

Application number 94753/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94753/15

Type of Application: Full Planning Application
Registration Date: 17/08/2015
Decision Due By: 11/10/2015
Responsible Officer: Alex Allen

Location: HILLCREST, DOBB BROW ROAD, WESTHOUGHTON, BOLTON, BL5 2BB

Proposal: ERECTION OF 4No DWELLINGS TOGETHER WITH NEW ACCESS ROAD AND 7No PARKING SPACES FOR USE BY RESIDENTS ON DOBB BROW ROAD.

Ward: Westhoughton South

Applicant: Sparkle Developments Ltd
Agent : Hattrell DS One Architects LLP

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the development of four, detached two storey properties each having 4 bedrooms with an integral double garage. Plot 1 would face Dobb Brow Road whilst the remaining three properties (Plots 2 - 4) would be located at the rear of the site with access via an internal road which would run along the western boundary of the application site, to the east of 134/138 Dobb Brow Road. Under the original submission each property was to be constructed of red facing brick and slate grey concrete roof tiles with stone cills. However, the applicant has reconsidered the proposed materials and has changed these to the use of natural stone for the facing material and the use of grey concrete roof tiles for the roof material.

The applicant has also lowered the finish floor level of Plot 1 to ensure the property would not be overbearing to existing properties on Dobb Brow Road. Each new property would have a relatively large curtilage both at the front and rear of the dwellings.

Site Characteristics

The application relates to a greenfield site which is located at the northern end of Dobb Brow in Westhoughton. The site is comprised of two distinct areas:

- (i) land directly adjacent to 118 Dobb Brow Road and opposite No's 82 - 92 Dobb Brow Road. This area has become unmaintained scrub land over recent years.
- (ii) The land then rises up to the north to become what appears to form part of the wider garden curtilage of Hillcrest.

Land adjacent to the north and east of the site is characterised by open farmland.

Policy

National Planning Policy Framework

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

Allocations Plan policies:- P8AP Public Rights of Way.

General Design Principles SPD

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 existing trees; and
- * impact on land stability.

Principle of residential development

National policy on residential development is contained in the National Planning Policy Framework. Paragraph 47 states Local Planning Authorities should ensure a sufficient 5 year housing land supply, in the context of the presumption in favour of sustainable development. In addition, paragraphs 50 and 53 seek to provide a mix of housing reflecting local demand with Council's setting out policies to resist the inappropriate development of residential gardens where this would result in harm to the local area.

Policies outlined in Bolton's Core Strategy sets out clearly the approach which needs to be taken. Core Strategy policy SC1 seeks to prioritise the use of previously developed land whilst making an allowance for some greenfield development, predominantly as part of the Transforming Estate Programme.

Notwithstanding the above, it is considered that the site lies within the urban area, is well served by public transport along Wigan Road and is in a sustainable location. The development will contribute to the range of housing types and designs in the Dobb Brow and Westhoughton areas and will not make a significant demand upon the existing infrastructure.

Members will be aware that they have accepted the principle of residential development on adjoining

parts of greenfield land which have recently been completed to a high standard.

The proposal will have a positive impact in housing provision terms. It is considered that application complies with policy.

Impact on the character and appearance of the area

Core Strategy Policy CG3 seek to ensure that the design, landscaping and context of new residential developments, reflect their surroundings and make a contribution to good urban design.

The character of Dobb Brow is very mixed with a variety of house types. The site is predominantly residential in character located on the western edge of the urban area of Bolton. The original character of the area was one of linear development along the road with small two storey cottages. The overall character of the area has changed overtime with a number of infill sites coming forward for the development of larger houses including the 'Grange' development and properties at Old Lane Farm.

Furthermore, a previous Planning Inspector when assessing the character of the Dobb Brow area stated:

'...the character of Dobb Brow Road is unremarkable...'

The proposed development whilst representing new residential development (Plot 1) would address the street scene whilst providing replacement hedge planting and other landscaping, which would reflect the character of the area and result in an improvement to the scrub land. Whilst the surrounding area does have a number of terraced cottage style properties it also has a number of large detached properties. Therefore, the overall character of the area is mixed with a broad range of house types.

The proposed house type would be similar to those properties recently constructed to the west of the site.

It is considered that the proposal is in character with the area and complies with policy.

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 by way of privacy, amenity and security. In addition, guidance contained within the House Extension SPD provides advice on interface distances to ensure adequate privacy between existing and new developments.

The proposal would comply with the Council's interface distances from properties which abut the application site. A number of residents have raised concerns over Plot 1 being sited at a higher level than existing properties on Dobb Brow Road. The applicant has subsequently reduced the finished floor level of Plot 1 to reduce any overbearing impact it may have had.

It is considered that the proposal complies with policy.

Impact on highway safety

Core Strategy policies P5 and S1 states that the Council will permit those developments that have taken into account provision for pedestrians and cyclists; road design, layout and construction; vehicle servicing and access arrangements; car, cycle and motor-cycle parking; and access to, and by, public transport. Development proposals should not adversely affect the safety of highway users, including pedestrians, as well as the safe and efficient circulation of vehicles.

The applicant has agreed to the provision of two car parking spaces at the front of 118 Old Lane and the widening of the road in front of the proposed development site. In addition, one double integral garage would be provided for each proposed dwelling together with a long driveway which varies in length between 14-16 metres depending on which plot and has the capacity to around 6 cars.

The proposal is not considered likely to give rise to significant changes in the nature of vehicular or other movements over and above the existing situation in this area. The size and shape of the plots make adequate provision for car parking within the site. It is also noted that the Council's Highway Engineers do not raise objection. The Council's Public Rights of Way team have no objections to the proposal as it does not impact on any existing public rights of way.

It is noted that the Ramblers Association raise objection to the proposal on the grounds of the disappearance of open fields. However, this issue is beyond their remit as a statutory consultee. Issues of impact on the character of the area are addressed above.

If members are minded to approve this proposal it is considered appropriate to condition the implementation of the resurfacing of the road adjacent to No's 64-70 Dobb Brow Road prior to first occupation of the proposed development as well as the widening, surfacing and provision of off road car parking to the south.

Impact on existing trees

Core Strategy policy CG1.2 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows.

The Council's Trees and Woodland Officer states that the proposal would retain existing trees located within the site and provides the opportunity to provide additional tree and shrub planting subject to the provision of a satisfactory landscape plan.

This would be conditional upon any approval for the site.

The proposal would comply with policy.

Impact on land stability

Core Strategy policy CG4 seeks to ensure that new development proposals on land affected by ground instability must include an assessment of the extent of the issues and any possible risks. Development will only be permitted where the land is, or is made suitable for the proposed use.

It is noted that the Coal Authority currently have a holding objection to the proposal in the absence of a Coal Mining Risk Assessment. The applicant has subsequently submitted a CMRA which has been forwarded to the Coal Authority for their comment.

It is envisaged that the submitted report will be sufficient to satisfy the Coal Authority. Officers will update Members by way of the Supplementary Information List prior to the Committee meeting on this aspect.

Value Added to the Development

The applicant has amended to levels of Plot 1 to ensure that it would not be overbearing to properties on the south side of Dobb Brow Road.

Conclusion

The proposal represents development which would be in character with the broad mix of housing

types which make up the character and appearance of the Dobb Brow area, provides adequate provision for vehicular movement and off road car parking without compromising the living conditions of existing residents. Subject to no objections being received from the Coal Authority it is considered that the proposal complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- four comment letters and six objections letters (3 objections from the same person) have been received. The objection letters raise the following concerns:

-) Plot 1 would have an elevated position which would have an overbearing impact on existing properties and would have a negative impact on privacy (No. 92 Dobb Brow Road);
-) Safety concerns with the new access road creating a 4 way access road;
-) General increase in traffic;
-) Access to the site is via single track;
-) No pavements in Dobb Brow results in potential increase in danger for school children;
-) The landscaped areas within the new development may become play areas (football for children) reducing privacy for existing dwellings;
-) No. 134 Dobb Brow Road has a side window which would be overlooked from the site/new properties;
-) Permission has been refused on the site before;
-) The site is greenfield.

The comment letters provide the following responses:

-) Will spare land within the site be used as a football pitch resulting in a reduction in privacy;
-) The road outside No's 64-70 needs upgrading;
-) Low water pressure is a problem for properties on the Grange;
-) Building line of No. 80 as shown on the plan is wrong.

Petitions:- no petitions received.

Town Council:- raise objection to the proposal on the grounds that the site is greenfield and the hamlet of Dobb Brow has become overdeveloped and there are other brownfield sites in Westhoughton which should be used. The site is on a blind bend with the area having no footpaths and has poor lighting. The proposal would add to existing traffic problems.

Elected Members:- no comments received to date.

Consultations

Advice was sought from the following consultees: Westhoughton Town Council, the Council's Drainage, Landscaping, Public Rights of Way team, Trees and Woodland Officer. Peak and Northern Footpath Group, Open Spaces Society, Ramblers Society and the Coal Authority.

Planning History

Planning permission was granted in November 2009 for the change of use of land to car parking/passing area (Ref: 82974/09).

Planning permission was refused in October 2010 for the erection of 3 dwellings and land adjacent to Hillcrest and at the rear of 116/118 Dobb Brow Road. The proposal was refused as the site was a greenfield site and also the applicant had not submitted evidence to support the site's development. Land at the rear of 116/118 Dobb Brow Road was subsequently granted planning permission and has now been completed.

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. 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.

3. 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.

4. Prior to the development being first occupied or brought into use, details (including a brick or masonry specification and colour scheme) of the treatment to all boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 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.

5. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Dobb Brow Road in accordance with the drawing ref 2376-10 Rev B dated 02/15.

Reason

In the interests of highway safety

6. Before each dwelling hereby approved/permitted development is first occupied the car parking spaces as indicated on Drawing No. 2376-10 Rev. B dated 02/15 shall be provided within the curtilage of the dwelling in accordance the approved site plan. 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

7. Development shall not commence until any remediation scheme required as a result of the investigation carried out in accordance with Condition 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.

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

Drawing No. 2376-09 Site and Topo Plan dated 11/15;
Drawing No. 2376-10 Site Plan Proposed dated 02/15;
Drawing No. 2376-11 Proposed House Plans and Elevations dated 11/15.

Reason

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

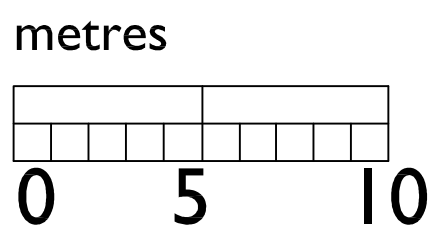
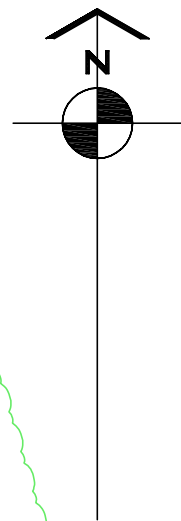
9. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the drawing ref: 2376-10 Rev. B dated 02/15 .

Reason

In the interests of highway safety.

NOTES:
CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCEMENT OF ANY WORK OR PREPARING
MANUFACTURING DRAWINGS
DO NOT SCALE FROM THIS DRAWING
ANY DISCREPANCIES ON THIS DRAWING ARE TO BE
NOTIFIED TO THE ARCHITECT IMMEDIATELY
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REV	AMENDMENT	DATE	CHKD
A	Extent of new road surfacing extended down existing dirt road	Oct 15	
B	Landscaping to House 1 - updated to suit site levels	3/11/15	



TYPICAL EXTERNAL FINISHES:

- Permeable Paving to Parking Areas.
Spec and colour to be confirmed
- Permeable Paving to Footpaths and patios.
Spec and colour to be confirmed
- Roads and Footpaths -
- Grass areas indicated.
- Existing Trees (on neighbouring properties)
- Proposed Trees
- Proposed Hedges
- Proposed Bin Area
- 900mm high fences between gardens with
1800mm high timber fence panel privacy
screens to rear of dwellings

HATTRELL DS ONE
Architects LLP
CHARTERED ARCHITECTS
MANCHESTER **COVENTRY**
ARTHUR HOUSE CHORLTON STREET MANCHESTER M1 3BJ
e-mail: design@hattrelldsone.co.uk / www.hattrelldsone.co.uk
UNIT 20 ENSIGN BUSINESS CENTRE WESTWOOD WAY COVENTRY CV4 8JA
TELEPHONE 02476 473974

