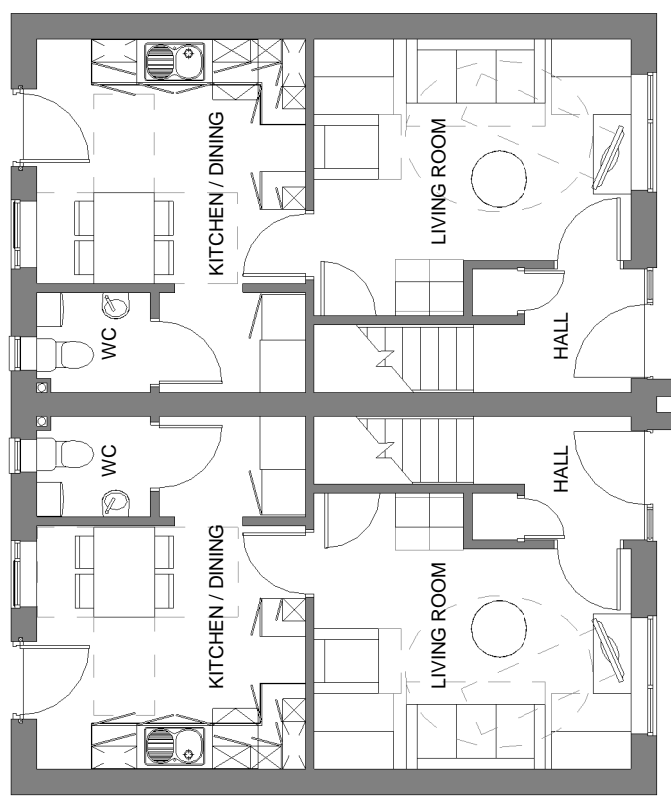
Plot 23 First Floor Plan
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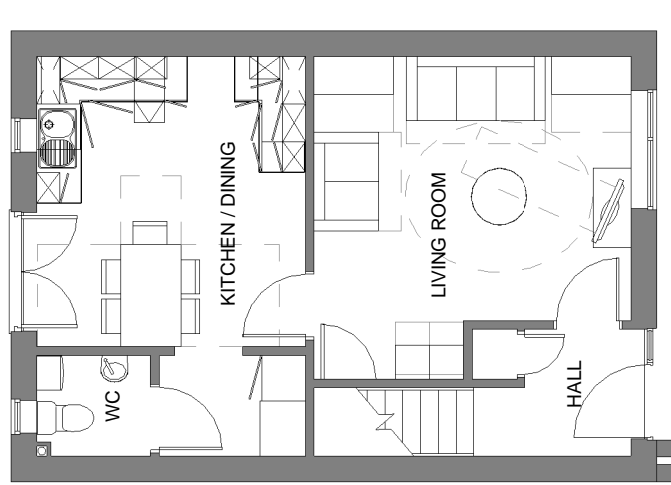
Typical Wide Section
1 : 100



Plot 19 Ground Floor Plan
1 : 100



Plot 20 Ground Floor Plan
1 : 100



Plot 21 Ground Floor Plan
1 : 100

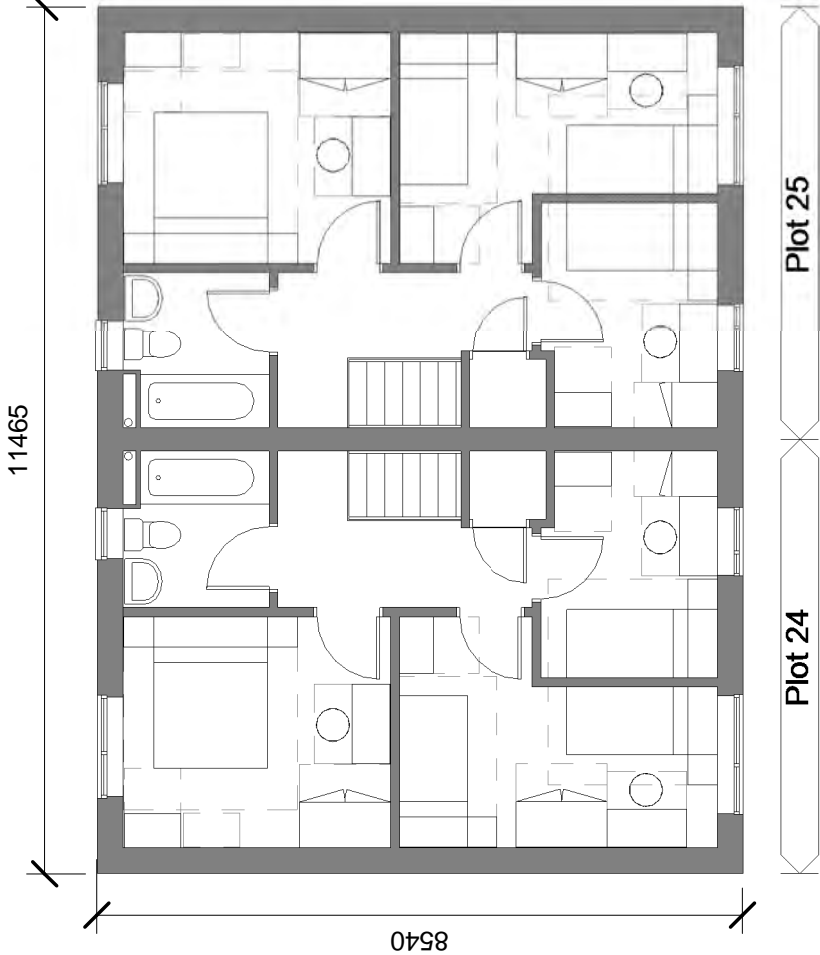


Plot 22 Ground Floor Plan
1 : 100

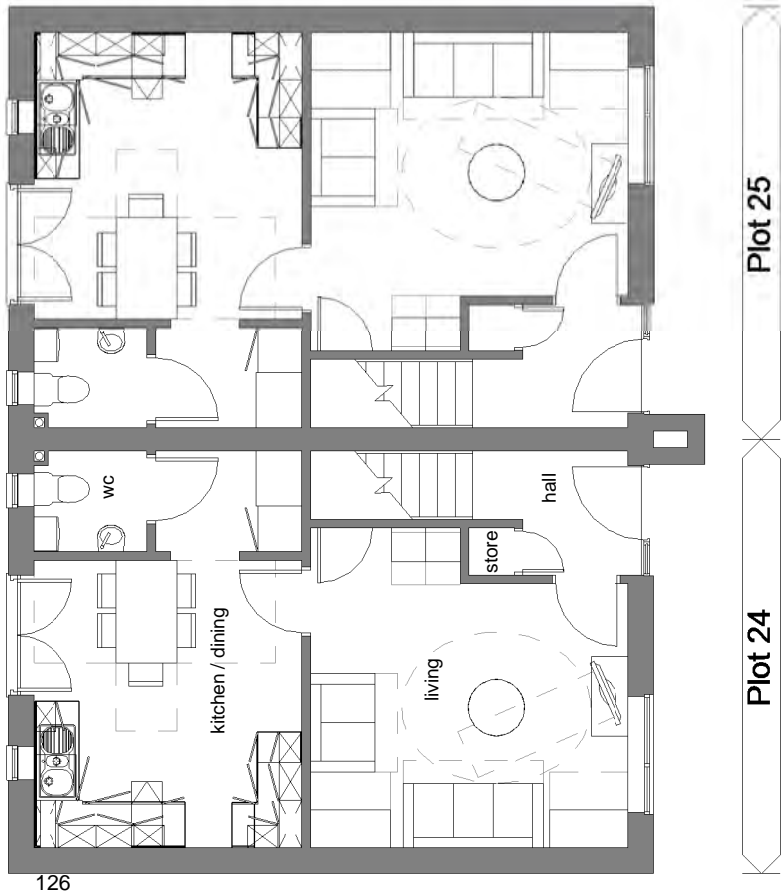


Plot 23 Ground Floor Plan
1 : 100

A	27.10.16	Revised in response to client feedback	PO
B	03.11.16	Revised in response to client feedback	PO
rev	date	description	by
status:			
client:			
project:			
drawing title:			
drawing no:			
scale:			
date:			
by:			
checked:			
PO			
SH			
14087-113-B			
1 : 100			
AI			
04.10.16			
paddock johnson partnership architects			
Studios 2, The Lyncum, Bath Street, Port Sunlight, Wirral, CH42 4JL			
t: +44(0)151 644 1234 f: +44(0)151 644 1235 e: info@paddockjohnson.com			
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Plots 24-25 First Floor Plan
1 : 100



Plots 24-25 Ground Floor Plan
1 : 100



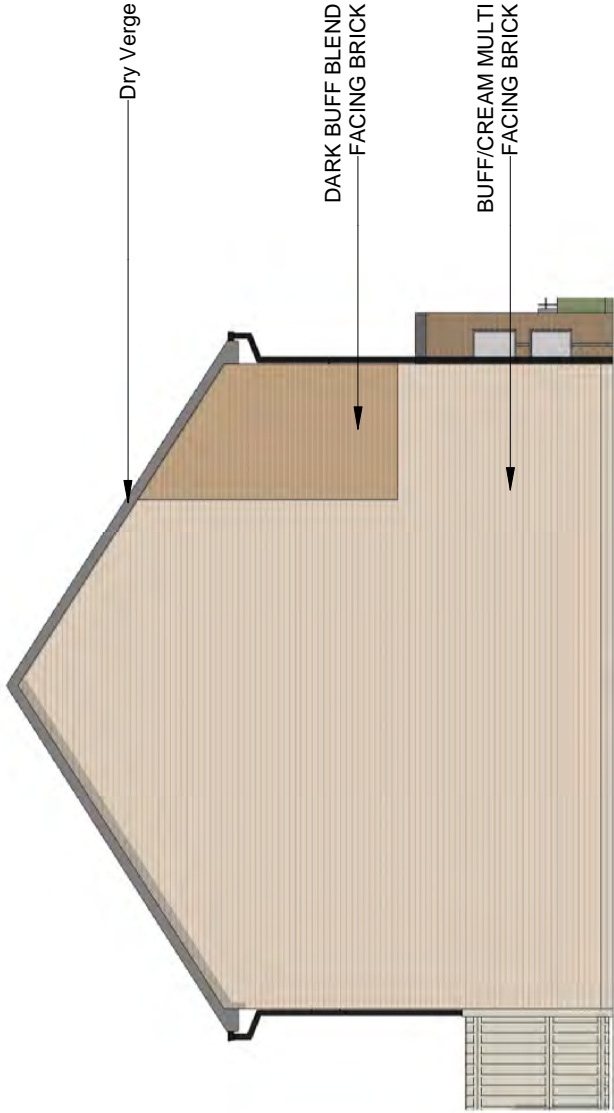
Plot 24-25 Front Elevation
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Plot 24-25 Rear Elevation
1 : 100



Plot 25 Side Elevation
1 : 100



Plot 24 Side Elevation
1 : 100

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B 03.11.16		Revised in response to client feedback	PO
A 27.10.16		Revised in response to client feedback	PO

client:

Great Places Housing Group

project:

New Housing Development
Park Road,
Little Lever

title:

Plot 24-25 Plans,
Elevations and Sections

number:

14087-114-B
Planning

scale:

1 : 100

sheet:

A3

date:

04.10.16

by:

PO

checked:

SH

paddock johnson partnership
architects

Studio 2, The Lyceum, Bath Street, Port Sunlight, Wirral CH62 4UJ
t: +44(0)151 643 1234 f: +44(0)151 643 1666
e: enquiry@paddockjohnson.com w: www.paddockjohnson.com
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Park Road Perspective
1 : 1



New Street Elevation
1 : 200



Park road Elevation
1 : 200



Site Plan
1 : 500

Schedule of Accommodation			
	2 Bed 4 Person House	73 sqm	12 no. (48%)
	3 Bed 5 Person House	82 sqm	13 no. (52%)
Developable area* = 0.55 hectares			
Density = 45 units per hectare			
*Excludes open space			

A	27.10.16	Revised in response to client feedback	PO
B	03.11.16	Revised in response to client feedback	PO
C	04.11.16	Revised Boundary Line	PO
rev	date	description	by
Planning			
Great Places Housing Group			
Project:			
New Housing Development			
Park Road, Little Lever			
Drawing title:			
Site Plan and Street Elevations			
Drawing no:			
14087-109-C			
Scale:			
As indicated			
Date:			
04.10.16			
By:			
PO			
Checked:			
SH			
Paddock Johnson Partnership architects			
Studio 2, The Vicarage, Park Street, Warrington, Cheshire, WA1 1AA			
Tel: 01925 440010 Fax: 01925 440011 Email: info@paddockjohnson.com			
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Application number 97914/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 09/02/2017

Application Reference: 97914/16

Type of Application: Listed Building Consent

Registration Date: 16/11/2016

Decision Due By: 10/01/2017

Responsible Officer: Martin Mansell

Location: GRECIAN MILLS, LEVER STREET, BOLTON, BL3 6PB

Proposal: LISTED BUILDING CONSENT TO RETAIN 2 ROLLER SHUTTERS, NEW DOORWAYS, REPLACEMENT WINDOWS, REPLACEMENT WALKWAY, LIGHTING COLUMNS, TOGETHER WITH WORKS TO TWO LOADING BAYS INCLUDING THE CONSTRUCTION OF RAMPS

Ward: Great Lever

Applicant: Farden Ltd

Agent : Steven Abbott Associates LLP

Officers Report

Recommendation: Approve subject to conditions

Proposal

Listed Building Consent is sought for the retention of works to the building that have been carried out without the benefit of this consent. The works consist of:-

- replacement windows
- creation of doorways
- installation of two roller shutters
- replacement footway
- installation of lighting columns
- works to two loading bays including the construction of ramps

The works relate to two parts of the mill complex - the replacement windows, creation of doorway, installation of two roller shutters, replacement walkway and installation of lighting columns relate to a single storey part of the mill complex located in the east of the site. The works to two loading bays which include the installation of ramps have been undertaken on the eastern elevation of the main mill building. It is understood that the works were undertaken between 2014 and 2016.

Site Characteristics

Grecian Mill was Grade II listed in 1996 and comprises a complex of former spinning mills and ancillary buildings. It is a multi-phase site, with the main spinning mill dated 1845 and subsequent extensions in approximately 1860 and 1920. There are also a number of additional buildings and extensions which have been built in the 19th and 20th Centuries. The description contained within the listing states:-

"Cotton spinning and doubling works, comprising spinning mill with separate warehouse, office blocks, doubling sheds in enclosed site. Multi-phase site, with main spinning mill dated 1845, and extended c1860 and c1920; other buildings variously dated 1850s-60s. EXTERIOR AND PLAN: spinning mill of 5 storeys and basement, L-plan, comprising 2 main phases forming separate working areas. Rear range (the original mill, dated 1845) to south is 5 storey, 12x5 bays. Original entrance in north-west corner, giving access to staircase. Datestone over door, and inscribed pediment ('Grecian Mill') to eaves cornice. Eastern range (probably a second phase), 11x5 bays. Angles marked by full-height pilasters, and privy tower to north-east corner. Loading bay towards left, with partial cast-iron fire escape. Both phases have tall rectangular windows with flat-arched stone lintels. North wing c1920, on site of former reservoir. 5 storeys, 6x2 bays, with wide windows divided by a central cast-iron mullion between pilasters. Cornice above 4th floor, and heavy pilasters stressing projecting towers at outer corners. Art Nouveau detailing. Engine house projects from rear of southern (first phase) spinning mill: late C19 (and so replacing an earlier engine house), divided into 5-bays by pilasters, each bay with round arched window. Alongside the engine house to the north, a 3 storey, 4 bay wing probably originally scutching house (see West and RW Best), with taking-in doors in gable wall. This range now linked to main mill building by a C20 block. Internal construction is of cast-iron columns with plastered timber beams in the C19 parts of the mill, and thicker cast-iron columns with steel beams in the C20 extension. Opposite the engine house, is the boiler house, and alongside it a 2-storey warehouse and workshop building with loading doors braced with stone architraves. Rear of site has long 2-storey range, interrupted by octagonal chimney (aligned with boiler house and engine house). Part of this range dated 1868. Internal engine house facing Rigby Street to west. Later C19 extension of this range, also 2-storey but deeper plan, to north. Buildings to north of internal engine house formerly stores, to south, a doubling mill.

To south of the site, a further 2-storey range (incomplete) dated over doorway 1859, and possibly originally offices and workshops. Doubling shed to rear of this range; further doubling sheds were located between this building and the main spinning mill; 5 surviving bays with traces of a further 6 still visible against boundary wall of site. Two office buildings adjacent to Lever Street entrance. At right angles to the street, a single storey building with 3-window range to yard, with heavy Italianate detailing. Dated 1869, and formerly the board room and general office. Parallel to street, a 2-storey 21-window range incorporating arched former site entrance, and formerly housing stores, warehouse, packing rooms and office. INTERIOR: not inspected. The No.1 spinning mill represents an early example of large-scale mill building in Bolton, and the development of the site for integrated work is also of considerable interest. It survives almost intact."

The part of the mill complex to which the works have been carried is clear visible from Fletcher Street to the east. This part of Fletcher Street has a generally industrial character with the buildings of Mikar Business Park and similar uses lying directly opposite - though to the south of the site of the existing Makkah Mosque building. The section of Fletcher Street between the mosque and Lever Street lacks residential properties.

The site is allocated for employment in the development plan.

Policy

National Planning Policy Framework:

Conserving and Enhancing the Historic Environment

Core Strategy Policies:

SO11 Built Heritage, CG3 Design and the Built Environment, Policy SC1 Housing Allocations

RA1 Inner Bolton

Analysis

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides the primary legislation that has to be used to assess the impact of proposals on listed buildings. Section 16 requires that, in considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The main impact of the proposal is:

- its effect on heritage significance

Impact on Heritage Significance

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage. Policy CG3 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.

The National Planning Policy Framework requires local planning authorities to set out a positive strategy for the conservation and enjoyment of the historic environment including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. At para 132 the NPPF states that 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. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to a grade II listed building should be exceptional.

Each element of the works will be considered in turn:-

Replacement windows

A number of windows have been replaced on the eastern side of the mill complex. All of the replacement windows have timber frames which are considered to be in keeping with the visual appearance of the mill building. The replacement windows are considered to represent an improvement to appearance of the eastern side of the mill complex.

Creation of doorways

New openings have been created to form doorways into the buildings. These are of a similar scale to existing openings in the mill complex. It is considered that the works have been undertaken in a manner that respect the character of the mill complex whilst allowing vacant parts of the building to be brought back into active use and do not cause any harm to heritage value or significance.

