

Planning Applications Report

Planning Committee

18 December 2014

**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: -

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

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

www.bolton.gov.uk/planapps

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Application No.

92373/14



Development and Regeneration Department
Planning Control Section

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**Bolton
Council**

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Date of Meeting: 18/12/2014

Application Reference: 92373/14

Type of Application: Full Planning Application
Registration Date: 11/07/2014
Decision Due By: 04/09/2014
Responsible Officer: Simon Coles

Location: 78 HIGH STREET, BOLTON, BL3 6SZ

Proposal: ERECTION OF TWO STOREY EXTENSION TO FRONT AND SIDE, PART TWO STOREY/PART SINGLE STOREY EXTENSION TO REAR, RAISING OF ROOF HEIGHT BY 0.357M WITH DORMERS TO SIDE AND REAR.

Ward: Rumworth

Applicant: Dr Dhokia
Agent : RA Design & Project Management

Officers Report

Recommendation: Refuse

Proposal

The application seeks permission for:-

1. Part first floor/two storey and single storey extension at front.
 -) Front extension to provide new full width front gable elevation consisting of a first floor extension to be built over the existing ground floor bathroom, in-filling the void above; and two storey extensions.
2. Two storey extension at side.
 -) 1.3 metres wide and full length of the property. Windows are proposed at first floor level in the side elevation facing the side of the library.
3. Part two storey/part single storey extension at rear.
 -) The single storey element of the extension is 7.25 metres long with a first floor above, which projects 4 metres. Both the single storey and first floor extensions are 6.375 metres wide and handed away from the adjoining property.
4. Addition of roof lights to facilitate the conversion of loft to create habitable space.

The applicant has indicated that the property is to provide suitable living accommodation for a large family, which includes 10 children, one of whom is disabled.

Site Characteristics

This is a modern end town house within a row of four. The character of the area is in the main residential properties of varying types/styles. To the west of the property is a library and community centre.

There is no uniform building line to High Street.

The adjoining property at number 80 High Street has a window and door serving the kitchen and a window serving the lounge at ground floor level. The window in the first floor elevation closest to the application property serves a main bedroom.

To the south are the rear elevations of a row of traditional terraced properties forming Pike Road. There are various handed two and single storey extensions on these properties.

Number 28 Pike Street directly faces the rear of the application property and has a dining room and main bedroom window on its rear elevation.

There is no impact to the properties on High Street, to the front.

Policy

National Planning Policy Framework 2012

Bolton's Core Strategy: - CG3 – The Built Environment, CG4 – Compatible Uses and RA1 - Inner Bolton.

Planning Control Policy Note: - No. 2 Space around Dwellings

Supplementary Planning Guidance - House Extensions (2012)

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 adjacent properties
- * impact on the character and appearance of the area

Impact on the Adjacent Properties

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

Supplementary Planning Document - House Extensions states rear single or two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be considered acceptable. Single storey extensions longer than 4 metres may be acceptable if the space remaining at the end of the yard

would be unusable or if the impact on the neighbour would be limited by screening – for example, where there is an existing extension which the proposal would abut in the adjacent dwelling.

The purpose of the above is to ensure that neighbouring properties are not unduly affected in terms of their living conditions by reason of being overshadowed by any development to a degree where reasonable outlook would be lost.

The Council has taken the view that applications to extend such properties need to be considered more sympathetically. These principles may also be applied to more modern terraced and town houses which, by reason of style and fashion at the time they were built, also offer very limited accommodation to meet growing demands for home owners.

In this case, the proposed rear extension will be 4 metres long at first floor and 7.25 metres long at single storey. The first floor element is in-line with the guidance contained in the SPD however, due to the lack of screening the single storey element will provide an unacceptable impact on the living conditions of the neighbouring residents at 80 High Street, particularly with regard to the loss of light to the rear elevation and amenity space given the south western orientation of this property in relation to the proposed extension.

As a result of the above, it is considered that the proposal, due to its size and siting, would unduly impact on the outlook and living conditions of the neighbouring resident at number 80 to an unacceptable degree.

Impact on the property to the rear at number 28 Pike Road

Supplementary Planning Document - House Extensions (2012) gives guidelines on suitable the interface distance between two storey extensions that directly face main windows in adjacent properties. This ideal distance would be 21 metres. The Council will take this guideline distance into account along with other factors such as any difference in levels that might exist between neighbouring properties, the presence of existing extensions to neighbouring properties, and the availability of other screening measures (which may include fencing, walling or planting, or using high level or obscure glazed windows where appropriate).

The interface distance between the first floor principal bedroom proposed and the main room windows in the rear elevation of 28 Pike Road will be approximately 13.8 metres and therefore the proposal is significantly below the recommended interface distance.

Further to the above, it is considered that the proposal does not comply with Policy CG4.

Impact on the Character and Appearance of the Area

The NPPF in paragraph 56 states "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."

Bolton's Core Strategy (2011) policies CG3.2 and CG3.3 require proposals to respect and enhance local distinctiveness, and be compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment, including hard/soft landscaping and boundary treatment. Policy RA1 refers specifically to developments in Inner Bolton and ensuring new development proposals are compatible with the area, in terms of massing, materials, street scaping, good urban design.

Supplementary Planning Document 'House Extensions' states that a well-designed extension should be subordinate in relation to the dwelling and should be of a size and scale which is in proportion to the existing house.

The property was originally built as a four bedroom, two bathroom dwelling with separate lounge, kitchen and dining room. It is considered that the property, as existing, has adequate living accommodation for a family and therefore an extension of this size is against the spirit of this guidance, specifically paragraph 4.20 within SPD House Extensions (2012), which refers to traditional terrace/town houses with limited living accommodation.

The front two storey and single storey extensions are considered to be in-keeping with the existing property. There is no uniform building line to High Street, an example being that of the library sited next to the application property, which projects further forward and as such the front element of the proposal is not considered to provide a detrimental impact on the street scene of High Street.

The rear element, which is the bulk of the proposal backs onto Back High Street South. There are various extensions present to the rear of the properties on Pike Street that are two storey handed extensions on traditional terraced properties. Given that this property is fairly large in context to these traditional terraced properties, an extension of this size is considered to provide a strident feature within the street scene, which provides a detrimental impact on the character and appearance of the area.

The size and massing of the rear extension, particularly the single storey element, provides an extension that nearly doubles the size of the property. This is considered to present an incongruous and strident feature, which would have a detrimental impact on the character and appearance of the area and is therefore considered contrary to policy.

Amenity space

The current amenity space available to the property is approximately 65 sq m. The area retained from the building of the proposed extensions would be approximately 20 sq m and would be utilised for the parking of one vehicle. This would therefore result in a very limited area remaining for amenity space for the residents of this property, which for a family with 10 children as detailed in the application submission is considered to be sub-standard and unacceptable in policy terms. As mentioned above, the properties were built with adequate living accommodation for a large family and as such were afforded the outside space to represent this.

Further to the above, the original application, 39005/91 for the four properties was conditioned to remove Permitted Development Rights to restrict extensions, given the layout of the properties in relation to the surrounding area.

In this case the proposal is not considered to be in-keeping with the existing property due to its size, siting and massing.

Other issues

The Council have worked with the applicant to provide a more suitable solution by requesting amendments to reduce the single storey element to 4 metres, but the applicant was not forthcoming with this request and wants to proceed with this proposal.

The applicant has stated that the proposal is needed to re-house a family with 10 children, one of whom is disabled. The property as existing is too small to provide adequate accommodation for their needs.

The following evidence has been submitted to support the proposal:-

-) A letter from the proposed tenant;
-) Confirmation from Bolton Council and HRMC that the proposed tenant and his family had lived at 78 High Street previously;
-) Confirmation from Bolton Council and HRMC of where the applicant and his family live currently;
-) Evidence of the disability of one of the occupants.

It is considered that the supporting information provides little weight in justifying a departure from the guidance in this instance.

Conclusion

The proposal is not consistent with the guidelines contained in SPD - House Extensions (2012) by reason of the unacceptable impact the rear extension would have on the outlook and living conditions of the neighbouring residents. Similarly the proposal is not consistent with Bolton's Core Strategy (2011) by reason of its scale, siting and massing.

Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters:- A petition containing 26 names and addresses has been received supporting the application.

Elected Members:- Cllr Ibrahim requested the application be brought before Planning Committee.

Consultations

Advice was sought from the following consultees: None

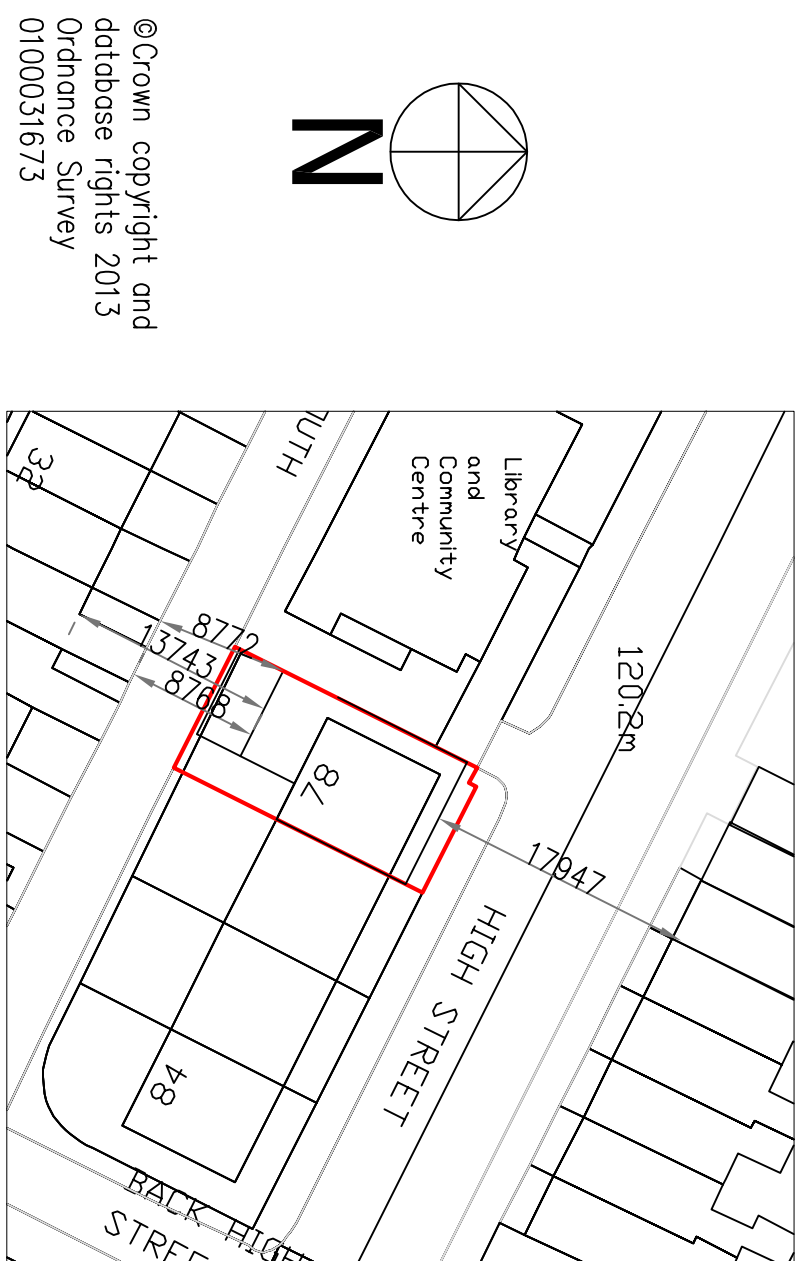
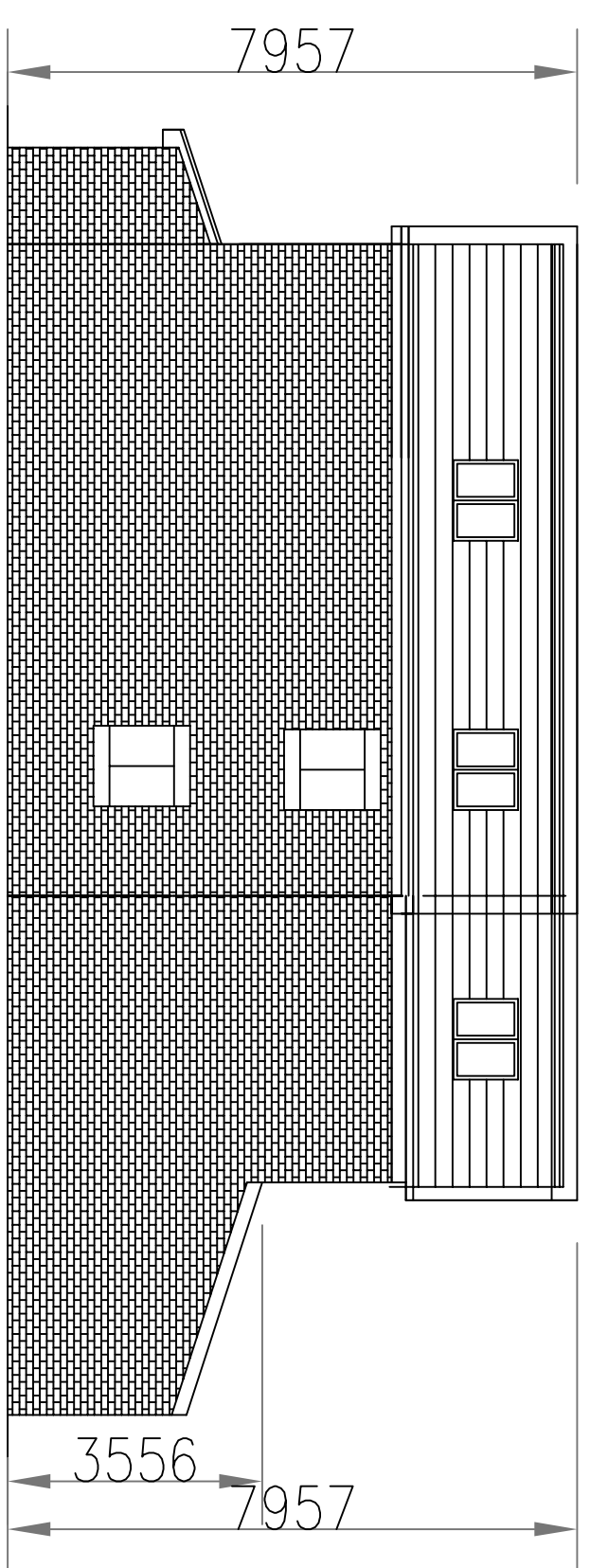
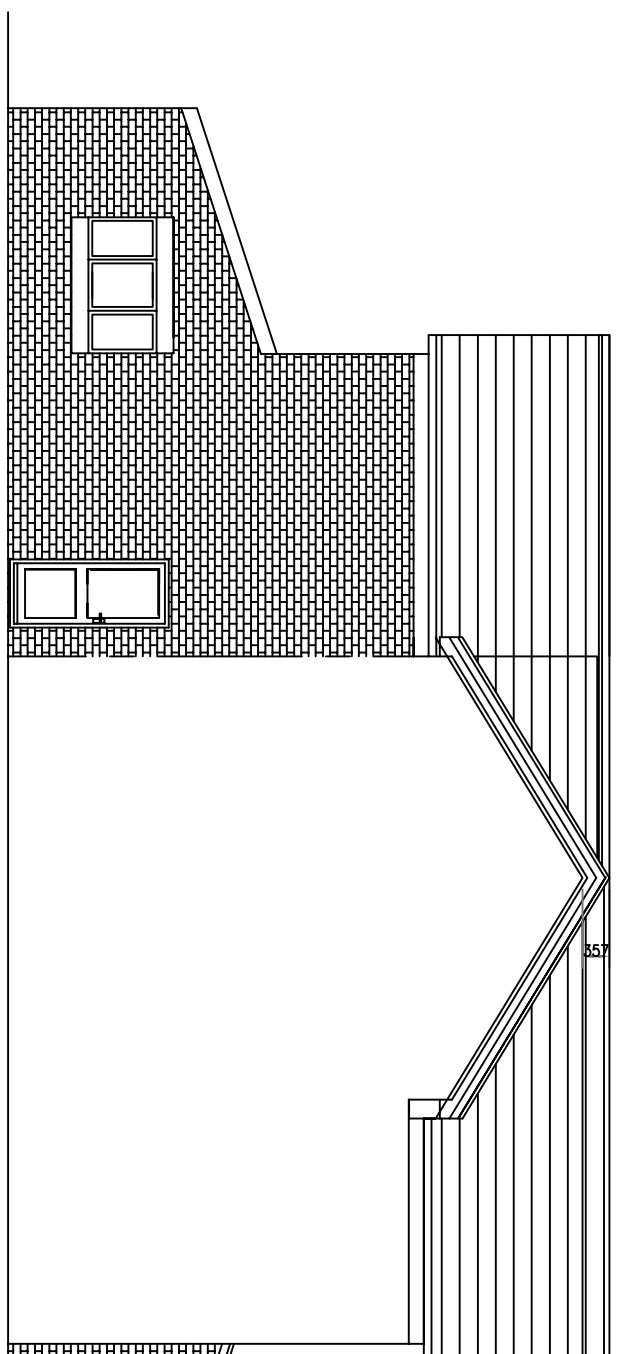
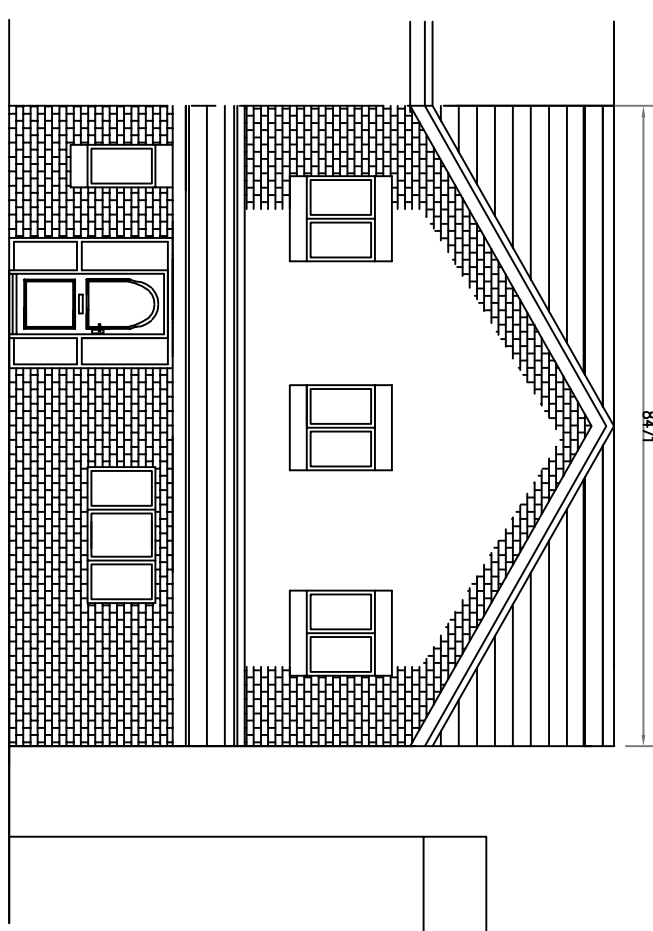
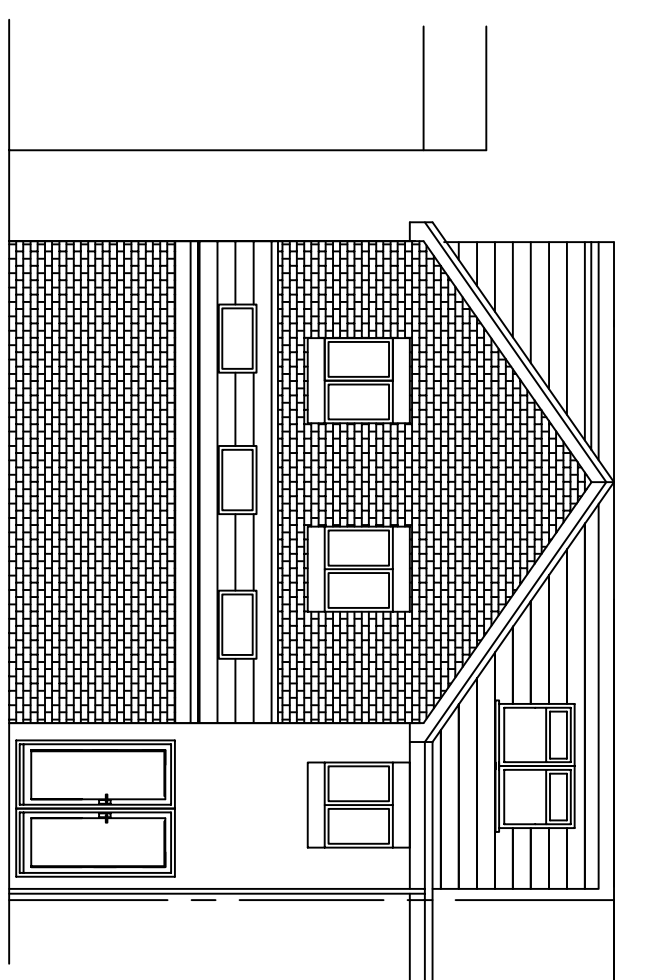
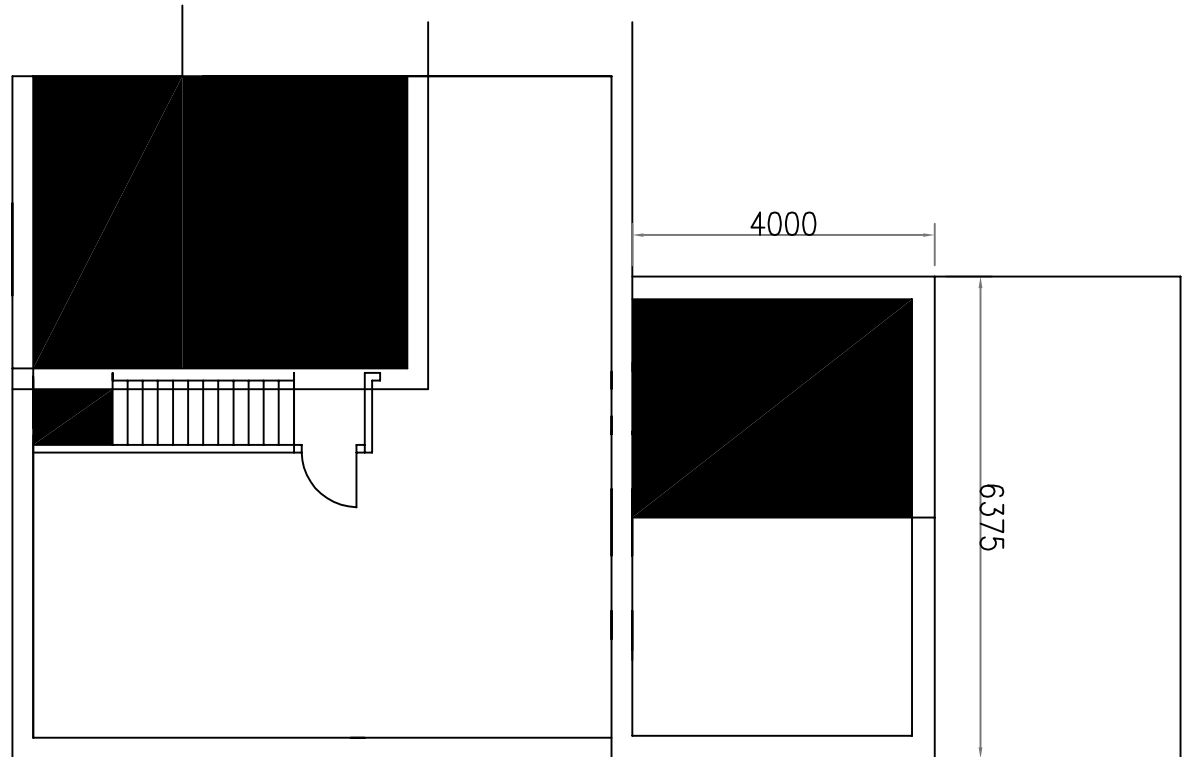
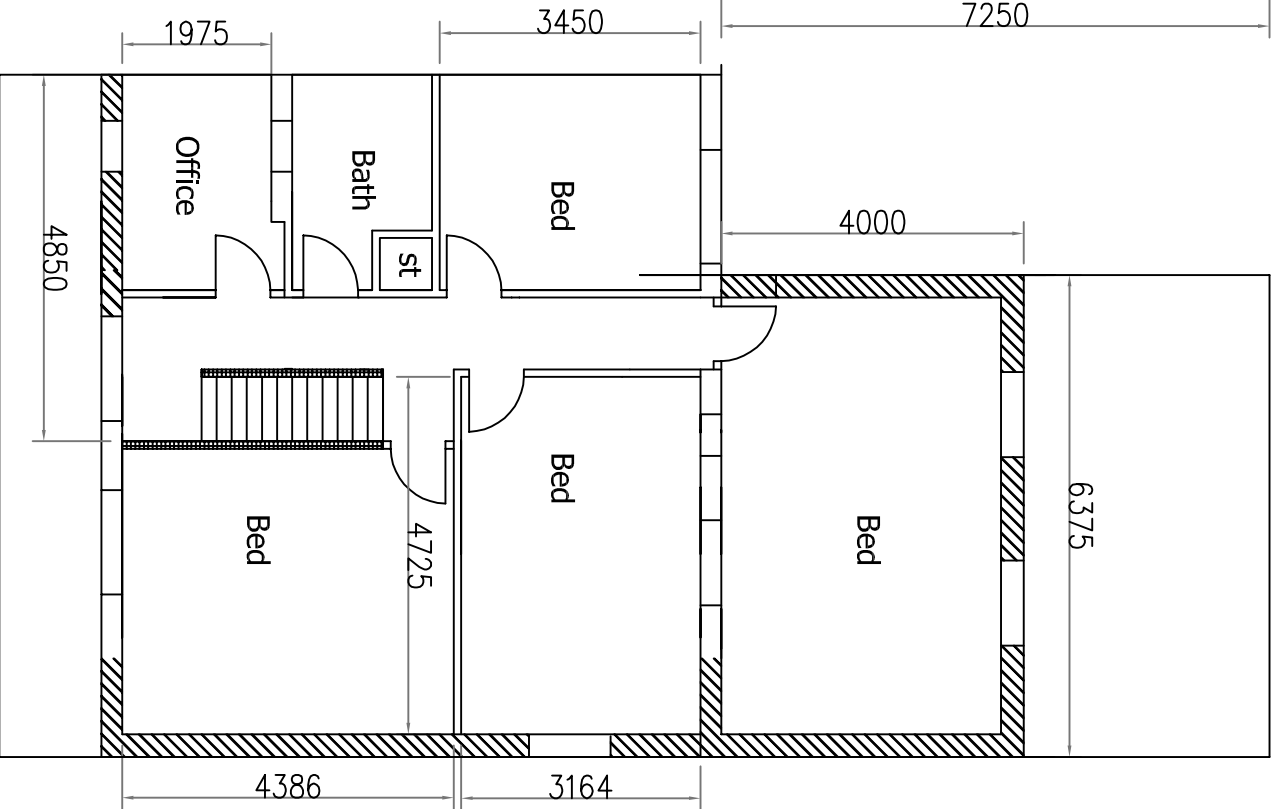
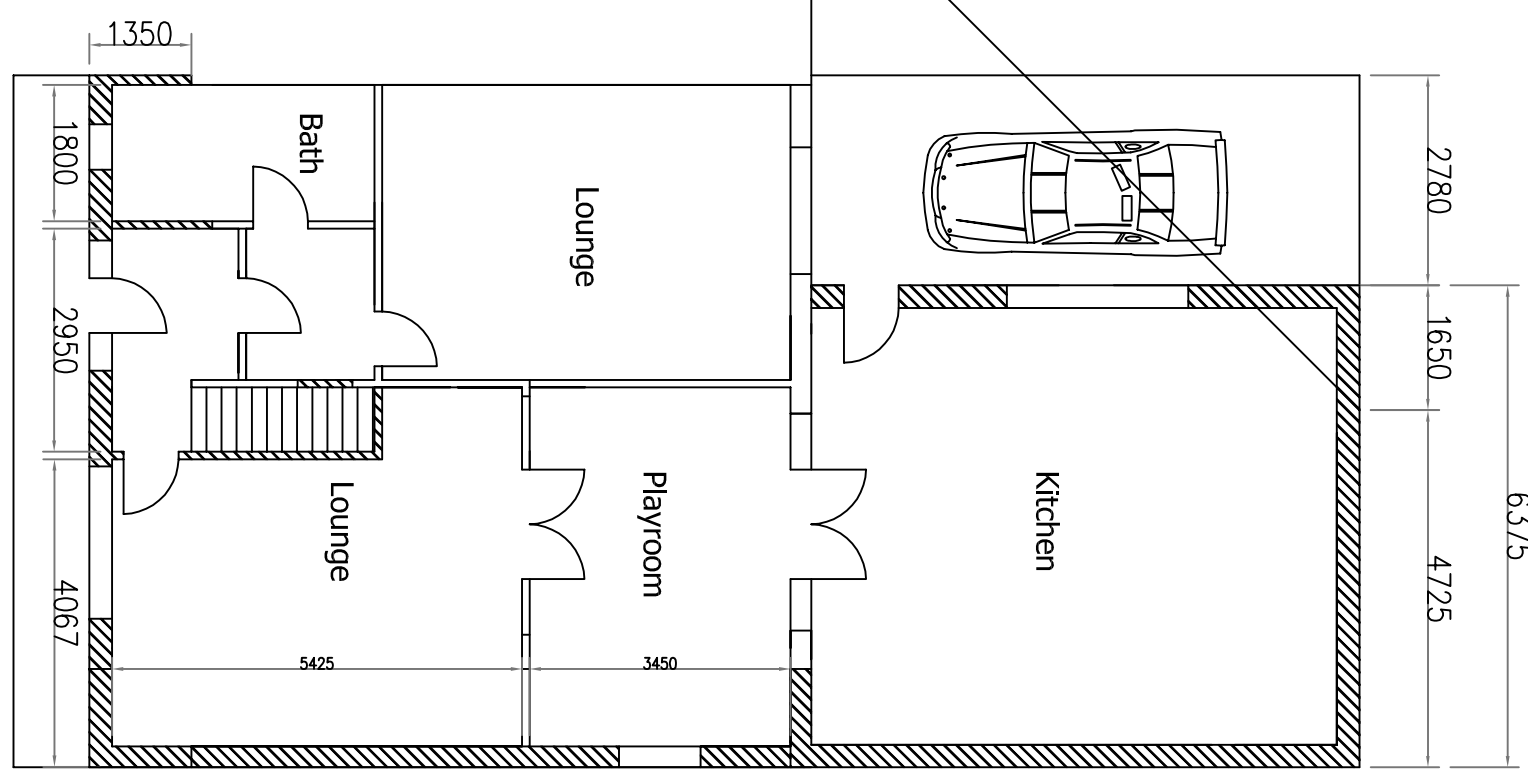
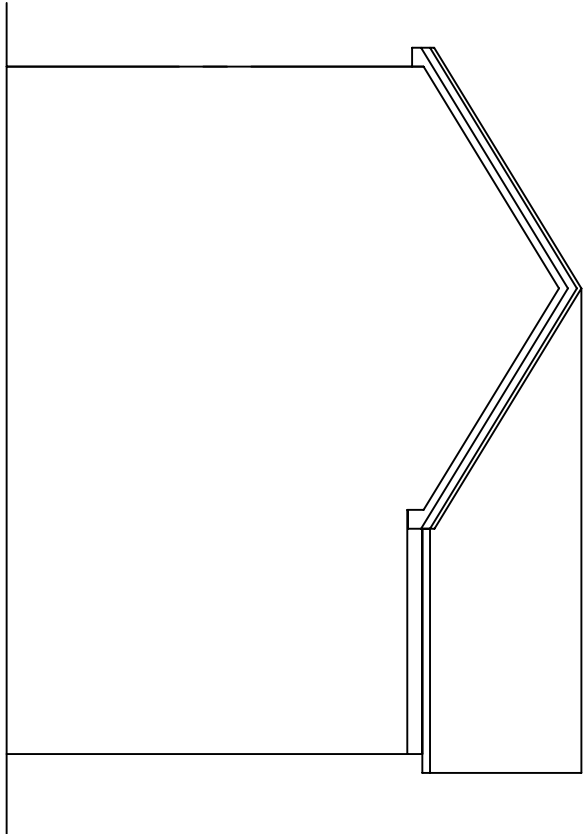
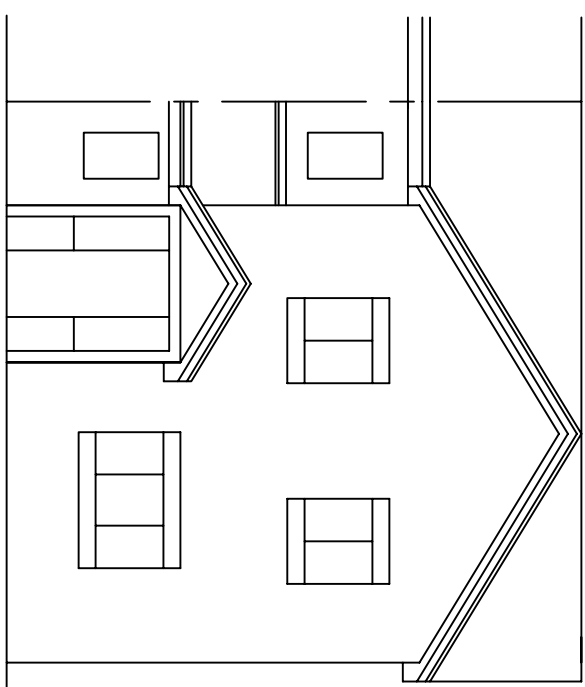
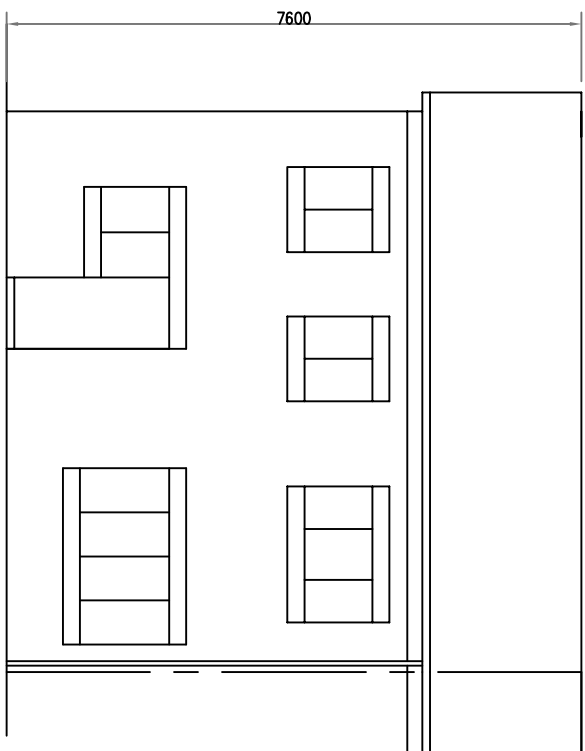
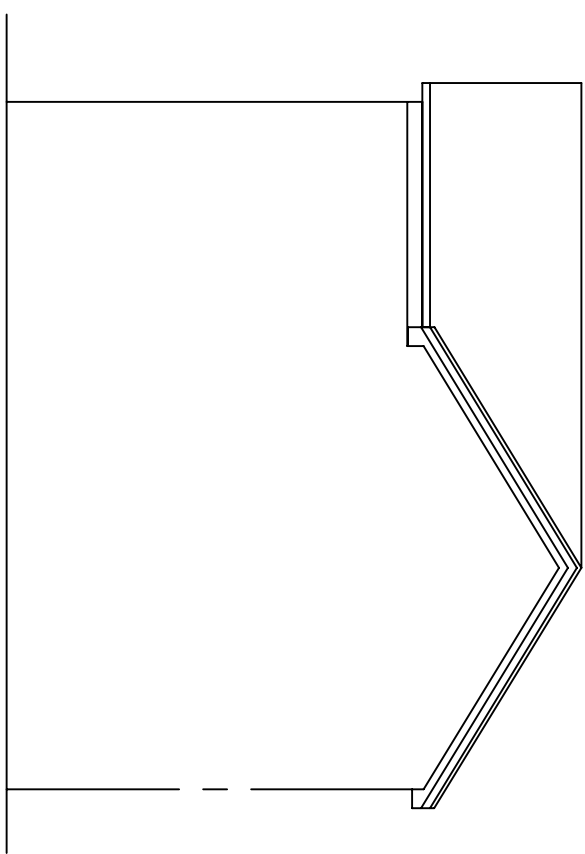
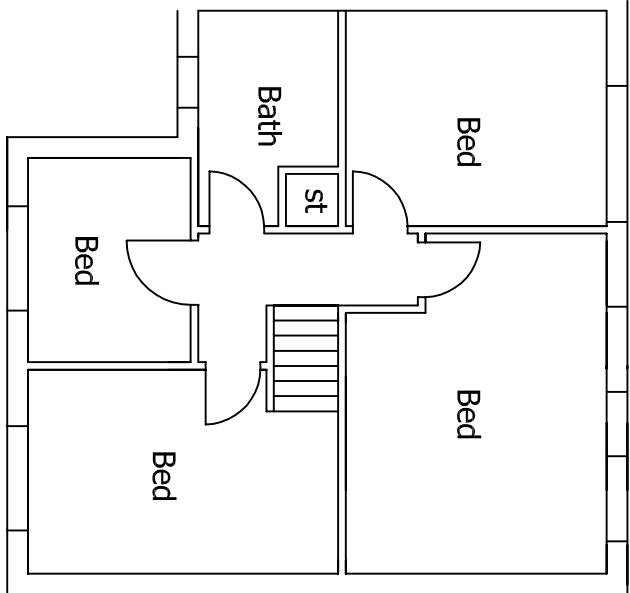
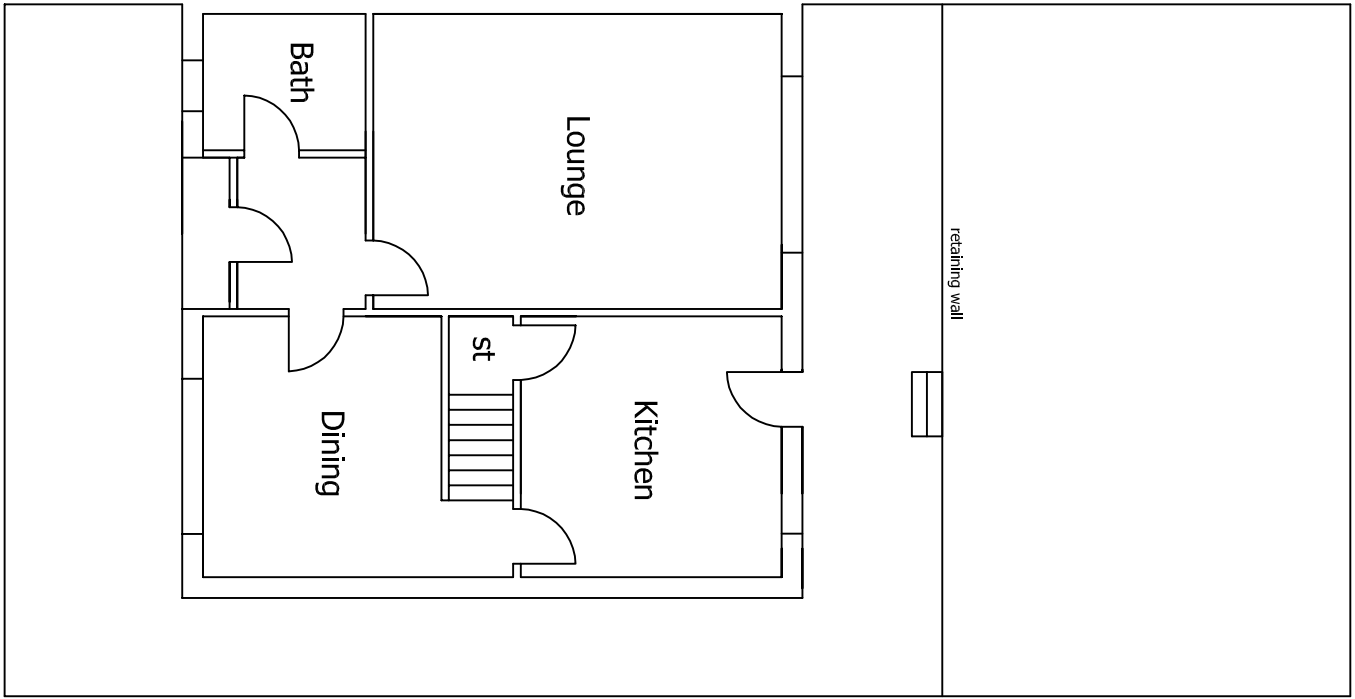
Planning History

39005/91 – Erection of four town houses – Approved with Conditions

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at 80 High Street and 28 Pike Road and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".
2. The proposed extension would, by virtue of its size and siting be detrimental to the living conditions of future residents due to the limited amenity space which would be sub-standard for the size of the extended property and is contrary to policy CG4 of Bolton's Core Strategy, Supplementary Planning Document - "House Extensions" and Planning Control Policy Note no.2 'Space Around Dwellings'.

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BLOCK PLAN (1:500)

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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.

RAD

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

ct
PROPOSED EXTENSION

Address
78 HIGH STREET
BOLTON
BL3 6SZ

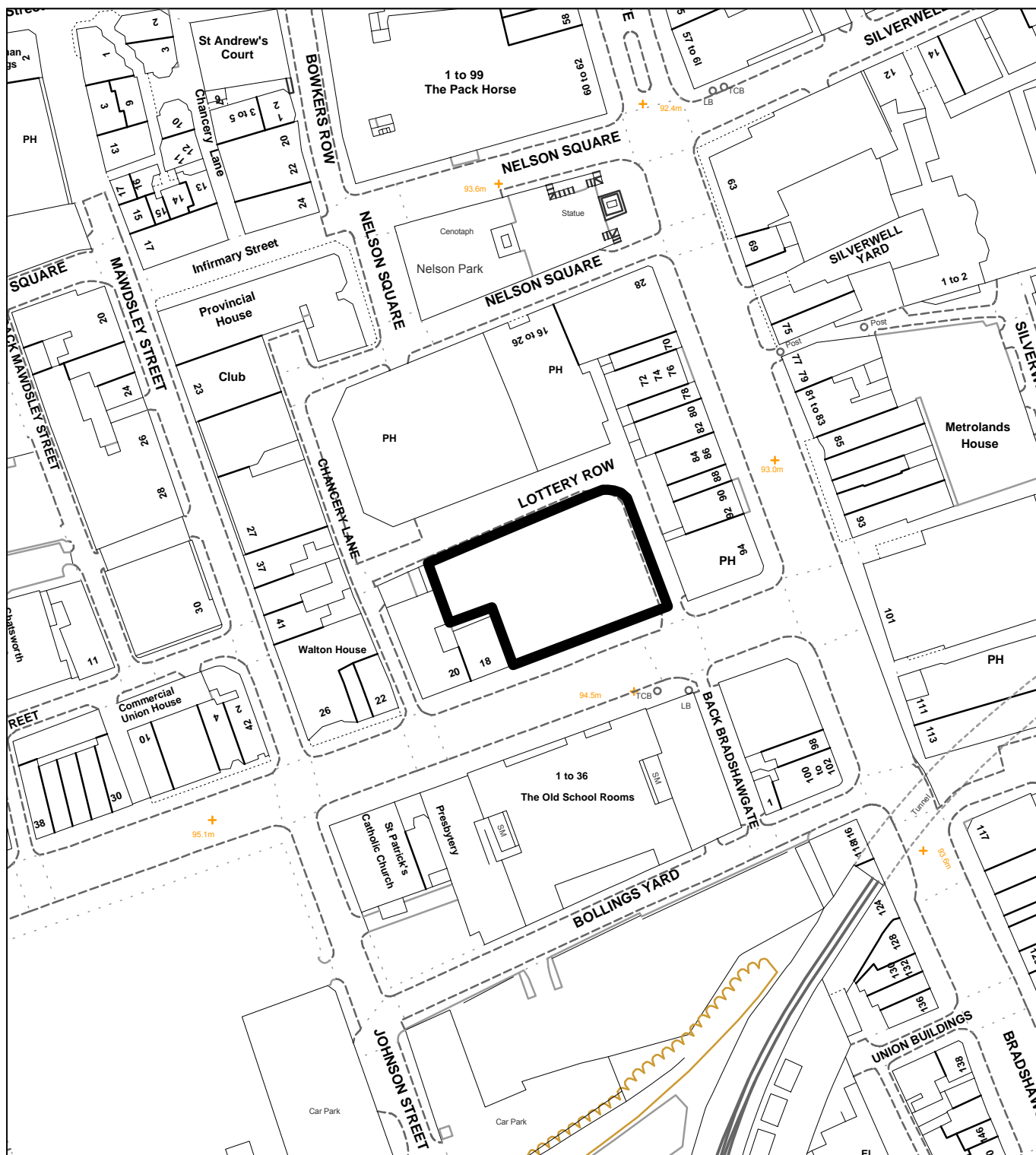
Client

DR. DHOKIA

| | |
|----------------|-----------|
| Date | JULY 2014 |
| Scale | 1:100 |
| Drawing Number | RAT |

Application No.

92476/14



Development and Regeneration Department
Planning Control Section

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**Bolton
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Date of Meeting: 18/12/2014

Application Reference: 92476/14

Type of Application: Full Planning Application
Registration Date: 30/07/2014
Decision Due By: 28/10/2014
Responsible Officer: Martin Mansell

Location: 4-14 GREAT MOOR STREET, BOLTON, BL1 1NP

Proposal: ERECTION OF A SEVEN STOREY BUILDING COMPRISING ACCOMMODATION FOR 140 STUDENTS WITH COMMUNAL FACILITIES AND RETAIL UNIT AT GROUND FLOOR.

Ward: Great Lever

Applicant: Realgroup UK
Agent : JWPC Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought for a development consisting of a seven storey building comprising 41 student cluster flats (140 bedrooms in total) with a ground floor retail unit fronting Great Moor Street. Materials would be predominantly red brick with cement board panels and grey aluminium framed glazing. As well as the retail element, the ground floor would also contain a games/communal room for the students, a reception/mail room, two accessible cluster flats, an area of outdoor amenity space measuring approximately 200 square metres including cycle storage and an area for servicing the retail provision together with bin storage. No parking spaces are proposed for the cluster flats.

Members are advised that planning permission was granted in 2007 for the erection of an eight-storey building comprising six ground floor retail units together with 50 one and two bedroom apartments over (71259/05). Whilst the existing building has been demolished, Officers do not conclude that the permission is still capable of implementation.

Site Characteristics

The site is a rectangular area of vacant land fronting Great Moor Street. It contained for many years one of Bolton's Gregory & Porritts stores, demolished in 2008, and has remained vacant since that time. It is considered that the gap in the otherwise built-up frontage of this side of Great Moor Street, together with the hoardings, the visibility of the functional service elevation of properties fronting Nelson Square and problems associated with the vacancy of the site, are harmful to the character and appearance of Bolton town centre.

Uses in the area are mixed, typically commercial units fronting Great Moor Street with some residential properties including the Old School Rooms and the Cube on

Bradshawgate. To the west is the former Turkish Baths, a Listed Building now in use as offices and the Balmoral public house is to the east. Behind the site, across Lottery Row are the rear elevations of a number of drinking establishments fronting Nelson Square. The new bus interchange will stand opposite at the railway triangle.

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, meeting the challenge of climate change, flood and coastal change, 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, SO10 Climate Change, SO11 Built Heritage, SO14 Inclusive Housing, SO15 Sustainably Located Housing, SO16 Community Cohesion and Access

Core Strategy Policies

P5 Transport, S1 Crime and Road Safety, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses, SC1 Housing Targets, SC2 Cultural and Community Facilities, TC3 St Peter's, TC11 Design in Bolton Town Centre

Supplementary Planning Documents

Building Bolton, Sustainable Design and Construction, Merchant's Quarter

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 living conditions
- * impact on the road network
- * impact on crime reduction
- * impact on sustainable development
- * impact on housing provision and supply
- * impact on urban regeneration

Impact on the Character and Appearance of the Area

Section 39 of the Planning and Compulsory Purchase Act 2004 places a general duty on Local Planning Authorities that in the exercise of their powers they have regard to the

desirability of achieving good design.

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. The Government attaches great importance to the design of the built environment - in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

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. 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 has already been noted that planning permission was granted in 2007 for a modern building one storey higher than now proposed. The Great Moor Street streetscene is considered to be varied, reflecting the different periods of its development - it contains two Listed Building but also buildings dating from the 1960s and 70s. Whilst activity and occupancy levels are high, there is evidence of neglect in the form of the long vacant Buffet King building (now improved at the request of Bolton Council) and the vacant Fads building to the east. The submitted plans demonstrate that the building will be compatible with the varied Great Moor Street street scene and will be compatible with nearby buildings in terms of scale. The current appearance of the site is poor and would benefit significantly from new development. Members are advised that there is no intention to utilise/incorporate elements of timber as used at the Picture House nearby.

The development proposed is considered to have a beneficial impact on the character and appearance of the area by way of the transformation of this long vacant and derelict site and is considered to comply with policies seeking good design.

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 residential use of the site was granted in 2007, albeit for a less intensive form of open market housing. Nevertheless, the principle of people living here has already been accepted by the Council. The site would clearly be used much more intensively and the individual units are far smaller; however, the layout and room sizes are consistent with other permitted forms of student accommodation nearby and the layout is typical of such uses - given that accommodation is not provided on a long term or permanent basis for the individual occupants.

Despite the proximity of drinking establishments to the north and east, these uses present active frontages away from the site and its location is considered to be sufficiently distant from the main evening economy area of Bradshawgate as to not be significantly affected by this.

The impact on living conditions is acceptable and 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.

No car parking spaces are proposed for students - however, it is anticipated that car ownership amongst residential students is relatively low and provision for bicycle storage has been made. Students choosing to live at this site would be able to make an informed decisions about whether the site is suitable for their needs and there is paid off-road parking existing nearby in the town centre for visitors. The site is within walking distance of the University and major public transport nodes - particularly when the construction of the new interchange at Great Moor Street is complete. Car parking provision is considered to be unnecessary here, given the proximity to the University and to the services of the town centre.

Nevertheless, as with other similar developments, a condition will be imposed requiring details of how the students' "moving days" will be managed.

Highway Engineers and Waste Management Officers have considered the scheme in detail and amendments have been made at their request. The proposal is now considered to be acceptable in these terms, subject to conditions.

The comments of the University in this regard are noted; however, these generally reiterate early comments made by Highway Engineers on the proposal as initially submitted - issues which have now been addressed by the Applicant and assessed in this report.

The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1.

Impact on Crime Reduction

The National Planning Policy Framework states that planning decisions should aim to ensure that developments should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community

cohesion.

Bolton's Core Strategy notes that the town's recorded crime levels are reducing but perception of crime remains high. The Core Strategy's most important direct contribution to reducing crime and the fear of crime is through the design of new development. A contributory factor to improving safety is to create and sustain a sense of place that enables people to identify with their surroundings or locality. This can be achieved through appropriate layout, high quality architecture, good lighting and landscape design. In considering design, the Council takes into account national advice as currently set out in the Government publication "Safer Places – the Planning System and Crime Prevention." Ensuring that the whole of the civic and retail core is safe and attractive for pedestrians will be a priority.

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, reduce crime and the fear of crime, by ensuring that neighbourhoods are attractive and well designed. Policy S1 is part of the "Safe Bolton" Sustainable Community Strategy theme and states that the Council and its partners will ensure that the design of new development takes into account the need to reduce crime and the fear of crime. Policy CG4 of Bolton's Core Strategy seeks to ensure that new development protects, amongst other things, safety and security.

Greater Manchester Police previously expressed concern over the recent conversion of the Pack Horse to student accommodation - in particular, the close relationship to the Evening Economy area. However, this was addressed by a condition requiring details of security measures and the Police have developed a relationship with the management of the Pack Horse halls of residence, over time. A similar approach has been taken with this proposal - a condition will be imposed requiring the provision of security measures. Officers also take the view that the increased activity levels resulting from a large number of occupants will result in security improvements by way of greater natural surveillance.

The proposal is considered to be acceptable in terms of security.

Impact on Sustainable Development

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 support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)

Policy S10 of Bolton's Core Strategy is a strategic objective and seeks to minimise Bolton's contribution to climate change and mitigate and adapt to its adverse effects. Policy CG1 states that the Council will Work towards minimising energy requirements, improving energy efficiency, lessening the reliance on fossil fuel-based energy and reducing carbon dioxide (CO₂) emissions and also maximise the potential for renewable energy development and encourage proposals that contribute towards the renewable energy targets set out in the Regional Spatial Strategy.

Policy CG1 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 concentrating new development in areas of least flood risk together with minimising energy requirements, improving energy efficiency, lessening the reliance on fossil fuel-based energy and reducing carbon dioxide (CO₂) emissions, maximising the

potential for renewable energy development and contributing towards renewable energy targets. Policy CG2 states that the Council will ensure that new development contributes to the delivery of sustainable development by way of its location and design, achieving Level 3 of the Code for Sustainable Homes or the "very good" BREEAM rating, incorporating appropriate decentralised, renewable or low carbon energy sources, demonstrates the sustainable management of surface water run-off, achieves the minimum targets for carbon reduction as outlined in the AGMA Decentralised Energy Study and where appropriate connects to an existing or planned potential decentralised power scheme.

The Applicant has provided a statement covering sustainability matters notes the highly sustainable location of the proposed development within the town centre, close to shops, public transport nodes and the University itself. It also commits to sustainable methods of construction and energy management throughout the lifetime of the building and these will be required by a condition.

The proposal is considered to be beneficial in terms of sustainable development.

Impact on Housing Provision and Supply

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. Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. 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 Core Strategy plans for an average of 694 additional dwellings per annum between 2008 and 2026, an overall total of 12,492 dwellings. This is above the minimum level specified in the approved Regional Spatial Strategy and reflects the factual evidence from the Housing Market Assessments and the Sustainable Community Strategy aim of creating housing that meets Bolton's needs. This figure will need to have a degree of flexibility to enable the higher rate of housing delivery required in Bolton as part of the Greater Manchester Growth Point.

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 New Growth Point for Bolton is based on a fourfold approach of locating housing in Bolton town centre, Horwich Loco Works, on mill sites and through the Transforming Estates programme.

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.

The Core Strategy contains no specific references to accommodation for students and therefore each proposal should be considered on its own merits. Members will be aware of recent approvals for student accommodation in Bolton town centre, close by, including the former Pack Horse Hotel and the recently converted office now known as The Cube. Planning Officers are aware of significant development pressure in this sector of the market - this reflects a national increase in the numbers of such developments together with a decline in the market for older office accommodation, particularly in town centres. There is also some evidence to suggest that demand for student accommodation is lower than the development pressure would suggest, but until further research is completed on this, this remains anecdotal.

The comments received from the University of Bolton are noted; however, the Council must distinguish between the issue of under-occupancy experienced by a private operator of housing and the public issue of oversupply. The supply of housing for students is considered to be primarily a matter for the market and for competition - the National Planning Policy Framework states that planning should promote competitive town centre environments and promote customer choice. It goes on to state that local planning authorities must determine applications on planning grounds and should not seek to prevent competition between different operators.

The University states that they do not believe that there is demand for further private halls of residence. However, the existence of considerable development pressure would seem to represent some evidence of demand in itself. This proposal involves significant investment and would be unlikely to come forward without the developer taking a view on demand or their ability to compete with existing provision. Other than the University's own provision at Orlando Village and elsewhere, accommodation currently occupied by students could be used by non-students without much difficulty - in the case of typical terraced houses in Inner Bolton or flats above shops. It is not considered likely that additional accommodation for students in the town centre will have a significant impact on vacancy levels in Bolton when considered on a Borough-wide basis. It is more likely that private landlords currently providing accommodation for students will instead market their properties to other types of occupants. Bolton's Core Strategy does seek a balanced mix of housing and recognises the benefits of town centre living. Areas of town centre land have been allocated for a mix of housing types including land at the north-western edge of the town centre (Urban Village) together with a mix of uses including residential forming the Trinity Gateway to the south and south east.

The primary consideration for the Council is whether or not this is an appropriate location for the accommodation of students at this level of intensity. Officers conclude that it is - many towns and cities benefit in terms of the economic and activity levels that flow from this. Historically, Bolton has not had a strong student element in the mix of town centre uses though this has started to change over recent years and is to be welcomed. Furthermore, whilst the internal layout is specifically aimed at students, the construction of the building is flexible enough to allow conversion to other uses in future - though the Council would retain control over this either via a change of use application or the recommended condition limiting the occupants to students only at this point in time.

The impact on housing supply and provision is considered to be acceptable.

Impact on Urban Regeneration

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 make a significant contribution to the new jobs to be located in the borough over the plan period years. Office developments will be concentrated in Bolton town centre and the town centre will be the principal location for financial and professional services. Good urban design is recognised as being essential for producing attractive, high-quality, sustainable places in which people will want to live, work and relax and is of particular importance for creating a successful and flourishing town centre. It is important to ensure that development is well-designed and compatible with the surrounding area to ensure the economic, social and environmental benefits of major regeneration projects and smaller development proposals are realised.

Over time, Officers would anticipate ancillary developments serving the increasing numbers of residents of this area together with the proximity to the major development of the Interchange. The positive impacts of the redevelopment and occupancy of this long vacant site are clear.

The proposed development is considered to have beneficial impact on urban regeneration in Bolton town centre.

Value Added to the Development

The site layout has been amended to suit the requirements of the Council's Highway and Waste Management Officers.

Conclusion

The benefits in terms of urban regeneration and increased levels of activity in the Bradshawgate and Great Moor Street area are evident. The planning system is clear that local planning authorities should not seek to impose constraints on the abilities of private accommodation providers to compete; in fact, competition should be promoted in the interests of increasing choice and raising standards generally. Whilst the demand for student accommodation is a material consideration, there are currently no planning policies that require applications for student accommodation to demonstrate an identified demand, and so it is considered that limited weight should be given to this issue in determining the application. The site has been vacant for six years and this is considered to harm perceptions of Bolton - particularly as this site is close to the vehicular entrance to the bus interchange and would therefore be prominent for visitors to the town centre. The benefits in terms of freeing up accommodation elsewhere, urban regeneration and potential for ancillary related developments have been noted and insufficient harm has been identified to outweigh this.

The application is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- one letter of objection has been received from the University of Bolton on the grounds of highway impact and housing oversupply. The issues raised are:-

-) the high levels of traffic and congestion in an area not suited for the potential increases in volume on a daily basis
-) increased traffic pollution caused by the arrival and departure of accommodation users, deliveries and guests
-) the large numbers of support vehicles required - staff vehicles, trade waste collection, facilities management, public and private transport including taxis
-) accessibility to the site by emergency services
-) whilst the University acknowledges that increased choice of accommodation is beneficial for their students, it is not considered that there is additional demand for halls of residence in Bolton
-) over 50% of students enrolled at the University live in their own accommodation
-) the proposal represents the overdevelopment of a narrow minority form of housing, rather than a balanced mix
-) the proposal would not contribute to affordable housing

Members are advised that 62 consultation letters were sent to the commercial properties and all occupants of the Old School Rooms nearby and two notices were posted at the front and rear of the site. No responses were received from this consultation exercise with the residents and businesses of the immediate area.

Consultations

Advice was sought from the following consultees: Highway Engineers, GM Police, Housing, Primary Care Trust, Economic Development

Planning History

Planning permission was granted in 2007 for the erection of an eight-storey building comprising six ground floor retail units together with 50 one and two bedroom apartments over (71259/05). Whilst the existing building has been demolished, Officers do not conclude that this permission is still capable of implementation.

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. Phase II Report
Should the approved Phase I Report recommend that a Phase II Report is required, then prior to commencement of any site investigation works, design of the Phase II site investigation shall be

submitted to, and approved in writing by, the Local Planning Authority. Site investigations shall be carried out in accordance with the approved design and a Phase II Report shall then be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The Phase II Report shall include the site investigation data, generic quantitative risk assessment, detailed quantitative risk assessment (if required) and recommendations regarding the need or otherwise for remediation.

Should the Phase I Report recommend that a Phase II Report is not required, but during construction and prior to completion of the development hereby approved, contamination or gas migration is found or suspected, the developer shall contact the Local Planning Authority immediately and submit proposals for investigation and remediation of the contamination or gas migration within seven days from the date that it is found or suspected to the Local Planning Authority for approval in writing.

Options Appraisal

Should the Phase II Report recommend that remediation of the site is required then unless otherwise agreed in writing with the Local Planning Authority, no development shall commence unless or until an Options Appraisal has been submitted to, and approved in writing by, the Local Planning Authority. The Options Appraisal shall include identification of feasible remediation options, evaluation of options and identification of an appropriate Remediation Strategy.

Implementation of Remediation Strategy

No development shall commence, unless otherwise agreed in writing with the Local Planning Authority, until the following information relating to the approved Remediation Strategy has been submitted and approved by the Local Planning Authority:

- i) Detailed remediation design, drawings and specification;
- ii) Phasing and timescales of remediation;
- iii) Verification Plan which should include sampling and testing criteria, and other records to be retained that will demonstrate that remediation objectives will be met; and
- iv) Monitoring and Maintenance Plan (if appropriate). This should include a protocol for long term monitoring, and response mechanisms in the event of non compliant monitoring results.

The approved Remediation Strategy shall be fully implemented in accordance with the approved phasing and timescales and the following reports shall then be submitted to the Local Planning Authority for approval in writing:

- v) A Verification Report which should include a record of all remediation activities, and data collected to demonstrate that the remediation objectives have been met; and
- vi) A Monitoring and Maintenance Report (if appropriate). This should include monitoring data and reports, and maintenance records and reports to demonstrate that long term monitoring and maintenance objectives have been met.

Reason

To ensure that the development is safe for use.

3. Prior to the commencement of development full details of the highway works at Back Bradshawgate and Lottery Row comprising parking and loading review and measures to prohibit loading 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. Prior to the commencement of development, a revised sustainability statement shall be submitted to and approved by the Local Planning Authority. The statement shall address or contain:-
 - the incorporation of appropriate decentralised, renewable or low carbon energy sources to reduce the CO2 emissions of predicted regulated and unregulated energy use by at least 10%
 - an energy assessment which includes a carbon budget should be provided for the proposed development.
 - an SBEM calculation using the Building Research Establishment (BRE) building energy model.
 - the sustainable management of surface water run-off from the development will be at a rate of

run-off 50% less than conditions before development

The development shall then be carried out entirely in accordance with the approved sustainability statement and its measures shall be retained in full thereafter

Reason

To reduce the impact on climate change and to improve the sustainability of the site.

5. Prior to commencement of development the developer shall submit a site investigation report for the approval of the Local Planning Authority with regard to noise and acoustics. The investigation shall address the impact of road traffic noise and the Evening Economy on the development, the nature, degree and distribution of internal noise sources, including from the rear servicing areas, and the nature, degree and distribution of external noise sources associated with plant and equipment or the provision of services to the building. Any recommendations and remedial works contained within the approved report shall be implemented prior to the occupation of the site.

Reason

To protect future residents from noise disturbance.

6. No development shall be commenced unless and until full details of the provision of a scheme of public realm works has been submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented entirely in accordance with the approved details prior to first occupation of the building and be so retained thereafter.

Reason

To enhance the character and appearance of the area.

7. 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.

8. 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.

9. Before development commences details of all external lighting equipment shall be submitted to and approved by the Local Planning Authority. The lighting in the scheme should be erected, directed and shielded so as to avoid nuisance to residential accommodation in close proximity. The lighting should be designed to provide a standard maintained illumination (LUX) as measured at the nearest residential properties affected, of between 5 and 20 LUX with the lower level being the preferable one. No other lighting equipment may then be used within the development other than as approved by the Local Planning Authority.

Reason

To safeguard the amenity and character of the area and to safeguard the living conditions of nearby residents.

10. Prior to the commencement of development, a detailed specification for all doors and windows hereby approved shall be submitted to and approved by the Local Planning Authority. The development shall be completed in accordance with the approved details, which shall thereafter be retained.

Reason

To ensure the development safeguards the character and visual appearance of the locality.

11. No development shall be commenced until samples of the facing materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the development safeguards the character and visual appearance of the locality.

12. Prior to commencement of development a scheme indicating the provision to be made for disabled people to gain access including level or ramped access, shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in full before the development hereby approved/permitted is first brought into use and thereafter retained unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure persons with disabilities are able to use the buildings pursuant to the provisions of the Chronically Sick and Disabled Persons Act 1970.

13. Prior to first occupation of the development hereby approved/permitted, the windows of all habitable rooms shall be acoustically dual glazed to the standards of the Noise Insulation Regulations 1975 (as amended) and those windows shall be so retained thereafter.

(An alternative would be to install sealed double glazed units comprising glass of 10mm and laminated 6.4mm with a 12mm air gap. The unit shall be installed in accordance with the manufacturer's recommendations to avoid air gaps when fitting the frames. Alternative means of ventilation, which must be sound attenuated shall be provided).

Reason

To safeguard the living conditions of prospective residents particularly with regard to the effects of noise.

14. Prior to the development hereby approved being first occupied a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing a management scheme for students moving in or out of the premises. This operation shall then take place in accordance with the approved management scheme.

Reason

To prevent harm to highway safety.

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

Reason

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

16. Prior to the development hereby approved being first occupied a scheme shall be submitted to and approved in writing by the Local Planning Authority for the parking, turning, loading and unloading of vehicles within the curtilage of the site to enable vehicles to enter and leave the site in forward gear. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter and not to be used for any purpose except the parking, turning, loading and unloading of vehicles.

Reason

In the interests of highway safety.

17. The development shall not be brought into use unless and until a package of security measures have been submitted to and approved by the Local Planning Authority and implemented in full. Such measures as are approved and implemented shall be retained in full thereafter.

Reason

In the interests of crime reduction.

18. Before any Class A3 use commences, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 14 days of the use commencing and retained thereafter.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

19. The premises shall be used for the accommodation of full-time students during the period of their registration at a tertiary academic institution and for no other purpose (including any other purposes in Class C1, C2 or C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to those classes in any statutory instrument revoking and re-enacting that Order).

Reason

The accommodation is considered to be substandard in terms of the Council's aspirations for general residential accommodation in Bolton Town Centre.

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

Reason

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

21. The site shall be used for the accommodation of no more than 140 students at any one time.

Reason

The overintensive use of the site would cause harm to the amenity of the area.

22. Notwithstanding the submitted plans, the ground floor commercial unit shall only be used for uses falling within classes A1, A2 and A3 of the Use Classes Order.

Reason

Other uses would have the potential to harm the living conditions of occupants.