CLIENT

Sparkle Developments

PROJECT

**Land at Hillcrest
Dobb Brow
Westthoughton**

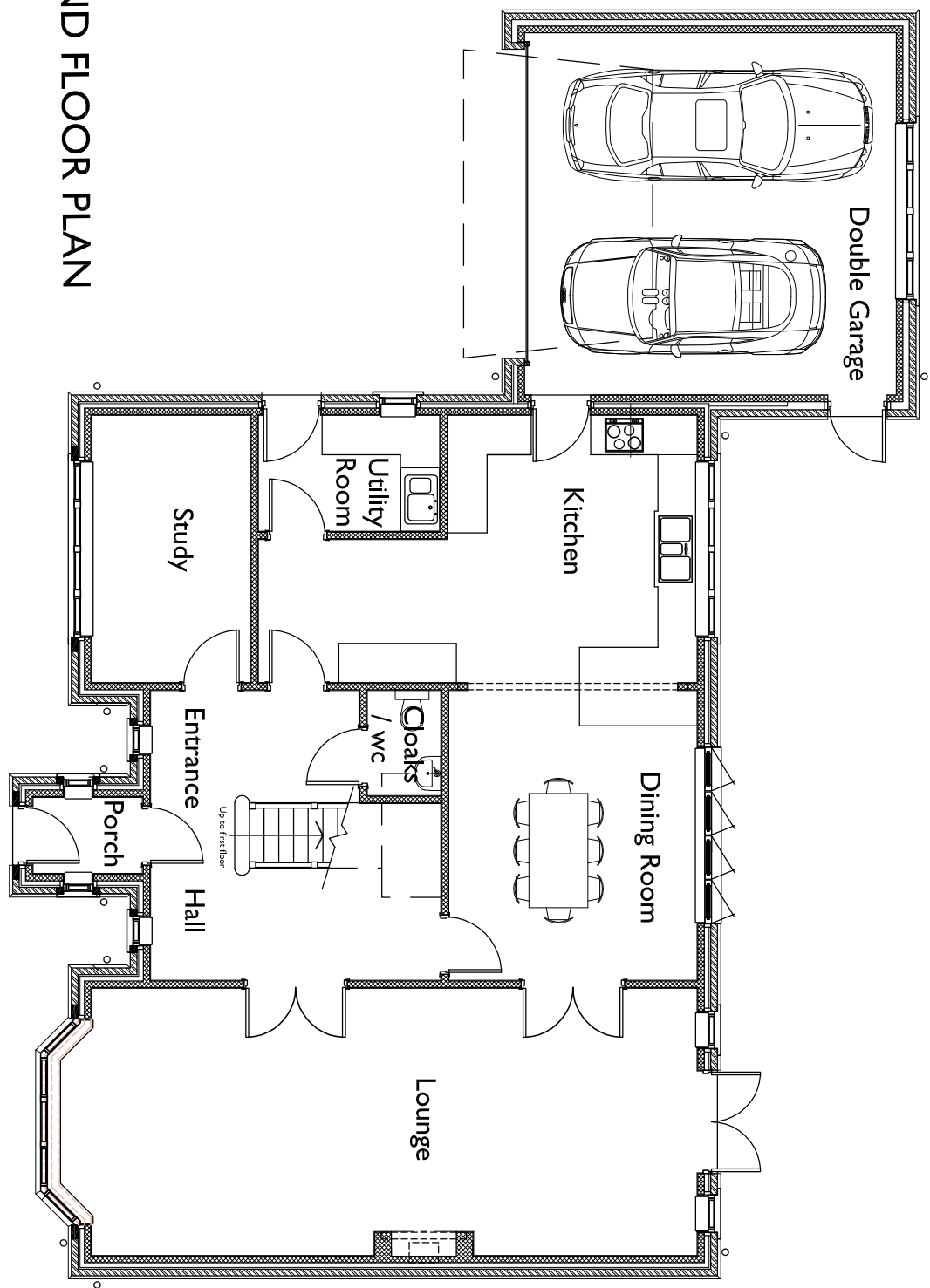
DRAWING TITLE

**Site Plan
Proposed**

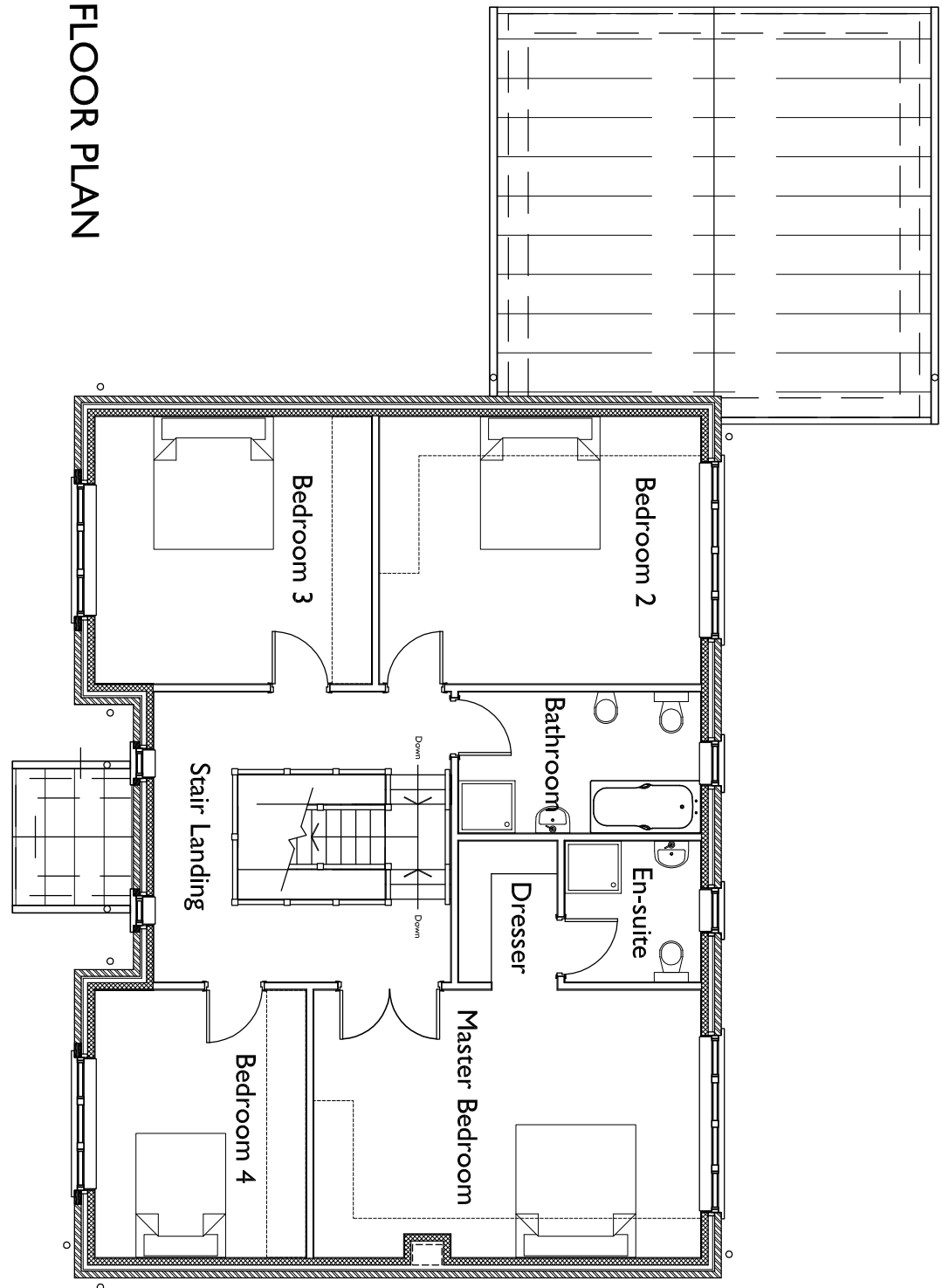
SCALE @A1	DRAWN BY	CHECKED	DATE
1:100	EC		02/15
1:200@A3			