Installation of 2 roller shutters

Roller shutters have been installed in a number of openings. Whilst not part of the original building, roller shutters are fairly common on mill and other industrial buildings in the area and across the Borough.

Replacement walkway

The footway in front of the single storey element of the mill complex has been replaced. It is

considered that the replacement footway has only a very limited visual impact on the site.

Installation of lighting columns

A number of lighting columns have been installed in front of the single storey element of the mill complex, within the replacement footway referred to above. Whilst not yet fully complete these columns are of a traditional design and will not look out of place in this context.

Works to two loading bays including the construction of ramps

Alterations have been made to two loading bays in the eastern elevation of the main mill building to form two ramps. The ramps are faced in stone consistent with the appearance of the lower part of the mill and are therefore easily assimilated into the street scene and their immediate context.

For the reasons given above, the works are considered to be either neutral in terms of their impact or to represent an improvement. Officers do not consider that the works have caused any harm at all to heritage value or significance. The description contained within the listing states refers to two older parts of the mill complex being "now linked to main mill building by a C20 block" and it is considered that this is the section subject to the majority of the works carried out, with the exception of the two ramps. This part of the site is therefore of lesser significance than the five storey and other more significant elements of the complex. That is not to say that any and all forms of works would be acceptable at this part of the building, but instead that the existing physical features of this part of the mill can be more easily altered or replaced without causing harm to significance. In any case, the works are still considered to represent an enhancement to the previous situation, consistent with national and local planning policies.

The objectors refer to other issues such as the use for retail purposes together with internal alterations and the removal of a cast iron staircase. Officers have considered these issues but are aware that part of the eastern section of the mill has been used for retail for many years. It is not clear whether this amount of floorspace is identical to that which is now proposed to be used - however, there would not appear to be any reasonable method by the Council could demonstrate that a retail use here would be unauthorised. In any case, at the time of writing, the retail use has not yet actually commenced. As for any internal alterations, it is similarly difficult to demonstrate that these have taken place to any substantial degree - with the external alterations it is simply a matter of comparing older photos of the exterior of the building with the existing situation - but it is noted that an internal inspection was not carried out at the time of the listing in 1996 and therefore the presence of significant elements of heritage value, whilst this cannot be completely ruled out, is considered to be unlikely. No evidence of the removal of a cast iron staircase has been found, though the complainant has not been clear as to the location of this element within this relatively large site. In any case, Members are asked to determine the application in terms of the works described above - the issue of enforcement should be considered separately.

Members are advised that Historic England have been consulted on the application but do not consider the works to be of a sufficient scale to warrant their response.

Conclusion

The works described above were carried out without the benefit of listed building consent. Once this breach was brought to the attention of the Council's Planning Officers, the building owner was advised to stop work and submit an retrospective application for consent. This was done and the works have been assessed and, for the reasons given above, found to be either acceptable or in some cases to be an improvement.

In summary, Officers take the view that had Listed Building Consent been sought prior to the works being carried out there would have been no reason not to grant consent as the works are considered

to be beneficial and to be an improvement the prominent Fletcher Street street scene. A condition is recommended to require the roller shutters to be painted black.

Representation and Consultation Annex

Representations

Letters:- two letters of objection have been received from residential properties further north along Fletcher Street. The grounds of objection are:-

- this application is to retain works that were done illegally, without planning permission, listed buildings consent and building control
- works have been carried out to both the interior and exterior and have caused harm to the building
- the works have altered the look taking away some historical assets
- the works done may also have caused harm structurally as new doorways have been made meaning that bricks have been removed
- a cast iron staircase has also been removed that has been there since the building was built. No permission was granted for these stairs to be removed and they formed part of the Listing description
- Historic England have not been informed of the works
- there will be an increase in traffic to an already busy area. A planning application has just been granted for a Mosque and a capacity of 1200, next door to Grecian Mill. Already the congregation park on the curtilage of the mill, leaving no room for customers to park. The customers would then have to park on the highway and could cause traffic problems (Officer's note: the impact on the road network is not a consideration for an application for Listed Building Consent)
- the owner should have carried out a bat survey (Officer's note: the impact on wildlife is not a consideration for an application for Listed Building Consent)
- the applicant has contravened a Temporary Stop Notice served on the 22nd July and this is a criminal offence
- if the Committee allow this application, what kind of message does it send? It would send a clear message that Bolton is open to anyone who wants to occupy a building, carry out illegal works because the Council will allow what you have done without consequences
- it is a criminal offence and the Council should be seeking to take the Applicant to court and to restore the Grade 2 listed building to how it was before. They certainly should not be granting permission

Consultations

Advice was sought from the following consultees: Historic England

Planning History

This part of site has no relevant planning history.

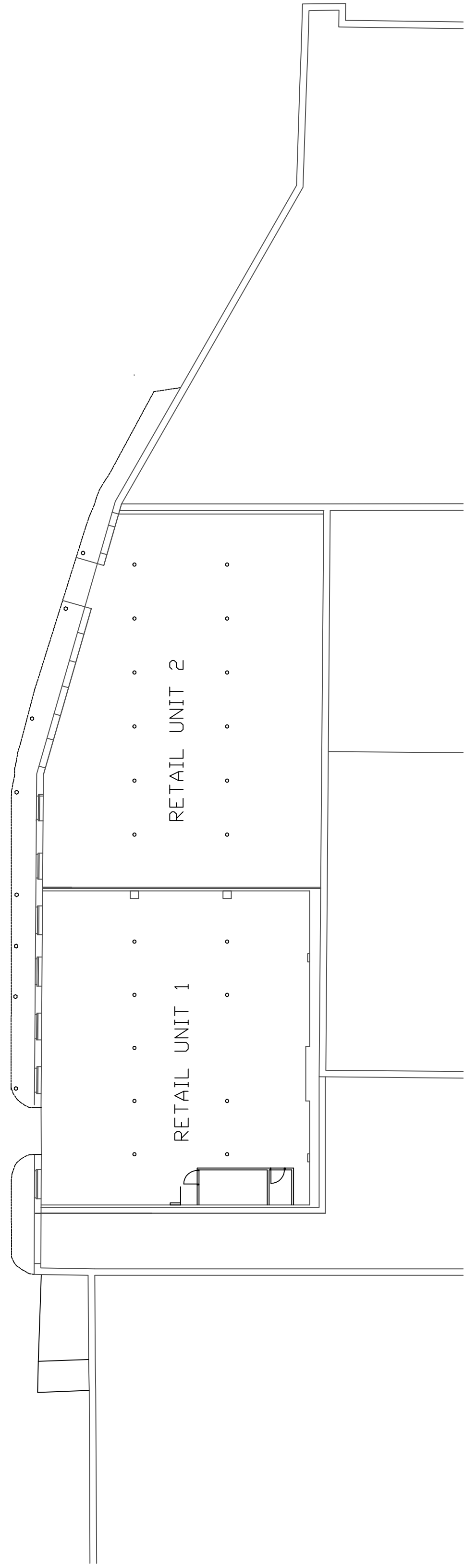
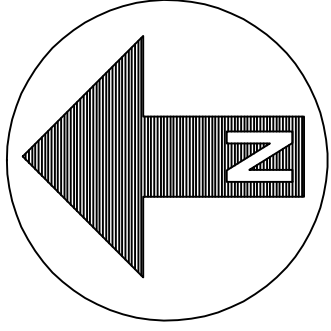
Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

1. Within 28 days of the grant of this consent, the recently installed roller shutters on the eastern elevation shall be painted or powdercoated black and retained so coloured thereafter unless otherwise agreed with the Local Planning Authority.

Reason

To ensure the development safeguards the character and visual appearance of the locality and to comply with policy CG3 of Bolton's Core Strategy.



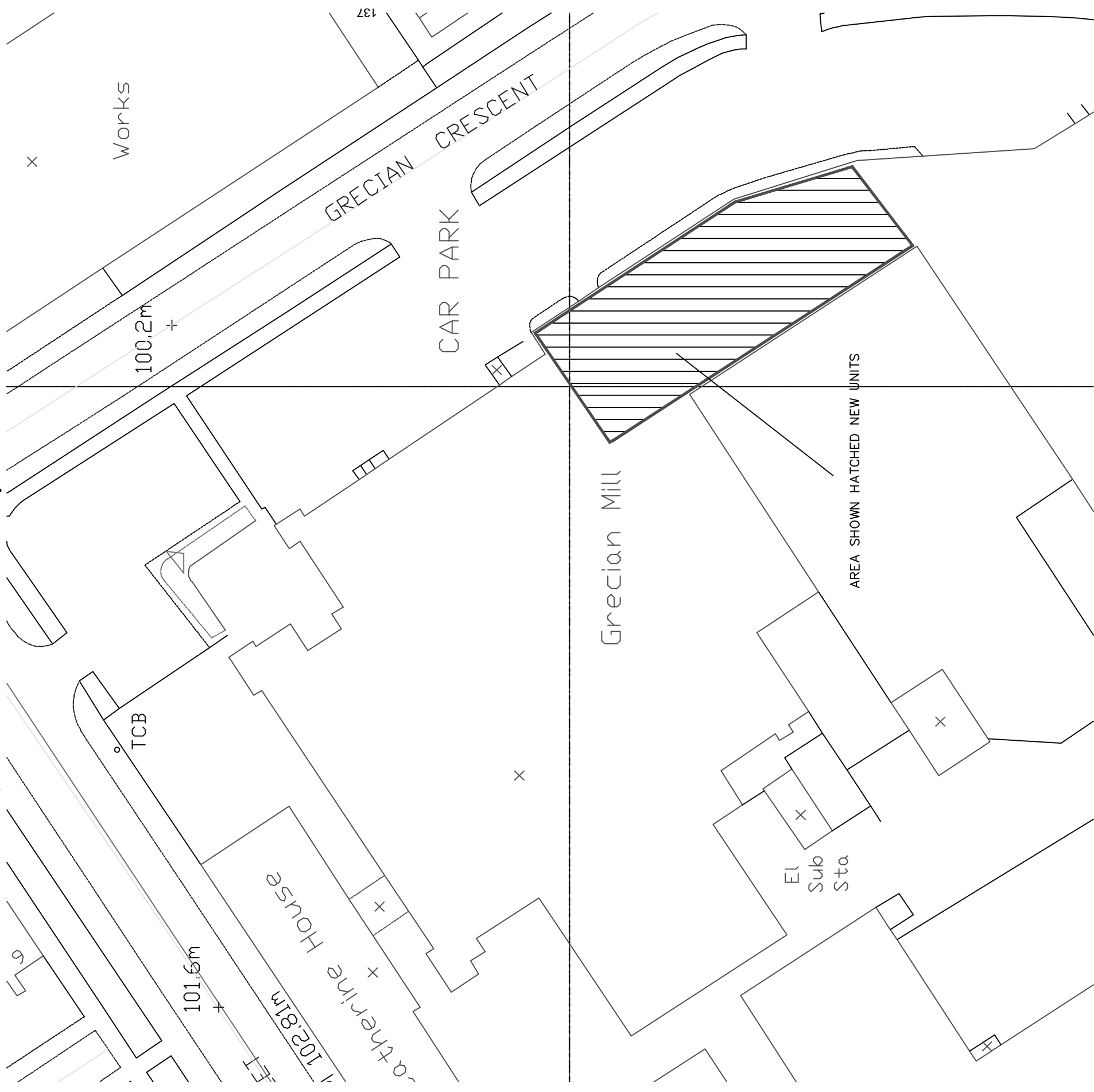
PART PLAN NEW RETAIL UNITS OFF GRECIAN CRESCENT 1 / 100



GRECIAN CRESCENT ELEVATION 1 / 200



LOCATION PLAN 1 / 1250



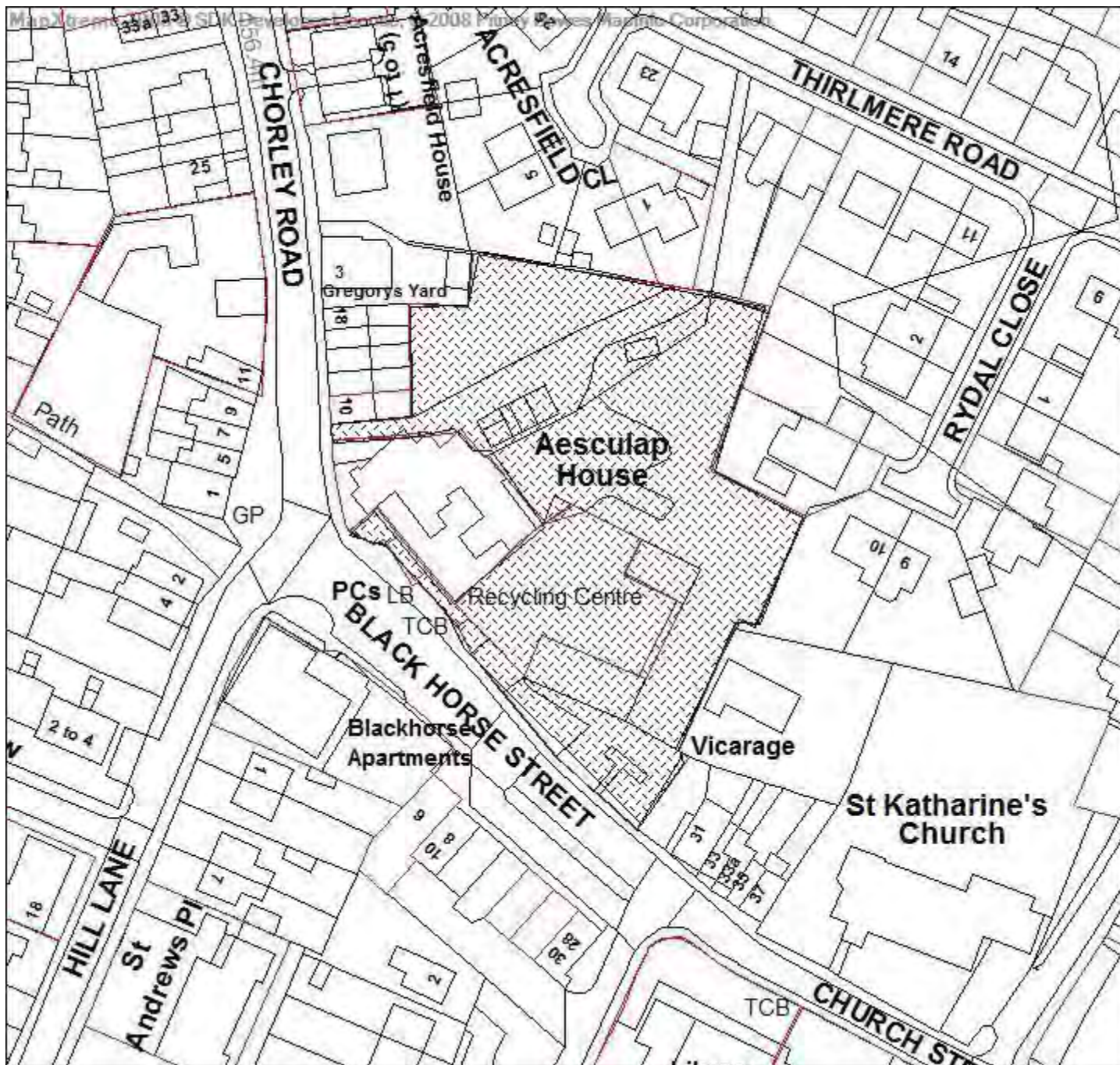
SITE PLAN 1 / 500

REVISIONS

SCALE	DATE	DRAWN	CHECKED
1 / 500	JUN 14	AC	
1 / 200			
CLIENT			

TITLE
PROPOSED ALTERATIONS TO FORM TWO RETAIL UNITS WITHIN EXIST MILL GRECIAN MILL GRECIAN CRESCENT/ FLECHER STREET ELEVATION GREAT LEVERBOLTON BL3 6NG

Application number 97995/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 09/02/2017

Application Reference: 97995/16

Type of Application: Full Planning Application
Registration Date: 01/12/2016
Decision Due By: 01/03/2017
Responsible Officer: Helen Williams

Location: FORMER BLACKROD CIVIC AMENITY SITE, BLACKHORSE STREET, BLACKROD, BOLTON, BL6 5EW

Proposal: DEMOLITION OF EXISTING PUBLIC TOILETS AND GARAGE BUILDINGS AND ERECTION OF 12NO. RESIDENTIAL DWELLINGS (10NO. SEMI-DETACHED AND 2NO. DETACHED) TOGETHER WITH ASSOCIATED WORKS INCLUDING NEW ACCESS AND LANDSCAPING DETAILS

Ward: Horwich and Blackrod

Applicant: Wiggett Construction
Agent : Nicol Thomas Limited

Officers Report

Recommendation: Approve subject to conditions

Proposal

Full planning permission is sought for the erection of twelve dwellings on the site (ten semi-detached dwellings and two detached dwellings). All dwellings are proposed to be two storeys in height and contain three bedrooms. The dwellings are proposed to be sited to the east and north of a proposed internal road, which would terminate at a turning head. Each dwelling is proposed to have two parking spaces to their front or side and a rear garden.

The applicant has amended their plans during the application process by reducing the scheme from the originally proposed thirteen dwellings to the now proposed twelve dwellings and by introducing a community parking area for nine cars to the front of the site where the thirteenth dwelling was originally proposed.

Vehicular access into the site is proposed off Blackhorse Street, opposite 6 Blackhorse Street (further to the south east than the existing vehicular access into the site).

The public open space ("village seating area") located to the front (south east corner) of the site is proposed to be retained.

The submitted site plan also shows that there is potential for the land immediately to the rear of Blackrod House Care Home and to the front to be transferred to the car home. The land to the front includes the public toilet block, which is proposed to be demolished as part of this proposal.

The garages to the rear of the care home are also proposed to be demolished to accommodate the proposed development.

Site Characteristics

The application site comprises:

- * the site of the former Blackrod civic amenity site (recycling centre), whose access is off Blackhorse Street to the south eastern side of Blackrod House (now gated closed);
- * public open space at the south eastern corner of the site (a public seating area);
- * a brick built public toilet block to the front of Blackrod House (now closed);
- * a public right of way (Blackrod 078) which runs from Chorley Road (between 10 Chorley Road and Blackrod House) to Thirlmere Road, through the northern corner of the application site;
- * an area of open, grassed space to the north of the public right of way;
- * four breeze-block built, flat roof garages, accessed off the public right of way;
- * areas of trees and shrubs to the north and east of the former civic amenity site;
- * six public car parking spaces and a motor cycle parking space to the front of the site, accessed off Blackhorse Street;
- * trees along the periphery of the site and a tall stone wall along the front boundary of the site (along the Blackhorse Street frontage).