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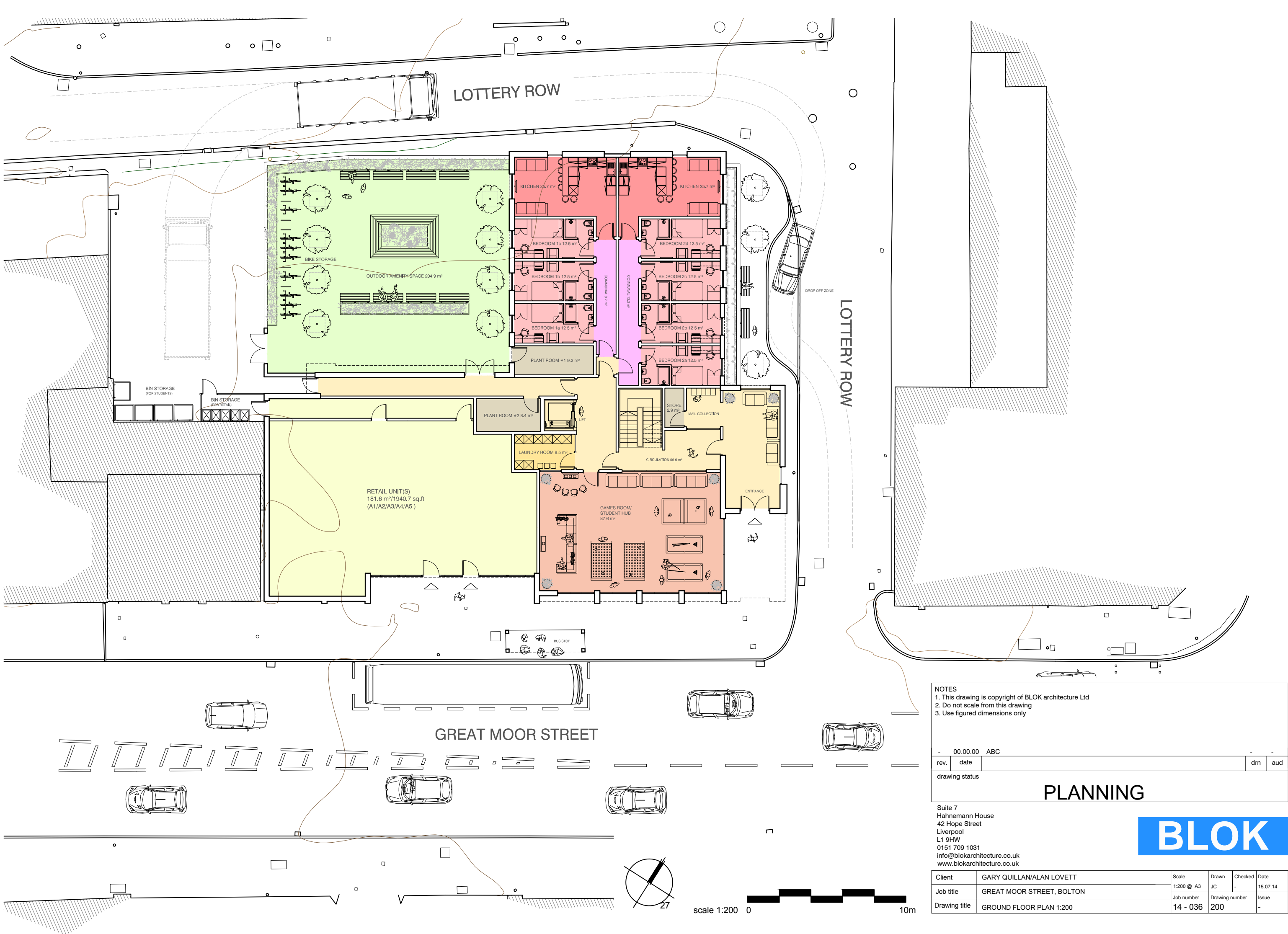
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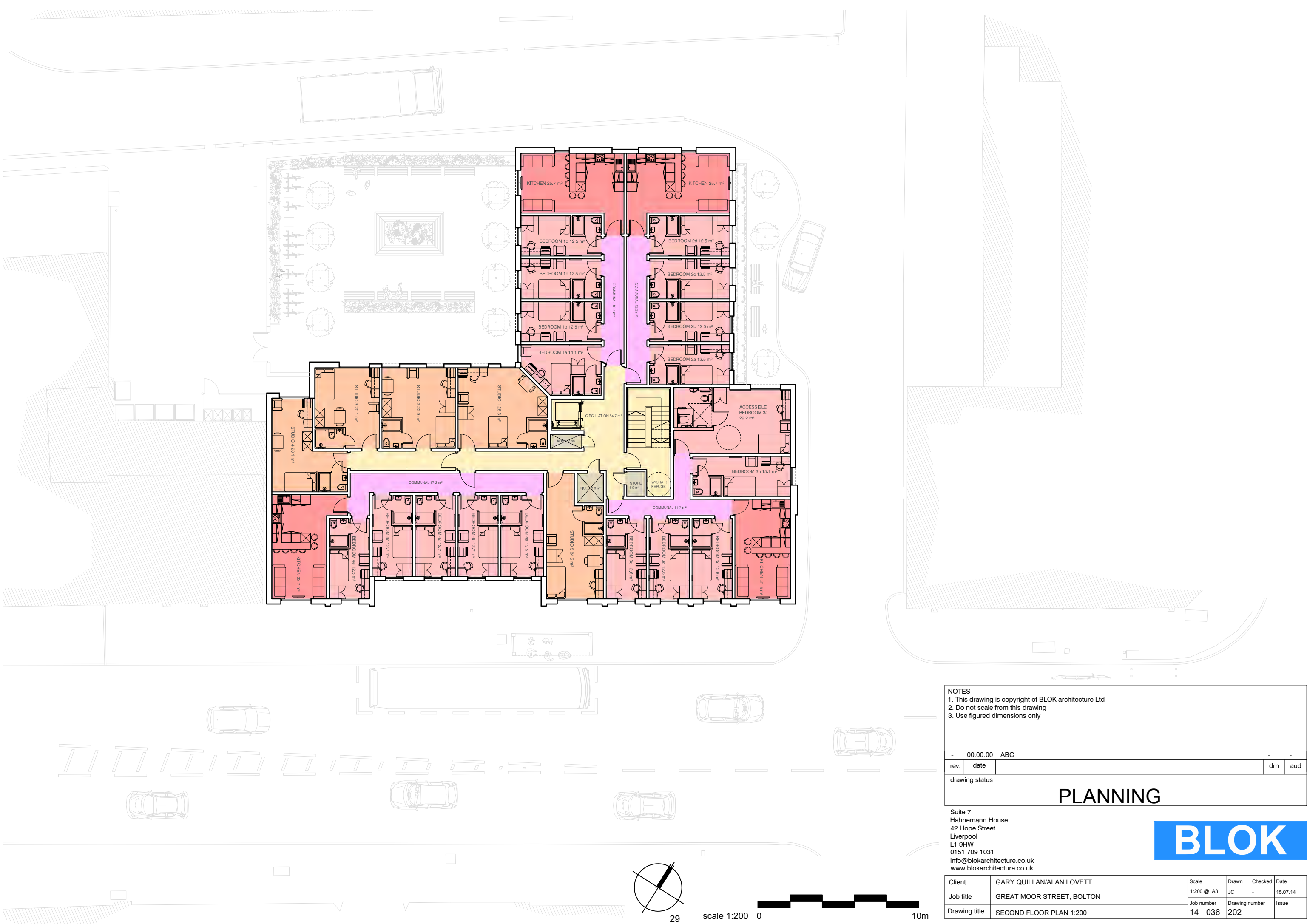
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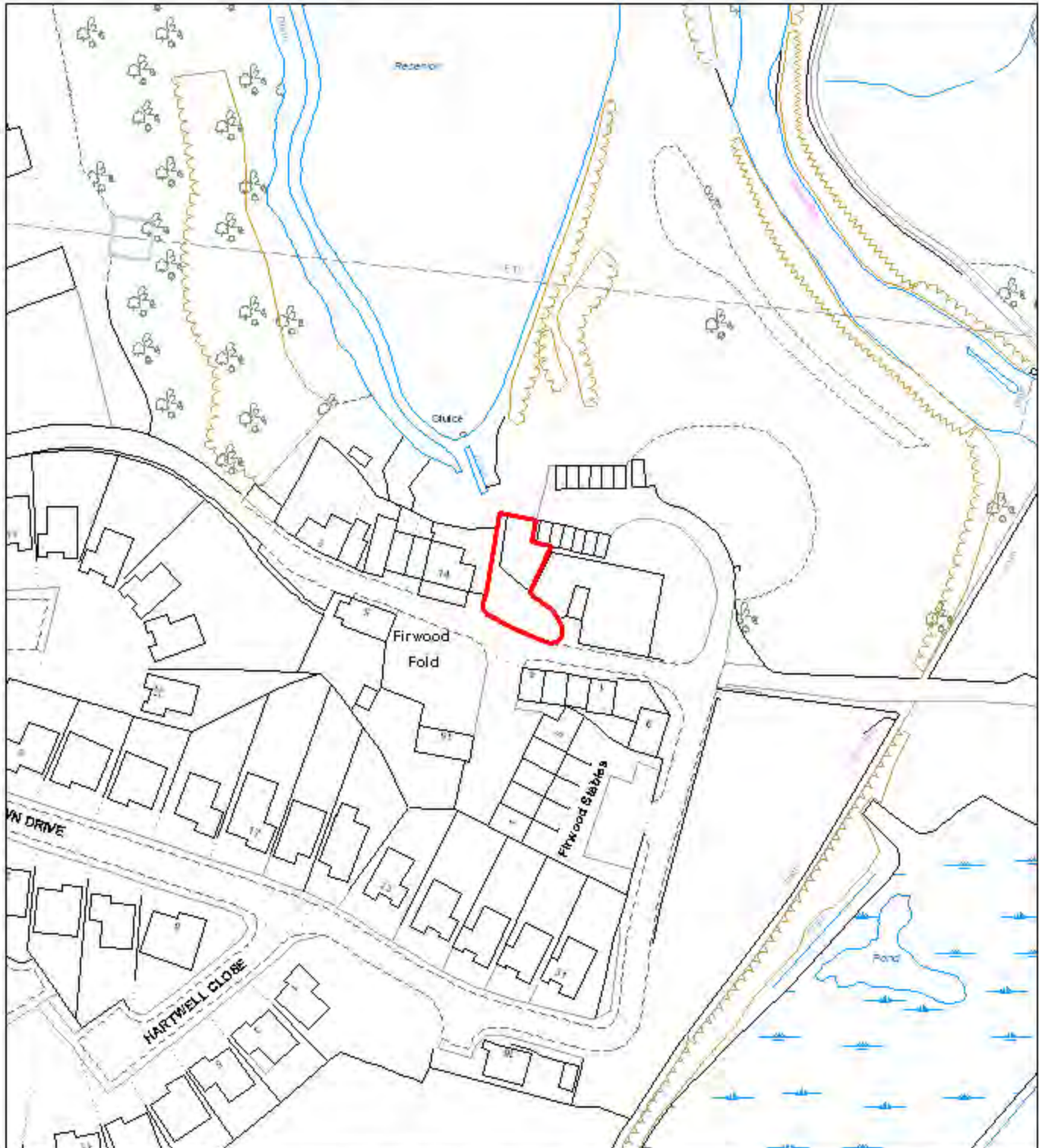
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BLOK

Application No.

92496/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
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**Bolton
Council**

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Date of Meeting: 18/12/2014

Application Reference: 92496/14

Type of Application: Full Planning Application
Registration Date: 31/07/2014
Decision Due By: 24/09/2014
Responsible Officer: Jon Berry

Location: 14 FIRWOOD FOLD, BOLTON, BL2 3AG

Proposal: Proposed conversion and extension of existing garage to form dwelling

Ward: Crompton

Applicant: Mr Hornby
Agent : Neil Pike Architects

Officers Report

Recommendation: Refuse

Proposal

Permission is sought for the change of use and extension of an existing redundant garage to form a residential dwelling with a separate driveway and car parking area.

As part of the proposals a small lean-to structure currently attached to the side of the garage would be demolished and 3.0m of additional floorspace would be created across the frontage of the building. In addition to this, it is proposed to raise the existing roof level by approximately 2m in order to provide some first floor accommodation. The existing roof structure would then be reinstated using the existing materials. Additional matching slates and matching stonework would be introduced where necessary.

Part of the existing stone wall and hedgerow to the front of 14 Firwood Fold would be removed in order to form a new separate driveway to the property and a post and wire fence with a hedgerow would be erected to mark the boundary between the existing property and the proposed driveway. Two car parking spaces adjacent to the front of the new house would be provided and two further car parking spaces would also be created to serve 14 Firwood Fold from the side of that dwelling.

Site Characteristics

The redundant garage is located on the north side of Firwood Fold, adjacent to 14 Firwood Fold (A Grade II Listed Building) within the Firwood Fold Conservation Area. The garage is a traditionally built, stone faced double garage with a slate roof. To the front of the garage is an extensive area of hard standing alongside which is a large lawned area, screened by a mature long established hedge.

Firwood Fold is a small hamlet of stone cottages and former agricultural buildings with the more recent addition of a garage colony to the rear. No.10 is the birthplace of Samuel Crompton as this is Grade I Listed. 15 Firwood Fold opposite is Grade II* Listed. There is a public open green space to the west end of 5 Firwood Fold which was formed after the

demolition of a barn, with a stone cobbled road. There is a pedestrian access off Firwood Lane and vehicular access is via Ashdown Drive.

Policy

National Planning Policy Framework 2012

Core Strategy Policies (March 2011): P5 Accessibility; S1 Safe; CG3 Built Environment; CG4 Compatible Uses; SC1 Housing

PCPN2 Space Around Dwellings

PCPN19 Conservation Areas

PCPN20 Listed Buildings

Firwood Fold Conservation Area Character Study

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:-

- * principal of residential conversion
- * impact on the character and setting of the Listed Buildings
- * impact on the character and appearance of the Conservation Area
- * impact on residential amenity
- * impact on highway

Principle of residential conversion

The NPPF encourages the effective use of land by reusing land that has been previously developed (brownfield land) and states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy SC1.2 of the Core Strategy states that at least 80% of housing development will be on previously developed land.

The application site is within a residential urban area and is previously developed land, in that it is occupied by a building. It is considered that the site is in a sustainable location with

local schools, services and shops in easy reach of the site. In principle the proposed conversion of the building into a dwelling would comply with the housing guidance within the NPPF and Policy SC1 of the Core Strategy.

Impact on the character and setting of the Listed Buildings

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.

14 Firwood Fold, is an end of terrace property situated on a relatively large plot and the existing garage is located immediately to the east. The proposals involve the conversion and extension of the existing garage to accommodate a new dwelling. The existing garage would be extended across the front by approximately 3m. As a result the development would significantly increase the footprint of the existing building. The roof of the existing garage would be raised by approximately 2m and a structure which is currently clearly subservient to the houses in the streetscene would become much more dominant in its appearance in the immediate setting of the neighbouring listed building. This would be particularly apparent from the public vantage points directly in front of the application site along Firwood Fold. The new property would also have notably different proportions to No.14 as it would be much narrower in order to fit in the plot width that is more suitable for a small domestic outbuilding than a 2-storey dwelling in a protected setting. The impact would be exacerbated by the construction of a new driveway through the stone wall and vegetation at the front boundary, which ought to be retained in accordance with Policy CG3.

The scheme would appear as crammed into a curtilage. 11-14 Firwood Fold is a distinctive development of late C17th/early C18th dwellings whilst 10 Firwood Fold is Grade I Listed and 15 Firwood Fold is Grade II* Listed. This proposal would appear as an incongruous addition in the same context as these and there would be an adverse impact on the character and appearance of this listed environment.

The application is therefore in conflict with the guidance set out within the National Planning Policy Framework, Policies SO11 and CG3 of the Core Strategy, PCPN20 and the Firwood Fold Conservation Area Character Study.

Impact on the character and appearance of the Conservation Area

In conservation areas, the Council also has a statutory duty under Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 to pay special attention "to the desirability of preserving or enhancing the character or appearance of that area."

The Firwood Fold Conservation Area Character Study states that Firwood Fold forms a tight knit group of properties with a strong rural character. The document is clear in that the opportunities for new development in the locality are very limited and it is not envisaged that the extension of garages into dwellings is an option. The siting, scale, proportions and detailing of the new dwelling would fail to correspond with those of 14 Firwood Fold and a grant of planning permission in this case could set a precedent for the replacement of other small, domestic outbuildings into residential homes that would detrimentally affect the appearance of this special place.

A separate access and driveway would be formed to serve the proposed dwelling and this would involve removing approximately 5m of the stone retaining wall and hedging to the front of No.14. The existing boundary walls within the Conservation Area are important to the visual character of the locality and it is considered that this loss would be harmful.

The proposal is therefore considered to be contrary to the National Planning Policy Framework, Policies SO11 and CG3 of the Core Strategy, PCPN19 and the Firwood Fold Conservation Area Character Study.

Impact on residential amenity

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

The nearest property to the proposed dwelling would be 14 Firwood Fold. The scheme would not result in any direct overlooking towards the neighbouring windows. The nearest facing residential properties are in excess of 21 metres away.

The proposal would therefore not affect the privacy and outlook of the neighbouring occupiers and would not unduly affect their amenity. This arrangement complies with Policy CG4 of the Core Strategy.

Impact on highway

S1 of the Bolton Core Strategy seeks to promote road safety in the design of new development.

Bolton Council's Highways Engineers are now satisfied that there is an adequate manoeuvring space behind the proposed parking bays onto Firwood Lane and raise no objections.

The site plan therefore complies with Policy S1 of the Core Strategy.

Conclusion

It is considered that the conversion and extension of the garage and the creation of the driveway would harm the settings of the listed buildings at Firwood Fold and the character and appearance of the Firwood Fold Conservation Area. The scheme is in conflict with the National Planning Policy Framework, Policies SO11 and CG3 of the Core Strategy, Planning Control Policy Notes 19 and 20 and the Firwood Fold Conservation Area Character Study. It is therefore recommended that Members refuse planning permission.

Representation and Consultation Annex

Representations

Letters:-8 letters have been received from local residents raising objections of the following grounds:

-) Firwood Fold is a conservation area and its charm and originality must be retained;
-) The new suggested building would alter the look of Firwood Fold and be out of character with the other dwellings within the Fold;
-) Partially destroying the existing wall would be hugely detrimental to the look of the conservation area;
-) The drains within the area are already struggling to cope and block regularly;
-) The proposed new build would be both invasive and threatening to the privacy of neighbouring occupiers;
-) Disruption to residents during construction;
-) There would be no benefit or enhancement to Firwood Fold as a result of the proposal;
-) Impact on wildlife;
-) The proposed slate roof does not match the adjacent homes which are roofed with stone flags;
-) This planning application represents a "creeping development" from garage to residential development that, if approved, will change the nature and the environmental integrity of a designated area of Bolton's historical past;
-) Cars would be displaced from the existing garage. There would be additional cars but no garage provided for them in this proposal;
-) The provision of even one extra new house in Firwood Fold would intrude on the landscape of one of the most important conservation areas in Bolton;
-) Additional traffic and parking issues.

A letter has also been received from Bolton and District Civic Trust raising the following objections:

-) Firwood Fold Conservation Area represents one of the few places in Bolton where the history and architecture spanning the 16th to 19th centuries can be contemplated through a compact ensemble of so many listed buildings within a quality setting;
-) The proposed development (if permitted) would be the first substantive and habitable building to be erected amongst the Fold's ensemble of buildings in the last 200 years. Its presence would be highly evident from the green, this focal point of the conservation area;
-) The proposed development does not, therefore, preserve either the setting or the integrity of the historical core of the conservation area. Instead it would only detract from its aggregate quality;
-) There is strong evidence for the heritage value of the boundary wall, as well as its contribution to the Fold's setting and landscape. It is an important remnant of boundary. Consequently it should be preserved and not demolished;
-) Further impact would come with the creation of two highly visible parking bays with open egress opposite the green.

2 letters in support of the application have also been received from residents for the following reasons:

- * the development would enhance the neglected historic environment;
- * the dwelling would screen the unattractive Council garages from the cobbled highway.

Petitions:-none received

Town Council:-no comments received

Elected Members:- Councillor Bashir-Ismail has raised objections to this particular application on the basis that this new development would add an unlisted property to a protected area where each property is listed. The extension would by definition not conserve the locality. In addition the destruction of a significant part of a historic wall would lead to a significant change in the streetscene.

Councillor Bashir-Ismail has requested that an advanced site visit be carried out by Members of the Planning Committee prior to the determination of the application.

Consultations

Advice was sought from the following consultees:

Highways Engineers- no objection subject to the inclusion of conditions to secure adequate standards of access, parking and visibility.

Greater Manchester Police- no objection but recommend that the dwelling is built to Secured by Design Standards

Drainage Team- no objection

Environmental Health- no comments received

Economic Strategy - no comments received

Strategic Development Unit- no comments received

Planning History

66130/03-Erection of a two storey rear extension to form extended dining room with bedroom and en-suite together with erection of a double garage/store at rear of property. Approved with conditions

66131/03-Listed building consent for erection of a two storey rear extension to form extended dining room with bedroom and en-suite together with erection of a double garage/store at rear of property. Approved

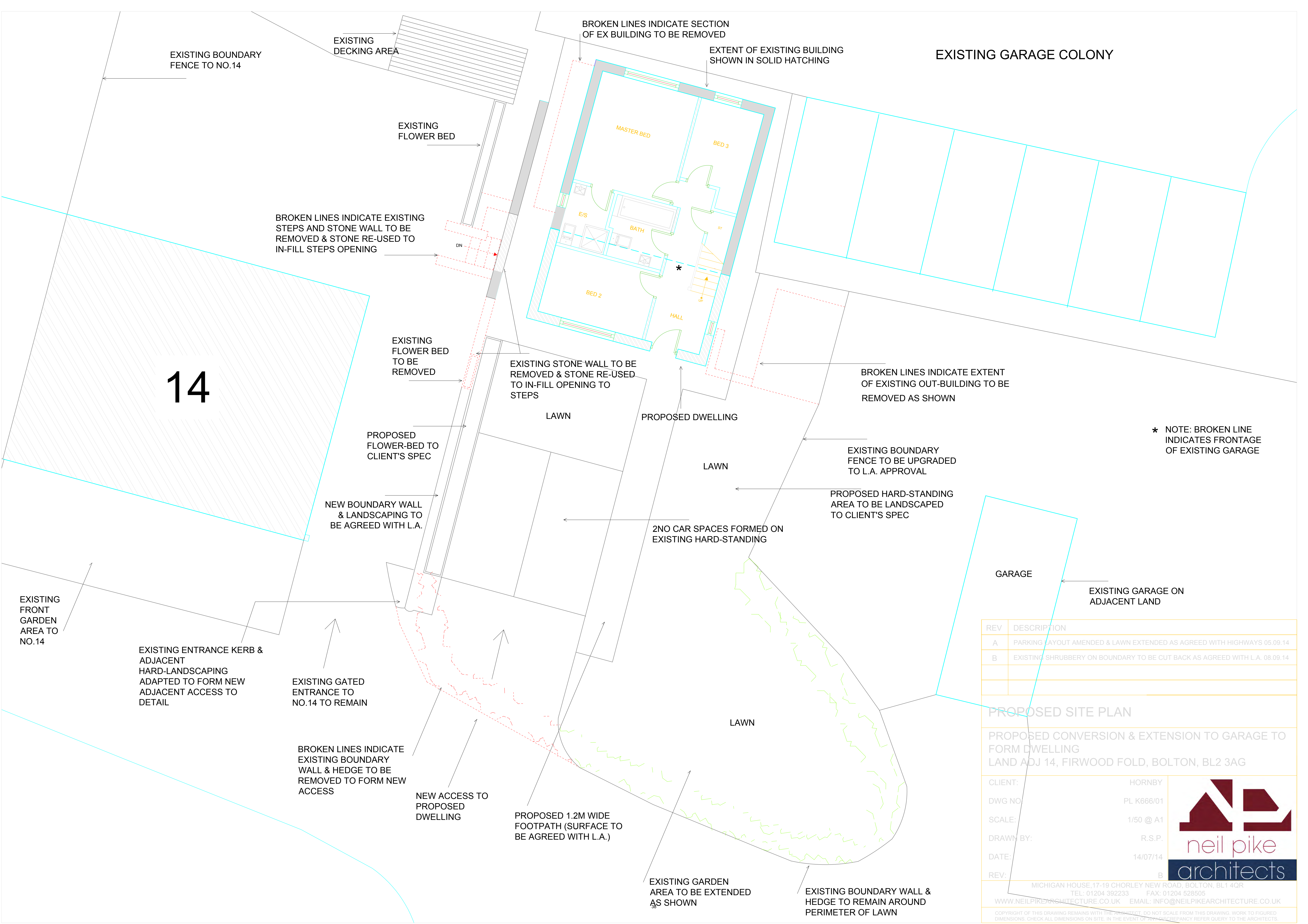
61628/02-rebuilding of front elevation using existing materials. Approved with conditions

51010/97-Listed building consent for the reconstruction of front elevation using existing materials. Approved with conditions

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development by virtue of its size, siting and design will have a detrimental effect on the setting of the listed buildings at Firwood Fold and the character and appearance of the Firwood Fold Conservation Area. It is therefore contrary to the National Planning Policy Framework, Policies SO11 and CG3 of the Core Strategy, Planning Control Policy Notes No19 - "Conservation Areas" and No.20 "Listed Buildings" and the Firwood Fold Conservation Area Character Study.




| REV | DESCRIPTION |
|-----|--|
| A | PARKING LAYOUT AMENDED & LAWN EXTENDED AS AGREED WITH HIGHWAYS 05.09.14 |
| B | EXISTING SHRUBBERY ON BOUNDARY TO BE CUT BACK AS AGREED WITH L.A. 08.09.14 |
| | |
| | |

PROPOSED SITE PLAN

PROPOSED CONVERSION & EXTENSION TO GARAGE TO FORM DWELLING
LAND ADJ 14, FIRWOOD FOLD, BOLTON, BL2 3AG

| | |
|-----------|------------|
| CLIENT: | HORNBY |
| DWG NO: | PL K666/01 |
| SCALE: | 1/50 @ A1 |
| DRAWN BY: | R.S.P. |
| DATE: | 14/07/14 |
| REV: | B |





PROPOSED FLOOR PLANS & ELEVATIONS

PROPOSED CONVERSION & EXTENSION TO GARAGE TO
FORM DWELLING
LAND ADJ 14, FIRWOOD FOLD, BOLTON, BL2 3AG

| | |
|-----------|------------|
| CLIENT: | HORNBY |
| DWG NO: | PL K666/02 |
| SCALE: | 1/50 @ A1 |
| DRAWN BY: | R.S.P. |
| DATE: | 14/07/14 |
| REV: | |

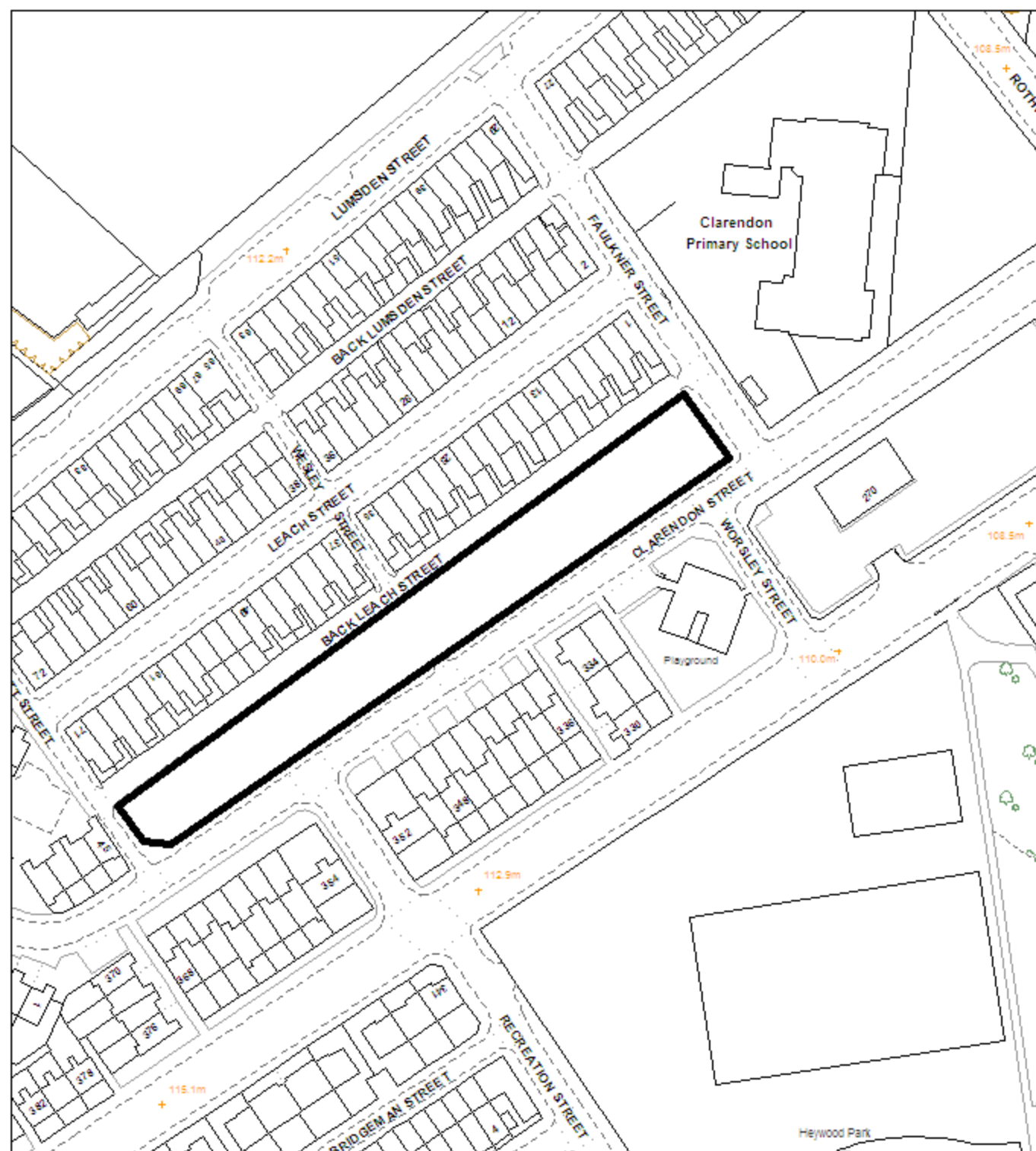


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Application No.

92578/14



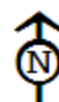
Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
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**Bolton
Council**

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Date of Meeting: 18/12/2014

Application Reference: 92578/14

Type of Application: Full Planning Application
Registration Date: 19/08/2014
Decision Due By: 17/11/2014
Responsible Officer: Alex Allen

Location: LAND AT CLARENDON STREET BOLTON.

Proposal: ERECTION OF 16 NO DWELLINGS (8NO 2 BED UNITS & 8NO 3 BED UNITS)

Ward: Great Lever

Applicant: Great Places Housing Group
Agent : Paddock Johnson Partnership

Officers Report

Recommendation: Delegate the decision to the Director

Background

The application was deferred from the October 2014 Planning Committee for the applicant to investigate the relocation of the amenity space and trees lost on the application site to the site of the former Clarendon School site which is adjacent to the proposed development site.

Members will be aware that when the former School was relocated to Heywood Park there was a commitment by the Childrens Services Department to re-provide some public open space / amenity space on the site of the former Clarendon School site. The replacement POS scheme has been agreed with Greenspace Management officers and has been partially implemented on site. This takes the form of providing top soil and grass seeding the land together with perimeter fencing. The site has now been top soiled and fenced off. The grass seeding of the land is scheduled for Spring 2015.

As the former School site has been partially returned to public open space, Greenspace Management officers have agreed that the applicant provide tree planting on the former School site. A scheme has been agreed and is attached to this report. A total of 19 trees would be planted on the former School site. In addition, the applicant would provide the Council with sufficient monies to provide a further 30 trees elsewhere within the Borough to offset the loss of the trees on the proposed development site. The applicant has conducted consultation with local residents to ask their views on the tree replacement scheme. A summary of the consultation responses is provided elsewhere within this report.

Proposal

The applicant (Great Places Housing Association) proposes the erection of 16 - two storey terraced/mews style properties which would front Clarendon Street. Block A (Plots 1 to

8) which would be located at the rear of No's 344 to 364 Clarendon Street and would provide 8 x 2 bedroom properties whilst Block B (Plots 9 to 16) would make provision for 8 x 3 bedroom properties.

Due to existing levels properties would step down from a west to east direction. Properties would be constructed from bricks with tile roofs with proposed grey brick front entrances to each property with trespa cladding on the properties which are sited on the corners of each block (Plots 1, 8, 9 and 16). All properties would have the opportunity to have landscaping both along the site frontage and within the rear garden areas. Each property would have one car parking space provided within the rear garden / yard area, accessed off Back Leach Street.

Due to the nature of the development, there would be opportunities for new tree planting in the rear gardens of the new properties and also in the side gardens of Plots 1, 8 and 9.

Site Characteristics

The application site is formed by two distinct rectangular pieces of land. 'Block A' as described by the applicant lies at the rear of No's 344 to 364 Bridgeman Street whilst 'Block B' lies to the rear of 334 to 340 Bridgeman Street.

The area is characterised by relatively high density development with traditional terraced properties to the North (No's 1 to 71 Leach Street) with modern terraced properties to the south off Bridgeman Street and Gregson Field to the West. The former Clarendon Street School, now demolished, occupied the site to the north east of the application site with a small playground also located adjacent to the application site to the south east. A car sales building and plot is located to the South East of the application site.

The site gradually slopes from the western end of the site (Abbott Street) to the east (Faulkner Street). The application site has 50 trees located across the two portions of the site with lime, cherry, sorbus and aspen trees. The trees located on the application site are complemented by semi mature trees which are located within the rear curtilages of properties on Bridgeman Street and also trees located within a small area of play space/public open space which is located at the junction of Bridgeman Street with Worsley Street.

Policy

National Planning Policy Framework

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

P5 Accessibility, S1 Safe, CG1 Cleaner and Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing and RA1 Inner 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:-

- * principle of residential development
- * impact on the character and appearance of the area/loss of open space
- * impact on the living conditions of existing/future residents;
- * impact on highway safety;
- * impact on trees;
- * impact on drainage/land stability; and
- * impact on sustainability;
- * impact on ecology.

Principle of Residential Development

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...'

In addition, Local Planning Authorities should set targets for the provision of affordable housing. Furthermore, Core Strategy Strategic Objectives 14, 15 and 16 and policy SC1 seek 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%). Up to 20% of new build is to be provided on Greenfield land as part of the Transforming Estates programme. Core Strategy policy RA1.5 also makes an allowance for the development of a limited number of greenfield sites in existing housing areas.

The site is unallocated within the Core Strategy Allocations Plan. The application site forms part of informal open space provision within the area and as such needs to be considered under Core Strategy Policy CG1.4. The policy allows for 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 strategic objectives for housing.

Whilst it is appreciated that the site has obvious value to local residents in the area, the proposal needs to be assessed in the context of Policy CG1.4. The site would provide much needed affordable housing and would be developed for the end user - Great Places (Housing Association) who members will know are a provider of affordable homes.

At the October 2014 Committee meeting Members requested the applicant provide a scheme for a replacement area of public open space with associated tree planting. The applicant has liaised with colleagues in Greenspace Management who have suggested tree planting on the former School site (19 trees in total) together with further off site tree planting (30 trees). A scheme has been agreed between Greenspace Management officers and the applicant. Payment for both sets of tree planting would be secured through a Unilateral Undertaking to obtain the necessary funding from the applicant.

It is considered that the proposed tree planting would provide a better, more direct replacement for the loss of the trees on the application site. In addition, the proposal would add value to the re-provision of public amenity space which has been partially implemented on the site of the former School site, having more value to the immediate local residents by enhancing their outlook.

The principle of this improvement is considered appropriate to ensure that the proposal would comply with Core Strategy CG1.4.

The principle of residential development on this site is considered to comply with both national and local planning policy.

Impact on the Character and Appearance of the Area/Loss of Open Space

Guidance contained within NPPF and Core Strategy policies CG3 and RA1 seek to ensure that new development proposals are compatible with the surrounding area in terms of scale, massing, grain, form, architecture, landscape treatment.

It is noted that the proposal would result in the loss of a relatively large number of trees (50) and the loss of two rectangular pieces of informal open space. There will be some loss of visual amenity to existing residents who overlook the site and those who use it for exercise, dog walking and other activities.

The proposal has been designed in such a way as to replicate the existing urban grain, street pattern, scale (two storey) and architecture (simply designed front and rear elevations with dual pitched roofs). The applicant has sought to soften the development both at the rear and front of the new properties and at the sides of Plots 1 and 9 which will assist in softening the development to residents overlooking the site. The softening of the development by landscaping will also complement the existing landscaping which forms an integral part of the properties fronting onto Bridgeman Street. These properties have a number of semi mature trees located in their rear gardens/parking areas.

The redevelopment of the site provides a less dense solution than the surrounding terraced properties which enables greater provision for off road parking and amenity space at the front and rear of the properties. The proposal is therefore not considered to be an over-development of the site.

It is considered that the proposal would complement the existing character of the area and raise the standards for new residential accommodation in the area and is thus considered to comply with Core Strategy policies CG3 and RA1.

Impact on the Living Conditions of Existing/Future Residents

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Planning Control Policy Note No. 2 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.

Properties on Leach Street to the north of the site are characterised by two storey dwellings with a number of single storey rear extensions. These extensions have no windows in their rear elevations. The main body of these properties have a bathroom window and bedroom windows sited in the rear elevations.

The interface distances achieved between the rear elevations of the new properties and the rear elevations of properties on Leach Street varies from between 19 metres (Plot 1 to No. 67 Leach Street) and 23 metres (Plot 16 to No. 3 Leach Street). There is a modest shortfall of interface distances on a select number of plots.

The interface distances achieved between the proposed new dwellings and properties on Bridgeman Street would all comply with the Council's interface standards with a minimum of 21 metres being achieved. This is apart from the relationship between proposed plot 10/11 and No. 334 Bridgeman Street. No. 334 Bridgeman Street faces to the east and west i.e. not over the proposed development site. Plot's 10 and 11 would have main windows which would overlook this gable elevation at a distance of 12 metres away. This is below the interface distance of 13.5 metres. However, as the shortfall would affect potential new residents, they would when occupying the property, have a full appreciation of the proximity of nearby dwellings. On balance therefore, it is considered that this shortfall is acceptable.

Whilst a limited number of interface distances are sub standard, it is necessary to assess the proposal in the light of the overall character of the area. The character in this part of Great Lever is one of dense residential development with interface distances well below the guidelines as set out in PCPN No. 2. For example, the distance between the existing front elevations of properties on Leach Street is just over 10 metres and the distance between rear elevations of Lumsden Street and Leach Street is 18 metres.

In the context of the wider area, it is considered that the proposed development is in character with the local pattern of development whilst actually achieving enhanced interface standards than are the norm on surrounding streets. It is considered that the properties are far enough away from existing dwellings not to result in undue loss of light to the properties surrounding the site, or to impact unduly on residential amenity or privacy.

Given the above information, the proposal is considered to be acceptable in policy terms.

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 one car off road.

Direct access to the car parking areas would be off Back Leach Street. Whilst the Council's Highways Engineers have no objections to the proposal they state that the properties are 2 and 3 bedroom, the Council's maximum standards recommend the provision of 2 car parking spaces. The Council's Highways Engineers also comment that as the proposal is for social housing located in a sustainable location then the maximum car parking levels could be reduced.

The Council's Highways Engineers have confirmed there is no requirement for any off site highway improvements.

It is considered that the car parking standards are maximum and should be assessed in the light of the development type and the location of the proposal. The site is well related in terms of close proximity to the Derby Street/St Helens Road local centre and to major public transport corridors which allow access to Bolton Town Centre providing a

wide range of further access, employment and leisure opportunities. In addition, the proposal is for social housing where generally there is an expectation that car ownership levels will be low.

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

Impact on Trees

Core Strategy policy CG1 seeks to safeguard and enhance biodiversity by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development. The site contains 50 trees in total which have been assessed by the applicant. Whilst the level of tree cover over the application site is relatively dense, the applicant considers that due to the dense planting this is detrimental to the quality of individual trees.

Whilst the above may be the case it is noted that the trees in themselves do have amenity value when viewed from adjoining houses and the adjoining streets. Whilst it is unfortunate that trees are to be felled it is considered that their loss can, in part, be mitigated by the provision of replacement tree planting in the rear gardens and at the ends of the site. This has been further strengthened by the provision of replacement tree planting on the former Clarendon School site. A total of 19 trees could be accommodated on the former School site. A further 30 trees would be provided in locations to be identified by Greenspace Management officers.

By the very nature of the development, if approved, the re-planting of new trees on the site would not itself provide the same amount of coverage on the site as a whole but, in time, would provide an opportunity to mature adding amenity value to site and the surrounding area. In addition, the tree planting on the former School site would greatly enhance the landscape quality of the site.

It is considered that the proposal complies with policy.

Impact on Drainage/Land Stability

Core Strategy policy CG4 seeks to ensure that development proposals do not cause detrimental impacts upon water, ground/air quality. In addition, where proposals may be affected by contamination or ground instability appropriate surveys should be provided.

Subject to the usual planning condition relating to the provision of a remediation strategy and subsequent validation upon completion of the development it is considered that the development could be safely developed from a construction and end user perspective.

The proposal would comply with policy.

Impact on Sustainability

Core Strategy policy CG2 seeks to ensure that new residential development proposals of 5 dwellings or more are Code for Sustainable Homes Level 3 compliant, provide low carbon energy sources to reduce Carbon Dioxide emissions by 10% from regulated and unregulated energy use and to ensure surface water run-off from the site should be no

worse than the original conditions.

The applicant has confirmed that the proposal would comply with Code Level 3 and energy consumption would be reduced. The proposal would also have to ensure that surface water run-off would not exceed the existing conditions. The requirements of Core Strategy policy CG2 would be conditional upon any approval to ensure the proposal complies with policy.

Impact on Ecology

Core Strategy policy CG1.2 seeks to safeguard / enhance urban biodiversity.

The applicant has provided an Ecological Assessment of the site which states that it is of low ecological value. The applicant has recommended a number of mitigation measures to biodiversity is enhanced as a result of the development including the provision of bat / bird boxes within the development and no site clearance in between the months of March to August inclusive.

The Council's Wildlife Liaison Officer has agreed with the proposed measures. It is intended that these measures are conditional upon any approval.

The proposal would comply with policy CG1.2.

Conclusion

The application relates to a greenfield site located in a highly accessible and sustainable location. The proposal would be for the provision of affordable housing with modest, well designed properties with sufficient off road car parking. Whilst the proposal would result in the loss of an area of informal open space and trees, the proposal would assist in meeting the Council's Strategic objectives for housing. An integral part of the scheme would be to provide some replacement tree planting within the residential scheme, on the adjacent former Clarendon School site and also off site to soften the overall development and also to enhance the approved area of POS on the adjacent site.

For certain plots, the interface would be below those guidelines set out in PCPN 2. However, the whole development would be in excess of those in adjoining streets. It is considered that the proposal would respect the overall character of the area and is sufficiently offset from existing residential properties so as not to result in any harm being caused to existing/future residents living conditions.

It is considered that the proposal complies with policy and is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- 6 objection letters and 1 comment letter have been received.

The objection letters raise the following issues:

-  Rights to light/block light into existing residential properties;
-  Result in overshadowing;
-  No control over who occupies the proposed new dwellings - a requirement for 'socially responsible neighbours' (***a management issues rather than a material planning consideration***);
-  Limited open space in the area - locally valued;
-  Site is used for 'safe' play for children free from traffic;
-  Privacy/safety - people will be able to view into their back windows;
-  General reduced quality of life as a result of the development;
-  Road is too busy with traffic and on street car parking;
-  Question the adequacy of parking and turning;
-  Existing trees on site will be lost;
-  No requirement for further housing given the quantity of housing which is vacant;
-  Smells.

The one comment letter received raises the following issues:

-  the site should be used for a children's play area rather than for development.

Petitions:- one petition with 40 no. total signatures from residents on Gregson Field and Bridgeman Street raising the following issues:

-  There is a need to respect local wishes - i.e. if they don't want the development to occur it should not be approved;
-  Loss of green space and trees;
-  The site is well used by local children who once the site is developed will have nowhere to play;
-  The focus should be on filling empty properties rather than building new ones on green space;
-  Loss of quality of life for existing residents if the development is constructed.

Additional consultation:- additional consultation was undertaken by the applicant on the proposed tree planting scheme for the former School site. The applicant has provided the LPA with a copy of the responses. A total of 21 responses were received. When asked whether the provision of open space / trees on the site was a good use of space and would enhance the area the following results:

-  76% of respondents supported the development of the open space on the former School site;
-  57% of respondents considered that the POS/tree planting scheme was a good use of the site and would enhance the area;
-  19% of respondents would have preferred formal play area;
-  9% of respondents stated that the provision of the POS was already planned by the Council;
-  Other issues raised were concern over the congregation of people on the proposed POS, housing should be built on the former School site rather than the planning

application site, trees will take a long time to establish, there is no requirement for social housing in the area.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: the Council's Highways Engineers, Trees and Woodland Officers, Pollution Control officers, Greenspace Management, Strategic Development Unit, Economic Strategy, Design for Security (Greater Manchester Police).

Planning History

A planning application was submitted in 2003 (Ref:65821/03) for the erection of a private day nursery. The application was subsequently withdrawn in November 2003.

Recommendation: Delegate the decision to the Director

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. No development shall be commenced until full details of the type and colour of facing materials to be used for the external walls and roof(s) have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the development safeguards the character and visual appearance of the locality.

3. No development shall be commenced until full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason

To ensure the development safeguards the character and visual appearance of the locality and to safeguard the living conditions of nearby residents particularly with regard to privacy and outlook.

4. 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.

5. Phase II Report
Should the approved Phase I Report recommend that a Phase II Report is required, then prior to commencement of any site investigation works, design of the Phase II site investigation shall be

submitted to, and approved in writing by, the Local Planning Authority. Site investigations shall be carried out in accordance with the approved design and a Phase II Report shall then be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The Phase II Report shall include the site investigation data, generic quantitative risk assessment, detailed quantitative risk assessment (if required) and recommendations regarding the need or otherwise for remediation.

Should the Phase I Report recommend that a Phase II Report is not required, but during construction and prior to completion of the development hereby approved, contamination or gas migration is found or suspected, the developer shall contact the Local Planning Authority immediately and submit proposals for investigation and remediation of the contamination or gas migration within seven days from the date that it is found or suspected to the Local Planning Authority for approval in writing.

Options Appraisal

Should the Phase II Report recommend that remediation of the site is required then unless otherwise agreed in writing with the Local Planning Authority, no development shall commence unless or until an Options Appraisal has been submitted to, and approved in writing by, the Local Planning Authority. The Options Appraisal shall include identification of feasible remediation options, evaluation of options and identification of an appropriate Remediation Strategy.

Implementation of Remediation Strategy

No development shall commence, unless otherwise agreed in writing with the Local Planning Authority, until the following information relating to the approved Remediation Strategy has been submitted and approved by the Local Planning Authority:

- \ Detailed remediation design, drawings and specification;
- i) Phasing and timescales of remediation;
- ii) Verification Plan which should include sampling and testing criteria, and other records to be retained that will demonstrate that remediation objectives will be met; and
- iii) Monitoring and Maintenance Plan (if appropriate). This should include a protocol for long term monitoring, and response mechanisms in the event of non compliant monitoring results.

The approved Remediation Strategy shall be fully implemented in accordance with the approved phasing and timescales and the following reports shall then be submitted to the Local Planning Authority for approval in writing:

- iv) A Verification Report which should include a record of all remediation activities, and data collected to demonstrate that the remediation objectives have been met; and
- v) A Monitoring and Maintenance Report (if appropriate). This should include monitoring data and reports, and maintenance records and reports to demonstrate that long term monitoring and maintenance objectives have been met.

Reason

To ensure that the development is safe for use.

6. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted to and approved by the Local Planning Authority within 3 months of the commencement of development. Such a scheme shall be carried out within 6 months of the occupation of any of the buildings or the completion of the new 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 planting season with others of similar size and species.

Reason

To soften the development proposed and to enhance and improve the setting of the development within the landscape of the surrounding locality.

7. Within 3 months of the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority which assesses the requirements for Traffic Regulation Orders on the roads adjacent to the site. The approved Traffic Regulation Order scheme shall be implemented in full within 6 months of the completion of the development hereby approved. Such works to be retained thereafter.

Reason

In the interests of highway safety.

8. The dwellings hereby approved shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). Within four months (unless otherwise agreed in writing with the LPA) of first occupation of the development hereby approved a Final Code Certificate will be submitted to the Local Planning Authority certifying that Code Level 3 has been achieved.

Reason

To reduce the impact on climate change and to improve the sustainability of the site.

9. Within 3 months of the commencement of development, an energy assessment of the approved development shall be submitted to the Local Planning Authority. The submission shall include a scheme which details how either (i) renewable energy technology or (ii) an alternative scheme e.g. enhanced insulation shall reduce CO2 emissions of predicted energy use of the development by at least 10%. The approved scheme shall be installed, retained and maintained in perpetuity thereafter unless agreed by the Local Planning Authority.

Reason

To enhance the sustainability of the development and to reduce the reliance on fossil fuels in order to comply with Core Strategy policy CG2.

10. No building hereby permitted shall be occupied until surface water drainage works have been implemented on site which maintains the existing surface water run off from the site under greenfield conditions in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- vi) 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;
- 1. include a timetable for its implementation; and
- 2. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved scheme shall be implemented in full prior to full occupation of the development hereby permitted and retained thereafter.

Reason:

To reduce the risk of contaminating surface water run off and reduce the risk of localised flooding and down stream flooding by ensuring the provision of a satisfactory means of surface water dispersion

11. Prior to the occupation of the dwelling house(s) hereby permitted provision shall be made for the parking a motor vehicle in the area identified for that purpose on the approved plan. These areas shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or replacing that Order) other than car parking, no extensions, porches, outbuildings, sheds, greenhouses, oil tanks 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.

12. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning General Permitted Development Order 2008 (or any Order amending or replacing that Order) no dormers shall be constructed or other alterations to the roof carried out on the approved dwelling(s) other than those expressly authorised by this permission.

Reason

To safeguard the architectural character and appearance of the dwelling.

13. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning General Permitted Development Order 2008 (or any order amending or replacing that order) no extensions, porches, garages, outbuildings, sheds, greenhouses, oil tanks, or hardstandings shall be erected within the curtilage of (any of) the approved dwellinghouse(s), other than those expressly authorised by this permission.

Reason

The private garden space of the dwellings is limited and any extension would result in an unsatisfactory scheme in terms of open space and privacy requirements.

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

Drawing No. 13082-104 - B - 2B4P Unit_Wide Frontage - Ground/First Floor Plans, received 15/08/14;

Drawing No. 13082-105 - B - 3B5P Unit_Wide Frontage - Ground Floor Plan, received 15/08/14;

Drawing No. 13082-106 - A - 3B5P Unit_Wide Frontage - First Floor Plan, received 15/08/14

Drawing No. 13082-108-A 0 Block A - Proposed Elevations received 26/09/14;

Drawing No. 13082-109-A 0 Block A - Proposed Elevations received 26/09/14;

Drawing No. 13082-111 - Typical Site Section, received 15/08/14; and

Drawing No. 101056/001 Topographical Survey received 15/08/14.

Reason

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



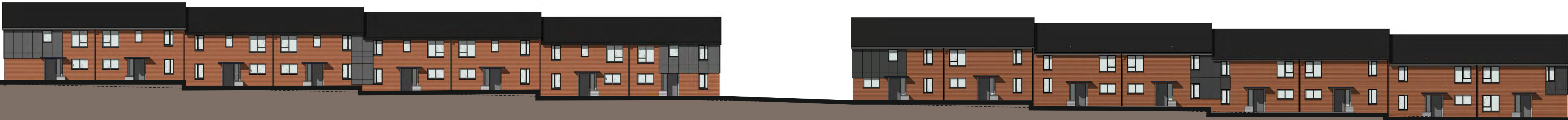
BLOCK PLAN

SCALE 1:250

NOTE : FOR DETAILS OF LANDSCAPING
PLEASE SEE LANDSCAPING PROPOSALS
BY TEP

BLOCK 'A'

BLOCK 'B'



CLARENDON ROAD STREETSCENE

SCALE 1:200



3D VIEW [1]
looking past plot 9 towards block 'A'



3D VIEW [2]
looking past plot 8 towards block 'B'



3D VIEW [3]
material identification detail

- CONCRETE INTERLOCKING TILES (DARK GREY)
- DARK GREY RAINWATER GOODS AND SOFFIT/FASCIA
- TRESPA (or equal approved) CLADDING - COLOUR/TEXTURE TBA
- GRP CANOPY
- CONTRASTING BRICKWORK IN ENTRANCE REVEAL
- UPVC WINDOWS FINISHED IN RAL 7016 (ANTHRACITE GREY)
- LOW LEVEL PLANTING (SEE TEP DRAWINGS FOR DETAILS)
- CONTRASTING BRICKWORK TO SEAT FEATURE - WETCAST/ARTSTONE TOP
- SMOOTH RED BRICK TO COMPLIMENT EXISTING TERRACED BRICKWORK
- REGULAR SETTS TO BACK OF PAVEMENT
- EXISTING PAVEMENT

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Written dimensions to be taken in preference to scaled dimensions.

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SPECIFICATION

New trees to contain a mixture of the following:

- Betula pendula (sliver birch)
- Prunus avium ‘plena’ (wild cherry)
- Quercus robur (English Oak)
- Sorbus aria (whitebeam)
- Acer campestre (field maple)

All trees to be 12-14cm girth with root ball, including stakes and ties to assist in their establishment.

The trees can be planted within swathes of bulbs or longer meadow grass to assist in lower maintenance operations throughout the growing season.

19no. NEW TREES IN TOTAL

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COMMENT

Great Places Housing Group

New Housing
Clarendon Street
Bolton

Planting Proposals for
Clarendon St School site

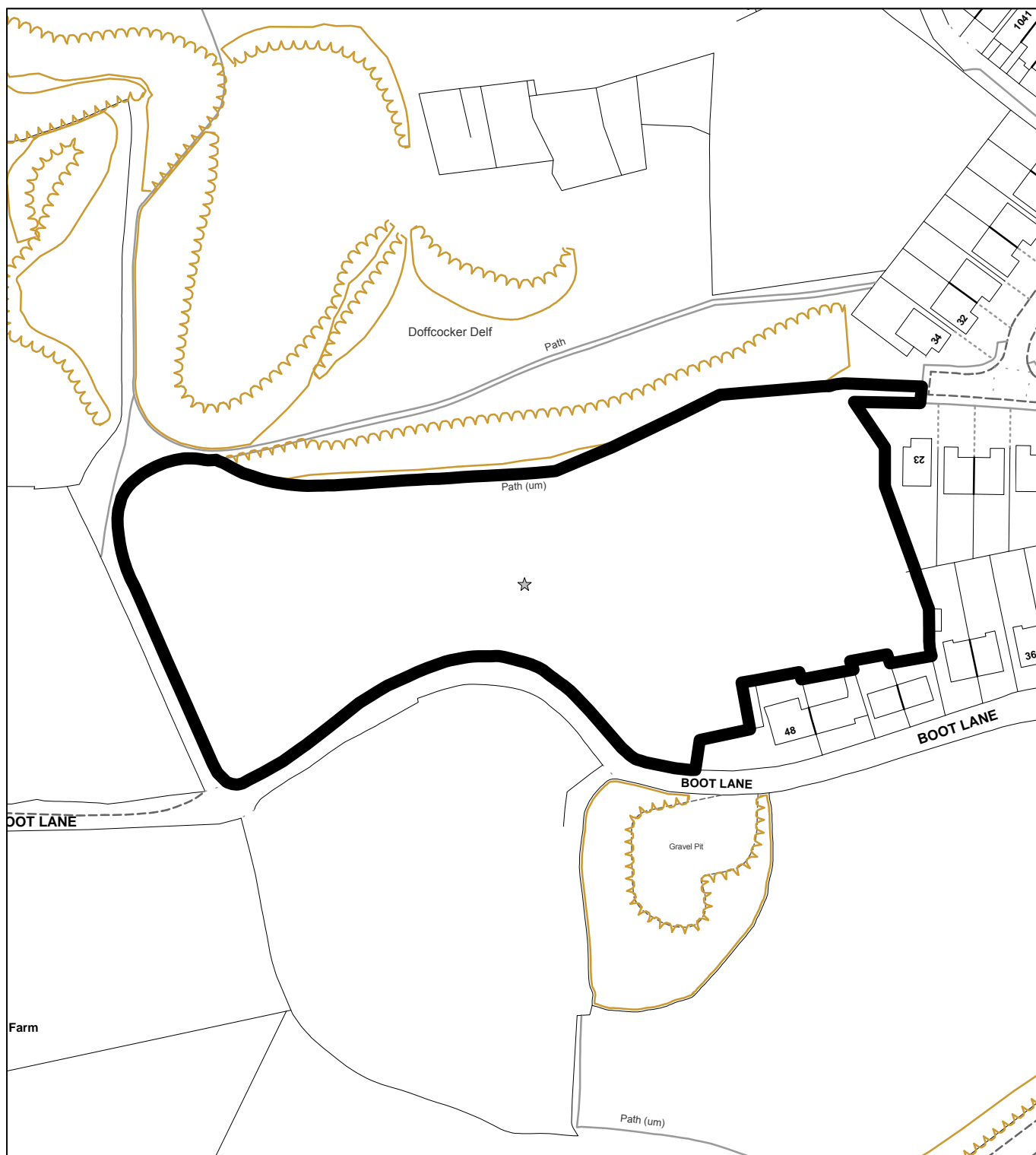
13082-114-B

1:500 sheet: A3

19/11/2014 by: SH checked: EJ

Application No.

92643/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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11

Date of Meeting: 18/12/2014

Application Reference: 92643/14

Type of Application: Full Planning Application
Registration Date: 10/09/2014
Decision Due By: 04/11/2014
Responsible Officer: Jodie Turton

Location: LAND AT REAR OF BOOT LANE, BOLTON, BL1 5SS

Proposal: ERECTION OF STABLE BLOCK

Ward: Smithills

Applicant: c/o Neil Pike Architects
Agent : Neil Pike Architects

Officers Report

Recommendation: Refuse

Background

This application was deferred by Members at the October Planning Committee to give the applicant the opportunity to re-design the stables to provide a much smaller building and of a much more conventional stable design. In addition, Members gave the applicant the opportunity to re-locate the stables to a more sensitive location within the site.

Amended plans have been submitted to address Members comments. The following amendments have been made:

1. The stables building has been re-sited from their central position to the western boundary of the field.

In this position the stable building is sited further away from residential properties and it is not in a central location within the field and will therefore be less intrusive. The applicant has provided a supporting statement, which justifies this siting due to the lower levels here which will serve to minimise the impact. However, despite the lower levels, given the design and height of the stables the building will be a very prominent and large structure which will be visible from the surrounding Green Belt land.

2. Reduction in size of the stables from 6 to 4 stable units.

On the ground floor, the stables will provide four stable units as well as a tack/store room. The size of each of the stable units, as well as the store/tack room meet the requirements of PCPN28. The original application was submitted with two horsepassports, however two further passports have since been provided by the applicant to justify the provision of four stable units. The two original horsepassports are for horses in the ownership of the applicant. The two additional passports are for horses in the ownership of a third party. As only small scale 'essential' recreational facilities that are 'genuinely required' are permitted in the Green Belt, stables which are to provide for horses outside of the applicant's ownership are not considered to be acceptable in policy

terms. Ultimately, this is resulting in the business use of the land and stables, which would have a greater impact on the highway (Boot Lane), the number of visitors to the site. The proposed stables could not be considered essential or genuinely required by the applicant for their personal recreational use.

On the first floor, a room will be provided measuring approximately 13.2 metres by 8.2 metres (into the eaves), stairs will be provided internally to the first floor and it is intended that the space will be used for the storage of hay. PCPN28 states that, storage for hay, feed and bedding materials should be accommodated in one unit whose size will relate to the number of horses kept. A room of 13 square metres in size (3.6m x 3.6m) is considered adequate in most cases. The groundfloor of the stables makes provision for a storage room of 5.8m x 2.1m, which will provide a storage room of 12.18 sq metres, which is just under the policy recommendation and is considered to be adequate for the number of horses to be accommodated. Additional storage space is not supported in policy terms in a Green Belt location, the first floor which will span the entire floor area of the stables and the internal courtyard will result in a much larger, bulkier building, which will not give the appearance of small scale stables.

3. Alterations to the design.

The design of the stables has been amended to reduce the height of the stables and reduce the footprint. Despite this, the stables are not considered to be small scale, essential facilities, given the provision of a first floor and the overall design. The groundfloor has been designed in a 'U' shape, which provides a courtyard for servicing the four stables and storeroom. However, the stables have been designed so that the first floor will cover the entire stables and courtyard area, which externally will give the impression of a square building with the full roof over. The appearance of the stables will therefore be of a large scale, bulky building and not of a small scale, traditional stables. Despite the alterations, the proposal is contrary to policy in this respect.

A supporting statement has been submitted with the amended plans which seeks to justify the size of the stables, notably the provision of a hay loft. The statement also seeks to justify the proposal through stating that the land has been significantly improved since being in the ownership of the applicant as they state it was previously in a poor state and suffered from flytipping. However, two neighbouring residents have written in further letters of objection stating that the land was an open field, a high quality space, which was rife with wildlife, including visiting wild deer.

A further letter of support has been received, stating that stables are acceptable in the Green Belt, especially in this location where there have been recent residential developments in the Green Belt which have greater harm (Delph Hill Close development) and greater impact on local residents.

Members should also be aware that an area of hardstanding has been laid at the entrance to the site, without the benefit of planning permission. This is the subject of an enforcement investigation.

Conclusion

The proposed stables, as shown on the amended plans, are contrary to Allocations Plan policy CG7AP and PCPN28 and Members are therefore recommended to refuse the application.

Policy Update

The Saved UDP policies have now been superseded by Bolton's Published Allocations Plan

(adopted December 2014). The Green Belt policies have been replaced by Policy CG7AP. The protection to Green Belt land remains in essence the same as the previous Saved UDP policy and therefore in policy terms there are no additional factors to be taken into consideration for this application proposal.

Proposal

The application proposes the erection of a stable block. The building is a large scale stone built structure with slate roof. The building measures 19.5 metres in length and 10 metres in depth, 3 metres to eaves level and 6.2 metres to ridge. The stables has a first floor accommodated within the roofspace.

Internally the building will accommodate 6 individual stables, with access internally via a corridor and externally via independent stable doors. On the ground floor there is also a store room and a larger tractor or tool store room. No information is provided about what is to be accommodated at first floor level.

The building is designed in a 'H' shape with the stables being located in the outer wings, which have gables to the front and rear elevations.

Access to the site is via Boot Lane, where the gated access has recently been upgraded and improved.

Site Characteristics

This is an open field site, located within the Green Belt. There are residential properties to the east on Delph Hill Close and to the south east on Boot Lane. Access to the site is from Boot Lane, which is a single track residential road.

To the north and west are open fields. There are a number of trees to the boundaries of the site to the north and east.

Policy

NPPF (2012): 9. Protecting the Green Belt.

Core Strategy policies: CG1 Biodiversity; CG3 Built Environment; CG4 Compatible Uses; P5 Accessibility; S1 Safe Bolton; OA5 West Bolton.

Saved UDP policies: G1 and G2 Green Belt.

PCPN2 Space Around Dwellings
PCPN28 Equestrian Development

SPD 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:-

- * impact on the Green Belt and the provision of stables
- * impact on residential amenity
- * impact on the highway

Impact on the Green Belt and the Provision of Stables

The NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. One of the main purposes of the Green Belt is to assist in safeguarding the countryside from encroachment. Paragraph 81 of the NPPF states that, "once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation". Stables are considered to be an appropriate form of recreational development in the Green Belt.

Saved UDP Policies G1 and G2 are concerned with development within the Green Belt. Policy G1 states that the Council will not permit development within the designated Green Belt unless it is clearly needed for agriculture, forestry or other appropriate uses and does not prejudice Green Belt's purposes and objectives. Policy G2 states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of new buildings except for [amongst other things] (ii) essential facilities for outdoor sport and outdoor recreation.

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 maintain and respect the landscape character of the surrounding countryside and its distinctiveness. Policy OA5 states that for developments in North Bolton the Council will [amongst other things] ensure that it does not harm the landscape setting and protects views from public areas to the surrounding landscape.

PCPN28 provides specific guidance on equestrian developments.

Small scale stables, to serve recreational purposes are an acceptable form of development in the Green Belt as defined by national and local policy objectives. The application however proposes a large scale stone building, with accommodation over two floors. The intended use of the building is a stables; however the external appearance of the building, in scale, form and design appears like a residential dwelling, with arched door openings, gable elevations to the front and rear and a large footprint in a 'H' shape. The building is situated in a central position within the field, with a large driveway from the access gate on Boot Lane. Paragraph 4.12 of PCPN28 states that, "it is expected that stables and storage buildings will occupy the smallest amount of space possible consistent with clearly stated essential requirements". Two horse passports have been provided with the application. A stables of the size proposed (accommodation for 6 horses plus 2 store rooms) is more akin to a livery or other commercial stables development. Given that the applicant has only two horses, the size and scale of the stables is significantly

larger than needed. Paragraph 4.3 of PCPN28 states that, "large scale new buildings to accommodate livery stables ... and other commercial equestrian establishments will not be permitted in the Green Belt unless very special circumstances can be demonstrated". No special circumstances have been demonstrated.

Internally there are six stables, which are situated three to each wing, with internal access off a corridor as well as external stable doors. The central area is used for an entrance hallway and a large tractor/store room (approximately 17.76 sq metres), in addition to a second store room of 7.7 sq metres. Although the size of the independent stable units are acceptable in policy terms, the additional internal circulation areas contribute to the unacceptable scale and footprint of the building. Furthermore, the overall design, which is more akin to a residential dwelling and the provision of a first floor which significantly increases the height of the building further compound the unacceptability of the application proposal in this open field, Green Belt location. Indeed one of the principle concerns of local residents is the residential appearance of the proposed building and the impact of this on the Green Belt. In fact, one resident highlights that the footprint of the stables is larger than many of the neighbouring residential properties.

The stables contains a storage area for a tractor and/or tools, paragraph 4.36 of PCPN28 states that, "planning permission is unlikely to be forthcoming for the erection of new buildings to house vehicles and machinery in connection with the equestrian use of land".

The building proposed is large scale, containing 6 independent stables, with two additional store rooms, in addition to a first floor which no details are provided of intended purpose. It is apparent from the information submitted with the application that the stables are not an essential facility providing for personal use and no special circumstances have been provided to justify the scale of the building proposed.

Paragraph 4.14 of PCPN28 states that, "the proposed building(s) must not be intrusive in the landscape and should, wherever possible, be positioned in a well screened or unobtrusive location." The proposed stables have been sited in a central position with the open field. This results in a greater impact on the character and appearance of the area and a much greater impact on the openness of the Green Belt. Furthermore, the extent of hardsurfacing proposed to access the stables is extensive and excessive, resulting in a greater impact on the openness of the Green Belt.

The proposal is contrary to guidance on Green Belt contained in the NPPF, Saved UDP policies G1 and G2, Core Strategy policy CG3 and PCPN28.

Impact on Residential Amenity

Core Strategy policy CG4 seeks to ensure that development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution.

The stables are sited close to the residential properties on Boot Lane and Delph Hill Close, however the stables have been sited to be in excess of 30 metres from properties on Boot Lane and in excess of 60 metres to Delph Hill Close, which is considered an appropriate distance in the guidance contained in PCPN28 in order to avoid impacts on residential amenity from smells, noise and nuisance.

No information has been provided on waste disposal, drainage or the storage of manure. Given the proximity of the residential properties it is essential that this information is

provided to ensure that there is no unreasonable impact on residential amenity from odours and also from a visual amenity perspective.

Impact on the Highway

Core Strategy policy S1 seeks to promote road safety in the design of new development. Core Strategy policy P5 seeks to ensure that development is accessible by different types of transport, prioritising pedestrians, cyclists and public transport over the motorised vehicle. Appendix 3 provides guidance on parking standards.

Access to the stables will be via Boot Lane, which is a single track residential road. Highway Engineers are content that the access and road leading to this is acceptable for a small scale recreational use which is the sole use of the applicant, however not for a business or livery use.

Conclusion

The building proposed is a large scale stables, containing 6 independent stables units, with two additional store rooms, one being for vehicles/tools, in addition to a first floor. Two horse passports have been provided, which fails to justify the size and scale of the stables being applied for. It is therefore apparent from the information submitted with the application that the stables are not an essential facility providing for personal use and no special circumstances have been provided to justify the scale of the building proposed in this Green Belt location. The internal layout of the stables does not comply with guidance, in that a tool/vehicle store is proposed, internal corridors which significantly increase the footprint of the building and also the provision of a first floor. Externally, the design and scale of the building are very residential in appearance and appear as an obtrusive, incongruous, large scale structure in a rural Green Belt setting.

The proposed stables in terms of siting, scale, design and the extent of the hardstanding are contrary to Core Strategy policy CG3, Saved UDP policies G1 and G2 and the guidance contained in PCPN28. Furthermore, no information has been provided on the storage and disposal of manure, as well as drainage, which is essential to ensure that there is no detrimental impact on neighbouring residential amenity.

The site notice for the application expires on 28th October. Members are therefore recommended to delegate the decision to the Director to allow the consultation period to expire, with a recommendation of refusal.