DRAWING No	REVISION
2376-10	B

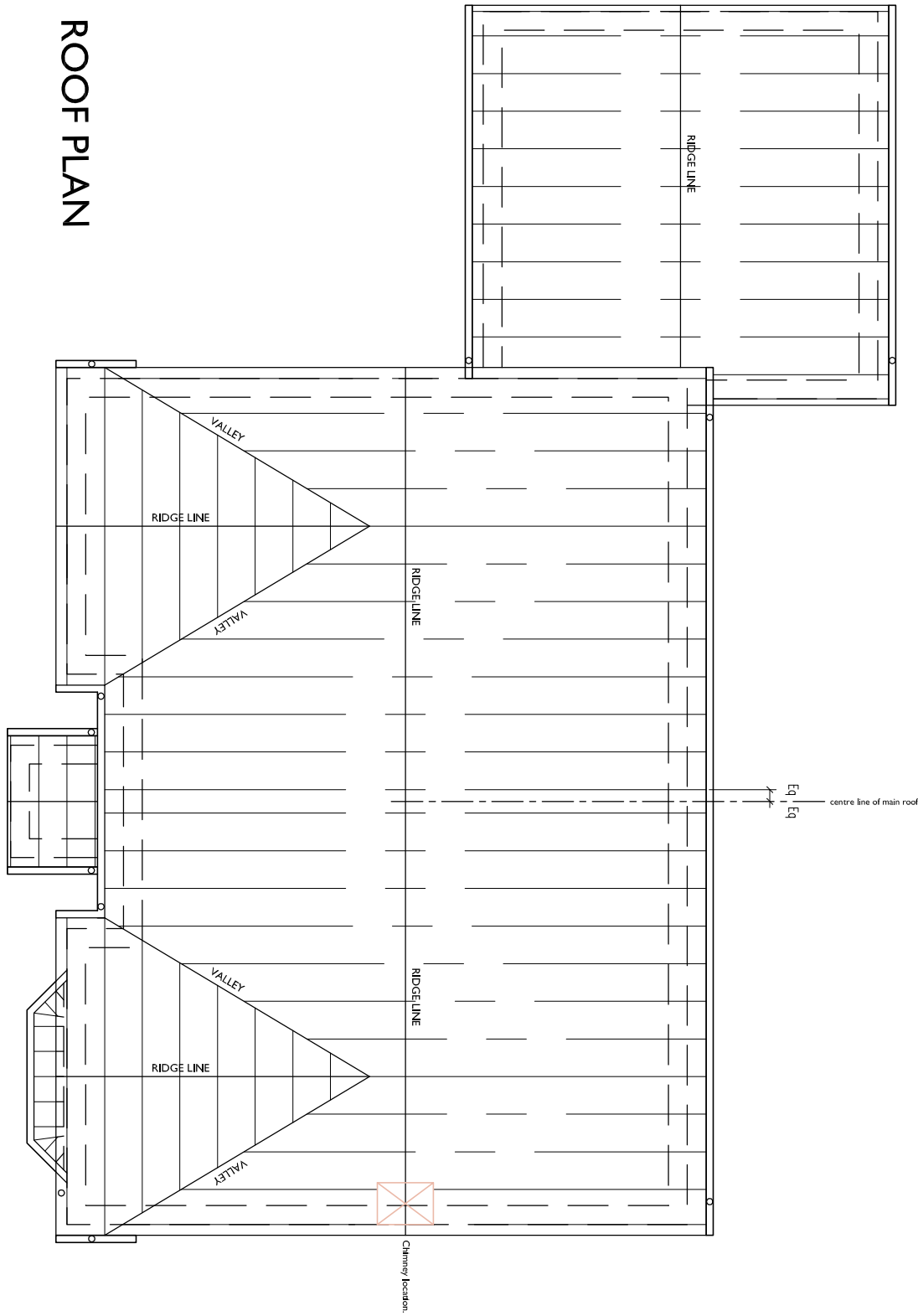
PLANNING



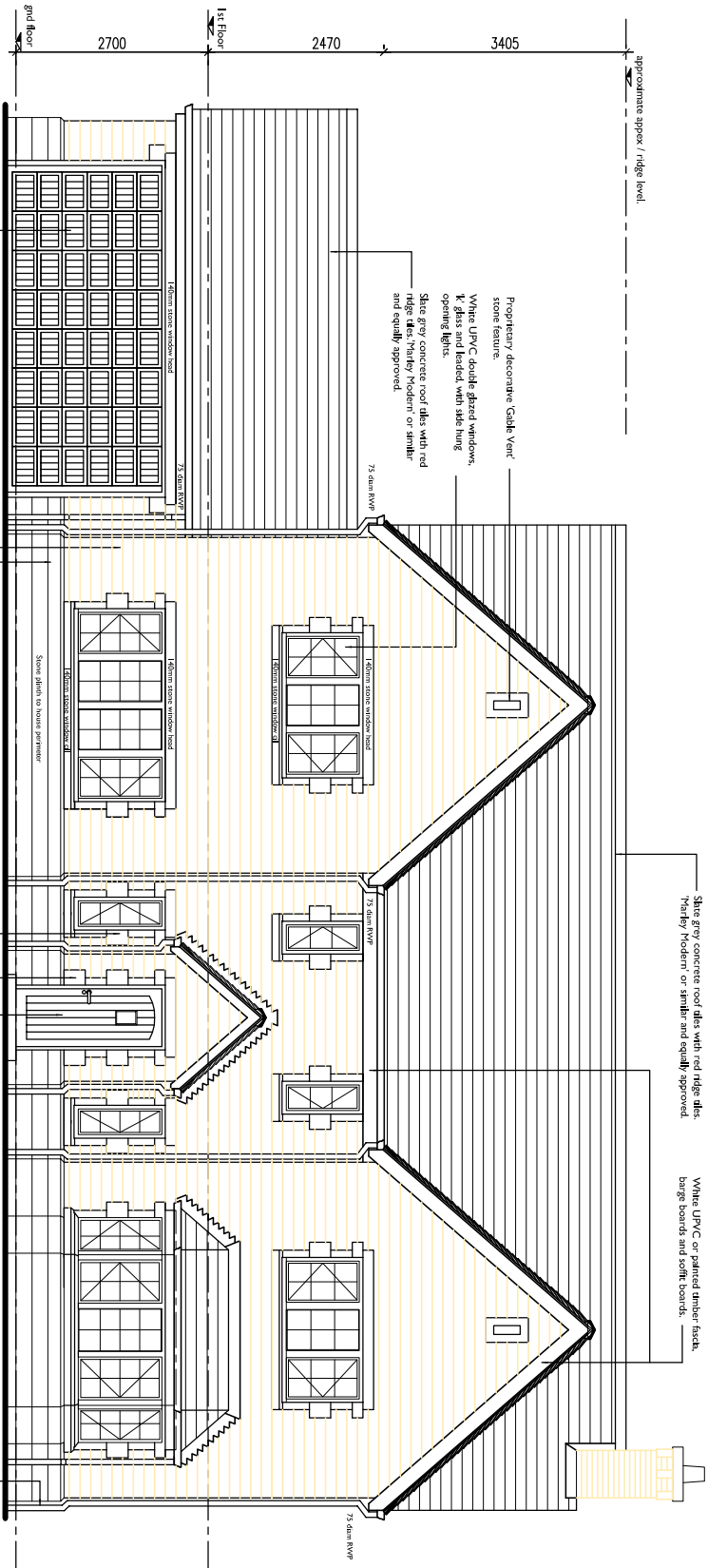
GROUND FLOOR PLAN



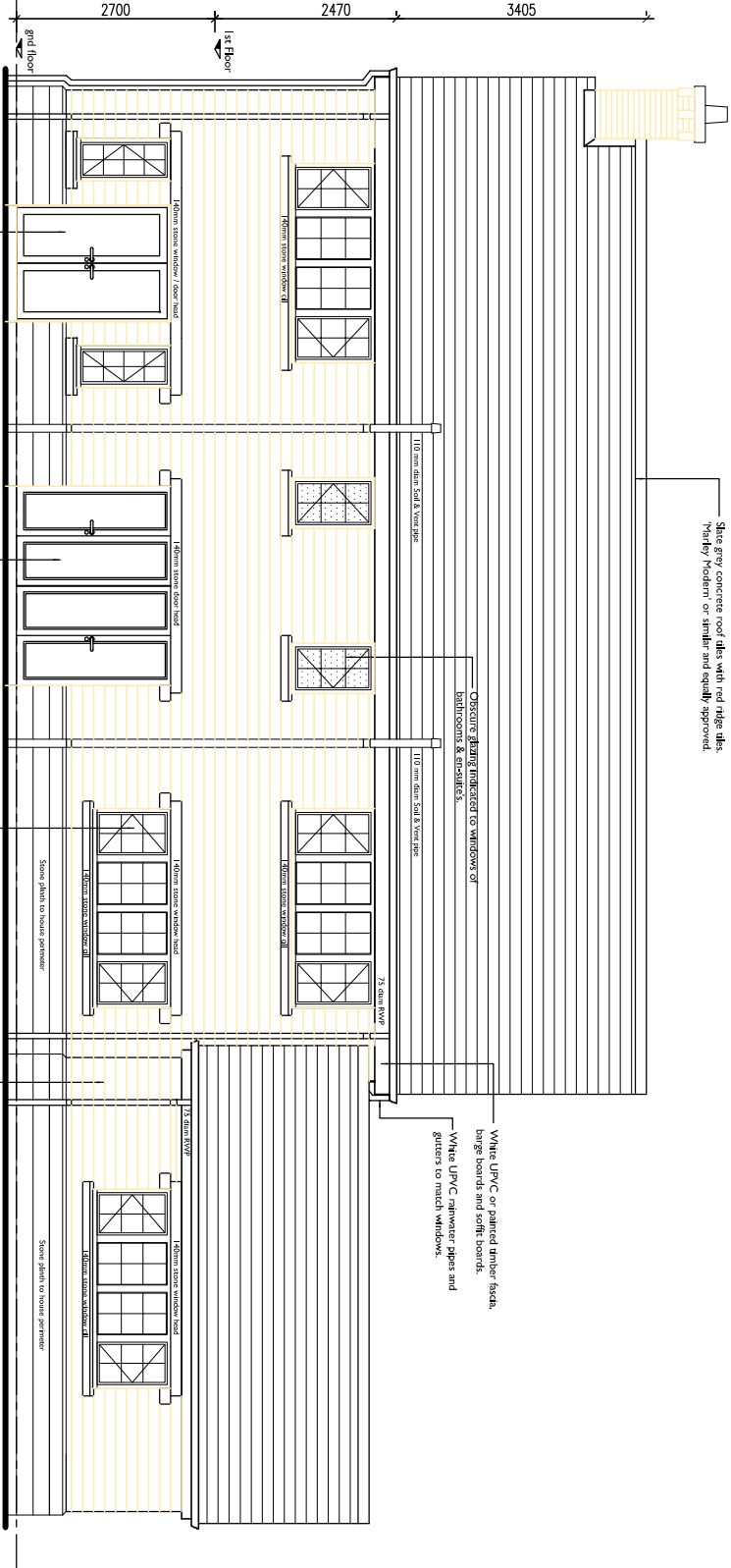
FIRST FLOOR PLAN



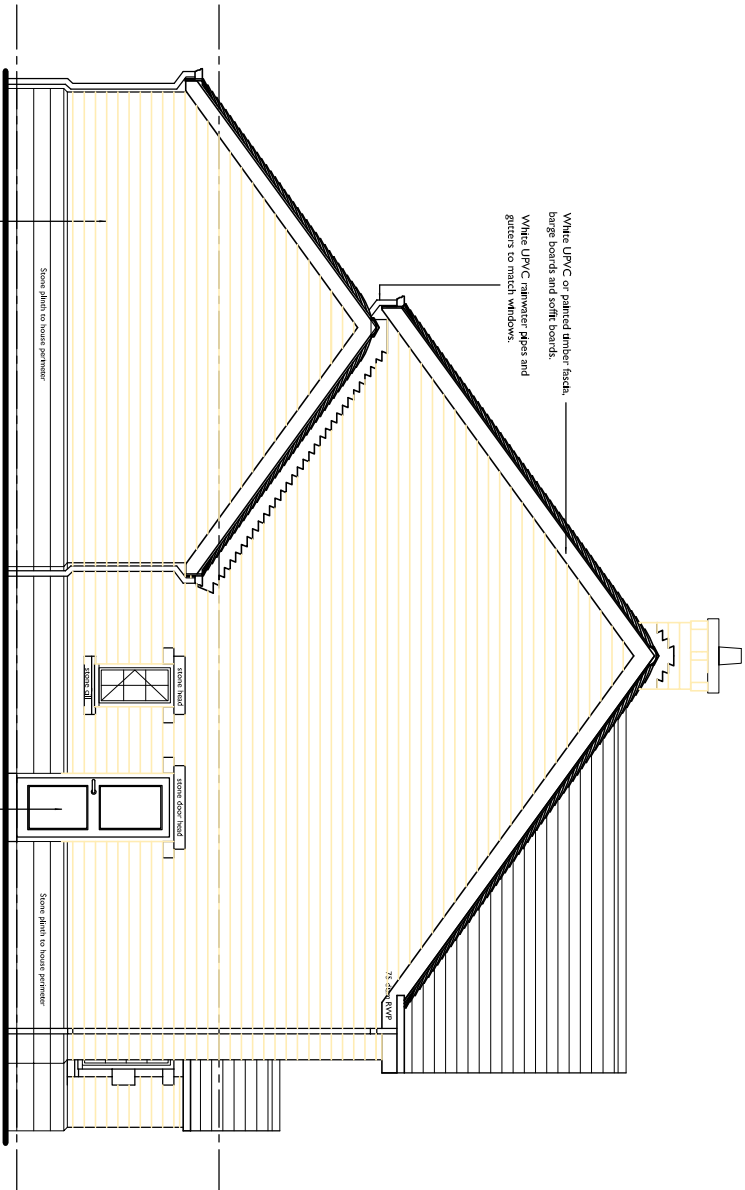
ROOF PLAN



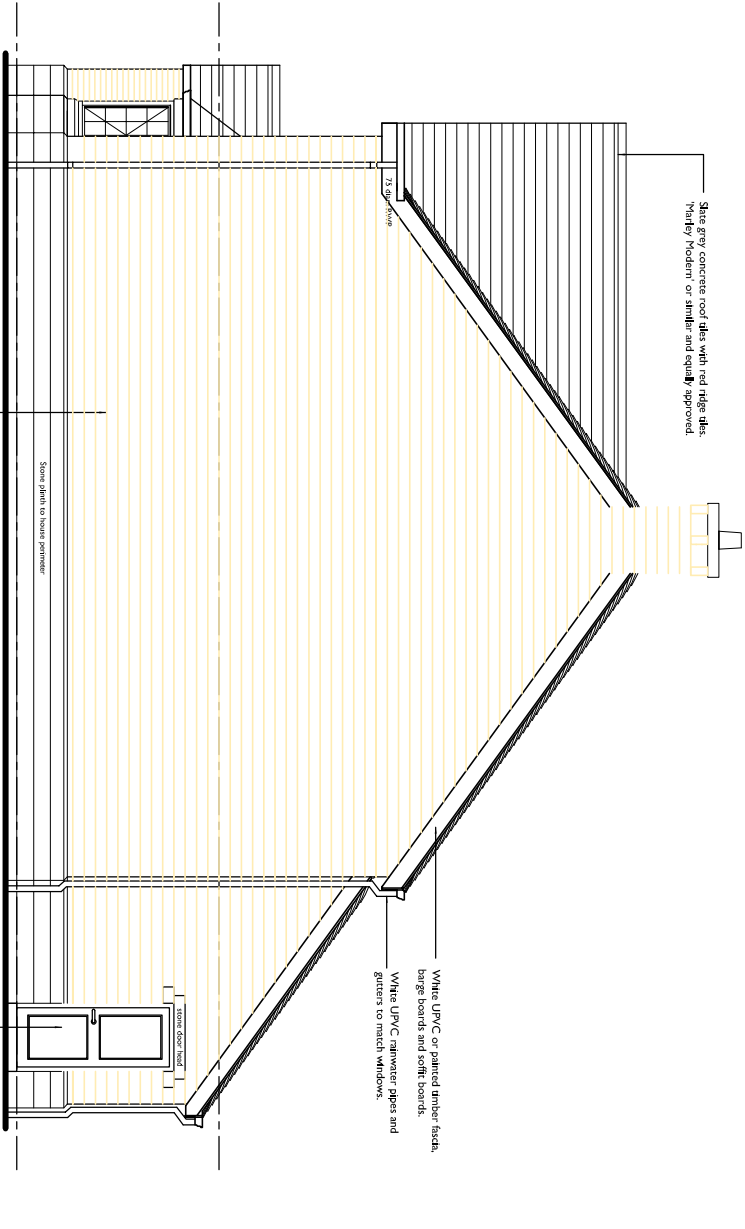
FRONT ELEVATION - East facing.



REAR ELEVATION - West facing.



LEFT HAND SIDE ELEVATION - South facing.



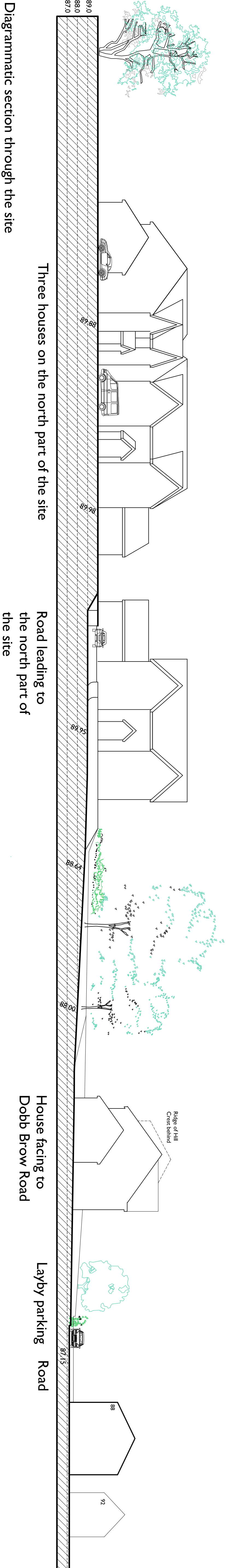
RIGHT HAND SIDE ELEVATION - North facing.

REVISION	AMENDMENTS	DATE	CHKD
A	Main facing material changed to natural stone	Oct 15	

Sparkle Developments Land at Hillcrest Dobb Brow, Westhaughton Bolton	
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SCALE	1:100	A1
CONSIDER THIS DRAWING AS A PRELIMINARY DESIGN ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION. ANY DISCREPANCIES ON THE DRAWINGS ARE TO BE NOTED TO THE ARCHITECT'S PRESENT COMMENT.		
DATE	Jun 2015	DRAWN BY
APPROVED BY		ISSUED TO SITE

Proposed House Plans and Elevations		2376-11	A
HATTRELL DS ONE Architects LLP			
CHARTERED ARCHITECTS			
MANCHESTER COVENTRY			
ATYUWA HOUSE 11 COPTHALL HOUSE STATION SQUARE COVENTRY CV1 3FO TELEPHONE 02476 524 446 FACSIMILE 02476 520 460		MANCHESTER M1 3B FACSIMILE 0161 228 7801	



Diagrammatic section through the site

REVISION	AMENDMENTS	DATE	CHKD
A	Front of site to be levelled with gentle gradient off road front dwelling House 1 to sit at lower level. Opposite house indicated for information.	Sep 15	

Sparkle Developments

Land at Hillcrest

Dobb Brow, Westhaughton Bolton

SCALE	1:200	A1
CONTRACTORS MUST REFER TO ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF WORKS. DIMENSIONS SHOWN ON DRAWINGS DO NOT SCALE FROM THIS DRAWING. ANY DISCREPANCIES ON THE DRAWINGS ARE TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY. COMMENT		
DATE	July 15	DRAWN BY
APPROVED BY		ISSUED TO SITE

Proposed House

Plans and Elevations

HATTRELL DS ONE

CHARTERED ARCHITECTS

MANCHESTER

COVENTRY

2376-12

A

Architects LLP

MANCHESTER, M1 3B

COVENTRY, CV1 3FO

ATFIELD HOUSE

CLONLINTON STREET

1 COPTHALL HOUSE

STATION SQUARE

MANCHESTER

COVENTRY

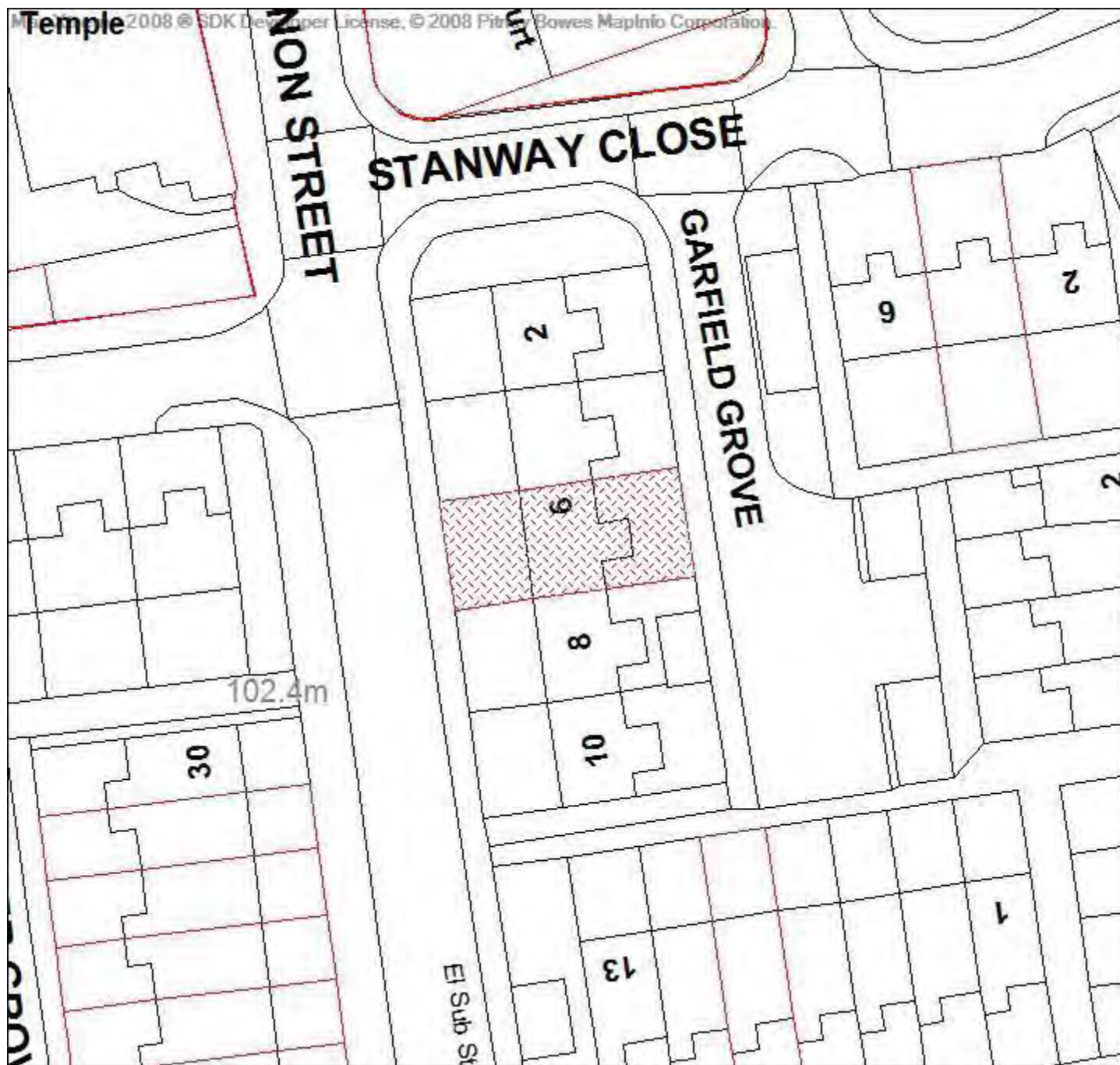
2376-12

446

500

460

Application number
94791/15



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**Bolton
Council**

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Date of Meeting: 19/11/2015

Application Reference: 94791/15

Type of Application: Full Planning Application

Registration Date: 01/09/2015

Decision Due By: 26/10/2015

Responsible Officer: Simon Coles

Location: 6 GARFIELD GROVE, BOLTON, BL3 5AY

Proposal: ERECTION OF A TWO STOREY EXTENSION AT FRONT AND A SINGLE STOREY EXTENSION AT REAR.

Ward: Rumworth

Applicant: Mr Many

Agent : Smusa1

Officers Report

Recommendation: Refuse

Proposal

The application proposes the erection of a two storey extension at the front (Garfield Road elevation) and a single storey extension at the rear (Cannon Street elevation). The front two storey element of the extension is 4 metres long and the full width of the property. The rear single storey element is 4 metres long and full width of the property.

This is a resubmission of an application that was refused at Planning Committee in November 2014. The proposal was to erect a two storey extension at front (1.8 metres) and rear (4 metres).

The application was refused on the following grounds: -

The proposed rear 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 4 and 8 Garfield Grove and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

This application has replaced the two storey extension on the Cannon Street elevation with a single storey extension. The two storey extension on the Garfield Grove elevation has been enlarged to 4 metres in projection.

Site Characteristics

This is a mid-terraced modern town house with a paved yard to the rear. The rear yard is approximately 6.3 metres long and 8.8 metres wide. To the front the property benefits from 1no. off road parking space.

The rears of the properties face Cannon Street, which is a main through road from Deane Road to Derby Street.

The adjoining properties at number 4 and 6 Garfield Grove have principal room windows in the rear abutting the party boundary at ground and first floor.

There are no other similar examples of extensions to the properties within this row of Garfield Grove at the rear.

An application was approved at 10 Chatham Gardens for a 4 metre long; full width two storey extension to the front (Chatham Gardens elevation) and a further porch extension.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses and RA1 Inner Bolton.

SPD House Extensions and SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * 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 RA1 of the Core Strategy relates specifically to developments in Inner Bolton and states that the Council will ensure that development has particular regard to massing and materials used, will respect and strengthen the traditional grid-iron pattern and 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. It states that the siting, design or layout of a house extension should not have an unacceptable effect on the wider street scene or the character of the locality. This might occur for example where extensions protrude in front of a clear and consistent building line, where roof heights are proposed to be increased. It continues to say that front extensions (which include porches) can unduly impact on the existing street scene. However - if carefully designed to reflect and respect the appearance of the host building whilst also appearing subordinate to it - extensions to the front of dwellings may be acceptable, particularly where they can be justified in respect of creating variety and continuity within the street scene.