The two/three storey Blackrod House Nursing Home is encompassed by the application site to its north, east and south, and by a strip of land to its front.

A bus stop is located to the front of the application site, to the front of Blackrod House, along with a post box.

The immediate neighbouring dwellings to the application site are:

- * The terraced properties at 10 to 18 Chorley Road and 3 Gregory's Yard to the north west of the site;
- * 1 to 5 Acresfield Close (dormer bungalows/two storeys at the rear) to the north of the site;
- * 17 and 18 Thirlmere Road, also to the north of the site, but separated from the site by long rear gardens;
- * The two storey dwellings at 4 to 10 Rydal Close, to the east of the site (the rears of 4 to 8 face the site and no. 10 sides on to the site);
- * The Vicarage, which sides on to the site to the south east;
- * The terraced property at 31 Blackhorse Street to the south east of the site, which sides on to the site and is separated by the driveway to the Vicarage.

Blackhorse Street forms part of the main road (B5408) through Blackrod town centre.

Opposite the application site is a parade of shops and a three/four storey apartment block.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG1.5 Reduce the Risk of Flooding; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod.

Allocations Plan Policies: P8AP Public Rights of Way

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

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development on the site
- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring residents
- * impact on highway safety and parking
- * impact on the public right of way
- * impact on biodiversity
- * impact on crime and the fear of crime
- * impact on flooding and drainage

Principle of Residential Development on the Site

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

Policy SC1 of the Core Strategy concerns new housing developments and Policy OA1.4 states that, in Horwich and Blackrod, the Council will concentrate sites for new housing in Horwich town centre, at Horwich Loco Works and on other sites within the existing urban area.

The principle of developing the application site for 14 dwellings has been established under outline planning consent 95926/16 (which was approved at Planning Committee in June 2016). This latest application now proposed twelve dwellings, which is two dwellings fewer than previously applied for.

The application site is a previously developed site (brownfield land) located within the urban area. The site is also located within Blackrod town centre. It is therefore considered that the application site is located within a highly sustainable location, close to local facilities, services and a primary school.

Third parties have raised concern regarding the increased pressure the proposed development would have on existing local infrastructure (along with other recently approved housing developments in the area), however as the applicant is only proposing twelve dwellings there is no policy requirement for a planning obligation/planning contributions towards local infrastructure.

As the application site is a previously developed site located within the urban area, and one with an extant outline permission for residential development, it is considered that the principle of the use of the site for residential development is fully compliant with national and local housing policies.

Impact on the Character and Appearance of the Area

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

The dwellings are proposed to be sited around an internal road, which is proposed to terminate at a turning head at the north of the site. The dwellings would face this internal road and would present their sides and rear to the neighbouring dwellings around the site. Each dwelling would have driveway parking and rear gardens. A "community" parking area is proposed on the north western side of the proposed access, which would comprise nine spaces, two of which are proposed only for the use of the adjacent Blackrod House Nursing Home.

All dwellings are proposed at two storeys in height. It is considered that the height and scale of the dwellings (ten semis and two detached dwellings) would be in keeping with the established character of the surrounding area.

All dwellings are also proposed to be constructed from red brick, which again is in sympathetic to the established character of the area.

The existing public open space ("village seating area") located to the front (south east corner) of the site is proposed to be retained, as are the trees within this area.

To mitigate for the loss of trees within the site (which would need to be felled to accommodate the proposal) it is recommended that new trees are planted within the development. A landscape condition is therefore suggested should the application be approved.

It is considered, subject to the recommended conditions, that the proposed development would not harm the character and appearance of the area, compliant with Policies CG3 and OA1 of Bolton's Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

8 Rydal Close, to the north east of the application site, has been extended to the side and rear with a single storey extension and a conservatory. Conservatories are not classed as main rooms within the SPD, however the residents of this property have stated that they use their conservatory as a dining room and have erected a solid roof on the conservatory. The dwelling proposed at plot 6 would be approximately 15.5 metres away (at its closest corner) to no. 8's conservatory. The rear windows proposed in the dwelling at plot 6 would not directly overlook no. 8 but would instead overlook the rear of the rear gardens to 4 and 6 Rydal Close. Section 3 of the SPD recommends a minimum interface distance of 13.5 metres where a main window would look onto an elevation containing no main windows. Should no. 8's conservatory be classed as a main room, this interface distance is exceeded in the case of the siting of plot 6, as plot 6 is 15.5 metres away at its nearest corner. It is noted that the application site is at a higher ground level than the dwellings on Rydal Close, however this difference in levels is not representative of an additional storey (where a minimum interface

distance of 16.5 metres would be required). It is therefore considered that the scale and siting of the dwelling at plot 6 would not unduly harm the amenity of the neighbours at 8 Rydal Close.

The dwelling proposed at plot 7 would be sited to the south of the rear garden of 8 Rydal Close. Whilst this property would take some sunlight away from the rear garden, it is considered that the dwelling would be sited sufficiently far enough away from the neighbouring dwelling as to not unduly harm the amenity of the neighbouring residents. The proposed dwelling would not infringe upon a line drawn at a 45 degree angle from the centre of the rear conservatory, should the conservatory be classed as a main room. It is therefore considered that the siting and scale of the dwelling at plot 7 would not unduly harm the amenity of the neighbours at 8 Rydal Close.

10 Rydal Close is sited side on to the proposed development, as is the Vicarage and 31 Blackhorse Street. It is therefore considered that these neighbouring dwellings would not be unduly affected by the proposed development.

The rear of 3 Acresfield Close would directly face the side of the dwelling proposed at plot 4. An interface distance of 17.9 metres would be achieved between these two dwellings. The SPD recommends a minimum interface distance of 13.5 metres in such a situation (where main windows (in no. 3) overlook an elevation containing no main windows (plot 4)). This recommended interface distance is therefore exceeded.

The dwelling proposed at plot 3 would be sited to the south west of 3 Acresfield Close. The siting of this proposed property may take away some light from the rear of no. 3, however it is not considered that this would be to an undue amount. It is therefore considered that the proposed development would not unduly harm the amenity of the neighbouring residents at 3 Acresfield Close.

The rear of 1 Acresfield Close would mainly directly overlook the rear garden of plot 4. The dwelling at plot 6 would be approximately 16 metres away from the rear extension at 1 Acresfield Close and at an angle away: this 16 metre distance would exceed the recommended interface distance within the SPD if the proposed dwelling was directly behind 1 Acresfield Close (13.5 metres), therefore it is considered that the proposed siting of plot 6 would not unduly affect the amenity of the neighbouring residents at 1 Acresfield Close.

5 Acresfield Close sides on to the proposed development, and therefore is not considered to be unduly affected by the proposed development.

The rears of 10 and 12 Chorley Road would be over 18 metres away from the side elevation of the nearest proposed dwelling, again exceeding the required 13.5 metres interface distance.

The rear of Blackrod House would be 23.8 metres away from the front elevation of plot 6 (the closest proposed dwelling to the rear). A recommended interface distance of 24 metres is recommended within the SPD (three storey dwelling to a two storey dwelling) however the slight shortfall of 20 centimetres in this case is considered acceptable.

For these reasons, it is considered that the proposed development would not unduly impact on the living conditions of any neighbouring resident surrounding the site, compliant with Policy CG4 of Bolton's Core Strategy.

Impact on Highway Safety and Parking

Policy P5 of the Core Strategy states that the Council will ensure that development takes into account [amongst other things] accessibility by different types of transport, servicing arrangements and parking (in accordance with the parking standards set out in appendix 3). Policy S1.2 states that the

Council will promote road safety in the design of new development.

Proposed access

Vehicular access into the development is proposed off Blackhorse Street, opposite 6 Blackhorse Street (Spar). The location of this access was approved under outline planning permission 95926/16. The Council's Highways Engineers have raised no objection to the location or design of the proposed access (subject to conditions), which is sited further away from the bus stop and junction with Hill Lane than the existing access.

Traffic generation

The Council's Highways Engineers considered during the determination of application 95926/16 that the proposed development (then of 14 dwellings) will only have a negligible impact on the operational capacity of the highway network. Two fewer dwellings are now proposed.

Proposed parking provision

Two car parking spaces are proposed for each dwelling. Appendix 3 of the Core Strategy recommends that a maximum of two spaces are provided for three bedroom dwellings, therefore the Council's maximum standards are met by the proposed development.

The applicant is also proposing nine car parking spaces on land to the north west of the access and to the south east of Blackrod House Nursing Home. These spaces are proposed as "community parking" meaning that they will be available as public parking. Two of the spaces within this car park are however dedicated for the adjacent nursing home.

The seven unallocated spaces will replace the six public car parking spaces that currently exist to the front of the site (accessed off Blackhorse Street). It is acknowledged that the previous outline application for the site proposed 16 communal spaces, however this number also included overspill parking for the proposed dwellings given that only 1.5 spaces per dwelling were proposed within the site (as courtyard parking), which fell below the Council's maximum parking standards. It is considered that it would be unreasonable to refuse this application on the perceived lack of publicly available parking spaces on site given that the proposal would provide one more parking space than there is currently (it would improve the current parking situation, if only slightly).

Concern has also be raised by third parties with regard to the number of spaces (that is, two) proposed specifically for the adjacent nursing home, and also the location of these spaces. The previous outline permission indicated that two spaces would be provided for the home off the public right of way to the north of the nursing home. Two spaces are again proposed for the home, however in a different location, which is arguably less accessible a location than previously proposed.

The applicant has confirmed that they would be willing to alter the location of the proposed bollards at the entrance to the public right of way (where it meets the pavement on Chorley Road) further back into the path to allow ambulances and deliveries to continue to use this access. Officers therefore recommend a condition is attached to any approval to agree this re-siting. The applicant has also stated that they could create a gate through the car park to the nursing home if necessary, to allow better accessibility between the dedicated two spaces and the nursing home.

The Council's Highways Engineers raise no objection to the proposed development but comment that it is unlikely that the Highways Authority would adopt the proposed communal parking area as part of a Section 38 Agreement.

It is considered that the proposed development would provide sufficient parking for both future

residents and the general public and would not jeopardise highway safety, compliant with Policies P5 and S1.2 of Bolton's Core Strategy.

Impact on the Public Right of Way

Policy P8AP of the Allocations Plan states that the Council will permit development proposals affecting public rights of way, provided that the integrity of the right of way is retained.

Public Right of Way Blackrod 078 (BLA078) crosses the application site at its northern part. The public footpath links Chorley Road with Thirlmere Road.

The submitted plans show the public right of way being retained and left unaffected within a residential development.

It is therefore considered that the proposed redevelopment of the site would comply with Allocations Plan Policy P8AP.

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.

Trees

A tree survey and constraints report has been submitted with the application. A number of trees within the site are proposed to be felled to accommodate the proposed development. The Council's Tree Officers have raised no formal objection to the loss of these trees, but it is recommended that a landscape condition is attached to any approval to require new tree planting (replacement planting) within the proposed development.

Conditions requiring a tree protection method statement for plots 2 to 4 and 13 and details of protective fencing around those trees to be retained within the site are also recommended.

The Council's Tree Officer considers that the group of mature trees to the front of the site, within the village seating area and proposed for retention, are worthy of protecting by way of a Tree Preservation Order. They note that the Nordmann fir tree within this group is used as the Christmas tree for this area of Blackrod. Should the application be approved, officers recommend that these trees are duly protected.

Ecology

An extended phase 1 habitat survey and a bat emergence report have been submitted for the application site.

Whilst the bat emergence report (dated September 2015) did not identify any roosting or foraging bats on the site, Greater Manchester Ecology Unit has noted that there are typographical errors in the report and therefore query the accuracy of the report. Officers therefore recommend that (given the date of the report and the presumed typographic errors) a further emergence report is submitted to and approved by the local planning authority prior to the felling of any tree or the demolition of any building. Should bats be identified, the report would need to propose mitigation measures on site.

For these reasons it is considered, subject to the suggested conditions, that the proposed development would not lead to the unacceptable loss of trees and would safeguard the biodiversity of the site, compliant with Policy CG1.2 of Bolton's Core Strategy.

Impact on Crime and the Fear of Crime

Policy S1.1 of the Core Strategy states that the Council will ensure that the design of new development will take into account the need to reduce crime and the fear of crime.

A Crime Impact Statement, produced by Greater Manchester Police's Design for Security Officers, has been submitted with the application. The statement concludes that the development would be unlikely to be adversely affected by crime and disorder. The Security Officers recommend that the public right of way that runs through the site be removed from the scheme to increase security, however Council officers do not recommend this given this is a well used footpath that connects the residential area to the rear of the site with the town centre.

It is considered that the proposed development takes into account the need to reduce crime and the fear of crime and therefore complies with Policy S1.1 of the Core Strategy.

Impact on Flooding and 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.

A flood risk assessment and drainage strategy has been submitted to accompany the proposed residential development. The Council's Drainage Officers have assessed this report and raise no objection to the proposals. They recommend that a standard condition concerning the drainage of the site is attached should the application be approved.

It is therefore considered that the proposed development would not lead to an increased risk of flooding, compliant with policy CG1.5 of Bolton's Core Strategy.

Other Matters

Local residents have commented that they would prefer to see the application site developed for parking and/or retail. The application before the Council is however for the residential development of the site, and the application must be assessed on the acceptability of this specific proposal, not any alternative proposals that are currently not before the local planning authority.

Local finance considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The following is considered to be a local financial consideration in this case:

New Homes Bonus for the 12 proposed dwellings – this is not a material planning consideration.

Conclusion

For the reasons discussed above it is considered that the proposal for twelve dwellings on the application site would not harm the character and appearance of the area, would not unduly harm the amenity of any neighbouring residents, would provide for sufficient on-site parking, would not jeopardise highway safety, would retain the integrity of the public right of way through the site, would safeguard biodiversity, and would not lead to increased flooding in the area. It is therefore considered that the proposal complies fully with all relevant policies.

Members are therefore recommended to approve this application, subject to the suggested conditions.

Representation and Consultation Annex

Representations

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

- * Where are the general public supposed to park?;
- * Lack of parking in the area, particularly as the post office is being relocated to the Spar opposite the site entrance;
- * Only two car parking spaces are being provided for the care home - there are currently eight staff that park;
- * The proposed parking for the care home will be an inconvenience;
- * The public right of way is currently used for ambulances and deliveries - this is proposed to be blocked off;
- * Residents on Chorley Road already struggle to park outside their homes;
- * There is not enough on-site parking proposed for the new dwellings;
- * Increased traffic congestion in the area;
- * More vehicles will be parking on roads;
- * Pedestrian safety;
- * The houses will be too close to the properties on Acresfield Close and Rydal Close;
- * Loss of privacy for neighbouring residents;
- * Loss of light to neighbours;
- * The difference in topography of the site compared with neighbouring properties has not been considered; Rydal Close is on a lower ground level than the application site, which will increase overlooking into windows and gardens;
- * Effect on view from property (officer comment: this is not a material planning consideration);
- * Impact on local schools and doctors;
- * Negative impact on local businesses owing to a lack of public parking;
- * Impact on wildlife. Neighbour has film footage of bats foraging in the trees on the site;
- * There are no details of replanting;
- * If the site is used for further houses there will be no opportunity to expand the village centre or tackle the current and snowballing need for more parking at this location.

Blackrod Town Council:- Objected to the proposed development at their meeting of 9th January 2017 on the grounds that:

- * The local needs of the community were not being met;
- * Reduction in the number of public parking spaces;
- * New evidence available regarding bat activity in the vicinity, which has not been addressed;
- * No topographical details submitted;
- * Neighbouring properties will be overshadowed/loss of light;
- * Some dwellings too close to neighbouring properties;
- * Care home will have no access to the rear;
- * Site entrance would be on a very busy corner of the highway, making access and egress extremely difficult;
- * No mention has been given to the green space at the front of the site;
- * Lack of parking consideration, especially in light of the post office moving location opposite the development site;
- * Village will become cramped with another 107 dwellings proposed just round the corner.

Elected Members:- Councillor Cunliffe has requested that the application be heard before Committee.

Councillor Pickup has objected to the proposal, for the following reasons:

- * Location of a number of dwellings in relation to existing neighbouring houses;
- * The proposed layout differs vastly from that approved under outline, especially the removal of the community car parking spaces and the provision of only two parking spaces for the care home;
- * There is insufficient parking available to serve the wider community of Blackrod.

Consultations

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Tree Officers, Wildlife Liaison Officers, Pollution Control Officers, Public Rights of Way Officer, Housing Strategy Officers, Strategic Development Unit, Economic Strategy Officers, Corporate Property Officers, Greater Manchester Ecology Unit, Ramblers Association, Peak and Northern footpath Society, the Open Spaces Society, Greater Manchester Police, and United Utilities.

Planning History

Outline permission was granted at Planning Committee in June 2016 for the erection of 14 dwellings (access details only) (95926/16).

Permission was granted in March 2003 for the variation of condition 4 on approval 44799/94 to enable alterations to the opening hours of the civic amenity site (until 20:00 7 days a week during British summertime including bank holidays) (63652/03).

A temporary permission for one year was granted under application 60444/01 for alterations to the opening hours.

Permission was granted in May 1994 for the continued use of the land as a civic amenity site and the erection of an access height barrier and 5 metre high lamp standard with spotlight (44799/94).

Two refuse compactors and an attendant's cabin/wc to facilitate the additional use of the site as a refuse disposal point were approved in July 1983 (21269/83).

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 felling of any tree on site or the demolition of any building the applicant shall re-survey the site for evidence of bats. An emergence 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

The submitted bat emergence report makes reference to another site and therefore further clarity is

needed. The submitted report is also dated September 2015. To safeguard the habitats of protected species and to comply with policy CG1 of Bolton's Core Strategy.

3. Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health, property or the environment;
 - (iii) an appraisal of remedial options and proposal for a preferred option. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

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

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

Reason

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

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

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

Reason

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

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

- 1. The trees 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 policies CG1.2 and CG3 of Bolton's Core Strategy.

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

- * Driveways to plots 2 to 5 - no dig method statement within the root protection zone of the retained trees.
- * Foundations to plot 13 in respect to T14 Lime tree.

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

Reason

To ensure the safe development of the site and favourable retention of trees and to comply with policy CG1.2 of Bolton's Core Strategy.

7. Prior to the commencement of development details of the location of the proposed bollards on Public Right of Way Blackrod 078 shall be submitted to and approved in writing by the Local Planning Authority. The location of the bollards should allow vehicles visiting the adjacent nursing home (Blackrod House) to access the property and be kept clear of Chorley Road. The approved bollards shall be installed in full accordance with the approved plans.

