

Application number 12715/21



Directorate of Place
Development Management Section

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Bolton Council

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Date of Meeting: 06/01/2022

Application Reference: 12715/21

Type of Application: Full Planning Application

Registration Date: 26/11/2021

Decision Due By: 20/01/2022

Responsible Officer: Martin Mansell

Location: BOLTON MARKET, ASHBURNER STREET, BOLTON, BL1 1TJ

Proposal: RE-LOCATION OF THE EXISTING WASTE COMPOUND AREA FOR THE MARKET

Ward: Halliwell

Applicant: Bolton Council

Agent : Mellor Architects

Officers Report

Recommendation: Approve subject to conditions

Executive Summary -

- Consent is sought to relocate the existing waste compound / waste compactor from its current position on the northern side of the building to a new location on the southern side of the building, at New Street.
- Due to the grant of planning permission for the residential development at the former Moor Lane bus station site, it is necessary to relocate the waste compound / waste compactor in order to provide an adequate outlook for future occupants of the terraced townhouses.
- There are no objections from consultees or neighbouring properties.
- The impact on the character and appearance of the area is considered to be beneficial and the proposal would assist in achieving the Council's housing objectives and no harm has been identified that would be capable of outweighing these benefits.
- The application is before Planning Committee as the application site is Council-owned and the project is Council-led.
- The proposal is recommended for approval subject to a limited number of conditions.

Proposal

1. Consent is sought to relocate the existing waste compound / waste compactor from its current position on the northern side of the building to a new location on the southern side of the building, at New Street. Due to the grant of planning permission for the residential development at the former Moor Lane bus station site, it is necessary to relocate the waste compound / waste compactor in order to provide an adequate outlook for future occupants of the terraced townhouses. The structure consists of a solid timber fence approximately 3 metres in height, surrounding an area of land that accommodates waste storage and a waste compactor.
2. It is proposed that what is presently one large compound comprising a waste compactor and a

bin storage area would be split into two parts at the new location - the waste compactor and its associated elements would be located immediately adjacent to a row of retail cabins / stalls that line the railway cutting (one would need to be removed to accommodate the compound) and the storage area would be located on part of New Street near its junction with Ormrod Street. Both would be enclosed by a close-boarded timber fence of a type similar to that which encloses the existing compound.

3. Strategic Development colleagues also advise that the area vacated by the waste compound has the potential to be used for as an outdoor market, events space, flexible additional parking or a controlled access route to Blackhorse Street if needed.

Site Characteristics

4. The site forms part of the land associated with Bolton Market and is located on its southern side at New Street, close to the railway cutting that carries the route between Bolton and Wigan. It is presently used for informal parking, unloading and storage.
5. Despite its noticeable architectural features, Bolton Market is not listed and is not within a Conservation Area.

Policy

The Development Plan

6. Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses, P5 Accessibility, S1 Safe, SC1 Housing, TC11 Design in Bolton Town Centre

Other Material Considerations

7. National Planning Policy Framework 2021
8. Supplementary Planning Documents: General Design Principles.

Analysis

9. 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.
10. 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.
11. The main impacts of the proposal are:-
 - impact on the character and appearance of the area
 - impact on nearby uses
 - impact on the road network
 - impact on housing provision
 - other matters

Impact on the Character and Appearance of the Area

12. Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, conserve and enhance local distinctiveness and be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street

enclosure, local materials and landscape treatment. 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. Core Strategy Policy TC5 relates specifically to development within the area; however, it refers primarily to the general allocation of uses rather than seeking to promote or discourage particular forms of design or architecture.

13. The proposal comprises the relocation of the existing waste compound / waste compactor from its current position on the northern side of the building to a new location on the southern side of the building, at New Street. Its present location is clearly visible, indeed prominent, when viewed in particular from Blackhorse Street and the Ashburner Street entrance to Bolton Market but also when viewed from Moor Lane, albeit less so. The proposed site at New Street, whilst still publicly visible, is considerably less prominent and the proposed means of enclosure would ensure that any unsightly elements or clutter are minimised.
14. The relocation of the waste compound from its present prominent location to a less prominent location is considered to have a small but beneficial impact on the character and appearance of the area.