Representation and Consultation Annex

Representations

Letters:-

Objections (the issues raised have been addressed in the main body of the report):

6 letters of objection have been received, raising the following concerns:

-) Increase in traffic along Boot Lane which is a narrow lane and has mine workings underneath.
-) Incursion into the Green Belt and impact on recreational use of Green Belt.
-) For 20 years horses in the area have lived outside whatever the weather – why do they need an extensive 2-storey building now?
-) We thought it would be a wooden building for 2 horses, not a stone building for 6 horses which could easily be converted to living accommodation.
-) Impact of increase in traffic on residential area.
-) The building is tall, with potential for temporary residence on top floor and conversion to residential later.
-) The land is unsuitable for agricultural use due to depth of soil and slow growing grass.
-) Isolated spot – the new build would be a target for vandalism, theft and other anti-social behaviour.
-) Use of 6 stables would overload the land, unacceptable level of horse waste, flies and smells for nearby residents.
-) Concerns about waste from the stables.
-) The building does not resemble a stables. The stone built, pitched, tiled roof, 2-storey building resembles a large detached bungalow – we believe it is a residential application in all but name.
-) The applicant has already placed hardstanding at the entrance to the site.
-) The size of the stables would easily allow for conversion to a dwelling.
-) The stables will be sited in the centre of the field, which does not maintain the openness of the land.
-) The building is larger in scale than any of the neighbouring dwellings in both Boot Lane and Delph Hill Close and would therefore dominate the area and thus not maintain the openness of the Green Belt.
-) The applicant has validated the ownership of two horses (horse passports). PCPN28 and the British Horse Society state that the "average pasture will maintain approximately two horses per hectare as permanent grazing (1-1.5 acres per individual)". It clearly states in the above document that "providing space for more horses than the land can support will not be acceptable". The length of land in question is 2.26 acres, precisely enough to accommodate two horses. *(this is concerned with horse welfare and is not a material planning consideration)*
-) The policy states that planning permission will be unlikely for buildings to store vehicles and machinery.
-) No reason is given as to why a second floor is required and stables are normally single storey structures.
-) The building is intrusive in the landscape and is not sited in a well screened location and is contrary to policy in PCPN28.
-) Boot Lane is un-adopted, narrow and inadequately maintained and construction vehicles would cause damage to the road.
-) Horse passports have only been provided for two horses, whereas stables for six horses are proposed.
-) The thin soil will turn into a swamp when wet and used by animals, which will result in more smell and disturbance to neighbours.
-) Vehicle congestion due to lack of turning area.

Support:

One letter of support has been received on the following grounds: since the current owners have purchased the site they have totally and very attractively transformed the area, removing Himalayan balsam and Japanese knotweed, clearing rubbish and rubble, removing unhealthy and overgrown trees and rebuilding stone walls. The area has been opened up visually and they have stopped the use of the site by mini motorbikes, etc. The proposed stables will be an extra improvement to the outlook.

Consultations

Advice was sought from the following consulters: Highway Engineers; Ramblers Association; Open Space Society; Peak and Northern Footpaths.

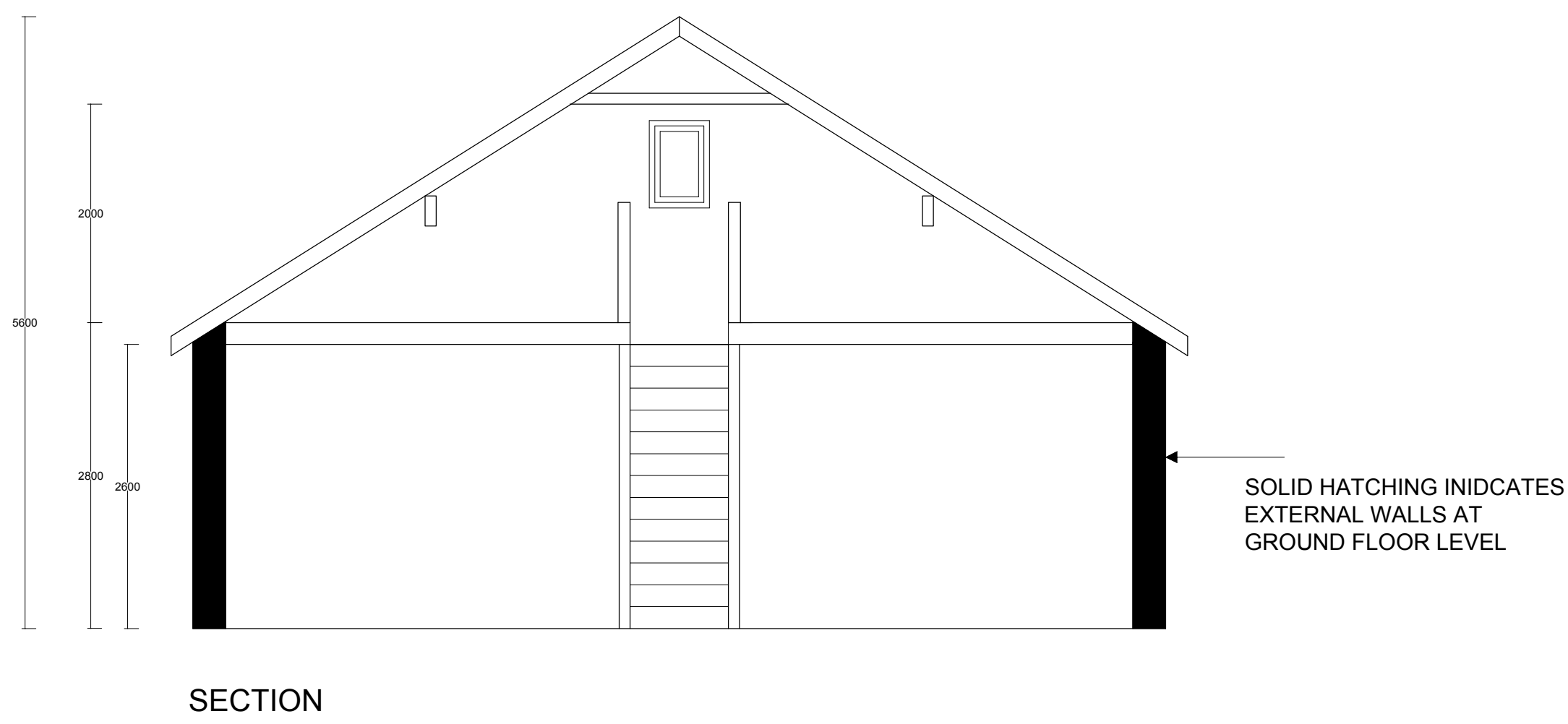
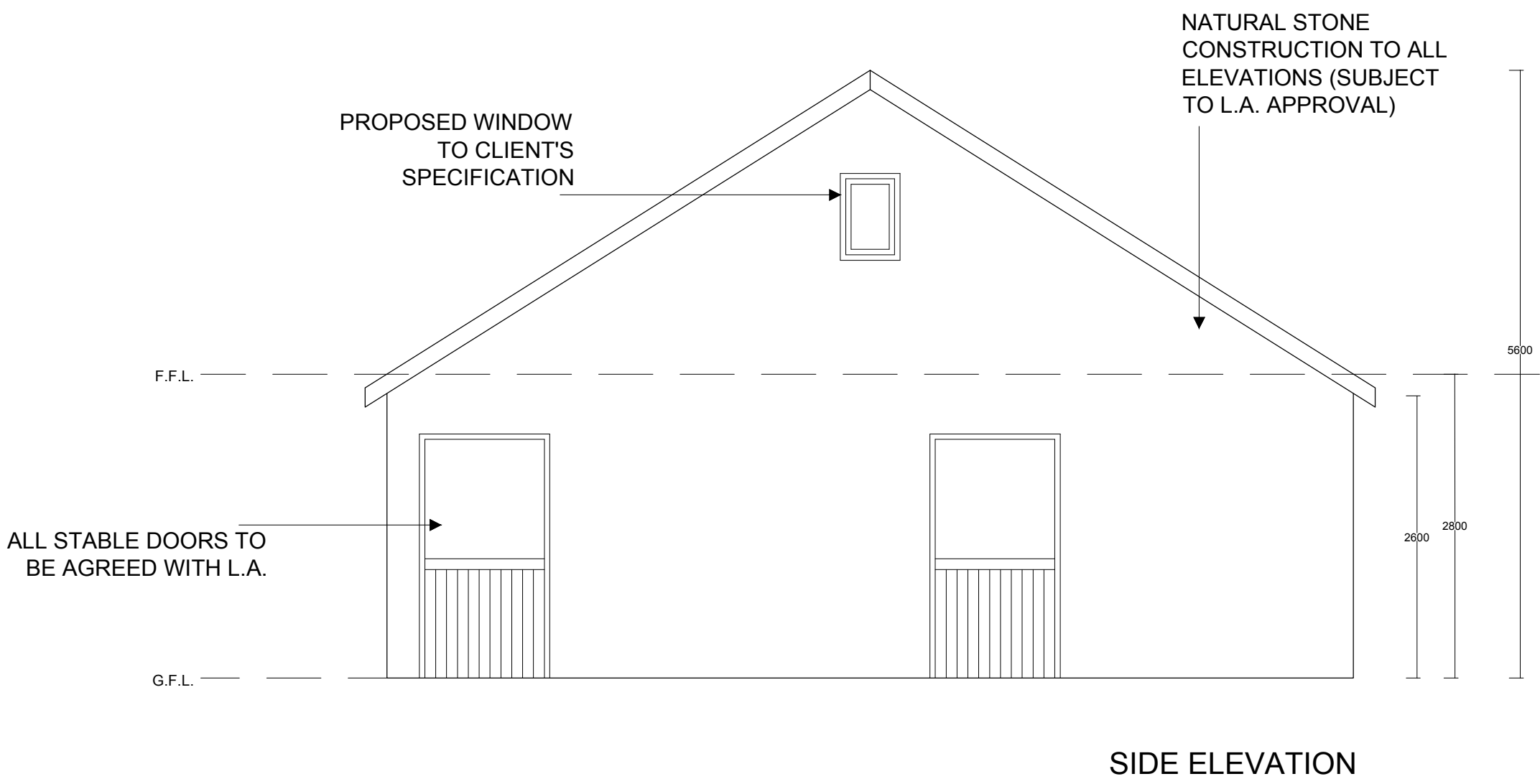
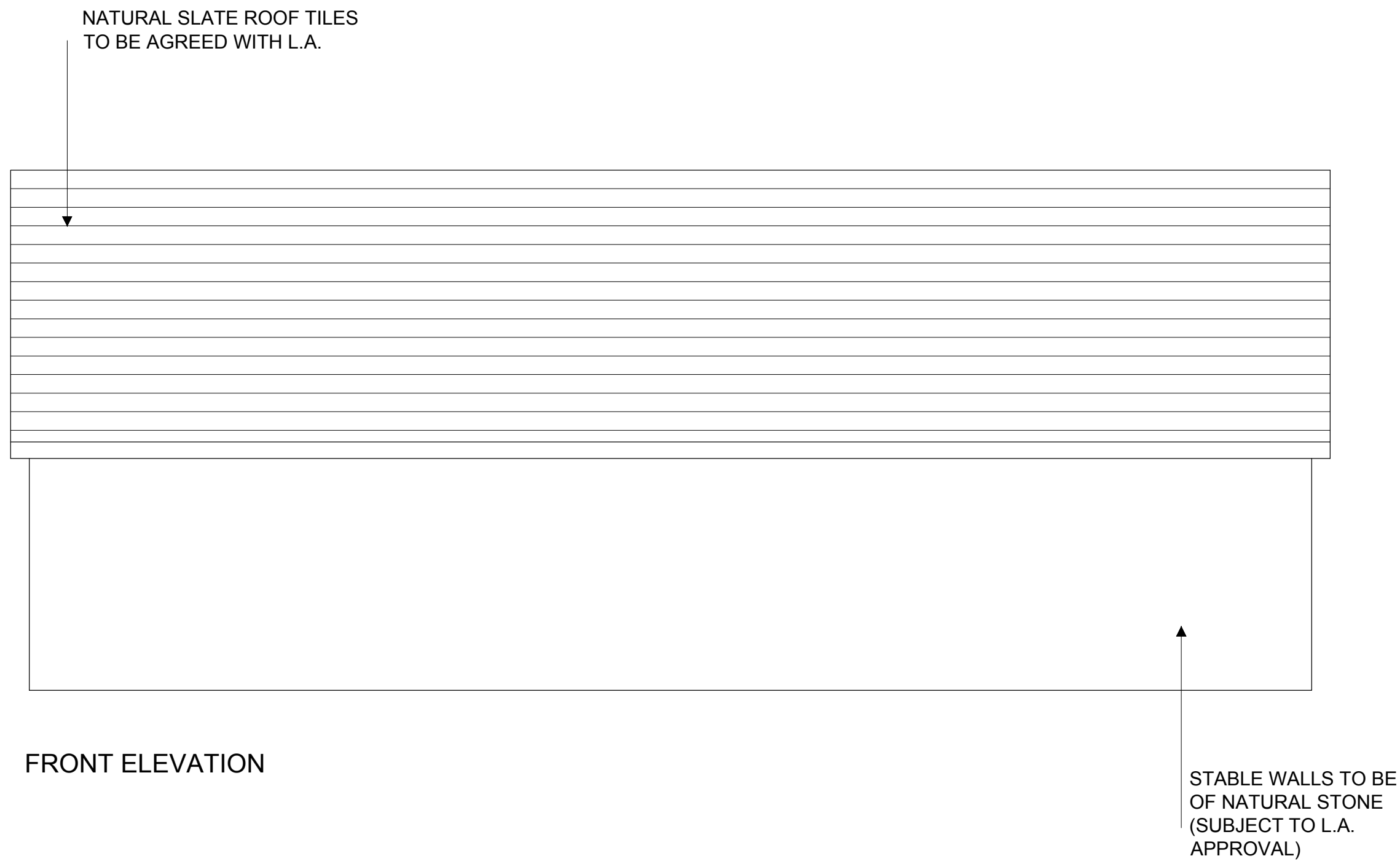
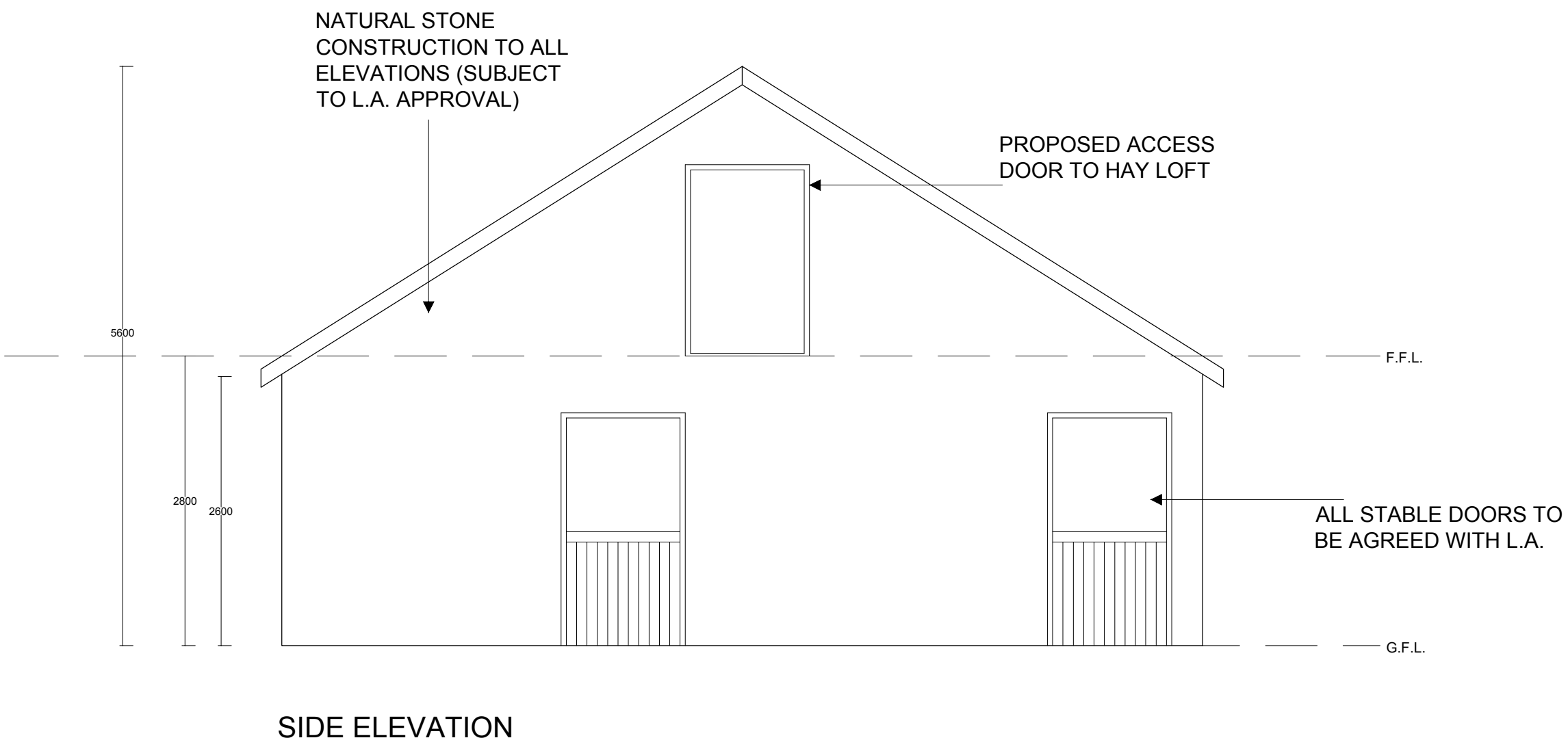
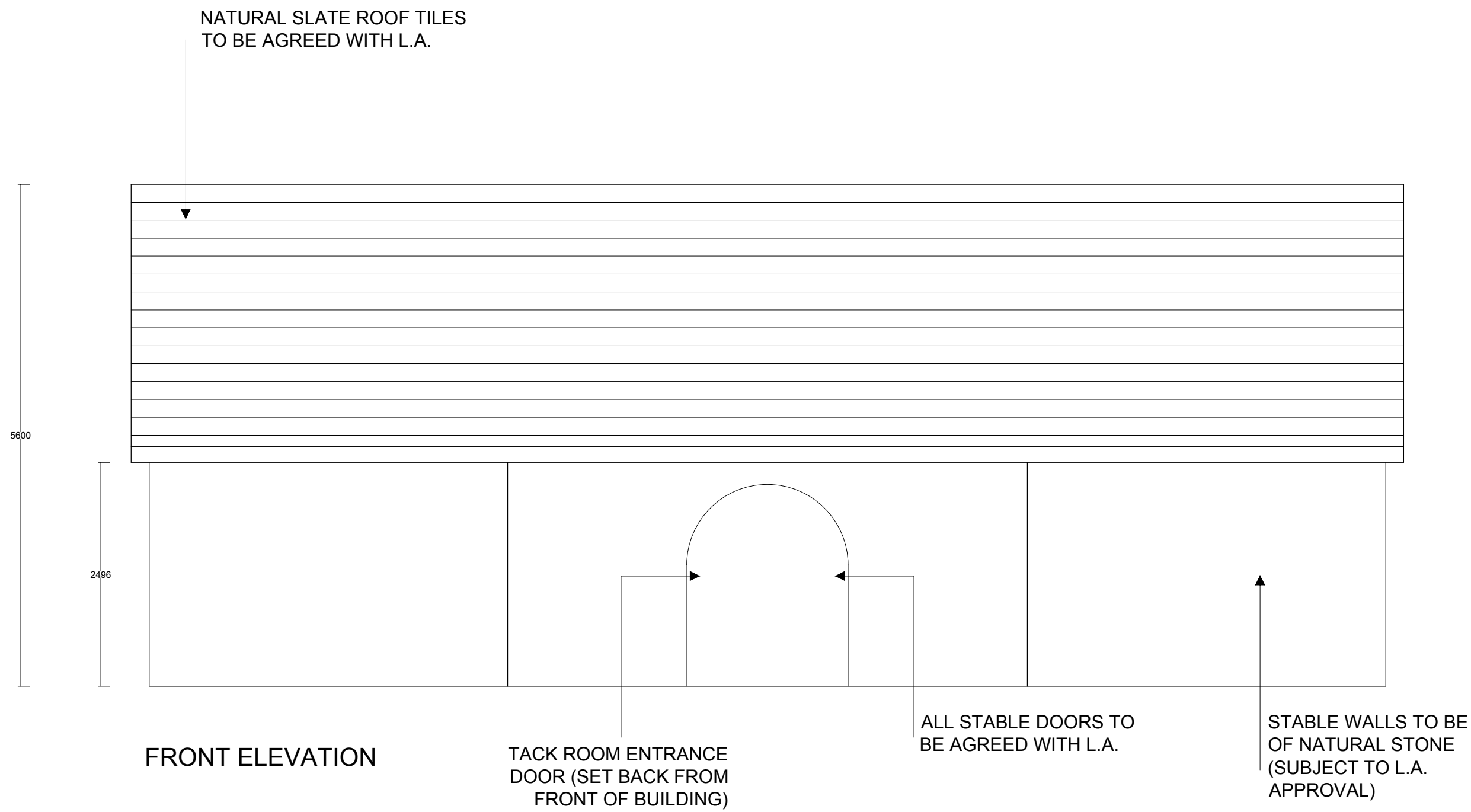
Planning History

None.

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed stables by virtue of its siting, size and design represents inappropriate development within the Green Belt and the Applicant has provided no very special circumstances to outweigh the harm caused and the proposal is contrary to Policy CG7AP of Bolton's Published Allocations Plan (December 2014), Core Strategy policy CG3 and Planning Control Policy Note no.28 'Equestrian Developments'.
2. Insufficient information has been provided by the applicant particularly with regard to drainage and the storage and disposal of manure from the stables, to enable the proposal to be properly judged against the Core Strategy policies CG3 and CG4.



| REV | DESCRIPTION |
|-----|--|
| A | PROPOSED FLOOR AREA REDUCED AND RIDGE LOWERED 07.11.14 |
| B | ADDITIONAL NOTES AND WINDOW ADDED TO DRAWING 27.11.14 |
| | |
| | |

PROPOSED ELEVATIONS & SECTION

PROPOSED STABLE BLOCK
LAND OFF BOOT LANE, BOLTON
BL1 5SS

CLIENT:

DWG NO:

SCALE:

DRAWN BY:

DATE:

REV:

COURT

PL K644/03

1/50 @ A1

R.P.

11/04/14

B

neil pike
architects

MICHIGAN HOUSE,17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR

TEL: 01204 392233 FAX: 01204 528505

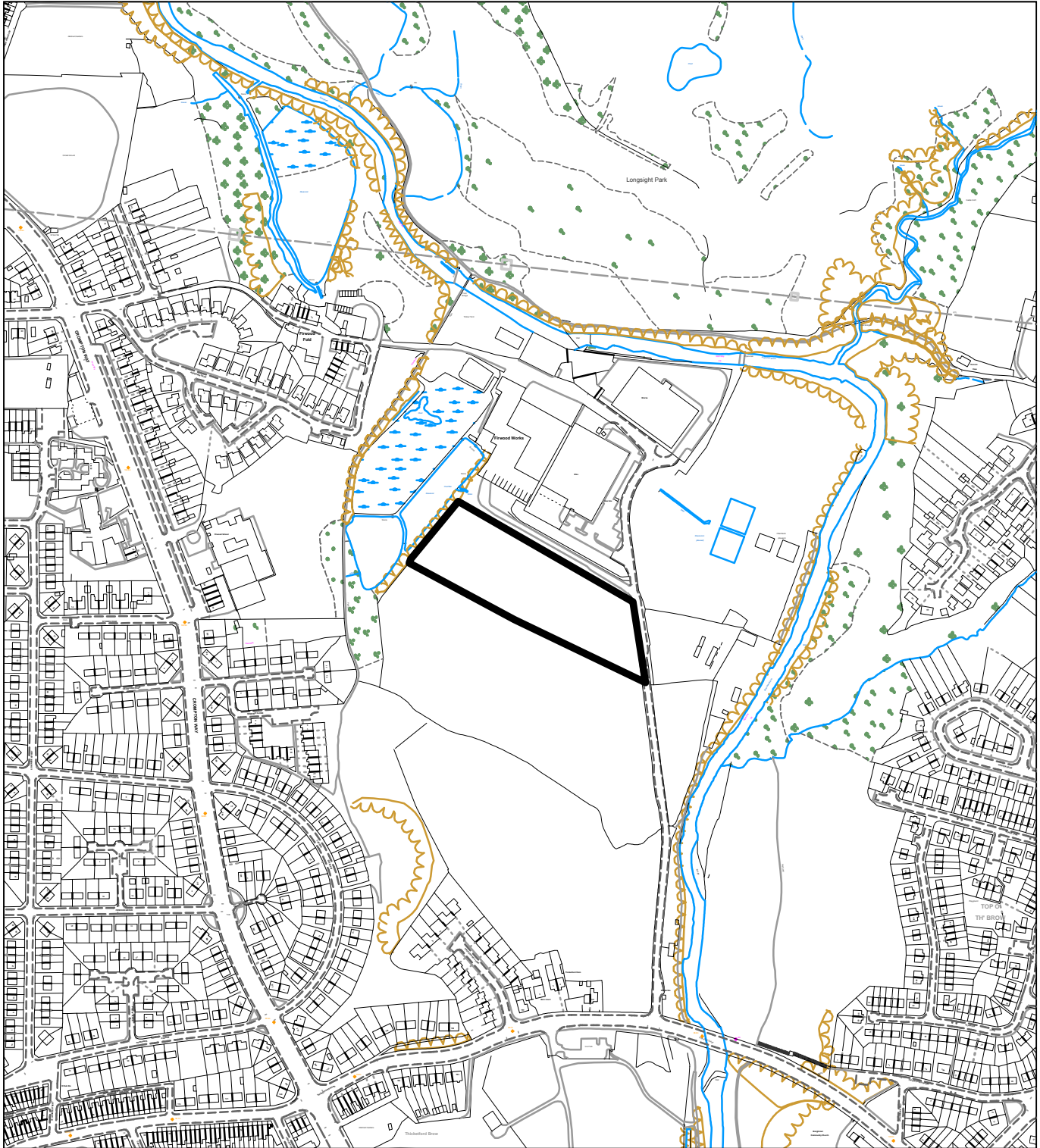
WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK

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Application No.

92656/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

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Date of Meeting: 18/12/2014

Application Reference: 92656/14

Type of Application: Full Planning Application
Registration Date: 01/09/2014
Decision Due By: 30/11/2014
Responsible Officer: Alex Allen

**Location: LAND ADJACENT FIRWOOD INDUSTRIAL ESTATE,
THICKETFORD ROAD, BOLTON, BL2 3TR**

**Proposal: ERECTION OF PET CREMATORIUM AND GARDEN OF
REMEMBRANCE INCLUDING NEW ACCESS AND PROVISION OF
14 PARKING SPACES**

Ward: Tonge with the Haulgh

Applicant: Pet Crematorium Services
Agent : RT Design

Officers Report

Recommendation: Refuse

Proposal

The applicant proposes the erection of a pet crematorium with a small ancillary garden of remembrance, car parking provision, vehicular access and landscaping. The proposed building would measure 21 metres wide and 32.8 metres long and a maximum height of 5.1 metres to the apex of the roof. The proposed flue of the building would be to a maximum height of 10 metres. The frontage of the building would be clad with brick and composite roof panels. The rear of the building would be constructed from block work and composite panels.

Site Characteristics

The application site is an open field in a river valley with residential properties located at a higher level to the East and West with some residential properties located fronting Thicketford Road. The site also is located within a flood plain and adjacent to a Site of Biological Interest.

Policy

National Planning Policy Framework

Core Strategy:- P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment

Core Strategy Allocations Plan - Policy CG7AP - Green Belt.

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 Green Belt;
- * impact on the character and appearance of the area;
- * impact on surrounding land uses and occupiers;
- * impact on ecology;
- * impact on flood risk;
- * impact on sustainability; and
- * impact on highway safety

Impact on the Green Belt

Guidance contained within the National Planning Policy Framework (NPPF) paragraph 89 outlines the acceptable uses within the Green Belt. These are as follows: buildings for agriculture and forestry; provision of appropriate facilities for outdoor sport/recreation; extension of existing buildings, limited infilling in villages and limited infilling or complete redevelopment of previously developed sites (subject to other criteria).

Core Strategy policy CG7AP is consistent with this approach.

The proposal proposes a pet crematorium, an effectively industrial process, within the Green Belt. This is not detailed within guidance as an appropriate use within the Green Belt. The applicant has sought to justify the proposal on the following grounds which are put forward as 'very special circumstances':

-) The applicant applies the tests outlined for human crematoria for the siting of a crematorium i.e. they should not be located within 183 metres of any dwellinghouse or within 46 metres of a public highway;
-) Use of land in the Green Belt for a cemetery is an appropriate use in the Green Belt;
-) The applicant has a requirement for a facility in the North West of England and have attempted (unsuccessfully) to purchase other sites in Lancashire;
-) The openness of the Green Belt in this location would be maintained - the site is screened by existing woodland/mature trees and is effectively screened from direct views;
-) The site is located adjacent to an established industrial area/estate;
-) Planning permissions have been granted on other sites within the North West (Chorley and Darwen) for similar developments within the Green Belt;
-) Sustainability - development would reduce the number of vehicles which travel from the North West to other regions meeting the sustainability requirements of the NPPF.

Whilst it is noted that a cemetery use is an appropriate use within National and local planning policies, it is clear that a Crematorium is not an appropriate use within the Green

Belt. By virtue of the development of an otherwise open site, the proposal would have a detrimental impact on the openness of the area. Whilst the surrounding landscape has existing trees which provide some screening this in itself does not mean there would be no impact on the openness of the land.

The applicant has applied the same constraints for site suitability as for the cremation of humans to pets. This may not be relevant. In addition, no evidence has been provided that the application site is the most suitable. Indirect reference is made within the submission to other sites which the applicant has sought to purchase. However, no evidence has been provided which provides a rigorous site search in the North West region.

The proposal represents inappropriate development and does not comply with policy. The applicant has provided very special circumstances to the LPA. However, it is considered that the justification for allowing such a proposal in this location is weak and would not override the harm to the openness of the Green Belt in this location. The proposal would have a significant detrimental impact on the openness of the Green Belt in this river valley setting.

Impact on the character and appearance of the area

Core Strategy CG3 seeks to ensure that development proposals conserve and enhance local distinctiveness. The site is effectively open land characterised by open grassland surrounded to the west by a steep embankment with residential properties overlooking the site. The site is effectively in the flood plain /River Valley of Bradshaw Brook. Whilst there are a number of industrial buildings sited to the north of the site, the application site and the surrounding land to the south, west and east has all the characteristics of an agricultural river valley.

It is considered that the proposal, whilst occupying a relatively elongated site, would provide for a very large building of c. 600 sq. metres. In addition, whilst the proposed front elevation is relatively sympathetic to the area in which it is located the larger, portion of the building at the rear is of utilitarian design/appearance more typical of an industrial location.

Given the topography of the site, with steep embankments to the east and west, this makes the proposal more visually prominent when viewed from the closest residential properties and the adjoining informal foot paths. When combined with the overall character of the area it is considered that the proposal would provide for an incongruous feature within the site and wider area to the detriment of the character, appearance and setting of the River Valley in which it is situated.

The proposal would not comply with Core Strategy policy CG3.

Impact on surrounding land uses and occupiers

Core Strategy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers by way of amenity, privacy, safety and security. The main concern with the current proposal is the impact of the proposed emissions from the cremation of animals. The applicant originally provided information which was deemed by Pollution Control officers to be inadequate. It is clear that due to the size of the proposal it would be required to be controlled through the planning control system.

The applicant has provided further information which Pollution Control officers have been provided with. Pollution Control officers have commented that the proposal is

undesirable. Further, more detailed comments are awaited and will be reported at the Committee meeting.

Impact on ecology

Core Strategy policy CG1 seeks to ensure that safeguard biodiversity. The applicant was requested in April to provide an air quality assessment which assesses the proposals impact both on human health and also the potential impact on the biodiversity value of the adjoining Firwood Fold Site of Biological Interest.

The Greater Manchester Ecology Unit have stated that they have no objections to the proposal in relation to the potential impact on the adjoining Site of Biological Interest.

Impact on flood risk

Core Strategy policy CG1 also seeks to ensure that development proposals reduce the risk of flooding in Bolton and downstream. The applicant provided limited information during the initial submission. The Environment Agency have a holding objection in place. The applicant has recently provided further information to the Council to provide justification that the proposal will not be susceptible to flooding nor increase flooding downstream.

The Environment Agency have assessed the updated flood risk information which has been submitted with the application and have confirmed that this is still insufficient to support such a proposal. The EA formally object to the proposal. They consider that the applicant has failed to:

-) consider how people will be kept safe from flood hazards and identify a safe access/egress route for flood emergency planning;
-) show that flood risk would not be increased elsewhere.

The applicant considers that the site is not a risk from flooding from the adjacent river. However, the EA flood risk plans identify the site as being at risk from fluvial flooding. In addition, the mitigation measures proposed, the provision of an bund around the site and the proposed developments drainage system would intercept any overland flood flows.

Guidance contained within paragraphs 100, 102 and 103 seeks for applicants to show that development is safe. Whilst additional information has been submitted it is considered that the proposal has failed to demonstrate that the development is safe.

Impact on sustainability

Guidance contained within NPPF seeks to achieve sustainable development. Core Strategy CG2 seeks to ensure that new development proposals which provide 500 sq. metres of floor space of non residential floorspace must achieve a 'very good BREEAM rating', incorporate appropriate decentralised, renewable or low carbon energy to reduce carbon dioxide emissions by 10% and demonstrate surface water run-off from the site should be no worse than the original site.

The applicant has not provided sufficient information to enable assessment of the proposals compliance with this policy. Whilst the applicant states the proposal would be built in accordance with modern materials that meet the standards of sustainability required from today's regulations no information has been provided to substantiate this comment.

The proposal, in its current form fails to comply with Core Strategy policy CG2.

Impact on highway safety

Core Strategy policy P5 requires that new developments take account of a number of factors including parking, accessibility by different modes of transport and the transport needs for people with disabilities. In addition, Core Strategy policy S1 (2) seeks to ensure that new developments promote road safety.

The Council's Highways Engineers have confirmed that they have no objections to the proposal. It is considered that the site provides for adequate off road car parking and that the existing access road from Thicketford Road is sufficient to serve the requirements of all its users.

The proposal would comply with highway policies.

Conclusion

The proposal represents inappropriate development in the Green Belt, it would be inappropriate in terms of the scale, siting and design of the proposed building having a detrimental impact on the openness of the land. In addition, the development would harm the character, appearance and setting of the river valley in which it is situated. Inadequate information has been provided to enable full assessment of the proposal in relation to flood risk and whether the development would be built to the required level of sustainability. Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters:- 8 objection letters, including a letter from a member of the Campaign for the Protection of Rural England (CPRE) have been received raising the following issues:

-) the proposal is an industrial use within the Green Belt which is not appropriate;
-) waste management development;
-) is located within a flood plain;
-) materials used within the development are out of keeping;
-) increased risk of traffic accidents;
-) the site forms a valuable part of a continuous wildlife corridor and the proposal would be detrimental to the environment;
-) wildlife and flood risk issues and highway safety issues;
-) detrimental impact on Firwood Fold Conservation Area;
-) valley is surrounded by residential properties - impact of smells/air pollution;
-) storage of toxic waste on site.

Petitions:- no petitions have been received.

Elected Members:- Councillor Peel has requested that this application is determined by the Planning Committee. It was not considered that an advanced site visit would be required for this application.

Consultations

Advice was sought from the following consultees: Greater Manchester Ecology Unit, Environment Agency, the Council's Flood Risk team, Pollution Control officers, Highways Engineers.

Planning History

Planning permission was refused by Planning Committee in September 2013 (Ref: 89578/13) for the following reasons:

1. The proposed development by virtue of its siting, size and design represents inappropriate development within the Green Belt and the Applicant has provided no very special circumstances to outweigh the harm caused and the proposal is contrary to Policies G1 and G2 of the Unitary Development Plan.

2. The proposed development would, by virtue of the footprint, scale, siting, design and the materials used within the construction of the building, have an adverse impact upon the character and setting of the site and the River Valley in which it is located contrary to Core Strategy policies CG3 and RA1.

3. Insufficient information has been provided by the applicant particularly with regard to an air quality assessment and the potential impact on the adjoining Firwood Fold Site Of Biological Interest to enable the proposal to be properly judged against the Core Strategy policy CG1.

4. Insufficient information has been provided by the applicant particularly with regard to flood risk to enable the proposal to be properly judged against Core Strategy policy CG1 and against guidance contained within the National Planning Policy Framework and Technical Guidance to the National Planning Policy Framework with specific reference to the consideration of other sequentially preferable sites, an adequate Flood Risk Assessment and any justification to override these considerations (Exception Test).

Planning permission was granted in February 1989 for the use of land as football pitches (Ref: 32902/88).

Planning permission was refused in July 2001 for the use of land as 2 full size football pitches as the proposal would have a detrimental impact on the Site of Biological Importance and the character, appearance and setting of the River Valley.

Planning permission was refused in September 2004 for the outline consent for change of use of land for industrial purposes (means of access and siting only) (Ref: 68532/04). The proposal was considered to be inappropriate development within the Green Belt, Firwood Fold Site of Biological Importance, represented a non conforming use on the adjoining residential uses with increased activity in and around the site and that the proposal would result in an increased flood risk.

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development by virtue of its use, siting, size and design represents inappropriate development within the Green Belt and the very special circumstances provided do not outweigh the harm caused and the proposal is contrary to Policy CG7AP of Bolton's Allocations Plan and guidance contained within the National Planning Policy Framework.
2. Insufficient information has been provided by the applicant particularly with regard to flood risk to enable the proposal to be properly judged against Bolton's Core Strategy policy CG1 and against guidance contained within the National Planning Policy Framework and Technical Guidance to the National Planning Policy Framework with specific reference to the consideration of other sequentially preferable sites, an adequate Flood Risk Assessment and any justification to override these considerations (Exception Test).
3. The proposed development would, by virtue of the footprint, scale, siting, design and the materials used within the construction of the building and associated development, have an adverse impact upon the character and setting of the site and the River Valley in which it is located contrary to Core Strategy policies CG3 and RA1.
4. Insufficient information has been provided by the applicant particularly with regard to the sustainability of the development to enable the proposal to be properly judged against Bolton's Core Strategy policy CG2.

MATERIALS

ROOF – Composite cladding panels
with rooflights to rear section.

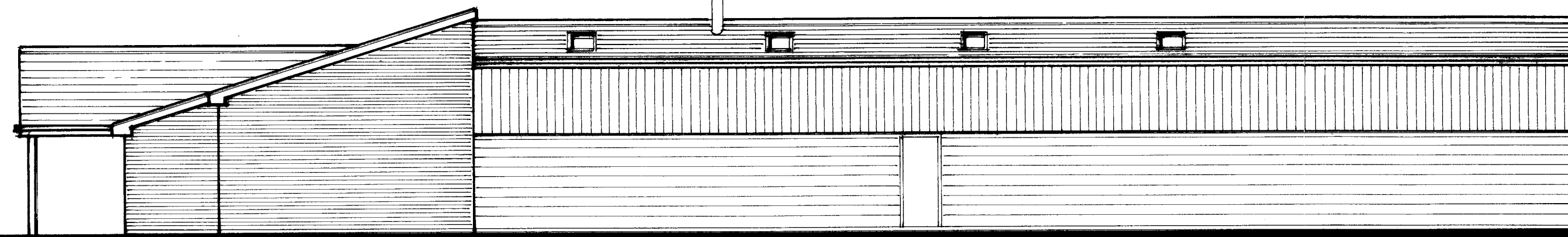
WALLS – Brickwork to visitor/staff
section to front of building. Main
rear section of building to be
blockwork up to 2.3m high, with
composite cladding panels above.

WINDOWS – Upvc units

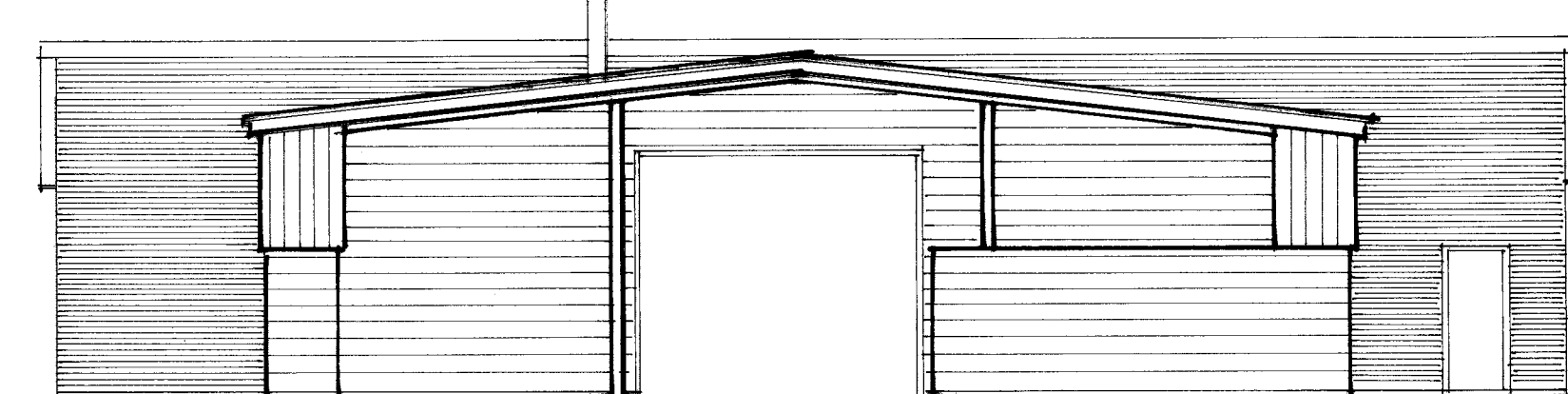
DOORS – Roller shutter doors to
transfer area with steel fire exit doors.



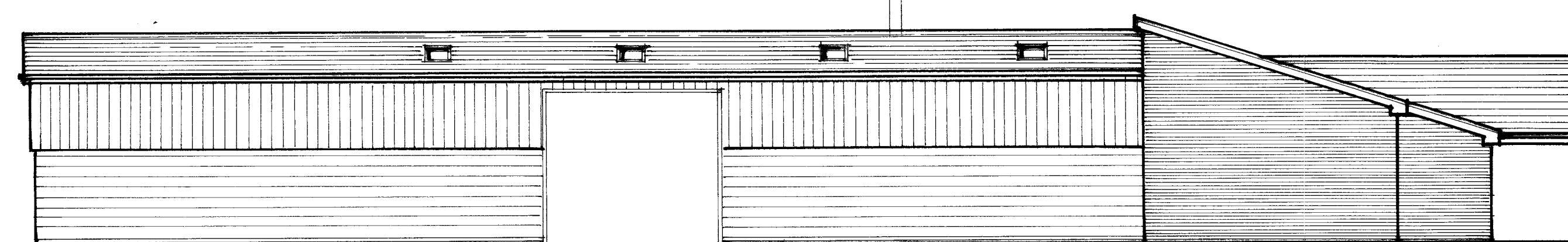
Proposed Front Elevation



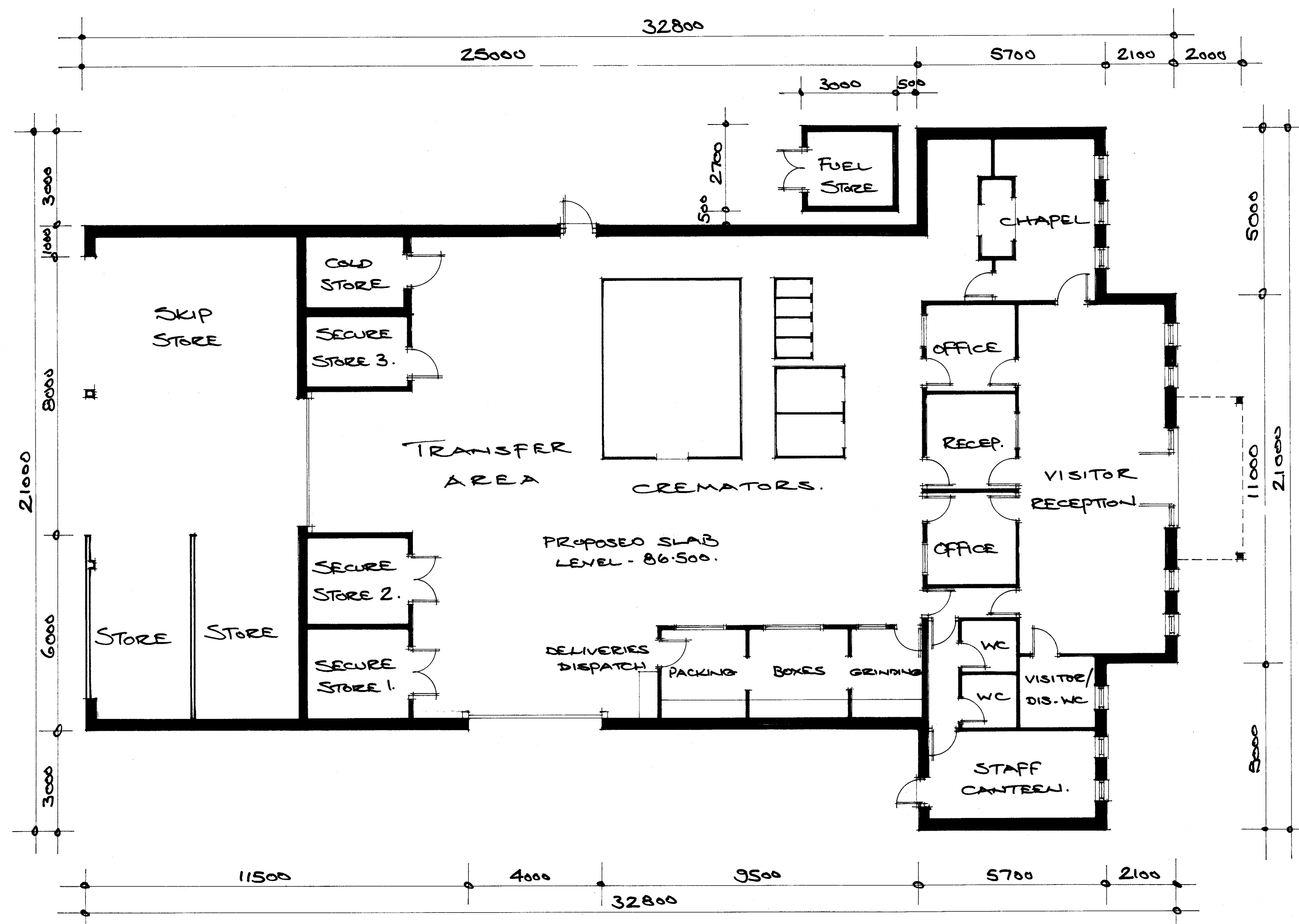
Proposed Side Elevation.



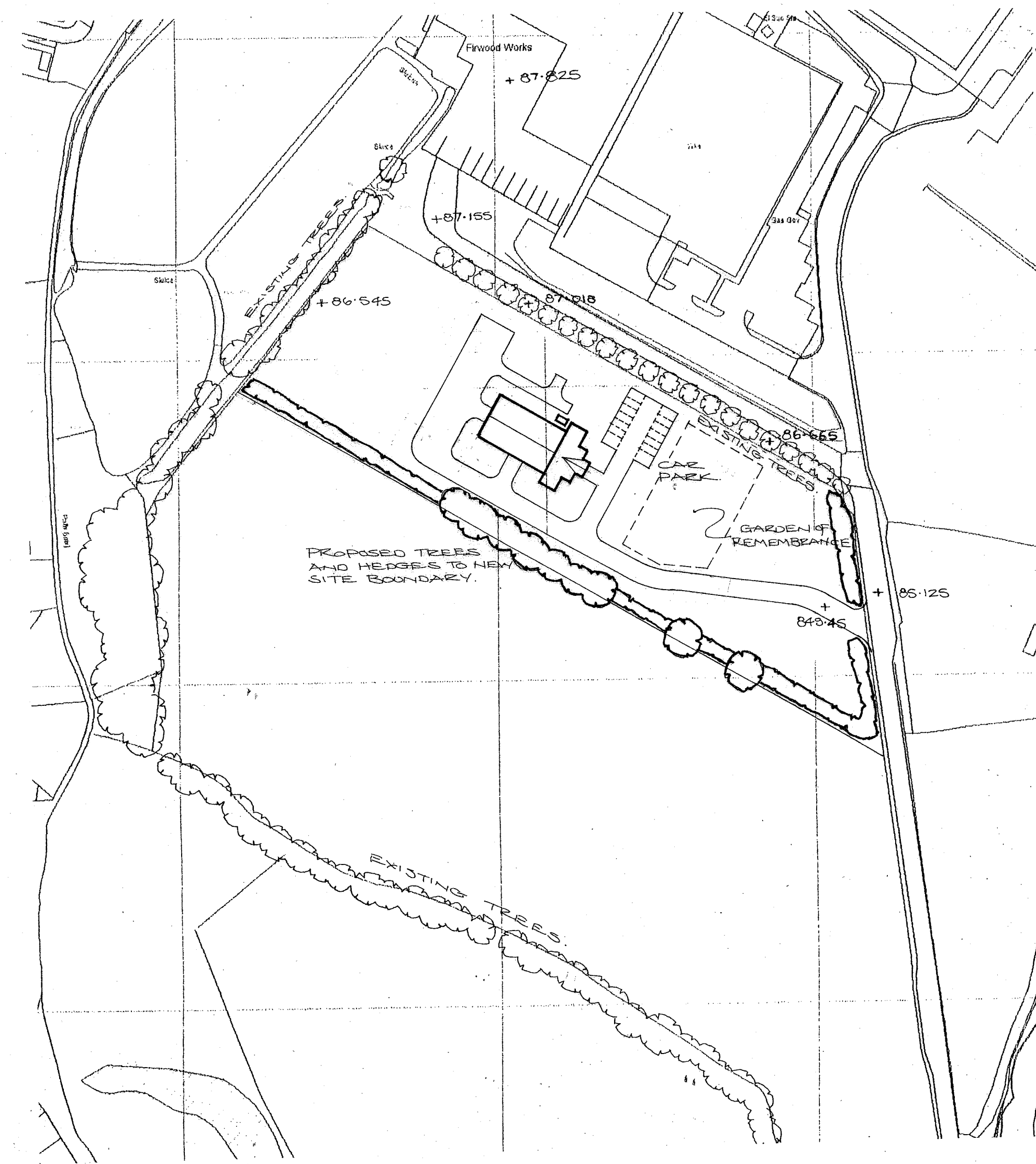
Proposed Rear Elevation



Proposed Side Elevation.



Proposed Floor Layout.



Proposed Site Layout Scale 1:1250.

| | | | |
|--|------------------|--------------|-----------------------------|
| SITE LAND AT FIRWOOD FOLD, THICKETFORD ROAD, BOLTON. | | | |
| PROJECT PROPOSED PET CREMATORIUM RE SUBMISSION OF REF 89578/13 | | | |
| TITLE PROPOSED PLANS AND ELEVATIONS | | | |
| SCALE 1:100@ A1 | DATE AUG 2014 | DRAWN AJL | DRAWING NO PCS/PL/14/101 |



R T DESIGN
Architectural and Surveying Services

304 Valley Mill,
Cottonfields,
Eagley, Bolton.
BL7 9DY
Tel: (01204) 591411

Application No.

92667/14



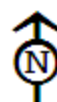
Development and Regeneration Department
Planning Control Section

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Date of Meeting: 18/12/2014

Application Reference: 92667/14

Type of Application: Full Planning Application
Registration Date: 23/10/2014
Decision Due By: 17/12/2014
Responsible Officer: Helen Williams

Location: HIGHER CRITCHLEY FOLD FARM, LONGWORTH ROAD, EGERTON, BOLTON, BL7 9PU

Proposal: AMENDMENT TO PREVIOUSLY APPROVED APPLICATION 90114/13 TO DEMOLISH AND RECONSTRUCT THE EAST FACING WALL, TO PARTIALLY DEMOLISH AND REBUILD THE WEST FACING WALL, AND AMENDMENTS TO THE PROPOSED LOBBY/HALL, CONSERVATORY AND FIRST FLOOR WINDOWS

Ward: Bromley Cross

Applicant: c/o Neil Pike Architects
Agent : Neil Pike Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission was granted in August 2013 (under application 90114/13) for the conversion of the barn attached to Higher Critchley Fold Farm into additional living accommodation for the dwelling. Within this approval permission was granted for the raising of the majority of the barn roof to the same height as the dwelling house and for a number of external alterations/new openings to the existing elevations of the barn.

Work commenced on implementing this permission, however it was reported (via an enforcement complaint) that the eastern wall of the barn had been completely demolished and was being rebuilt with the existing stone of the eastern wall. This was not as granted permission (the approved plans referred to a conversion rather than rebuild). The applicant has been asked to stop development and a new planning application has been submitted to seek permission for the total rebuild of the eastern wall and for amendments to the proposed lobby extension and first floor windows, amendments to the approved conservatory, and a partial demolition and rebuild of the western wall.

The applicant has stated that the eastern wall and part of the western wall need to be rebuilt as the approved openings have/would unbalance the existing walls. Therefore, it was not possible to convert the building as per the approved plans.

Site Characteristics

The application site comprises the former farmhouse of Higher Critchley Fold Farm (which has been extended at its western side), an attached former barn to the eastern side and

rear (which is now partially demolished), a new stable block to the south and open land to the south.

At the last officer's visit to the site, the roof of the attached barn had been completely removed, the eastern wall had been rebuilt at ground floor level with the existing (cleaned) stone of the former barn and part of the western wall (the western side of the proposed lounge) had been demolished.

Higher Critchley Fold Barn is sited to the south east of the application building. It is the only neighbouring dwelling to the site.

The application site is located within the Green Belt and is adjacent the boundary with Blackburn with Darwen.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: CG1.1 Rural Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.

Allocations Plan Policies: CG7AP Green Belt.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- Γ impact on the purposes and openness of the Green Belt
- Γ impact on the character and appearance of the existing building and the surrounding area
- Γ impact on biodiversity
- Γ impact on neighbouring residents

Impact on the Purposes and Openness of the Green Belt

Section 9 of the NPPF seeks to protect Green Belt land. Paragraph 90 states that certain forms of development are not inappropriate development in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include the re-use of buildings provided that the buildings are of permanent and substantial construction. Allocations Plan Policy CG7AP reflects this national advice.

The conversion of the barn to Higher Critchley Fold Farm was approved under application

90114/13 as it was considered that the building was of permanent and substantial construction, that the construction of the lobby/hall was appropriate in scale, and that the proposal would not have a materially greater impact on the openness and purposes of the Green Belt than its current use (was a vacant barn). The residential conversion of the barn had also been granted permission under three previous planning applications. It has now however been established/confirmed by the applicant that the barn was structurally sound to support the approved conversions.

The applicant is now proposing to rebuild all the eastern wall and part of the western wall of the barn, still using the structure as an extension to the dwelling. The removal/raising of the roof already has permission under application 90114/13.

Paragraph 89 of the NPPF also states, although the construction of new buildings in the Green Belt is inappropriate development, exceptions to this include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

The proposal will result in only a partial part of the original barn structure being retained. The parts that will be rebuilt will be on the same footprint of the barn, apart from the lobby/hall extension whose scale has been previously approved under application 90114/13. The "new" building will therefore not be materially larger than the original building it is to replace. Though the new structure will not be in the same use as the previous building (a barn) it will be in the same use as the approved converted building (an extension to the existing dwelling) and therefore it is considered that the proposal would not be any more to the detriment of the purposes and openness of the Green Belt than the previous approval.

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

Impact on the Character and Appearance of the Existing Building 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 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, ensure regard is had to the character of farm complexes, folds, vernacular cottages and the wider open landscape, and will require special attention to be given to the massing and materials used in new development.

The raising of the roof (that is, building up the eastern and western walls to create a first floor level, then replacing the roof) was previously approved under application 90114/13, as were a number of new window openings and a lobby/hall extension.

As reported above, it was discovered that the conversion approved under 90114/13 was not possible (the eastern wall and part of the western wall were too unstable to remain and support the proposed conversion works) and the walls have been demolished and have started to be rebuilt. Although the walls were being rebuilt with the existing stone to the approved plans, this work does not benefit from planning permission as the approved plans do not show these elevations to be rebuilt.

Eastern elevation

The ground floor level is to be rebuilt as per the approved elevation under application 90114/13. This replicates the previous openings of the barn on the eastern elevation (the most prominent elevation from outside the site). The applicant now also wants to introduce two new windows at first floor level, this was part of the barn that was originally going to be rebuilt with matching stone. It is not considered that the two new windows would harm the appearance of this elevation, particularly given that the whole elevation is now to be rebuilt. The windows are relatively small in scale and would serve a landing and a bedroom, reducing any requirements for roof lights to these areas in the future.

Western elevation

The applicant is now proposing to amend the design of the conservatory and lobby/hall extension on the western elevation of the former barn, approved under application 90114/13. The proposed conservatory will be larger in scale (it is proposed now to be rectangular rather than L-shaped) but it will still fit snugly within the corner between the dwelling and the attached former barn. It will not be particularly visible from outside the site, being screened by the porch to the farmhouse and the lobby/hall extension.

The proposed lobby/hall extension is proposed to be of the same footprint as the extension approved under 90114/13 but it will have a large arched opening with a parapet wall on top, to allow access from the master bedroom onto the roof. This will replace a Juliet balcony that was originally approved. The new lobby/hall extension is more modern in design than the previously approved extension. However, it is not considered that this element would detract from the character and appearance of the building. Instead it will allow for views through it of the original mullioned windows that are to be retained in the western elevation. Again the amendments to the first floor windows that are to be inserted in the new first floor level are not considered to be to the detriment of the overall scheme.

Southern elevation

No amendments are sought.

Northern elevation

The first floor window is to be reduced in size.

Although the proposal does not respect the original character of the former barn to the same extent the previous conversion would have done (as walls are having to be rebuilt), it must be taken into consideration that the applicant has been unable to save the original eastern and western walls and the proposed rebuilding of the structure with the original materials would enable the continued use of the building, to the benefit of the existing residents at Higher Critchley Fold Farm. The majority of the original barn has now been lost and the only way to replace it is to rebuild it, which the applicant is proposing to do. A condition is suggested to ensure that the barn is rebuilt with the original materials, and where not possible (such as the part of the building which is to be increased in height) with materials to match.

For these reasons it is considered that the proposal would comply with Policies CG3 and OA5 of the Core Strategy.

Impact on Biodiversity

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

including trees, woodland and hedgerows.

The Council's Wildlife Liaison Officer has requested that a new bat survey be submitted given the difference in the proposed plans (now a rebuild not a conversion). The officer was however not aware that the building has now been substantially demolished and any potential roosts will have gone (the roof has been removed as has the majority of the main elevations). There had been previous evidence of bats within the barn, however Members are advised that any harm to bats and other protected species is covered under the Wildlife Act, not planning legislation, and planning control should not seek to replicate matters that are covered under other legislation.

In this situation it is considered that the only reasonable requirement would be to ensure the applicant includes bat roosting features within the development, in case there are still bats in the vicinity of the site. This is a recommended condition.

Impact on Neighbouring Residents

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

The only neighbouring property to the application site is to the south east, at Higher Critchley Fold Barn. The proposed alterations will not impact on this neighbour to any further extent than the previously approved conversion. It is not considered that the proposal would unduly harm the amenity of the residents at Higher Critchley Fold Farm and is compliant with Policy CG4 of the Core Strategy.

Conclusion

For the reasons discussed above it is considered that the proposed development (as amended) would not harm the purposes and openness of the Green Belt, would not be to the detriment of the character and appearance of the former farm complex or the surrounding area, and would not unduly harm the amenity of neighbouring residents. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- One letter of objection has been received from a resident of Egerton. This letter raises the following concerns:

- Γ The architectural character, appearance and structure of the original dwelling (built in the early 1700s) should be safeguarded;
- Γ Why is this not a listed building?;
- Γ We should be doing everything possible to retain all we can of the heritage of the site;
- Γ The proposed development will not fit in visually with the existing building;
- Γ The applicant should not be allowed to demolish any of the original building or to raise any roof levels;
- Γ The original stone roof should be retained;
- Γ The 2008 bat/barn owl report should be examined more closely.

Consultations

Advice was sought from the following consultees: Wildlife Liaison Officer.

Planning History

Permission was granted in August 2013 for the erection of a two storey side extension, various single storey extensions and raising of the roof height of the adjacent barn to facilitate its conversion into additional accommodation (90114/13).

A planning application was approved for the conversion of the barn into one dwelling in April 2011 (85164/10).

A planning application was approved for a two storey side extension in September 2010 (84642/10).

Permission was granted in December 2008 for the conversion of the barn to a dwelling, including single storey side extensions, changes to the roof and elevations and new access to Longworth Road (812311/08).

A planning application for conversion of the property to two dwellings was approved with conditions in October 2008 (79317/08).

A planning application for conversion of the property to two dwellings was withdrawn in 2007 (78622/07).

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 details of mitigation features to be incorporated in the construction of the building to provide alternative roosting for bats (to replace those lost from the original building) shall be submitted to and approved in writing by the local planning authority. The approved features shall be implemented in full prior to first occupation and shall be retained thereafter.

Reason

To safeguard any bats that may be in the locality.

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

Reason

To ensure the development reflects local distinctiveness.

4. The external surfaces of the building hereby permitted shall be constructed, where possible, with the original materials from the barn, and where not possible with materials of a similar colour, texture and size of those of the original barn building, and shall be retained thereafter.

Reason

To ensure the development visually reflects the existing building.

5. The mullions, cills and heads to the window and external doors of the development shall be in natural reclaimed stone of a colour and texture to match to those of the existing building.

Reason

To ensure the development safeguards the visual appearance of the building.

6. All new window frames to the building shall be recessed a minimum of 0.07 metres behind the external face of the elevations of the development hereby approved.

Reason

In the interest of creating architectural depth and shading to the elevations.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no windows or doors shall be formed in any elevation of the development hereby approved other than those shown on the approved drawings, nor shall those approved windows or doors be enlarged or altered.

Reason

To safeguard the character and appearance of the dwelling.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, 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), dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed.

Reason

To safeguard the character and appearance of the dwelling.

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

approved plans:

BR K618/01; "Proposed Ground Floor Plan"; dated 21/05/13

BR K618/02; "Proposed First Floor Plan"; dated 21/05/13

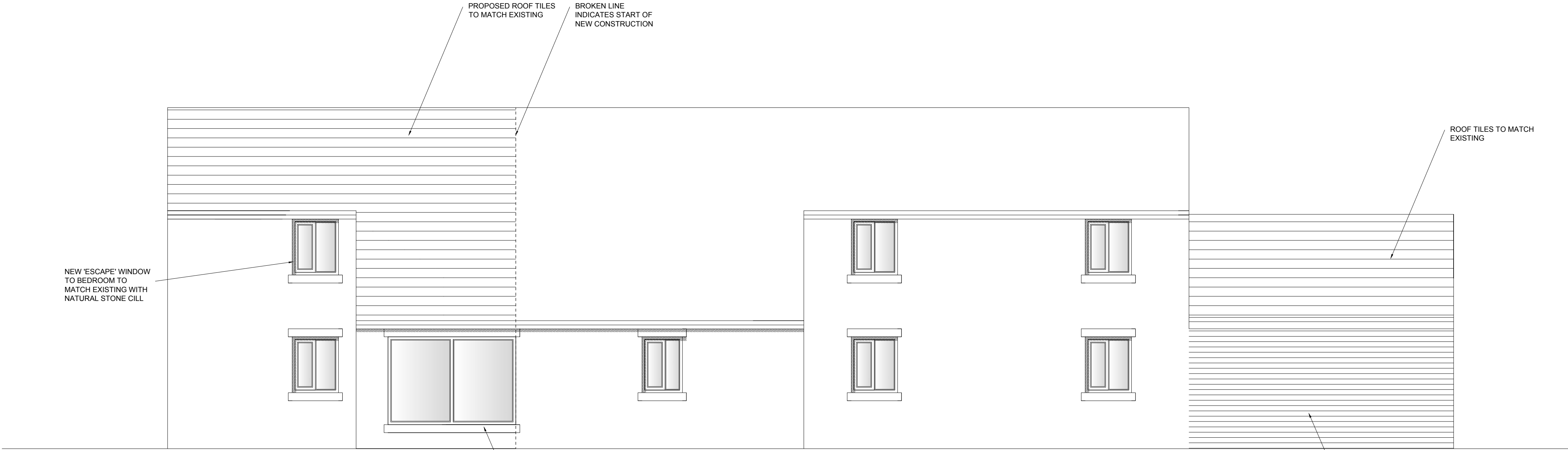
BR K618/03; "Proposed North & East Elevations"; dated 21/05/13

BR K618/04; "Proposed South & West Elevations"; dated 21/05/13

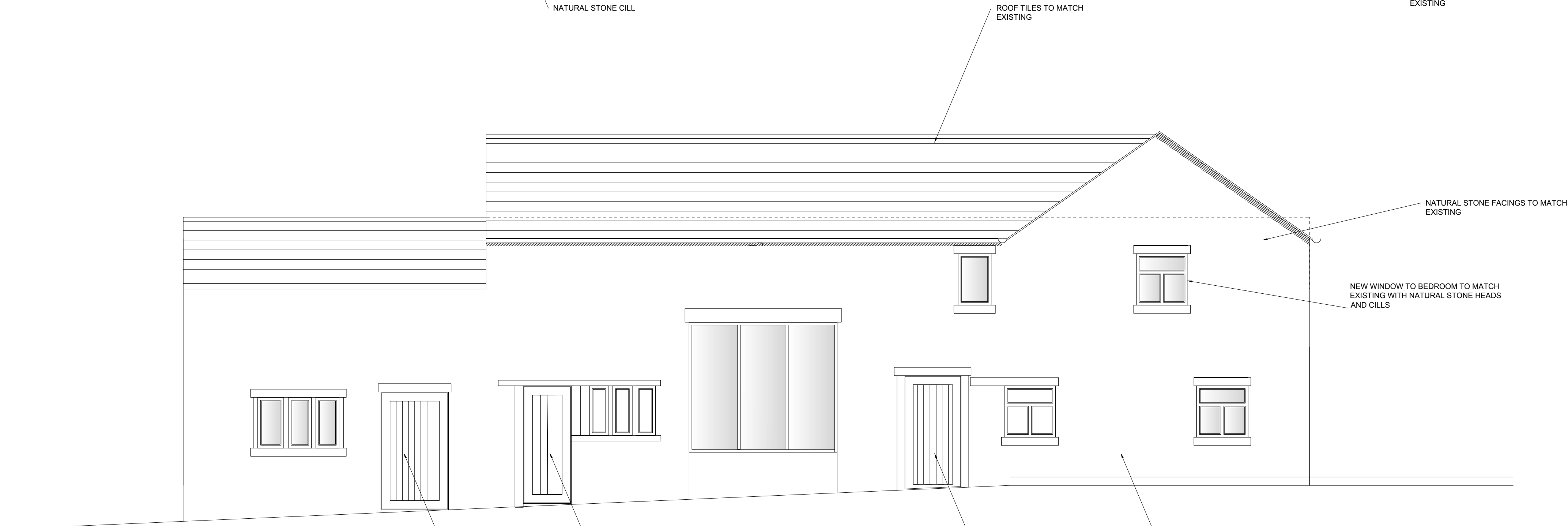
BR K618/05; "Proposed Sections"; dated 21/05/13

Reason

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



PROPOSED NORTH ELEVATION



PROPOSED EAST ELEVATION

FOUNDATIONS:
Ground conditions to be checked. SO2 and Radon levels to be assessed. Generally 600x225mm concrete strip footings to all load bearing block and cavity walls, bottom of trench to be min 910mm below ground level. Concrete strip foundations to be provided in accordance with Building Regulations approved document A12 section 1E using m1 grade C35 concrete BS8110 part 1: 1985 subject to prevailing ground conditions and engineers report. Final depths and size to satisfaction of D.B.S. or NIBEC Inspector. Minimum overlap on step foundations to be twice the height of the height of the step at the thickness of the foundation or 300mm, whichever is greater. Steps in the foundations should not be of a greater height than the thickness. ALL HEALTH & SAFETY GUIDELINES ARE TO BE STRICTLY ADHERED TO.