Reason

To allow for safe deliveries to the adjacent nursing home and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

8. Prior to the commencement of development full details of the highway works at Blackhorse Street comprising the removal of existing bollards within the footway and lining provision at the proposed 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 and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

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

Reason

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

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

Reason

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

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

Reason

To reflect and soften the setting of the development within the landscape and to comply with policy CG3 of Bolton's Core Strategy.

12. Prior to the development hereby approved/permitted being first occupied or brought into use the existing vehicular access onto Blackhorse Street shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Blackhorse Street, other than as shown on drawing ref: M4155.PL.01 Rev. A .

Reason

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

13. Before the approved/permitted development is first brought into use no less than 9 car parking spaces shall be marked out and provided within the area referred to as "communal parking" on the approved plans (drawing ref: M4155.PL.01 Rev. A). Such spaces shall be made available for the parking of cars at all times.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

Reason

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

15. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the drawing ref: M4155.PL.01 Rev. A .

Reason

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

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

M4155.PL.01 Rev A; "Proposed Site Layout - Scheme Design (A)" dated Jan 2017

M4155.PL.02 Rev A; Proposed Floor Plans; dated 09.11.16

M4155.PL.03 Rev A; "Proposed Elevations"; dated 09.11.16

Reason

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

WIGGETT
• HOMES •

SCHEDULE OF ACCOMMODATION

A diagram showing a circular cross-section of a pipe with a central hole. The z -axis is indicated by a horizontal line passing through the center of the pipe and the hole.

SITE LAYOUT

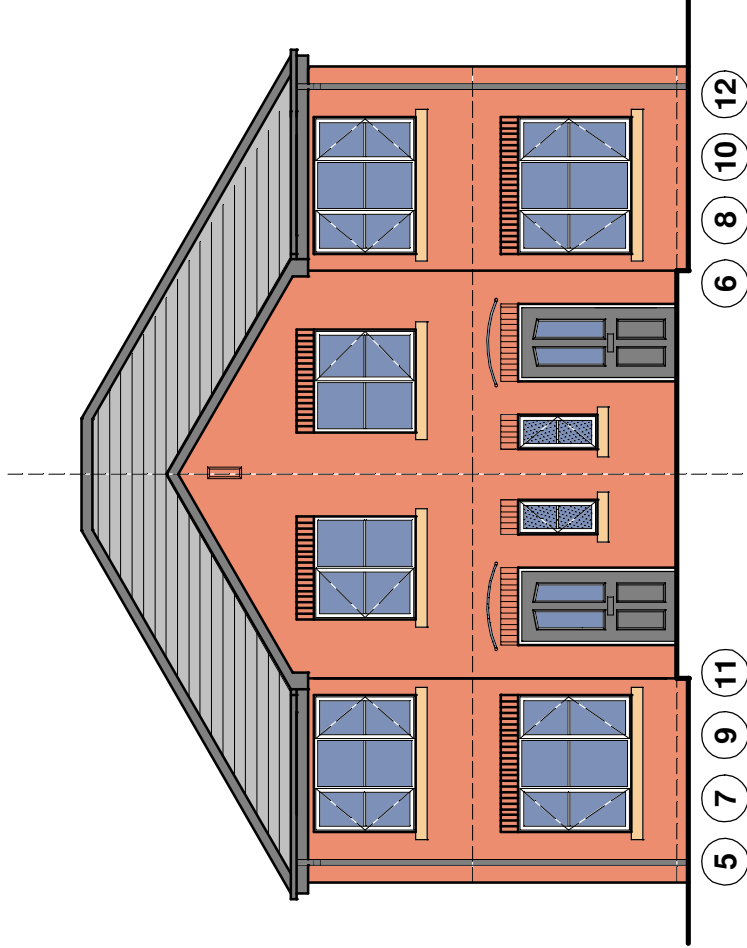


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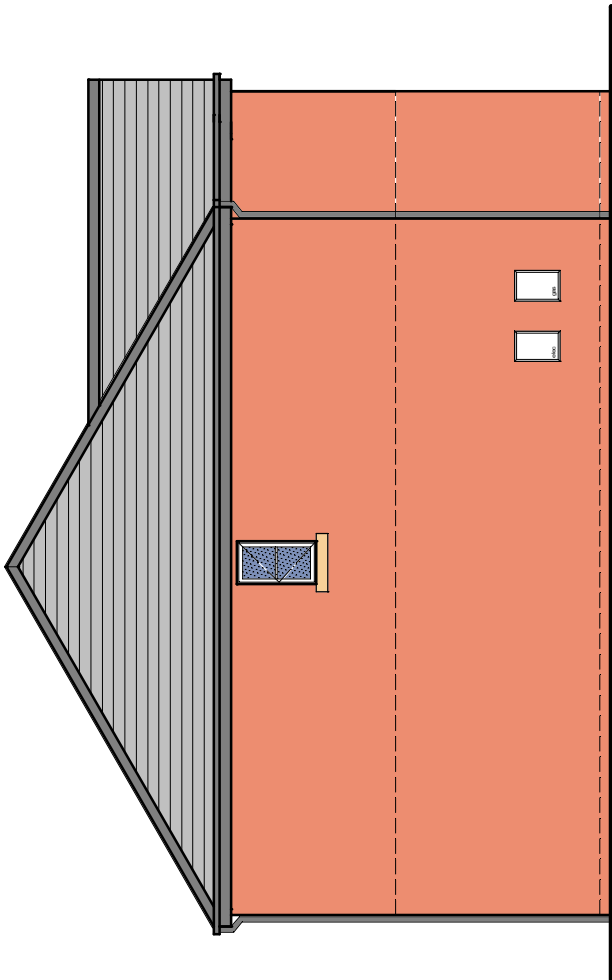
nicol thomas
architects
project managers construction cost consultants
Registered in England and Wales. Reg No. 194/0639
Quality Assured to BS EN ISO 9001:2004 Certificate GB 4723
Heald House, Blackshaw Lane, Heywood, Roydon, Otham, Q.L2 6NS
011706 290088 131706 290099 acd@nathomas.com
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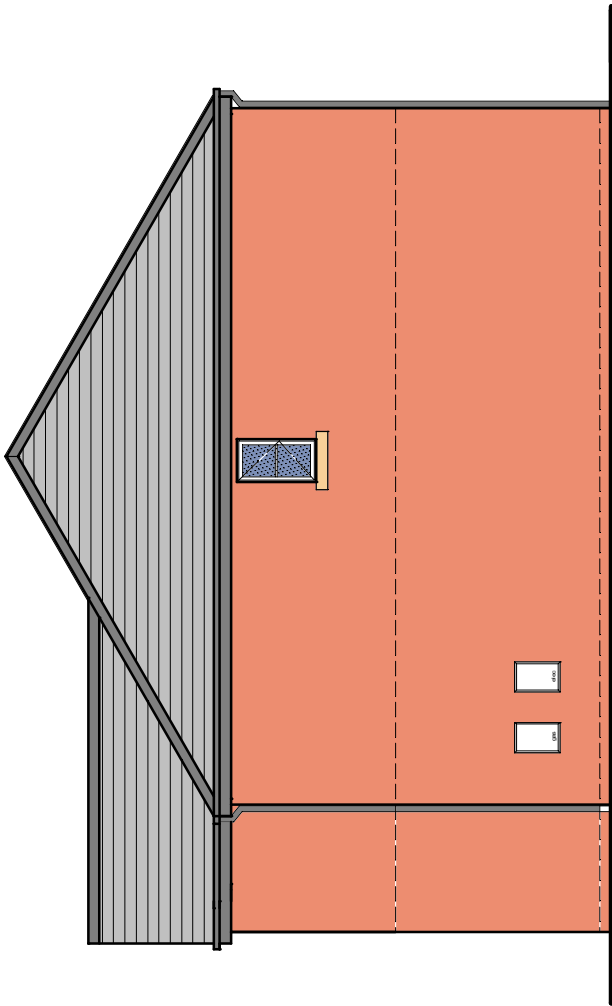
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Job:	Black Horse Street, Blackrod, Bolton		
Drawing title:	Proposed Site Layout - Scheme Design (A)		
Drawing Number: (Job number)		Revision: A	
Scale:	1:500@A3		
Date:	Jan 2017		
Drawn by / checked by:	S		