In this case the proposed rear extension extends 4 metres and is the full width of the property, leaving a 2 metre strip of yard area. The rear elevation of the dwelling, facing Cannon Street, is the more prominent elevation to the dwelling than the front elevation, as Cannon Street is more of a main road than Garfield Grove. The rear elevation also has the appearance of a front elevation; the application dwelling along with the other houses in the row are dual aspect. There are no other extensions present on the rear elevations within this row. It is considered that given that proposal has been reduced to single storey on this elevation this has lessened the impact on the street scene of Cannon Street and furthermore there are other examples of single storey extensions on other properties that face Cannon Street further up the road.

The front two storey element is 4 metres long and the full width of the dwelling. It replaces a small outbuilding that is located centrally within the elevation. The aspect of this elevation opens up onto Garfield Grove, which is a small cul-de-sac and therefore it is considered that an extension to the front elevation, due to its siting and size/massing would not have a detrimental impact on the character of the area.

However, taking into account the proposal as a whole it is considered that the works result in additions to the property that would represent an overdevelopment of the plot where no sufficient off road parking would be retained and as well as very little private amenity space.

Further to the above, it is considered that the proposal does not fully comply with Policy CG3.

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.

Supplementary Planning Document - House Extensions states that rear single and 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 permitted.

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.

In this case the single storey rear extension (facing Cannon Street) is the full width (approximately 8.5 metres) and extends out by 4 metres, however it is considered that as the rear elevations contain all the main room windows in these properties within this row, the extension will have an impact on both the neighbouring residents at numbers 4 and 8 Garfield Grove, especially with regards to overshadowing/loss of light to their lounge.

The front two storey extension is considered to be acceptable with regards to its impact on the

neighbouring properties at number 4 and 8 Garfield Road as it does not impinge on any main room windows.

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

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.

The extension will turn the property into a five bedroom dwelling. Appendix 3 Parking standards states that three off road parking spaces should be provided for 4 plus bedroom properties. The property currently has one off road space which is to be lost by the two storey front extension. An amended parking layout plan has been submitted showing one space with a car parked at right angles, however this is considered to be an insufficient arrangement. It is noted that there are no parking restriction in force on Garfield Grove and on this section of Cannon Street; however as the two storey extension would lose the one off road space afforded to the property, the proposal is considered to be contrary to Policy.

Conclusion

The proposal is not consistent with the guidelines contained in SPD House Extensions (2012) by reason of the impact on the single 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 as it represents a overdevelopment of the plot. Furthermore, the proposal provides insufficient off road parking contrary to SPD House Extensions (2012) and Appendix 3 - Parking Standards.

Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters:- Two letters of objection have been received from a neighbouring resident with the following concerns: -

- \ restriction of light;
- \ proposal is out of keeping with the surrounding properties and if built would look out of place;
- \ impact on parking provisions;
- \ extension to the front elevation protrudes in front of a clear and consistent building line, impacting on the street scene and character locality
- \ overdevelopment of the plot;
- \ overbearing/overshadowing of main room windows.

Elected Members:- Cllr Adia requested the application be determined by planning committee.

Consultations

Advice was sought from the following consultees: None

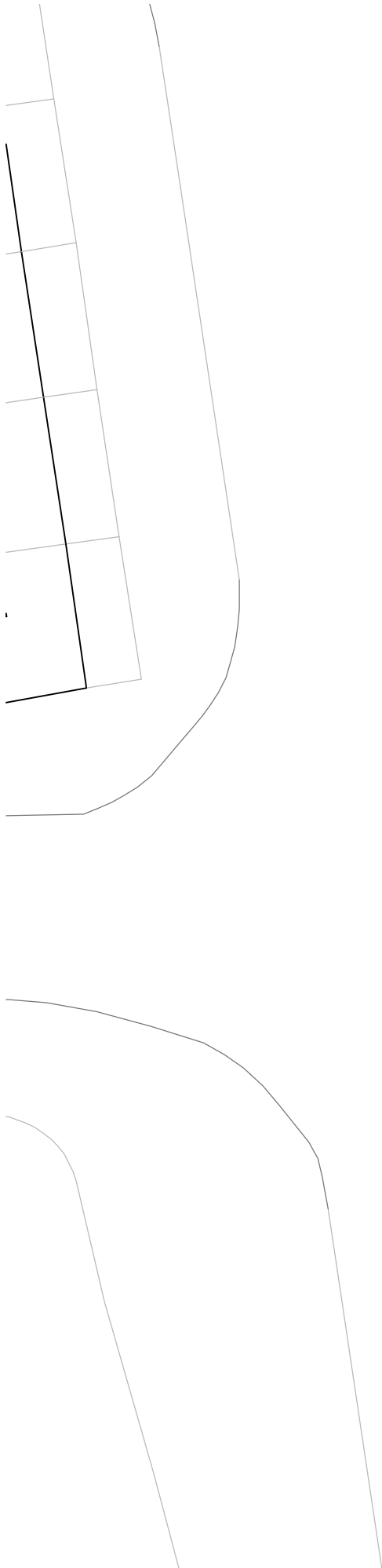
Planning History

92436/14 - Erection of two storey extensions at front and rear - Refused by Members at Planning Committee in November 2014.

Recommendation: **Refuse**

Recommended Conditions and/or Reasons

1. The proposal represents an over development of the site which will result in a loss of outlook and privacy for neighbouring occupiers and will result in insufficient private, useable amenity space for the existing dwelling and would be out of character with the surrounding locality and is thus contrary to Policies CG3 and CG4 of Bolton's Core Strategy and SPD House Extensions (2012).
2. The proposed extension will result in the loss of existing/potential 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 Policies.



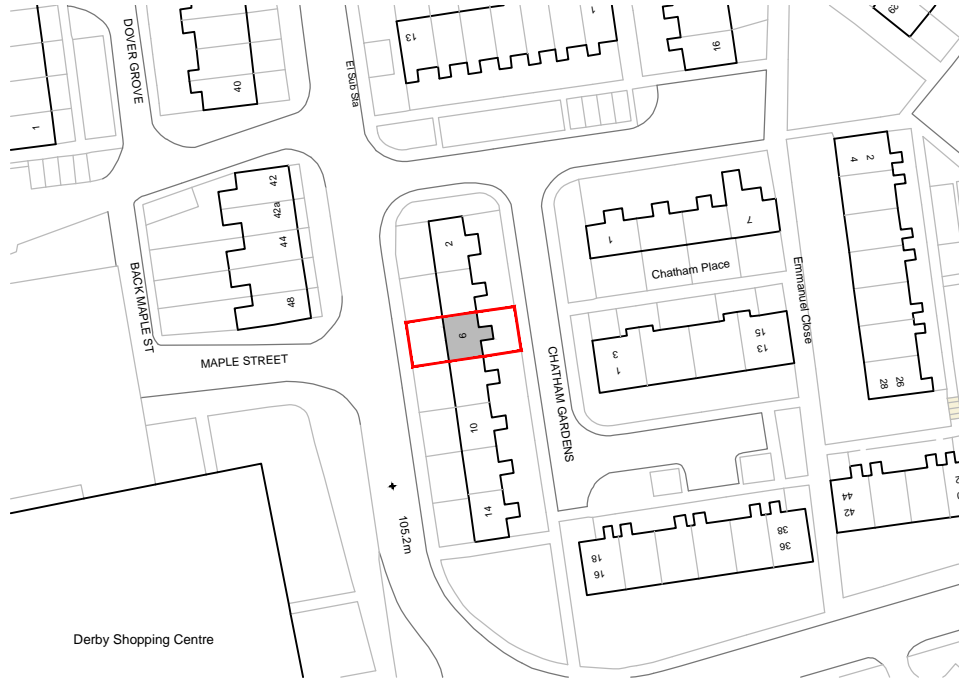
Site Plan
Scale 1:200 @ A3

Site Area - 134 SqM/ 145 SqFt

Existing Building 127

Site Boundary

CHATHAM GARDENS



Site Location
Scale 1:1250 @ A3



Site Boundary
Existing Building

NOTES:

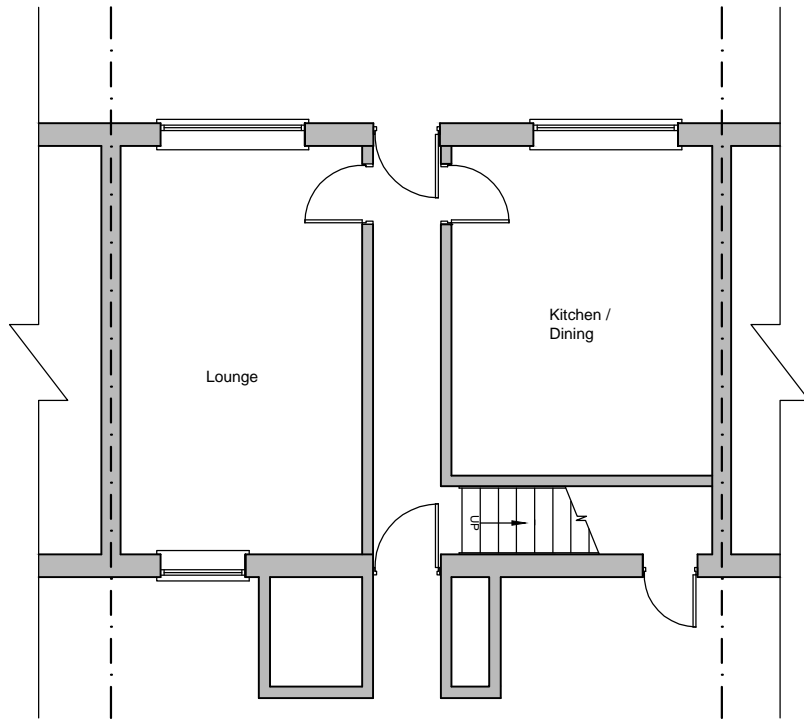
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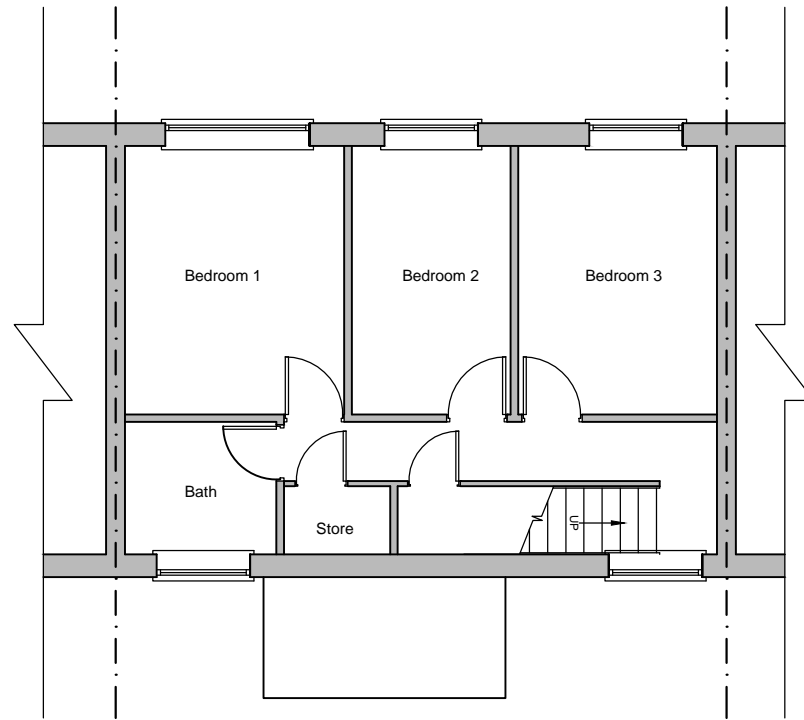
Project Location:
6 Garfield Grove
Bolton
BL3 5AY

Drawing:
00 Site Location

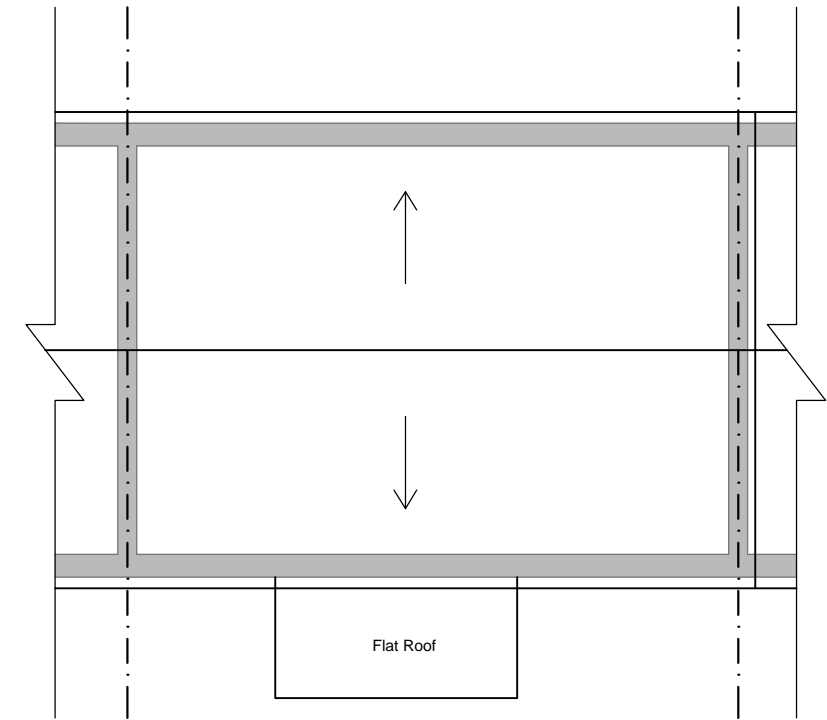
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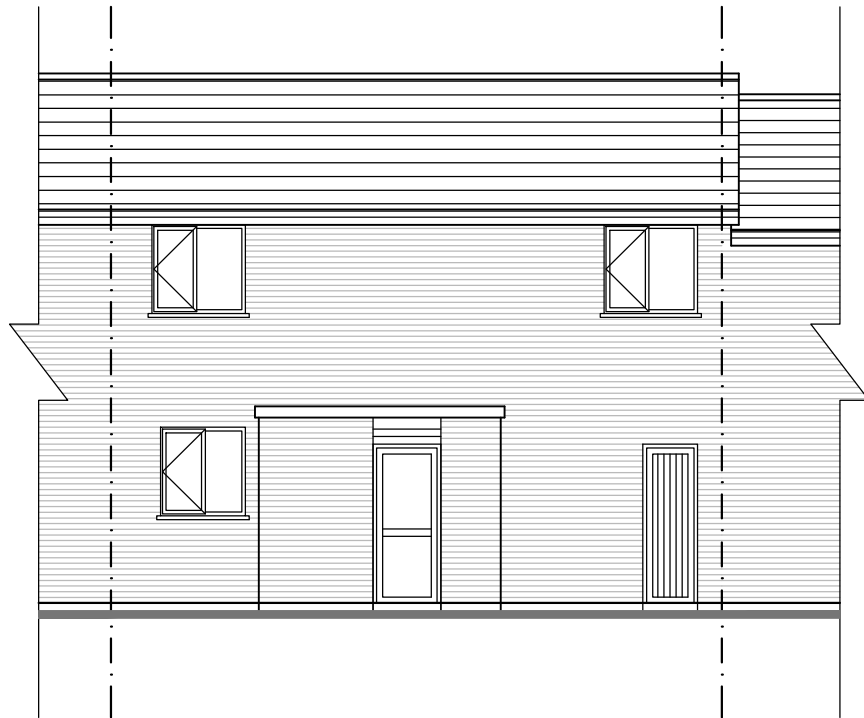
Ground Floor