GROUND FLOOR CONSTRUCTION:
SOLID FLOOR CONSTRUCTION:
Floor finish to Client's spec on adhesive to manufacturer's spec on solid floor formed with 65mm sand/cement screed on min 100mm (RC) concrete on 75mm Kingspan; or similar, insulation on 150mm deep beam and block flooring with a clearance of 150mm between underside of beams and top of metal frame for services. Resilient (Acoustic) ceiling hangers to be used to minimise impact sound. Floor construction to comply with Part E and achieve 40dB Airborne Sound Insulations as noted on table 0.2 of Part E.
SUSPENDED TIMBER FLOOR CONSTRUCTION:
Floor finish to Client's spec on adhesive to manufacturer's spec on 75mm Kingspan; or similar, insulation (either over or above joists) with 200x20mm joists at 400mm c/c (fixed clear of external wall) on dpc, min 150mm honeycomb 'sleeper' wall on min 100mm concrete bed on well compacted hardcore
SUSPENDED BEAM & BLOCK CONSTRUCTION:
Floor finish to Client's spec on adhesive to manufacturer's spec on solid floor formed with 75mm sand/cement screed on 75mm Kingspan or similar, insulation on 150mm deep beam and block flooring with min 150mm air gap. Polypropylene stepped ventilation in external wall to allow sufficient ventilation. Floor to be finished flush and level with a tolerance of +/-3mm over the width of the dwelling in accordance with the relevant British Standards.

FIRST FLOOR CONSTRUCTION:
BEAM AND BLOCK CONSTRUCTION:
Finishes to Client spec on adhesive to manufacturer's specification on solid floor formed with 75mm sand/cement screed on 150mm deep beam and block flooring. Floor to be finished flush and level with a tolerance of +/-3mm over the width of the dwelling in accordance with the relevant British Standards. Floor to have a suspended MF Ceiling below with a clearance of 150mm between underside of beams and top of metal frame for services. Resilient (Acoustic) ceiling hangers to be used to minimise impact sound. Floor construction to comply with Part E and achieve 40dB Airborne Sound Insulations as noted on table 0.2 of Part E.
TIMBER FLOOR CONSTRUCTION:
Floor finish to client's spec on 20mm moisture resistant floor boards on 200x50mm floor joists at 400mm c/c fixed on underside with 12mm plasterboard & skim finish.
UPPER FLOOR CONSTRUCTION:
22mm flooring chipboard on 241mm deep TJI Truss joists at 450mm c/c to TJI joists manufacturer's details and specifications underdrawn with 15mm Gyproc Wallboard. No sound insulation required as floor construction is a Robust Detail and meets the requirements of Part E.

EXTERNAL WALLS:
External Leaf: Facing brick to L.P.A. approval prior to commencement of laying facing brick. Cavity: 100mm partially filled with 50mm Kingspac K8 KoolTherm boards or other similar approved. Where the wall does not extend to the basement cavities to have weak mix concrete to min 225mm below DPC with taper to external wall. Cavities to be continuous. Internal Leaf: 100mm brick 7.0N blockwork to SE details. Wall tie: Double triangle wall tie with insulations clips to be positioned at 400mm vertical spacing and not more than 750mm horizontal spacing or as otherwise specified by Structural Engineer. DPC: Hybrid DPC or similar approved to be built into wall min 150mm above finished ground level and lapped to all DPMs. All laps to be min 150mm. Openings: at opening in external wall to have Polyfoam System Closer or other similar approved extruded polystyrene rigid board insulation semi-enclosed in a rigid PVC casing. Finishing: 12.5mm Gyproc plasterboard on dot and dab with skim finish (see further info on specific plasterboard requirements). U Value: 'U' values of 0.35 W/M2K or better.
INTERNAL WALLS:
BLOCKWORK:
12.5mm plasterboard with skim finish either side of 100mm or 140mm blockwork as specified by Structural Engineers.
STUD WALLS:
100mm Crown Acoustic Roll or other similar approved to be laid between 75mm/100mm timber studs and 12.5 Gyproc Wallboard to be fixed to either side of studs.
DWAFER WALLS IN ROOFSPACE:
100mm Crown FrameThermS or other similar approved to be laid between 75mm/100mm timber studs and 12.5 Gyproc Wallboard to be fixed to either side of studs.

ROOF CONSTRUCTION:
SLOPING ROOF:
Natural slate to LPA approval on Kingspac Helvint sarking membrane to BS 5259:2002 and BS 5534:2003 on 18mm sarking board on C16 175 x 50mm rafters to SE details at 400mm ctrs. SLOPING CEILING AREAS: 120mm Kingspan K7 insulation board between 175 x 50mm C16 rafters. Rafters to be underdrawn with Kingspan KoolTherm K18 Insulated Plasterboard. U Value: 0.20W/M2K or better.
FLAT ROOF:
Single-ply Sarnafil Membrane to be fully adhered to 18mm Marine Plywood deck laid to fall 1:80 using timber filling on 150 x 50mm C16 roof joists to SE details of Truss Manufacturer's details. Ceiling chords to be fixed under flat roof joists to suit floor to ceiling heights in the habitable area of the roofspace.
FLAT CEILING AREAS:
150mm Crown Wool insulation between rafters and 150mm above rafters for a total of 200mm Crown Wool Insulations. Ceiling joisting to be underdrawn with 12.5mm Gyproc Wallboard DUPLEX U Value: 0.16 W/M2K or better.
WALL PLATES:
100x75mm treated SW secured to wall using 30x5mm MS straps at max 1800mm ctrs plugged and screwed to blockwork.
FASCIA:
25mm thick WBP timber notched to take 9mm soffit board.
EAVES SOFFIT:
9mm thick plywood secured to face of brickwork using 50x50mm battens screwed onto wall.
VENTILATION:
Either Eaves ventilation strip or over-fascia ventilation strip to be used of sarking membrane is not of breathable type (see sloping roof for membrane type).

RAINFALL GUTTERS:
130mm Moulded Heritage profile cast aluminium gutters connected to 75mm square cast aluminium downpipes at by Alumasc or other similar approved manufacturers.

VENTILATION: TO COMPLY WITH APPROVED DOCUMENT F 2010

Habitable rooms
Rapid Ventilation: Operable windows equal to 1/20th of the floor area.
Background Ventilation: Trickle ventilators above windows equal to 8000qmm
Bathrooms and En-suites (with or with WC)
Rapid ventilation: Operable windows (no minimum opening size)
Background Ventilation: Trickle ventilators above windows equal to 4000qmm
A gap of 10mm to be provided under floor where bathrooms or en-suites have no provision of rapid ventilation.
Mechanical Extract: Extraction at 15 litres/sec activated by light switch with 15 minute overrun.
Kitchen
Rapid Ventilation: Operable windows (no minimum opening size)
Background ventilators: Trickle ventilators above windows equal to 4000qmm.
Mechanical Extract: Extraction at 30 litres/sec if located adjacent to a hob or 60 litres/sec if located elsewhere and may be operated intermittently for instance during cooking.
Note:
All windows to have Trickle Ventilation in accordance with Approved Document F 2010;
Where required, Concealed Safety Restrictors to be fitted to windows to comply with Approved Document K and positioned to allow an air gap no greater than 100mm.

FLASHINGS:
All flashing to be Code 4 Lead generally with 150mm effective upstands and covers provided with trays with minimum rise of 150mm and weepholes at 450mm c/c over and back painted with ap adiclor non-hardening mastic. All external leadwork to be treated with approved pagination oil.

COMPONENT PERSONS SCHEMES (SELF-CERTIFICATION SCHEMES)
All Mechanical Contractors to be registered with COMEG Services Ltd. If necessary, registration include APHC Ltd and BESCAL Ltd.
All Electrical Contractors to be registered with NICEIC Group Ltd. If necessary, registration to include ECA Ltd and BRE Certification Ltd.
All Window and Glazing Contractors/Manufacturers and installers to be registered with FENSA. All registration details to be made available if required.

AIR TESTING:
Air Testing and Certification to be provided prior to completion.

STAIRCASE AND BALUSTRADING:
Basement to Ground Floor: Hardwood Timber
Floor to Floor height: 2025mm
14 equal Risers at 210mm and Goings of 250mm formed with 2 flights of stairs of 12 risers and 2 risers with a half landing. 2R + F = 668
Ground to First Floor: Hardwood Timber
Floor to Floor height: 3105mm
15 equal Risers at 210mm and Goings of 250mm formed with a dog leg stair comprising of 9 goings, 3 risers and 3 goings. 2R + G = 579
First to Second Floor (Ridgeway): Hardwood Timber
Floor to Floor height: 2776mm
14 equal Risers at 180mm and Goings of 250mm formed with 2 flights of stairs of 6 risers and 8 risers with a half a landing. 2R + G = 646
General Landings to have a width and length at least equal to the smallest width of the staircase. Where open Risers are used, glass should not exceed 100mm in accordance with Part 1.9 Part K and of at least 50mm at their narrowest part. HW Handrail to be provided 900mm above pitch line and 1100mm above landing. Where staircase width exceeds 1000mm, handrail to be providing on both sides. Guarding to stairwell shall be unclimbable and have no openings exceeding 100mm in accordance with Part K1. Minimum headroom from pitch line to be 2000mm taken vertically and 1900mm taken at right angles.
External Balustrading: Handrail to be at 1100mm above host level. Guarding shall be unclimbable and have no openings exceeding 100mm in accordance with Part K1.
Fencing of balustrade to masonry and host level shall be to manufacturers design and/or structural engineers details.

WINDOWS:
Glazing: All windows to high-performance softwood timber-frames with 24mm double-glazed units made up of soft Low 'E' coating and argon-filled cavity. Timber to be painted in accordance with LA requirements, colour to client's approval. All glazing to BS 6262
Headers: Natural stone heads to LA Approval
Cills: Natural stone cills to LA Approval
Note: All windows to have Trickle Ventilation in accordance with Approved Document F 2010.
Where required, Concealed Safety Restrictors to be fitted to windows to comply with Approved Document K and positioned to allow an air gap no greater than 100mm.

FIRE PROTECTION:
Every cavity barrier should be constructed to give at least 120hr fire resistance which is to be provided in all cavities except internal partitions. Structural frame and building fabric to have 1/2 hr fire resistance. All internal Fire Doors to have an FD30S Fire rating and to conform to BS476-22823:1987 and to include intumescent strips.
'Panic' self-closing device only to be fitted to fire door serving attached or integral garage.
All internal doors along escape routes to be FD2- and to conform to BS 476-22823:1987;
Test certificated to be provided for all fire doors.
Smoke detectors to be Grade A Category 1 LDZ located in escape routes and habitable rooms in accordance with BS 5839-6:2004 and to comply with BS 5446-1:2000.
Heat detector to be located in kitchen and to be linked to smoke detectors and to conform to BS 5446-2:2003.
Smoke detection to be mains operated with a standby power supply.
For surface spread of flame, walls and ceilings in common circulation Areas to achieve class '0'. All other areas to achieve class '1'. Surface spread of flame to conform to BS 476-7:1987.

ABOVE GROUND DRAINAGE
All internal drainage fittings to discharge into 100mm SVPs as indicated on the drawing. All fittings to have 75mm deep seal traps or as specified by manufacturers and in accordance with AD14 of National Building Regs. Waste pipes to connect in SVPs 200mm above lowest waste connection. Waste pipes to be uPVC to the following sizes:
Wash: 32MM diameter;
Showers, baths and sinks: 40mm dia with 75mm deep seal traps;
WC: 110mm dia heppelive pipe via Hunter S200 or similar approved manifold;
Cistern: 38mm overflow pipe.
Washing machines and Dishwashers: 40mm with 75mm deep seal trap.
SVP to be located internally and to terminate at plastic cage minimum 900mm above top of any opening lights with new 110mm uPVC connection to existing drainage system.
Branch connections exceeding 1700mm to be fitted with Hunter or similar approved anti-siphon at admittance valves.

BELOW GROUND DRAINAGE
All below ground drainage components to be UPVC by Hepworth Drainage Ltd or similar approved laid in accordance with manufacturers details, specifications and recommendations in compliance with the current Building Regulations, Part H, and BS EN 14011-1:1996 and BS EN 1295-1:1998.
A drainage survey to be undertaken by specialist to establish existing drain runs. Drainage rodding eyes, access fittings, inspection chambers and Manholes to have approved construction and sized accordingly to suit invert levels and connections. All drainage runs to have full rodding access. Covers to be appropriate duty weight with air tight double seals to foul drains. All drains under


NOTE: NOTES ON DRAWINGS OVERRIDE THE ABOVE SUPPLEMENTARY BUILDING REGULATION NOTES

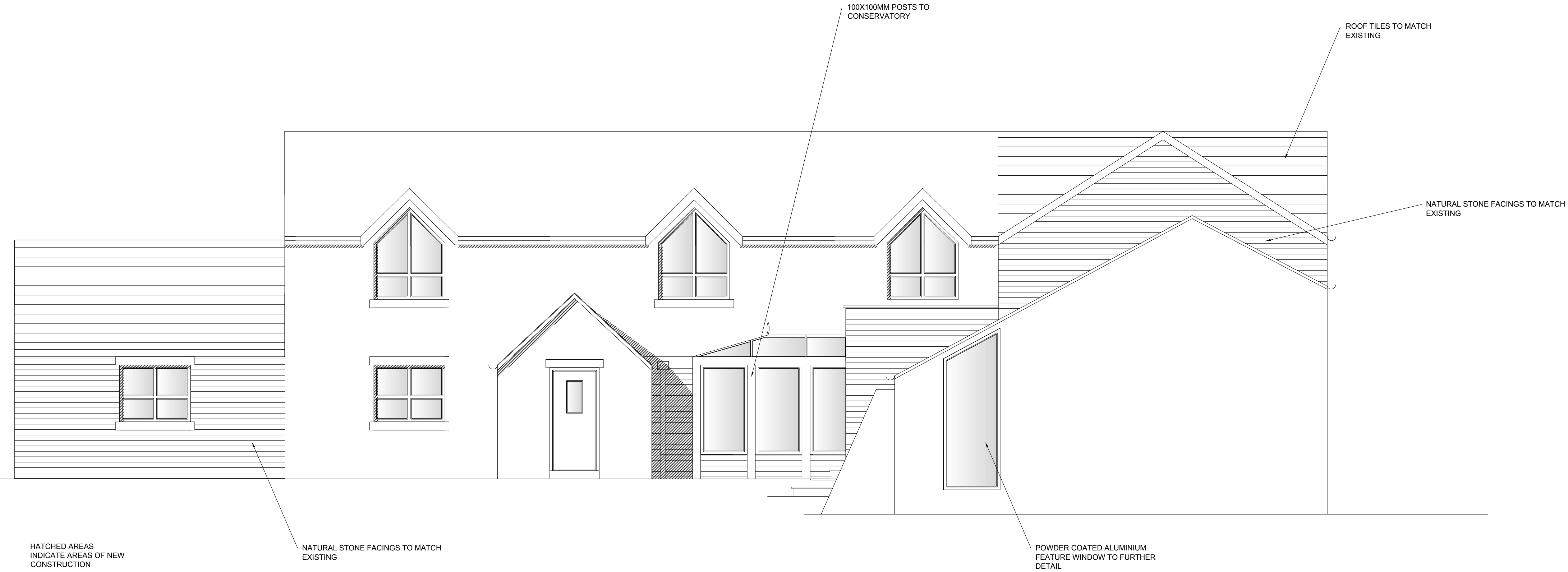
REV

DESCRIPTION

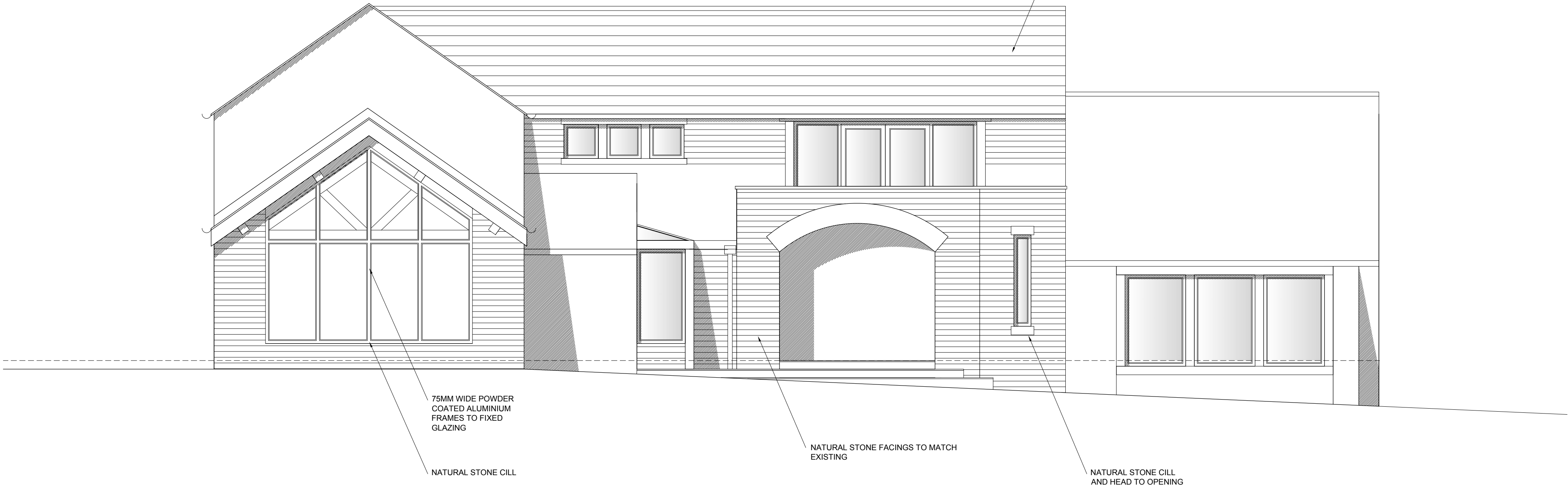
PROPOSED NORTH & EAST ELEVATIONS

PROPOSED ALTERATIONS & EXTENSION TO PROPERTY
HIGHER CRITCHLEY FOLD FARM, LONGWORTH ROAD,
EGERTON, BOLTON

| | | |
|--|------------|---|
| CLIENT: | BRANDWOOD |  |
| DWG NO: | BR K618/03 | |
| SCALE: | 1/50 @ A1 | |
| DRAWN BY: | GF | |
| DATE: | 21/05/13 | |
| 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 | | |
| COPYRIGHT OF THIS DRAWING REMAINS WITH THE ARCHITECT. DO NOT SCALE FROM THIS DRAWING. WORK TO FIGURED DIMENSIONS. CHECK ALL DIMENSIONS ON SITE. IN THE EVENT OF ANY DISCREPANCY REFER QUERY TO THE ARCHITECTS. | | |



PROPOSED SOUTH ELEVATION




PROPOSED WEST ELEVATION

| <p>FOUNDATIONS: Ground conditions to be checked. SO2 and Radon levels to be assessed. Generally 600x225mm concrete strip footings to all load bearing block and cavity walls, bottom of trench to be min 910mm below ground level. Concrete strip foundations to be provided in accordance with Building Regulations approved document A12 section 1E using m1 grade C35 concrete BS8110 part 1: 1985 subject to prevailing ground conditions and engineers report. Final depths and size to satisfaction of D.B.S. or NIREC Inspector. Minimum overlap on tie foundations to be twice the height of the depth of the slab at the thickness of the foundation or 300mm, whichever is greater. Steps in the foundations should not be of a greater height than the thickness. ALL HEALTH & SAFETY GUIDELINES ARE TO BE STRICTLY ADHERED TO.</p> <p>BASEMENT FLOOR FINISHING: Insulation above slab. Finishes to Client spec on adhesive to manufacturers recommendations on solid ground floor formed with 65mm sand/cement screed on Roter System 70 Mono 15 Underfloor Heating (note: 65mm overall depth of screed to underside of pipes which makes a 40mm from top of system plate to top of screed) on 60mm Kingspan K3 Floorboards on 300mm deep RC slab to SE details. Minimum 25mm insulation board to be placed vertically at the perimeter of floor to level with top of screed to minimise thermal bridging. Floor to be finished flush and level with a tolerance of +/-3mm over the width of the dwelling in accordance with the relevant British Standards. 'U' value: 0.25W/m2K or better.</p> <p>GROUND FLOOR CONSTRUCTION:</p> <p>SOLID FLOOR CONSTRUCTION: Floor finish to Client's spec on adhesive to manufacturer's spec on solid floor formed with 65mm sand/cement screed on min 100mm (RC) concrete on 75mm Kingspan, or similar, insulation on 120gauge rebar/dpn, topped up external walls into new dpc, on 50mm sand blinding on min 150mm clean, well compacted hardcore. Minimum 25mm insulation board to be placed vertically at the perimeter of floor to level with top screed to minimise thermal bridging.</p> <p>SUSPENDED TIMBER FLOOR CONSTRUCTION: Floor finish to Client's spec on adhesive to manufacturer's spec on 75mm Kingspan, or similar, insulation (either over or above joists) with 200x40mm joists at 400m c/c (fixed clear of external wall) on dpc, min 150mm honeycomb 'sleeper' wall on min 100mm concrete bed on well compacted hardcore.</p> <p>SUSPENDED BEAM & BLOCK CONSTRUCTION: Floor finish to Client's spec on adhesive to manufacturer's spec on solid floor formed with 75mm sand/cement screed on 75mm Kingspan or similar, insulation on 150mm deep beam and block flooring with min 150mm air gap. Polypropylene stepped ventilation in external wall to allow sufficient ventilation. Floor to be finished flush and level with a tolerance of +/-3mm over the width of the dwelling in accordance with the relevant British Standards.</p> <p>FIRST FLOOR CONSTRUCTION:</p> <p>BEAM AND BLOCK CONSTRUCTION: Finishes to Client spec on adhesive to manufacturer's specification on solid floor formed with 75mm sand/cement screed on 150mm deep beam and block flooring. Floor to be finished flush and level with a tolerance of +/-3mm over the width of the dwelling in accordance with the relevant British Standards. Floor to have a suspended MF Ceiling below with a clearance of 150mm between undersides of beams and top of metal frame for services. Resilient (Acoustic) ceiling hangers to be used to minimise impact sound. Floor construction to comply with Part E and achieve 40dB Airborne Sound Insulation as noted on table 0.2 of Part E.</p> <p>TIMBER FLOOR CONSTRUCTION: Floor finish to client's spec on 20mm moisture resistant floor boards on 200x50mm floor joists at 400mm c/c lined on underside with 12mm plasterboard & skim finish.</p> <p>UPPER FLOOR CONSTRUCTION: 22mm flooring chipboard on 2x14mm deep T.J.I Truss joists at 450mm c/c to T.J.I joists manufacturer's details and specifications underdrawn with 15mm Gyproc Wallboard. No sound insulation required as floor construction is a Robust Detail and meets the requirements of Part E.</p> <p>EXTERNAL WALLS: External Leaf: Facing brick to L.P.A. approval prior to commencement of laying facing brick. Cavity: 100mm partially-filled with 50mm Kingspac K8 KoolTherm boards or other similar approved. Where the wall does not extend to the basement cavities to have weak mix concrete to min 225mm below DPC with taper to external wall. Cavities to be continuous. Internal Leaf: 100mm thick 7.0N blockwork to SE details. Wall ties: Double triangle wall ties with insulation clips to be positioned at 450mm vertical spacing and not more than 750mm horizontal spacing or as otherwise specified by Structural Engineer. DPC: Hybrid DPC or similar approved to be built into wall min 150mm above finished ground level and lapped to all DPMs. All saps to be min 150mm. Openings: all opening in external wall to have Polyfoam System Closer or other similar approved extruded polystyrene rigid board insulation semi-enclosed in a rigid PVC casing. Finishing: 12.5mm Gyproc plasterboard on dot and dab with skim finish (see further info on specific plasterboard requirements). 'U' Value: 'U' value of 0.35 W/m2K or better.</p> <p>INTERNAL WALLS:</p> <p>BLOCKWORK: 12.5mm plasterboard with skim finish either side of 100mm or 140mm blockwork as specified by Structural Engineers.</p> <p>STUD WALLS: 100mm Crown Acoustic Roll or other similar approved to be laid between 75mm/100mm timber studs and 12.5 Gyproc Wallboard to be fixed to either side of studs.</p> <p>DWAF WALLS IN ROOFSPACE: 100mm Crown FrameThermS5 or other similar approved to be laid between 75mm/100mm timber studs and 12.5 Gyproc Wallboard to be fixed to either side of studs.</p> <p>ROOF CONSTRUCTION: SLOPING ROOF: Natural slate to LPA arrival on Kingspac Nivert sarking membrane to BS 5250:2002 and BS 5534:2003 on 18mm sarking board on C16 175 x 45mm rafters to SE details at 400mm c/c. SLOPING CEILING AREAS: 120mm Kingspan K7 Insulated Plasterboard between 175 x 45mm C16 rafters. Rafters to be underdrawn with Kingspan KoolTherm K18 Insulated Plasterboard. 'U' Value: 0.20W/m2K or better.</p> <p>FLAT ROOF: Single-ply Sarnafil Membrane to be fully adhered to 18mm Marine Plywood deck laid to fall 1:80 using timber fitting on 150 x 50mm C16 roof joists to SE details of Truss Manufacturer's details. Ceiling chords to be fixed under flat roof joists to suit floor to ceiling heights in the habitable area of the roofspace.</p> <p>FLAT CEILING AREAS: 150mm Crown Wool Insulation between rafters and 150mm above rafters for a total of 200mm Crown Wool Insulations. Ceiling plastering to be underdrawn with 12.5mm Gyproc Wallboard DUPLEX 'U' Value: 0.16 W/m2K or better.</p> <p>WALL PLATES: 100x75mm treated SW secured to wall using 30x5mm MS straps at max 1800mm ctrs plugged and screwed to blockwork.</p> <p>FASCIAS: 25mm thick WBP timber notched to take 9mm soffit board.</p> <p>EAVES SOFFIT: 9mm thick plywood secured to face of brickwork using 50x50mm battens screwed onto wall.</p> <p>VENTILATION: Either Gable ventilation strip or over-fascia ventilation strip to be used if sarking membrane is not of breathable type (see sloping roof for membrane type).</p> <p>RAINWATER GOODS: 120mm Moulded Heritage profile cast aluminium gutters connected to 75mm square cast aluminium downpipes all by Alumatic or other similar approved manufacturers.</p> | <p>VENTILATION: TO COMPLY WITH APPROVED DOCUMENT F 2010</p> <p>Habitable rooms Rapid Ventilation: Operable windows equal to 1/20th of the floor area. Background Ventilation: Trickle ventilators above windows equal to 8000eqm Bathrooms and En-suites (with or with WC) Rapid ventilation: Operable windows (no minimum opening size) Background Ventilation: Trickle ventilators above windows equal to 4000eqm A gap of 10mm to be provided under floor where bathrooms or en-suites have no provision of rapid ventilation. Mechanical Extract: Extraction at 15 litres/sec activated by light switch with 15 minute overrun. Kitchen Rapid Ventilation: Operable windows (no minimum opening size) Background ventilators: Trickle ventilators above windows equal to 4000eqm. Mechanical Extract: Extraction at 30 litres/sec if located adjacent to a hob or 60 litres/sec if located elsewhere and may be operated intermittently for instance during cooking. Note: All windows to have Trickle Ventilation in accordance with Approved Document F 2010; Where required, Concealed Safety Restrictors to be fitted to windows to comply with Approved Document K and positioned to allow an air gap no greater than 100mm.</p> <p>FLASHINGS: All flashing to be Code 4 Lead generally with 150mm effective upstands and covers provided with trays with minimum rise of 150mm and weepholes at 450mm c/c over and back painted with ap adicor non-hardening mastic. All external leadwork to be treated with approved pagination oil.</p> <p>COMPONENT PERSONS SCHEMES (SELF-CERTIFICATION SCHEMES) All Mechanical Contractors to be registered with COMEG Services Ltd. If necessary, registration include APHC Ltd and BESCAL Ltd. All Electrical Contractors to be registered with NICEIC Group Ltd. If necessary, registration to include ECA Ltd and BRE Certification Ltd. All Window and Glazing Contractors/Manufacturers and installers to be registered with FENSA. All registration details to be made available if required.</p> <p>AIR TESTING: Air Testing and Certification to be provided prior to completion.</p> <p>STAIRCASE AND BALUSTRADING: Basement to Ground Floor: Hardwood Timber Floor to Floor height: 2925mm 14 equal Risers at 200mm and Goings of 250mm formed with 2 flights of stairs of 12 risers and 2 risers with a half landing. 2R + F = 668 Ground to First Floor: Hardwood Timber Floor to Floor height: 3105mm 15 equal Risers at 210mm and Goings of 250mm formed with a dog leg stair comprising of 9 goings, 3 risers and 3 goings. 2R + G = 670 First to Second Floor (Ridgeway): Hardwood Timber Floor to Floor height: 2776mm 14 equal Risers at 180mm and Goings of 250mm formed with 2 flights of stairs of 6 risers and 8 risers with a half a landing. 2R + G = 646 General Landings to have a width and length at least equal to the smallest width of the staircase. Where open Risers are used, glass should not exceed 100mm in accordance with Part 1.9 Part K and of at least 50mm at their narrowest part. HW Handrail to be provided 900mm above pitch line and 1100mm above landing. Where staircase width exceeds 1000mm, handrail to be providing on both sides. Guarding to stairwell shall be undrainable and have no openings exceeding 100mm in accordance with Part K1. Minimum headroom from pitch line to be 2000mm taken vertically and 1500mm taken at right angles. External Balustrading: Handrail to be at 1100mm above host level. Guarding shall be undrainable and have no openings exceeding 100mm in accordance with Part K1. Fencing of balustrade to masonry and host level shall be to manufacturers design and/or structural engineers details.</p> <p>WINDOWS: Glazing: All windows to high-performance softwood timber-frames with 24mm double-glazed units made up of soft Low 'E' coating and argon-filled cavity. Timber to be painted in accordance with LA requirements, colour to client's approval. All glazing to BS 6262 Headers: Natural stone heads to LA Approval Cills: Natural stone cills to LA Approval Note: All windows to have Trickle Ventilation in accordance with Approved Document F 2010; Where required, Concealed Safety Restrictors to be fitted to windows to comply with Approved Document K and positioned to allow an air gap no greater than 100mm.</p> <p>FIRE PROTECTION: Every cavity barrier should be constructed to give at least 120hr fire resistance which is to be provided in all cavities except internal partitions. Structural frame and building fabric to have 1/2 hr fire resistance. All internal Fire Doors to have an FD30S Fire rating and to conform to BS476-22823:1987 and to include intumescent strips. There is self-closing device only to be fitted to fire door serving attached or integral garage. All internal doors along escape routes to be FD2- and to conform to BS 476-22823:1987; Test certificated to be provided for all fire doors. Smoke detectors to be Grade A Category L20 located in escape routes and habitable rooms in accordance with BS 5839-6:2004 and to comply with BS 5446-1:2000. Heat detector to be located in kitchen and to be linked to smoke detectors and to conform to BS 5446-2:2003. Smoke detection to be mains operated with a standby power supply. For surface spread of flame, walls and ceilings in common circulation Areas to achieve class '0'. All other areas to achieve class '1'. Surface spread of flame to conform to BS 476-7:1997.</p> <p>ABOVE GROUND DRAINAGE All internal drainage fittings to discharge into 100mm SVPs as indicated on the drawing. All fittings to have 75mm deep seal traps or as specified by manufacturers and in accordance with A2H of National Building Regs. Waste pipes to connect in SVPs 200mm above lowest waste connection. Waste pipes to be uPVC to the following sizes: WBS: 32MM diameter; Showers, baths and sinks: 40mm dia with 75mm deep seal traps; WC: 110mm dia heppesive pipe via Hunter S200 or similar approved manifold; Cistern: 10mm overflow pipe. Washing machines and Dishwashers: 40mm with 75mm deep seal trap. SVP to be located internally and to terminate at plastic cage minimum 900mm above top of any opening lights with new 110mm uPVC connection to existing drainage system. Branch connections exceeding 1700mm to be fitted with Hunter or similar approved anti-siphon at admittance valves.</p> <p>BELOW GROUND DRAINAGE All below ground drainage components to be UPVC by Hepworth Drainage Ltd or similar approved laid in accordance with manufacturers details, specifications and recommendations in compliance with the current Building Regulations, Part H, and BS EN 1401-1:1996 and BS EN 1295-1:1998. A drainage survey to be undertaken by specialist to establish existing drain runs. Drainage rodding eyes, access fittings, inspection chambers and Manholes to have approved construction and sized accordingly to suit invert levels and connections. All drainage runs to have full rodding access. Covers to be appropriate duty weight with air tight double seals to foul drains. All drains under</p> | | | | | | | | |
|--|---|-----|-------------|--|--|--|--|--|--|
| <p>NOTE: NOTES ON DRAWINGS OVERRIDE THE ABOVE SUPPLEMENTARY BUILDING REGULATION NOTES</p> | <table><tr><th>REV</th><th>DESCRIPTION</th></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></table> | REV | DESCRIPTION | | | | | | |
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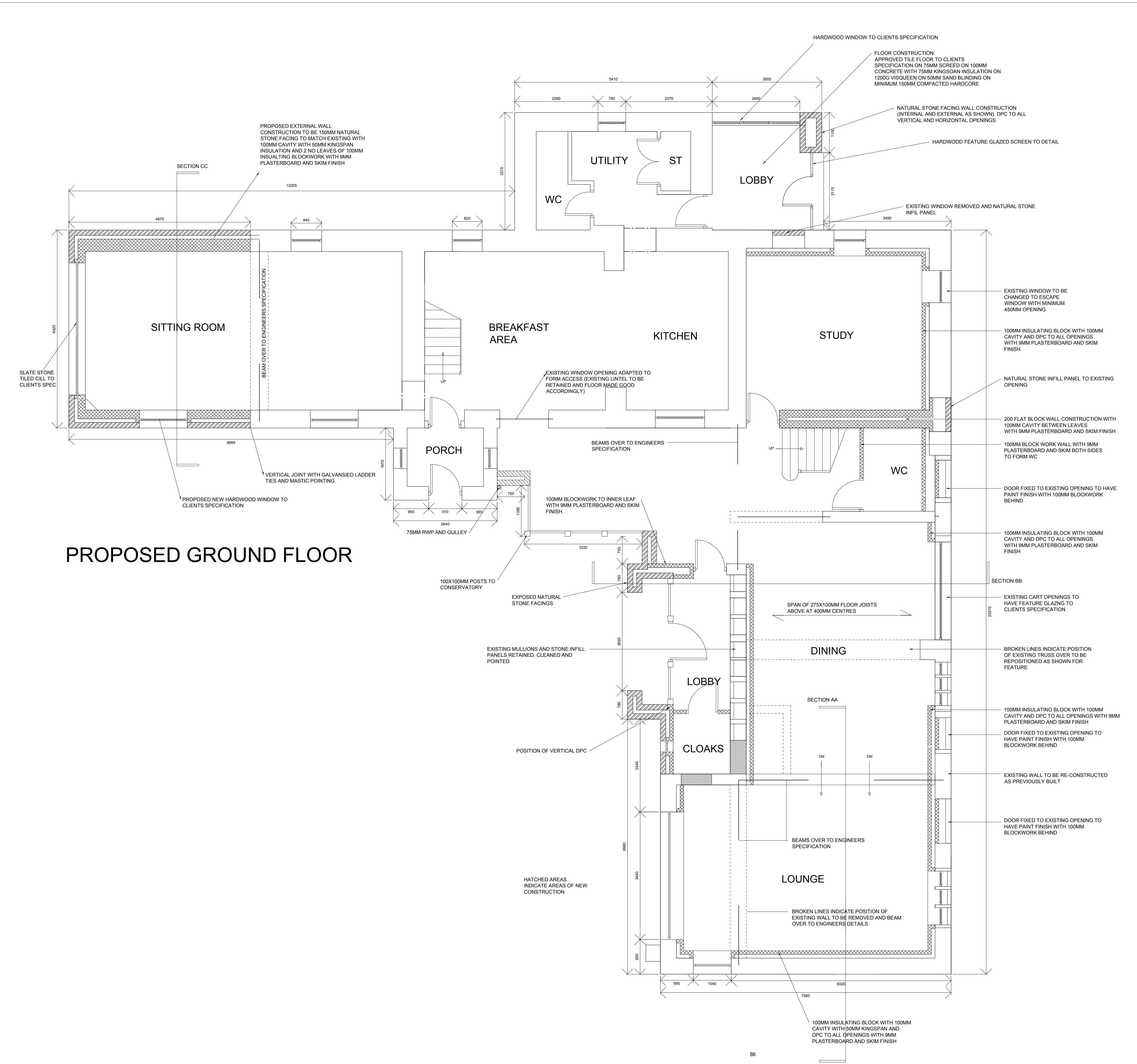
PROPOSED SOUTH & WEST ELEVATIONS

PROPOSED ALTERATIONS & EXTENSION TO PROPERTY HIGHER CRITCHLEY FOLD FARM, LONGWORTH ROAD, EGERTON, BOLTON

| | | |
|-----------|------------|---|
| CLIENT: | BRANDWOOD |  |
| DWG NO: | BR K618/04 | |
| SCALE: | 1/50 @ A1 | |
| DRAWN BY: | GF | |
| DATE: | 21/05/13 | |
| 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 |
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FOUNDATIONS:
Ground conditions to be checked. SO2 and Radon levels to be assessed. Generally 600x225mm concrete strip footings to all load bearing block and cavity walls, bottom of trench to be min 910mm below ground level. Concrete strip foundations to be provided in accordance with Building Regulations approved document A1/2 section 1E using m1 grade C35 concrete BS8110 part 1: 1985 subject to prevailing ground conditions and engineers report. Final depths and size to satisfaction of D.B.S. or NIBEC Inspector. Minimum overlap on step foundations to be twice the height of the step at the thickness of the foundation or 300mm, whichever is greater. Steps in the foundations should not be of a greater height than the thickness. ALL HEALTH & SAFETY GUIDELINES ARE TO BE STRICTLY ADHERED TO.

GROUND FLOOR CONSTRUCTION:
SOLID FLOOR CONSTRUCTION:
Floor finish to Client's spec on adhesive to manufacturer's spec on solid floor formed with 65mm sand/cement screed on min 100mm (RC) concrete on 75mm Kingspan, or similar, insulation on 1200gauge visqueen dpm, topped up external walls into new dpc, on 50mm sand blinding on min 150mm clean, well compacted hardcore. Minimum 25mm insulation board to be placed vertically at the perimeter of floor to level with top screed to minimise thermal bridging.

SUSPENDED FLOOR CONSTRUCTION:
Floor finish to Client's spec on adhesive to manufacturer's spec on 75mm Kingspan, or similar, insulation (either over or above joists) with 200x20mm joists at 400mm c/c (fixed clear of external wall) on dpm, min 150mm honeycomb 'sleeper' wall on min 100mm concrete bed on well compacted hardcore

SUSPENDED BEAM & BLOCK CONSTRUCTION:
Floor finish to Client's spec on adhesive to manufacturer's spec on solid floor formed with 75mm sand/cement screed on 75mm Kingspan or similar, insulation on 150mm deep beam and block flooring with min 150mm air gap. Polypropylene stepped ventilation in external wall to allow sufficient ventilation. Floor to be finished flush and level with a tolerance of +3mm over the width of the dwelling in accordance with the relevant British Standards.

FIRST FLOOR CONSTRUCTION:
BEAM & BLOCK CONSTRUCTION:
Finishes to Client spec on adhesive to manufacturer's specification on solid floor formed with 75mm sand/cement screed on 150mm deep beam and block flooring. Floor to be finished flush and level with a tolerance of +3mm over the width of the dwelling in accordance with the relevant British Standards. Floor to have a suspended MF Ceiling below with a clearance of 150mm between underside of beams and top of metal frame for services. Resilient (Acoustic) ceiling hangers to be used to minimise impact sound. Floor construction to comply with Part E and achieve 40dB Airborne Sound Insulations as noted on table 0.2 of Part E.

TIMBER FLOOR CONSTRUCTION:
Floor finish to client's spec on 20mm moisture resistant floor boards on 200x50mm floor joists at 400mm c/c lined on underside with 12mm plasterboard & skim finish.

UPPER FLOOR CONSTRUCTION:
22mm flooring chipboard on 241mm deep TJI Truss joists at 450mm c/c to TJI joists manufacturer's details and specifications underdrawn with 15mm Gyproc Wallboard. No sound insulation required as floor construction is a Robust Detail and meets the requirements of Part E.

EXTERNAL WALLS:
External Leaf: Facing brick to L.P.A. approval prior to commencement of laying facing brick. Cavity: 100mm partially filled with 50mm Kingspac K6 RoofTherm boards or other similar approved. Where the wall does not extend to the basement cavities to have weak msk concrete to min 225mm below DPC with taper to external wall. Cavities to be continuous. Internal Leaf: 100mm brick 7.0N blockwork to SE details. Wall tie: Double triangle wall tie with insulations clips to be positioned at 400mm vertical spacing and not more than 750mm horizontal spacing or as otherwise specified by Structural Engineer. DPC: Hybrid DPC or similar approved to be built into wall min 150mm above finished ground level and lapped to all DPMs. All laps to be min 150mm. Openings: all opening in external wall to have Polybeam System Closer or other similar approved extruded polystyrene rigid board insulation semi-enclosed in a rigid PVC casing. Finishing: 12.5mm Gyproc plasterboard on dot and dab with skim finish (see further info on specific plasterboard requirements). U Value: 'U' value of 0.35 W/m2K or better.

INTERNAL WALLS:
BLOCKWORK:
12.5mm plasterboard with skim finish either side of 100mm or 140mm blockwork as specified by Structural Engineers. **STUD WALLS:**
100mm Crown Acoustic Roll or other similar approved to be laid between 75mm/100mm timber studs and 12.5 Gyproc Wallboard to be fixed to either side of studs. **DWAF WALLS IN ROOFSPACE:**
100mm Crown FrameThermS or other similar approved to be laid between 75mm/100mm timber studs and 12.5 Gyproc Wallboard to be fixed to either side of studs. **ROOF CONSTRUCTION:**
SLOPING ROOF:
Natural slate to LPA approval on Kingspac Helvint sarking membrane to BS 5259:2002 and BS 5534:2003 on 18mm sarking board on C16 175 x 50mm rafters to SE details at 400mm ctrs. **SLOPING CEILING AREAS:**
120mm Kingspan K7 insulation board between 175 x 50mm C16 rafters. Rafters to be underdrawn with Kingspan KoolTherm K18 Insulated Plasterboard. U Value: 0.20W/m2K or better. **FLAT ROOF:**
Single-ply Sarnell Membrane to be fully adhered to 18mm Marine Plywood deck laid to fall 1:80 using timber filling on 150 x 50mm C16 roof joists to SE details of Truss Manufacturer's details. Ceiling chords to be fixed under flat roof joists to suit floor to ceiling heights in the habitable area of the roofspace. **FLAT CEILING AREAS:**
150mm Crown Wool insulation between rafters and 150mm above rafters for a total of 200mm Crown Wool insulation. Ceiling joisting to be underdrawn with 12.5mm Gyproc Wallboard DUPLEX U Value: 0.16 W/m2K or better. **WALL PLATES:**
100x75mm treated SW secured to wall using 30x5mm MS straps at max 1800mm ctrs plugged and screwed to blockwork. **FASCIA:**
25mm thick WBP timber notched to take 9mm soffit board. **EAVES SOFFIT:**
9mm thick plywood secured to face of brickwork using 50x50mm battens screwed onto wall. **VENTILATION:**
Either Eaves ventilation strip or over-fascia ventilation strip to be used if sarking membrane is not of breathable type (see sloping roof for membrane type). **RAINFALL GUTTERS:**
130mm Moulded Heritage profile case aluminum gutters connected to 75mm square cast aluminum downpipes at by Alumasc or other similar approved manufacturers.

VENTILATION: TO COMPLY WITH APPROVED DOCUMENT F 2010
Habitable rooms
Rapid Ventilation: Operable windows equal to 1/20th of the floor area.
Background Ventilation: Trickle ventilators above windows equal to 8000qmm.
Bathrooms and En-suites (with or with WC)
Rapid ventilation: Operable windows (no minimum opening size)
Background Ventilation: Trickle ventilators above windows equal to 4000qmm.
A gap of 10mm to be provided under floor where bathrooms or en-suites have no provision of rapid ventilation.
Mechanical Extract: Extraction at 15 litres/sec activated by light switch with 15 minute overrun.
Kitchen
Rapid Ventilation: Operable windows (no minimum opening size)
Background ventilators: Trickle ventilators above windows equal to 4000qmm.
Mechanical Extract: Extractor at 30 litres/sec if located adjacent to a hob or 60 litres/sec if located elsewhere and may be operated intermittently for instance during cooking.
Note:
All windows to have Trickle Ventilation in accordance with Approved Document F 2010;
Where required, Concealed Safety Restrictors to be fitted to windows to comply with Approved Document K and positioned to allow an air-gap no greater than 100mm.

FLASHINGS:
All flashing to be Code 4 Lead generally with 150mm effective upstands and covers provided with trays with minimum rise of 150mm and weepholes at 450mm c/c over and back painted with ap adicor non-hardening mastic. All external leadwork to be treated with approved pagination oil.

COMPETENT PERSONS SCHEMES (SELF-CERTIFICATION SCHEMES)
All Mechanical Contractors to be registered with COMEG Services Ltd. If necessary, registration include APHC Ltd and BESCAL Ltd.
All Electrical Contractors to be registered with NICEIC Group Ltd. If necessary, registration to include ECA Ltd and BRE Certification Ltd.
All Window and Glazing Contractors/Manufacturers and installers to be registered with FENSA. All registration details to be made available if required.

AIR TESTING:
Air Testing and Certification to be provided prior to completion.

STAIRCASE AND BALUSTADING:
Basement to Ground Floor: Hardwood Timber
Floor to Floor height: 2025mm
14 equal Risers at 200mm and Goings of 250mm formed with 2 flights of stairs of 12 risers and 2 risers with a half landing. 2R + F = 668
Ground to First Floor: Hardwood Timber
Floor to Floor height: 3105mm
15 equal Risers at 210mm and Goings of 250mm formed with a dog leg stair comprising of 9 goings, 3 risers and 3 goings. 2R + G = 670
First to Second Floor (Rooftop): Hardwood Timber
Floor to Floor height: 2776mm
14 equal Risers at 180mm and Goings of 250mm formed with 2 flights of stairs of 6 risers and 8 risers with a half a landing. 2R + G = 646
General Landings to have a width and length at least equal to the smallest width of the staircase. Where open Risers are used, glass should not exceed 100mm in accordance with Part 1.9 Part K and of at least 50mm at their narrowest part. HW Handrail to be provided 900mm above pitch line and 1100mm above landing. Where staircase width exceeds 1000mm, handrail to be providing on both sides. Guarding to stairwell shall be undrainable and have no openings exceeding 100mm in accordance with Part K1. Minimum headroom from pitch line to be 2000mm taken vertically and 1500mm taken at right angles.
External Balustrading: Handrail to be at 1100mm above host level. Guarding shall be undrainable and have no openings exceeding 100mm in accordance with Part K1.
Fencing of balustrade to masonry and host level shall be to manufacturers design and/or structural engineers details.

WINDOWS:
Glazing: All windows to high-performance softwood timber-frames with 24mm double-glazed units make up of soft Low 'E' coating and argon-filled cavity. Timber to be painted in accordance with LA requirements, colour to client's approval. All glazing to BS 6262
Headers: Natural stone heads to LA Approval
Cills: Natural stone cills to LA Approval
Note: All windows to have Trickle Ventilation in accordance with Approved Document F 2010. Where required, Concealed Safety Restrictors to be fitted to windows to comply with Approved Document K and positioned to allow an air-gap no greater than 100mm.

FIRE PROTECTION:
Every cavity barrier should be constructed to give at least 120hr fire resistance which is to be provided in all cavities except internal partitions. Structural frame and building fabric to have 1/2 hr fire resistance. All internal Fire Doors to have an FD30S Fire rating and to conform to BS476-22823:1987 and to include intumescent strips.
'Panic' self-closing device only to be fitted to fire door serving attached or integral garage.
All internal doors along escape routes to be FD2- and to conform to BS 476-22823:1987.
Test certificated to be provided for all fire doors.
Smoke detectors to be Grade A Category L20 located in escape routes and habitable rooms in accordance with BS 5839-6:2004 and to comply with BS 5446-1:2000.
Heat detector to be located in kitchen and to be linked to smoke detectors and to conform to BS 5446-2:2003.
Smoke detection to be mains operated with a standby power supply.
For surface spread of flame, walls and ceilings in common circulation Areas to achieve class '0'.
All other areas to achieve class '1'. Surface spread of flame to conform to BS 476-7:1987.

ABOVE GROUND DRAINAGE
All internal drainage fittings to discharge into 100mm SVPs as indicated on the drawing. All fittings to have 75mm deep seal traps or as specified by manufacturers and in accordance with ADN of National Building Regs. Waste pipes to connect in SVPs 200mm above lowest waste connection. Waste pipes to be uPVC to the following sizes:
Wash: 32MM diameter.
Showers, baths and sinks: 40mm dia with 75mm deep seal traps;
WC: 110mm dia heppelive pipe via Hunter S200 or similar approved manifold.
Cistern: 38mm overflow pipe.
Washing machines and Dishwashers: 40mm with 75mm deep seal trap.
SVP to be located internally and to terminate at plastic cage minimum 900mm above top of any opening lights with new 110mm uPVC connection to existing drainage system.
Branch connections exceeding 1700mm to be fitted with Hunter or similar approved anti-siphon or air admittance valves.

BELOW GROUND DRAINAGE
All below ground drainage components to be uPVC by Hepworth Drainage Ltd or similar approved laid in accordance with manufacturers details, specifications and recommendations in compliance with the current Building Regulations, Part H, and BS EN 14011-1:1996 and BS EN 1295-1:1998.
A drainage survey to be undertaken by specialist to establish existing drain runs. Drainage rodding eyes, access fittings, inspection chambers and Manholes to have approved construction and sized accordingly to suit invert levels and connections. All drainage runs to have full rodding access. Covers to be appropriate duty weight with an air tight double seals to foul drains. All drains under

NOTE: NOTES ON DRAWINGS OVERRIDE THE ABOVE SUPPLEMENTARY BUILDING REGULATION NOTES

REV

DESCRIPTION

PROPOSED GROUND FLOOR PLAN

PROPOSED ALTERATIONS & EXTENSION TO PROPERTY HIGHER CRITCHLEY FOLD FARM, LONGWORTH ROAD, EGERTON, BOLTON

CLIENT: BRANDWOOD

DWG NO: BR K618/01

SCALE: 1/50 @ A1

DRAWN BY: GF

DATE: 21/05/13

REV:

MICHIGAN HOUSE, 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR

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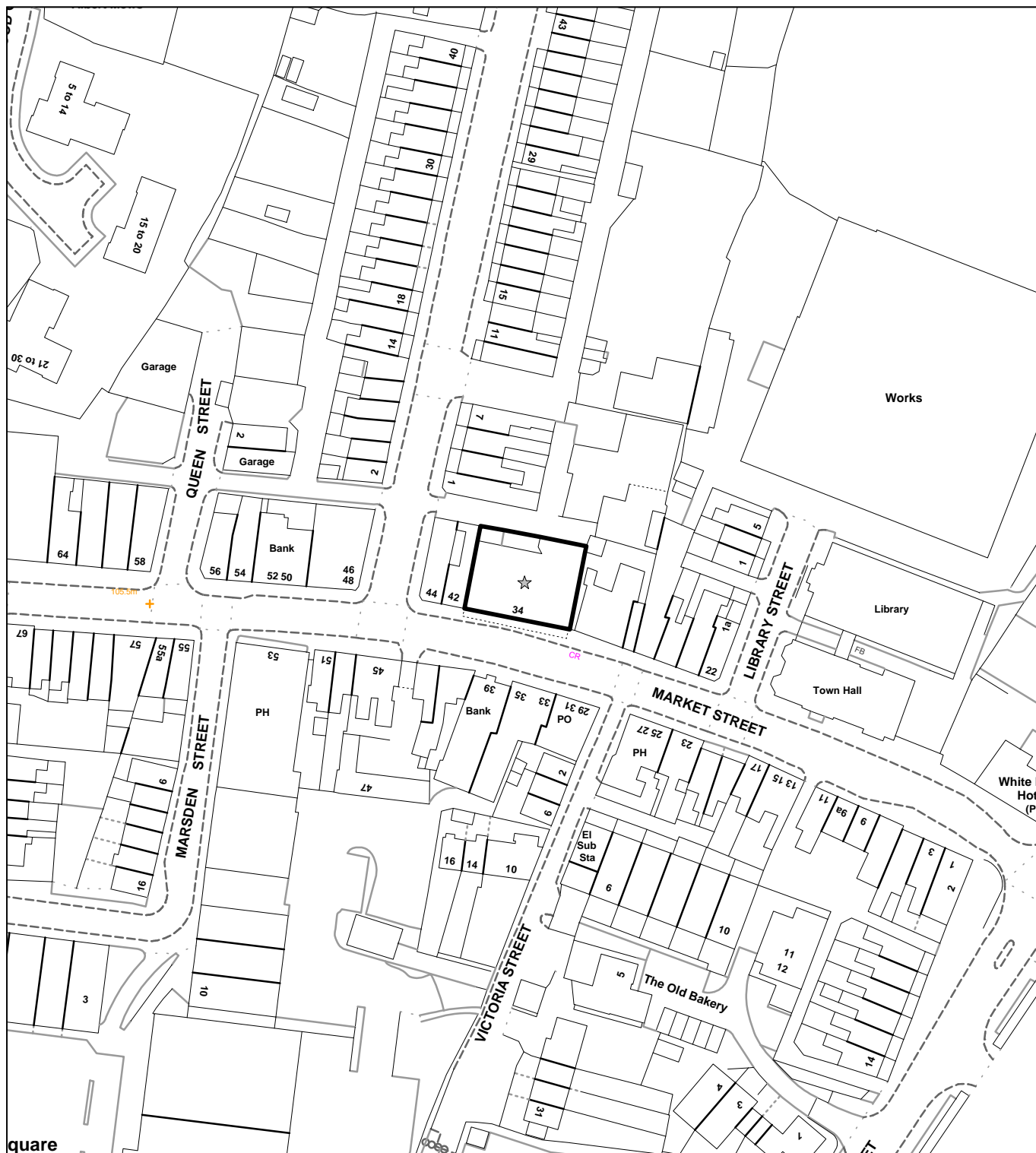




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|---|------------|
| <h1>PROPOSED FIRST FLOOR PLAN</h1> | |
| <h2>PROPOSED ALTERATIONS & EXTENSION TO PROPERTY HIGHER CRITCHLEY FOLD FARM, LONGWORTH ROAD, EGERTON, BOLTON</h2> | |
| CLIENT: | BRANDWOOD |
| DWG NO: | BR K618/02 |
| SCALE: | 1/50 @ A1 |
| DRAWN BY: | GF |
| DATE: | 21/05/13 |
| REV: | |
|  | |
| <p>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</p> | |
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Application No.

92694/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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11

Date of Meeting: 18/12/2014

Application Reference: 92694/14

Type of Application: Full Planning Application
Registration Date: 09/09/2014
Decision Due By: 03/11/2014
Responsible Officer: Jeanette Isherwood

Location: 34-40 MARKET STREET, WESTHOUGHTON, BOLTON, BL5 3AN

Proposal: INSTALMENT OF EXTERNAL REFRIGERATION PLANT UNIT AT REAR, INTERNAL ENTRANCE RAMP AND AUTOMATIC DOOR AT FRONT, WITH THE REPAINT OF EXISTING SHOP FRONT AND THE ADDITION OF THREE AIR CONDITIONING UNITS TO REPLACE EXISTING UNITS

Ward: Westhoughton North

Applicant: Co-operative Estates
Agent : Evolve RPS Limited

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the erection of one new external refrigeration plant unit (Arctic Circle Model: CPCHU3SE-12-036-HT-EC-S) and three new air conditioning units (Model: DAIKIN MODEL: RXYSQ68Y1) to be situated within the rear service yard. The three new air conditioning units will be positioned to the rear in between the rear wall of the building and the new refrigeration unit and will replace the existing air conditioning units currently sited on the rear flat roof.

The refrigeration unit will be 2.287 metres high, 2.803 metres wide and 1.130 metres deep.

The application also proposes the re-positioning of the entrance door and instalment of a new internal ramp to replace the small 163mm step. The automated sliding entrance door will continue to provide a clear opening width of 1200mm and will be constructed from aluminium framework to match the existing shop front.

Further works will involve re-painted the existing shop front to the latest Co-operative colour scheme grey.

Site Characteristics

The Co-operative food store is situated on Market Street, which is the main shopping centre for Westhoughton. There are commercial units on either side of the application building and also on the opposite side of the high street. The rear yard of the building abuts a small back street, facing the gable elevation of 3 - 5 King Street. This property is

also a commercial unit housing a Funeral Service Establishment.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; OA3 Westhoughton.

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

Impact on the Amenity of Neighbouring Residents

Bolton's Core Strategy Policy CG4 states that the Council will ensure that new development is compatible with the surrounding land uses and occupiers, protecting amenity, privacy, safety and security and that it does not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.

The main impact of the development would be noise disturbance from the units. One objection has been received with regard to possible disturbance due to the location of the units. A comprehensive noise control report has been submitted with the application and the Council's Pollution Control Officers were consulted on the application. They have no objections to the proposal subject to conditions to be attached to any approval.

Given that the nearest property is non residential, the attachment of conditions to control noise and the fact that the air conditioning units will replace existing units it is considered that the additions will have no more impact on amenity than existing.

It is therefore considered that the proposal complies with Policy CG4 of the Core Strategy.

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

The NPPF in paragraph 56 states "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."

Bolton's Core Strategy policies CG3.2 and CG3.3 require proposals to respect and enhance

local distinctiveness, and be compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment, including hard/soft landscaping and boundary treatment.

The new plant unit will be sited to the rear of the property and for the most part is well screened by the high boundary wall, with the additional air conditioning units positioned between the rear elevation of the building and the new refrigeration unit. It is therefore considered that the additions are not thought to have a detrimental impact on the character and appearance of the area and therefore complies with Policy CG3 of the Core Strategy.

The colour scheme for the repainting of the frontage is considered to be acceptable given the mixture of commercial units fronting Market Street.

The addition of the internal ramp will have no impact on the street scene due to its siting and will provide easier access to the shop.

Conclusion

For the reasons detailed above the proposal is considered to be compliant with present policies and is therefore recommended for approval.

Representation and Consultation Annex

Representations

Letters:-One letter of objection detailed above, concerning impact on amenity.

Town Council:- No objections to the proposal.

Consultations

Advice was sought from the following consultees: Pollution Control 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. The fixed plant/equipment should be designed to give a rating level, as defined in BS4142:1997, 5dB below the night time LAF90 (5 min) or the daytime LAF90 (1 hour) whichever is the most appropriate, as measured 4 metres from the nearest residential property. The monitoring information and the acoustic calculations together with the proposed specifications of the fixed plant/equipment and any sound attenuation proposed should be submitted to and approved by the Local Planning Authority in writing prior to the development first being brought into use.

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area.

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

Proposed rear elevations :- CP-WEST-001-004 RevA

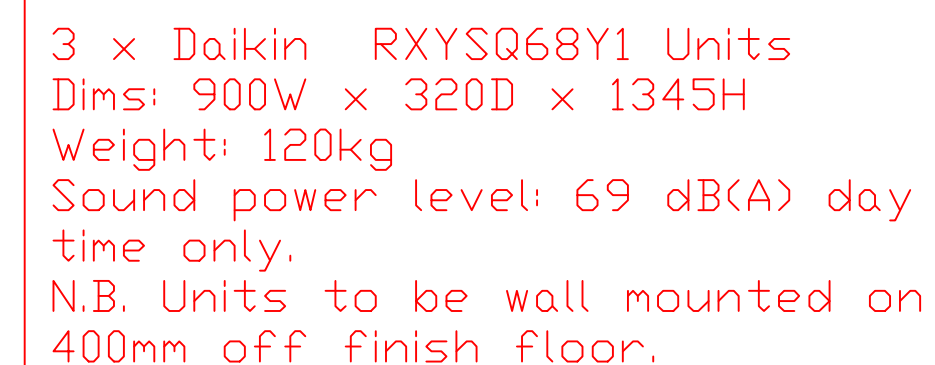
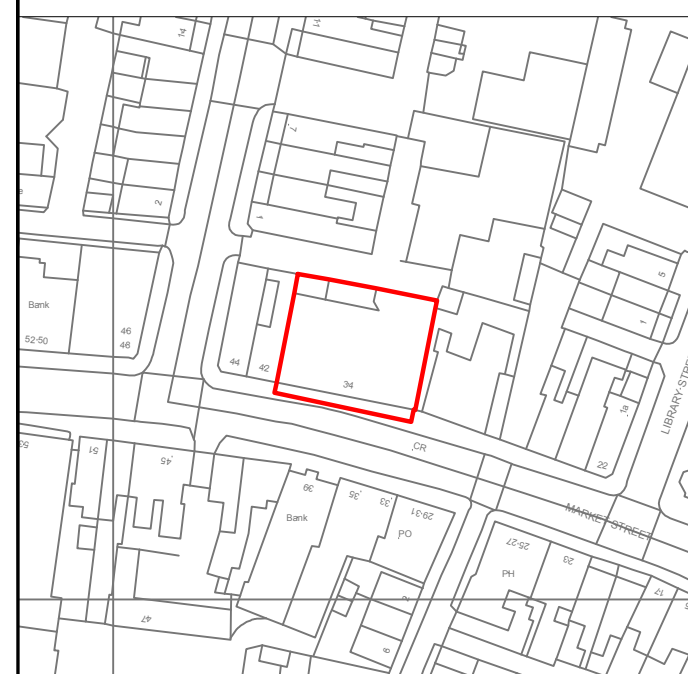
Proposed front elevations :- CP-WEST-001-D02

Unit details:- 2182-162

Reason

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

Please note: These drawings are for planning purposes only and should not be used for construction.

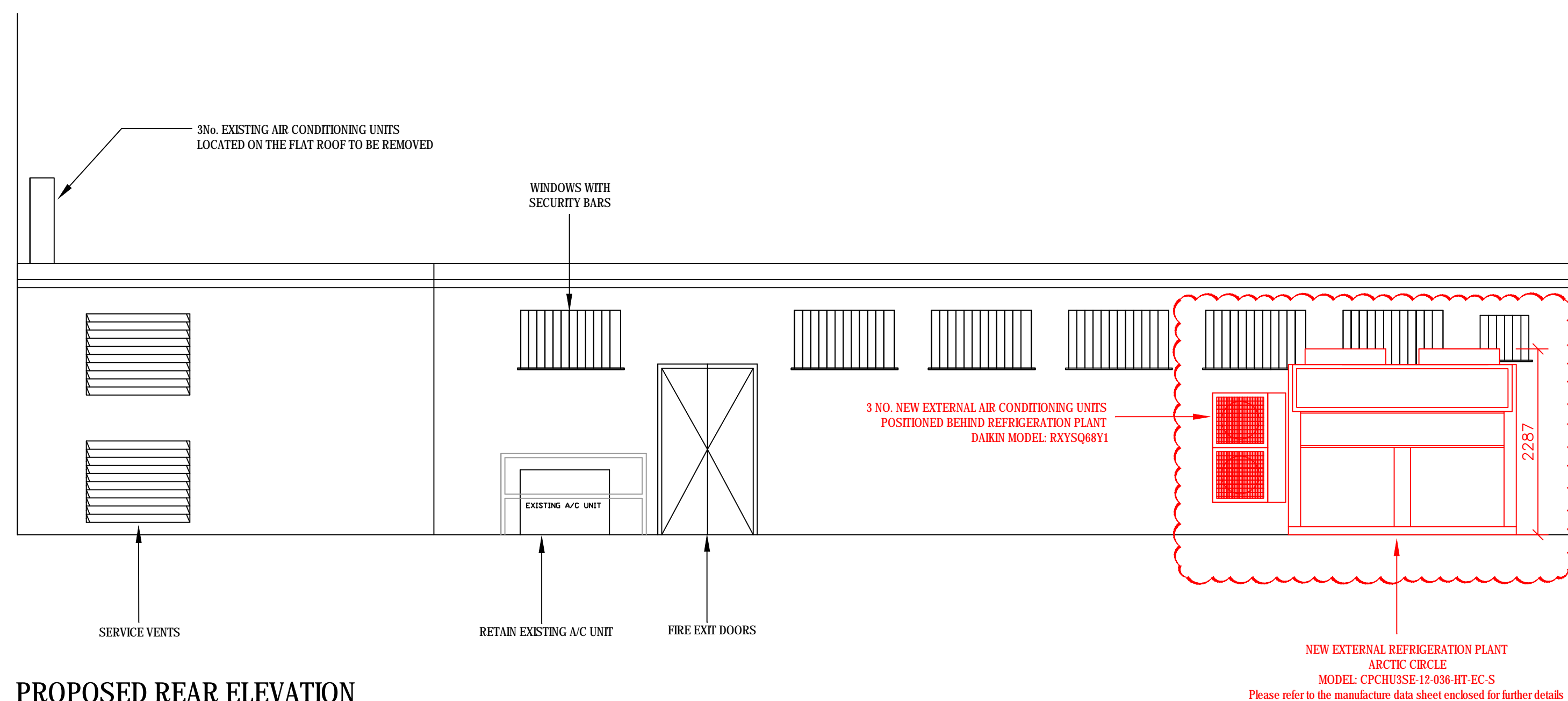


3 NO. NEW EXTERNAL AIR CONDITIONING UNITS
DAIKIN
MODEL: RXYSQ68Y1

NEW EXTERNAL REFRIGERATION PLANT
ARCTIC CIRCLE
MODEL: CPCHU3SE-12-036-HT-EC-S
Please refer to the manufacture data sheet enclosed for further details

Arctic Circle Pack
CPCHU3SE-12-036-HT-EC-S
Dims: 2803W x 1130D x 2287H
Weight: 1500kg
Sound power level: 68 dB(A) day time
62 dB(A) night time
Refrigerant: R407A

PROPOSED REAR (PART) PLAN



PROPOSED REAR ELEVATION

[illegible]

| | | | |
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| A | 3 NEW A/C UNITS TO BE INSTALLED / EXISTING A/C UNITS ON | | |
| | ROOF TO BE REMOVED. | RB | 13/10/1 |

CLIENT: Co-operative Group

PROJECT: **West Houghton**

ADDRESS: Co-operative Store
34 Market Street
Westhoughton
Bolton
BL5 3AN

TITLE: PROPOSED REAR
(PART) PLAN & ELEVATION

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| CHECKED: RM | | | |

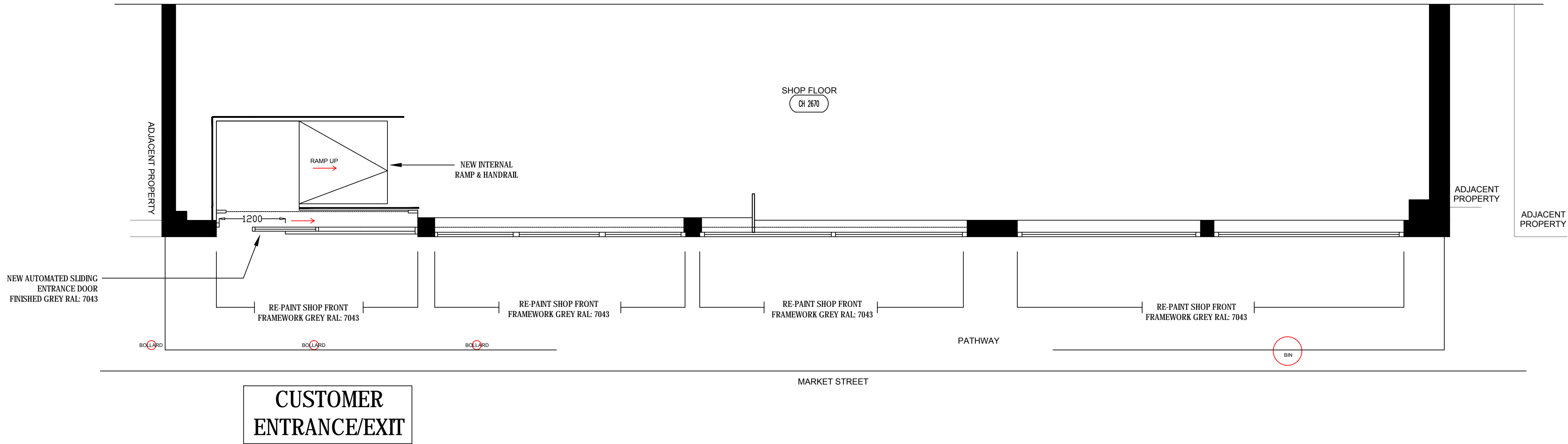
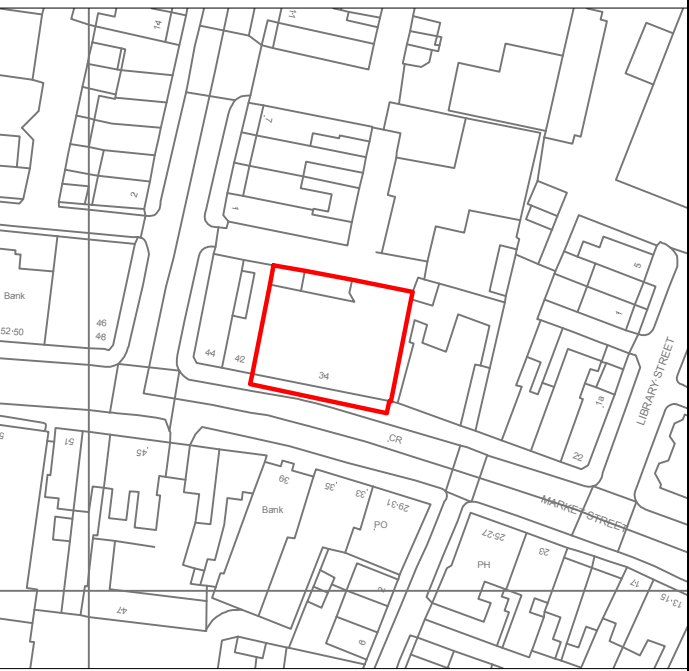
EVOLVE (DESIGN) LTD
E. @evolve-design.uk
T. +44 (0)1534 822765
F. +44 (0)1534 822765

DRG.NO: CP-WEST-001-004

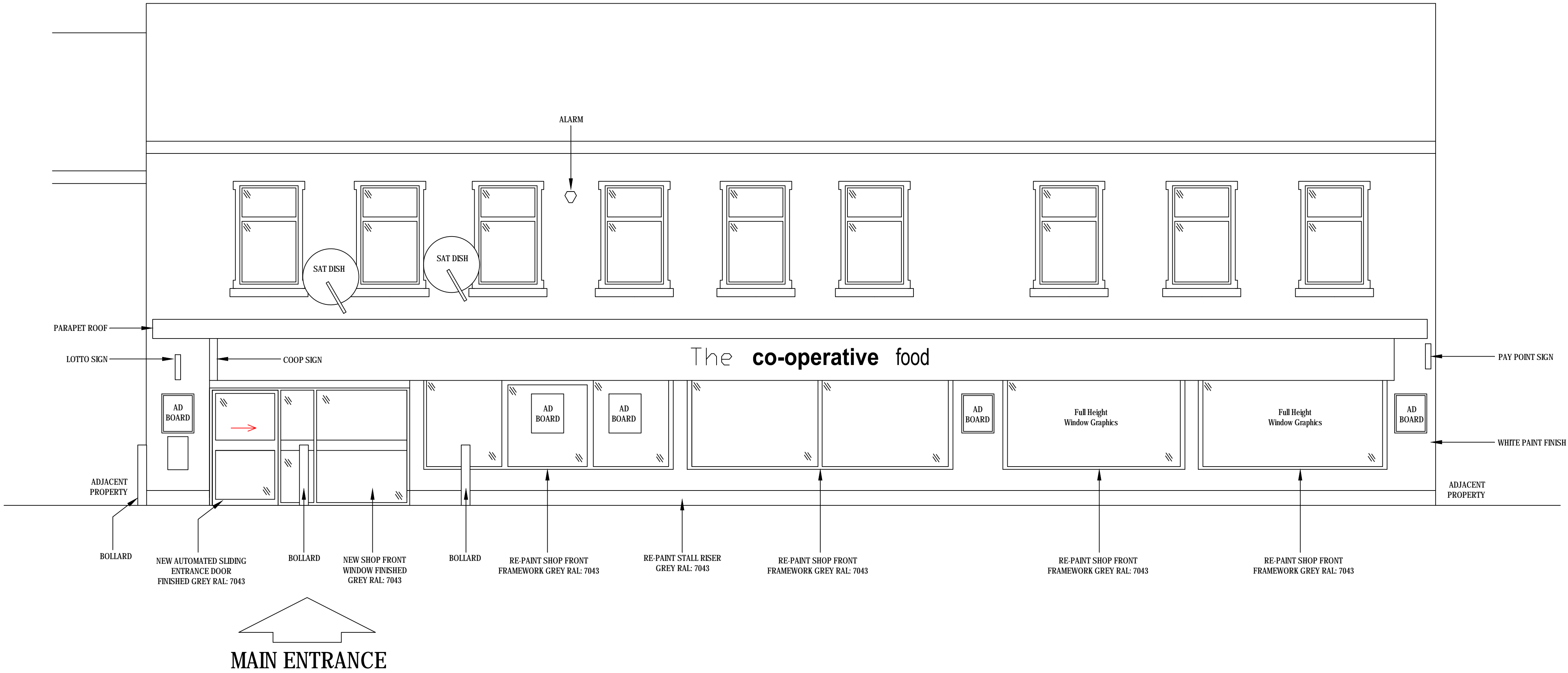
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DRAWING NOTES

Please note: These drawings are for planning purposes only and should not be used for construction.