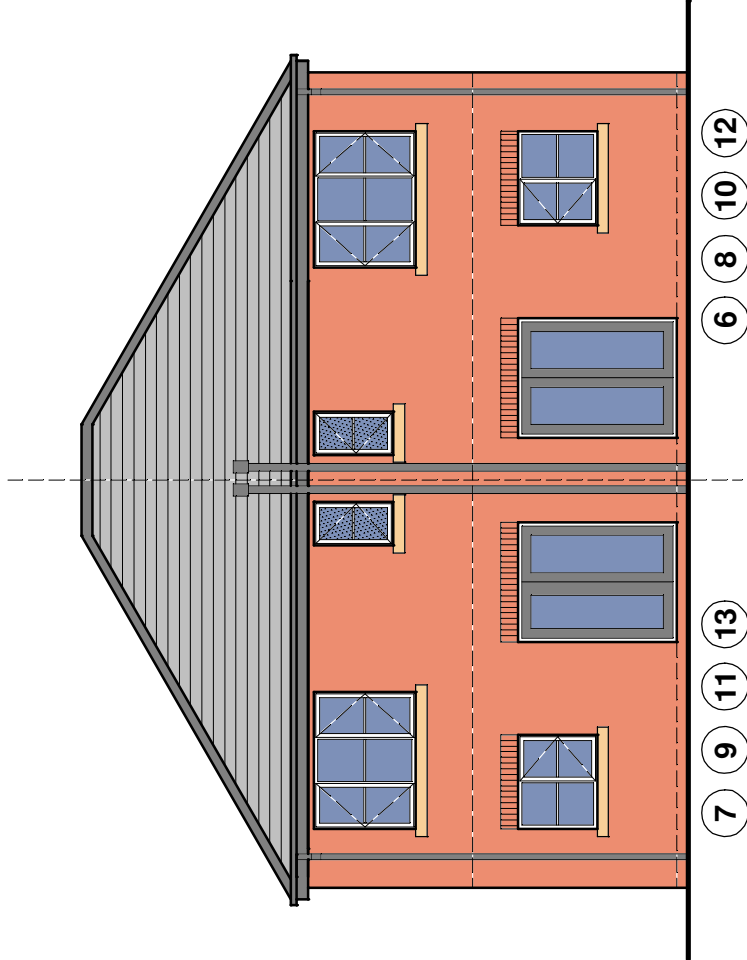
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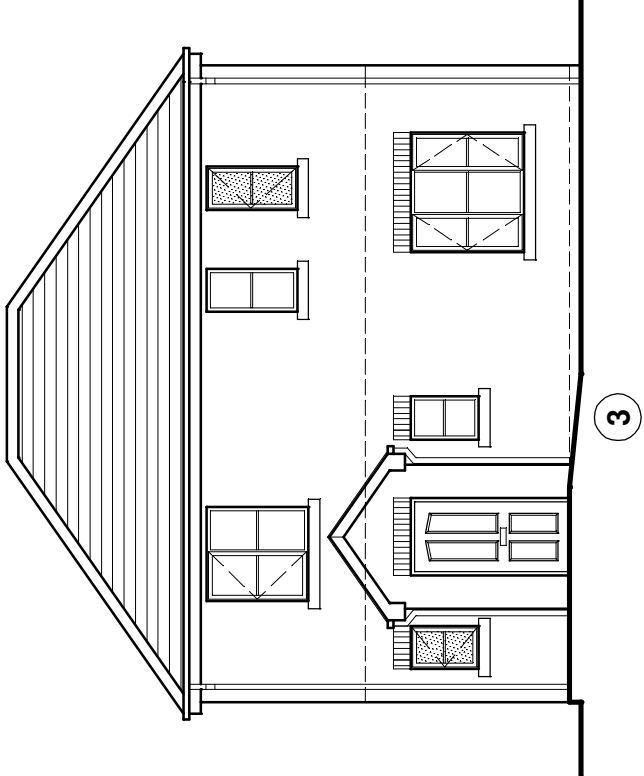
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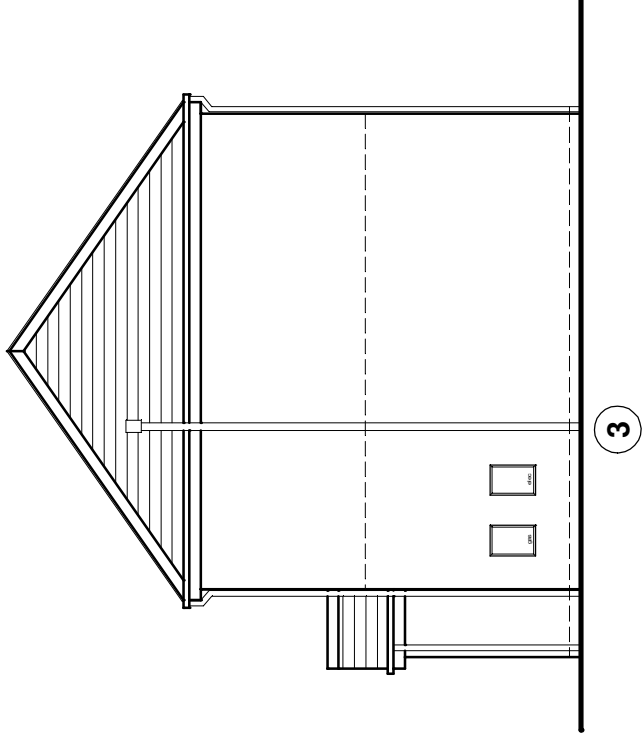
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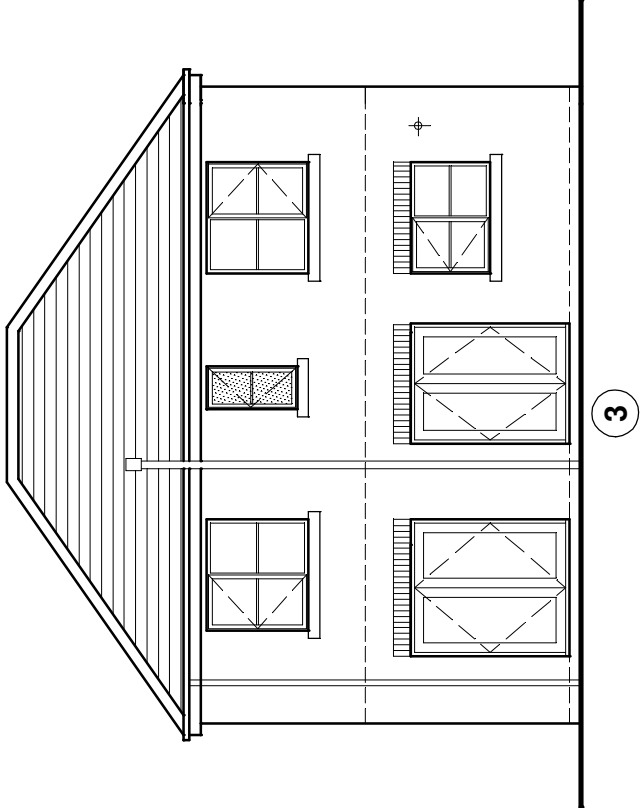
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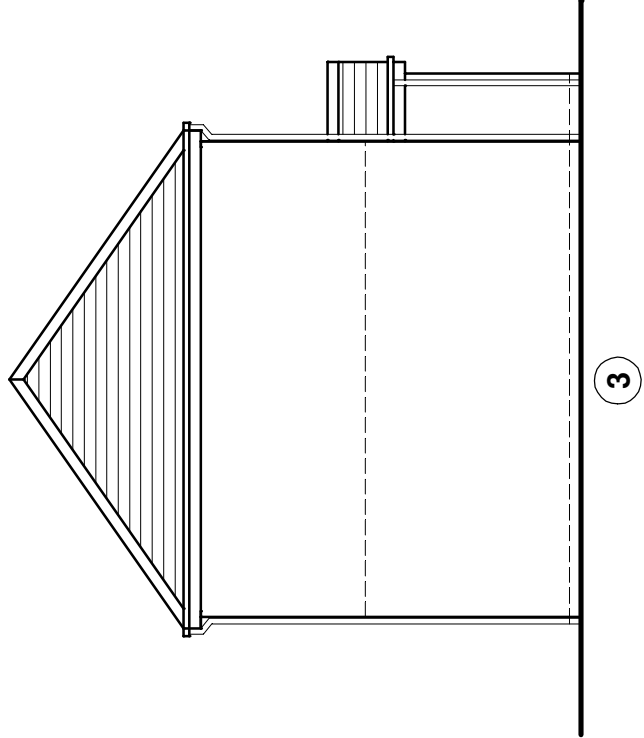
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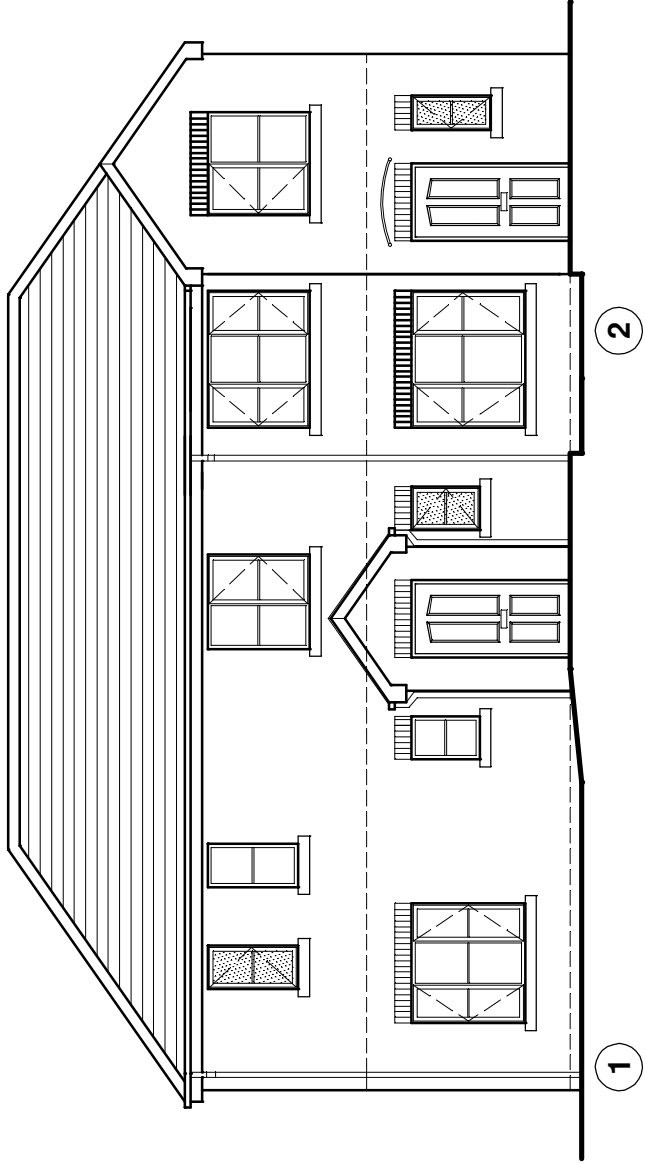
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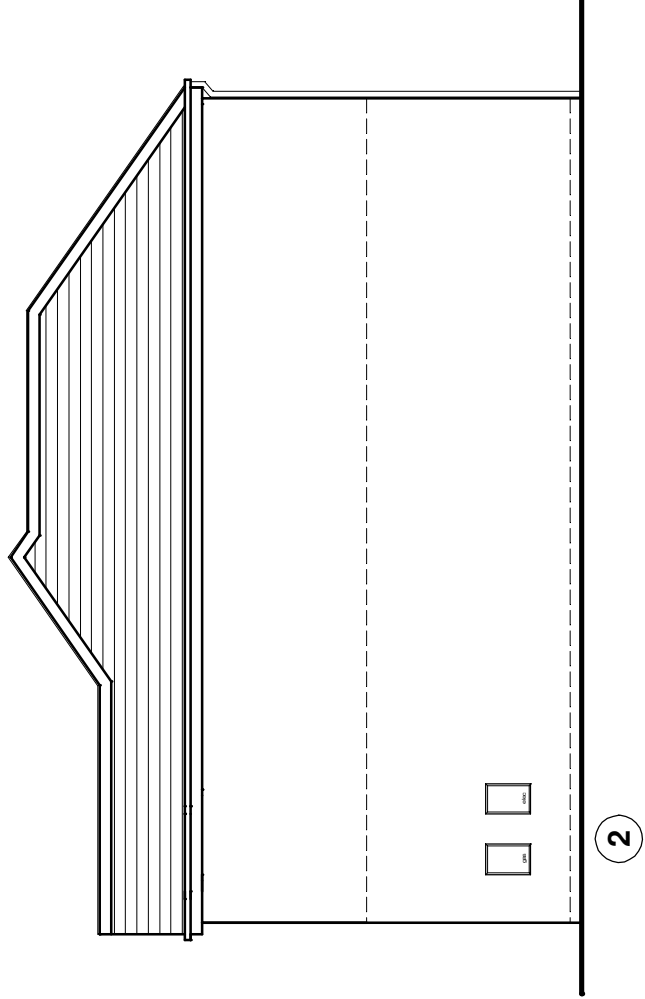
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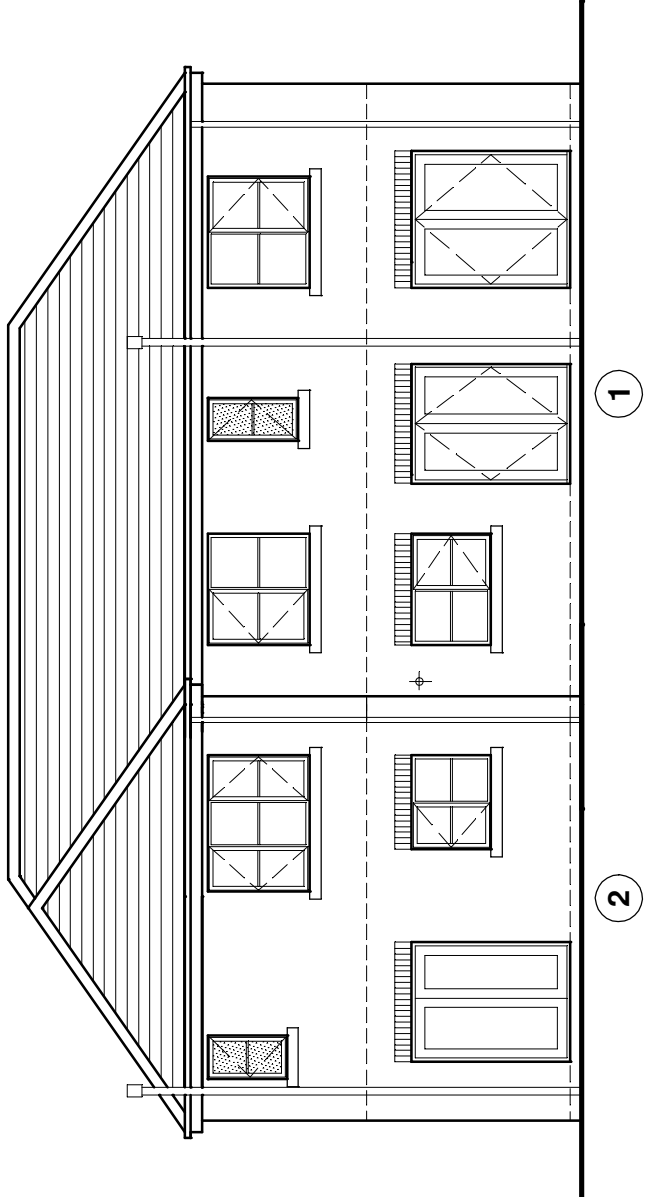
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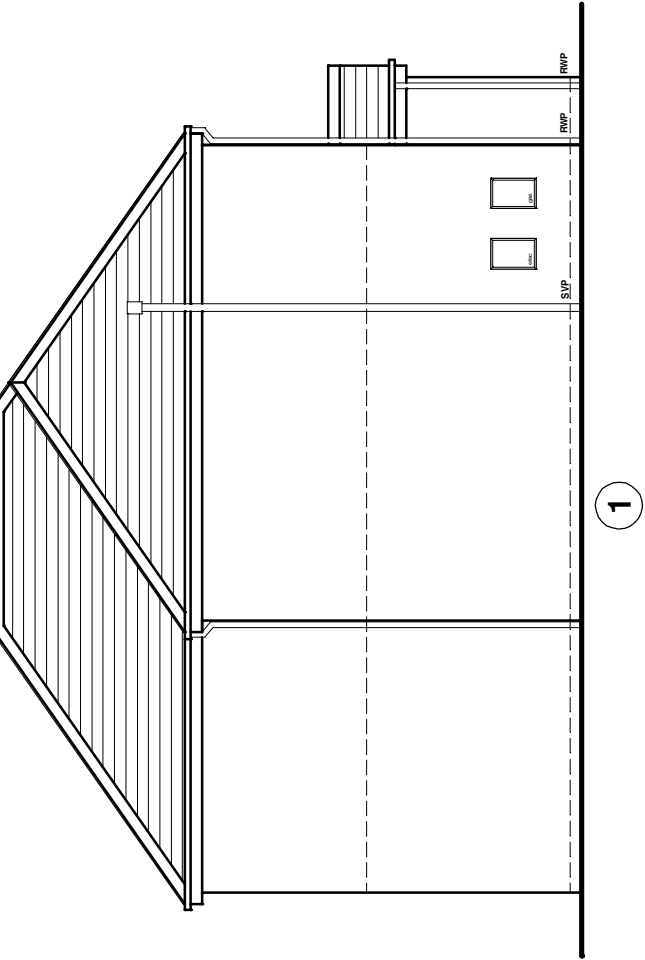
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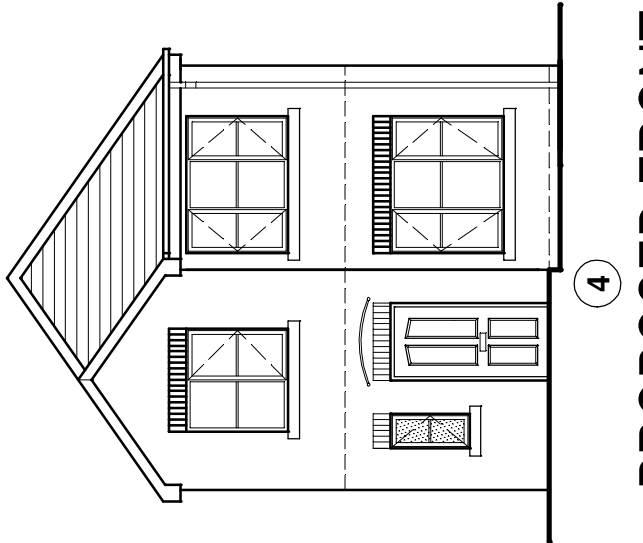
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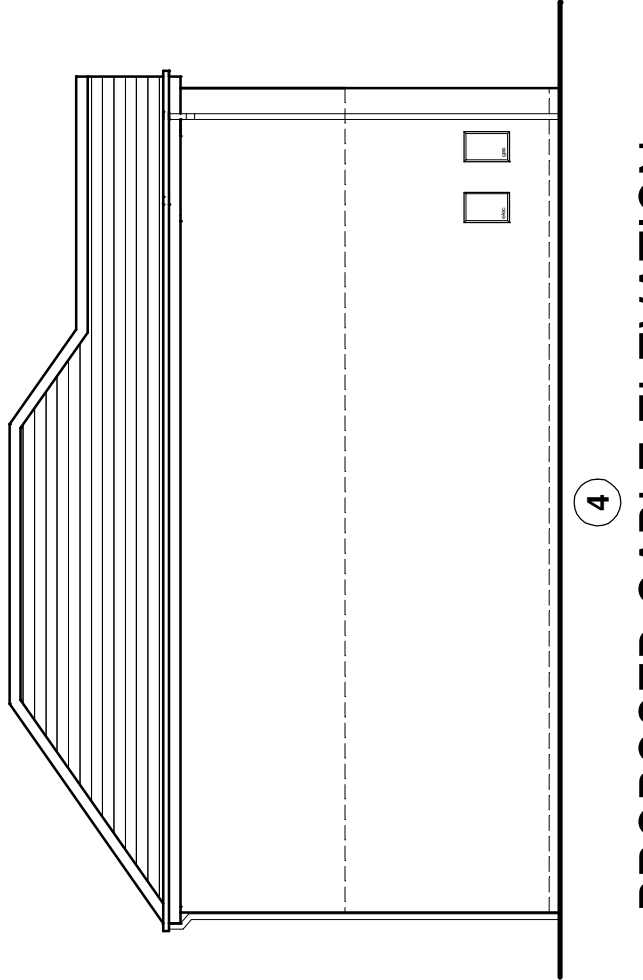
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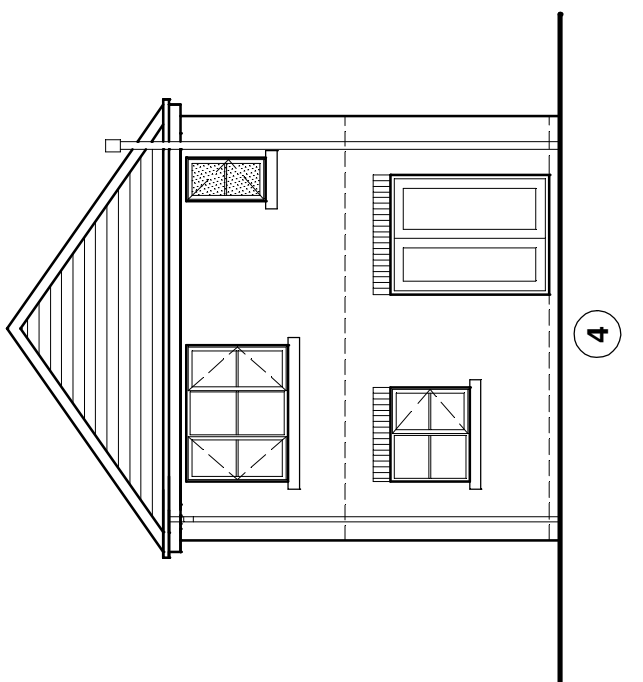
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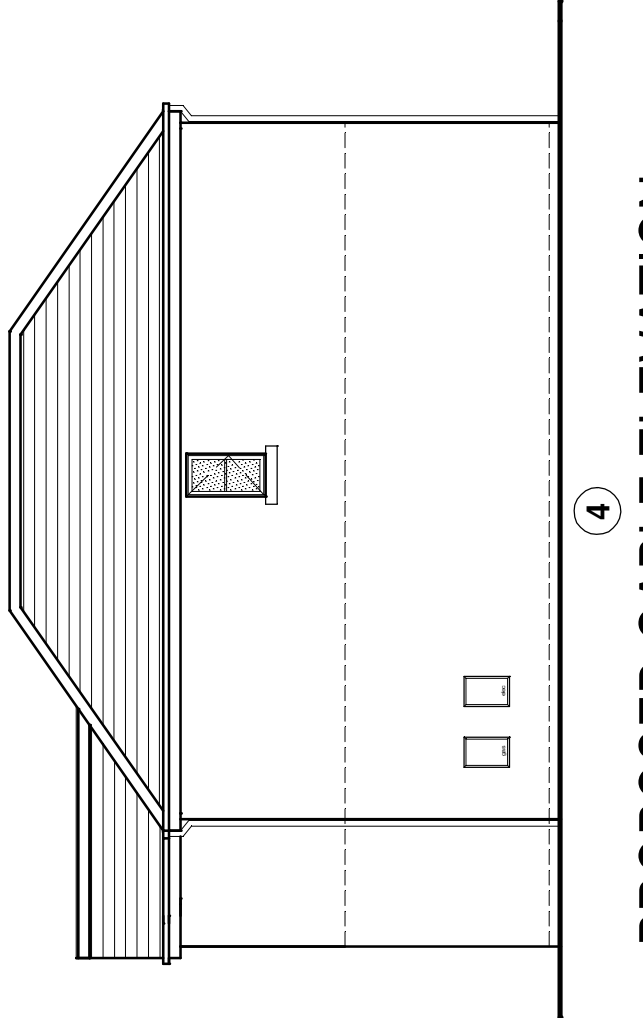
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PROPOSED GABLE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED GABLE ELEVATION

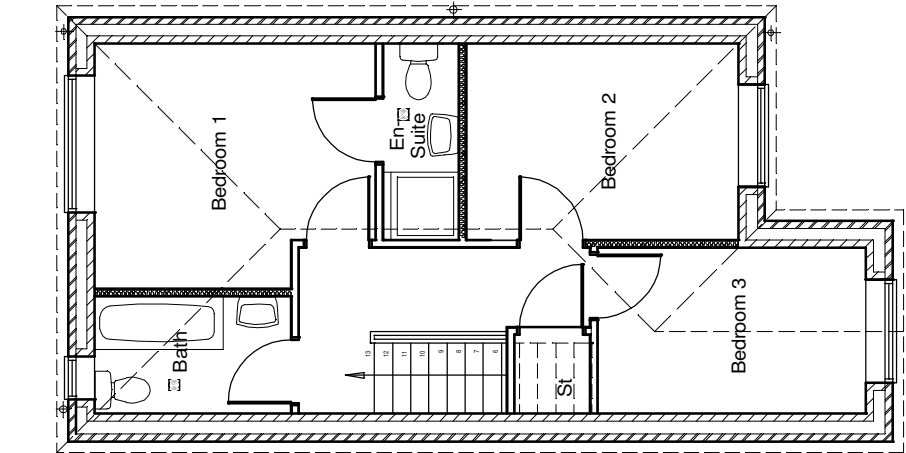
PROPOSED ELEVATIONS

Revision	Date	Details
A	16.01.17	PLOT NUMBER AMENDMENTS

nicol thomas
architects project managers construction cost consultants CDM
co-ordinators
Registered in England and Wales Reg No. 2148339
Quality Registered to BS EN ISO 9001:1994 Certificate Number GB 4723
Heyside House Blackshaw Lane Heyside Royton Oldham OL2 6NS
t01706 250088 f01706 250099 eoldham@nicolthomas.com
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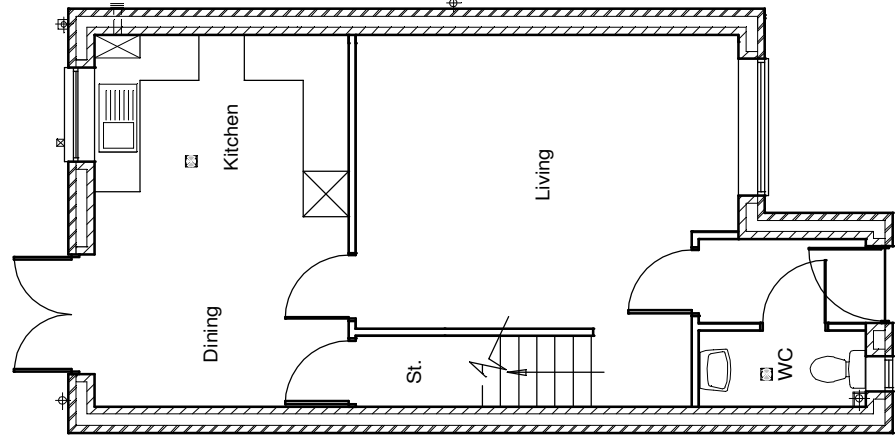
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Job:	Black Horse Street, Blackrod, Bolton		
Drawing title:	Proposed Elevations		
Drawing Number: (job number)	M4155.PL.03	Revision: A	
Scale:	1:50 @A1		
Date:	09.11.16		
Drawn by/ checked by:	S		