Impact on Nearby Uses

15. 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. It also seeks to ensure that development does not generate unacceptable nuisance by way of odours, fumes, noise or light pollution nor cause detrimental impacts upon water, ground or air quality.
16. There are no sensitive uses in the immediate vicinity of the site. The closest neighbouring property is the Employment Exchange on the opposite side of the railway cutting. The residential properties of Paderborn Court / Jubilee House are on the opposite side of the major highway of Moor Lane and are sufficiently distant so as to be unaffected by the relocation of the waste compound.
17. The impact on nearby uses is considered to be acceptable.

Impact on the Road Network

18. Core Strategy Policies P5 and S1 seek to ensure that new development proposals take account of accessibility of transport prioritising pedestrians, cyclists, public transport users over other motorised vehicle users, design developments to be accessible by public transport, servicing arrangements, sufficient parking, transport needs of people with disabilities.
19. Whilst New Street is a former highway, it has been formally closed and now simply forms part of the land associated with Bolton Market. Nevertheless, the Council's Highway Engineers have been consulted and raise no objection to the proposal.
20. The impact on the road network is considered to be acceptable.

Impact on Housing Provision

21. Strategic Objective 14 of the Core Strategy seeks to provide housing that meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households. Strategic Objective 15 of the Core Strategy seeks to 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. Core Strategy policy SC1 states that the Council will identify a range of housing sites for additional provision of 694 dwellings per

annum between 2008 and 2026.

22. It is difficult to see how the residential development approved under reference 12097/21 could be delivered without the waste compound being moved. Whilst it would be physically possible, future occupants would suffer from a highly constrained outlook at ground floor level.
23. Members were advised at paragraphs 127 and 136 of the Officer's report for the residential development at the former Moor Lane bus station that it would be necessary to relocate the waste compound, not least in order to ensure that Pollution Control colleagues did not raise concerns over odour from this facility. This application seeks planning permission to do just that.
24. The proposed development is necessary to ensure the delivery of the development approved under ref: 12097/21 and would therefore assist the Council in its housing delivery objectives.

Other Matters

25. At a meeting with Market Traders on 28th October 2021, Strategic Development colleagues presented the proposals for both the relocation of the waste compound and the access road to the traders together with the proposals for the redevelopment of the former Moor Lane bus station, resulting in the letter of support for application ref: 12097/21 from the Chair of the Traders Association. The General Manager of Bolton Market has also confirmed that they are aware of the proposal, raise no concerns and understand that the works are necessary to deliver the residential development at Moor Lane.
26. Officers note that the Applicant has engaged with Network Rail in the form of a Basic Asset Protection Agreement in order to ensure that railway infrastructure that runs along New Street is not affected by the development.

Conclusion

27. The impact on the character and appearance of the area is considered to be beneficial and the proposal would assist in achieving the Council's housing objectives. No harm has been identified that would be capable of outweighing these benefits and therefore it is recommended that Members approve the application.

Representation and Consultation Annex

Representations

No representations have been made

Consultations

Highway Engineers

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 them being first brought into use, the waste compactor area and the bin storage area shall be enclosed by a close-boarded timber fence of a type similar to that which encloses the existing compound.