PROPOSED SHOP FRONT (PART) PLAN



PROPOSED SHOP FRONT ELEVATION

PLANNING

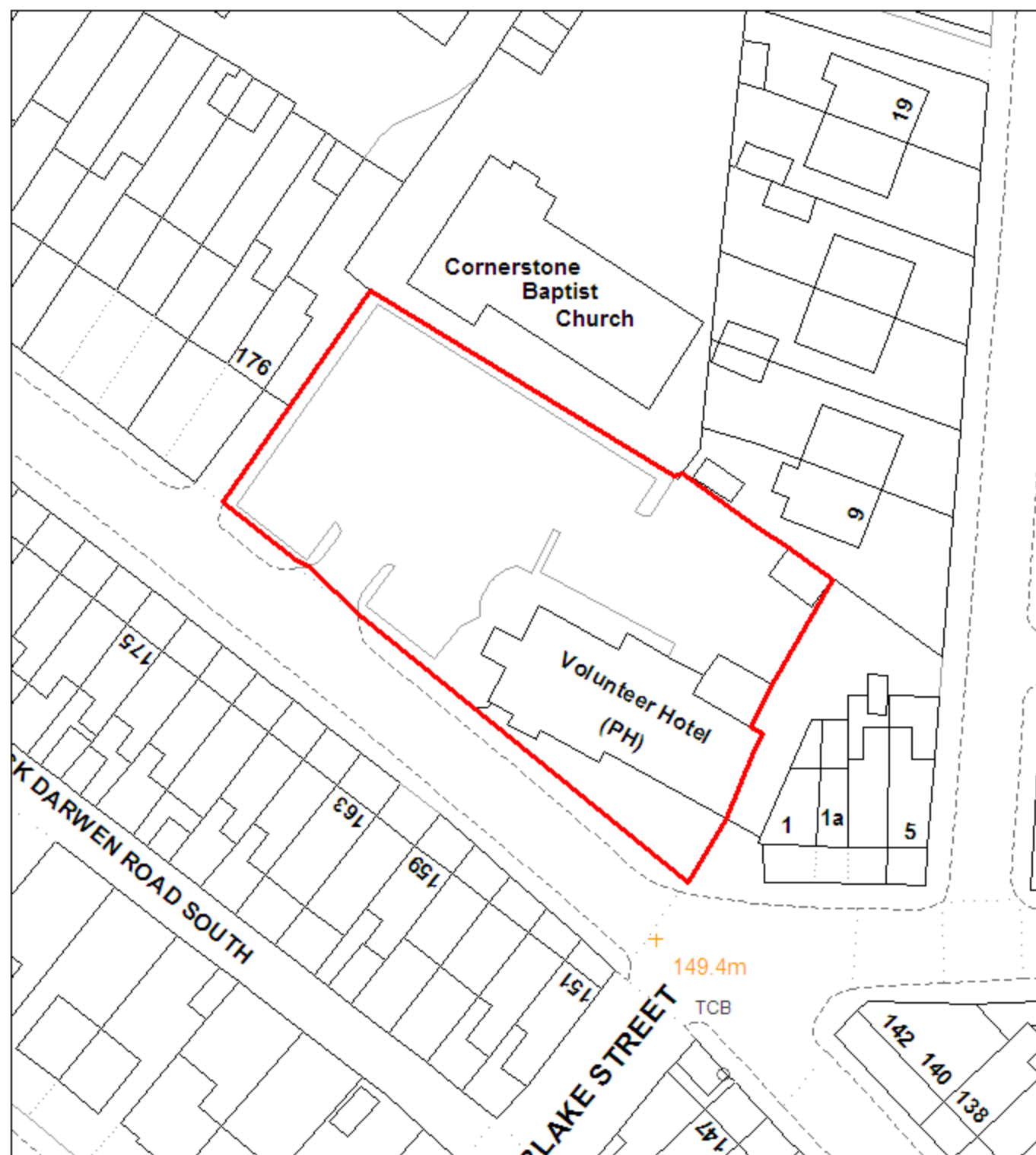
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|--|-------------|---|-----------------|
| CLIENT: Co-operative Group | | PROJECT: West Houghton | |
| ADDRESS: Co-operative Store 34 Market Street Westhoughton Bolton BL5 3AN | | TITLE: PROPOSED SHOP FRONT (PART) PLAN & ELEVATION | |
| DRAWN BY: RH | SCALE: 1:50 | DRAWN DATE: 03/09/14 | REVISED DATE: . |
| CHECKED: RM | @A1 | | |
| DRG NO: CP-WEST-001-002 | | REV: . | |

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Application No.

92744/14



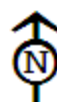
Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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Date of Meeting: 18/12/2014

Application Reference: 92744/14

Type of Application: Full Planning Application
Registration Date: 11/09/2014
Decision Due By: 05/11/2014
Responsible Officer: Helen Williams

Location: FORMER SITE OF GREEN BENGAL, 158 DARWEN ROAD, BROMLEY CROSS, BOLTON, BL7 9JJ

Proposal: ERECTION OF A SINGLE STOREY RETAIL UNIT (CLASS A1) AND A SINGLE STOREY BUILDING COMPRISING TWO COMMERCIAL UNITS (CLASS A1, A2 AND A3) TOGETHER WITH FORMATION OF CAR PARK, NEW ACCESS, LANDSCAPING AND ASSOCIATED WORKS.

Ward: Bromley Cross

Applicant: CW Construction (North West) Ltd
Agent : Janet Dixon Town Planners Ltd.

Officers Report

Recommendation: Approve subject to conditions

Background

This application was deferred by Members at the Committee meeting of 23rd October, to request that the applicant relocate the two buildings to their originally proposed positions (under application 90991/13), but to site the proposed food store further forward, in the position of the former Green Bengal building (that being at the south eastern corner of the site, instead of at the originally proposed north eastern corner).

The applicant has considered this request but has instead only amended the plans by moving the proposed food store approximately 5.5 metres further away from the boundary with 176 Darwen Road (further into the site). The two disabled parking spaces for the store are now proposed to the west of the store (rather than to the east) and the area behind these spaces will accommodate additional staff parking.

The report below has been amended (in bold) to reflect the the submitted amended plans. The proposed resiting of the food store is not considered to have any further impact on the amenity of neighbouring residents, highway safety or the character and appearance of the area, therefore Members are still recommended to approve this application.

Planning History

This application is a resubmission of planning application 90991/13, which was refused by Planning Committee in March and was subsequently dismissed at appeal in August.

Planning Committee refused the previous planning application (90991/13) for the

following two reasons:

1. The proposed development represents an over development of the site which will result in insufficient car parking provision within the site, contrary to Policies P5 and S1.2 of Bolton's Core Strategy and Supplementary Planning Document Accessibility, Transport and Road Safety.

2. The proposed development would, by virtue of its design, height and siting, impact detrimentally on the outlook and living conditions of neighbouring residents, in particularly those of 9 Lords Stile Lane, and is contrary to Policy CG4 of Bolton's Core Strategy.

The Inspector however only dismissed the appeal on the grounds of the effect of the proposal on the outlook and living conditions of the residents of 9 Lords Stile Lane (reason 2 of the Council's refusal). The Inspector concluded that the proposal would not be harmful to highway safety, with particular regard to levels of parking provision proposed (reason 1 of the Council's refusal), or to any other neighbouring residents.

To address the only reason for dismissing the appeal the applicant has amended their plans by:

Γ Re-siting unit 1 (the convenience store and larger of the two buildings) to the north western corner of the site, and therefore away from 9 Lords Stile Lane **(the siting of the store has been further amended by bringing it a further 5.5 metres away from the boundary with 176 Darwen Road);**

Γ Re-siting units 2 and 3 (the smaller building) to the east of the site.

The siting of the two buildings has therefore effectively been switched.

Proposal

As with the previous application, this resubmission seeks permission for the erection of two single storey commercial buildings. The larger of the two buildings (unit 1) is proposed to be used as a retail/local convenience store (Sainsbury's) and will have a footprint of 426.87 square metres. This building is now proposed at the north western corner of the application site. The smaller building is proposed to be split into two 70 square metre units (units 2 and 3) and will be used for either A1 (retail/shops), A2 (financial and professional services) or A3 (restaurant and cafe) uses. This building is now proposed to the east of the site.

The remainder of the site is proposed to be utilised as a 31 space car park. Three of these spaces will be designated as disabled parking bays and four will be staff spaces. Motorcycle and cycle parking is also proposed.

The vehicular access into the site is as previously proposed (off Darwen Road).

The proposed hours of opening are between 07:00 and 23:00 hours Monday to Saturdays and 07:30 and 22:30 hours on Sundays.

Site Characteristics

The application site previously contained the extended, stone built, two storey public house building (last used as the "Green Bengal" restaurant) and its large car park. The building, which was sited at the south eastern corner of the site, has now been demolished.

The site measures approximately 0.2 hectares in area and is generally level. Vehicular

access into the site is off Darwen Road and relatively central to the side car park. There are double yellow lines along the length of the site frontage and a single yellow line on the opposite side of Darwen Road.

Immediately adjacent the site to the east are 1, 1a, 3 and 4 Bromley Cross Road, a row of four stone built terraced properties. A cobbled side street divides these properties from the application site. To the west are a row of two storey terraced dwellings (176 to 192 Darwen Road) that are set back from the main road, having long front gardens. On the opposite side of Darwen Road are further terraced dwellings of a similar age and design, in a long continuous row.

To the rear of the application site is Cornerstone Baptist Church, which is sited close to the northern boundary of the site and is bordered with a stone wall topped with palisade fencing. A pair of semi-detached bungalows at 9 and 11 Lords Stile Lane side onto the north eastern corner of the site. A fence of approximately 1.8 metres in height and topped with a planted trellis forms the boundary treatment between 9 Lords Stile Lane and the application site.

Darwen Road (B6472) is the main road through Bromley Cross. The application site is approximately 50 metres to the east of Bromley Cross local shopping centre, which is focused around the Co-operative supermarket and a row of retail premises on Darwen Road.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P2 Retail and Leisure; P5 Transport and Accessibility; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG1.5 Flooding; CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.

SPD Accessibility, Transport and Road Safety; SPD House Extensions.
PCPN2 Space Around Dwellings; PCPN10 Planning Out Crime.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- Γ principle of the proposed development
- Γ impact on the amenity of neighbouring residents
- Γ impact on the highway
- Γ impact on the character and appearance of the area

Principle of the Proposed Development

Paragraph 26 of the National Planning Policy Framework (NPPF) requires applications for retail development outside of town centres to provide a retail assessment if the development is over a proportionate, locally set floorspace threshold. If there is no locally set threshold, the default threshold is 2,500 square metres.

The Council does not have a locally set threshold and as the proposed retail floor area is below 2,500 square metres. As with the previous application for the site, officers consider that there is no requirement for a retail impact assessment to be undertaken in this instance.

Policy OA5 of the Bolton Core Strategy states that the Council and its partners will ensure that the local centre at Bromley Cross will continue to serve local needs. The policy also states that Bromley Cross will be allowed to expand for additional convenience floor space if a site becomes available.

The application site lies in close proximity to the Bromley Cross local shopping centre, approximately 50 metres away. The site is previously developed and the previous building could have operated as a retail/convenience use under permitted development rights. Officers therefore consider that the principle of retail development at the site is acceptable and is compliant with local and national planning policy.

In the appeal decision for the previous application (90991/13) the Inspector acknowledged that the proposal would result in the comprehensive redevelopment of a vacant site and would provide a meaningful addition to retail capacity in the local area. She stated that consideration weighed in favour of the proposal (paragraph 34).

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, and that it does not generate unacceptable nuisance, odours, fumes, noise or light pollution.

PCPN2 Space Around Dwellings sets out the Council's policy guidance regarding minimum interface distances between dwellings. Although the guidance within SPD House Extensions refers to house extensions it is considered that the principles are applicable when assessing the relationship of new buildings with neighbouring dwellings.

The convenience store (unit 1) was originally proposed (within application 90991/13) in the north eastern corner of the application site, approximately 1 metre away from the boundary of 9 Lords Stile Lane and approximately 6.4 metres away from the side elevation of this dwelling. The proposed building would have extended along the side of 9 Lords Stile Lane and significantly beyond its rear garden/curtilage. The Planning Inspector found that unit 1, in its original location, would have dominated the outlook when viewed from the ground floor bedroom, office and rear garden of number 9 and would have harmfully detracted from the light and open aspect which those areas currently benefit from. The Inspector therefore dismissed the appeal for 90991/13 for this reason; as the proposal would be contrary to Core Strategy Policy CG4 and the guidance contained within SPD House Extensions and PCPN2.

The Inspector did not find that the proposed development, as originally proposed, would unduly harm any other neighbouring resident.

The applicant has sought to address the Planning Inspector's reason for dismissing the appeal by swapping the locations of the two buildings within this latest application, so that unit 1 is now sited at the north western corner of the site (adjacent 176 Darwen Road and Cornerstone Baptist Church) and units 2 and 3 are sited to the east.

9 Lords Stile Lane

The smaller of the two buildings is now proposed to the south of 9 Lords Stile Lane. The building will be single storey in height (at a lower ridge level than the proposed convenience store) and will be sited (at its closest) 6.1 metres away from the boundary with 9 Lords Stile Lane (and over 11 metres away from the side elevation of the dwelling). The building in this position would not infringe upon a 45 degree angle from any of the main windows of the dwelling and it is considered that it would be sited a sufficient distance from the dwelling to not unduly impact on the living conditions or outlook of the residents. The siting and size of the building is markedly different from the siting and size of unit 1 in the original application. It is therefore considered that the proposal would not unduly harm the amenity of the residents at 9 Lords Stile Lane.

Four staff car parking spaces are proposed along the side boundary with 9 Lords Stile Lane. It is not considered that the use of these spaces would detrimentally harm the living conditions of the residents given the existing boundary treatment, which would screen these spaces. Furthermore this area of the site was formerly used as a parking area.

1 and 1a Bromley Cross Road

The Inspector for the previous application did not consider that the larger building (unit 1) would have unduly harmed the living conditions of these residents. The replacement of unit 1 with the smaller building would have less of an impact on these neighbours.

176 Darwen Road

The convenience store (the larger of the two buildings) is now proposed adjacent **(approximately 11 metres away from)** the side boundary with 176 Darwen Road. Given the depth of the proposed store, and its siting, the building would not infringe upon a line drawn at a 45 degree angle from any main window at the front or rear of 176 Darwen Road. There are no main windows in the side elevation of the dwelling. It is therefore considered that the proposed building would not unduly impact on the living conditions of these residents.

Cornerstone Baptist Church

This property is not a residential property and therefore does not benefit from the same policy protection with regard to outlook and amenity as dwellings.

As with the previous application for the development, the Council's Pollution Control Officers have recommended that the proposed hours of opening be restricted to 09:00 to 22:00 hours Monday to Sundays to protect the amenity of nearby residential occupiers. The hours of operation proposed by the applicant are between 07:00 and 23:00 hours Monday to Saturdays and 07:30 and 22:30 hours on Sundays. The applicant, as with the last application, has stated that the proposed hours mirror the trading hours of the nearby Co-operative food store and are essential if the new Sainsbury's store is to provide a comparable service that is available at times of the day that are convenient for local residents. Again it is considered that the applicant has provided reasonable justification to support extended hours of opening from those recommended by Pollution Control Officers.

A Delivery Management Plan has been submitted with the application, which explains how delivery vehicles will access the store and sets out the strategy and procedures for ensuring deliveries are made safely and with minimal noise and environmental impact. This plan includes, amongst other things, the following measures:

- Γ Deliveries will be coordinated in order to ensure that only one delivery vehicle is on site at any one time;
- Γ The policy for all staff involved with deliveries is to minimise noise at all time and to reduce turnaround time;
- Γ Upon receipt of a complaint which is found to be justified by the local authority, works will be undertaken or procedures or processes changed in such a way that seeks resolution of the complaint expediently;
- Γ Keep engine revs to a minimum, apply brakes gently and close doors quietly.

A Plant Noise Assessment has also been submitted with the application and Pollution Control Officers have recommended a condition to ensure noise levels are kept to a minimum, as to not harm the amenity of neighbouring residents.

It is considered that the amended siting of the two proposed buildings has sufficiently addressed the previous reason for refusal/dismissal at appeal and the proposed development would not unduly harm the amenity of any neighbouring residents, compliant with Policy CG4 of the Core Strategy.

Impact on the Highway

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

SPD Accessibility, Transport and Road Safety is intended to assist in the delivery of the Council's Core Strategy policies, provide guidance for developers and applicants, and support swift and effective decision making on planning applications.

The previous planning application for the proposed development (90991/13) was refused by the Council for the following reason (reason 1): *"The proposed development represents an over development of the site which will result in insufficient car parking provision within the site, contrary to Policies P5 and S1.2 of Bolton's Core Strategy and Supplementary Planning Document Accessibility, Transport and Road Safety."*

The Planning Inspector for the appeal against this refusal stated in their decision:

"...whilst I appreciate the concerns expressed by the Council and local residents, there is little information before me to suggest that the level of on-site parking provision proposed would result in an increase in off-street parking in the vicinity of the appeal site which would be significantly harmful to highway safety. in this regard, I also note that paragraph 32 of the Framework [NPPF] states, among other things, that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

For these reasons, I consider that the level of parking provision in itself is not an indication that the proposal would be an over development of the site...

Accordingly, I conclude that the proposal would not be harmful to highway safety with

particular regard to levels of on-site parking provision. The proposal would therefore not conflict with policy P5 of the Council's CS and the Council's SPD ATRS (as set out above). The proposal would also not conflict with policy S1.2 of the CS which states that road safety in the design of new development will be promoted."

The previous application proposed 32 car parking spaces in total on the site, however the Inspector noted (taking into consideration that two of the dedicated staff spaces would be inaccessible if all the spaces were in use) that the number should instead be "approximately 30". The Inspector took this number of 30 into consideration within their analysis. This revised application now proposed 31 parking spaces in total, which is one additional to that considered acceptable by the Inspector. Furthermore, the size of units 2 and 3 have been reduced (from 104.04 sq. metres each to 70 square metres each), which further increases the proposed parking ratio.

The proposed vehicle access into the development site is also the same as previously considered by the Inspector.

The Council's Highways Engineers again raise no objection to the proposed development **(and as amended)**, stating that the applicant has submitted a robust transport statement in support of their proposal **and that the swept path analysis of the amended site plan (for delivery vehicles) is acceptable**. As with the previously refused application they again recommend a number of highways conditions, including additional details regarding the proposed turning area, the resurfacing of the footway along Darwen Road across the site frontage, and a full review of traffic regulation orders around the site.

It is therefore considered that the proposed development (as amended) would again not be harmful to highway safety and would provide sufficient on-site parking provision, compliant 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 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 require special attention to be given to the massing and materials used in new development.

The former Green Bengal restaurant/Volunteer public house building has now been demolished (following prior approval in May) and therefore the retention of this building is no longer a material planning consideration.

As with the previous application (90991/13), officers consider that a better design solution for the development would have been to have the convenience store building sited at the front of the site, where the previous building was located (to create a more active frontage). However the applicant has stated that it would not be practical to have one of the buildings sited at the rear of the site and one of the buildings sited at the front (that is, on the footprint of the former public house building) for the following reasons:

-) Practical and safe arrangements for parking and servicing could not be readily achieved. Deliveries to the store could clash with car park vehicular movements.

Delivery vehicles parked adjacent to the end of the food store would restrict access to a large percentage of car parking sited at the rear, resulting in hazard for both pedestrians and vehicles using the car park.

-) Disabled parking bays would be sited much further from the entrance to the store resulting in reduced accessibility for such users.
-) Parking situated to the rear of the food store would not be visible. That may result in users opting to park on the highway to nip in to the store, notwithstanding traffic regulations orders and the availability of on-site spaces to the rear.
-) Natural surveillance of users that has been designed into the scheme would be lost by placing parking at the rear of the food store, away from activity on the street and food store windows. Enhanced lighting may be required to the rear car parking areas to make the area secure for late night and lone shoppers.

The application must therefore be assessed on its own merits (that is, the plans that have been submitted). It is not considered that the siting, size, height or design of the proposed buildings would harmfully affect the character and appearance of the area and the planting of additional landscaping to the front of the site (to be secured by condition) would help soften the development and screen it from the road.

It is therefore considered that the proposed development would comply with Policies CG3 and OA5 of the Core Strategy.

Conclusion

For the reasons discussed above, and being mindful of the Planning Inspectorate's conclusions within their appeal decision for application 90991/13, it is considered that the proposed development would be compatible with surrounding land uses, would not unduly harm the amenity of any neighbouring resident, would not jeopardise highway safety and would not harm the character and appearance of the area. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- Nine letters of objection have been received, which raise the following concerns:

- Γ Highway safety concerns with cars entering and leaving the proposed car park;
- Γ Increase in traffic build up; Darwen Road is already extremely busy;
- Γ Increase in the risk to pedestrians;
- Γ Lack of car parking; if the two smaller units were not built then there would be ample;
- Γ Parking for local residents at the minute is a nightmare and something needs to be done about it;
- Γ Delivery access will be very restricted with much less manoeuvring room from the car park entrance; deliveries are problematic at the nearby Co-operative supermarket;
- Γ The proposed access has not been amended;
- Γ Loss of light at 176 Darwen Road and impact on living conditions;
- Γ Impact on 9 Lord's Stile Lane (*Officer's comment: this objection was not received from the residents of 9 Lord's Stile Lane*);
- Γ Delivery noise, plant compound noise and waste collection noise will severely impact on Sunday services at Cornerstone Baptist Church; the plant compound noise will also disturb bible studies and a whole range of other community activities that require quiet;
- Γ The plant noise assessment refers to the plant being to the west of the proposed food store rather than to the east (*Officer's comment: this is a "typo"; the report has attached a site plan showing the correct location of the plant compound and refers to the correct distance between the plant and the nearest residential property*);
- Γ Waste storage facilities will be adjacent the church and 9 Lords Stile Lane;
- Γ There will be significant light reduction to the main hall and kitchen area of the church; they currently enjoy good levels of sunlight and daylight;
- Γ The view from the church windows will be a brick wall only 2/3 metres away;
- Γ Over-development of the site; one retail unit on the site is more than enough;
- Γ The building would be better built on the footprint of the former Green Bengal;
- Γ Why does Bromley Cross need so many convenience stores? There is recent information that Aldi are to open nearby;
- Γ Other stores in the area would suffer;
- Γ Houses would be more in keeping.

One letter of support has been received, which supports the application for the following reasons:

- Γ The revised plans satisfies the perceived deficiencies identified by the Inspector;
- Γ The scheme represents a wholly sustainable and appropriate form of development for the site;
- Γ It is a welcomed addition to the limited convenience retail offer in Bromley Cross;
- Γ The site has become very unsightly in recent months;
- Γ The Council would not be successful in a second appeal.

One letter commenting on the proposal has also been received, commenting that deliveries should not be made during busy and unsafe periods, that the cost of traffic lights and pedestrian crossings should be met by the developer, that improved landscape screening would improve the visual impact for neighbours, and that the development should comply with DDA standards.

Amended plans: five letters of objection have been received following the submission of the amended plans. These again raise concern regarding a perceived lack of on-site parking, highway safety overdevelopment of the site, noise disturbance to the church, light reduction to the church (main hall and kitchen area), restricted delivery access and the fact that there are other nearby food stores. New concerns are:

- Γ ***The disabled bays at 26 and 27 are too small. Concerns that if a car in bay 26 burst into flames passengers in the car would be unable to exit and most likely die (Officer's comments: the proposed disabled bays are of a standard size);***
- Γ ***There are no parent and child parking (Officer's comment: there is no policy requirement for parent and child parking, only disabled parking);***
- Γ ***The applicant has not relocated the store to the original Green Bengal footprint.***

Consultations

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

Planning History

The demolition of the former Green Bengal/Volunteer public house building followed by the erection of a single storey retail unit (class A1) and a single storey building comprising two commercial units (class A1, A2 and A3) together with the formation of a car park, new access, landscaping and associated works was refused at Planning Committee in March 2014 for the following two reasons:

- 1. The proposed development represents an over development of the site which will result in insufficient car parking provision within the site, contrary to Policies P5 and S1.2 of Bolton's Core Strategy and Supplementary Planning Document Accessibility, Transport and Road Safety.*
- 2. The proposed development would, by virtue of its design, height and siting, impact detrimentally on the outlook and living conditions of neighbouring residents, in particularly those of 9 Lords Stile Lane, and is contrary to Policy CG4 of Bolton's Core Strategy.*

The Council's decision was appealed by the applicant and was dismissed by the Planning Inspectorate on 19th August 2014. The Inspector however only dismissed the appeal on the grounds of the effect of the proposal on the outlook and living conditions of the residents of 9 Lords Stile Lane. The Inspector concluded that the proposal would not be harmful to highway safety, with particular regard to levels of parking provision proposed (reason 1 of the Council's refusal), or to any other neighbouring residents.

Prior approval was granted in May 2014 for the demolition of the former Green Bengal/Volunteer building (91708/14).

A number of extensions and alterations to the former public house building were approved between 1988 and 1996 (48613/96, 41017/92, 31551/88 and 30280/87).

Outline planning permission was granted in March 1979 for the erection of one block of

houses with integral garages, together with the construction of a vehicular/pedestrian access to Darwen Road (9845/78). The renewal of this outline permission was granted in March 1982 (18582/82).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

3. Development shall not commence until an 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.

Reason

To ensure the development is safe for use.

4. Prior to the commencement of development a full review of traffic regulation orders around the site shall be submitted to and approved in writing by the Local Planning Authority. Any promotions/revocations required are to be funded at the applicant's expense. None of the development shall be brought into use unless and until all developer obligations as set out in that scheme are fulfilled.

Reason

In the interests of highway safety.

5. Prior to the commencement of development full details of the highway works comprising the re-surfacing of the footway along Darwen Road across the site frontage 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.

6. 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. The lighting shall be designed to an illumination value of 5 lux at the nearest residential property. 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.

7. 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.

8. Before the development is first brought into use a detailed scheme shall be submitted to and approved by the Local Planning Authority showing the design, location and size of a facility to store refuse and waste materials. The approved scheme shall be implemented in full within 21 days of the Local Planning Authority approving the scheme in writing and retained thereafter.

Reason

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

9. Prior to the development hereby approved/permitted being first brought into use the existing vehicular access onto Darwen Road 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 Darwen Road, other than as shown on drawing ref: B/3784 09 Rev. D.

Reason

In the interests of highway safety.

10. Before the installation of any air conditioning units to each building full details, including design, siting and noise emission information, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.

Reason

To safeguard the amenity of neighbouring residents.

11. The fixed plant/equipment should be designed to give a rating level, as defined in BS4142:1997, 5dB below the night time LAF90 (5 min) or the daytime LAF90 (1 hour) whichever is the most appropriate, as measured 4 metres from the nearest residential property. The monitoring information and the acoustic calculations together with the proposed specifications of the fixed plant/equipment and any sound attenuation proposed should be submitted to and approved by the Local Planning Authority in writing prior to the development first being brought into use.

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial uses in the area.

12. Prior to the development hereby approved/permitted being brought into use a scheme shall be submitted to and approved in writing by the Local Planning Authority for the turning/loading/unloading of vehicles within the curtilage of the site to enable vehicles to enter and leave the site in forward gear. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter and not to be used for any purpose except the turning/loading/unloading of vehicles.

Reason

In the interests of highway safety.

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

Reason

To ensure adequate standards of privacy and amenity are obtained and the development reflects the landscape and townscape character of the area.

14. Prior to the development hereby approved/permitted being brought into use the means of vehicular access to the site from Darwen Road and the provision of a 1.8 metre wide footway in to the site shall be constructed in accordance with the drawing ref B/3784 09 Rev. D.

Reason

In the interests of highway safety

15. No deliveries shall be taken or dispatched from the premises outside the following hours:-

07:00 - 18:00 Mondays – Saturdays

08:00 - 18:00 Sundays

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

16. The premises subject of this consent shall not be open for trade outside the following hours:-

07:00 to 23:00 Mondays – Saturdays

07:30 to 22:30 Sundays

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

17. The development hereby approved/permitted shall be carried out in full accordance with the approved Delivery Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason

To safeguard the amenity of neighbouring residents.

18. This permission shall be limited to the following uses only within the unit numbers as specified on the approved site plan B/784 09 Rev. B:

Unit 1: A1 uses only

Unit 2: A1, A2 or A3 uses, with a maximum public floor area for any A3 use of up to 80 square metres

Unit 3: A1 or A2 uses only

Reason

For the avoidance of doubt as to what is permitted.

19. There shall be no subdivision of Unit 1, as shown on approved plan B/3784 09 Rev. D, at any time unless otherwise agreed in writing by the Local Planning Authority.

Reason

For the avoidance of doubt as to what is permitted.

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

B/3784 06 Rev. A; "Proposed Elevation"; dated July 2013

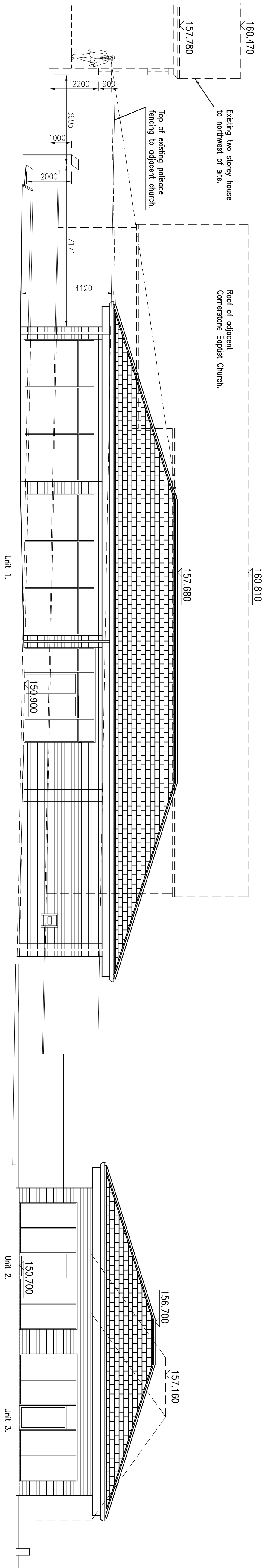
B/3784 09 Rev. D; "Proposed Site Plan"; dated 08/09/14

B/3784 12; "Unit No.1 Proposed Ground Floor Plan"; dated Jan 2014

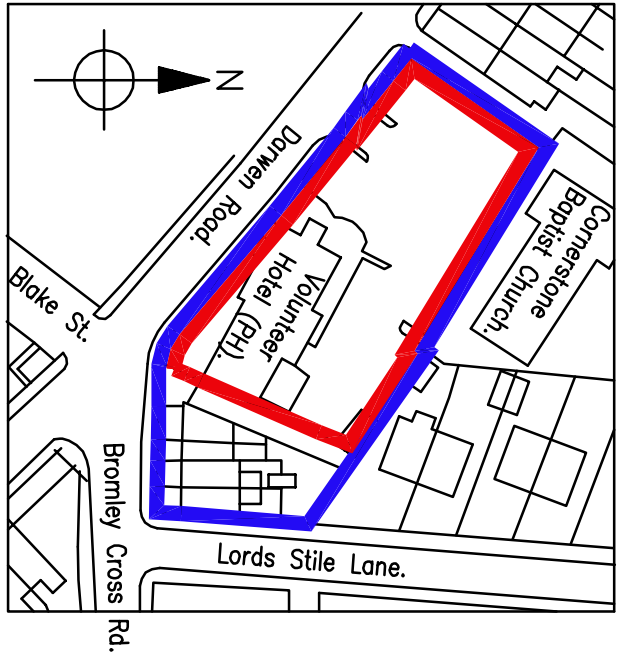
B/3784 22; "Units No.s 2 & 3 Proposed Ground Floor Plan"; dated Jan 2014

Reason

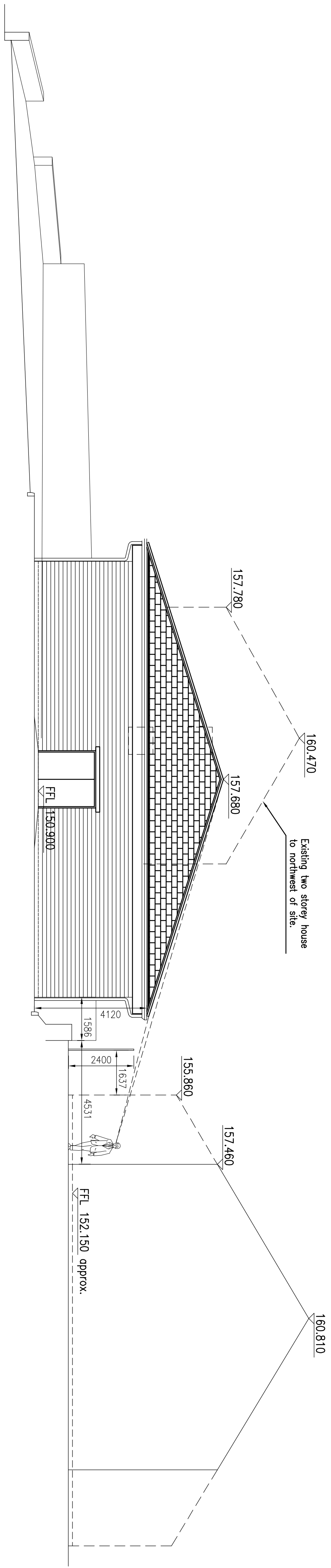
For the avoidance of doubt and in the interests of proper planning.



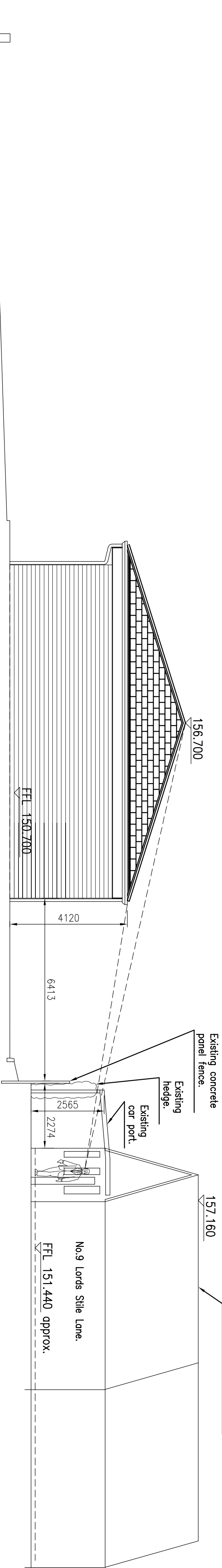
PROPOSED SOUTHWEST ELEVATION – UNITS 1, 2 & 3.
Scale 1:100



EXISTING
SITE LOCATION PLAN.
Scale 1:1250



PROPOSED SOUTHEAST ELEVATION – UNIT 1.
Scale 1:100



PROPOSED SOUTHEAST ELEVATION – UNIT 3.
Scale 1:100

| REF. | REVISION | DATE | INITIAL | APPV |
|------|--------------------------------|----------|---------|------|
| A | To suit revised scheme drg 09. | 12.11.14 | JPR | |

Scale 1:100

Status: BUILDING REGULATIONS

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Client: CW Construction Ltd.

Job: Proposed Development
158 Darwen Road, Bromley Cross.

Drawing Title:

Proposed Elevation.

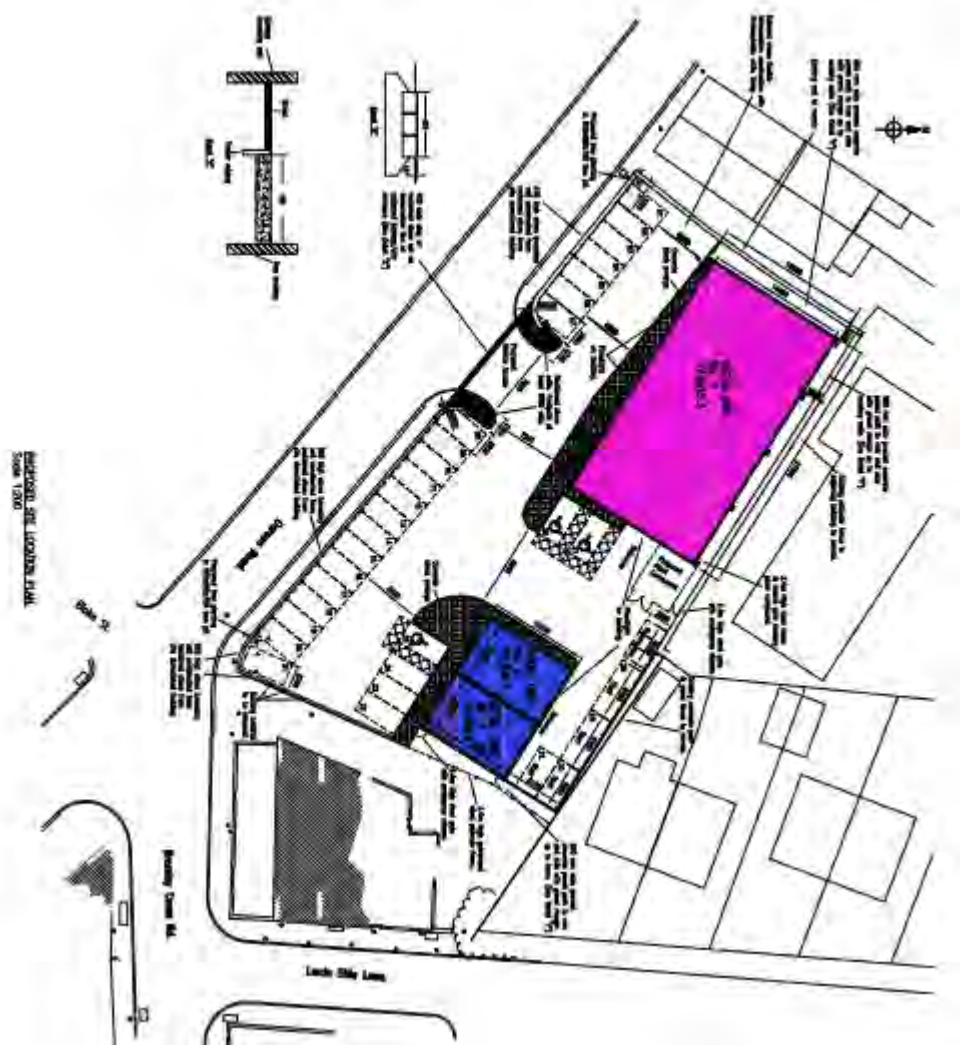
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|--------|-----------|---------|------|
| 2013 | B/3784 | 06 | A |
| Scale: | Date: | Drawn: | CKD: |
| 1:200 | July 2013 | JPR | SP |

FRANCIS BRADSHAW PARTNERSHIP
Consulting Civil and Structural Engineers,
Building Design Consultants, CDM Co-ordinators

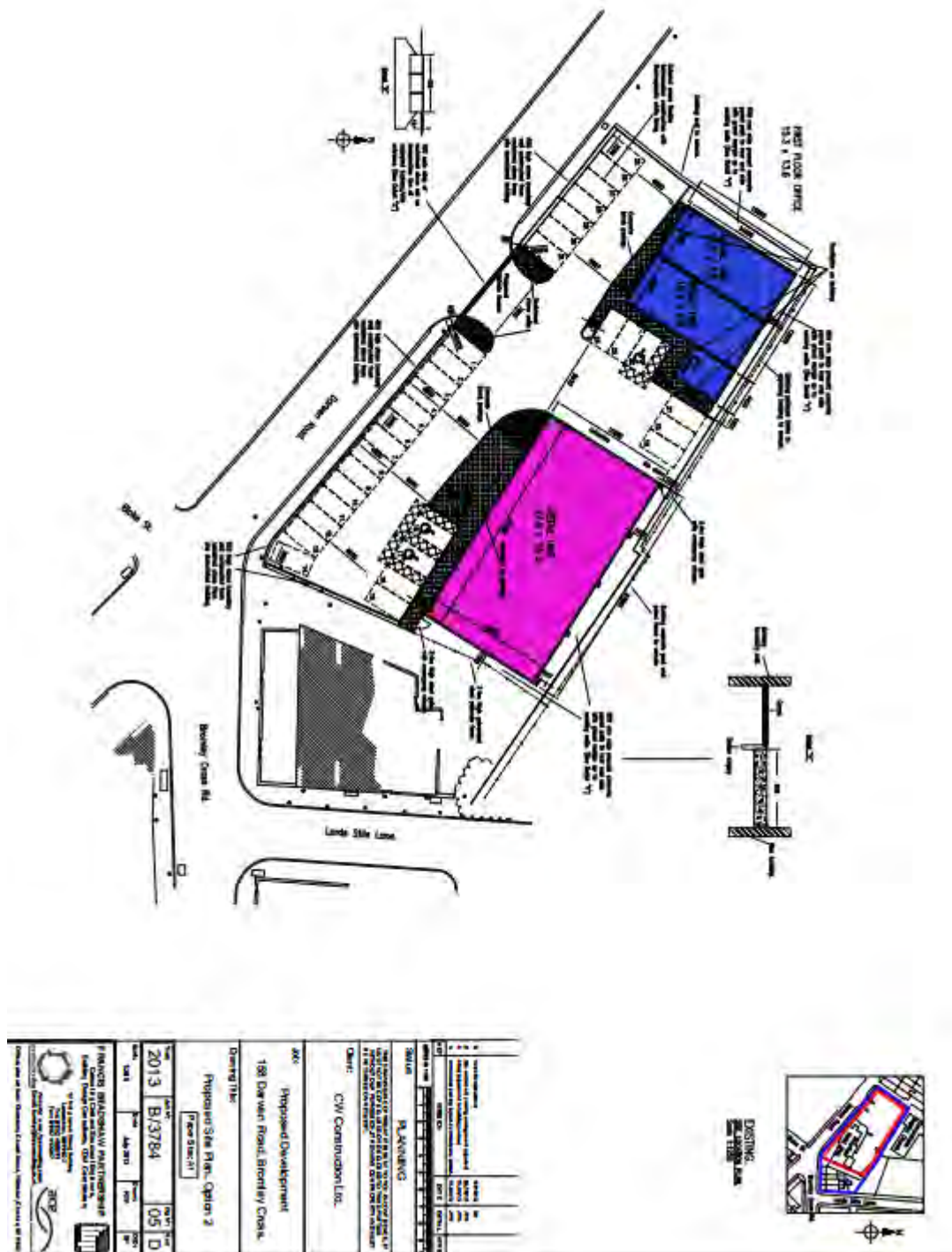
12 Hargreaves Street, Burnley
Lancashire BB10 2JZ
Tel: 01282 413 917
Fax: 01282 413 987
Website: www.fbpconsulting.co.uk
Email: burnley@fbpconsulting.co.uk

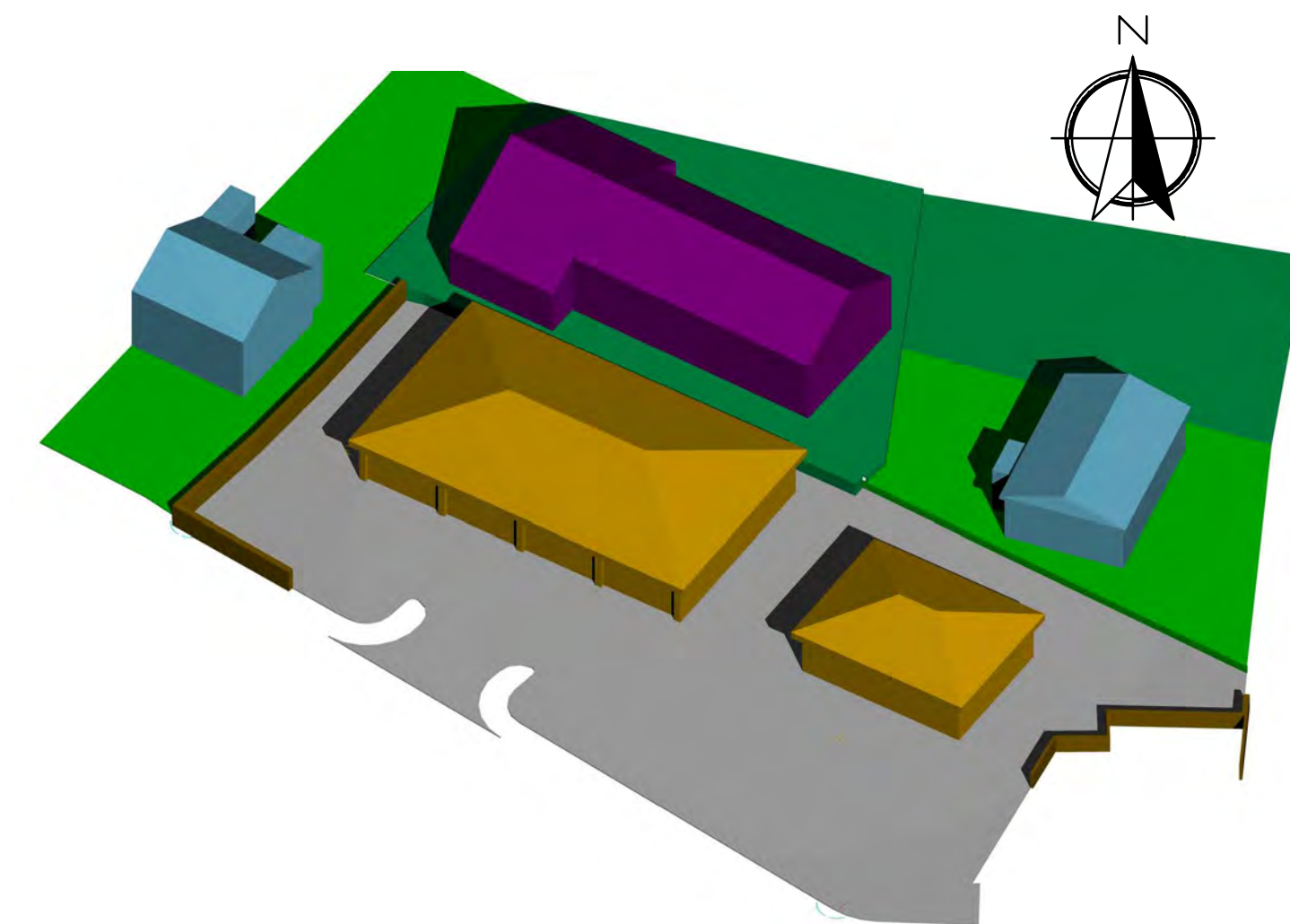
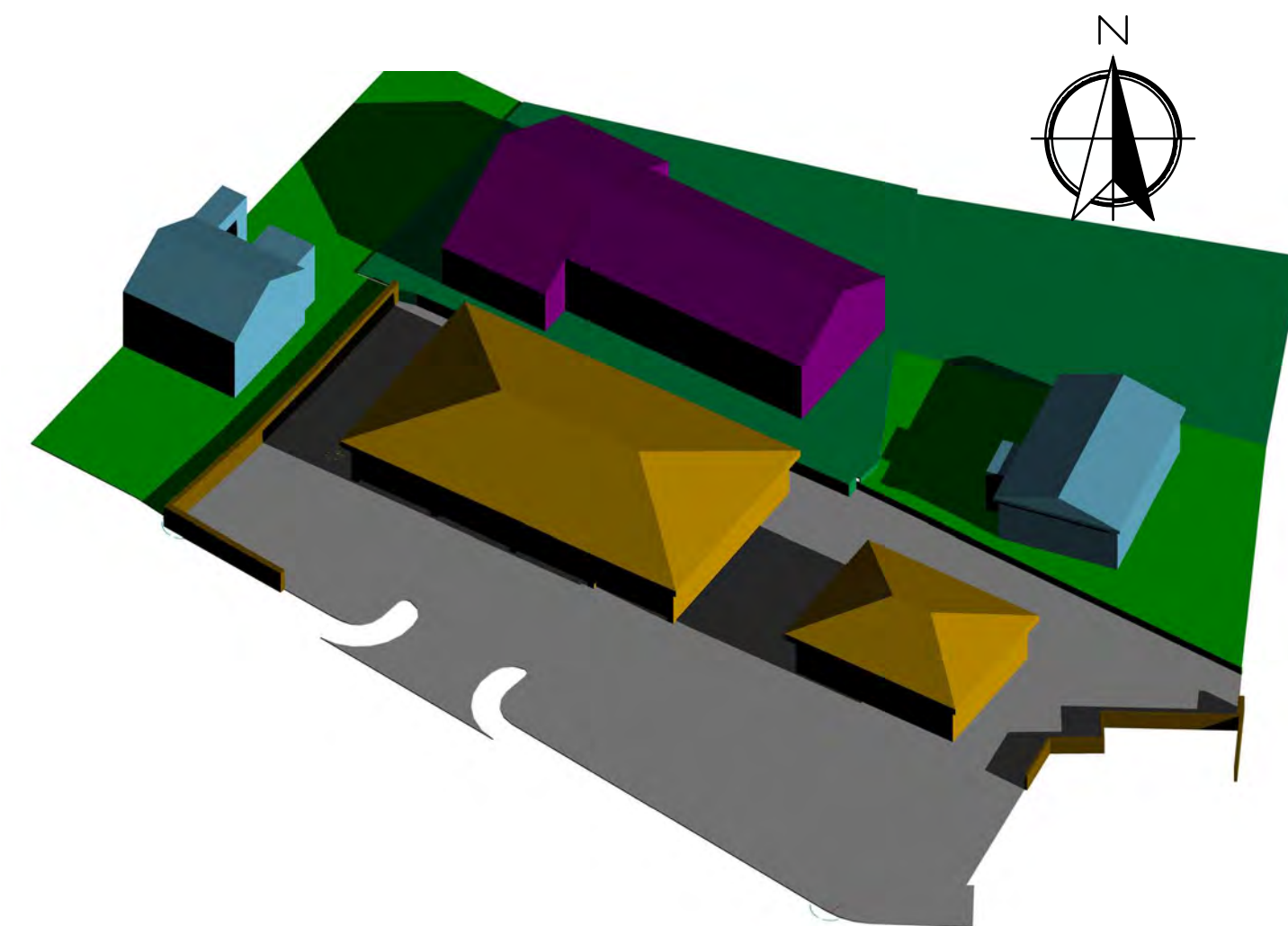
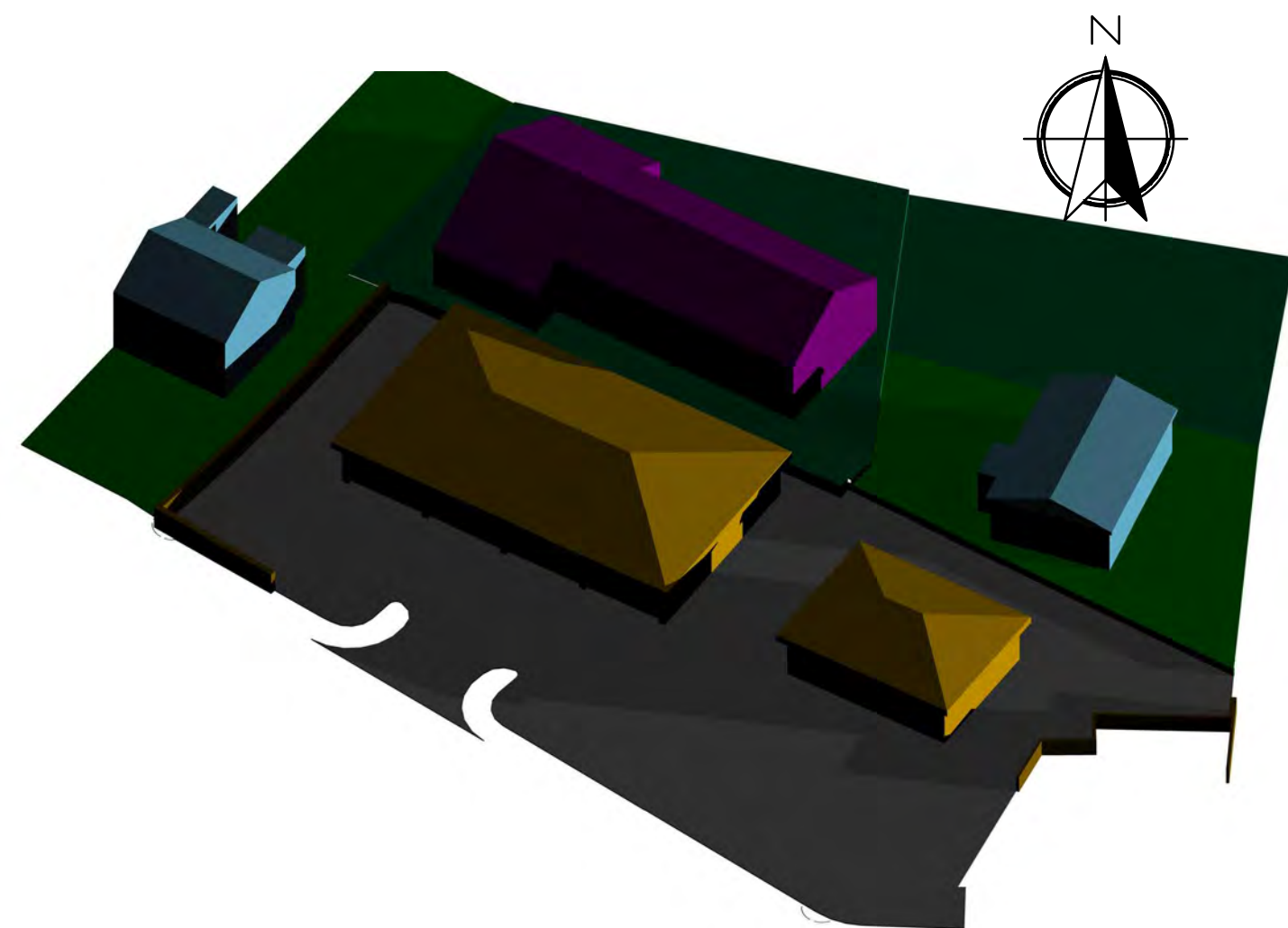
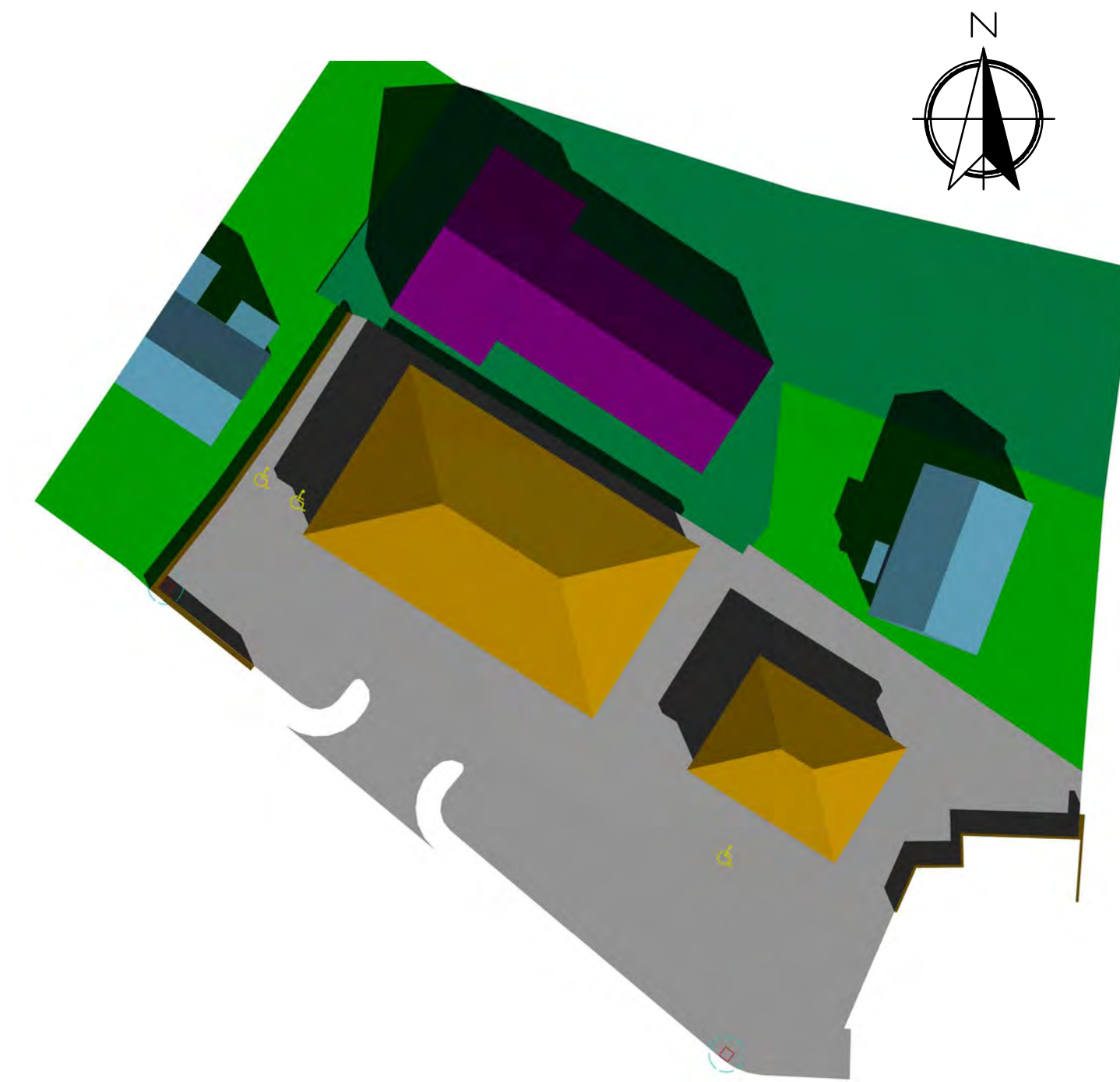
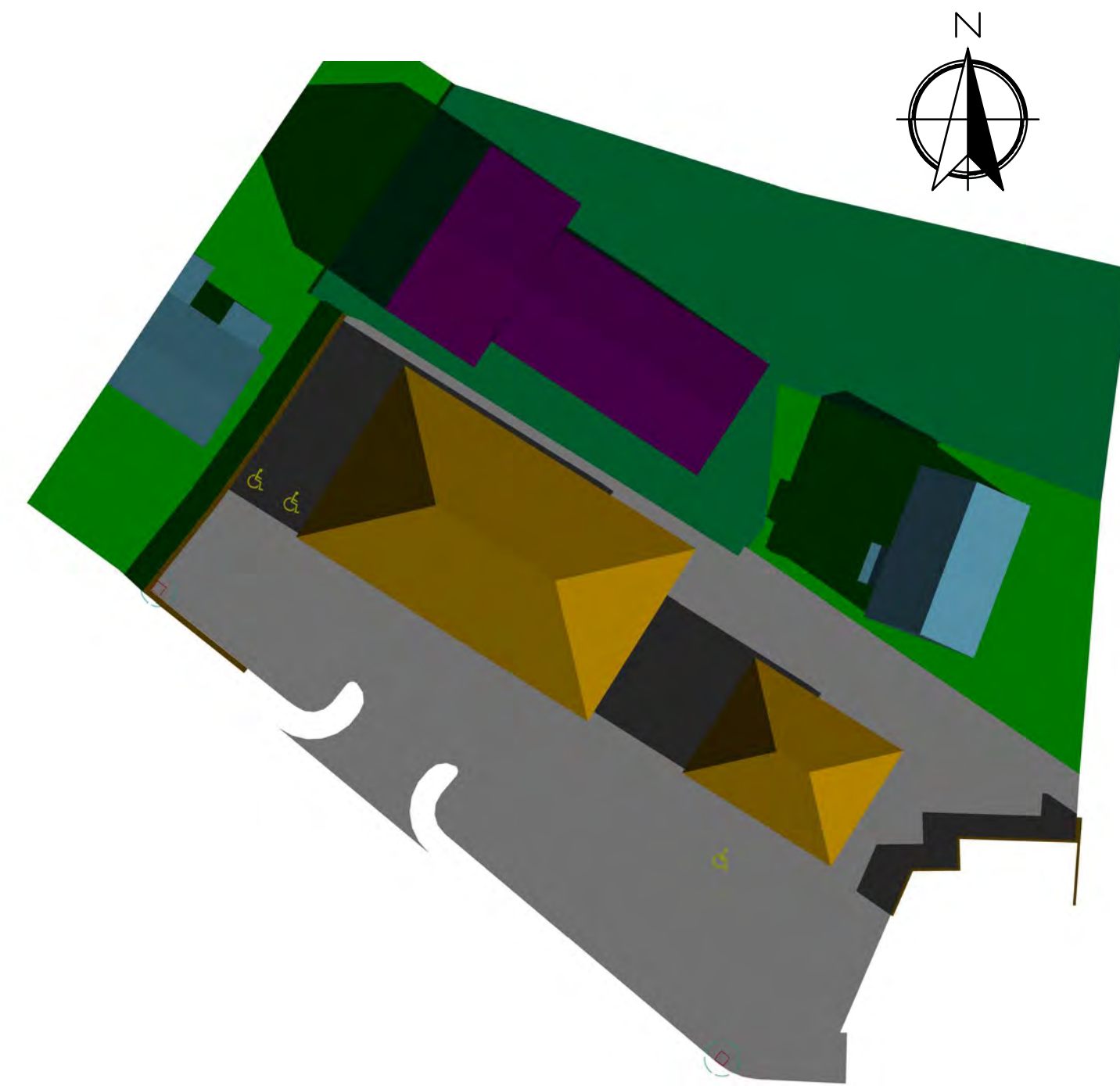
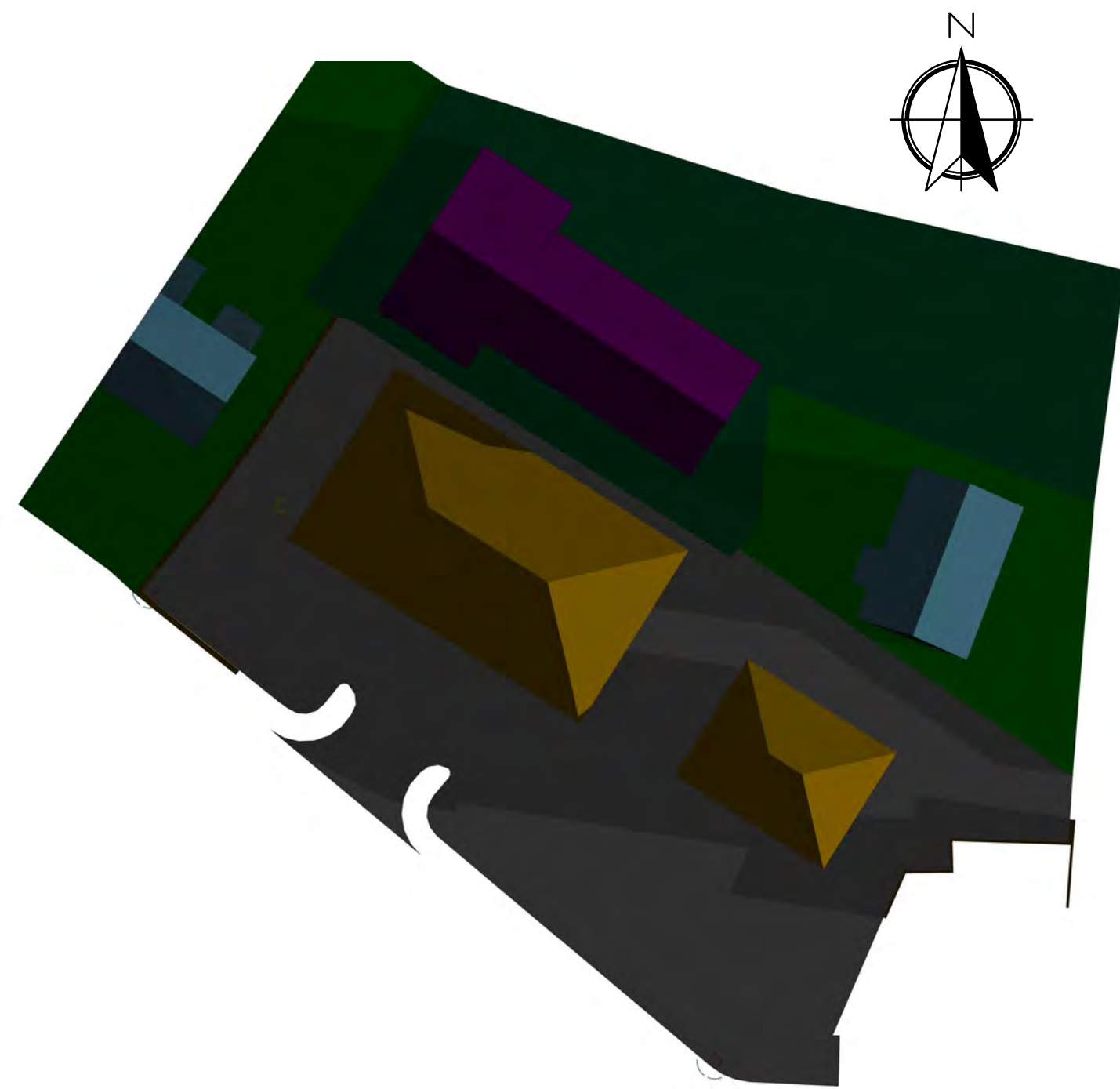
ace
Building Engineering Solutions
Offices also at Bank Chambers, Church Street, Winslow, Cheshire, SK9 7AU

Siting originally proposed within this application



Previously proposed site plan (90991/13)

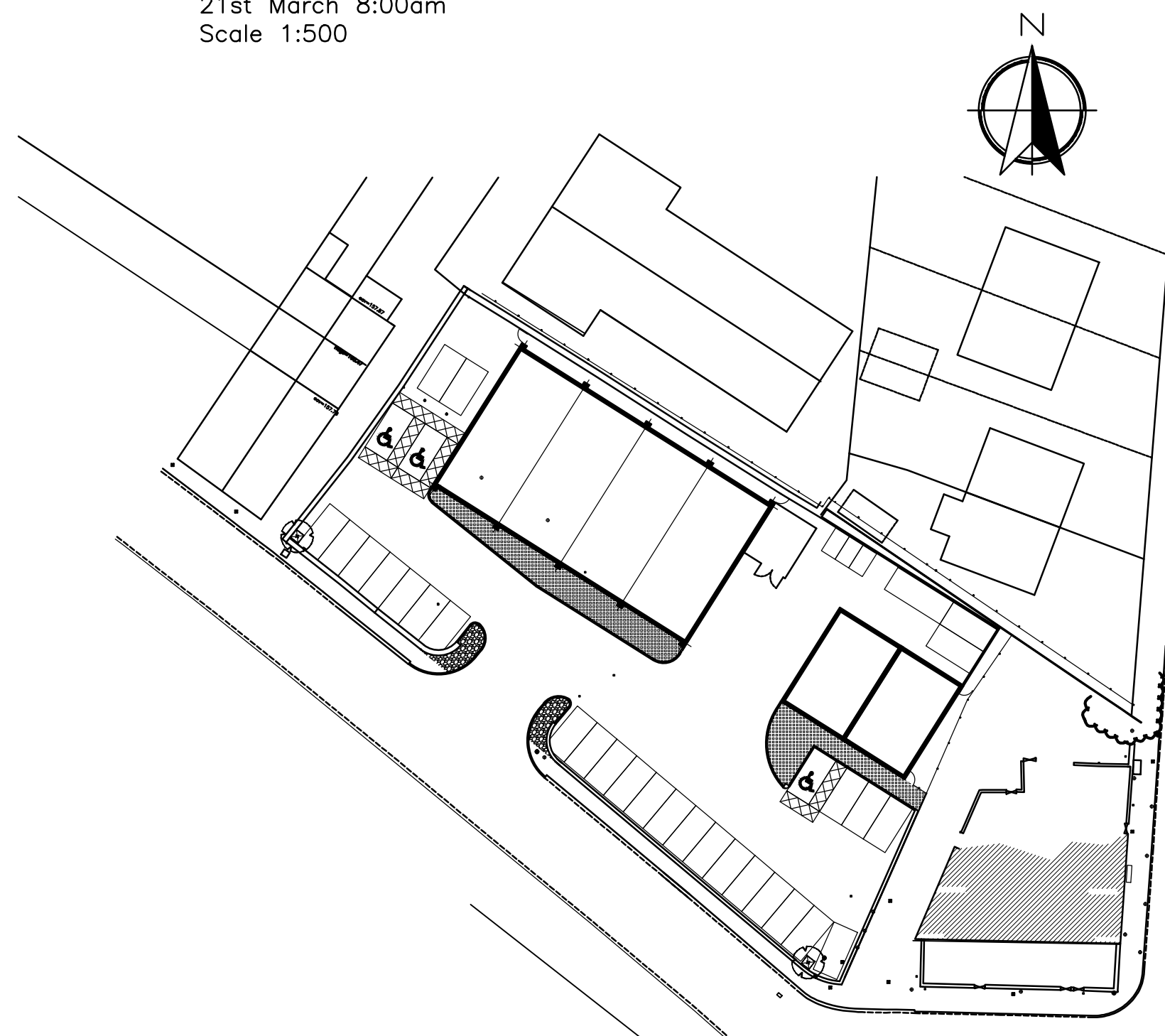




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VIEW LOOKING NORTH:
21st March 10:00am
Scale 1:500

VIEW LOOKING NORTH:
21st March 12:00pm
Scale 1:500



SITE PLAN:
Scale 1:500

CW Construction.