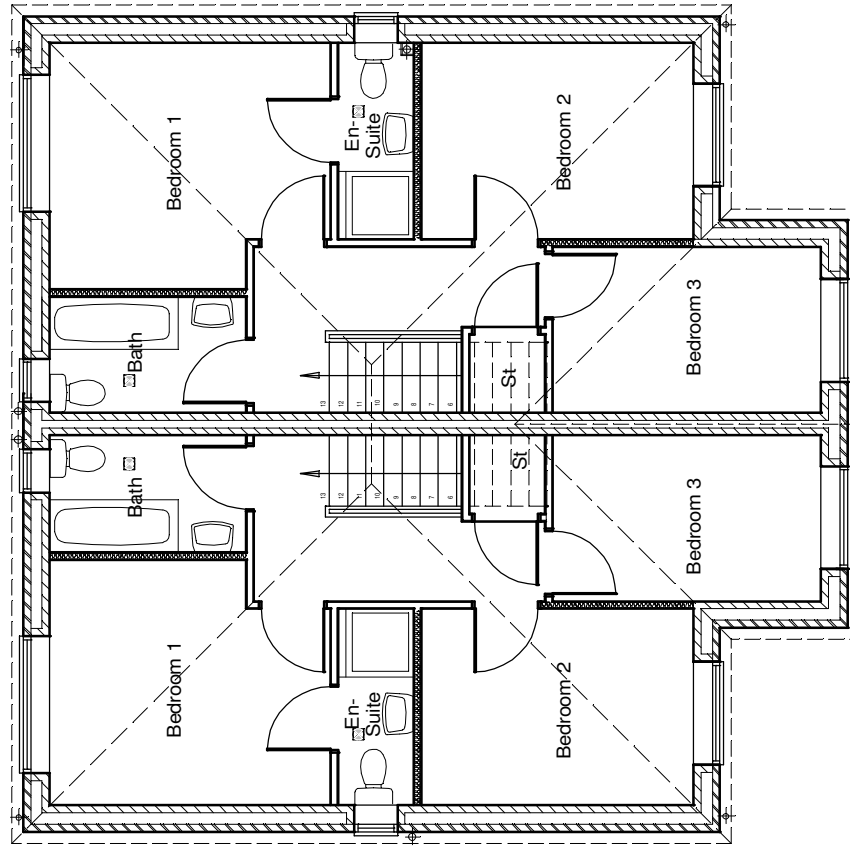
Plots 4

PROPOSED FIRST FLOOR PLAN



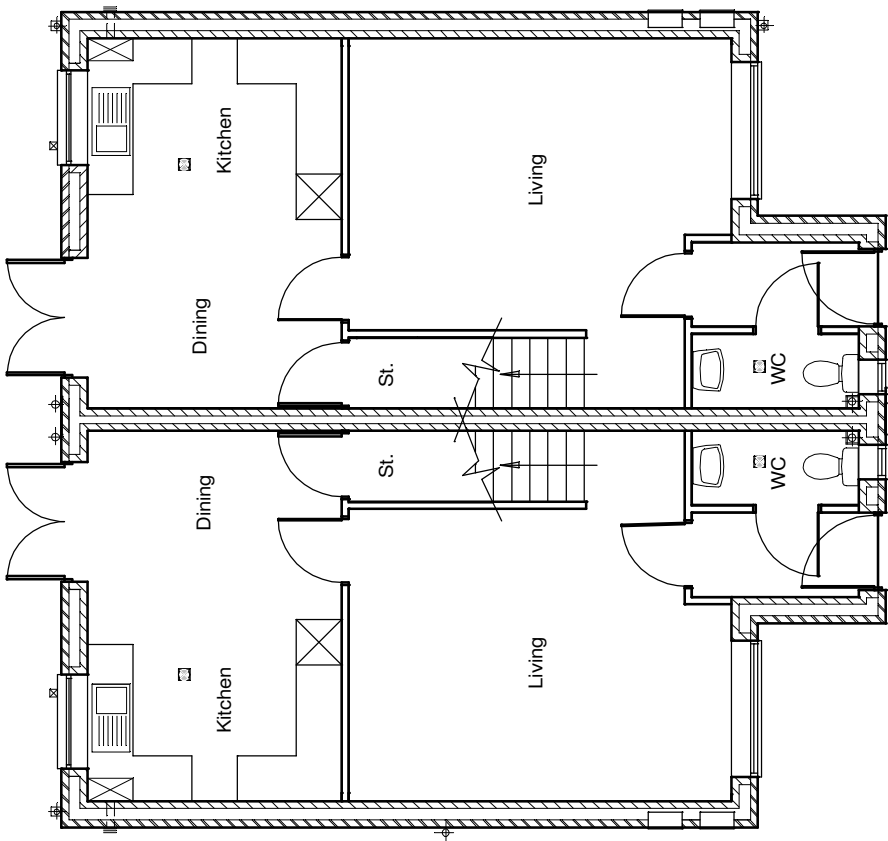
Plots 4

PROPOSED GROUND FLOOR PLAN



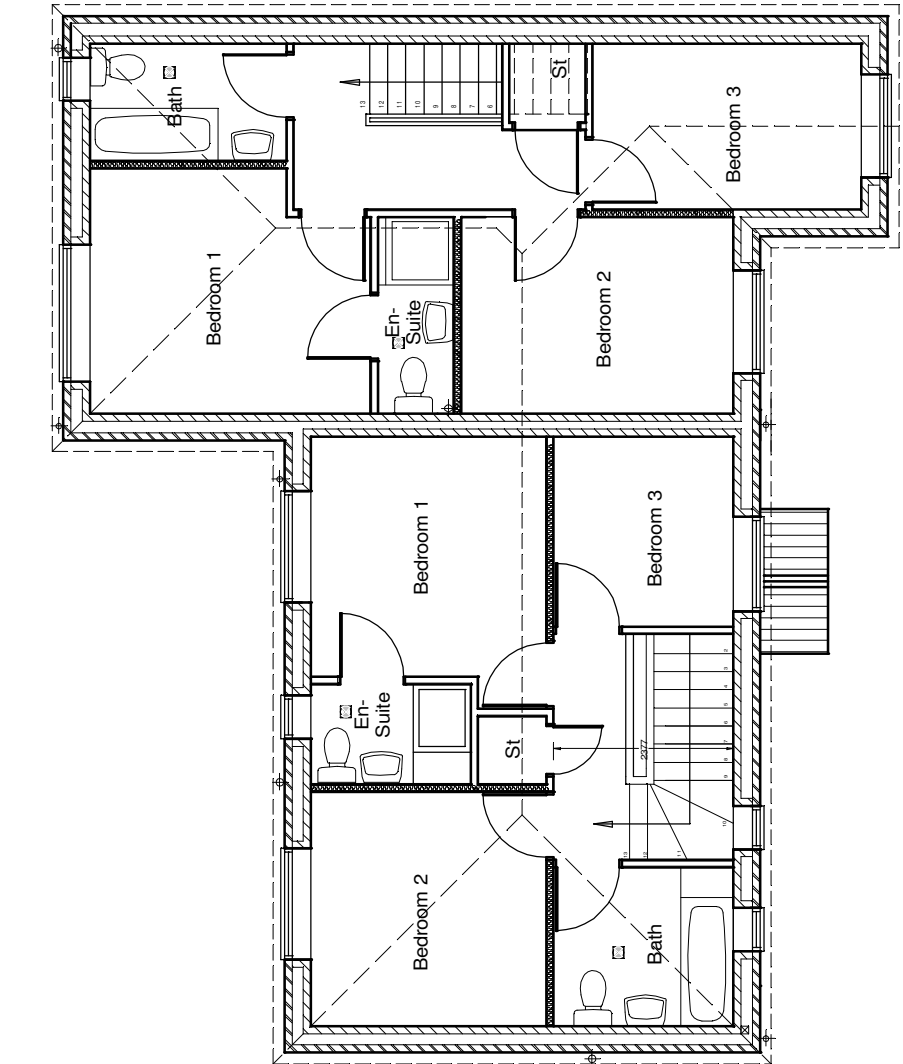
Plots 5, 7, 9 & 11

PROPOSED FIRST FLOOR PLAN



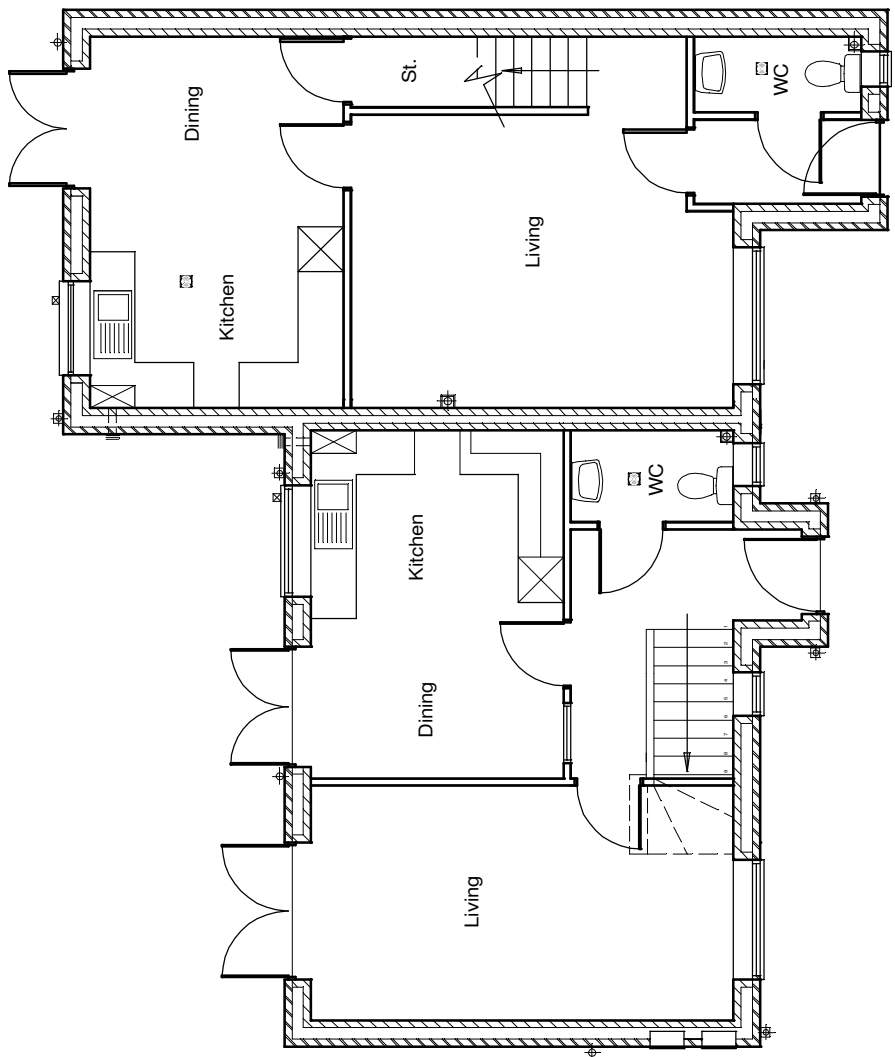
Plots 5, 7, 9 & 11

PROPOSED GROUND FLOOR PLAN



Plot 1

PROPOSED FIRST FLOOR PLAN

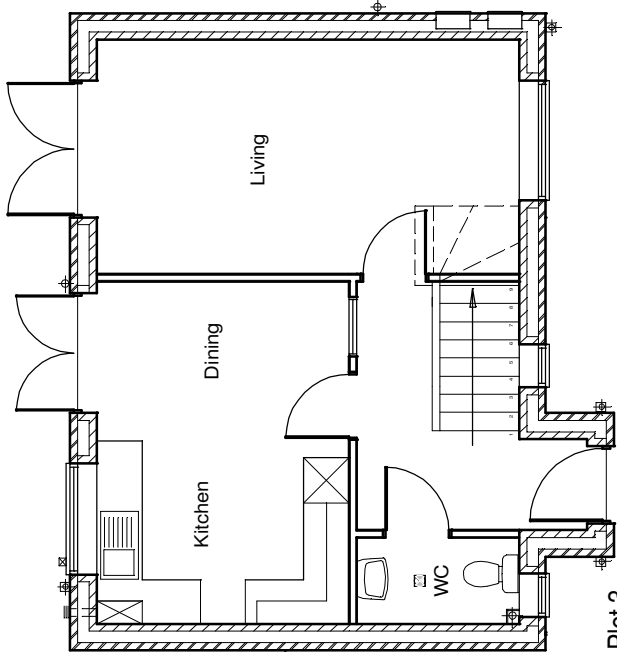


Plot 1

PROPOSED GROUND FLOOR PLAN

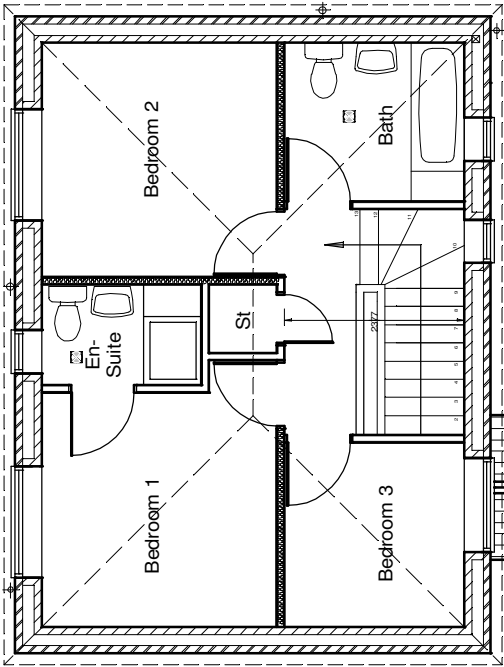
Plot 2

PROPOSED FIRST FLOOR PLAN



Plot 3

PROPOSED GROUND FLOOR PLAN



Plot 3

PROPOSED FIRST FLOOR PLAN

PROPOSED FLOOR PLANS

Client:	Wiggett Construction		
Job:	Black Horse Street, Blackrod, Bolton		
Drawing title:	Proposed Elevations		
Drawing Number: (job number)	M4155.PL.02	Revision:	A
Scale:	1:50 @A1		
Date:	09.11.16		
Drawn by/ checked by:	S		

nicol thomas
architects project managers construction cost consultants CDM
co-ordinators
Registered in England and Wales Reg No. 2148339
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Heyside House Blackshaw Lane Heyside Royton Oldham OL2 6NS
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Revision	Date	Details
A	16.01.17	PLOTS NUMBERS AMENDED

Application number 98030/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 09/02/2017

Application Reference: 98030/16

Type of Application: Full Planning Application

Registration Date: 19/12/2016

Decision Due By: 12/02/2017

Responsible Officer: Martin Mansell

Location: THE IRON CHURCH, BLACKBURN ROAD, BOLTON, BL1 8DR

Proposal: CHANGE OF USE FROM RETAIL (CLASS A1) TO TRAINING AND EDUCATION CENTRE (CLASS D1)

Ward: Crompton

Applicant: M5 Property Developments

Agent : SMS architecture

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought for a change of use to allow for the existing building to be used as an education and training centre together with a drop in centre, Class D1. The applicant has an agreement to lease out the building to a local charity, the Al-Khair Foundation, currently based on Derby Street in Bolton - they would use the facility as a drop in centre, education and training workshop space for the local community. It would also be used to hold some charity community events (fun days, charity dinners, etc). A letter from the regional manager has been included as part of the application containing the following supporting information:-

- we have reached an agreement (subject to planning approval) with the Iron Church owners to lease this building in order to carry out various programmes and training courses.
- we currently have two small offices for our Bolton branch but neither have sufficient space for our new objectives
- the current office on Blackburn Road is vacant due to extensive refurbishment work and we have unfortunately not been able to use the premises for some time. For this reason we are looking to expand to a new building to suit our needs in order to promote the inclusion of the local community in our worldwide charity projects.
- we require the premises to hold training courses for the local community. These will include ESOL classes, awareness programmes, volunteer and recruitment training courses, drop in centre, storage space, children and adult classes to raise awareness of our work worldwide, local community charity events.
- we have held numerous community events and projects in Bolton over the last 6 years and our aid work has been internationally recognised. We feel the residents of Bolton have much to offer and their generosity with their time and money has been overwhelming.
- we do not envisage more than 20-30 people using the building for the activities outlined above.

Hours of use are proposed as being from 0900 to 2000 Monday to Saturday and 1000 to 2000 Sundays.

No external alterations are proposed by the application. The proposal is to partition some of the internal areas with free moving partitions to divide the space depending on how the new occupants wish to use the facility e.g. IT workshops, English courses, exhibitions, fun-days etc. The internal partitions would be no more than 3 metres high to divide the space for various courses. An application for Listed Building consent has been submitted for these works but does not appear on the agenda in the interests of the efficient use of the time of the Planning Committee.

Clearly this building is a former place of worship, a vacant former church and therefore it may initially appear that change of use to Class D1 is not necessary. However, the property was previously and lawfully used for retail purposes (a furniture / antique shop) for many years, thus necessitating an application to revert back to the original use.

Members may be aware that the Council recently took successful enforcement action that sought the cessation of the unauthorised use of this building as a wedding venue, on the basis that this use caused harm to the living conditions of nearby residents and had an unacceptable impact on the local road network due to the lack of available parking. Officers confirm that the wedding venue operation has ceased and that activities such as this are not referenced in the current planning application - neither would the proposed closing time of 8pm suggest that this would be likely to be the case.

Site Characteristics

The site fronts Blackburn Road and the character of the area is mixed, typical of such radial routes but can be generally characterised by commercial uses fronting the main road with relatively dense housing to the rear. Also to the rear is a public car park, well used by local residents and businesses. The site was originally that of Bolton Congregational Church and then a United Reformed Church but is generally known as "the Iron Church" in reference to a temporary structure which it replaced.

The property is a Grade II Listed Building.

Policy

National Planning Policy Framework - building a strong and competitive economy, promoting sustainable transport, requiring good design, promoting healthy communities

Core Strategy Objectives

SO2 Access to Education, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO11 Built Heritage, SO16 Community Cohesion and Access

Core Strategy Policies

P5 Transport

S1 Crime and Road Safety

CG3 Design and the Built Environment, CG4 Compatible Uses

SC2 Cultural and Community Facilities

RA1 Inner Bolton

Supplementary Planning Documents

General Design Principles

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be

determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.

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

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

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

The main impacts of the proposal are:-

- * impact on the heritage asset
- * impact on nearby uses
- * impact on the road network
- * impact on community provision

Impact on the Heritage Asset

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings. Core Strategy Policy CG3 seeks to ensure that development proposals 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. Historical associations should be retained where possible.

The property is a Grade II Listed Building; however, its heritage value is considered to lie chiefly in its scale and external materials and design. The interior is fairly functional and lacking in heritage value other than the sense of scale created by the large open interior. The proposed works are limited in scale and reversible and are not considered to be detrimental to heritage value.

The building has enduring period of vacancy and disuse, not least due to the Council's successful enforcement action due to the unlawful use as a wedding venue. Considerable benefits should be attributed to the use and occupancy of listed building as this makes it more likely that the building will be looked after.

The proposal would deliver benefits in heritage terms.

Impact on Nearby Uses

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

Policy CG4 of Bolton's Core Strategy seeks to ensure that new development is compatible with surrounding land uses; protects amenity, privacy, safety and security; does not cause unacceptable

nuisance or pollution; and takes potential historic ground contamination into account.

The use is considered appropriate for this area, given the mixed character and the main road frontage. The use would also involve a reversion back to a Class D1 use and therefore it would seem unreasonable to resist this. Also, no reference to wedding use is made in the application and the hours proposed (until 8pm in the evening) do seem to be reasonable and would also seem to prevent use for weddings - at least in the way that they were celebrated during the period of the unlawful use as these often went on until midnight. It is intended that the hours would be limited until 8pm by a condition on the basis that there are residential uses to the rear and evidence from the previous unlawful use demonstrated that the lack of on-site parking meant that vehicles were parked in the nearby residential streets at times when local residents had a reasonable expectation of being able to park near their homes. Guests attending weddings also caused noise and disturbance for local residents when returning to their vehicles; however, a condition limiting the hours to until 8pm would make this much less likely. Also, as the proposed use seeks to attract people from the local area rather than the national scale of a wedding it is less likely that the use will attract a significant amount of vehicles.