Reason

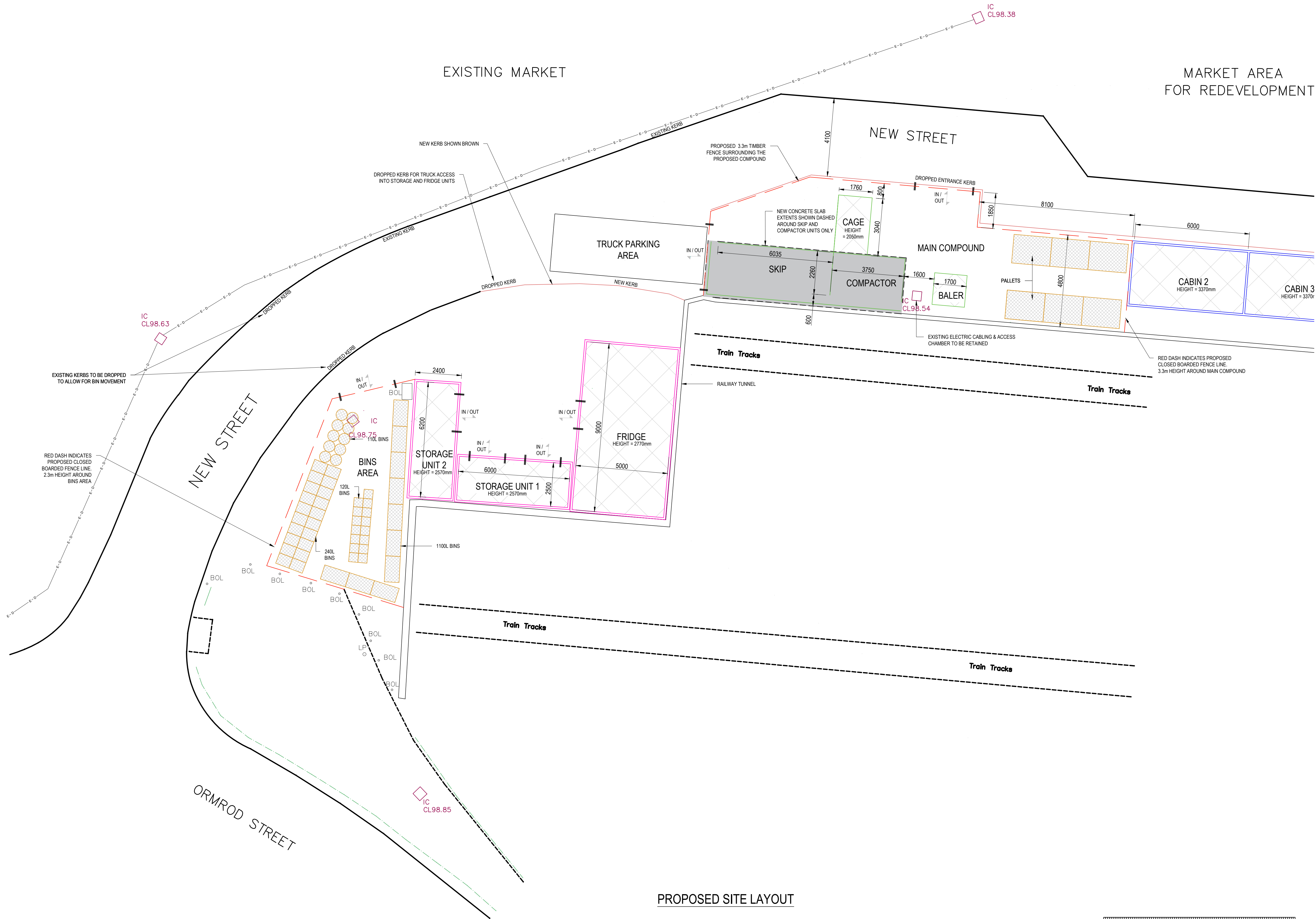
To protect the character and appearance of the area in accordance with Policies CG3 and TC11 of Bolton's Core Strategy.

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

Proposed Site Layout - 079238-CUR-XX-XX-DR-S-20001-P02 Nov 21

Reason

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



- GENERAL NOTES:
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS AND SPECIFICATIONS.
 - DO NOT SCALE THIS DRAWING. ANY AMBIGUITIES, OMISSIONS AND ERRORS ON DRAWINGS SHALL BE BROUGHT TO THE ENGINEERS ATTENTION IMMEDIATELY. ALL DIMENSIONS MUST BE CHECKED / VERIFIED ON SITE.
 - ALL DIMENSIONS ARE IN METRES UNLESS SPECIFIED OTHERWISE.
 - FOR GENERAL NOTES REFER TO DRAWING.

- LEGEND:
- PROPOSED CLOSED BOARDED FENCE LINE
 - REPOSITIONED STORAGE AND FRIDGE UNITS
 - REPOSITIONED PLANT
 - BINS / PALLETS
 - EXISTING CABINS

P02	SUITABLE FOR PLANNING	26.11.21	JC	PT
P01	SUITABLE FOR CO-ORDINATION	NOV/21	JC	AJR
Rev:	Description:	Date:	By:	Chkd:

Curtins

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Status: **SUITABLE FOR CO-ORDINATION** **S1**

Project: **BOLTON MARKET**

Orig Title: **PROPOSED SITE LAYOUT**

Size:	Date:	Drawn By:	Designed By:	Checked By:
A1	NOV 21	JC	JC	AJR
Scale:	1:100			
Project No:	Originator:	Volume:	Level:	Type:
079238 - CUR - XX - XX - DR - S -	20001	P02		