Unit 22,
Tonge Bridge Ind Est.
Tonge Bridge way,
Bolton BL2 6BD

Rev: Revised by: DATE:

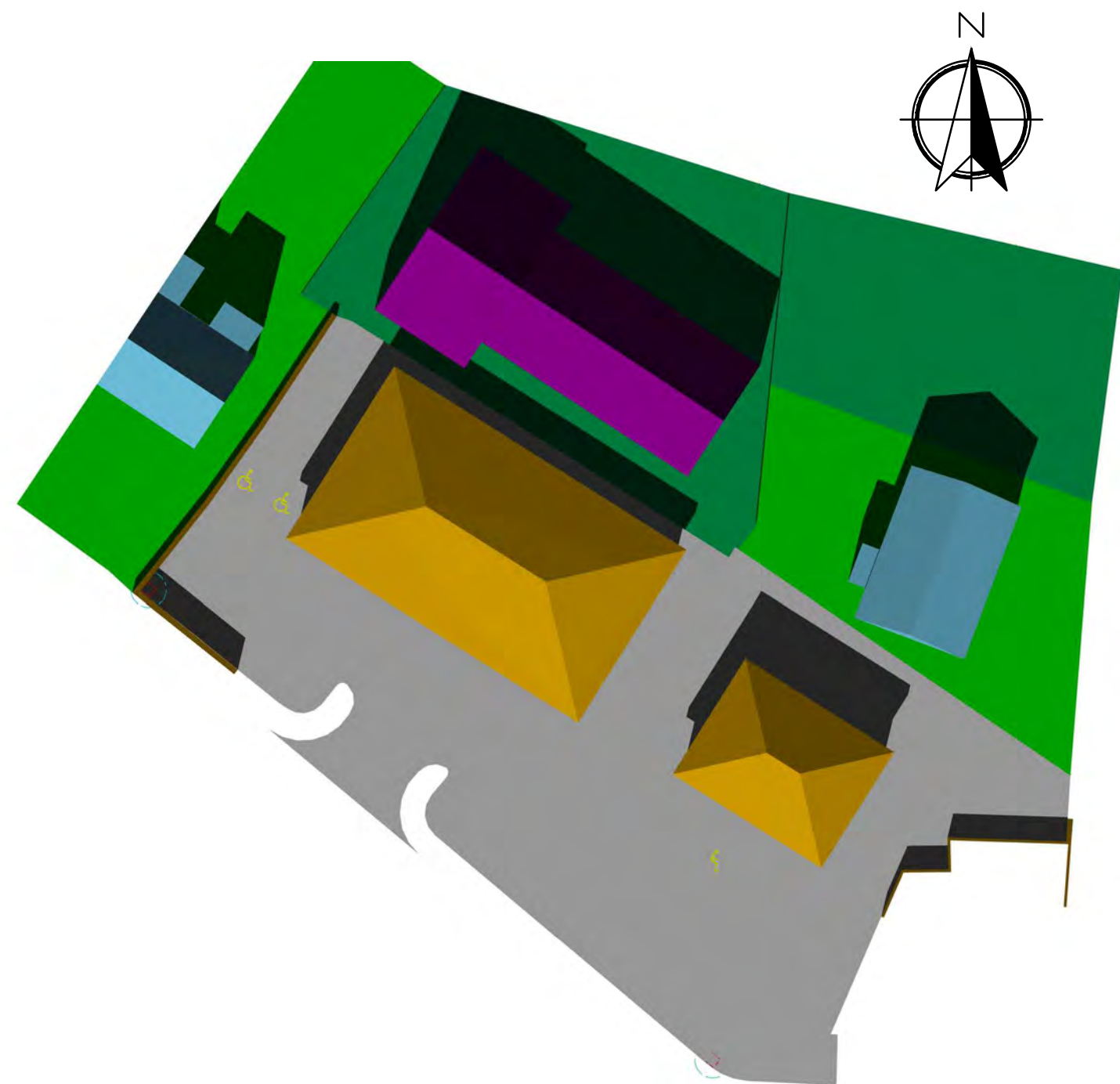
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Green Bengal,
Bromley Cross.
Bolton, BL7 9JJ

TITLE
Sunlight Study.
View Looking North.

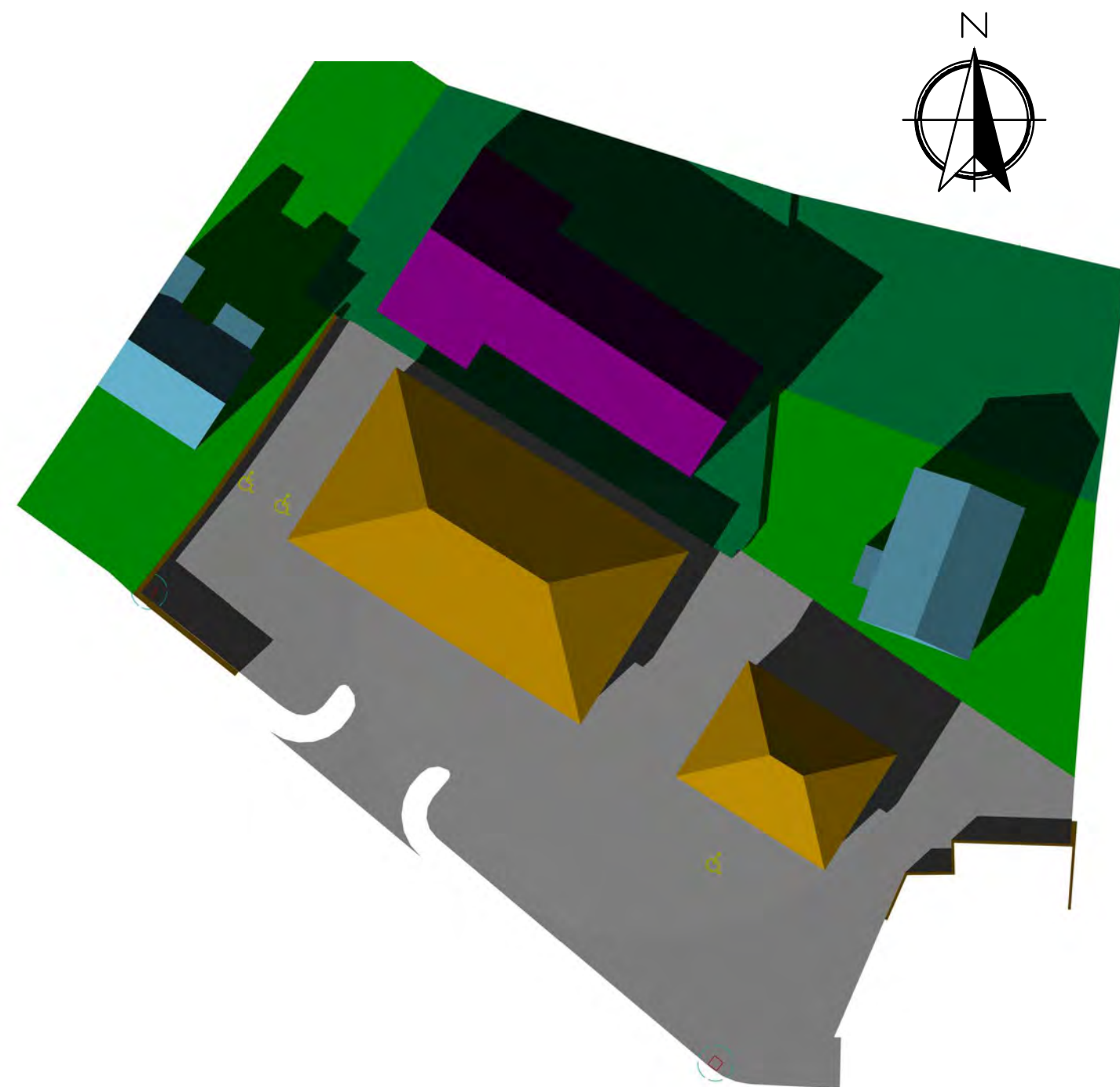
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S/300 200

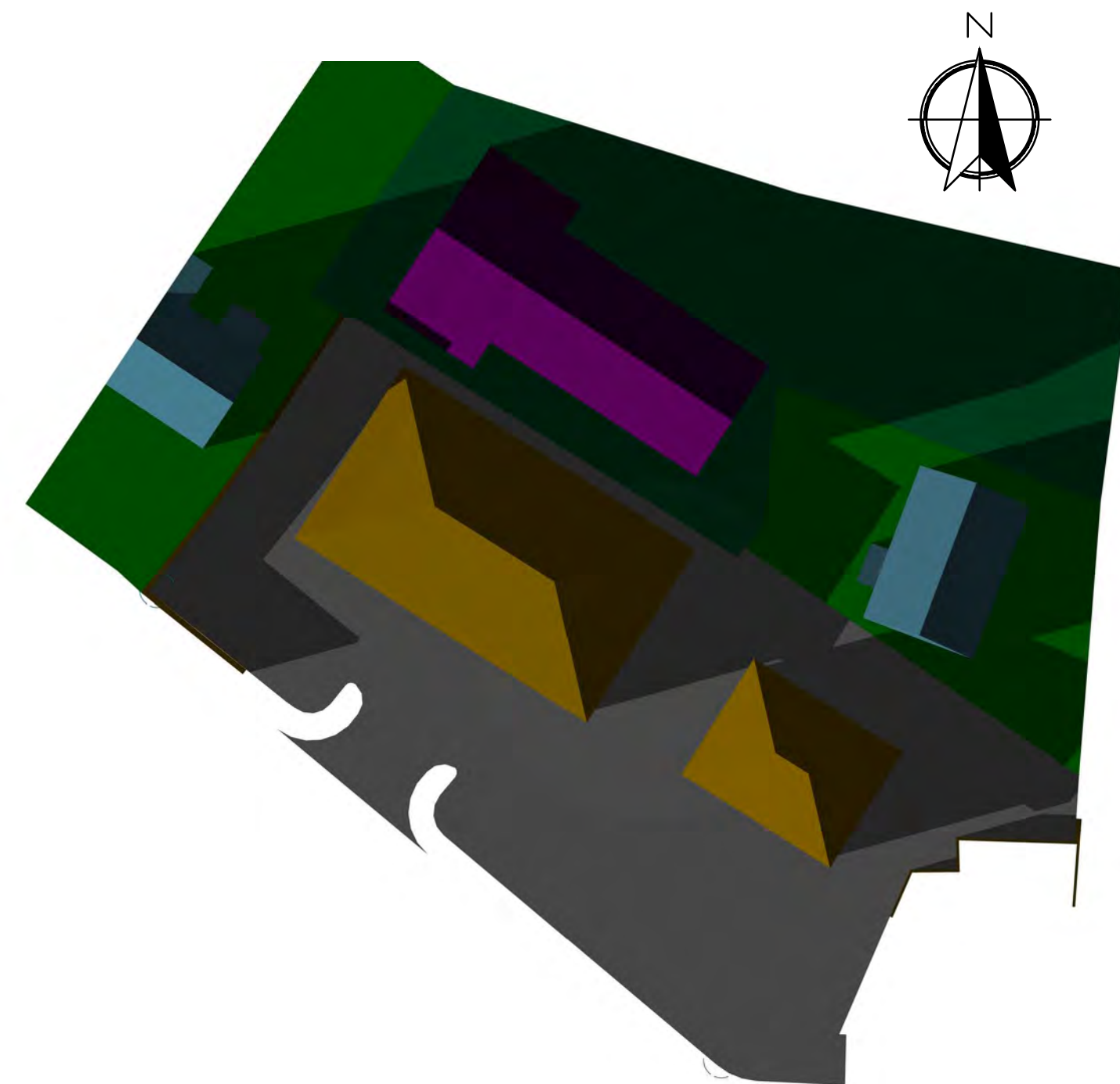
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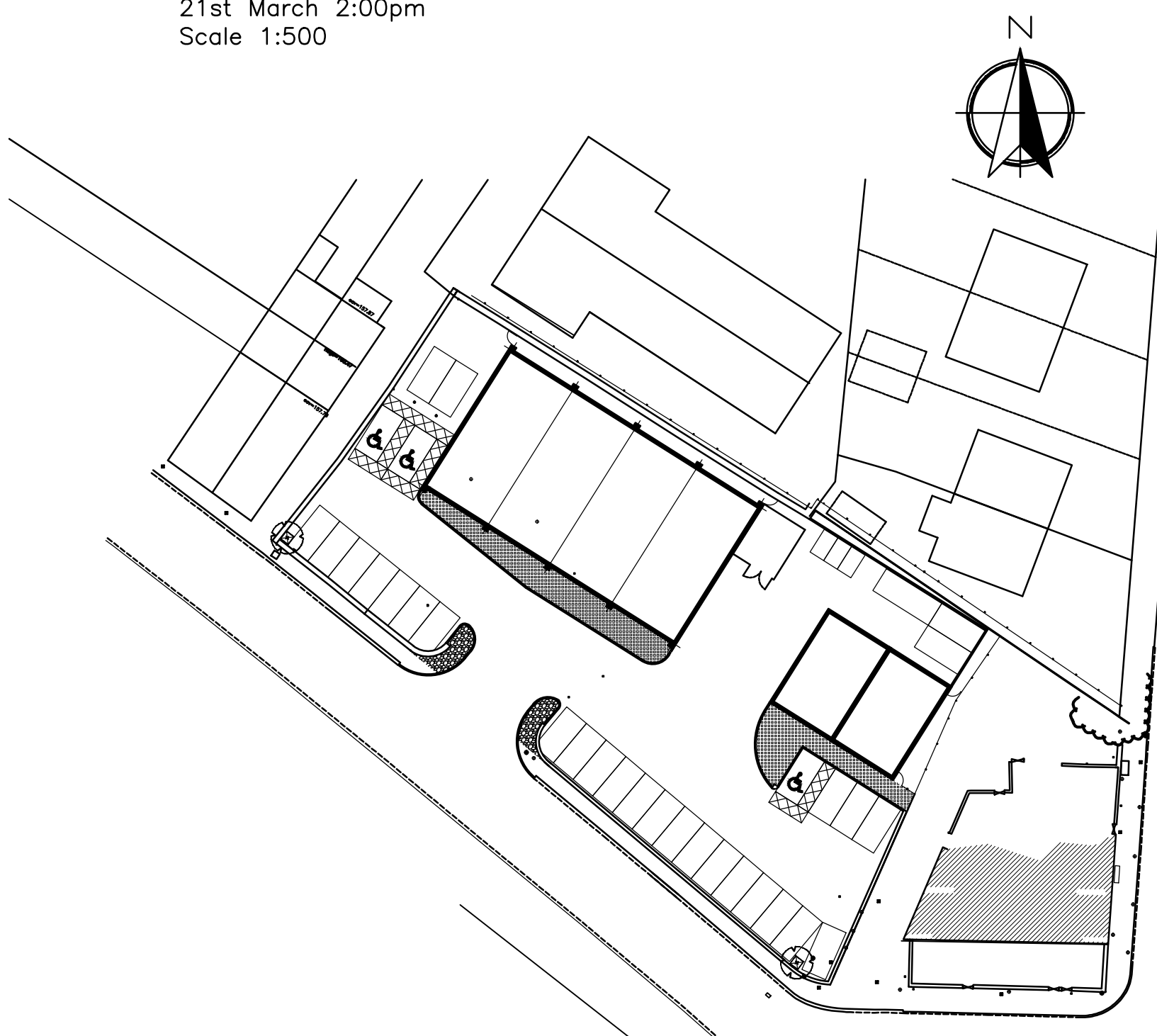
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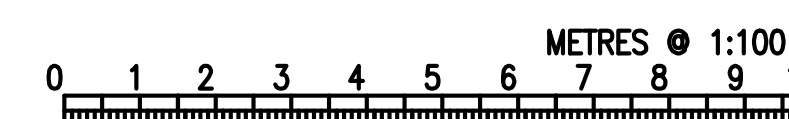
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VIEW LOOKING NORTH:
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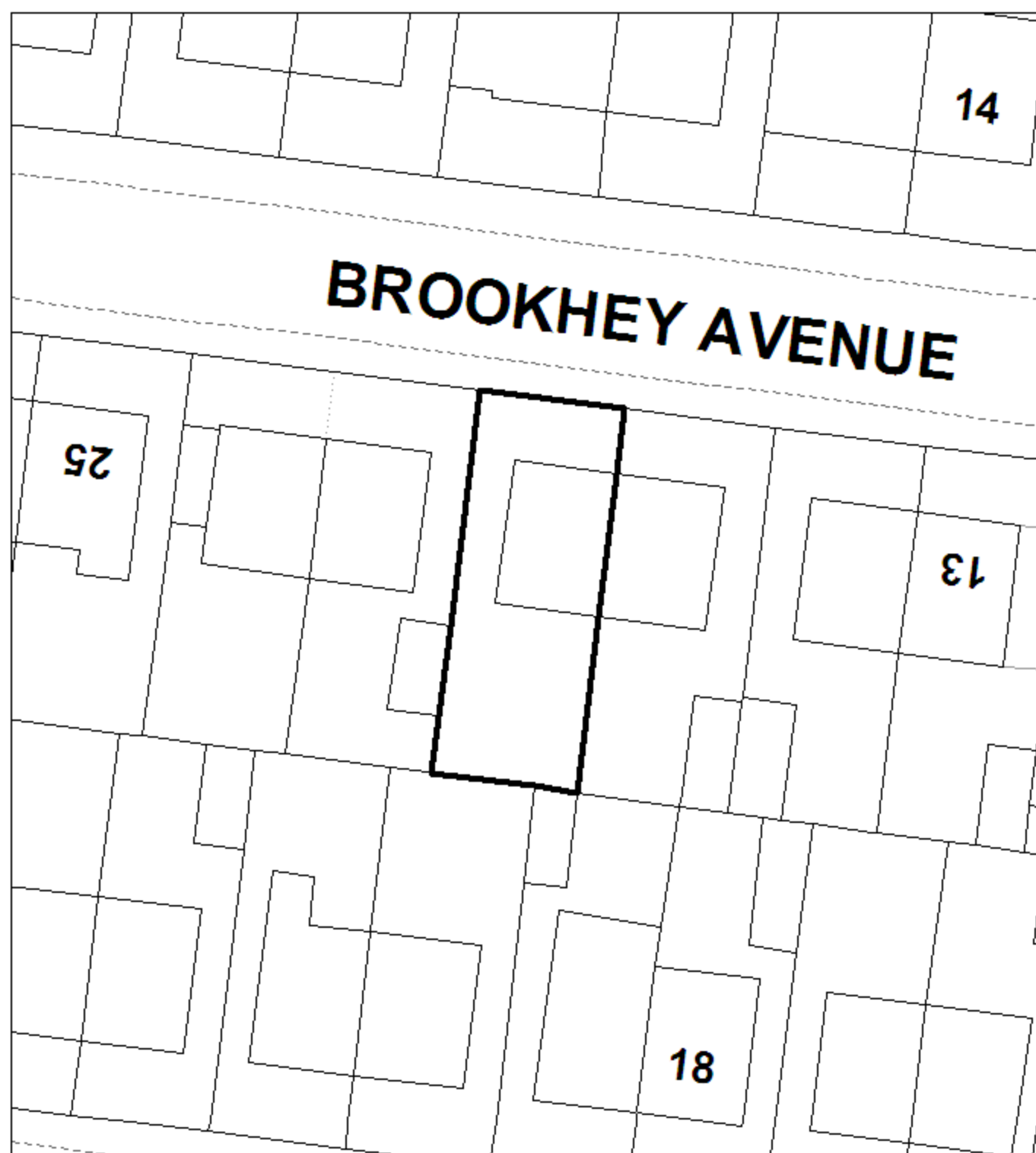
SITE PLAN:
Scale 1:500



| | | |
|--|----------|---------------|
| CW Construction. | | |
| Unit 22, Tonge Bridge Ind Est. Tonge Bridge way, Bolton BL2 6BD | | |
| | | |
| Rev: Revised by: DATE: | | |
| LOCATION Green Bengal, Bromley Cross. Bolton, BL7 9JJ | | |
| TITLE Sunlight Study. View Looking North. | | |
| DATE | SCALE | Original Size |
| Nov 2014 | As Shown | A1 |
| DRAWING No : S/300 201 | | |

Application No.

92843/14



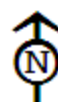
Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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Date of Meeting: 18/12/2014

Application Reference: 92843/14

Type of Application: Full Planning Application
Registration Date: 26/09/2014
Decision Due By: 20/11/2014
Responsible Officer: Helen Williams

Location: 19 BROOK HEY AVENUE, BOLTON, BL3 2EQ

Proposal: ERECTION OF TWO STOREY SIDE EXTENSION AND PART SINGLE/PART TWO STOREY EXTENSION TO REAR

Ward: Harper Green

Applicant: Mrs Yasin
Agent : RA Design & Project Management

Officers Report

Recommendation: Refuse

Background

This application was deferred at the last Committee meeting to allow the applicant to clarify why the proposed extension is required by the disabled resident. Members also did not consider there to be a need for high level windows at the rear and requested that these be replaced with some sort of obscure glazing.

The additional information from the applicant will be reported to Members at the meeting, as will the amendments to the rear windows.

Proposal

This application is a resubmission of application 92384/14, which was refused under delegated powers in September. The application was refused for the following two reasons:

- 1. The proposed extension, by virtue of its scale and siting, would be detrimental to the character and appearance of the area (due to a lack of bin storage) and would impact detrimentally on the outlook and living conditions of neighbouring residents at 22 Rishton Avenue, contrary to Policies CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".*
- 2. The proposed extension will result in the loss of the existing off-street car parking provision and will lead to an increase in demand for on-street parking to the detriment of highway safety and is contrary to Policy P5 and Appendix 3 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".*

The applicant has amended their application by setting the two storey side extension back 2 metres from the front elevation, showing a bin store to the front of the house, and

changing the rear bedroom window to a high level obscure glazed window.

The side extension is still proposed to abut the party boundary with 21 Brook Hey Avenue and will extend 3 metres at the rear, with the first floor being set in 2.1 metres from 17 Brook Hey Avenue (the other half of the semi pair). The extension would provide an extended kitchen and dining room and a WC/bathroom at ground floor level and an additional two bedrooms at first floor level.

The applicant has also now submitted a letter from the NHS regarding one of the residents. The submission however does not explain why the proposed extension would be required for this resident.

Site Characteristics

The application property is a two storey semi-detached dwelling sited in an area characterised by semi-detached dwellings. There is a driveway down the side of the property long enough for the parking of two vehicles. A flat roof detached garage/outbuilding at the rear/side of the dwelling is to be demolished to accommodate the proposed extensions.

21 Brook Hey Avenue has a kitchen and landing window at the side and a dining room window at the rear. This neighbour is set on a slightly higher level than the application property.

17 Brook Hey Avenue (the other half of the semi-detached pair) has a dining room window closest the party boundary with the application property.

The rears of the houses on Rishton Avenue are to the rear (south) of the application site.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: P5 Transport and Accessibility, S1.2 Road Safety, CG3 The Built Environment, CG4 Compatible Uses and RA2 Farnworth.

SPD House Extensions and PCPN2 Space Around Dwellings

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 dwelling and the surrounding area

- * impact on the amenity of neighbouring residents
- * impact on parking

Impact on the Character and Appearance of the Dwelling 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 RA2 of the Core Strategy relates specifically to developments in Farnworth and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment, will respect and strengthen the traditional grid-iron pattern and the street-scaping of existing houses where it is compatible with good urban design, and will require development to provide adequate privacy and amenity space.

SPD House Extensions provides general advice on house extensions and offers guidance relating to the effect of extensions on the appearance of the dwelling itself and the effect of extensions on the street scene and the character and appearance of the area.

The SPD states in paragraph 5.6 that the storage of waste bins is considered to be part of the essential consideration of any application submitted and applicants will be expected to demonstrate how waste bins are to be securely stored within the curtilage without appearing visually intrusive in the street scene. As such, proposals for extensions should ensure that access and space is available to enable bins to be stored at the rear of the dwelling. If access is to be blocked or removed as a result of a proposed extension, a purpose built bin store compound/screen should be provided.

The original application for the extensions (92384/14) was refused in part as there was no provision shown on the plans for the storage of bins (the side extension was to abut the party boundary with 21 Brook Hey Avenue meaning that bins could not be taken to the rear). The resubmitted application now shows a proposed purpose built bin store to the front of the dwelling. It is therefore considered that the first part of the first reason for refusing application 92384/14 has been addressed.

The proposed side extension is now also proposed to be set back (at both ground and first floor levels) 2 metres from the front elevation of the existing dwelling. This set back along with the extension having a lower roof ridge than the main dwellings ensures that the extension would appear subservient to the main dwelling and would reduce any terracing effect.

It is therefore considered that the proposed extensions would appear subservient to the main dwelling and would not be to the detriment of the character and appearance of the street scene, compliant with Policies CG3 and RA2 of the 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 House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the Council's minimum interface standards between dwellings.

Impact on 17 Brook Hey Avenue

No. 17 has patio doors serving a dining room in the rear elevation (a main window). The proposed rear extension would impinge on a 45 degree line from the centre point of these doors, however the SPD allows for 3 metre two storey rear extensions if they are set away from any shared boundary by at least 2 metres. The proposed first floor rear element will be set in 2.1 metres from the boundary with no. 17.

Impact on 21 Brook Hey Avenue

No. 21 has a kitchen and landing windows in its side elevation. These are not classed as a main rooms/windows and therefore are not afforded protection within the SPD. The proposed rear element would not impact on a 45 degree angle from the centre of any main window in the rear elevation of no. 21.

Impact on 22 Rishton Avenue

The previous application for the proposed extensions (92384/14) was refused in part due to its detrimental impact on the outlook and living conditions of the residents at 22 Rishton Lane.

The rear of 22 Rishton Avenue is sited to the rear of the application site. There is currently only an interface distance of approximately 18.6 metres between the original rear elevation of no. 22 and the original rear elevation of the application property, which already falls short of the minimum interface standard of 21 metres for new builds set out within PCPN2 and the SPD. The proposed two storey side and rear extension would reduce this interface distance by another 3 metres to approximately 15.6 metres. The applicant has attempted to address the previous reason for refusal by replacing the previously proposed bedroom window with a high level obscure glazed window. Whilst this removes any main windows from the first floor of the extension, there are still dining room patio doors at ground floor, meaning that the minimum interface distance of 21 metres would still apply (and it is still not met). In any event it is not considered that the proposed high level window for the proposed main bedroom of the dwelling would be a good design solution and there may be pressure in the future for this to be enlarged (which would impact further on the privacy of the residents to the rear). It is therefore still considered that the proposal would impact detrimentally on the outlook and living conditions of the residents at 22 Rishton Avenue.

The applicant has submitted with their resubmitted application a letter from the NHS regarding one of the residents. Paragraph 1.11 states that the Council is sympathetic to the additional needs to people with disabilities which may make a departure from the guidance necessary. However detailed evidence of disability will be required as may evidence of a needs assessment conducted by an appropriate professional advisor, to demonstrate why an extension which would normally be considered acceptable in planning terms should be granted permission on the basis of such individual circumstances. The submission does not evidence why the proposed extension (providing an increased kitchen and dining room and WC/bathroom at ground floor and two additional bedrooms at first floor) is required by the resident the NHS letter refers to; there is no justification provided for the scale of the two storey extensions.

It is therefore considered that the proposed extensions are contrary to Policy CG4 of the Core Strategy and the guidance contained within SPD House Extensions, as there would be an undue impact on the residents at 22 Rishton Avenue.

Impact on Parking

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on highway safety.

There is an existing driveway to the side of the dwelling, which currently allows for the off-street parking of two vehicles. The SPD states that side extensions which do not provide a garage or car port should maintain adequate provision within the curtilage of the dwelling for the parking of two vehicles.

The previous application for the development (92843/14) was refused (second reason) as the side extension would have resulted in the loss of the side driveway. The resubmitted application now proposes to set the side extension back 2 metres from the front elevation of the dwelling, therefore creating a parking space 5.57 metres long in front of the side extension.

The submitted plans also illustrate a car being parked at a 45 degree angle to the front of the dwelling. The Council's Highways Engineers however comment that this diagonal space would be impractical and only the space in front of the side extension would be accessible. As the proposed extensions would increase the dwelling from a three bedroom dwelling to a five bedroom dwelling Engineers consider the provision of only one off-street parking space to be insufficient.

It should be also noted that on-street parking on Brook Hey Road is already prevalent and therefore the further loss of off-street car parking should not be supported.

It is therefore considered that the proposed extensions remain contrary to Policies P5 and S1.2 of the Core Strategy as there will be a loss of existing off-street parking.

Conclusion

For the reasons discussed above it is considered that the proposed side and rear extensions will still unduly harm the amenity of the residents at 22 Rishton Avenue and will result in the unacceptable loss of off-street parking, contrary to Policies CG3, P5 and S1.2.

Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters:- three letters of objection have been received from neighbouring residents at 21 Brook Hey Avenue and 20 and 22 Rishton Avenue. These letters raise the following concerns:

- Γ The distance between the proposed extension and the houses on Rishton Avenue will leave little privacy for neighbours and the residents of 19 Brook Hey Avenue; We can see into the back rooms of other properties now;
- Γ The extension will be imposing to those houses at the rear due to the close proximity;
- Γ Loss of light;
- Γ The kitchen and landing windows at the side of 21 Brook Hey Avenue will be blocked of natural light (*officer's comment: these windows are not classed as main windows within the SPD*);
- Γ The rear view of 21 Brook Hey Avenue will be spoilt by a high brick wall (*officer's comment: views are not a material planning consideration*);
- Γ Impact on the amenity of neighbouring residents;
- Γ The proposal will create a terracing effect;
- Γ It will be detrimental to the character and appearance of the area;
- Γ The owner of 19 Brook Hey Avenue have removed branches from a large tree in their back garden to get more light into their property (*officer's comment: this tree is not protected or in a conservation area and therefore this is not a planning concern*);
- Γ The side extension leaves no appropriate access for the fire brigade if a fire was to occur (*officer's comment: this would be a matter for building regulations rather than planning*);
- Γ The proposal is causing extreme stress and anxiety (*officer's comment: whilst officers have sympathy for those directly affected by proposals, this is not a material planning consideration*);
- Γ Devaluation of property (*officer's comment: this is not a material planning consideration*).

Elected Members:- Cllr. Mistry has requested that this application be heard before Committee.

Consultations

Advice was sought from the following consultees: Highways Engineers.

Planning History

Application 92384/14 for the erection of a two storey extension at the side and a part single, part two storey extension to the rear was refused under delegated powers in September for the following two reasons:

1. The proposed extension, by virtue of its scale and siting, would be detrimental to the character and appearance of the area (due to a lack of bin storage) and would impact detrimentally on the outlook and living conditions of neighbouring residents at 22 Rishton Avenue, contrary to Policies CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

2. The proposed extension will result in the loss of the existing off-street car parking provision and will lead to an increase in demand for on-street parking to the detriment of highway safety and is contrary to Policy P5 and Appendix 3 of Bolton's Core Strategy and

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed extension would, by virtue of its scale and siting, impact detrimentally on the outlook and living conditions of neighbouring residents at 22 Rishton Avenue, contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".
2. The proposed extension will result in the loss of existing off-street car parking provision 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 of Bolton's Core Strategy and Supplementary Planning Document "House Extensions".

Date of Meeting: 18/12/2014

Application Reference: 92863/14

Type of Application: Listed Building Consent
Registration Date: 29/10/2014
Decision Due By: 23/12/2014
Responsible Officer: Jodie Turton

Location: FINISHERS ARMS, 487 CHURCH ROAD, BOLTON, BL1 5RE

Proposal: LISTED BUILDING CONSENT TO REMOVE INTERNAL WALLS,
OPENING OF FIREPLACES, REPLACE FIXED SEATING,
REFURBISHMENT OF BAR AND OTHER GENERAL ALTERATIONS

Ward: Smithills

Applicant: Punch Taverns Ltd
Agent : Millson Associates Ltd

Officers Report

Recommendation: Refuse

Proposal

The application proposes internal structural and non-structural alterations to this Grade II listed building. The alterations comprise of:

Internal works (structural) proposed:

1. Removal of internal walls to create open plan layout.
2. Remove and cut back existing fixed seating.
3. Removal of stud partition walls and relocation of the door to the base of the stairs.
4. Raising of floor level between the bar area and the two adjoining rooms so that the trade area runs through.
5. Creation of open fireplace.

Internal works (non-structural) proposed:

6. Alterations to the bar area including: polishing of bar top, upgrade back bar, removal of shelving, stripping out of existing sink and drainer and replacement with 2 no. half sinks with new drainer, strip out over bar and install wrought iron downstands and glass shelving for storage.
7. Recover fixed seating.
8. Full internal decoration.
9. Works to toilet areas.
10. Create gas catalytic stove and surround.
11. Shelving to bar to be removed as beyond repair.
12. Allow for new screen to end of fixed seating and AWP.
13. New TV points and additional electrical sockets.
14. Insertion of 5 new seating booths.
15. New poseur height furniture.

16. Allow for 10 seat butchers block table.
17. Remove fixed seating.

Site Characteristics

The Finishers Arms is a Grade II listed public house. The building is an end terrace property, which has historically been knocked through with the adjoining terrace cottage to form a larger public house building.

Policy

National Planning Policy Framework (2012): 7. Requiring good design; 12. Conserving and enhancing the historic environment.

National Planning Practice Guidance (March 2014)

Core Strategy Objectives: SO11 Built Heritage

Core Strategy Policies: CG3 Built Environment; OA5 West Bolton.

PCPN20 Listed Buildings

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 integrity of the listed building

Impact on the Character and Integrity of the Listed Building

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides the primary legislation controlling the impact of development proposals on heritage assets. Section 72 of the Act 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.

Section 66 of the Act places a general duty on Local Planning Authorities that in considering whether to grant planning permission for development which affects a listed building or its setting, the 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.

Section 12 of the National Planning Policy Framework (2012) is concerned with the

conservation and enhancement of the historic environment. The guidance requires local authorities to have a positive strategy for the conservation and enjoyment of the historic environment. Paragraph 131 is concerned with determining planning applications, stating that local authorities should take account of:

-) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
-) the positive contribution that conservation of heritage assets can make to sustainable communities, including economic viability; and
-) the desirability of new development making a positive contribution to local character and distinctiveness.

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. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Para 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The recently launched Planning Practice Guidance (March 2014) is a material consideration in the determination of a planning application. In terms of the issue of the impact on heritage assets, the guidance reiterates the NPPF but goes on to add that conservation is an active process of maintenance and managing change and that generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. It is recognised that putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

Due to the nature of the works proposed the Council's conservation advisor was consulted on the application proposal. Whilst some of the works proposed are minor, cosmetic works which will not have any detrimental impact upon the fabric of the heritage asset, the more fundamental structural works will have an obvious impact on the historic fabric of the building.

The main areas of concern are the demolition of the internal walls to create an open plan space and the levelling of the floors. Internally, the built form is reflective of the fact that the public house was once two separate buildings, shown by the walls that separate the bar area with the two side rooms and the step down to these rooms. To demolish the walls giving an open plan ground floor area and to level the floors would impact detrimentally on the character and integrity of the listed building. The Council's conservation advisor states that these works would be unacceptable given that, *"the C19th internal walls form part of the historic fabric of the listed building and the surviving plan form is of high significance, illustrating the development and expansion of the pub into the adjacent property. They are key elements in defining the special interest of the pub interior."* Furthermore, the Conservation advisor considers that the fixed seating should be retained where possible given the need to retain the original wall behind. However, if evidence can be provided that the removal of this would not result in damage to the wall then planning officers do not consider this to be harmful. There is no objection to the removal of the 1970s stud wall.

It is considered that other, less harmful, alterations could be carried out to achieve a more open plan circulation area, without stripping out the heritage value of the building. Although it is understood that the pub requires modernisation and the decor is very dated, many of the most successful real ale pubs thrive due to their cosy layout, with smaller rooms, open fires and sympathetic layout and decor. Whereas, larger town centre pubs, which also provide an entertainment venue role succeed with larger, open plan spaces. On this basis, although all of the non-structural works are acceptable, in addition to the creation of a fireplace, removal of the stud wall and potentially the removal and cut back of the existing fixed seating, the main structural works are not.

On site, more limited structural works were discussed, retaining the floor levels but introducing larger openings through to the bar area and introducing an opening between the two side rooms. The applicant was not in favour of these proposals however as they did not consider the works to present the optimum alterations to maximise the viability of the business.

Overall, the alterations as proposed are considered to present a detrimental impact to the fabric of the listed building and are thereby contrary to policy.

Conclusion

Whilst the viability of the building in continued use as a public house is acknowledged to be a valuable asset to the local community, the impact of the proposed alterations on the heritage asset are not considered to outweigh the damage. On this basis, the application is considered contrary to policy and is therefore recommended for refusal.

Representation and Consultation Annex

Representations

Letters:- one letter of comment has been received from a nearby resident, raising concerns that the proposed alterations mean the change of use of the premises to a restaurant, which will result in more cooking smells for local residents. Furthermore, comment was raised about the appearance of the existing extractor fan.

Consultations

Advice was sought from the following consultees: Conservation Advisor (Stockport Council)

Planning History

Planning permission and listed building consent was granted in January 2005 for the installation of signage and floodlights (69598/04 and 69599/04).

Listed building consent for the installation of hanging baskets and trough planters and the alteration to the door surround was granted in November 1996 (49409/96).

Planning permission and listed building consent were granted in April 1993 for the installation of flood lighting and signage (42759/93 and 42760/93).

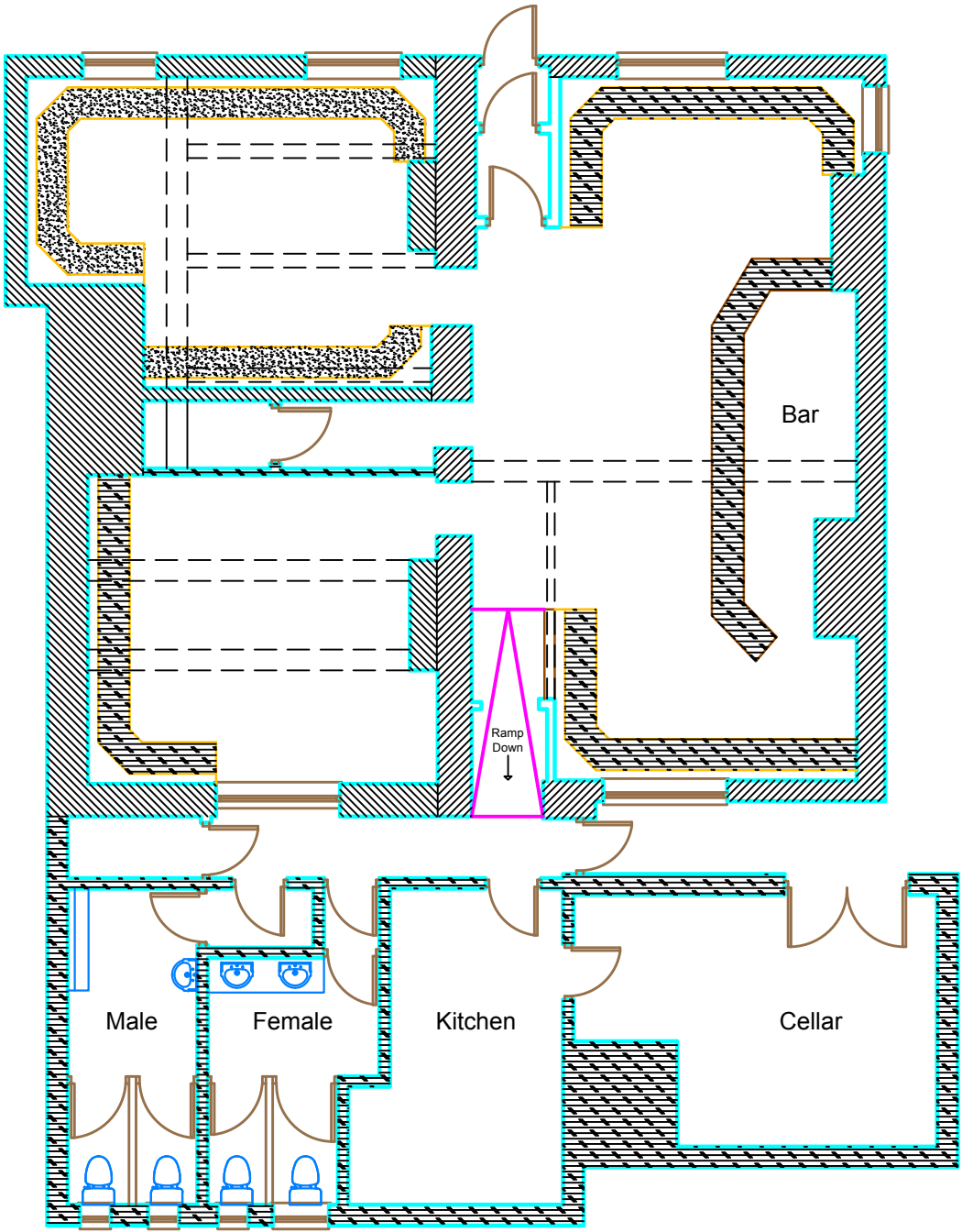
Recommendation: Refuse

Recommended Conditions and/or Reasons

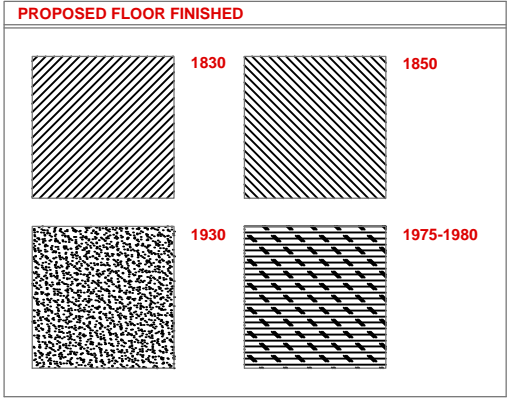
1. The proposed development by virtue of the demolition, design and layout will have a detrimental effect on the historic fabric, integrity and character of the listed building and is contrary to NPPF guidance (section 12), policy CG3 of Bolton's Core Strategy and Planning Control Policy Note No20 - "Listed Buildings".

All levels and dimensions must be checked on site by contractor prior to commencement of works. Any variations must be reported to Millson Associates Ltd.

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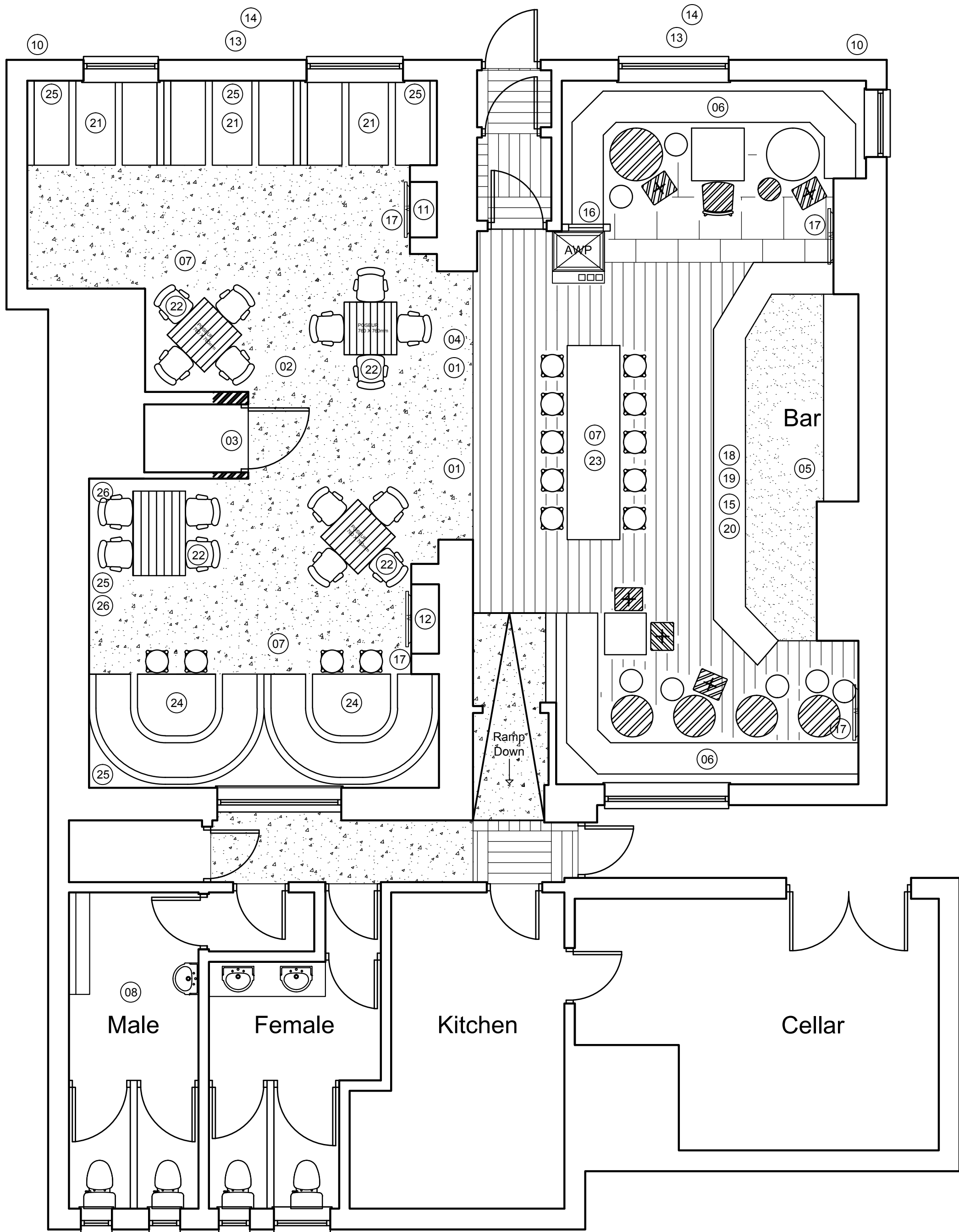
Existing Ground Floor Plan - Illustrating Periods of Construction



| | | | | |
|---|--------------|---------|-------------|--|
| 23-Oct-13 REMARKS | | | | |
| Punch Taverns | | | | |
| | | | Client | |
| Date | 01.10.14 | Status | INFO | |
| Drawn | DC | Checked | SMG | |
| Scale | 1:100 | Size | A3 | |
| Rev. | 1906 - PL.01 | | Drawing Nr. | |
| Drawing Title | | | | |
| Existing Ground Floor Plan Illustrating Periods of Construction | | | | |
| Project Title | | | | |
| The Finishers, 487 Church Road, Bolton, BL1 5RE | | | | |
| Millson Associates UK North Office: Hyde Park House, Cartwright Street, Hyde, Cheshire SK14 4EH s 0161 367 2320 general@millsonassociates.co.uk www.millsonassociates.co.uk | | | | |

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SCHEMATIC NOTES

1. Remove wall & insert steels.
2. Remove/cut back existing fixed seating.
3. Move door back in line with base of stairs. Remove stud partitions.
4. Allow to raise floor level so all trade area runs through. - OMITTED REV D - HD - 08.08.14
5. Allow to face front bar, polish bar top & upgrade backbar.
6. Recover fixed seating.
7. Full internal decorations.
8. Works to gents to be carried out direct by partners outside of this contract. - OMITTED REV D - HD - 08.08.14
9. OMITTED REV A - HD - 28.07.14
10. Allow for banner signage & POS upgrade externally.

REV A - HD - 28.07.14

11. Create open fire.
12. Create gas catalytic stove & surround.
13. Decorations to front elevation.
14. Planting by partner direct.
15. Shelving to bar to be renewed as beyond repair.

REV B - HD - 29.07.14

16. Allow for new screen to end of fixed seating and AWP
17. New TV points

REV C - HD - 01.08.14

18. Strip out existing sink drainer
19. Allow to fit zinc half sink with new ss drainer. Drainer is to be positioned over glass wash.

REV D - HD - 08.08.14

20. Strip out overbar & install wrought iron downstands & glass shelving for storage.
21. Allow for 3no. booths.
22. New poseur height furniture.
23. Allow for a 10 seat butchers block table.
24. Form 2no. curved booths (poseur height).
25. Remove fixed seating.
26. Allow for more electrical sockets.

Additional Notes:

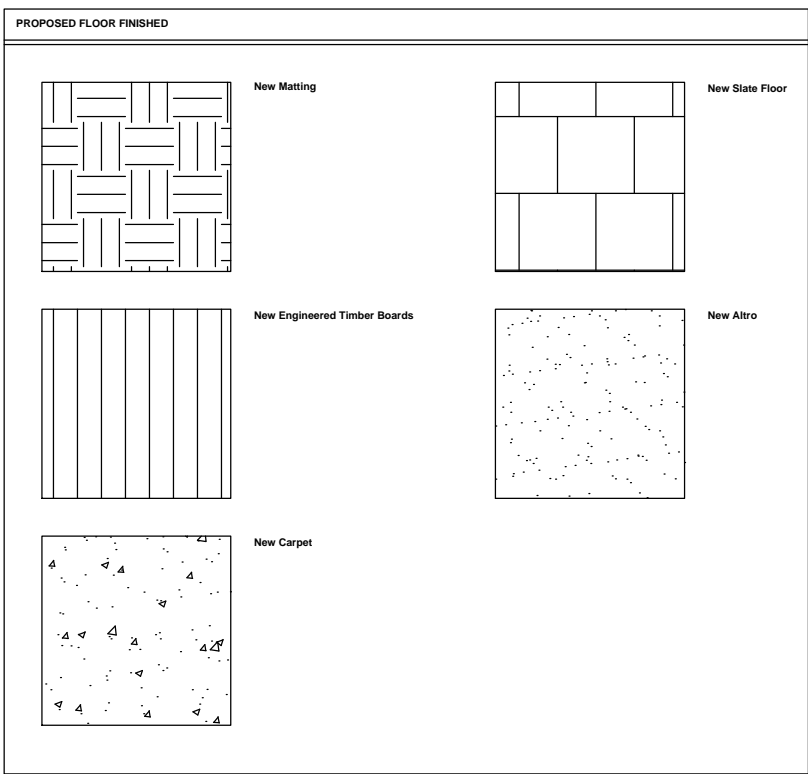
- Please note the property is subject to listed building, licensing & building regulations applications.
- No external decorations of signage.
- Renew floor finishes as shown.

Additional Notes REV D - HD - 08.08.14

- Palette to be changed to palette A
- Partner costs to be reduced to £13k

Allow for:

- 100% New lighting
- 100% New curtains
- 100% New bric a brac
- New Furniture and refurb existing



All levels and dimensions must be checked on site by contractor prior to commencement of works. Any variations must be reported to Millson Associates Ltd.

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| | | |
|----------|----------|--|
| A | 28.07.14 | Changes made following clients comments on 28.07.14. |
| B | 29.07.14 | AWP TVs and screen has been added. |
| C | 01.08.14 | Bar area has been revised. |
| D | 08.08.14 | Changes made following clients comments. |

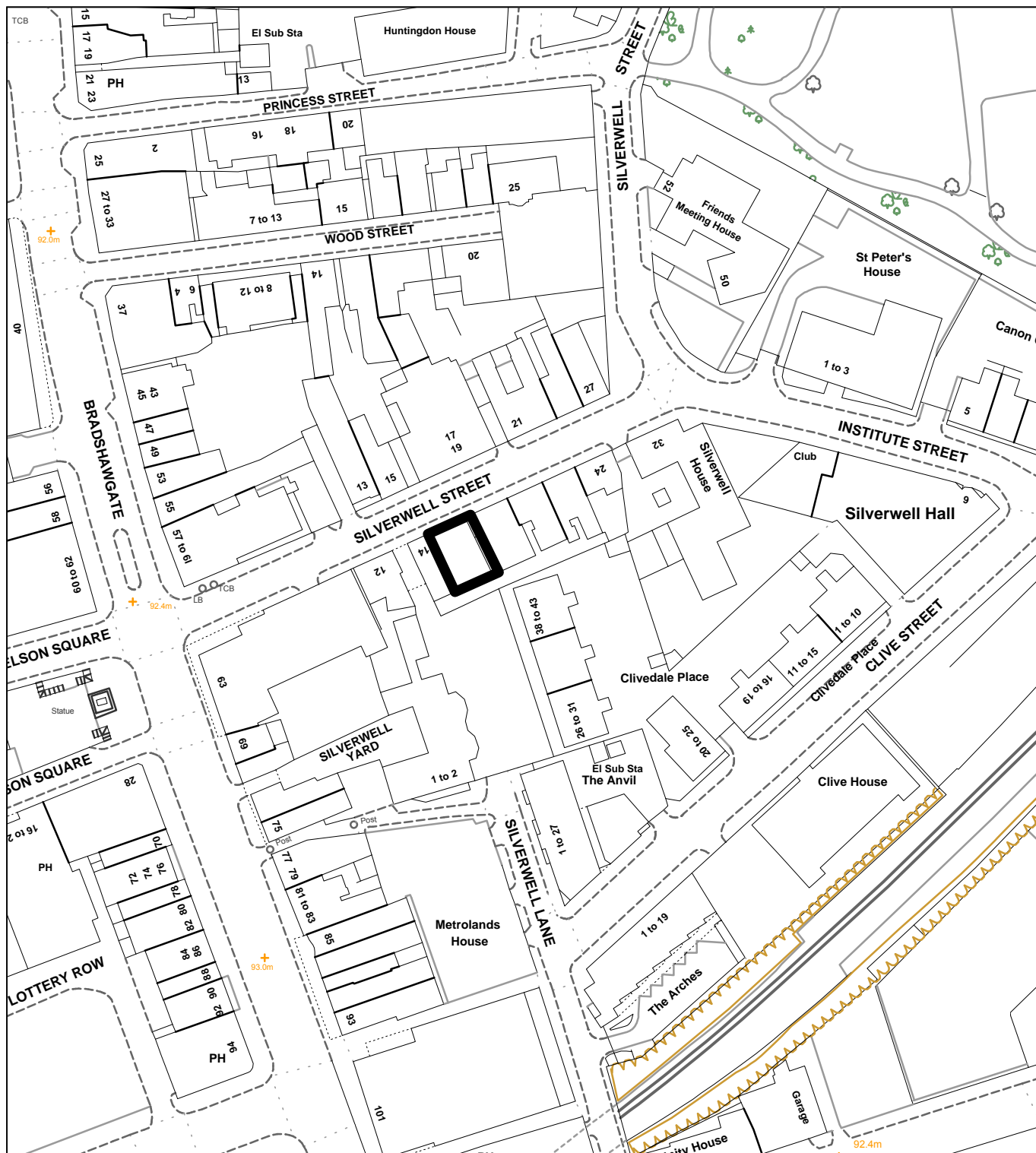
| Punch Taverns Ltd | | | |
|---|----------|-------------|-------------|
| | | | Client |
| Date | 24.07.14 | Status | INFO |
| Drawn | HD | Checked | JPS |
| Scale | 1:50 | Size | A1 |
| Rev | D | 1906 - 2.01 | Drawing Nr. |
| Drawing Title | | | |
| Proposed Ground Floor Plan | | | |
| Project Title | | | |
| The Finishers, 487 Church Road, Bolton, BL1 5RE | | | |
| Millson Associates UK North Office: Hyde Park House, Cartwright Street, Hyde, Cheshire SK14 4EH s 0161 367 2320 general@millsonassociates.co.uk www.millsonassociates.co.uk | | | |

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Application No.

92870/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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11

Date of Meeting: 18/12/2014

Application Reference: 92870/14

Type of Application: Full Planning Application
Registration Date: 03/10/2014
Decision Due By: 27/11/2014
Responsible Officer: Martin Mansell

Location: 16 SILVERWELL STREET, BOLTON, BL1 1PP

Proposal: CHANGE OF USE AND EXTENSION OF VACANT OFFICES TO FORM 6 NO. ONE BED APARTMENTS

Ward: Great Lever

Applicant: Mrs Bayliss
Agent : FuZED Architecture + Design Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought for the conversion of this vacant office building to 6 self-contained one-bedroomed flats. An extension is also proposed over a rear flat area to increase the internal space available. Three units would be provided at ground floor level (utilising the basement for two of the bedrooms) with a further three at first floor. Access for four of the units would be from the rear via a gated alley shared by other properties in this row, with two of the ground floor units having direct access from Silverwell Street. No amenity space, parking or cycle storage is proposed though an area at the rear has been allocated for bin storage.

Members will be aware of the introduction in May 2013 of a permitted development right from Class B1 Offices to residential use. The proposal does not seek to use this right - the operational development in the form of the extension means that the permitted development right does not apply in this instance - nevertheless, the existence of the right will be taken account of in this report.

Site Characteristics

The site is a double-fronted two-storey terraced building, originally constructed as a dwelling but - as with a number of other nearby properties - converted to office use in the 20th Century. A private ginnel from Silverwell Street allows access to the rear alley together with a more public route adjacent to Number 14 (the access to Silverwell House at the rear).

Despite the domestic appearance of the properties fronting Silverwell Street, the predominant use is offices including architects, a law firm and a dentist. Nevertheless, a significant amount of residential use exists nearby, particularly the relatively recent housing constructed in the area between the rear of the site and Brightmet Street to the

south (The Anvil, the Picture House etc). Similarly, despite the proximity to the evening economy uses to the west, the street has a markedly different feel and character to Bradshawgate.

The site lies within the Wood Street / Silverwell Street Conservation Area. Listed Buildings exist nearby, but the application site is not itself listed, though it has a degree of heritage value.

Policy

National Planning Policy Framework - Building a strong and competitive economy, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities

Core Strategy Policies SO9 Crime Reduction and Road Safety, SO10 Climate Change, SO11 Built Heritage and Open Spaces, SO13 Flood Management, SO14 Housing Provision, SO15 Urban Focus For New Housing, SO16 Mixed Communities, P5 Accessibility, S1 Crime Reduction and Road Safety, CG3 Urban Design, Heritage and Landscaping, CG4 Land Use Compatibility, SC1 Housing Provision, TC3 St Peters

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 Highway Safety
- * impact on the Character and Appearance of the Area
- * impact on Housing Provision
- * impact on Sustainable Development

Impact on Highway Safety

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.

Whilst no parking is proposed, the site is well served by regular public transport along Bradshawgate and is close to major public transport nodes including the approved transport interchange on Great Moor Street. The proposed use is likely to generate significantly less vehicle movements than the existing office use. It is also noted that the Council's Highway Engineers do not raise objection.

The proposal is considered to comply with policies related to highway safety.

Impact on the Character and Appearance of the Area

Policy SO11 is a strategic objective and seeks to conserve and enhance the best of Bolton's built heritage, improve the quality of open spaces and the design of new buildings. Policy S1 seeks to ensure that the design of new development takes into account the need to reduce crime and the fear of crime. Policy CG1 seeks to safeguard and enhance recreational space, parks and playing fields. Policy CG3 expects new development to display innovative, sustainable design that contributes to good urban design, respects local distinctiveness, is compatible with the surrounding area and is inclusive and adaptable to the effects of climate change. Policy CG4 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. Policy RA1 promotes the efficient use of land in Inner Bolton.

Other than the rear extension, no changes are proposed to the appearance of the building, therefore the heritage value of the Conservation Area will not be affected. The rear extension is considered to be acceptable in visual terms - the rear elevation is not prominent. The comments of the neighbouring property are noted; however, the windows of commercial properties do not benefit from policy protection. In any case, the relationship between windows is oblique and the Applicant now proposes a degree of obscuration to address this.

It is accepted that residential uses do not form the character of Silverwell Street itself, despite this being its original character. It is understood that residential uses fronting the street are currently limited to a single flat over one of the office uses. Nevertheless, Policy TC3 contains a presumption in favour of office and residential uses to the east of Bradshawgate - it does not separate the area into specific locations for housing and for offices. The two uses are generally considered to be acceptable in terms of the relationship between them.

Despite the lack of a policy protecting Silverwell Street for office use, Officers have previously and informally sought to retain the professional character of this area. It is now considered that the introduction of the permitted development right in May 2013 makes this approach unviable - the change in legislation effectively removes this element of control from Local Planning Authorities save for the limited considerations of flood risk, land contamination and highway safety, none of which are relevant in this instance. Clearly, this is not an application for Prior Approval for conversion from offices to residential; however, Officers take the view that if the Government considers such uses to be permitted development in the majority of circumstances, it is difficult to argue that the presence of operational development in this instance renders the proposal unacceptable in planning terms. The Government has made its position clear regarding Local Authorities seeking to prevent empty offices being converted to residential use and it is considered that a refusal would be extremely difficult to defend at appeal.

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

Impact on Housing Provision

Policies SO14, SO15 and SO16 of Bolton's Core Strategy are strategic objectives and seek to provide housing that meets the needs of everybody and is focused within the urban area in the form of mixed communities. Policy SC1 sets out the Council's approach to numbers of new houses needed, use of previously developed land, affordable housing, family housing and housing density. Policy RA1 seeks to ensure, amongst other things,

the efficient use of land within Inner Bolton.

The site lies within Bolton town centre and will contribute to the provision of new housing. Efficient use is made of the site.

The proposal makes a positive and appropriate contribution to housing provision.

Impact on Sustainable Development

Policy SO10 of Bolton's Core Strategy is a strategic objective and seeks, together with Policy CG3 to minimise Bolton's contribution to climate change and mitigate and adapt to its effects.

The proposal represents sustainable development by way of its position within an accessible location, well-related to public transport links, shops, services and places of employment.

Conclusion

Due to the rear extension, this is not an application for Prior Approval for a permitted change to residential. Nevertheless, the difference between the impacts of what could be achieved under permitted development rights and the impacts of the development as proposed are relatively minor and do not outweigh the benefits of housing provision or the presumption in favour of sustainable development. Officers therefore conclude that consent should be granted.

Representation and Consultation Annex

Representations

Two letters of objection have been received from local businesses fronting Silverwell Street. The grounds of objection area:-

-) Silverwell Street and nearby streets are allocated for business in the Development Plan
-) The level of residential accommodation proposed is such as to reduce the profile of this sector of the town
-) Whilst a proposal for a "live-work" use may be acceptable, the proposal would result in a reduction of the professional character of the area
-) The accommodation proposed is likely to be attractive only to students or non-professional people
-) The professional character of this area should be maintained
-) The proposed extension blocks light to the side of our offices and completely obscures 1 large window at the side of the property
-) The proposed plans would have us looking into the window of lounge 5 and the residents looking directly into our Dental Surgery treatment room.
-) The area is in a conservation area and Silverwell St is a street exclusively of offices not accommodation
-) There is inadequate parking on the road so the addition of more apartments will make the parking very difficult.
-) It creates a security risk for our property and the office around as the back would be opened up to a thorough fare

Consultations

Advice was sought from the following consultees; Highway Engineers, Pollution Control, Greater Manchester Police

Planning History

The site has no planning history.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Before the development is first brought into use a detailed scheme shall be submitted to and approved by the Local Planning Authority showing the design, location and size of a facility to store refuse and waste materials. The approved scheme shall be implemented in full within 21 days of the Local Planning Authority approving the scheme in writing and retained thereafter.