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

Impact on the Road Network

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

The Council's Highway Engineers consider there to be limited information within the submission to indicate how the proposal will operate within a normal working day. They note that there is no off-road parking provision associated with the application site. The submitted site plan/floor plan appears to show that the facility will be a mixed use catering for business, training and community. It would be difficult to calculate car parking standards using the Core Strategy requirements for this level of mixed use class. The public car parks within the vicinity of the application site are already well used by residents and local businesses and it would be difficult based on the submitted information to determine whether sufficient off-road parking would be available within these facilities to support the change of use indicated. Although the site is highly accessible to sustainable transport modes there is still the potential for this use class to exacerbate on-street parking issues at that location to the detriment of highway safety and residential amenity.

The comments of the Council's Highway Engineers are noted, as is the lack of off-road parking provision. However, Planning Officers take the view that were it not for the intervening use for retail there would be no need for the current planning application. It cannot be guaranteed that the proposed use would not have any impact on parking provision in the area. However, the building exists and has a lawful use for retail which has the potential to create parking demands of its own. The building is Listed and there are therefore benefits to its occupancy.

On the basis that it would see the building returned to a use class of which it operated from its original construction until relatively recently, the proposal is considered to comply with Core Strategy Policies SO9, P5 and S1 and the Accessibility, Transport and Road Safety SPD.

Impact on Community Provision

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and

deliver sufficient community and cultural facilities and services to meet local needs.

It goes on to state that the planning system can play an important role in facilitating social 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. Planning policies and decisions, in turn, should aim to achieve places which promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity.

Policy SO16 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities. Policy SC2 of the Core Strategy states that the Council will ensure that community facilities are located in the neighbourhoods that they serve.

The benefits of community uses are acknowledged by national and local planning policies. The Applicant intends that the use would serve the local community and envisages a maximum of 20 to 30 people visiting the site, though of course this cannot be guaranteed. However, unlike the previous unlawful wedding venue, which by its very nature encouraged people to travel considerable distances in order to celebrate weddings, the proposed community use is considered much less likely to attract people from a wider catchment area.

The proposal would deliver community benefits in terms of Policies SO16 and SC2.

Local finance considerations

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

Conclusion

It is accepted that the previous wedding venue use caused significant harm to planning issues such as parking provision and living conditions. However, on the face of it and bearing in mind the proposed closing time of 8pm, the proposed community and charity use is considered to be less likely to impact on these issues. That is not to say that they can be completely ruled out - this is a relatively large building with no on-site parking - but the impacts are likely to be less significant and the limited hours mean that potential impacts would take place over a much more limited time. In planning terms, the application seeks reversion back to the original use class of the building and the benefits of the occupancy of listed building must be noted. The reverse is also true - the risk of harm to listed buildings by way of neglect and disuse is also a planning consideration of significant weight.

The intervening retail use presents the opportunity to impose some controls over the operation of the use in a way that would not have been possible had the Class D1 use been continuous and therefore, subject to conditions limiting the hours to until 8pm and preventing the use for the celebration of wedding, the proposal is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- representations of objection have been received from a local resident and on behalf of the nearby Taiyabah Mosque. The grounds of objection include:-

- having lived on Blackburn Road for nearly 30 years I have witnessed first-hand how traffic congestion and parking problems have increased dramatically in the area with businesses already operating around the Iron Church
- if planning is granted the car parking problem will become very bad as seen when the Iron Church was being used as a function venue as the site has no parking of its own and the Draycott Street car park mentioned in application is actually for mosque use
- the reference to "local community charity events" is concerning as this is a very broad and vague statement and can be construed to include events such as parties, meetings, fundraisers where there will be a potential for lots of people to gather causing severe problems on the roads
- the owner is using the charity angle to obtain this planning permission for his own benefit and once permission is obtained the use of the hall will in effect revert to a function hall again, so when the charity lease runs out (which is a short lease and free) the owner will start renting out again for weddings, engagements.
- whenever there has been a gathering of people at the Iron Church cars have been parked haphazardly on corners and on pavements forcing pedestrians to walk on the busy road as traffic is speeding past and even blocking off access to peoples properties and driveways - this is a hazard not only to pedestrians but also to any emergency vehicles such as ambulances and fire engines
- more residents should be included in this consultation as many people who are affected are not even aware of the planning application
- Taiyabah Mosque confirms that there is a long lease in place for the Draycott Street car park and therefore visitors to the Iron Church cannot use this. Indeed, with work about to commence on the new mosque facility the exclusive use of this car park will be even more important

Consultations

Advice was sought from the following consultees: Highway Engineers.

Planning History

An application for continued use as a wedding venue was withdrawn in August 2015 (94451/15). Enforcement action against the use was successfully taken later.

Consent was granted for change of use to an antique centre in June 1993 (43274/93). The consent was clear that this was for antiques and not open retail.

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. No activities shall take place on the premises or at the site outside the following hours:-

0900 to 2000 Mondays – Saturdays

1000 - 2000 Sundays

Reason

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

3. The building shall not be used for the celebration of weddings at any time.

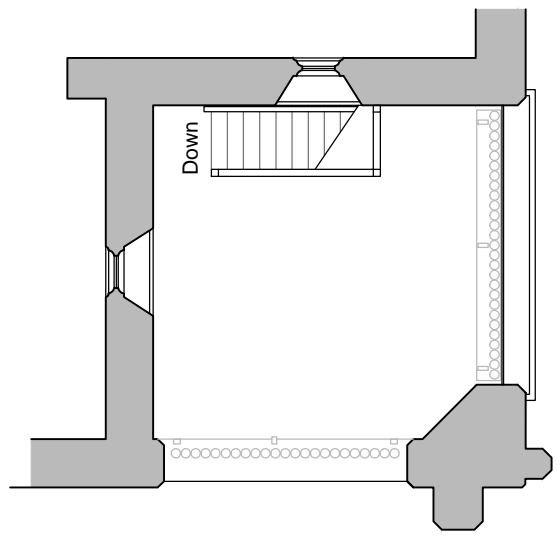
Reason

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

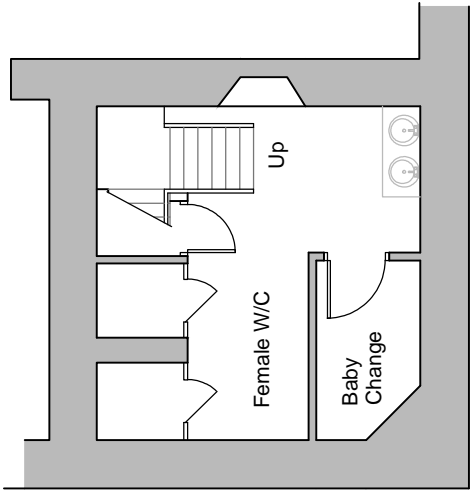
4. There shall be no externally audible or amplified calls to prayer at any time by way of loudspeakers, amplifiers, bells, tannoys, or other similar public address systems sounded, broadcast or otherwise transmitted from the building or the site or in any other way in association with the use.

Reason

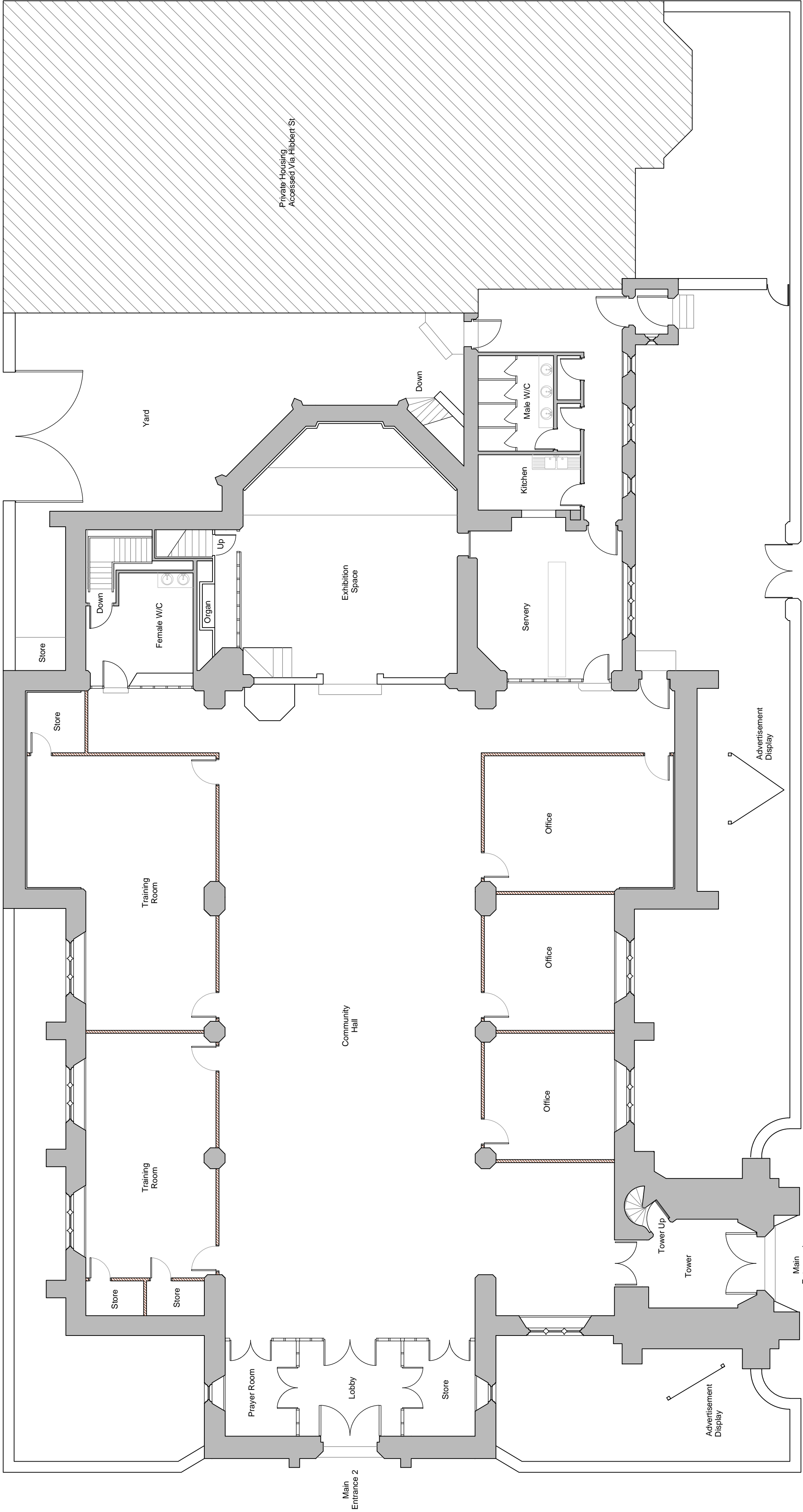
To safeguard the living conditions of nearby residents from noise pollution and to comply with policy CG4 of Bolton's Core Strategy.



UPSTAIRS ORGAN



DOWNSTAIRS W/C



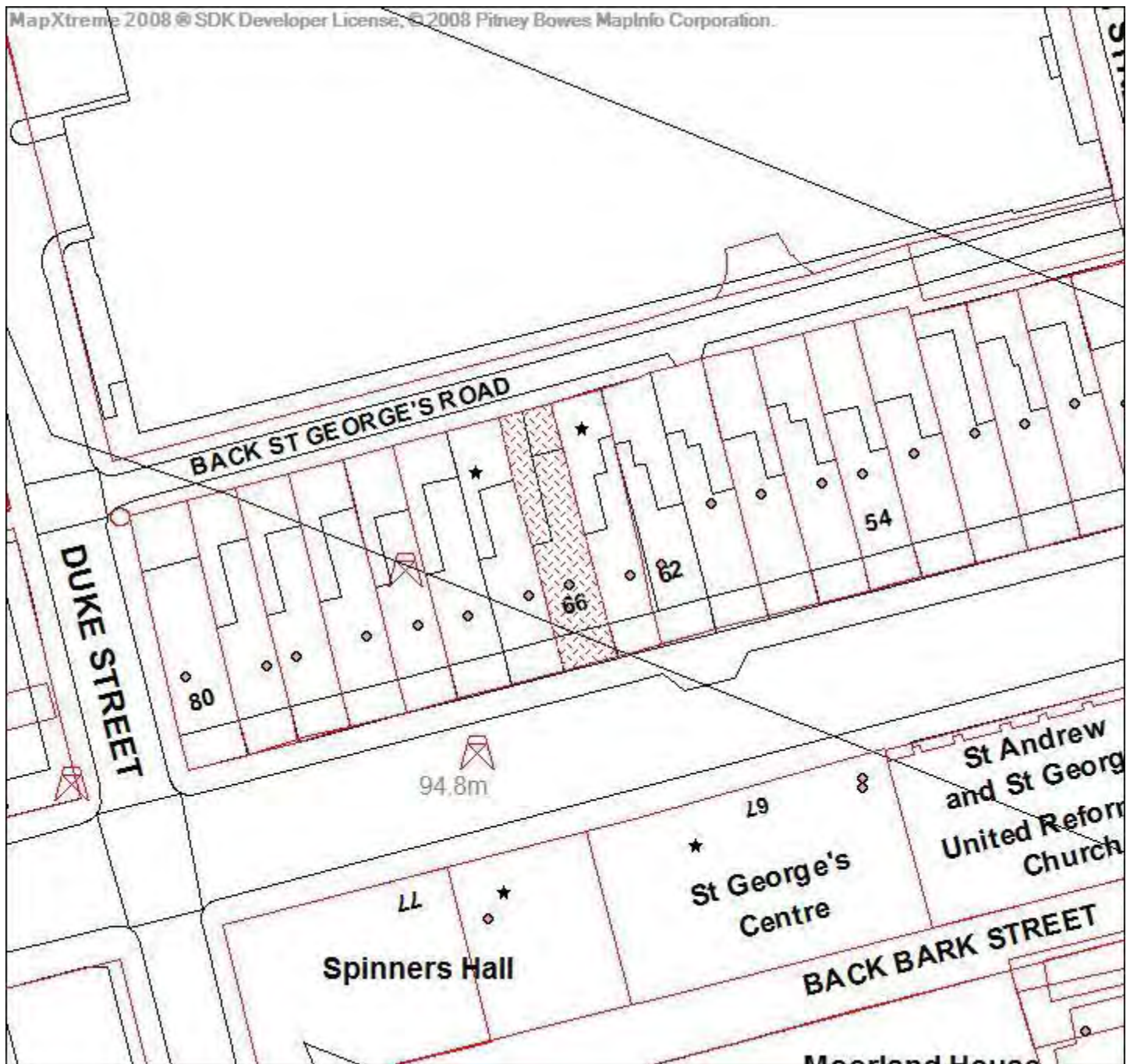
GROUND FLOOR

- Existing Walls
- Proposed Walls

NOTES:
No scaling or dimensions other than those signed
are to be taken from this drawing. All dimensions to
be checked on site.
This drawing is for use at the named location and
should not be used at any other location or for any
other purpose.

Project Location:
Iron Church,
Blackburn Road,
Bolton,
BL1 8DR

**Application number
98140/16**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 09/02/2017

Application Reference: 98140/16

Type of Application: Full Planning Application

Registration Date: 21/12/2016

Decision Due By: 14/02/2017

Responsible Officer: Martin Mansell

Location: 66 ST GEORGES ROAD, BOLTON, BL1 2DD

Proposal: CHANGE OF USE FROM OFFICE TO 5No APARTMENTS

Ward: Halliwell

Applicant: G F Property Holdings Ltd

Agent : Paul Smith Design Services

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought to change the use of the property to residential in the form of 5 self-contained flats. There would be two flats at ground floor level, two at first floor together with a fifth flat in the roof space - though the bedroom to this flat would be located on the first floor. The full details are:-

Ground Floor

Flat A - living room/kitchen, bathroom, separate double bedroom - 35.25 square metres

Flat B - living room/kitchen, ensuite double bedroom - 29.56 square metres

First Floor

Flat C - living room/kitchen, ensuite double bedroom - 26 square metres

Flat D - living/bedroom, kitchen, bathroom - 24.22 square metres

Second Floor (loft)

Flat E (duplex) - bedroom, living room, kitchen and ensuite - 36 square metres

No external changes to the building are proposed and internal works are generally limited to the installation of partitions to form bedrooms together with bathroom and kitchen furniture, redecoration and a new heating system. An application for Listed Building consent has been submitted for these works but does not appear on the agenda in the interests of the efficient use of the time of Planning Committee.

A bin store and cycle store are proposed for the rear yard.

Site Characteristics

The site is a Grade II Listed Building, part of a Georgian terrace recently restored as part of a HLF townscape scheme. These properties were constructed as dwellings, but in common with many such

buildings were converted to office use.

Uses in the area are mixed, typical of the periphery of the town centre - dominated by the large NCP car park to the north and the office development of 120 Bark Street to the south west. Other uses include two churches, the successful residential conversion of Spinners Hall and the recently constructed Salvation Army accommodation.

The site lies within the St Georges Conservation Area and is also subject to Policy TC9 of the Core Strategy - Little Bolton.

Policy

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

Core Strategy Objectives: SO3 Economic Opportunities of Bolton Town Centre and the M61, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO11 Built Heritage, SO14 Inclusive Housing, SO15 Sustainably Located Housing, SO16 Community Cohesion and Access

Core Strategy policies: P1 Employment Sites, P5 Transport, S1 Crime and Road Safety, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses, SC1 Housing Targets, TC9 Little Bolton and TC11 Design in Bolton Town Centre

Supplementary Planning Documents: Building 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 living conditions;
- * impact on the road network;
- * impact on housing provision; and
- * impact on heritage assets.

Impact on living conditions

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

buildings and reduce pollution.

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

The use is considered appropriate for this area, given the generally mixed commercial and residential context. The relationship between offices and residential is generally considered to be acceptable - indeed, the B1 use class contains an amenity test. Other than the highway to the front, the area is relatively quiet compared with more lively parts of the town centre. However, it is considered to benefit from sufficient activity for natural surveillance to take place. The proposal is considered to comply with Policy CG4 of Bolton's Core Strategy

Impact on the road network

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

The Council's Highway Engineers advise that although there is no off-road parking provision associated with the existing premises, the site's previous use and accessibility to sustainable transport modes and town centre amenities means that the Highways Authority cannot reasonably object to what is being proposed.