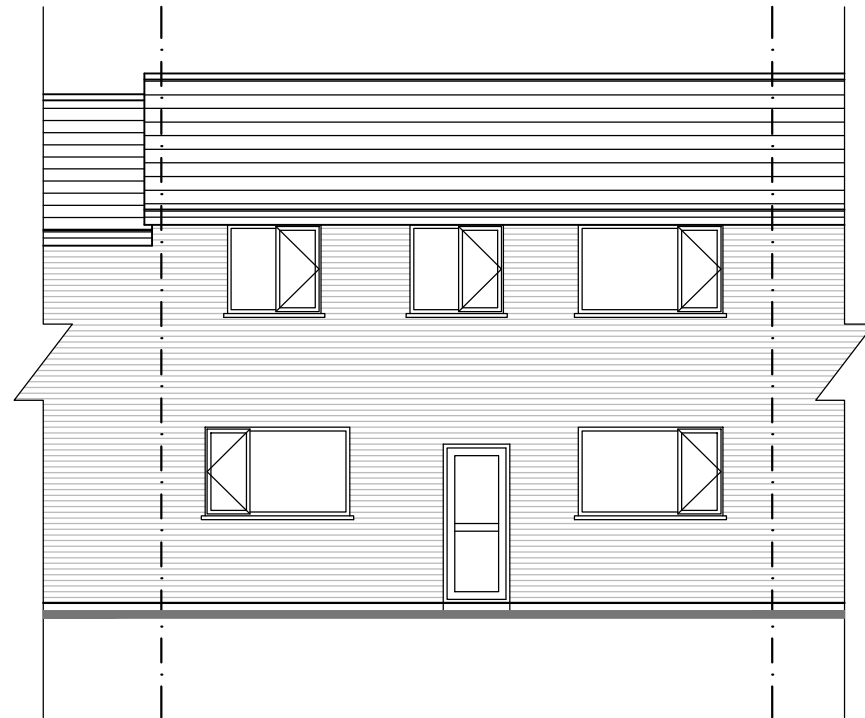
First Floor



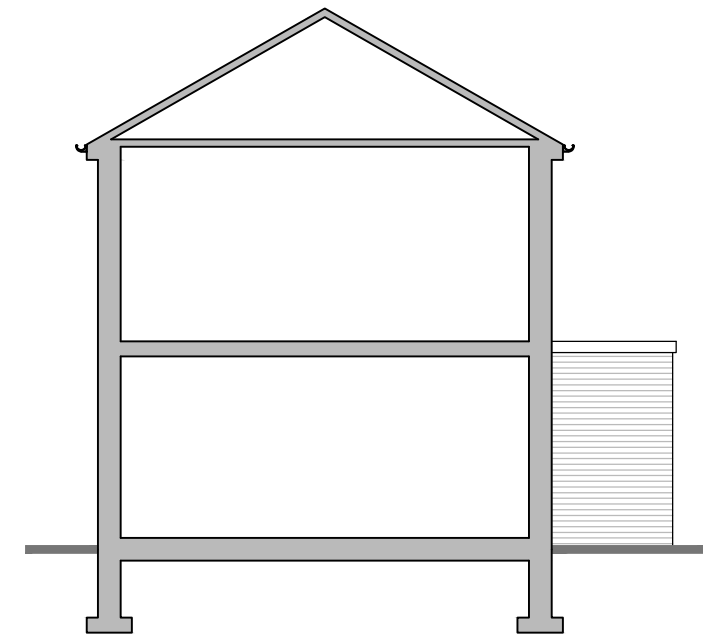
Roof Plan



Front Elevation



Rear Elevation Floor



Neighbouring Elevation

NOTES:

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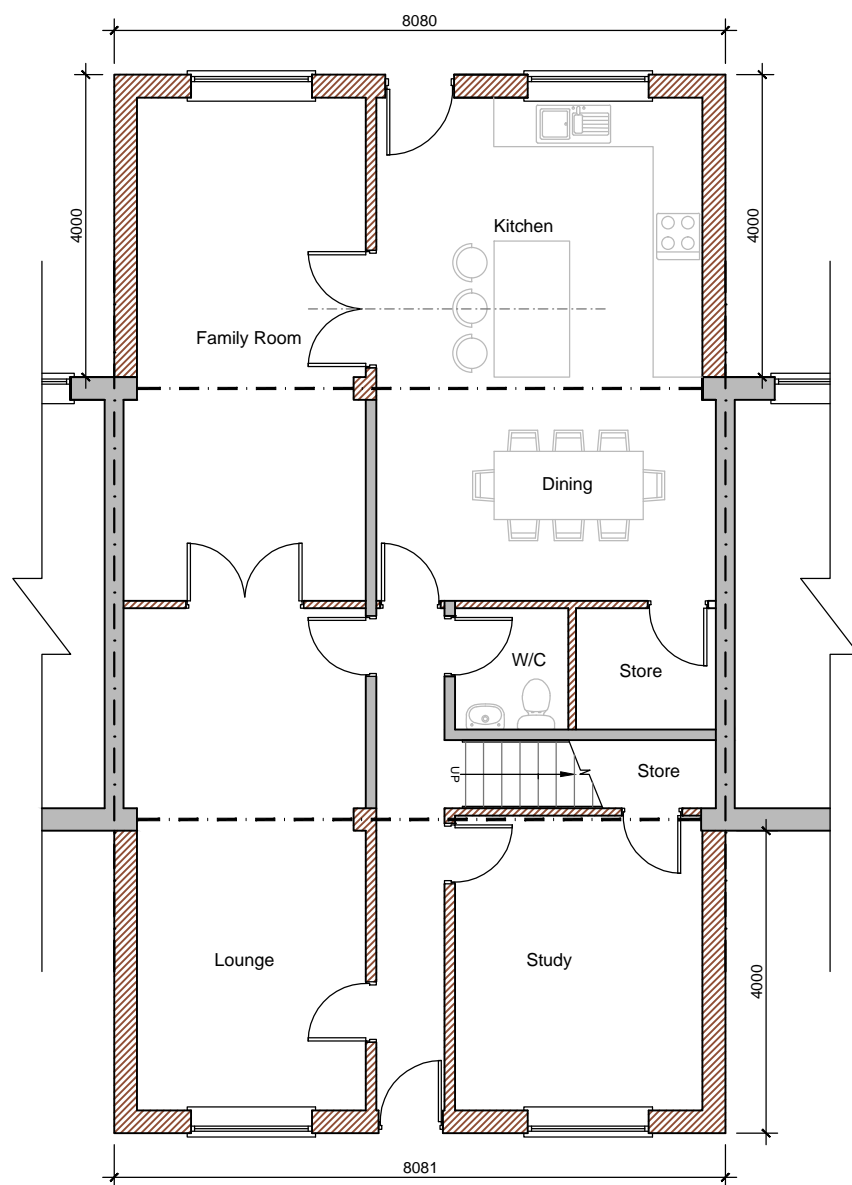
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Bolton
BL3 5AY

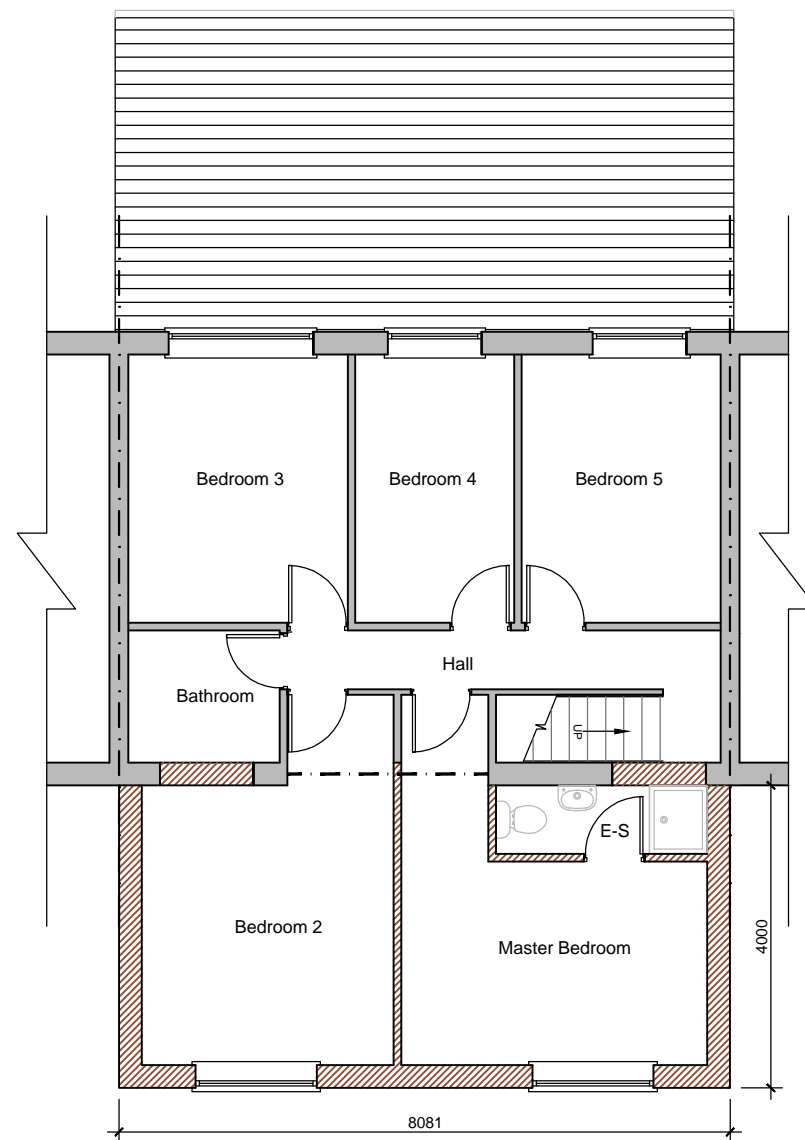
Drawing:

01 Existing

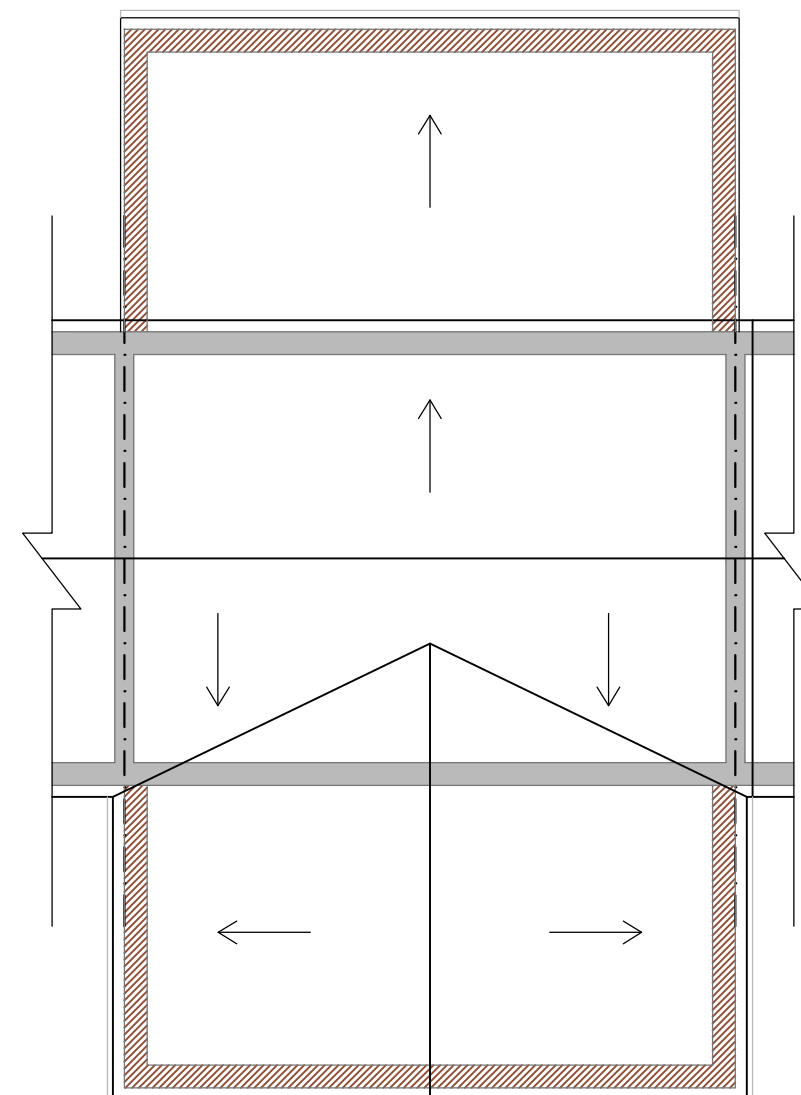
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1:100	A3	07/15



Ground Floor



First Floor



Roof Plan

NOTES:

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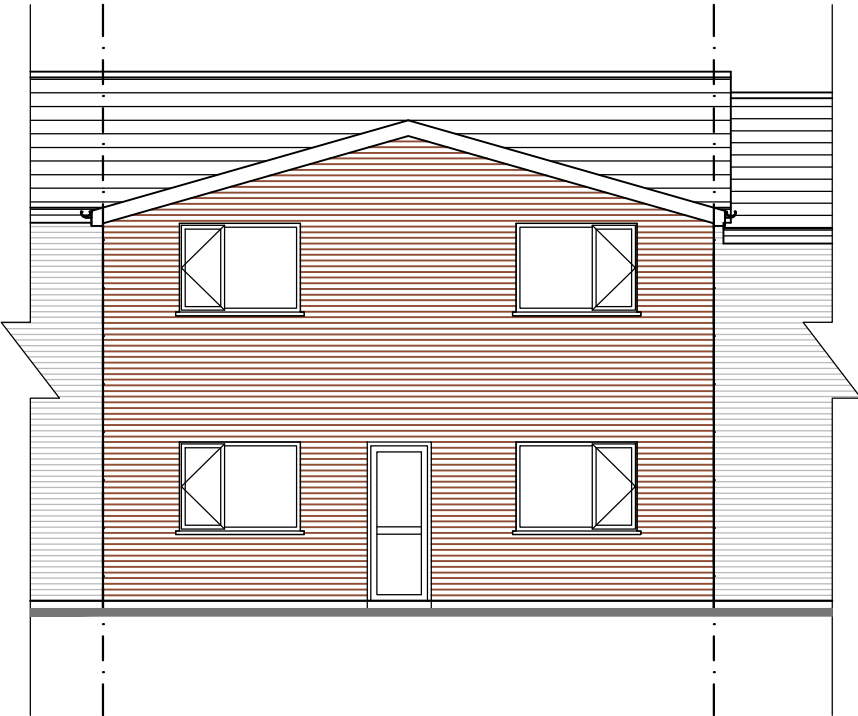
Project Location:

6 Garfield Grove
Bolton
BL3 5AY

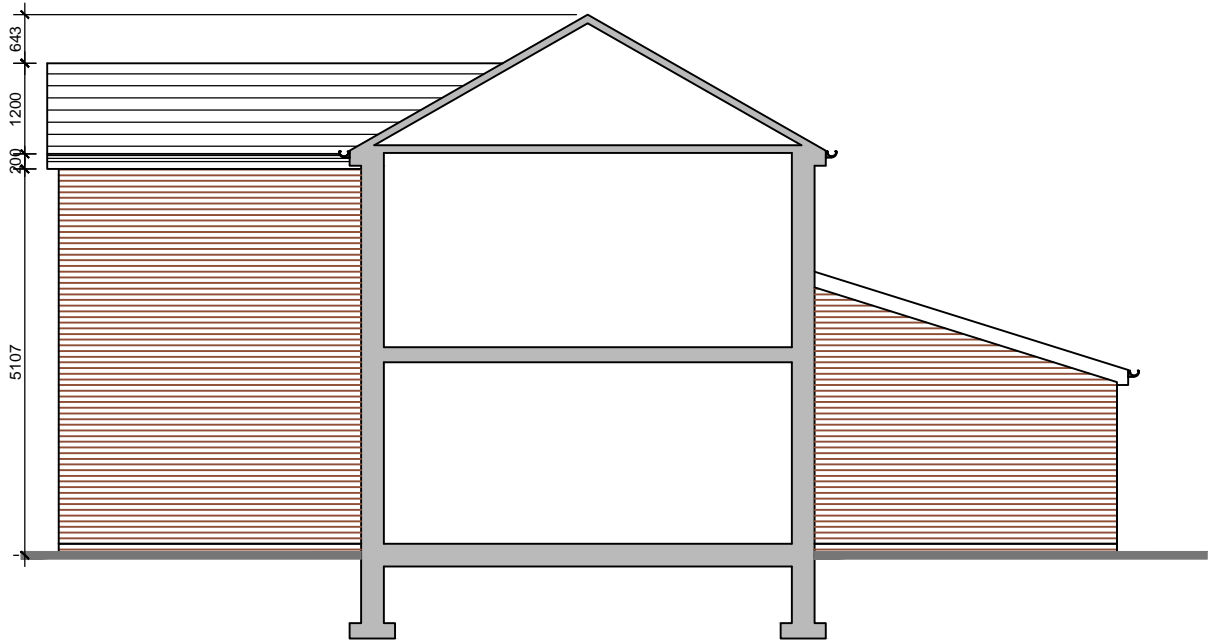
Drawing:

02 Proposed Plans

Scale:	Size:	Date:
1:100	A3	07/15



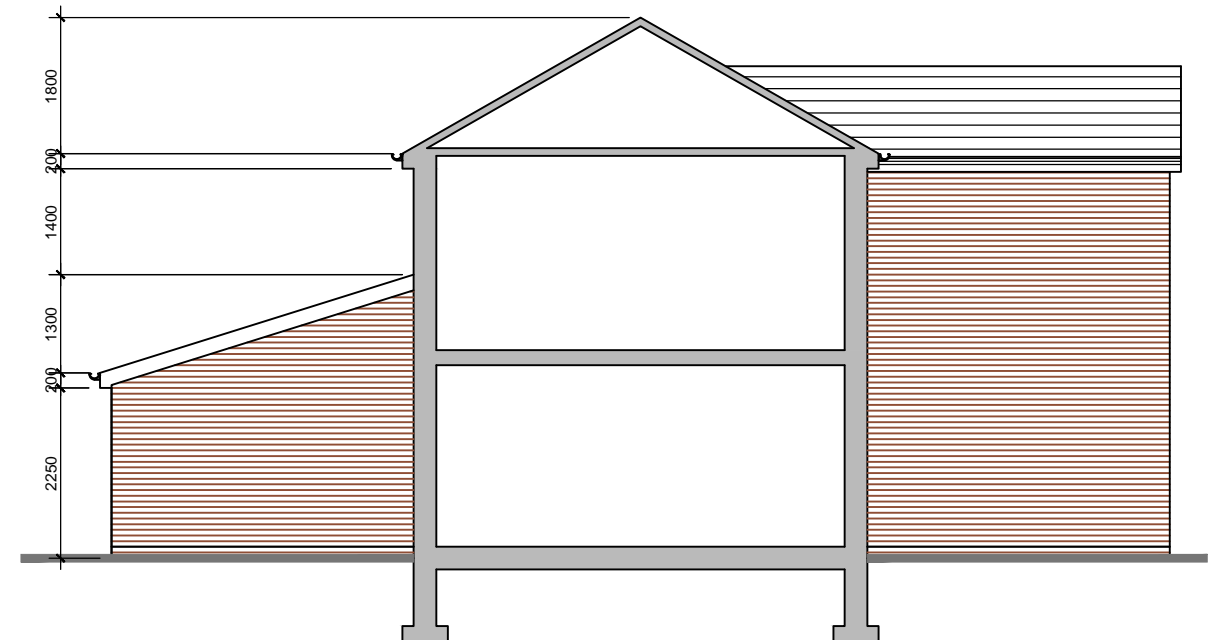
Front Elevation



Side Elevation



Rear Elevation



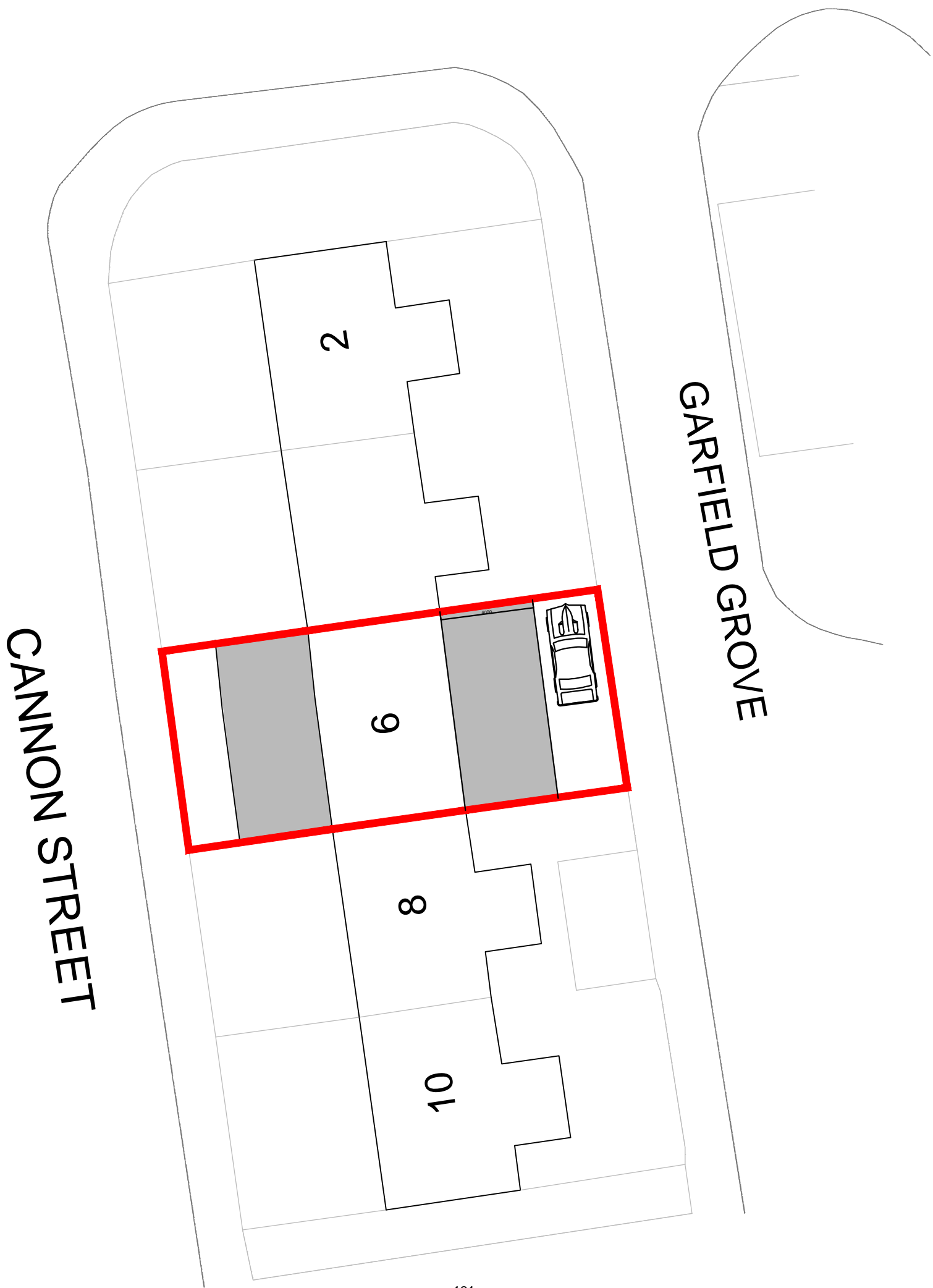
Side Elevation

NOTES:
No scaling or dimensions other than those figured are to be taken from this drawing. All dimensions to be checked on site
This drawing is for use at the named location and for Planning Permission purposes only and as such should not be used at any other location or for any other purposes

Project Location:
6 Garfield Grove
Bolton
BL3 5AY

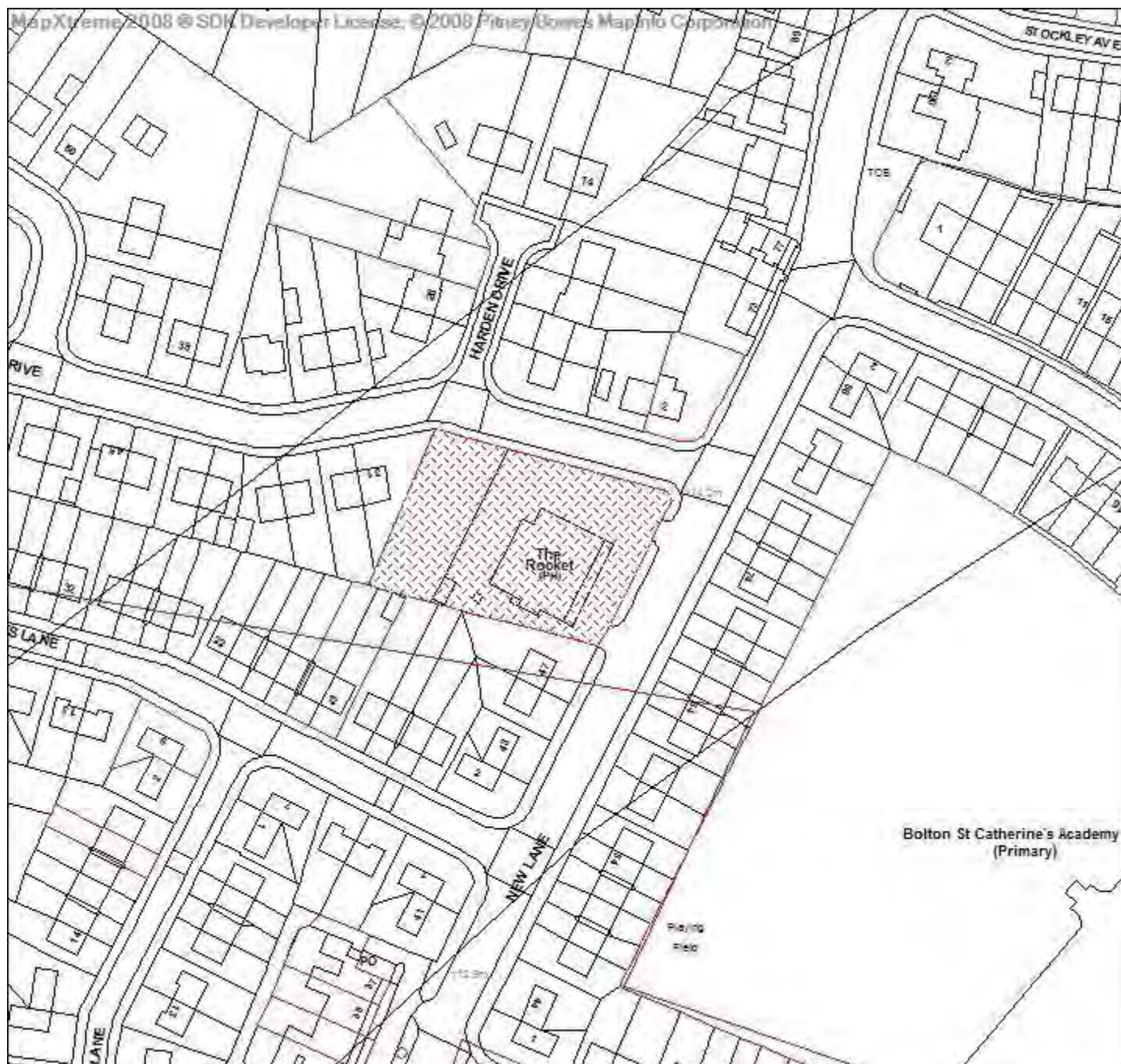
Drawing:
03 Proposed Elevations

Scale:	Size:	Date:
1:100	A3	07/15



Proposed Site Plan
6 Garfield Grove
Scale: 1:200

Application number 94799/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94799/15

Type of Application: Full Planning Application

Registration Date: 19/08/2015

Decision Due By: 13/10/2015

Responsible Officer: Paul Bridge

Location: ROCKET HOTEL, 63 NEW LANE, BOLTON, BL2 5BP

Proposal: DEMOLITION OF PUBLIC HOUSE AND ERECTION OF A SPAR CONVENIENCE STORE

Ward: Bradshaw

Applicant: James Hall & Co

Agent : Janet Dixon Town Planners

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the demolition of the public house and the erection of a Spar convenience store.

The existing public house will be demolished in order to accommodate the proposal. The proposed retail unit would be single storey approximately 5.8m at its highest point with a sloping roof. It would be sited in the north western corner of the site and would be constructed out of Kingspan cladding panels for the elevations and Kingspan KS100 roofing panels. There would also be an ATM installed in the front elevation of the proposal.

Due to a difference in site levels from the eastern end of the site and the western end of the site, a section of the western area of the site is to be filled to raise the ground equal to the existing levels to the east. This is to be achieved via the construction of new retaining walls along the northern boundary and internally to the south and west.

The proposal, internally, would provide a convenience store with approximately 272m² of net trading floor space along with an associated store and other rooms.

The site layout plan shows 16 customer parking bays, 2 staff parking bays, motorcycle parking/cycle stands and a bin storage area. The two vehicular access points on to New Lane will be retained, one of which will be widened to allow delivery vehicles to enter and leave the site in a forward gear.

The proposed opening hours are 06:00am – 11:00pm seven days a week and would potentially employ 12 full time staff.

Site Characteristics

The application site is located two miles north-east of Bolton town centre. The site comprises a two storey purpose built Public House (Use Class A4) on a site of approximately 0.16 hectares. The site lies within a predominantly residential area with a small amount of commercial and community uses in the immediate vicinity including an Academy School, a Post Office and a small parade of shops. The site lies approximately 1 mile from both Harwood District Centre and Breightmet District Centre.

The site levels differ from east to west with the eastern area of the site being sited on a higher level than the western are.

The site is bounded to the south and west by residential dwellings, with residential dwellings also located on the opposite side of Harden Drive and New Lane.

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; RA3 Breightmet.

SPD Accessibility, Transport and Road Safety; SPD House Extensions.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- Γ principle of the proposed development
- Γ impact on the character and appearance of the area
- Γ impact on the amenity of neighbouring residents
- Γ impact on drainage/flood risk
- Γ crime and design
- Γ impact on the highway
- Γ impact on trees
- Γ impact on ecology

Principle of the Proposed Development

The key issues in this case is whether the principle of retail development in this location is considered to be acceptable.

The NPPF advocates the application of the sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date local plan,

and advises that where an application fails to satisfy the sequential test it should be refused (paragraphs 24, 27 and annex 2). 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 floor space threshold. If there is no locally set threshold, the default threshold is 2,500 square metres. Further advice on the application of the sequential test is provided in the Planning Practice Guidance (PPG) (Ensuing the Vitality of Town Centres section, paragraphs 010, 011 and 012), and locational/market requirements and viability of developments are identified as specific considerations in the sequential test (paragraphs 011 and 012).

It must be noted that the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3 allows the permitted change of use of a public house (Class A4) to retail (Class A1). The existing public house is not listed as a community asset as defined in the Town and Country Planning (General Permitted Development) (England) Order 2015. Whilst the proposal would result in a new build development and not a conversion, the existing public house with an internal floor space of 250m² could be converted into a retail premise without the benefit of planning permission. The proposal would result in a net additional internal tradeable floor space (following development) of 272m². A negligible increase of 22m² in net tradeable floor space, which could be achieved by way of a conversion carried out utilising permitted development rights.

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

The principle of retail development at the site is therefore acceptable.

Impact on the Character and Appearance of the Area

Policy G3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness and will require development to be compatible with the surrounding area.

The proposed unit would be of a standard design and format for a Spar convenience store. The proposed unit would be single storey and would be approximately 5.8m at its highest point with a sloping roof. It would be sited in the north western corner of the site and would be constructed out Kingspan cladding panels for the elevations and Kingspan KS100 roofing panels for the roof. There would also be an ATM and external roller shutters installed in the front elevation of the proposal.