Reason

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

3. Before the first residential occupation of the building the window facing 18 Silverwell Street shall be fitted with obscure glazing in accordance with the approved plan and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy and outlook of occupiers.

4. The external surfaces of the extension or elevation [***delete as appropriate***] 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.

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

3.01 Rev. B; "Proposed Plans"; dated 19.11.14

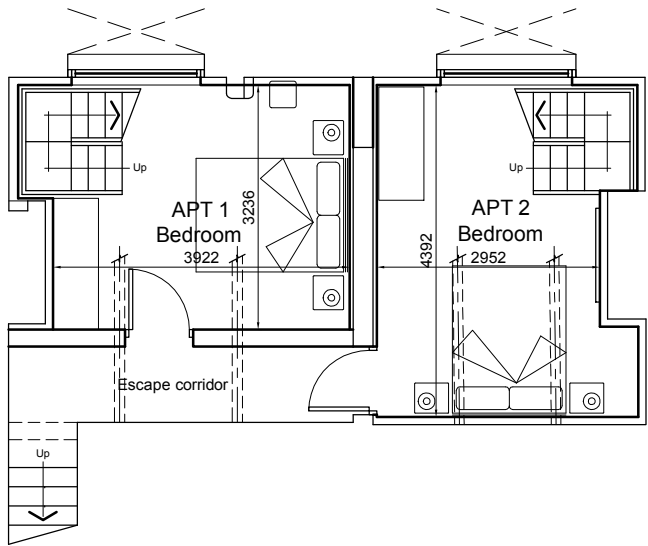
3.02 Rev. A; "Proposed Elevations"; dated 19.11.14

3.03 Rev. A; "Proposed Elevations"; dated 19.11.14

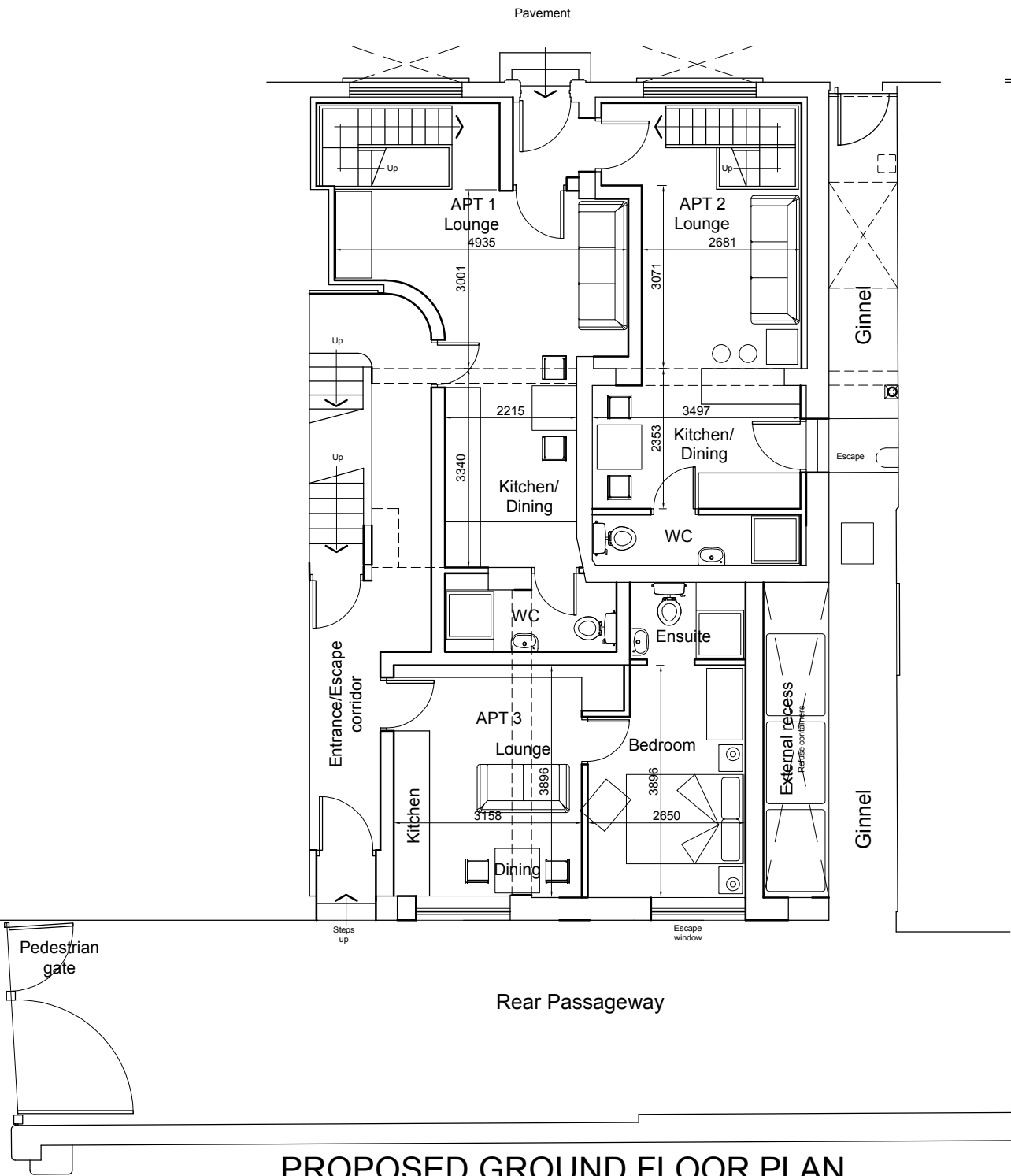
Reason

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

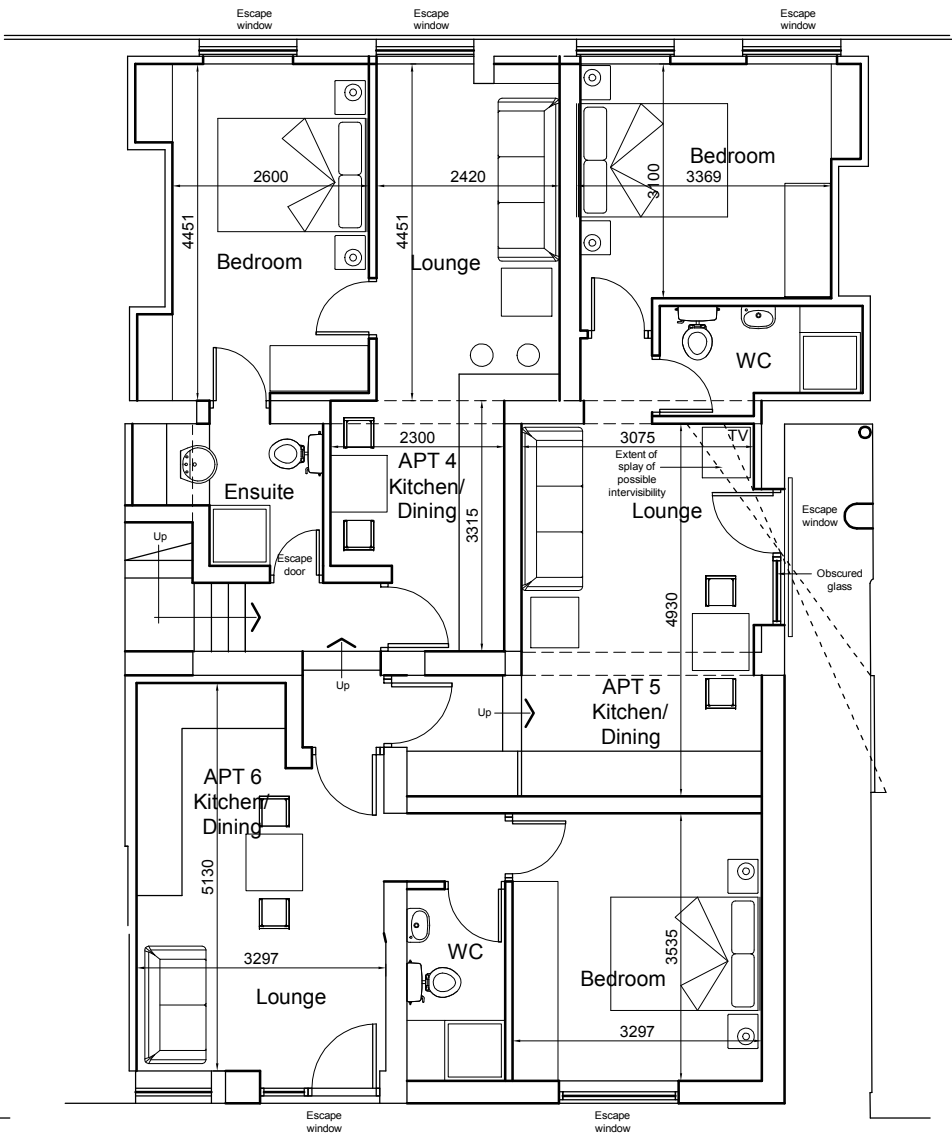
| Revision | Notes | Date | Drawn |
|----------|---|----------|-------|
| A | Updated in accordance with BCO preliminary comments | 18.09.14 | PD |
| B | Updated following LPA comments | 19.11.14 | PD |



PROPOSED BASEMENT PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



FUZED

Fuzed A+D Ltd, 74A Water Street, Radcliffe, Manchester, M26 4DF • Tel: 0161 724 8006 • E: fuzedarchitects@gmail.com

Project

No. 16 Silverwell Street, Bolton

Client

Mrs M Bayliss

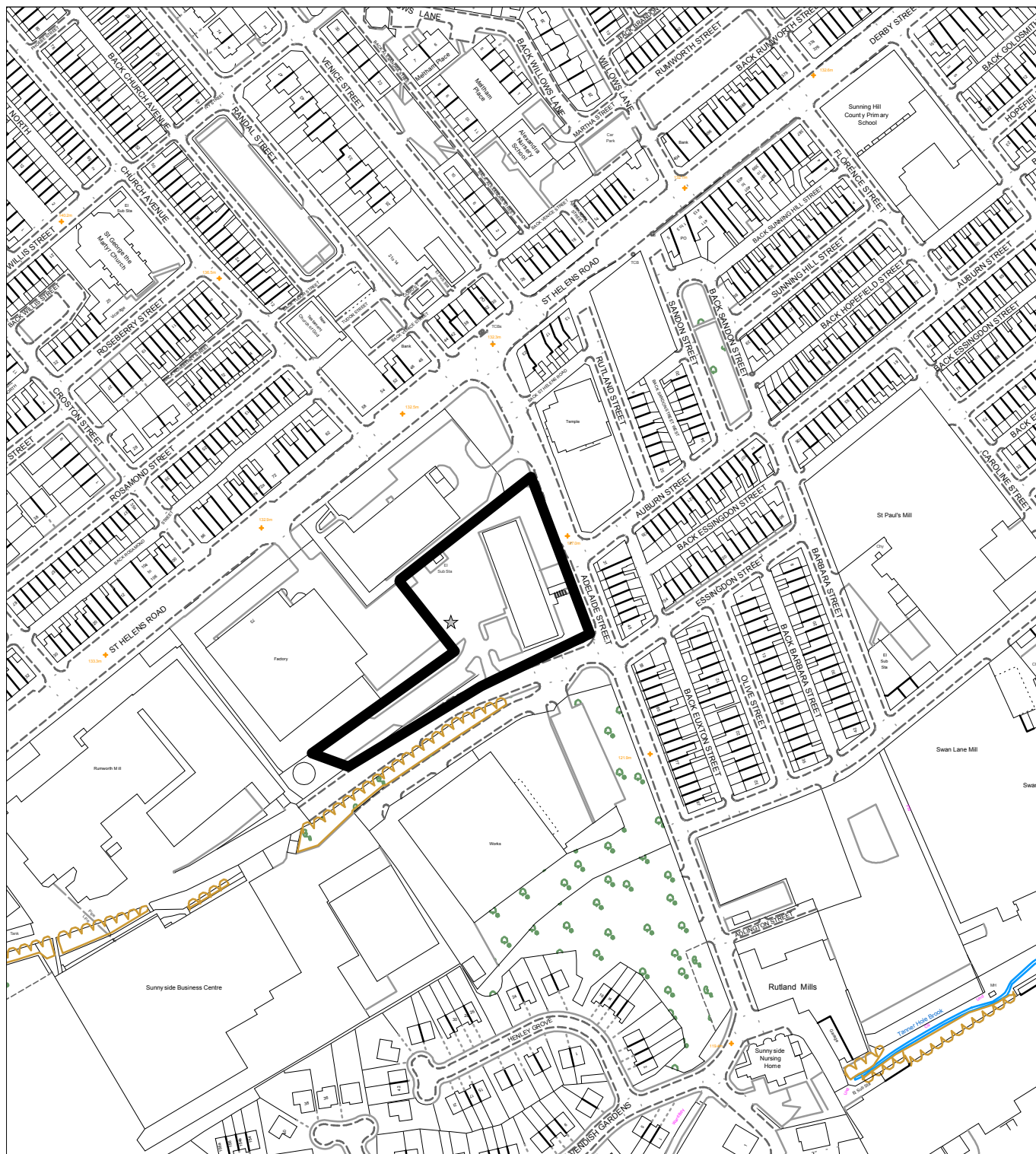
Content

Proposed Plans

| | | | | | | |
|-------|-------|---------|---------|--------------|---------|-----|
| Scale | Drawn | Checked | Date | Contract No. | Dwg No. | Rev |
| 1:100 | PD | - | Sep '14 | 1151 | 3.01 | B |

Application No.

92879/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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Date of Meeting: 18/12/2014

Application Reference: 92879/14

Type of Application: Full Planning Application
Registration Date: 16/10/2014
Decision Due By: 10/12/2014
Responsible Officer: Alex Allen

Location: ADELAIDE HOUSE, ADELAIDE STREET, BOLTON, BL3 3NY

Proposal: CHANGE OF USE OF EXISTING BUSINESS PREMISES AND
ERECTION OF AN EXTENSION TO ENABLE THE CONVERSION
OF THE PREMISES TO FORM A FREE PRIMARY SCHOOL

Ward: Rumworth

Applicant: THE OLIVE TREE PRIMARY SCHOOL
Agent : Mr Bolton

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the re-use of the former Bolton at Home offices which is a modern 3 storey office located in a prominent location adjacent to Adelaide Street. The existing office building would be converted to 14 classrooms over the three floors with a proposed two storey side and rear extension which would form ancillary office space and the main hall on the existing ground floor, practical studio at first floor level and an external roof deck / play space at 2nd floor level.

The new extension would be built using a mix of modern aluminium curtain wall and cladding panels which would create a contrast to the existing office building enabling the School to create a distinctive image for the new School. The existing established boundary treatment would be retained. The front and side of the property would be used as a reception/year 1 play facility and also an infant play area.

The existing rear car park is proposed to be used for a junior play area. The hard surfaced area which runs parallel along the adjoining service road would be retained for car parking and drop off facilities. A one way system will be provided along this section including a roundabout which will enable parents and staff of the proposed school to enter this area to park and drop off children. A total of 21 standard spaces and 3 disabled car parking spaces would be provided within this section.

The proposal would facilitate the movement of the existing 'temporary' school from the adjoining site to a new facility.

Site Characteristics

The application relates to the former Bolton at Home offices which is a 3 storey building

located on the western side of Adelaide Street. The existing temporary Olive Tree school is currently located to the north of the application site at the junction of St Helens Road and Adelaide Street. The site forms part of the wider former Sunnyside Mills complex, the majority of which still remains in active industrial use. Lantor is the main employer within this area with direct access to the main manufacturing complex running along the southern boundary of the application site.

On the eastern side of Adelaide Street are traditional two storey terraced properties together with a Indian temple which is located further towards the junction with St. Helens Road.

Policy

National Planning Policy Framework

Core Strategy Strategic Objective 5 - Prosperous Bolton, Strategic Objective 9 - Safe Bolton, A1 Achieving, P1 Employment, P5 Accessibility, S1 Safe, CG3 The Built Environment, CG4 Compatible Uses and RA1 Inner Bolton.

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

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the protected employment area/principle of education provision/new school;
- * impact on the character and appearance of the area;
- * impact on highway/pedestrian safety;
- * impact on the surrounding land uses.

Impact on the protected employment area

The application site and the wider area forms part of a mixed use area (Higher Swan Lane / Sunnyside) which is allocated for a mix of employment and housing across the whole area. The allocation has a number of guiding principles including: neighbouring uses should be compatible, opportunities for employment should be maximised, the impact on the highway network should be acceptable and the development is well served by public transport.

The site is well related to local facilities, being adjacent to the Daubhill local centre (St Helens Road/Derby Street) which also provides easy access to Bolton town centre. The

adjoining 'temporary' Olive Tree School is to be retained in educational use as a nursery facility. The adjoining industrial uses are themselves off set from the main proposed new School building and therefore are likely to be compatible uses. St. Helens Road forms part of the Strategic Road Network providing high frequency bus services to Bolton town centre.

The new Primary School would provide 15 jobs thus assisting the re-use of the building for employment purposes.

The proposal would therefore provide employment, in a sustainable location close to local facilities which is well served by public transport. The proposal would comply with policy.

Impact on the character and appearance of the area

Core Strategy policy CG3 seeks to ensure that new developments are compatible with the property and area to which they relate. The proposal consists of an extension to the existing office building which would enhance the overall built quality of the property.

It is considered that the proposal complies with Core Strategy Policy CG3.

Impact on highway/pedestrian safety

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

The main access route for the school will be via the Adelaide Street entrance with a dedicated gated pedestrian access and a new parking facility with a pick up / drop off facility within the site. As part of the initial submission, the applicant has submitted a Transport Assessment and Travel Plan which demonstrates that whilst vehicular movements along St Helens Road and Adelaide Street will increase, the roads and associated junction have sufficient capacity to accommodate the development.

The Council's Highways Engineers have commented that the Council's maximum parking standards will still be met whilst the drop off facility will be provided solely within the curtilage of the property ensuring that there will be no / limited overspill onto Adelaide Street. They have no objections to the current proposal.

The proposal would comply with policies P5 and S1.

Impact on the surrounding land uses

Core Strategy policy CG4 seeks to ensure compatibility between uses and users. The adjoining use is in a current educational use whilst the buildings and land to the west are within employment use. Residential properties occupy properties on the eastern side of Adelaide Street.

It is considered that the proposed use of the building would be compatible with the adjoining two uses and therefore complies with Policy CG4.

Conclusion

The proposal provides a new primary school in an accessible location to a local catchment population without compromising highway safety or the operations of adjoining uses. The new build element enhances the overall quality of the development.

The proposal is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- one objection letter and one comment letter has been received both from residents living on Adelaide Street. The objection letter received raises the following issues:

-) existing traffic on Adelaide Street is busy;
-) the proposal would result in increased congestion and would be detrimental to highway and pedestrian safety;
-) concerns over existing trees on Adelaide Street, especially leaves on the ground which may make it more slippery for school children.

The comment letter requests that the School's attention is drawn to important the issue of existing residents' parking requirements.

Petitions:- no petitions received.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: the Council's Highways Engineers, Corporate Property Services, Asset Management Unit, Design for Security (Greater Manchester Police) and the Greater Manchester Archaeological Unit.

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

Reason

To ensure the development reflects local distinctiveness.

3. Prior to the commencement of development full details of the highway works at Adelaide Street comprising of traffic regulation orders around the site including School Keep Clear markings 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 development commences details of on-site cycle parking to be provided within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented in full before the development hereby approved is first occupied or brought into use and retained thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists.

5. Before the approved/permitted development is first brought into use no less than 24 car parking spaces including 3 disabled spaces shall be marked out and provided within the curtilage of the site, in accordance with Drawing Ref: P4069-105. 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

6. Prior to the development hereby approved/permitted being first occupied or brought into use the approved parking/turning/loading/unloading scheme as shown on **Drawing No. WIE/SA/06/003/A03** shall be implemented in full 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.

7. Before the use hereby permitted begins, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 14 days of the use commencing and retained thereafter.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

8. The building/fixed plant/equipment should be designed to give a rating level, as defined in BS4142:1997, 5dB below the night time LAF90 (5 min) or the daytime LAF90 (1 hour) whichever is the most appropriate, as measured 4 metres from the nearest residential property. The monitoring information and the acoustic calculations together with the proposed specifications of the building/fixed plant/equipment and any sound attenuation proposed should be submitted to and approved by the Local Planning Authority in writing prior to the development first being brought into use.

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area.

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

Reason

To ensure the development is safe for use.

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

Reason

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

11. Prior to the development being first occupied or brought into use, details of the treatment to all boundaries including new fencing and the approved retaining wall 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.

12. The Travel Plan hereby submitted and approved shall be implemented in full in accordance with the approved details (Section 8 - Action Plan) and retained thereafter.

Reason

To encourage future occupiers to access the site by means of transport other than the private car.

13. The Primary School development hereby approved/permitted shall only be used for school purposes only.

Reason

For the avoidance of doubt as to what is permitted.

14. The premises subject of this consent shall not be open outside the following hours:-

0700 to 1900 hrs Mondays to Fridays

No opening shall take place on Saturdays, Sundays or Bank Holidays.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

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

Drawing No. P4069-105 - Proposed Site Layout, dated 29/09/14;

Drawing No. P4069-106 - Proposed Ground Floor, dated 27/08/14;

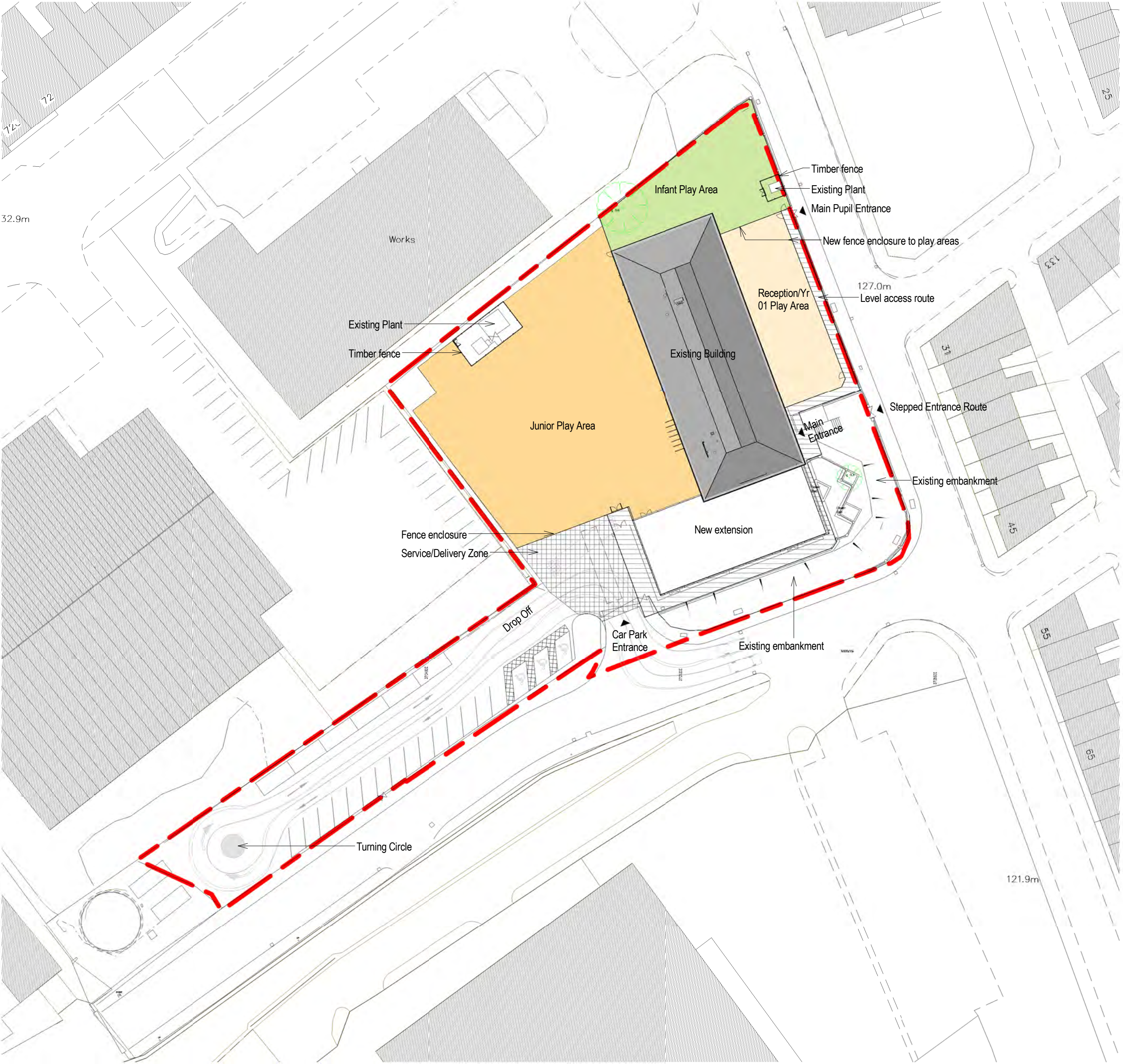
Drawing No. P4069-107 - Proposed First and Second Floor, dated 29/09/14;

**Drawing No. P4069-110 - Proposed Elevation AA, dated 29/09/14;
Drawing No. P4069-111 - Proposed Elevation BB, dated 29/09/14;
Drawing No. P4069-112 - Proposed Elevations CC, dated 29/09/14;
Drawing No. P4069-113 - Proposed Elevations DD, dated 29/09/14;
Drawing No. P4069-114 - Proposed Elevations AA/BB, dated 29/09/14;
Drawing No. P4069-115 - Proposed Elevations CC/DD, dated 29/09/14;
Drawing No. WIE SA 06 003 A03 - Staff parking area with drop off - requires retaining wall, dated September 2014.**

The Olive Tree Primary School Travel Plan by Waterman Infrastructure and Environment, dated September 2014.

Reason

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



Site - Proposed Plan 2
1 : 500

Notes

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KEYPLAN

| Rev | Description | By | Date |
|-------------|-------------------------------|--------------|--------------|
| Client | Kier | | |
| Job | The Olive Tree Primary School | | |
| Drawing | Proposed Site Layout | | |
| Dwg No. | P4069 - 105 | | Rev |
| Date | 29/09/14 | Scale | 1 : 500 @ A2 |
| 3D CoOrd | 2D CoOrd | JP | Approved CSM |
| Feasibility | Tender | Construction | |
| Design | Contract | As Built | |

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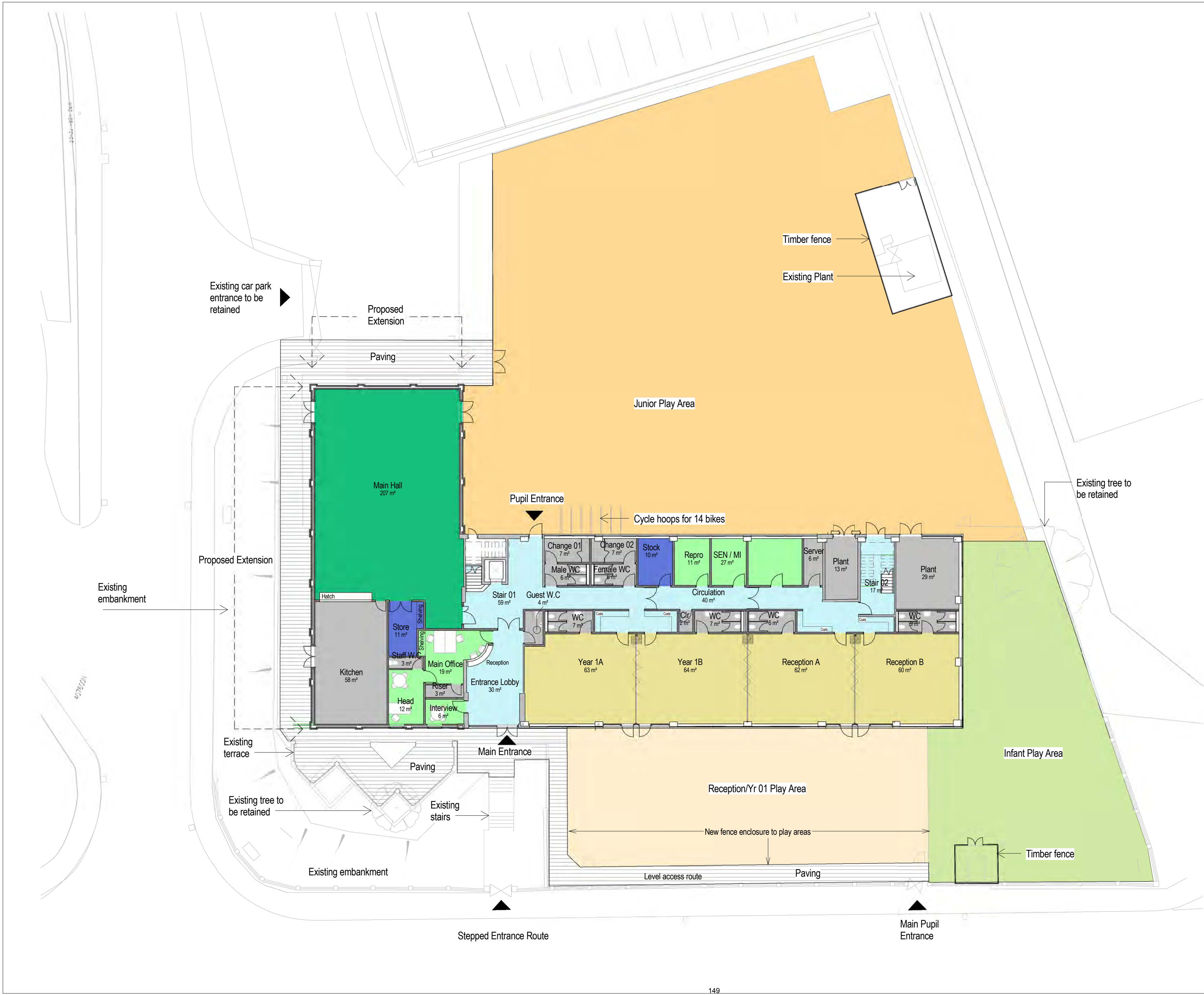
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KEYPLAN

| Rev | Description | By | Date |
|----------------|-------------------------------|----------|-----------------|
| Client | Kier | | |
| Job | The Olive Tree Primary School | | |
| Drawing | Proposed Ground Floor | | |
| Dwg No. | P4069 - 106 | Rev | |
| Date | 27/08/14 | Scale | 1 : 200 @ A2 |
| 3D CoOrd | - | 2D CoOrd | JP Approved CSM |
| Project Status | Feasibility | Tender | Construction |
| | Design | Contract | As Built |

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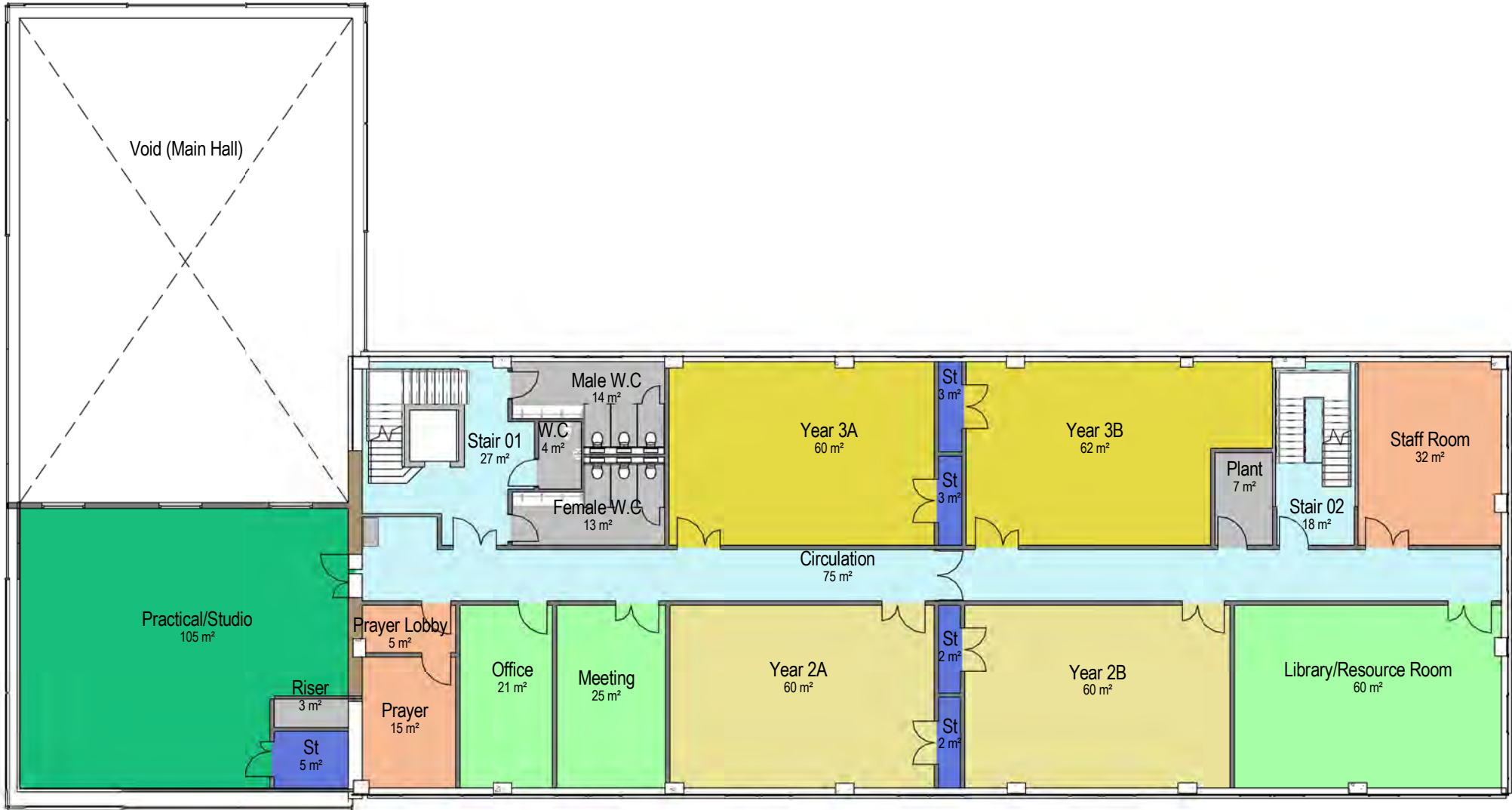
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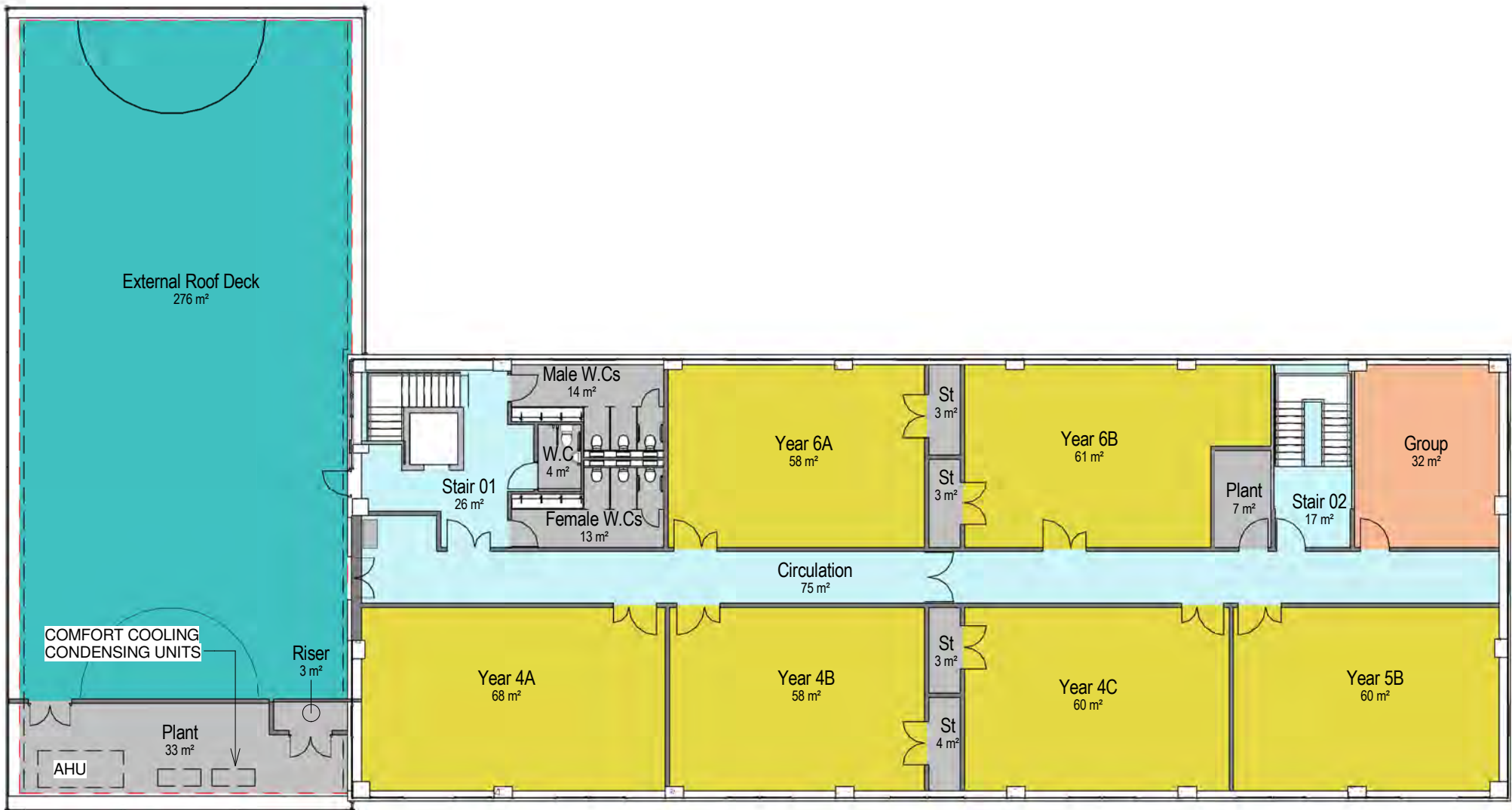
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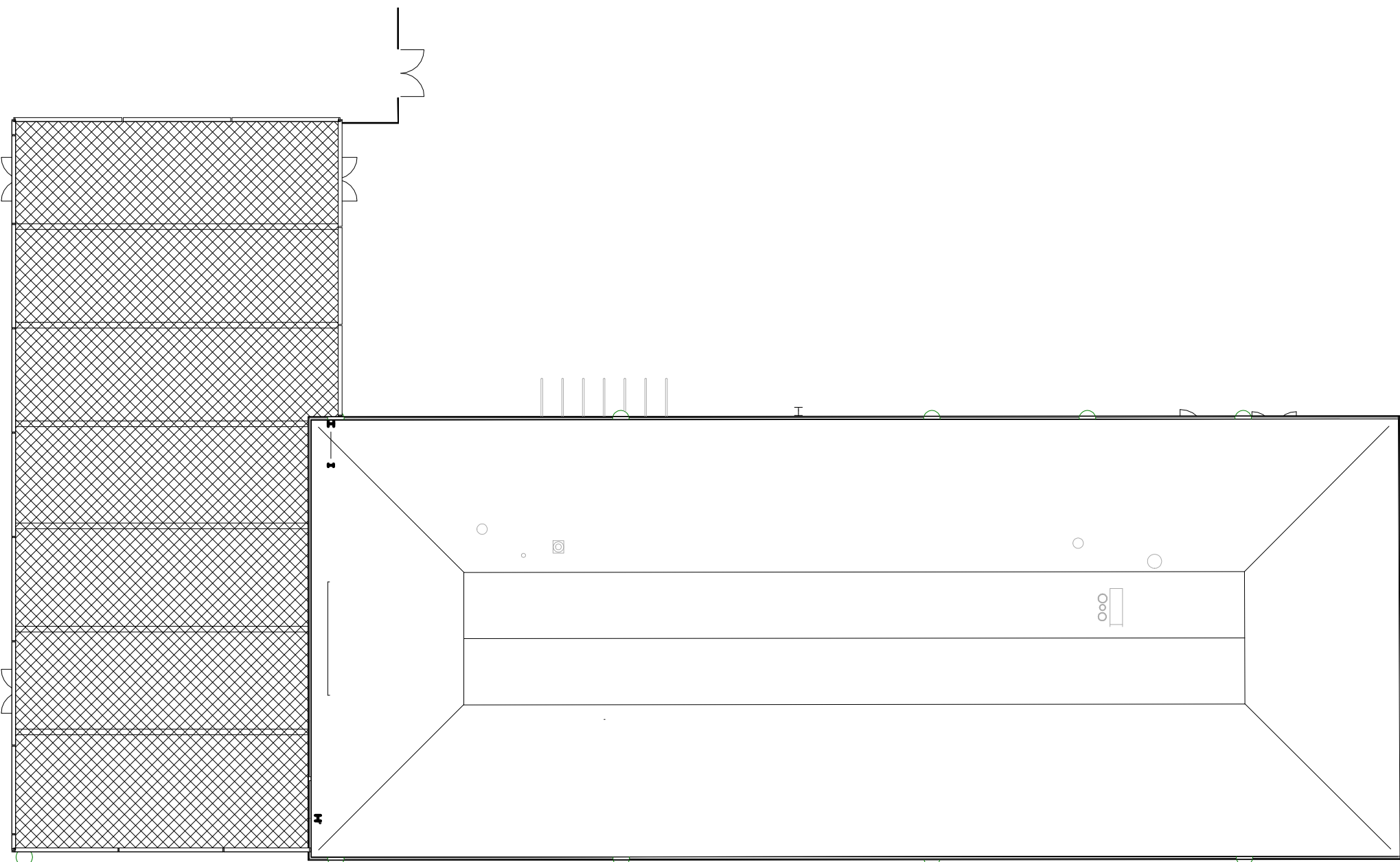
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First Floor - Proposed
1 : 200



Second Floor
1 : 200



Roof Plan
1 : 200

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| Rev | Description | By | Date |
|----------------|-------------------------------|----------|--------------|
| Client | Kier | | |
| Job | The Olive Tree Primary School | | |
| Drawing | Proposed First & Second Floor | | |
| Dwg No. | P4069 - 107 | Rev | |
| Date | 29/09/14 | Scale | 1 : 200 @ A2 |
| 3D CoOrd | - | 2D CoOrd | JP CSM |
| Project Status | Feasibility | Tender | Construction |
| | Design | Contract | As Built |

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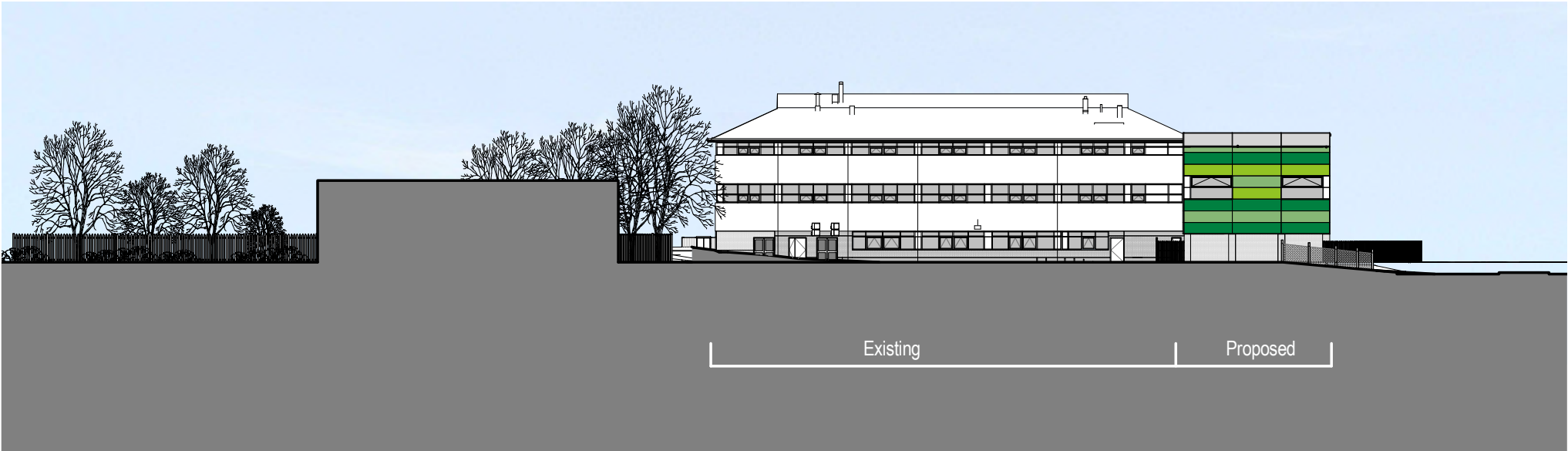
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KEYPLAN

| Rev | Description | By | Date |
|----------------|-----------------------------------|----------|--------------|
| Client | Kier | | |
| Job | The Olive Tree Primary School | | |
| Drawing | Proposed Context Elevations CC/DD | | |
| Dwg. No. | P4069 - 115 | Rev | |
| Date | 29/09/14 | Scale | As indicated |
| 3D CoOrd | - | 2D CoOrd | JP |
| Project Status | Feasibility | Tender | Construction |
| | Design | Contract | As Built |

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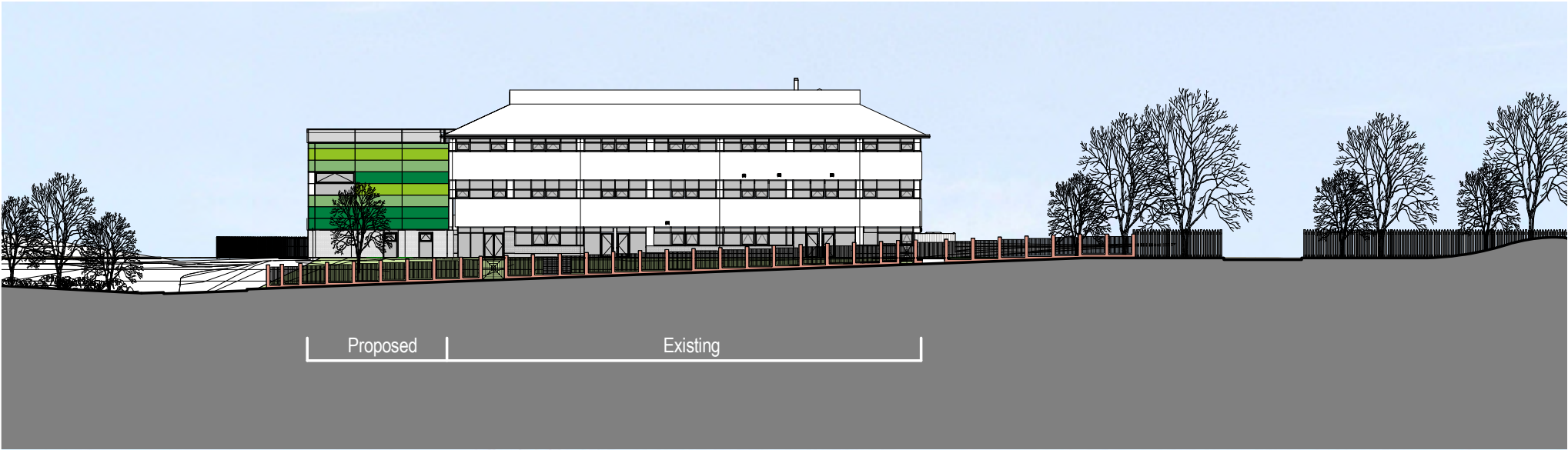
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KEYPLAN

| Rev | Description | By | Date |
|----------------|-------------------------------------|----------|-------------------|
| Client | Kier | | |
| Job | The Olive Tree Primary School | | |
| Drawing | Proposed Context Elevations - AA/BB | | |
| Dwg. No. | P4069 - 114 | Rev | |
| Date | 29/09/14 | Scale | As indicated @ A3 |
| 3D CoOrd | - | 2D CoOrd | JP CSM |
| Project Status | Feasibility | Tender | Construction |
| | Design | Contract | As Built |

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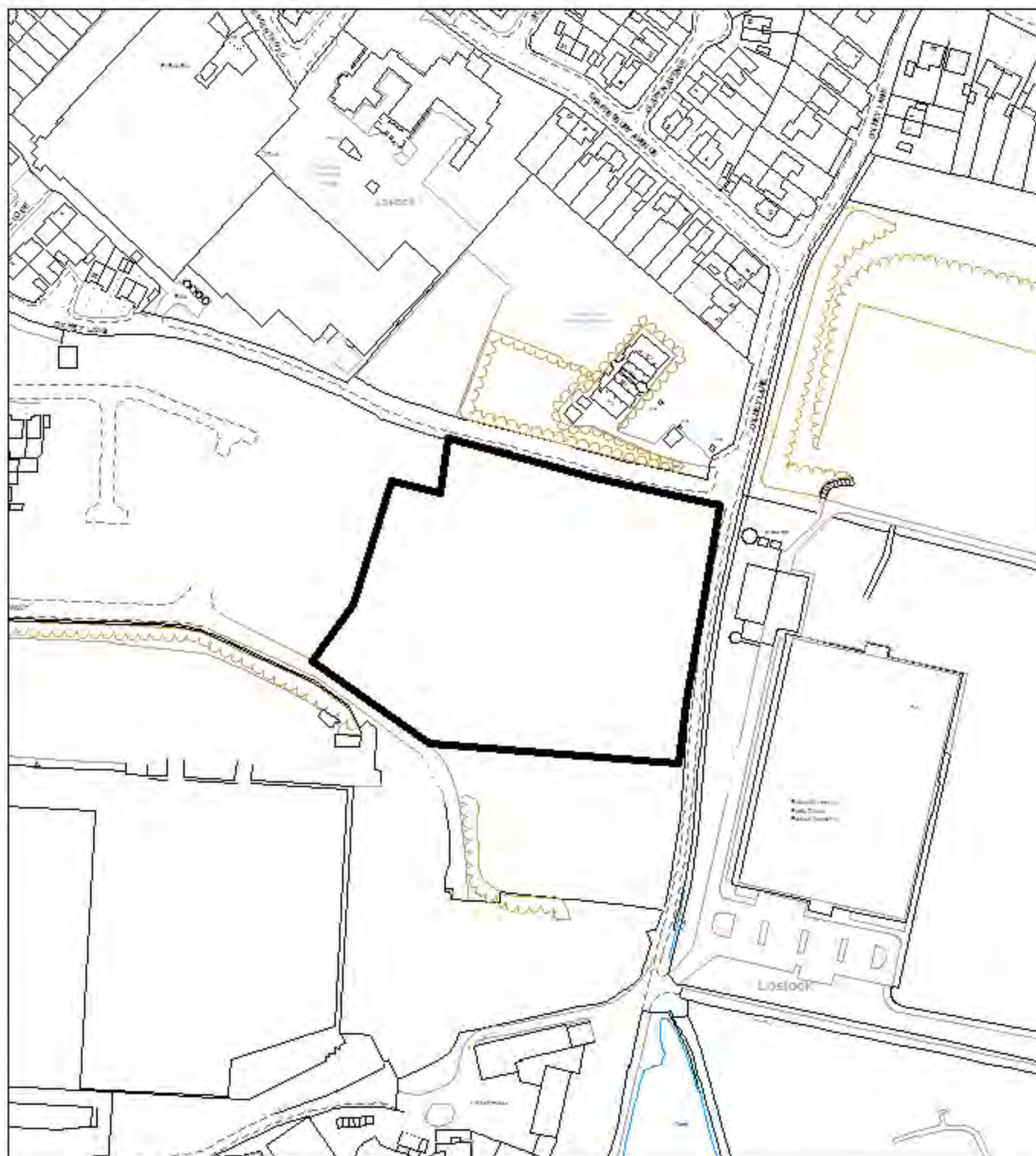
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Application No.

92922/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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Date of Meeting: 18/12/2014

Application Reference: 92922/14

Type of Application: Full Planning Application
Registration Date: 14/10/2014
Decision Due By: 12/01/2015
Responsible Officer: Helen Williams

Location: LAND OFF LOSTOCK LANE, LOSTOCK, BOLTON

Proposal: ERECTION OF 73 NO DWELLINGS (57 NO 3 BEDROOMS, 8 NO 4 BEDROOMS AND 8 NO 2 BEDROOMS).

Ward: Horwich and Blackrod

Applicant: Persimmon Homes North West
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for the erection of 73 dwellings, replacing the previously approved 47 dwellings on this part of the Persimmons development off Lostock Lane. The proposed 73 dwellings comprise 57 three bedroom dwellings, 8 four bedroom dwellings and 8 two bedroom dwellings. The dwellings are to be a variety of detached, semi-detached and terraced properties and all will be two storeys in height (though the Leicester type will have dormers to the front and rear and the Moseley type will have roof lights).

The internal roads are proposed to the same as previously granted, but the two cul-de-sacs proposed off the lower road are now deleted and new cul-de-sacs at the end of the turning heads are now proposed instead.

The proposed amendments will create a more dense development on this part of the site than previously approved, but this layout will follow the density and layout of the rest of the site (this part of the site was formerly dedicated to larger properties within larger plots). Persimmons have stated that the dwelling types now proposed are considered better suited to the market requirements of the area.

Although there is an increase in the number of dwellings on this part of the site (an increase of 26 dwellings), it should be noted that through a former application on the site there has previously been a reduction of 36 dwellings; therefore the approval of this latest application would result in there being 291 dwellings on the overall site rather than the 301 dwellings approved within the outline permission (75979/06) (an overall reduction of 10 dwellings).

Site Characteristics

The application site forms part of the wider Persimmons residential development off

Lostock Lane. Many of the houses within the wider development have now been built and are occupied. The application site has been cleared ready for development.

The application site is 1.54 hectares in size and is the easternmost part of the development. The site is bordered to east by Mill Lane and to the north by Ox Hey Lane. To the south west is protected employment land (Lostock Industrial Estate) and to the north is mainly established residential development. Greenhalgh's Bakery is to the north west, served by Bakers Lane, which runs through the Persimmons development to the west of the application site. Bolton Wanderers' Academy is to the east of the site and is accessed via the main spine road to the development (to the south).

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; IPC1 Infrastructure and Planning Obligations.

SPD Accessibility, Transport and Road Safety
PCPN2 Space Around Dwellings; PCPN10 Planning Out Crime.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- Γ impact on urban regeneration
- Γ impact on the character and appearance of the area
- Γ impact on highways
- Γ impact on the amenity of residents
- Γ impact on the playing fields and the relocation of Lostock Sports Club
- Γ impact on local infrastructure

Impact on Urban Regeneration

A core planning principle of the NPPF is to 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. The NPPF also seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Policy SC1 of the Core Strategy states that the Council will identify a range of housing

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

It has long been established in principle that the application site can be developed for residential purposes, through various planning applications.

Persimmons have stated that the dwelling types now proposed are considered better suited to the market requirements of the area (they are replacing large detached dwellings with a mix of detached, semi-detached and terraced dwellings). This approach meets the aims of the NPPF in providing a wider choice of homes and mixed communities.

It is therefore considered that the proposed development complies with guidance contained within the NPPF and Core Strategy Policies SC1 and OA1.4.

Impact on the Character and Appearance of the Area

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 divisible from good planning, and should contribute positively to making places better for people.

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA1 refers specifically to developments in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment and ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials.

The application site currently has permission for 47 detached dwellings. Permission is now sought for 73 dwellings, an increase of 36 dwellings on this part of the Persimmons development. The whole development site however had outline planning permission (under 75979/06) for 301 dwellings, and despite this latest proposed increase in numbers the overall number of dwellings within the development will only be 291, 10 dwellings fewer than approved originally (due to an approved reduction in the number of dwellings under application 90115/13).

The proposed amendments will create a more dense development on this part of the site than the previous approval, but the proposed layout will be similar to the density and layouts of the remainder of the development site. The proposed density is 47.4 dwellings per hectare, compliant with Policy SC1.5 which seeks to ensure new developments have a density of at least 30 dwellings per hectare. Each house will also have ample garden space.

The amended layout allows for each dwelling to front an internal street, whereas the previous approval contained two small cul-de-sac secluded from the internal streets. It is considered that the amendments will create a more active street scene and will increase natural surveillance within the site.

It is also considered that the mix of house types and designs will provide more interest

and variety within the street scenes. The choice of materials is felt to be compatible with the character and appearance of the residential properties in this part of Lostock/Horwich.

It is considered that the proposed development would be of good urban design and would be compatible with the character and appearance of the rest of the development and the surrounding residential development to the north, compliant with Policies CG3 and OA1 of the Core Strategy.

Impact on Highways

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [among 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.

All new houses will have integral garages with driveways or two parking spaces to the front. This complies with the parking standards set out in Appendix 3 of the Core Strategy (two spaces per dwelling).

The proposed internal roads have already been approved under application 90115/13.

The objections received to the application have raised concern that Ox Hey Lane and Mill Lane are still being used as a rat run between Chorley New Road and Lostock Lane (and visa versa). Conditions 11 and 12 of planning approval 90115/13 required a new link to the Bolton Wanderers Academy site, for access to be restricted to any part of Ox Hey Lane from the development, and for bollards to be erected at the junction of Ox Hey Lane with the new access to the academy site to stop vehicles turning into Ox Hey Lane. These requirements have not yet been implemented by the applicant.

It is therefore suggested that the following conditions be attached to any approval to ensure that these highways improvements are implemented prior to commencement of this latest development:

"None of the development hereby approved shall be commenced unless and until the means of access between Lostock Lane and Ox Hey Lane has been constructed and completed in accordance with details to be submitted to and approved in writing by the local planning authority. This shall include a new link road leading directly up to the Bolton Wanderers Academy site. These access arrangements shall be so retained thereafter."

"No development shall commence unless and until full details of the means of preventing access to Ox Hey Lane have been submitted to and approved by the local planning authority and the approved measures have been implemented in full on site. These details shall include bollards at the junction of Ox Hey Lane with the new access link road leading directly up to the Bolton Wanderers Academy site, which shall be implemented entirely in accordance with the requirements of condition 3 [the above condition]. The approved measures shall be retained thereafter."

The applicant's position in relation to the implementation of these works will be reported directly to Members at the meeting.

Impact on the Amenity of 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.

It is considered that sufficient interface distances would be maintained between the proposed houses as well as between the proposed houses and the houses approved on the adjoining site.

Pollution Control Officers have recommended that a scheme specifying how future occupants of the dwellings will be protected against noise generated by Greenhalgh's bakery be submitted to and approved by the local planning authority before development is commenced, to safeguard the living conditions of these future residents. This condition was attached to approval 90115/13 and is again suggested to be attached to this latest approval.

It is considered, subject to the condition recommended by Pollution Control Officers, that the proposed development would not unduly harm the amenity of residents, compliant with Policy CG4 of the Core Strategy.

Impact on the Playing Fields and the Relocation of Lostock Sports Club

Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless [among other things] the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

The site was formerly used as playing fields. A condition of the outline approval for the Persimmons development prevented development of the part of the site formerly used as a playing field from taking place until a relocation scheme for the sports facilities (used by Lostock Sports Club) had been submitted, approved and implemented. Condition 4 of approval 90115/13 stated that none of the development approved should take place after 25th May 2014, or after no more than 80 dwellings are built, if the relocation of Lostock Sports Club had not been satisfactorily completed and handed over to the Club.

Persimmon Homes have bought land on Chew Moor Lane and are currently laying out the new facilities for Lostock Sports Club. Lostock Sports Club have confirmed to the case officer that the playing areas and the ground works have been prepared, but these are not ready for play as they need further establishment and treatment over 2015. There is also further construction work required to take place over 2015, which includes service and utilities provision, completion of the access, car parking and hard landscaping, boundary treatment, construction of the clubhouse, construction of ancillary buildings (including equipment store and scoreboard), and the installation of practice nets. The Club are in discussions with Persimmons Homes regarding these outstanding matters, but there is no current agreed programme of works.

Sport England have commented on the proposal and have recommended that a condition again be attached to any approval to cease development on the site by a certain date or percentage of built dwellings if the new sports facility at Chew Moor Lane has not been constructed and been made available to Lostock Sports Club. The account from Lostock Sports Club confirms that the facility is still under construction and will not be available for use until at least later next year.

The following condition is therefore recommended to be attached to any approval to ensure that Persimmons carry out their obligation to Lostock Sports Club in a timely manner:

"None of the development hereby approved shall be commenced until the site at Chew Moor Lane for the permanent relocation of Lostock Sports Club has been satisfactorily completed and handed over to the Club, unless an alternative detailed programme of works is submitted to and approved in writing by the local planning authority (in consultation with Lostock Sports Club and Sport England)."

Impact on Local Infrastructure

Core Strategy Policy IPC1 states that the Council will seek to ensure that developers make reasonable provision or contributions towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or to mitigate the impact of that development. However, this policy is applicable unless it can be demonstrated by the applicant that the scheme would not be viable if contributions were sought or offered.

A Unilateral Undertaking for the development was agreed within outline permission 75979/06. This undertaking was for 301 dwellings. As the replacement dwellings proposed within this latest application will only result in there being a total of 291 dwellings on the overall development (10 dwellings fewer than originally approved) it is not considered that it is necessary to require any further contributions towards local infrastructure.

Conclusion

For the reasons discussed above it is considered that the proposed development, subject to the suggested conditions, would be better suited to the market requirements of the area, would be compatible with the character and appearance of the area, would not jeopardise highway safety, and would not unduly harm the amenity of neighbours. Members are therefore recommended to approve this application with the conditions suggested.

Representation and Consultation Annex

Representations

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

- Γ The number of houses proposed is a rather large increase from the previous application;
- Γ There should be no access via Mill Lane/Ox Hey Lane;
- Γ When permission was granted for the original development residents were informed that there would be no extra usage of Mill Lane/Ox Hey Lane to Chorley New Road by the new residents. Since the completion of the houses traffic along this route has increased noticeably, and along with the unauthorised usage of Bolton Wanderers supporters traffic, is becoming quite dangerous;
- Γ An increase in usage of Mill Lane/Ox Hey Lane by new home owners will quickly make the route (used by pedestrians, cyclists, horse riders and residents of the cottages at the end of Mill Lane) unbearable;
- Γ A condition banning the use of Mill Lane/Ox Hey Lane will be unenforceable and be nowhere near enough to allay residents' fears;
- Γ No permission should be granted until the BWFC Academy access has been put in place;
- Γ Is the road stretching from Academy Way down to the Middlebrook Cycle Route to become a major traffic route to/from the Beehive Industrial Estate/Greenhalgh's Craft Bakery?;
- Γ Is the designation of Middlebrook Cycle Route to be discontinued, relegated to footpath only?;
- Γ The existing portion of the development (e.g. play areas, road surfacing and housing) needs completing before this part of the site is commenced;
- Γ What is the anticipated completion date of all the works?

Horwich Town Council:- raised no objection at their meeting of 20th November 2014.

Consultations

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Pollution Control Officers, Landscape Officers, Bolton Community Homes Officers, Education Officers, Strategic Development Unit, Economic Strategy Officers, Bolton Primary Care Trust, Greater Manchester Police's Architectural Liaison Officers, Greater Manchester Ecology Unit, Wildlife Project, Sport England, Environment Agency and United Utilities.

Planning History

Permission was granted in August 2013 for the erection of 135 dwellings, substituting 171 dwellings (92 apartments and 79 houses) (90115/13).

A non-material amendment to 75979/06 (replacing 3 1 bed apartments with 2 2 bed apartments and changes to elevation in Block D) was approved in December 2012 (89076/12).

A reserved matters application to substitute house types providing 38 two and three storey dwellings and 36 apartments in four blocks (appearance, landscaping, layout and scale only) was approved by the Planning Committee in July 2012 (87439/12).

Permission was granted in December 2010 to vary condition 3 of 68157/04 (to allow up

to 25 dwellings to be occupied prior to points A, B, and C being implemented) (84265/10). Point A was for the access road to Greenhalgh's Bakery to be constructed and made available for public use. point B was for the change of use of the training building and the erection of the indoor football school. Point C was for the playing surfaces and pitches on land to the east of Mill Lane to be laid out.

Permission for the approval of details of layout, appearance, scale and landscaping for 301 dwellings (137 apartments and 164 houses) was approved in February 2008 (75979/06). The Unilateral Undertaking for the development accompanies this decision.

An application for the approval of details of siting, design, external appearance and landscaping of 166 residential units (66 apartments and 100 houses) was withdrawn by the applicant in November 2006 (72337/05).

Outline planning permission was granted in September 2004 for the erection of an indoor football school, residential development and industrial and warehouse development (Class B1 and B8) (means of access details only) without complying with condition 2 on application 62282/02 (to apply for reserved matters by 16/01/06 and commence development by 16/01/08) (68157/04).

Outline permission was granted in January 2003 for the erection of an indoor football school, residential development and industrial and warehouse development (Class B1 and B8) (means of access details only) and full permission for the use of the former training building for a football academy, the laying out and use of land as playing surfaces and pitches and the laying out of access roads (62283/02).

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. None of the development hereby approved shall be commenced until the site at Chew Moor Lane for the permanent relocation of Lostock Sports Club has been satisfactorily completed and handed over to the Club, unless an alternative detailed programme of works is submitted to and approved in writing by the local planning authority (in consultation with Lostock Sports Club and Sport England).

Reason

To ensure the continuity of Lostock Sports Club and to ensure the proposed development complies with paragraph 74 of the National Planning Policy Framework.

3. None of the development hereby approved shall be commenced unless and until the means of access between Lostock Lane and Ox Hey Lane has been constructed and completed in accordance with details to be submitted to and approved in writing by the local planning authority. This shall include a new link road leading directly up to the Bolton Wanderers Academy site. These access arrangements shall be so retained thereafter.

Reason

In the interests of highway safety and to protect the amenity of local residents.

4. No development shall commence unless and until full details of the means of preventing access to Ox Hey Lane have been submitted to and approved by the local planning authority and the approved measures have been implemented in full on site. These details shall include bollards at the junction of Ox Hey Lane with the new access link road leading directly up to the Bolton Wanderers Academy site, which shall be implemented entirely in accordance with the requirements of condition 3. The approved measures shall be retained thereafter.

Reason

In the interests of highway safety.

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

Reason

To ensure the development reflects local distinctiveness.

6. All hedgerows shown for retention on the site layout plan shall be surrounded by protective fencing prior to the commencement of development in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The approved fencing must be retained until the completion of construction of the adjacent plots.

Reason

To protect the existing landscaping.

7. Prior to the commencement of development hereby approved a scheme which specifies the provision to be made to protect future occupants against noise generated by the nearby bakery site and the existing adjacent industrial units shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

To create a satisfactory living environment for future occupiers.

8. Prior to the commencement of development a scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans prior to the first occupation of the development and retained thereafter.

Reason

To ensure a satisfactory means of drainage.

9. Development shall not commence until an 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.

Reason

To ensure the development is safe for use.

10. Prior to the development hereby approved/permitted being first occupied the means of vehicular access to the site from Lostock Lane shall be constructed and laid out entirely in accordance with the approved plans.

Reason

In the interests of highway safety
11. 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.
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 include a management scheme and supplementary planting for the tree belt on the north western site boundary and the boundary hedges to Ox Hey Lane and Mill Lane. 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.
13. No dwelling shall be occupied until the access roads, footways and footpaths leading thereto have been constructed and completed in accordance with the approved plans.

Reason

In the interests of highway safety.
14. The garages hereby approved/permitted shall be made available at all times for the parking of motor vehicles.