The proposed use is not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and above the existing lawful use, bearing in mind the highly sustainable town centre location. It is also noted that the Council's Highway Engineers do not raise objection. The site is well related to and accessible by public transport and walking. The issue of whether vehicles are parked on land in the private ownership of others is considered to be a private matter unrelated to the impact on the road network.

The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1.

Impact on housing provision

The National Planning Policy Framework recognises the role of the planning system in providing the supply of housing required to meet the needs of present and future generations and the need to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development. The Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. Two of these principles are that planning should proactively drive and support sustainable economic development to deliver the homes and thriving local places that the country needs whilst encouraging the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value. The location of new housing will reflect the overall spatial option of concentrating development in Bolton town centre, renewal areas and at Horwich Loco Works. The Housing Market Assessments have provided an evidence base to inform the required mix of housing types. This shows that there is a requirement to construct more larger houses than has recently been the case, as well as to continue to provide for the increasing proportion of small households.

Policies SO14, SO15 and SO16 of Bolton's Core Strategy are strategic objectives within the "Strong and Confident Bolton" theme and seek to provide housing that meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households, focus new housing in the existing urban area, especially in Bolton town centre, council-owned housing areas

and in mixed-use developments on existing older industrial sites and to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities. Policy SC1 of Bolton's Core Strategy 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.

It is clear that Core Strategy supports the development of new housing in accessible locations including the town centre. Policy TC9 states that the council and its partners will retain existing buildings within the conservation area where practicable and where necessary find new uses for them, including office, leisure, retail and residential. The building has been vacant for some time and Policy TC9 sees residential as an appropriate alternative use. The area is therefore not protectively allocated for business use. Furthermore, whilst the recently introduced Part 3 Class J permitted development right does not apply to Listed Buildings, it is clear that the Government recognises, in principle, the benefits of vacant office space being used for residential purposes.

It is not the purpose of the planning system to seek to control the "type" of person who lives in a particular residential use therefore it is not considered that concerns over the behaviour of occupants can be supported or used as a reason to resist the proposal. Instead, the planning system seeks to control the use of land and buildings in the public interest, in particular by allocating sufficient land for different uses in appropriate locations. In this instance, Policy TC9 is clear that either residential or business use are acceptable in this location and the actions of occupants are not matters for planning control. Issues such as fire safety and ventilation are similarly subject to methods of control outside of the planning system. The proposal is not for a house in multiple occupancy or for bedsits - each unit would be self-contained with its own separate living room, bathroom, bedroom and in some cases kitchen.

The proposed conversion of this building to five self-contained dwellings is considered to have a small but beneficial impact on housing provision.

Impact on heritage assets

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on Local Planning Authorities that in the exercise of their powers with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides the primary legislation that must be used to assess the impact of proposals on listed buildings. Section 66 (1) of the Act states 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings. Core Strategy Policy CG3 seeks to ensure that development proposals 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. Historical associations should be retained where possible.

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

It cannot be that case the increasing number of properties being approved as residential apartments is likely to harm the character of the grade II listed buildings and appearance of the conservation area as these buildings were originally built as dwellings. It is true that the St George's Conservation Area Character Appraisal mentions that the St Georges area has been assimilated into the commercial centre of Bolton - however, this is a statement of fact and not a policy aim.

Officers confirm that an internal inspection of the building was carried out during the determination of an application for residential conversion at this site in 2013 and limited features of heritage value were found inside the building. It is reasonable to say that the heritage value of these buildings lies chiefly in their external appearance and group value - neither of which will be affected by the current proposal. The internal alterations are very limited in scale, will not result in harm to heritage value and in any case are reversible.

There is not considered to be any impact on heritage value.

Local finance considerations

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

Conclusion

Residential use is expressly confirmed as an acceptable use in Policy TC9 and is considered in any case to be of benefit in a town centre context. The proposed units are considered to provide an acceptable standard of accommodation to ensure that living conditions are not harmed. Concerns over parking or the type of person that the accommodation may attract are not considered to be of sufficient weight to overturn the policy presumption in favour of residential use.

The proposal represents the beneficial occupancy of vacant town centre floor space for an appropriate use.

Representation and Consultation Annex

Representations

Letters:- objections have been received from the two adjacent properties, both of which are currently in commercial use. The grounds of objection are:-

- we moved our business to Bolton and this street as it is a professional business environment. The street is slowly turning into apartments and if this continues we may have to consider moving the business and employees out of the area;
- we have serious concerns about noise and anti-social behaviour based on ongoing experience with residents opposite. This is not the image we want to portray to our visiting clients nor what we want our employees to experience whilst working;
- the noise/disruption that will occur during the proposed renovation work has the potential to seriously impact on our business operations;
- there is no reservation set aside for parking of any of the residents or their guests who may be tempted to park in our allocated spaces - businesses already face individuals who are illegally parking at the rear of properties;
- the buildings on this particular section of St Georges Road are predominantly commercial use - the increasing number of properties being approved as residential apartments are likely to harm the character of the grade II listed buildings and appearance of the conservation area. The St George's Conservation Area Appraisal mentions that the "St Georges area has been assimilated into the commercial centre of Bolton";
- the increasing number of residents are likely to have a negative economic impact on local businesses trading as offices/clinics, especially the adjacent buildings such as myself the residents are likely to have a negative impact on employees during daylight hours due to noise disturbance and food smells;
- such apartments are not going to attract professionals, especially where parking facilities are inadequate. There are already increasing problems related to anti-social behaviour from surrounding residents in the area;
- the approval of further residential apartments is likely to create further issues by attracting similar tenants which leads to intimidation of employees and clients, and therefore will impact trade of local businesses;
- there will be a decline in the number of clients for my own business as delegates who will be involved in projects, conferences and presentations on a daily basis will be disrupted by noise from residents and this could potentially affect my business;
- five apartments for such a building is excessive as it includes conversion of the loft which has potential safety hazards;
- in proposed Flat D the adjacent kitchen and bathroom appears to lack adequate ventilation. In the event of a fire, there would be concerns about the neighbouring apartments and the confined spaces;
- the increasing number of residents are likely to have an environmental impact with increased domestic waste and more wheelie bins at the rear of the property which will appear unsightly and unattractive;
- the new residential apartments would contribute towards an erosion of balance for local businesses trading on St Georges Road. This is likely to result in conflict between residents and adjacent businesses in the future due to the close proximity of the proposed development; and
- approval of these plans will encourage further applications for residential use in a small commercial area which promotes a niche market of professional offices in a conservation area.

Consultations

Advice was sought from the following consultees: Highways Engineers.

Planning History

Planning consent was granted for residential use in January 2014 (90939/13), together with the heritage refurbishment in 2008.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

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

3. Before development commences details of the provision to be made for cycle parking within the site shall be submitted to and approved by the Local Planning Authority. Such details as are approved shall be implemented in full before the development hereby approved is first brought into use and retained thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists.

4. No development shall be commenced unless and until a detailed scheme showing the design, location and size of a bin store has been submitted to and approved by the Local Planning Authority and such works that form the approved scheme shall be completed before the development is brought into use, and retained thereafter.

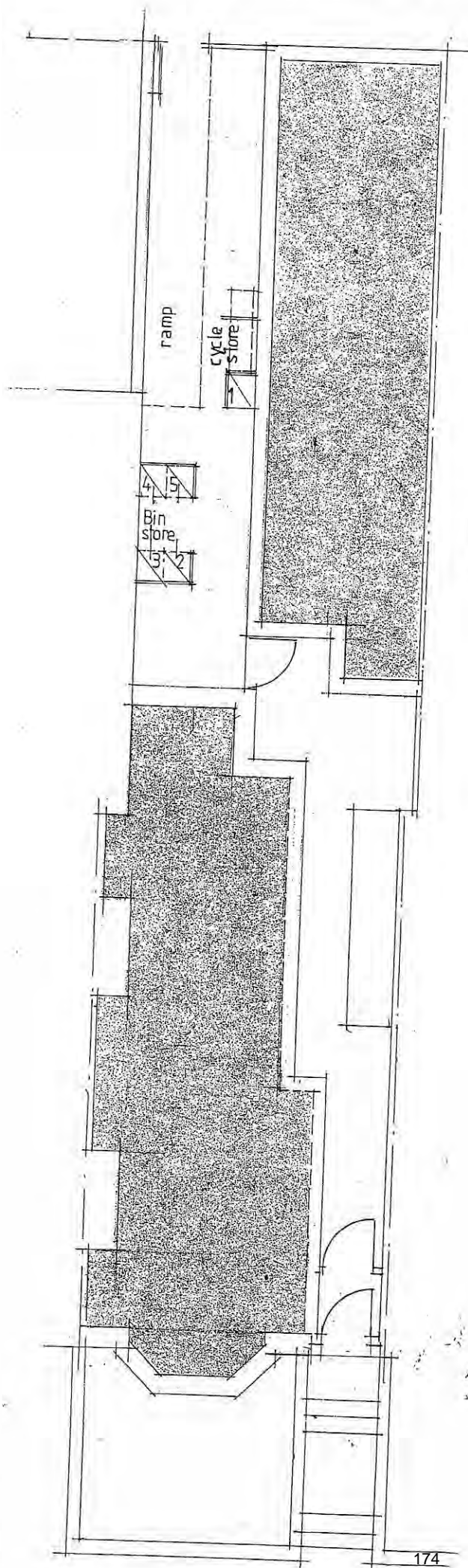
Reason

To ensure the development safeguards the character and visual appearance of the locality and the living conditions of nearby residents.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending or replacing that Order) no soil stacks, waste pipes (other than rainwater pipes) meter boxes and central heating flues shall be fixed to the external elevations of the building(s), unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure the development safeguards the character and visual appearance of the locality.



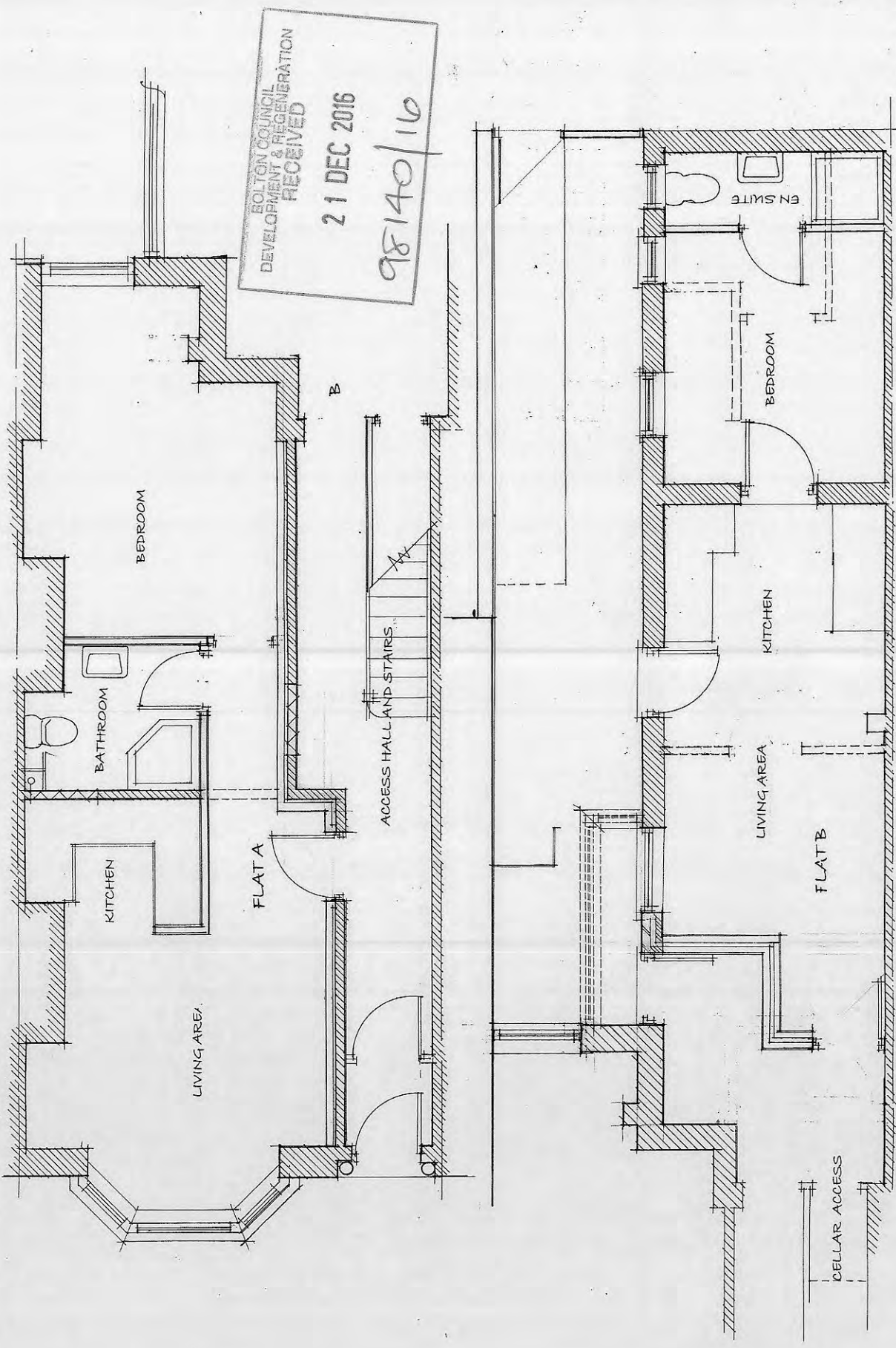
BOLTON COUNCIL
DEVELOPMENT & REGENERATION
RECEIVED
21 DEC 2015
08140/16

PROPOSED SITE PLAN

SCALE 1:100

PROPOSED CHANGE OF USE, 5 SELF CONTAINED FLATS
66 St GEORGES ROAD BOLTON

PAUL SMITH DESIGN SERVICES
1 CHAPEL STREET EGERTON BOLTON BL7 9TW
Tel 01204 593894 Mobile 07870 195 704

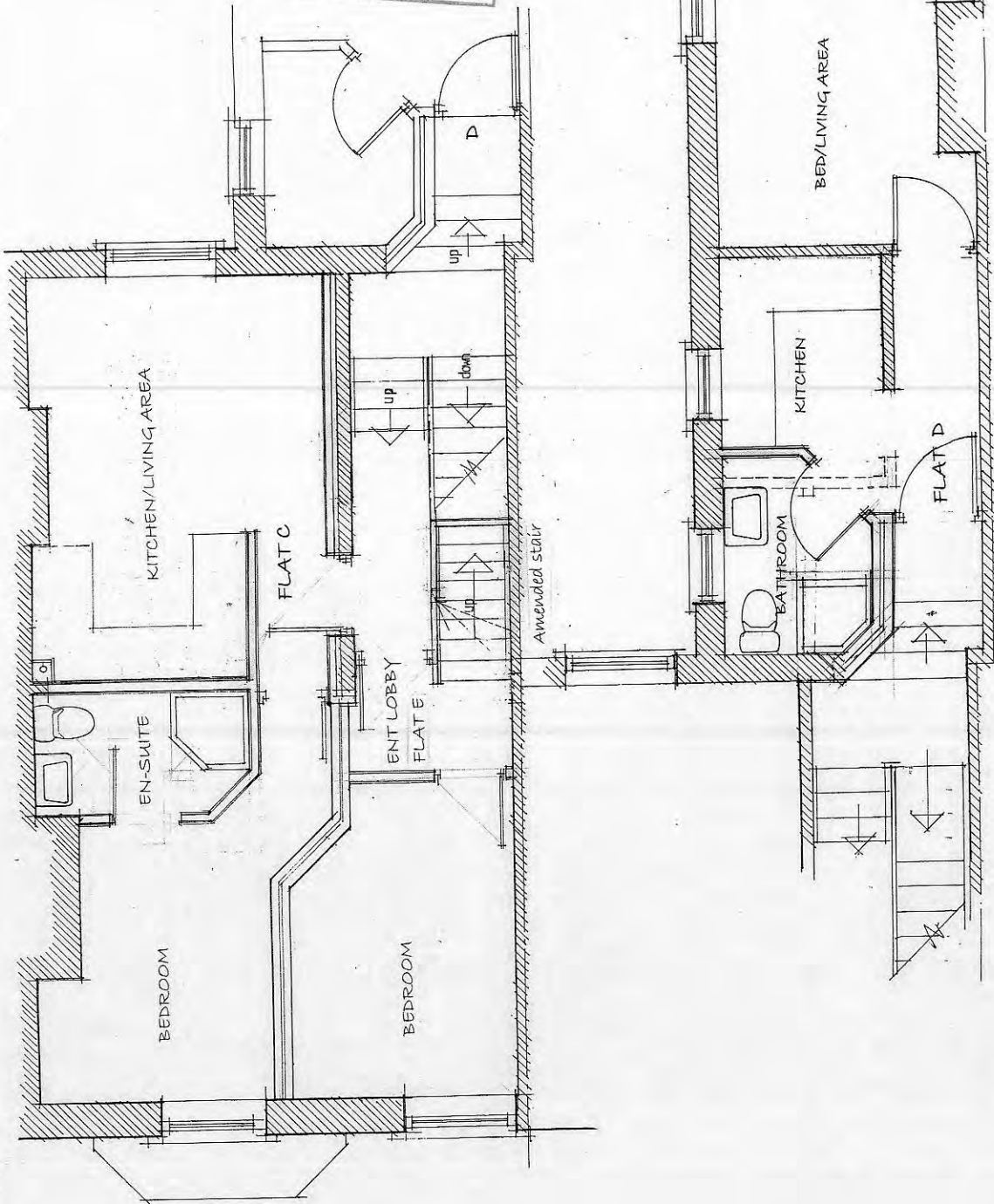


PROPOSED GROUND FLOOR

SCALE 1:50 @ A3

PAUL SMITH DESIGN SERVICES
1 CHAPEL STREET EGERTON BOLTON BL7 9TW
Tel 01204 593994 Mobile 07870 195 704

BOLTON COUNCIL
DEVELOPMENT & REGENERATION
RECEIVED
21 DEC 2016
98140/16



PROPOSED FIRST FLOOR

SCALE 1:50 @ A3

PAUL SMITH DESIGN SERVICES
1 CHAPEL STREET EGERTON BOLTON BL7 9TW
Tel 01204 593894 Mobile 07870 195 704

PROPOSED CHANGE OF USE, 5 SELF CONTAINED FLATS
66 ST GEORGES ROAD BOLTON

BOLTON COUNCIL
DEVELOPMENT & REGENERATION
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21 DEC 2016
98140/16

PROPOSED SECOND/LOFT LEVEL
SCALE 1:50 @ A3

PAUL SMITH DESIGN SERVICES
1 CHAPEL STREET EGERTON BOLTON BL7 9TW
Tel 01204 593894 Mobile 07870 195 704