The application building is sited within a predominantly residential area with house types which differ in terms of design and size. The proposed unit would be single storey and would therefore be lower in height than the surrounding buildings. A condition would be attached to ensure samples of materials are submitted to and approved in writing prior to the commencement of development.

There would also be a plant room and bin store located adjacent to the southern side elevation and which would be screened by closed board fencing approximately 2.2m in height. The existing boundary treatment to the southern and western boundary boundaries would be retained, whilst a section of the northern boundary wall would be replaced with a new retaining wall. A condition has been attached to ensure further details are provided prior to the commencement of development.

As no details of the proposed roller shutters has been submitted a condition has also been attached to ensure details of the shutters are provided.

The design and appearance of the unit is considered to be acceptable and it is considered that it would not result in an unacceptable detrimental impact on the street scene and the visual amenity of

the area in accordance with policy CG3 of the adopted 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, and that it does not generate unacceptable nuisance, odours, fumes, noise or light pollution.

The proposed retail unit would be sited in the north western corner of the site and would be single storey with a maximum height of 5.8m at the eastern end.

Harden Drive

The adjacent dwelling at No.31 Harden Drive is set on an angle away from the site and has no principal habitable room windows which would directly face the proposal. An acceptable distance of approximately 16m would be maintained to the residential dwellings to the north at No.4 and 6 Harden Drive.

New Lane and Monks Lane

The adjacent dwelling at No.47 New Lane is set on a right angle away from the site and would not directly face the proposed retail unit, whilst a distance of approximately 10.5m would be maintained to the rear common boundaries with the dwellings along Monks Lane.

Consequently, it is not considered that the proposal raises any issues in terms of loss of light and overbearing impact on neighbouring residential dwellings.

The introduction of a convenience store does have the potential to cause noise and disturbance to neighbouring residents by virtue of increased noise, disturbance and litter etc. The area immediate around the site is residential in nature with residential dwellings to the north, south, east and west.

The Council's Pollution Control Officers have recommended that the proposed hours of opening be restricted to 07:00am 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 06:00 and 23:00 hours Monday to Sunday, (including bank holidays). The applicant, has stated that the proposed hours are essential if the new Spar store is to provide a comparable service that is available at times of the day that are convenient for local residents. These hours are required due to Spar's trading model which by its nature is not dependent upon and influenced by peak daily or weekly trading times unlike large destination supermarkets. Instead it trades on being convenient to the needs of the local population within its catchment area. The site is located on a main road through Brightmet and therefore there is a relatively high level of ambient noise levels throughout the day. The site is located adjacent to residential properties, the closest being No. 47 New Lane and No. 31 Harden Drive. Whilst there will be an element of noise generated, from the coming and going of vehicles, there is existing and proposed treatments separating the activities from the adjoining dwelling at 31 Harden Drive. These will contribute towards noise mitigation and an acoustic barrier. In addition, a condition will be attached requiring replacement trees to be planted along the western boundary of the site adjacent to No.31 Harden Drive. The vehicular entrance to the site is located on New Lane and it is reasonable to assume that any vehicles entering the store late into the evening would utilise the proposed parking spaces closest to the pedestrian entrance which is away from the southern boundary. In addition as the store caters primarily for the local area it is considered that a high proportion of visitors to the store would be on foot.

In relation to the properties opposite it is considered the main road and Harden Drive provides a physical barrier and a distance of approximately 21m would be maintained to the front of the site from the unit and 16 from the No. 4 and 6 Harden Drive.

It also has to be noted the existing public house can be open to at least 11:00pm, 7 days a weeks. It is therefore considered that there is already a degree of late night activity in this area and the proposed opening hours of the retail unit would not exaggerate this to an unacceptable degree.

There would be a plant and service area sited adjacent to the southern side elevation which would be screened by closed board timber fencing approximately 2.2m in height. No plant noise assessment has been submitted with the application and therefore the Council's Pollution Control Officers have recommended a condition to ensure noise levels are kept to a minimum, as to not unacceptably harm the amenity of neighbouring residents.

It is not considered, on balance, and subject to appropriate conditions that the residents are likely to experience any significant unacceptable detriment to residential amenity due to the proximity of the New Lane and the existing use of the site as a large public house in accordance with Policy CG4 of the Core Strategy.

Impact on Drainage/Flood Risk

The site is not located within Flood Zone 2 or 3 and is not in a critical drainage area and therefore there is no requirement for a Site Specific Flood Risk assessment. Whilst the site itself is already a developed area, a condition has been attached to ensure details of the drainage are provided as there will be an raising of site levels towards the western end of the site. Given the above, it is considered that the development itself is safe and furthermore would not increase flood risk elsewhere.

Subject to conditions the development satisfies the requirements of the NPPF (paragraph 103) and of Policy CG1 of the adopted Core Strategy which ensures that development does not suffer from flooding or increase the risk elsewhere, including the consideration of any proposed mitigation measures.

Crime and Design

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

The ATM would be sited in a prominent location on New Lane elevation which fronts a busy well used road. The immediate surrounding area is residential in nature and as such there is continued activity in the area until late on into the evening as well as streetlights along New Lane providing lighting through the hours of darkness. As such there are high levels of natural surveillance and activity in the area throughout the daytime and evening. A condition has been attached to ensure the hours of the ATM are consistent with the opening hours of the retail unit. The proposal is therefore considered to be in accordance with Policy S1.1 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.

Car and Cycle Parking

In terms of available parking for staff/customers, 16 parking spaces (including 1 disabled bay) are proposed for customers. As the proposed net retail floor area is 272sqm, 11 spaces would be the maximum standard required for car parking provision in accordance with Bolton's parking standards (1 space per 25sqm). The proposed parking provision is therefore considered acceptable. In addition the site is located in an accessible location on New Lane which is served by good public transport links and situated within a residential area allowing for trips on foot from local residents.

The proposed cycle parking provision which seeks to provide 2 cycle hoops would also accord with the minimum standards of 1 cycle space per 200sqm of public floor area (272sqm).

Servicing Arrangements

In terms of the proposed servicing arrangements, the submitted plan indicates that an articulated lorry could enter and exit the site safely and appropriately via the existing in/out access points onto New Lane. Thereby, ensuring servicing is contained within the application site.

Access Alterations

The existing in/out access towards the south eastern corner of the site onto New Lane would be widened in order to improve the vehicular access. The site also benefits from sufficient sightline visibility across the site frontage along New Lane.

The Council's Highways Engineers raise no objection to the proposal.

Given the above it is considered that the proposal would not result in an unacceptable impact on highway safety and would provide adequate car and cycle parking provision in accordance with policy P5 of the adopted Core Strategy and the Accessibility, Transport and Road Safety SPD.

Impact on Trees

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

There are a number of trees located towards the south western, western and eastern boundaries of the site. It is noted that none of these trees are protected by way of Tree Preservation Orders.

In support of the proposal the applicants have submitted an Arboricultural Impact Assessment which has reviewed the condition of the trees on site. All of the groups of trees on site have been categorised as C2 or U, which are trees of low quality or those in such a condition that they cannot be realistically be retained as living trees and therefore should not be allowed to constrain the development.

In order to accommodate the proposal all the trees located within groups G1, G2 and G3 would be removed in order to accommodate the proposal. The Council's Tree and Woodland Officer has visited the site and has noted that the trees located along the western boundary of the site form an important landscape screen to the residential properties to the rear. Whilst it is regrettable that these trees would be lost there is space for replacement trees to be planted within the site on the embankment to the rear, which will over time re-establish a screen to the adjacent houses. Given the above, and subject to an appropriate condition requiring replacement trees, the proposal is considered to be in accordance with policy CG1 of the Core Strategy.

Impact on Ecology

Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough.

As the proposed involves the demolition of a building the applicants have submitted a Bat Scoping Survey Report. The report concludes that no evidence was recorded to suggest bats were roosting within the buildings and no evidence of current, or historic, use of the building by nesting birds was found during the survey.

The report does not consider the proposed works are likely to result in a breach of the Conservation (Natural Habitats &c.) Regulations 1994 (as amended) therefore the proposed development does not require an EPS Licence (EPSL) to proceed lawfully. It is considered therefore that the proposal would not have an unacceptable impact on any protected species in accordance with policy CG1.

Other Issues

Due to the application site being located within a high risk coal area, the applicants have submitted a Coal Mining Risk Assessment. The Coal Authority have been consulted and have advised that the assessment correctly identifies coal that outcropped across the site (Cannel Coal Seam) and goes on to confirm it being widely worked in the locality. Consequently, the report confirms that likely workings in the seam represent a significant risk to the proposed development.

The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to the commencement of development in order to establish the exact situation regarding coal mining legacy issues on the site. The Coal Authority recommends a planning condition should be attached requiring these works prior to commencement of development.

Subject to an appropriate condition being attached, the Coal Authority has no objections to the scheme.

Conclusion

For the reasons discussed above, 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: - 7 letters of objection have been received (3 where no address was given), which raised the following concerns:

- Γ Loss of the Public House/Community Asset,
- Γ The Spar would not be used,
- Γ Hours of opening of the shop and ATM,
- Γ Parking,
- Γ Deliveries,
- Γ Anti-social behaviour.

The above issues have been addressed in the appraisal.

One letter neither objecting or supporting the application has been received, which has made the following comments:

- Γ They would be happy to see the trees along the western boundary of the site removed as they block out light.
- Γ There are other local shops which will be forced to close. *Response – Business competition is not a material planning consideration.*
- Γ Would access be required onto adjoining land for any works. *Response - The applicants have not stated that any access would be required onto any adjoining land for any works in required in connection with the proposal.*

Consultations

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers, Design for Security, Tree Officers, Coal Authority and United Utilities.

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. 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.

3. Prior to the commencement of development an intrusive coal site investigation shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall include a report of the findings arising from the intrusive site investigations and any proposed remedial works. The development hereby approved shall not be brought into use or occupied until any recommended remedial works have been implemented to the satisfaction of the Local Planning Authority.

Reason

In the interests of public safety.

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

Reason

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

5. Prior to the commencement of development full details of the highway works incorporating the widening of the southern vehicular access point 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 commences, a scheme shall be submitted to and approved by the Local Planning Authority which specifies the provision to be made for the control of noise emanating from the site. The development shall be implemented in accordance with the approved details, which shall be operational prior to the first use of the approved development and retained thereafter.

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.

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

Reason

To ensure the development reflects local distinctiveness.

8. The development shall not be occupied or brought into A1 use until works for surface water management and disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the local planning authority. The approved works shall be retained thereafter.

Reason

To ensure adequate provision is made for the management of surface water and sewerage disposal.

9. Replacement 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 first occupation of the building for A1 use. 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.

10. 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.

11. The roller shutters shall be of an open grille design, details of which, including their colour shall be submitted to and approved by the Local Planning Authority before the shutters are first installed. The shutters shall be installed and coloured in accordance with the approved details within 14 days of installation.

Reason

In the interests of reducing crime and the fear of crime and to ensure the development safeguards the visual appearance of the building.

12. All fixed plant and equipment requires to be designed to prevent noise disturbance to local residential property and 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) which ever is the most appropriate, as measured 4 metres from the nearest residential properties. The monitoring information and the acoustic calculations together with the proposed specifications of the fixed plant and equipment and any sound attenuation proposed should be submitted to the Local Planning Authority for approval prior to the commencement of installation.

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.

13. Before development commences details of any external lighting equipment shall be submitted to and approved by the Local Planning Authority. The lighting in the scheme should be erected and directed so as to avoid nuisance to residential accommodation in close proximity. The lighting should be designed to provide a standard maintained illumination of no more than 5 LUX at the facades of the nearest residential properties. No other lighting equipment may then be used within the development other than as approved by the Local Planning Authority.

Reason

To minimise light intrusion to the residential amenity of the area from the increase and alteration of commercial, industrial and recreational uses in the area.

14. Prior to the first occupation of the building for A1 use, the car and cycle parking facilities shall be laid out and provided in accordance with Drawing BR-0021 Rev A, and made available for use and retained as such thereafter.

Reason

In the interests of highway safety

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

06:00am - 23:00pm Mondays – Sundays (including 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.

16. No deliveries, loading, unloading or other servicing activities shall take place outside the hours of:-

07.00 -21.00 Monday to Saturday
09.00-17.00 Sundays or Bank Holidays

Reason

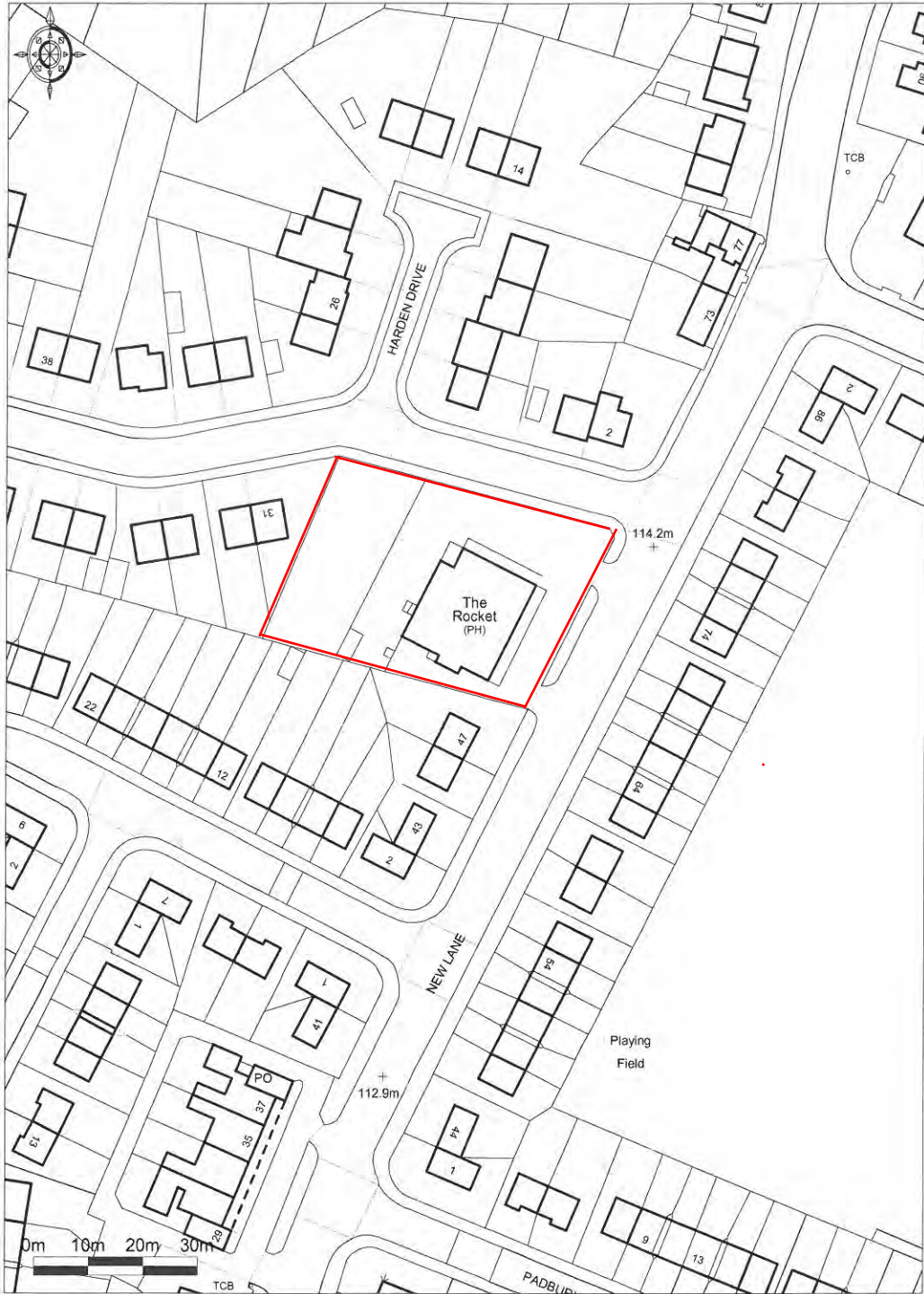
To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area.