Reason

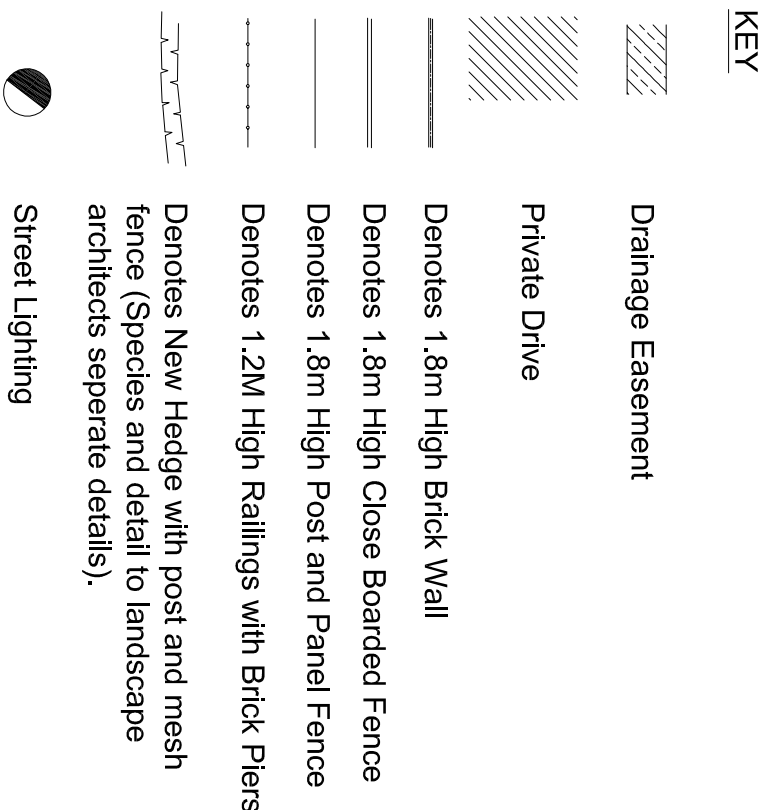
The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety.
15. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

LOS:PL:001 Rev. T; "Planning Layout"; received 13 Oct 2014
AN-WD10 Rev. C; "The Alnwick"; received 13 Oct 2014
HB-WD10 Rev. M; "Hanbury"; received 13 Oct 2014
HT-WD10 Rev. L; "Hatfield"; received 13 Oct 2014
KL-WD10 Rev. A; "Kendal"; received 13 Oct 2014
"Leicester House Type"; dated Apr 2007; received 13 Oct 2014
MS-WD10 Rev. H; "Moseley"; received 13 Oct 2014
RS-WD10 Rev. P; "Roseberry"; received 13 Oct 2014

RF-WD10 Rev. N; "Rufford"; received 13 Oct 2014

Reason

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



| MIDDLEBROOK VIEW, LOSTOCK | | | | | |
|---------------------------|--|--|--|--|--|
| HOUSE TYPE MIX | | | | | |

| HouseType | SCFT | Number of Units | % |
|--------------|-------------------------|-----------------|----|
| Kendall | 1160 SCFT | 8 | 6 |
| Lakeside | 1162 SCFT | 16 | 22 |
| Resentry | 2 1/2 St, 3 Bed + study | 18 | 22 |
| Rosemary | 3 St, 3 Bed | 8 | 11 |
| Hatfield | 2 St, 3 Bed | 5 | 5 |
| Rubid | 810 SCFT | 10 | 14 |
| Mosley | 2 1/2 St, 3 Bed | 4 | 5 |
| Harbury | 2 St, 3 Bed | 14 | 19 |
| Amwick | 2 St, 2 Bed | 631 SCFT | 11 |
| TOTAL | 69083 SCFT | 73 | |

| | | |
|------------------------|------------|---------------|
| Gross Site Area | 3.99 Acres | 1.61 Hectares |
| Public Open Space | 0 Acres | 0 Hectare |
| Undevelopable for Road | 0 Acres | 0 |

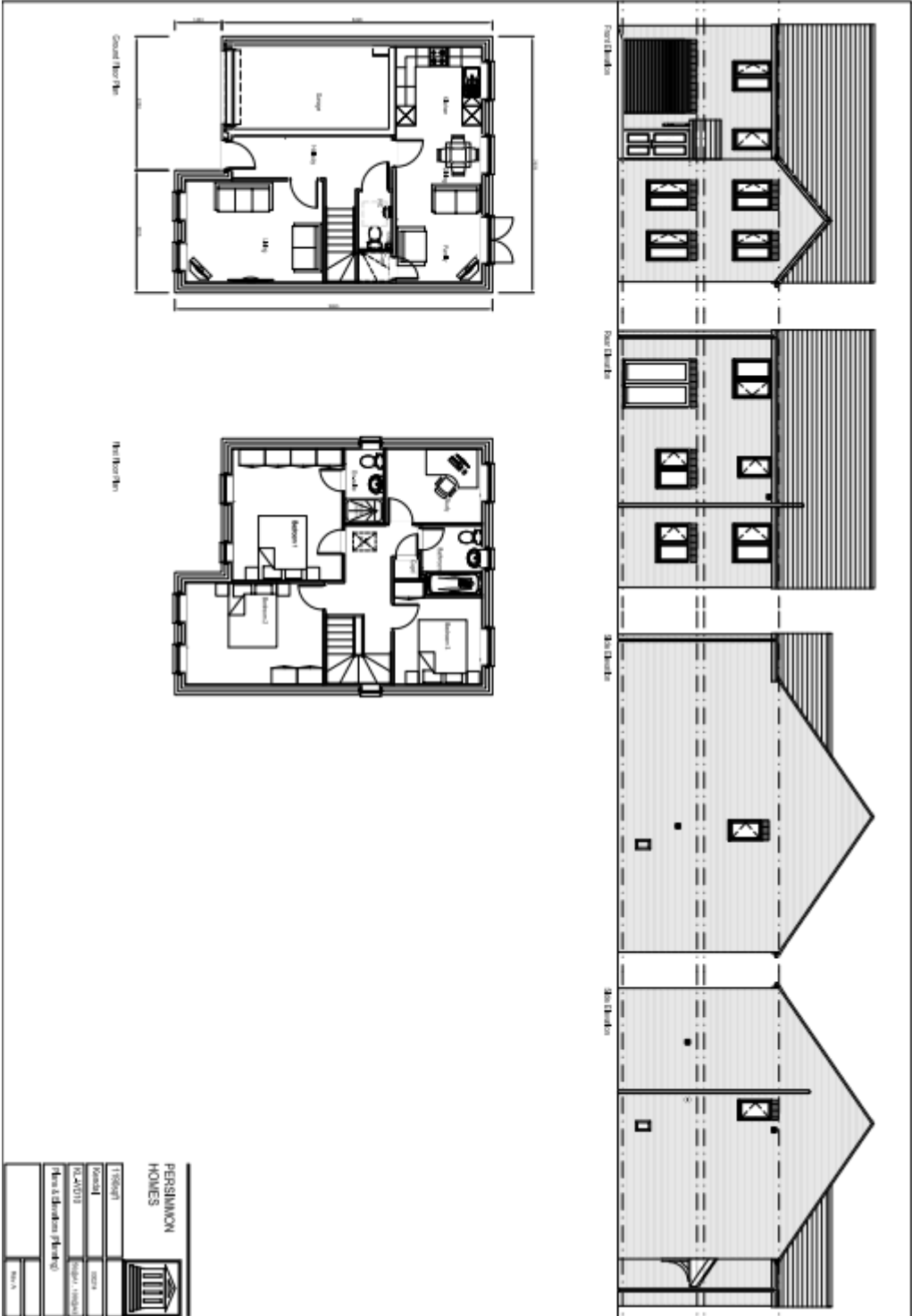
| | | |
|-----------------|------------------|---------------------|
| Nett Site Area: | 3.8 Acres | 1.54 Hectares |
| Gross Density: | 16.30 Units/Acre | 45.21 Units/Hectare |

| | | |
|---------------|------------------|---------------------|
| Nett Density: | 19.21 Units/Acre | 47.47 Units/Hectare |
|---------------|------------------|---------------------|

| | | |
|----------------|--------------------|---------------------|
| Gross Footage: | 17314.04 SQFT/Acre | 3974.72 SQM/Hectare |
| Nett Footage: | 18179.74 SQFT/Acre | 4173.45 SQM/Hectare |

[illegible]

Examples of proposed house types

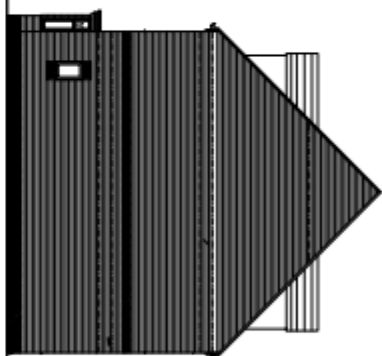




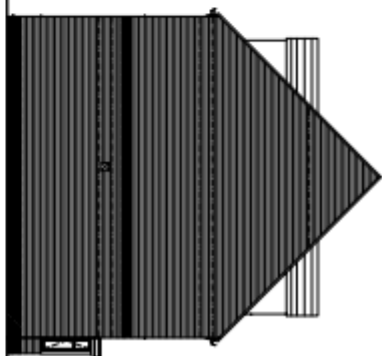
Front Elevation



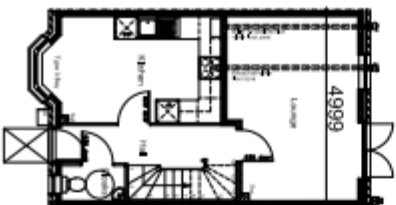
Rear Elevation



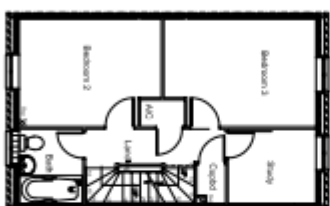
Gable Side Elevation



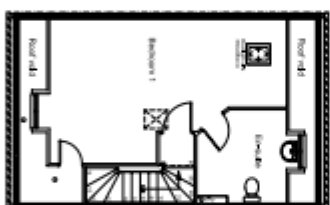
Gable Side Elevation



GROUND FLOOR



FIRST FLOOR



SECOND FLOOR

Leicester - 3 Bed (1211 sq.ft)

PERSIMMON

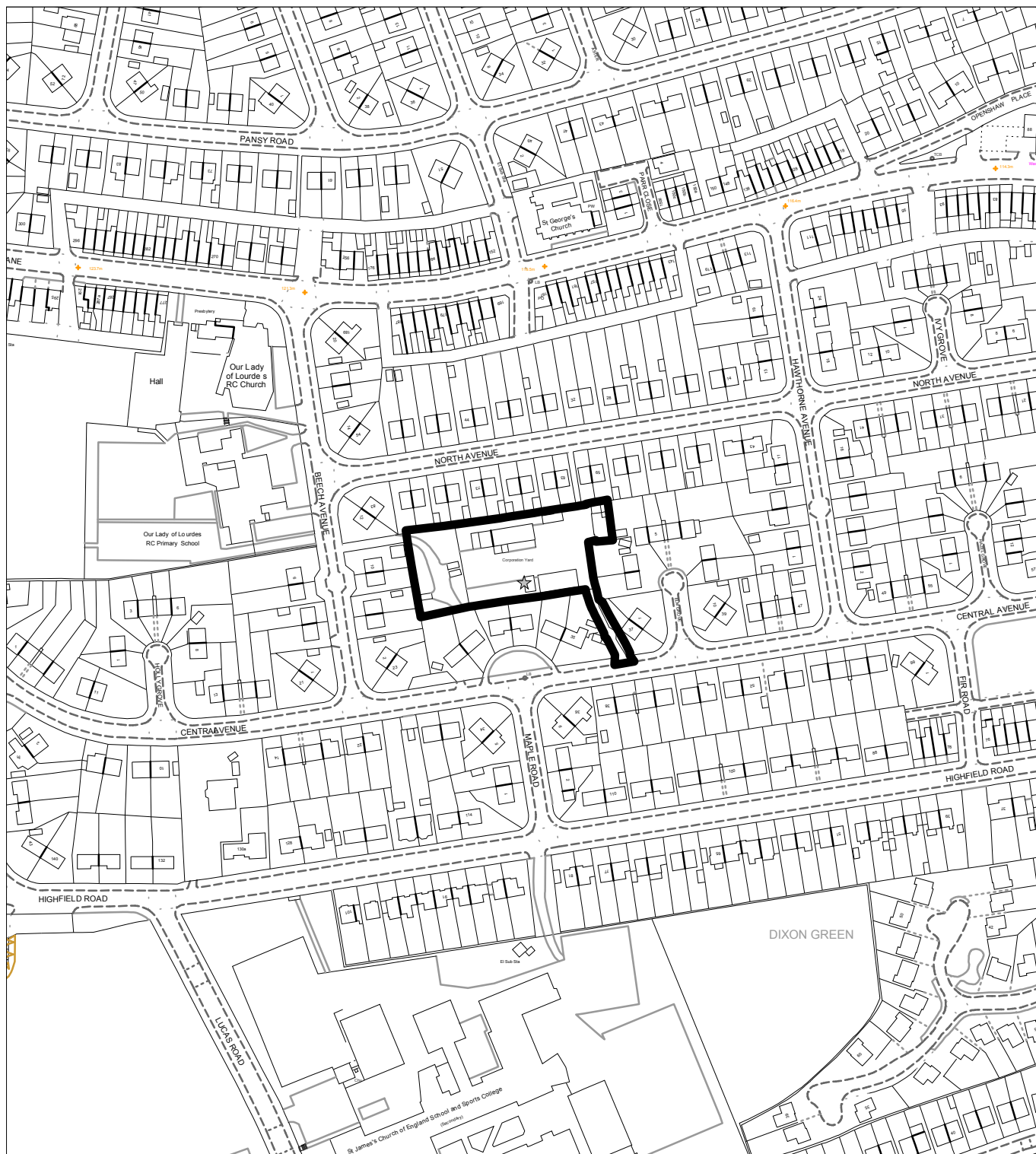
39-41 South Park Road
Leicester
Le1 5BH
Tel: 01533 796 3377
Fax: 01533 796 3372

Persimmon
Leicester House Type

Scale: 1:100 @ A3
Date: Apr 2007

Application No.

92944/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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Date of Meeting: 18/12/2014

Application Reference: 92944/14

Type of Application: Full Planning Application
Registration Date: 23/10/2014
Decision Due By: 21/01/2015
Responsible Officer: Alex Allen

Location: LAND REAR OF BEECH AVENUE/CENTRAL AVENUE/NORTH AVENUE, FARNWORTH, BOLTON

Proposal: ERECTION OF 12 DWELLINGS TOGETHER WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING

Ward: Farnworth

Applicant: Bolton At Home and Seddon Construction Ltd
Agent : Nicol Thomas

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant seeks the redevelopment on an existing Bolton at Home depot and former garage colony site with the erection of 6 x 2 bedroomed dwellings, 4 x 3 bedroomed properties and 2 x 2 storey semi detached properties with associated access road, landscaping and new boundary treatment. All the proposed new properties would be two storey in height. Vehicular access would be via the existing access from Central Drive, in between No. 35 and No. 37 with a narrow strip taken from the side garden curtilage of No. 37 to provide a wider access road.

The access road would run along the southern perimeter of the site with five properties facing Beech Avenue to the west, five properties orientated in a north south position towards North Avenue and Central Drive with a further two properties located in the north eastern corner of the site.

There are a number of trees located within the site which will be removed to facilitate the development. Replacement tree planting would be provided on the edges of site to mitigate against the lost of existing trees.

Amended plans have been received which provide enhanced interface distances to existing dwellings.

Site Characteristics

The application is comprised of two elements: (i) the large / eastern part of the site is an existing Bolton at Home depot which is accessed from Central Drive; and (ii) the smaller / western part of the site was a former garage colony which is currently disused and access from Beech Avenue which has been closed off.

The existing depot is currently in use and has a number of relatively large single storey buildings located on the northern, southern and north eastern perimeter of the site. The site / buildings is/are currently used as a temporary joiners shop, storage and associated welfare facilities. Up to December 2012 the site was the operational base for a minor works team which comprised of approximately 35 operatives, 18 vehicles, 3 admin staff, 3 technical staff and 3 supervisors.

Policy

National Planning Policy Framework

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

P5 Accessibility, S1 Safe, CG1 Cleaner and Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing and RA2 Farnworth.

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

Principle of Residential Development

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...'

In addition, Local Planning Authorities should set targets for the provision of affordable housing. Furthermore, Core Strategy Strategic Objectives 14, 15 and 16 and policy SC1 seek 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%). Core Strategy policy RA2.9 also makes an allowance for the development of new housing on a combination of brownfield and greenfield in existing housing areas.

The site is unallocated within the current Core Strategy Allocations Plan. The application site is a previously developed site located within an established residential area of Farnworth. The current depot use of the largest part of the site represents a non conforming use which is located in close proximity to residential properties. The remaining former garage colony site is overgrown and in need of regeneration.

The proposed development would provide 12 new affordable homes whilst regenerating the former garage colony site and removing a non conforming use within an established residential area. The proposal would comply with policy.

Impact on the Character and Appearance of the Area

Guidance contained within NPPF and Core Strategy policies CG3 and RA2 seek to ensure that new development proposals are compatible with the surrounding area in terms of scale, massing, grain, form, architecture, landscape treatment.

It is noted that the proposal would provide 12 two storey properties which are compatible with the surrounding area. The proposal would remove a number of workshop buildings which are located adjacent to the shared boundary with properties on North Avenue and Central Avenue.

The applicant has confirmed that the existing boundary treatment, which is 3 metre high palisade fencing, would be removed and replaced with a 1.8 metre high timber close boarded fence. It is considered that this would be more compatible with the existing residential character of the area.

It is considered that the proposed use of the site would enable additional natural surveillance of the site and the surrounding existing residential properties, which would enhance the overall security of the area. The proposed new boundary treatment would provide sufficiently robust fencing to be secure.

The proposal will enhance the character of the area and the outlook of adjoining residents. The proposal is considered to comply with Core Strategy policies CG3 and RA2.

Impact on the Living Conditions of Existing/Future Residents

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Planning Control Policy Note No. 2 provides guidance for conventional housing layouts where houses face each other to provide for 21 metres between principal room elevations. Where principal/main room elevations overlook blank gables this distance can be reduced to 13.5 metres. In addition, where principal room windows do not directly overlook each other, but are not otherwise obscured, a minimum distance of 17 metres should be maintained.

The development will in the main exceed the interface guidelines outlined above. Properties on Beech Avenue and Central Avenue would benefit from interface distances of between 23 and 24 metres (2-3 metres in excess). Within the overall scheme there would be two pinch points:

-) Plots 4 and 5 would be between 20.47 metres from the existing rear elevations of No's 67 and 69 North Avenue, a shortfall of 0.53 metres.
-) Plot 2 with the rear elevation of No. 61 which would be 16.21 metres away (at an oblique angle) which is a shortfall of 0.79 metres.

Whilst a limited number of interface distances are substandard, it is considered that these are relatively modest and unlikely to result in a significant reduction in the living conditions of either existing adjoining residents or the future residents of the proposed development site. There are a number of other material considerations which are relevant in the consideration of this site including:

-) the site has historically been used by a large number of people and vehicles and is currently used, in part, as a joiners workshop. The existing use represents an incompatible use in a residential area;
-) there are a number of large buildings which have been built close to the boundaries with properties on North Avenue and Central Avenue. The proposal would remove these buildings providing an enhanced views from residents properties;
-) the redevelopment of the former garage colony represents a enhancement/regeneration of the site and the wider area.

On balance, it is considered that the modest short fall in the interface standards to a small number (3 no.) of properties is offset by the significant improvements to the overall character of the area and removal of an incompatible use in a residential area.

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.

Direct access to the site would be using the existing depot vehicular access point from Central Avenue. The Council's Highways Engineers have no objections to the proposal. They state that as the properties are 2 and 3 bedrooms, the Council's maximum standards recommend the provision of 2 car parking spaces.

The proposal would meet the Council's maximum car parking standards. The existing access point between No's 35 and 37 Central Avenue would be improved by widening part of the existing driveway. This would enable two cars to pass each other. Due to the constrained nature of the access and the relatively low level of development the proposal would result in low vehicle speeds which will enable safe access and egress from the site.

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

Impact on Trees

Core Strategy policy CG1 seeks to safeguard and enhance biodiversity by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development.

The Council's Trees and Woodlands Officer has commented that the existing trees on the site are generally of poor grade and relatively young. Whilst the retention of some trees on the site would have provided some screening of the development, the high density and specific location of the trees makes this impractical. Therefore the replacement of

trees with new planting primarily around the perimeter is supported.

The Council's TWO has recommended that the proposal provide replacement tree planting around the perimeter of the site. The applicant has provided a landscaping plan which meets with the TWO requirements.

It is considered that the proposal complies with policy.

Impact on Land Stability/Contamination

Core Strategy policy CG4.3 seeks to ensure that new development proposals affected by potential land instability must include an assessment of the extent of the issues.

The proposal is located within a potential high risk area for coal workings. As part of the initial submission the applicant has provided a Coal Mining report from the Coal Authority which confirms that the development was in an area which was subject to coal mining which was completed in 1961. The Coal Authority, within the report, have confirmed that the risk to the proposed development from earlier coal mining is negligible and that there are no mine entries within 20 metres of the proposed development site.

Given the earlier uses of the site, the applicant has also submitted a desktop contaminated land study which identifies that the site has the potential to require some gas monitoring and modest remediation.

Whilst the formal response on this information is expected shortly from the Coal Authority it is considered appropriate to place a condition on the decision notice to require the submission of a Phase II report which provides a more detailed examination of the requirements for remediation of the site, including any mitigation as a result of earlier shallow mine workings. This would enable the safe development of the site.

Subject to the conditioning of the Phase II survey work and subsequent agreement regarding appropriate remediation of the site (if required) it is considered that the proposal complies with policy.

Impact on Sustainability

Core Strategy policy CG2 seeks to ensure that new residential development proposals of 5 dwellings or more are Code for Sustainable Homes Level 3 compliant, provide low carbon energy sources to reduce Carbon Dioxide emissions by 10% from regulated and unregulated energy use and to ensure surface water run-off from the site should be reduced by 50% from the original conditions.

The applicant has confirmed that the proposal would comply with the above requirements thus complying with Core Strategy policy CG2.

Conclusion

The application relates to a previously developed site located in a highly accessible and sustainable location. The proposal would be for the provision of affordable housing with modest, well designed properties with sufficient off road car parking. The proposal would assist in meeting the Council's Strategic objectives for housing. It is considered that the

significant benefits which would accrue from the regeneration of the whole site and the provision of affordable housing would outweigh the modest shortfall in interface distances on a small number of plots.

It is considered that the proposal complies with policy and is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- five letters have been received, three comment and two objection letters. The comment letters raise the following:

-) Query regarding the proposed boundary treatment;
-) Requirement for speed bumps on adjoining roads as there may be more traffic - ***this is not a highways requirement and would not be a reasonable requirement;***
-) Query regarding appropriate interface distances - privacy issues.

Two objection letters have been received:

-) 24/7 use of the site is possible with the proposed development versus only 37 hours use currently of the existing depot;
-) Headlights shining adjacent to the proposed vehicular access point - ***the provision of new boundary treatment would ensure existing properties are screened from headlights;***
-) Potential vandalism and youths congregating around the access point;
-) Parking - visitors / tenants potentially overflowing onto Central Drive;
-) Increase in noise pollution;
-) Concerns regarding house prices being reduced to the potential increase in being overlooked - ***reduction in house prices is not a material consideration - the issue of privacy is considered in the main report;***
-) Block sunlight from property (No. 59 North Avenue) / result in overshadowing (result of tree planting);
-) Plants growing up an existing wall (this matter has been raised with the applicant but is a private matter between the two parties); and
-) Concerns over the security/proposed boundary treatment.

Petitions:- no petitions received.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: The Coal Authority, the Council's Drainage/Flood Risk team, Corporate Property Services, Trees and Woodland Officers, Design for Security (Greater Manchester Police), Economic Strategy, Strategic Development Unit, Landscape Architects.

Planning History

Planning permission was granted in October 1996 for the erection of 3 metre high perimeter palisade fencing around the former Depot (Ref: 49246/96).

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. No development shall be commenced until full details of the type and colour of facing materials to be used for the external walls and roof(s) have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the development safeguards the character and visual appearance of the locality.

3. Phase II Report

Should the approved Phase I Report recommend that a Phase II Report is required, then prior to commencement of any site investigation works, design of the Phase II site investigation shall be submitted to, and approved in writing by, the Local Planning Authority. Site investigations shall be carried out in accordance with the approved design and a Phase II Report shall then be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The Phase II Report shall include the site investigation data, generic quantitative risk assessment, detailed quantitative risk assessment (if required) and recommendations regarding the need or otherwise for remediation.

Should the Phase I Report recommend that a Phase II Report is not required, but during construction and prior to completion of the development hereby approved, contamination or gas migration is found or suspected, the developer shall contact the Local Planning Authority immediately and submit proposals for investigation and remediation of the contamination or gas migration within seven days from the date that it is found or suspected to the Local Planning Authority for approval in writing.

Options Appraisal

Should the Phase II Report recommend that remediation of the site is required then unless otherwise agreed in writing with the Local Planning Authority, no development shall commence unless or until an Options Appraisal has been submitted to, and approved in writing by, the Local Planning Authority. The Options Appraisal shall include identification of feasible remediation options, evaluation of options and identification of an appropriate Remediation Strategy.

Implementation of Remediation Strategy

No development shall commence, unless otherwise agreed in writing with the Local Planning Authority, until the following information relating to the approved Remediation Strategy has been submitted and approved by the Local Planning Authority:

- i) Detailed remediation design, drawings and specification;
- ii) Phasing and timescales of remediation;
- iii) Verification Plan which should include sampling and testing criteria, and other records to be retained that will demonstrate that remediation objectives will be met; and
- iv) Monitoring and Maintenance Plan (if appropriate). This should include a protocol for long term monitoring, and response mechanisms in the event of non compliant monitoring results.

The approved Remediation Strategy shall be fully implemented in accordance with the approved phasing and timescales and the following reports shall then be submitted to the Local Planning Authority for approval in writing:

- v) A Verification Report which should include a record of all remediation activities, and data collected to demonstrate that the remediation objectives have been met; and
- vi) A Monitoring and Maintenance Report (if appropriate). This should include monitoring data and reports, and maintenance records and reports to demonstrate that long term monitoring and maintenance objectives have been met.

Reason

To ensure that the development is safe for use.

4. No development shall be commenced until full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason

To ensure the development safeguards the character and visual appearance of the locality and to safeguard the living conditions of nearby residents particularly with regard to privacy and outlook.

5. Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme. The approved landscape scheme shall be carried out within 6 months of the occupation of any of the buildings or the completion of the new 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 planting season with others of similar size and species.

Reason

To soften the development proposed and to enhance and improve the setting of the development within the landscape of the surrounding locality.

6. The approved boundary details as shown on Drawing No. M3865 (PL) 01 Rev A, including removal of the existing 3 metre high palisade fencing as 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.

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

Reason

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

8. The dwellings hereby approved shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). Within four months (unless otherwise agreed in writing with the LPA) of first occupation of the development hereby approved a Final Code Certificate will be submitted to the Local Planning Authority certifying that Code Level 3 has been achieved.

Reason

To reduce the impact on climate change and to improve the sustainability of the site.

9. Within 3 months of the commencement of development, an energy assessment of the approved development shall be submitted to the Local Planning Authority. The submission shall include a scheme which details how either (i) renewable energy technology or (ii) an alternative scheme e.g. enhanced insulation shall reduce CO2 emissions of predicted energy use of the development by at least 10%. The approved scheme shall be installed, retained and maintained in perpetuity thereafter unless agreed by the Local Planning Authority.

Reason

To enhance the sustainability of the development and to reduce the reliance on fossil fuels in order to comply with Core Strategy policy CG2.

10. No building hereby permitted shall be occupied until surface water drainage works have been implemented on site which reduce the existing surface water run off by at least 50% in accordance

with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme 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 reduce the risk of contaminating surface water run off and reduce the risk of localised flooding and down stream flooding by ensuring the provision of a satisfactory means of surface water dispersion

11. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Central Avenue shall be in accordance with the drawing ref M3865 (PL) 01 Revision A.

Reason

In the interests of highway safety

12. 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.

13. 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: 386/48(02)003 Rev C.

Reason

In the interests of highway safety.

14. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning General Permitted Development Order 2008 (or any Order amending or replacing that Order) no dormers shall be constructed or other alterations to the roof carried out on the approved dwellings [Plots 1 to 5 inclusive] other than those expressly authorised by this permission.

Reason

To safeguard the architectural character and appearance of the dwelling.

15. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning General Permitted Development Order 2008 (or any order amending or replacing that order) no extensions, porches, garages, outbuildings, sheds, greenhouses, oil tanks, or hardstandings shall be erected within the curtilage of Plots 1 and 2, other than those expressly authorised by this permission.

Reason

The private garden space of the dwellings is limited and any extension would result in an unsatisfactory scheme in terms of open space and privacy requirements.

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

Dwg No. M3865 (PL) 01 Revision A - Proposed Site Layout- received 03/12/2014;
Dwg No. M3865 (PL) 02 Revision A - Landscaping Layout - received 03/12/2014;
Dwg No. M3865 (PL) 05 - House type A floor plans - received 14/10/2014;
Dwg No. M3865 (PL) 06 - House type A elevations - received 14/10/2014;
Dwg No. M3865 (PL) 07 - House type B floor plans - received 14/10/2014;
Dwg No. M3865 (PL) 08 - House type B elevations - received 14/10/2014.

Reason

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

Beech Avenue, Farnworth, Bolton



KEY

Proposed Boundary Treatments

- Boundary Type A - 1800mm high timber clade boarded fence
- Boundary Type B - 1500mm high timber clade boarded fence with 300mm trellis to top (1800mm overall height)

Existing Boundary Treatments

- C/B Chisel Boarded
- I/R Iron Railings

- Water Butt - 200 litre with:
 - no open access at the top (childproof lid is allowed)
 - tap for drawing off water
 - detachable from down pipe with removable top or base for cleaning the interior
 - connected to down pipe with automatic overflow to surface water system
 - stable and adequately supported
 - made from durable material, opaque to sunlight.
- Rotary drier with:
 - 2 bed units - 4.0m line length
- Bin store with 1500mm dia. turning circle
- Shed with Sheffield type cycle stands bolted to concrete floor.
 - 2 bed units 2 no. cycles - shed size 2.0m x 2.0m
- PC concrete paving slabs 600 x 600mm
- Turfed lawn area
- Tarmac driveways
- Proposed new trees
- Proposed new shrubs

SCHEDULE OF ACCOMMODATION

| | |
|--|-----------|
| Type A 2 bedroom 4 person house @ 70m² | 08 |
| Type B 3 bedroom 5 person house @ 82m² | 04 |
| Total No. units | 12 |

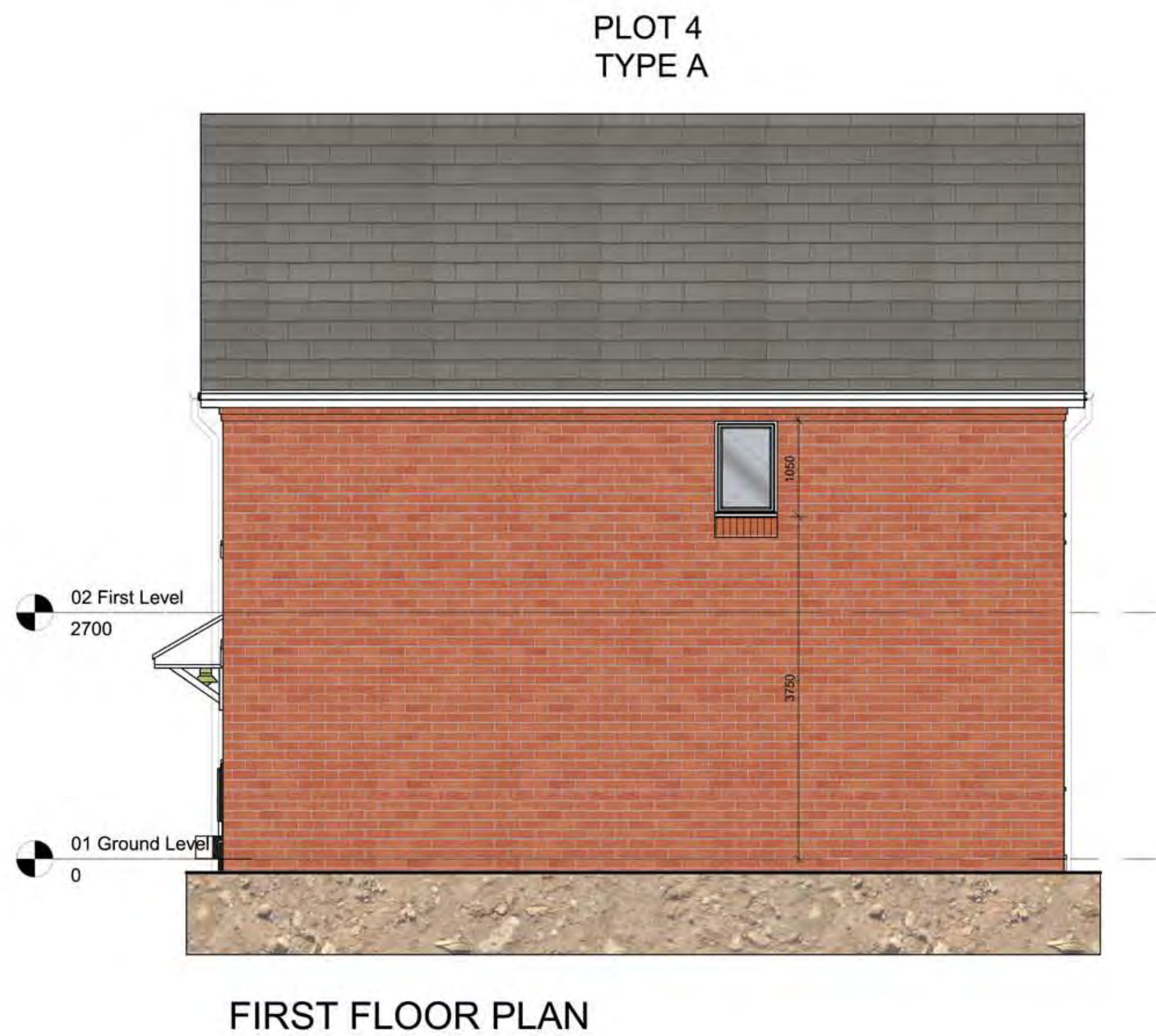
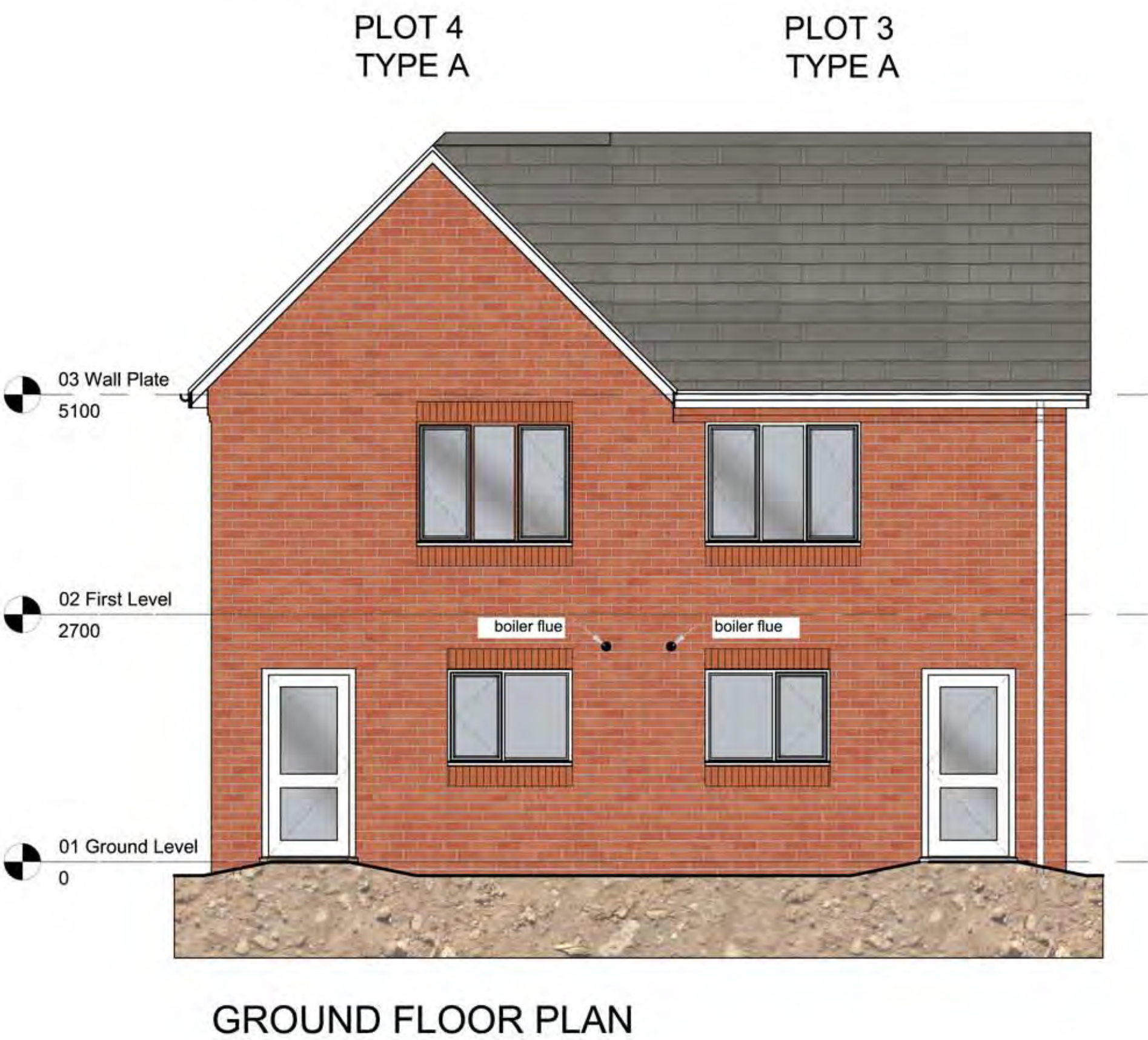
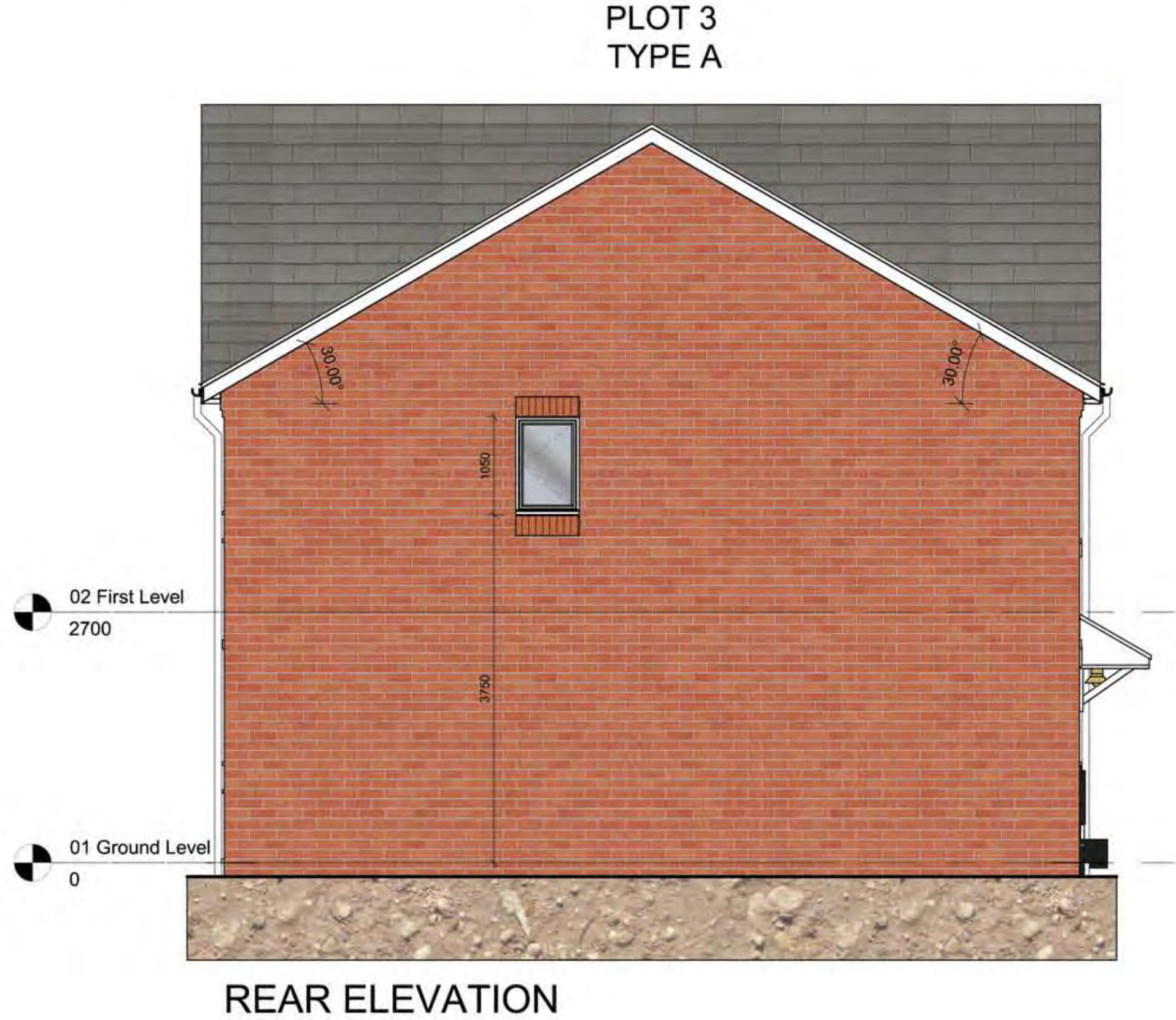
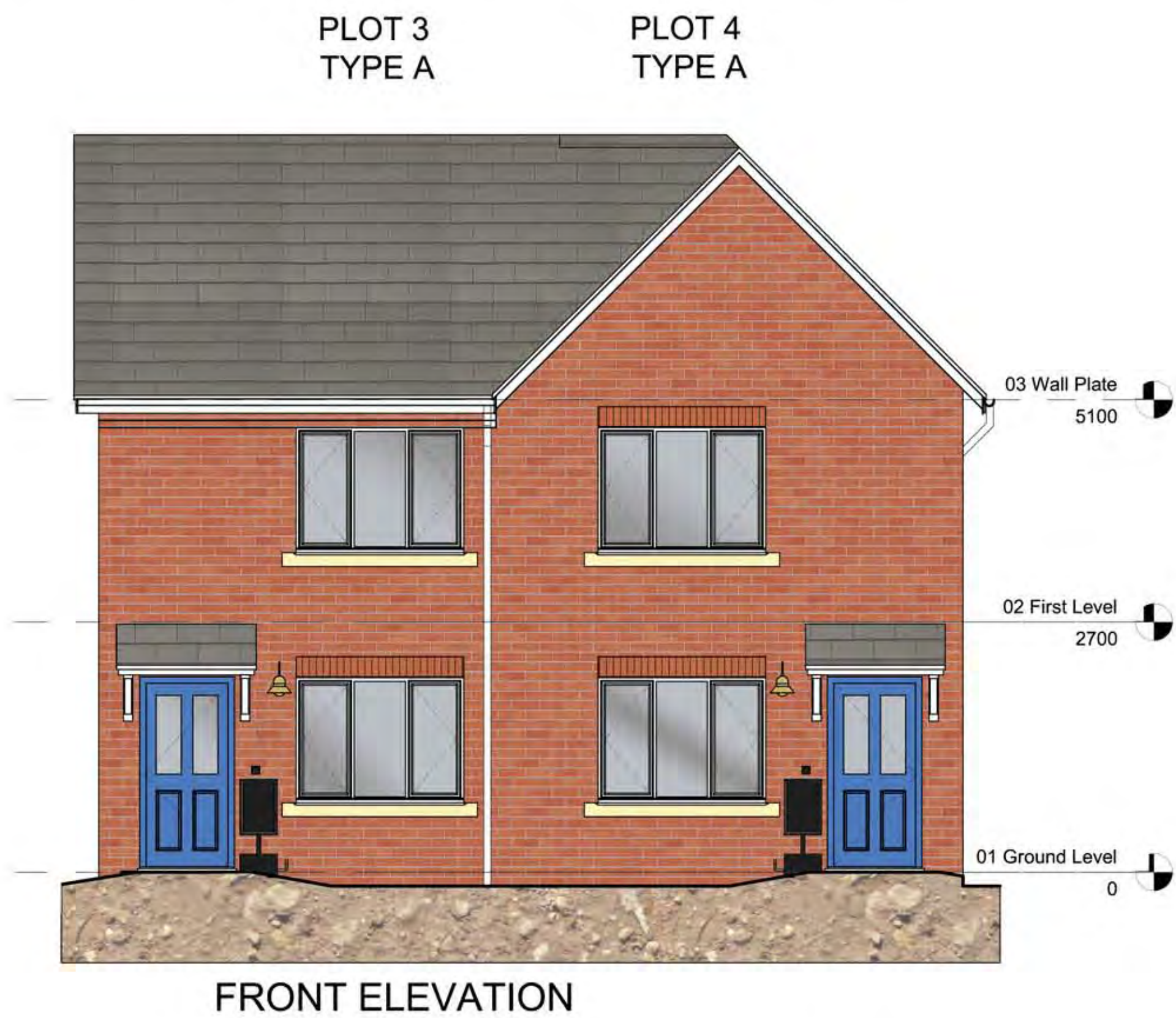
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| Client: | Seddon |
|-----------------------|-------------------------|
| Job: | Beech Avenue, Farnworth |
| Drawing title: | Site Layout |
| Drawing Number: | M3865 (PL) 01 |
| Revision: | A |
| Scale: | 1:200 @ A1 |
| Date: | Oct 2014 |
| Drawn by/ checked by: | JLW/GRF |

| Revision | Date | Details |
|----------|----------|--|
| A | 03/12/14 | Properties moved slightly, and extra parking plot at unit 10. Boundary treatments made much clearer. |
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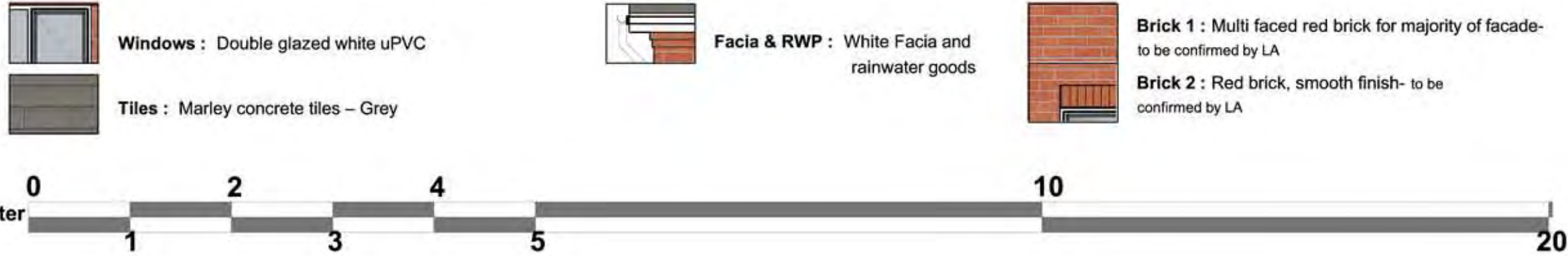
HOUSE TYPE A
2 Bed 4 Person
70 m²
Units: 3,4,5,6,7,8,9,10



| Revision | Date | Details |
|----------|------|---------|
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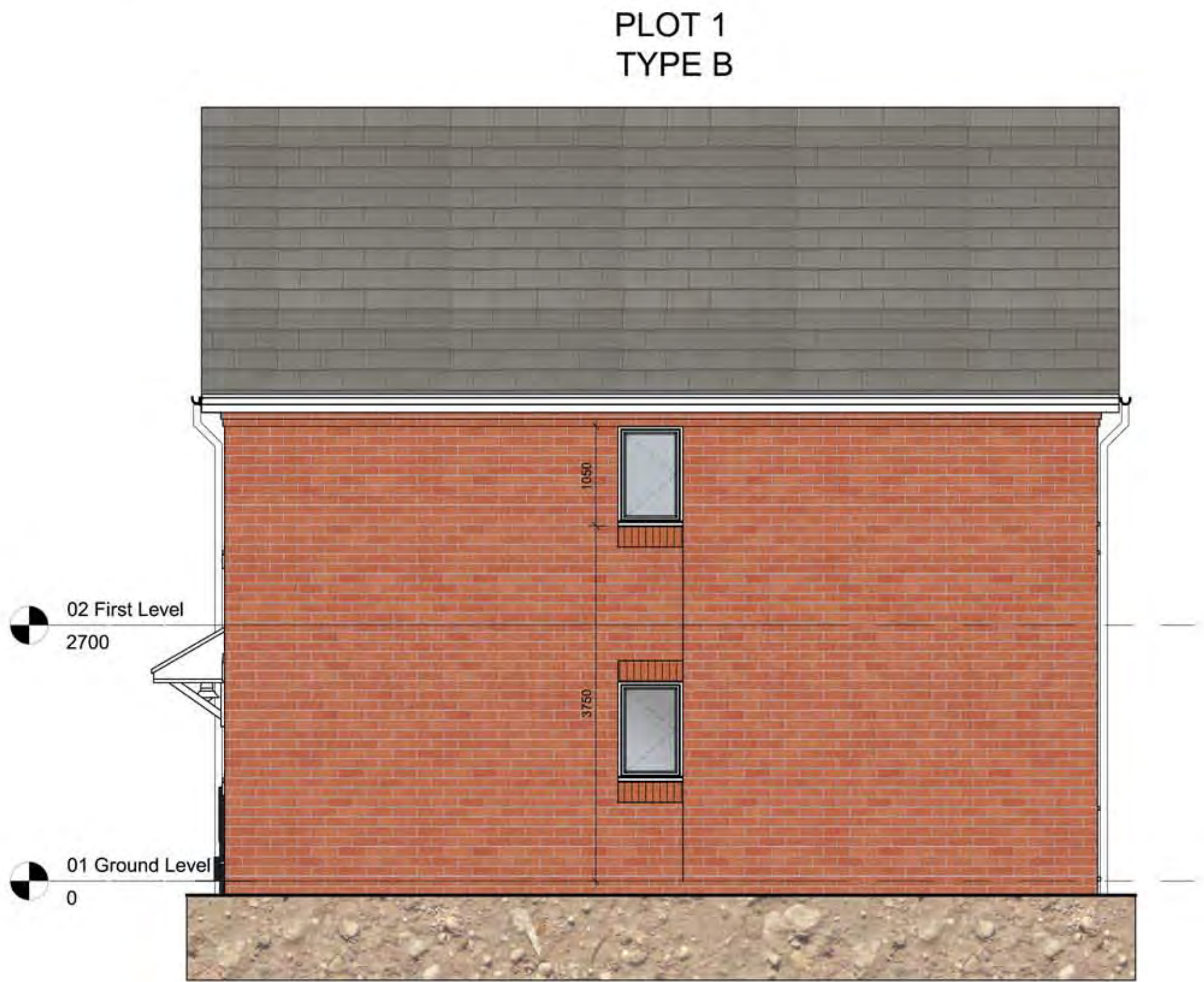
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|---------------------------------|-------------------------|------|----|-----------|
| Client: | Seddon | | | |
| Job: | Beech Avenue, Farnworth | | | |
| Drawing title: | House Type A Elevations | | | |
| Drawing Number: (Job number) | M3865 | (PL) | 06 | Revision: |
| Scale: | 1:50 @ A1 | | | |
| Date: | 08 OCT 2014 | | | |
| Drawn by/ checked by: | ALH/GRF | | | |

HOUSE TYPE B
3 Bed 5 Person
82 m²
Units: 1, 2 ,11, 12



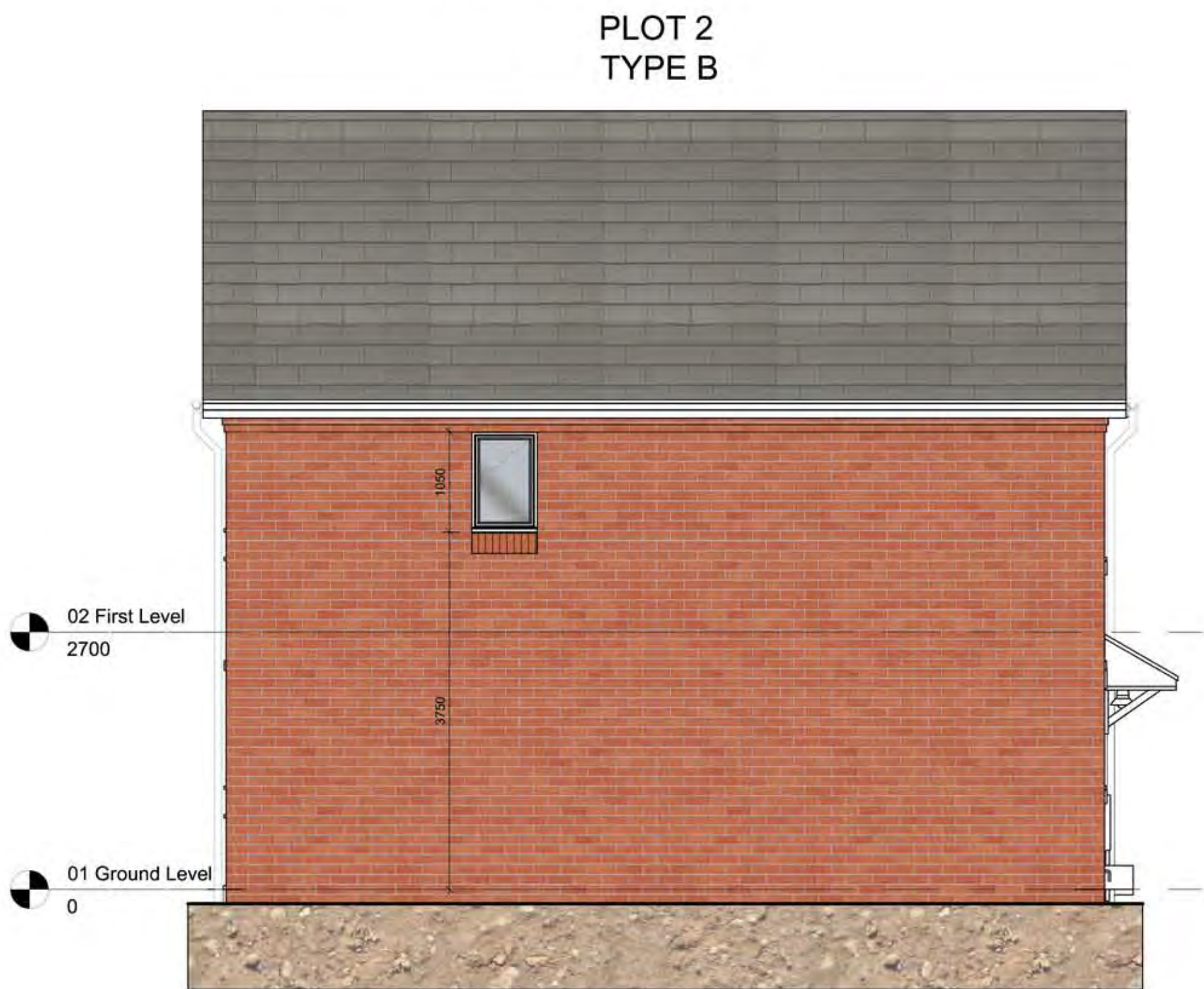
FRONT ELEVATION



REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

| Revision | Date | Details |
|----------|------|---------|
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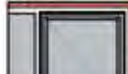
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KEY


**Windows :** Double glazed white uPVC

**Facia & RWP :** White Facia and rainwater goods

**Brick 1 :** Multi faced red brick for majority of facade- to be confirmed by LA

**Brick 2 :** Red brick, smooth finish- to be confirmed by LA

**Tiles :** Marley concrete tiles – Grey



0 2 4 10 20
Meter 1 3 5

nicol thomas

| | | | | |
|---------------------------------|-------------------------|------|----|-----------|
| Client: | Seddon | | | |
| Job: | Beech Avenue, Farnworth | | | |
| Drawing title: | House Type B Elevations | | | |
| Drawing Number: (Job number) | M3865 | (PL) | 08 | Revision: |
| Scale: | 1:50 @ A1 | | | |
| Date: | 08 OCT 2014 | | | |
| Drawn by/ checked by: | ALH/GRF | | | |

Proposed residential development at Beech Avenue, Farnworth.

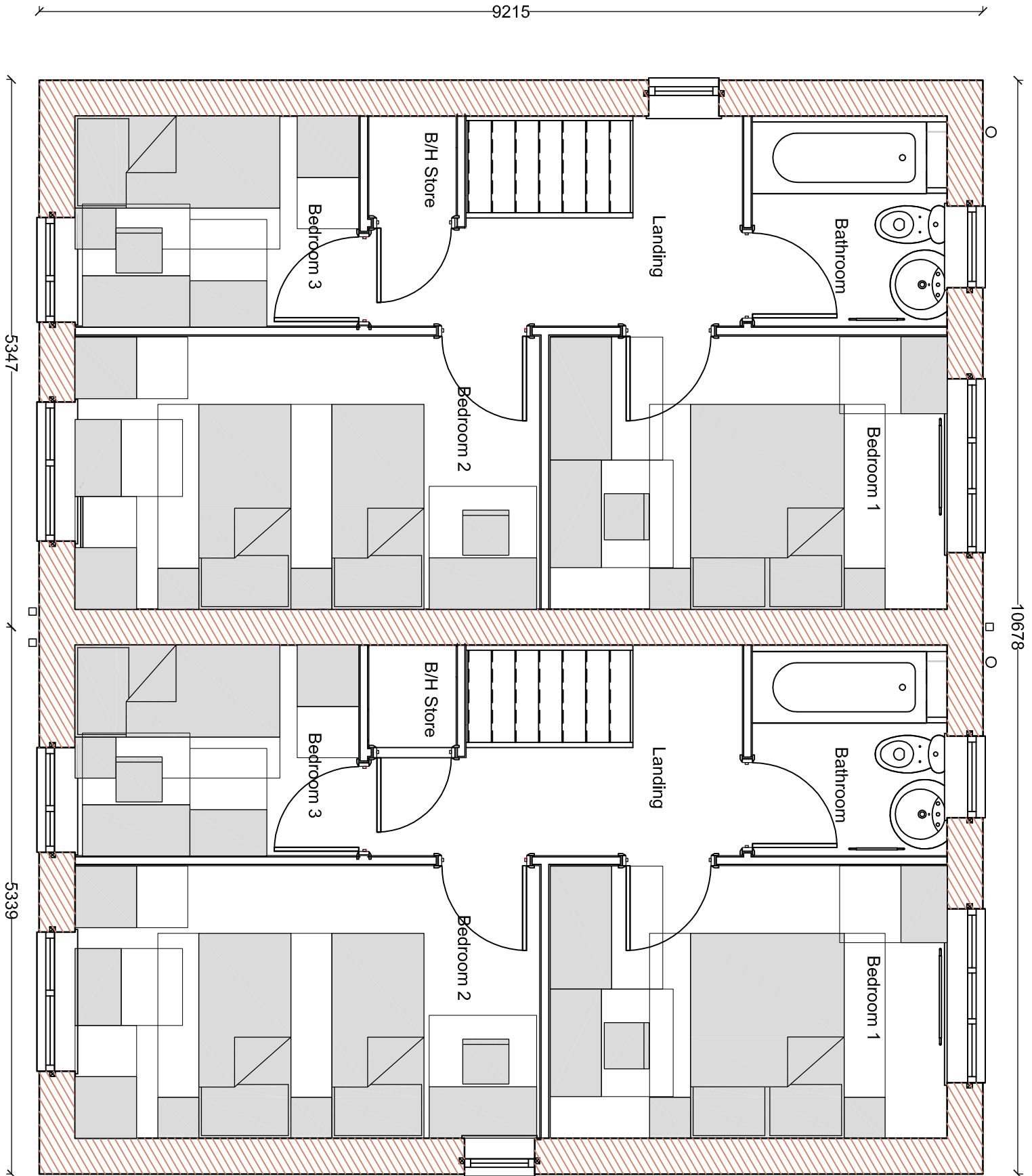
House types

HOUSE TYPE B

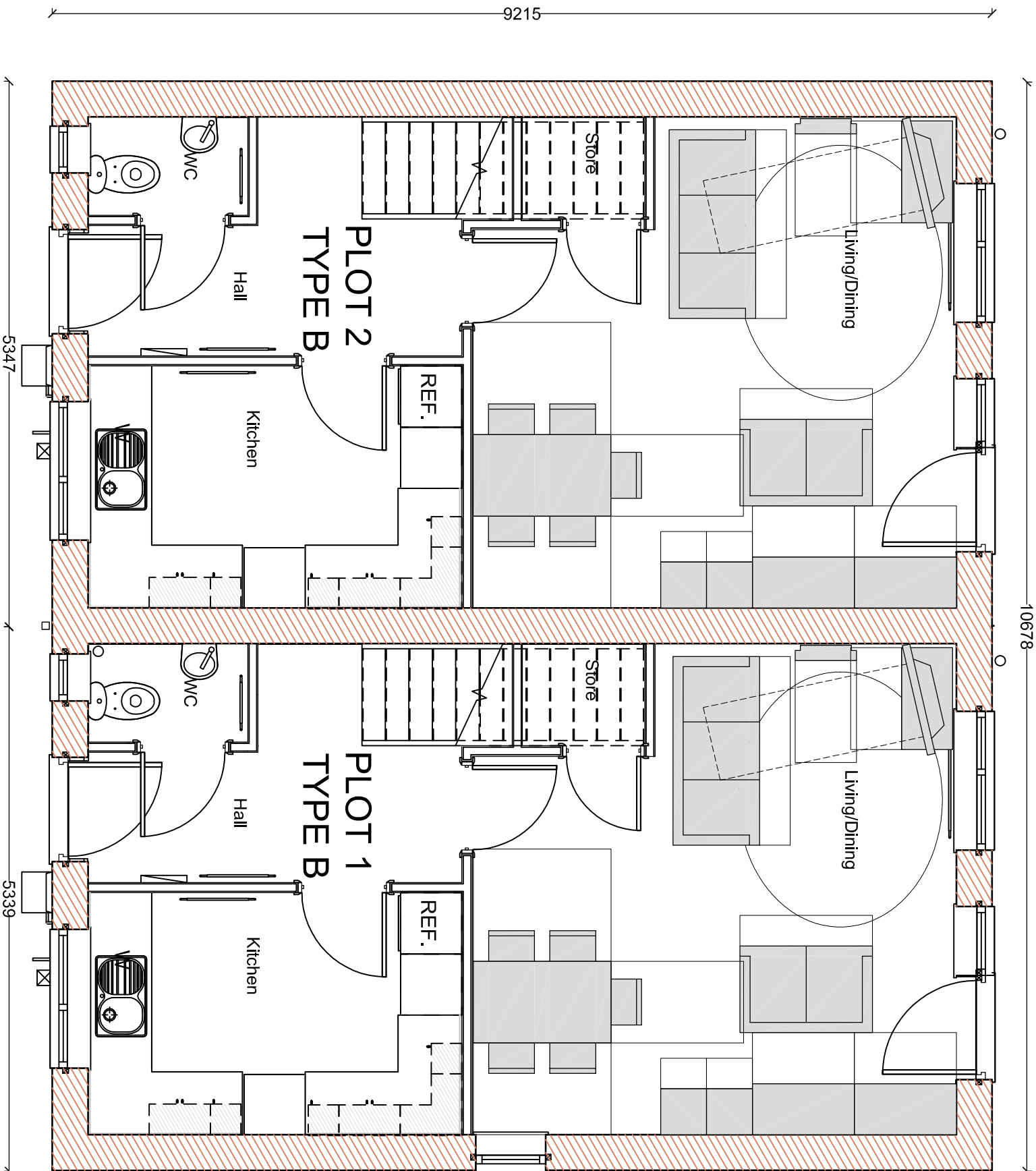
3 Bed 5 Person

82 m²

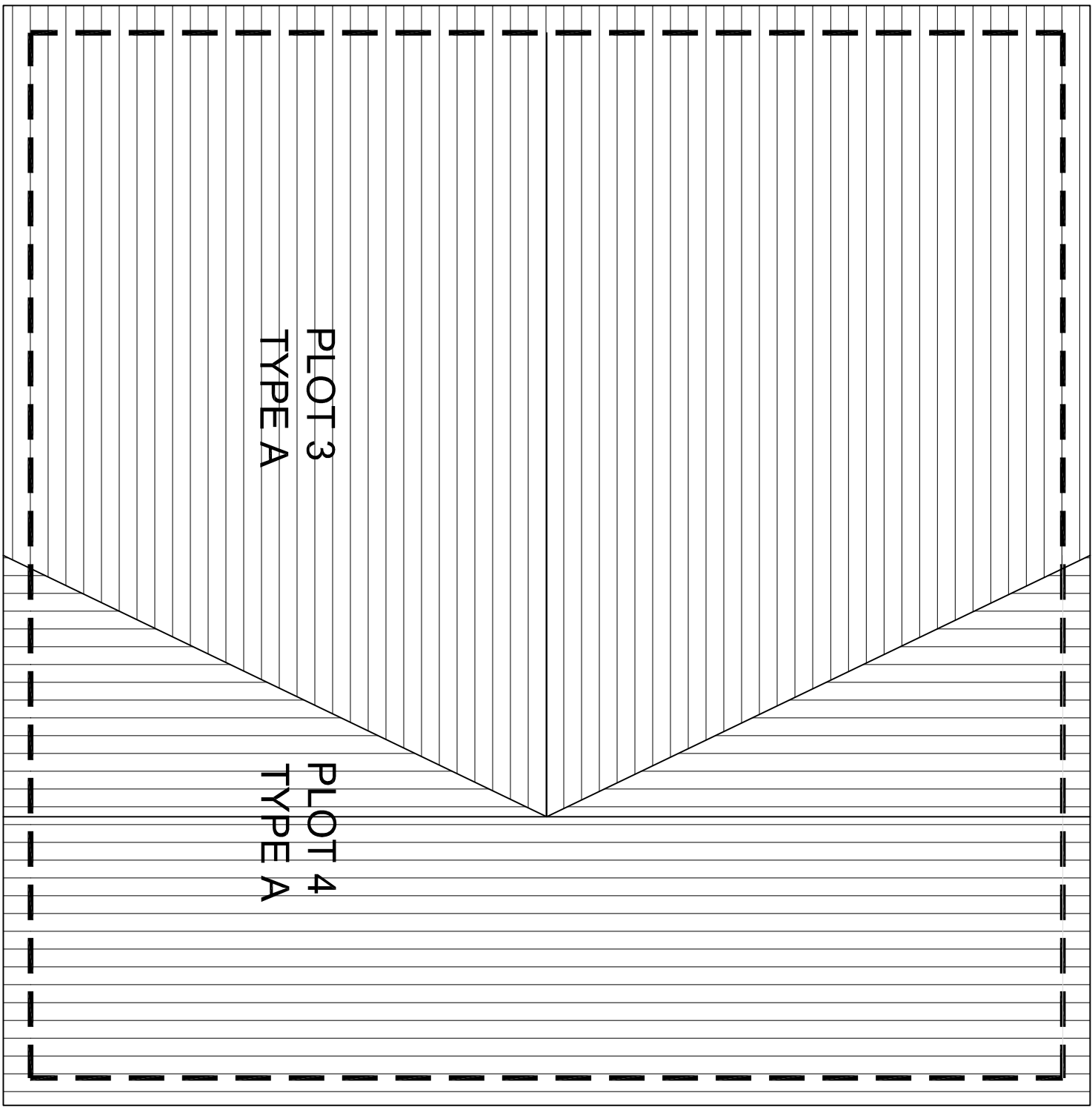
Units: 1, 2 ,11, 12



FIRST FLOOR PLAN



GROUND FLOOR PLAN



ROOF PLAN

| Revision | Date | Details |
|----------|------|---------|
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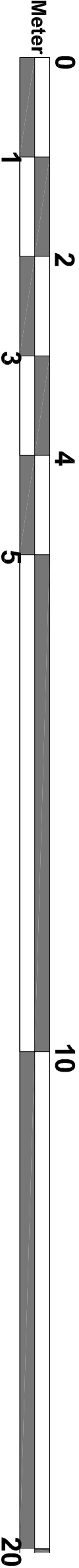
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| Client: | Sutton |
|------------------------------|-------------------------|
| Job: | Beech Avenue, Farnworth |
| Drawing title: | House Type B Plans |
| Drawing Number: (job number) | M3865 (PL) 07 |
| Scale: | 1:50 @ A1 |
| Date: | 06 OCT 2014 |
| Drawn by/ checked by: | ALH/GRF |

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