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

Location Plan
BR-001 Rev A - Proposed Site Plan. Dated September 2015
BR-002 Rev A - Proposed Building Plan & Elevation. Dated September 2015

Reason

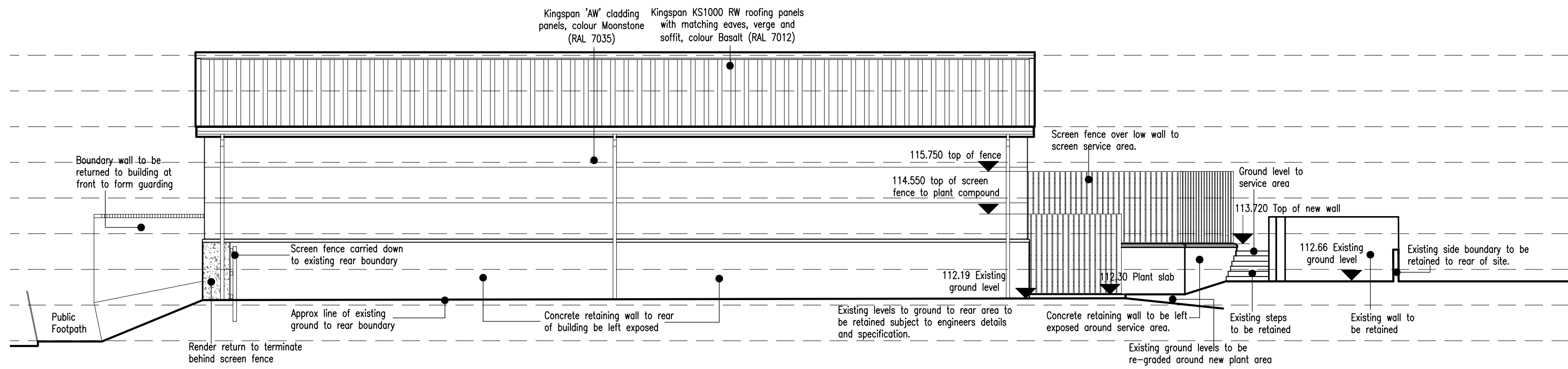
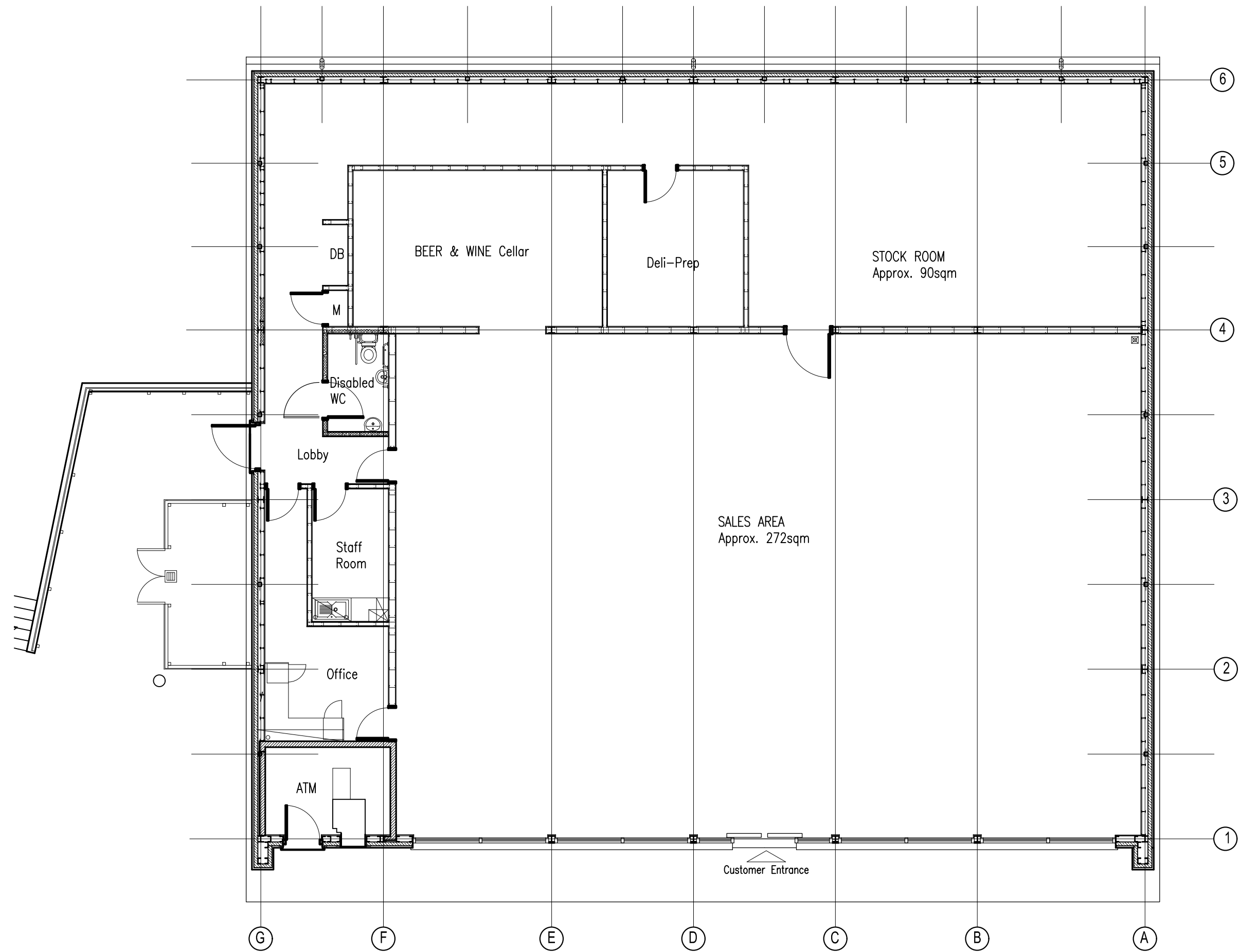
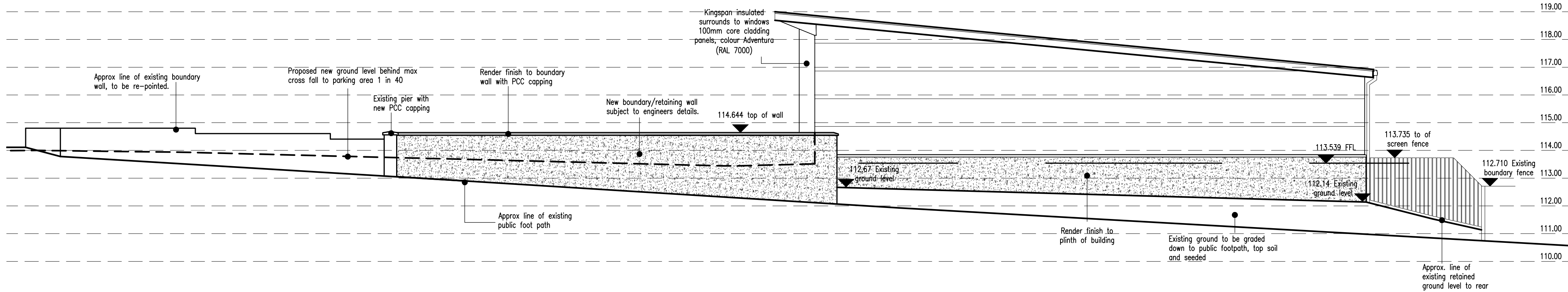
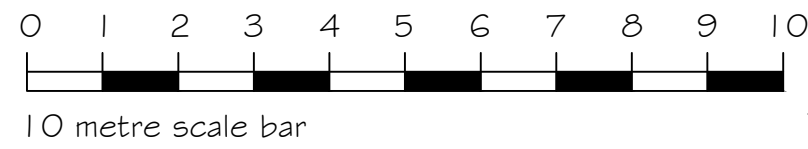
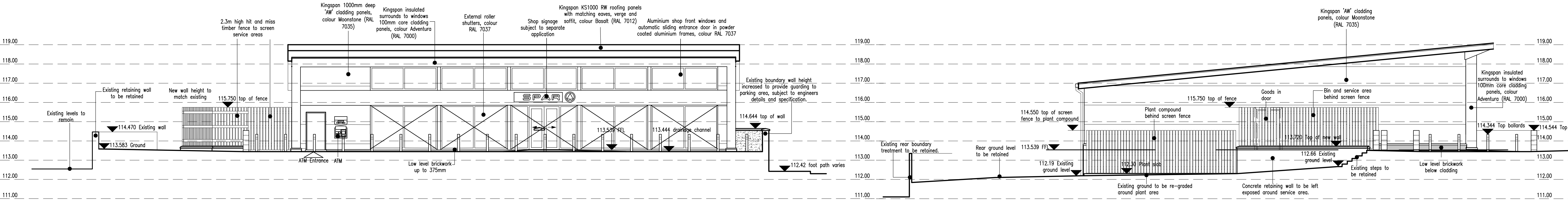
For the avoidance of doubt and in the interests of proper planning.



Promap

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Notes: Do not scale from this drawing. This drawing is to be read in conjunction with all relevant design team specifications and drawings. All dimensions are to be checked on site prior to commencement of work any variations to be notified to the Project Architect. All components and materials are to be stored, protected, handled and installed in accordance with the manufacturer's recommendations. ©Harry Walters & Livesey Ltd

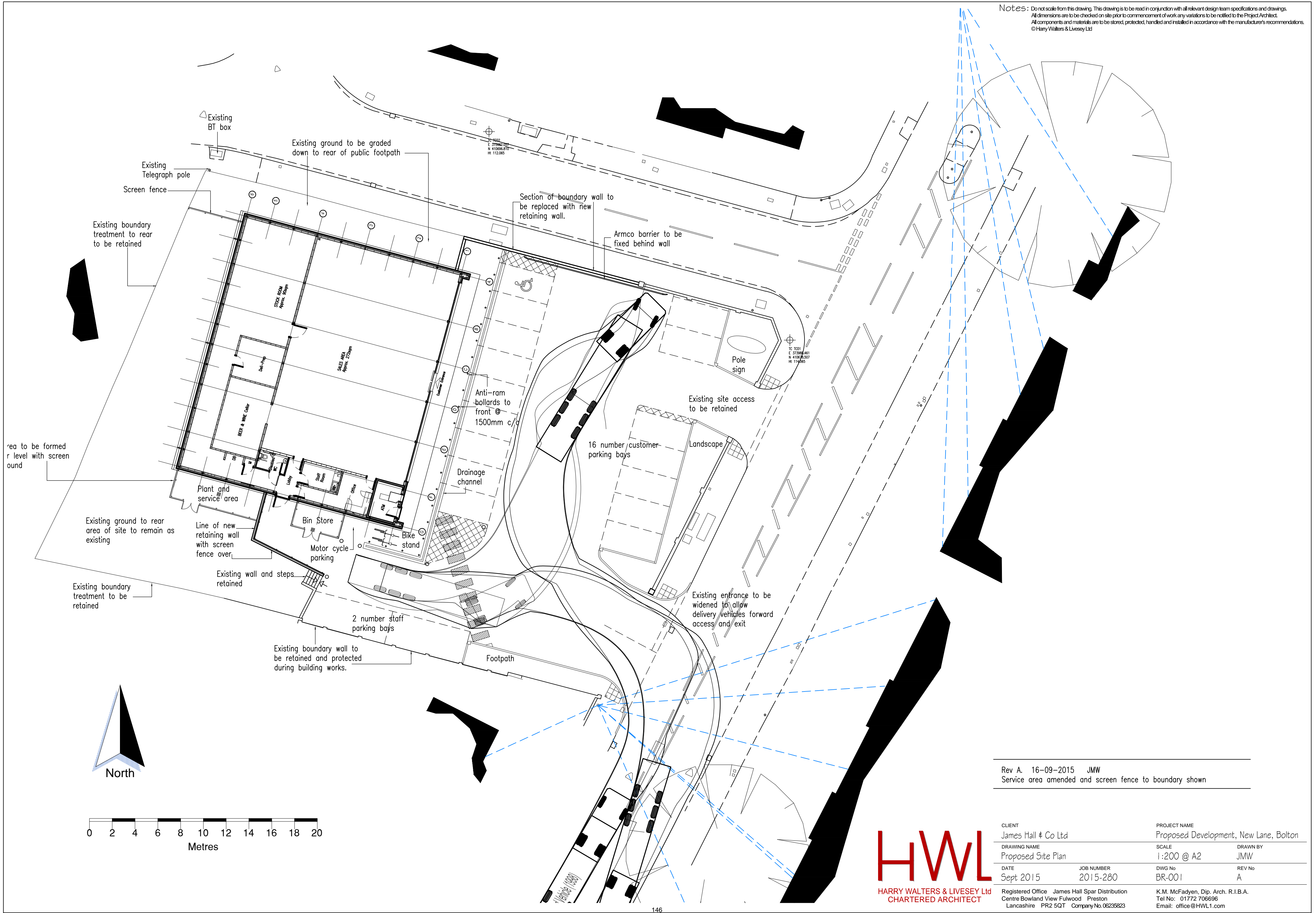


Rev A. 16-09-2015 JMW
Service area amended and screen fence to boundary shown
Internal layout amended to accommodate revised service area

HWL
HARRY WALTERS & LIVESEY LTD
CHARTERED ARCHITECT

CLIENT	James Hall & Co Ltd	PROJECT NAME	Proposed Development, New Lane, Bolton
DRAWING NAME	Proposed Building Plan & Elevation	SCALE	1:100 @ A1
DATE	Sept 2015	DWG No	BR-002
JOB NUMBER	2015-280	REV No	A
Registered Office	James Hall Spar Distribution Centre Bowland View Fulwood Preston Lancashire PR2 5QT Company No. 06235823	K.M. McFadyen, Dip. Arch. R.I.B.A. Tel No: 01772 706696 Email: office@HWL1.com	

Notes: Do not scale from this drawing. This drawing is to be read in conjunction with all relevant design team specifications and drawings.
All dimensions are to be checked on site prior to commencement of work; any variations to be notified to the Project Architect.
All components and materials are to be stored, protected, handled and installed in accordance with the manufacturer's recommendations.
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Rev A. 16-09-2015 JMW
Service area amended and screen fence to boundary shown

CLIENT James Hall & Co Ltd		PROJECT NAME Proposed Development, New Lane, Bolton	
DRAWING NAME Proposed Site Plan		SCALE 1:200 @ A2	DRAWN BY JMW
DATE Sept 2015	JOB NUMBER 2015-280	DWG No BR-001	REV No A
Registered Office James Hall Spar Distribution Centre Bowland View Fulwood Preston Lancashire PR2 5QT Company No: 06235823		K.M. McFadyen, Dip. Arch. R.I.B.A. Tel No: 01772 706696 Email: office@HWL1.com	

Application number 94843/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94843/15

Type of Application: Full Planning Application
Registration Date: 16/09/2015
Decision Due By: 10/11/2015
Responsible Officer: Jeanette Isherwood

Location: 14 KILMAINE DRIVE, BOLTON, BL3 4RU

Proposal: CHANGE OF USE OF LAND TO DOMESTIC USE AND TEMPORARY 5 YEAR PERMISSION FOR RETENTION OF BOUNDARY FENCE AT SIDE AND REAR OF PROPERTY WITH ONE DOUBLE GATE AND TWO SINGLE GATES

Ward: Heaton and Lostock

Applicant: Mr Iqbal
Agent :

Officers Report

Recommendation: Refuse

Proposal

The proposal comprises the change of use of open land to domestic garden and retention of the 2 metre high fence which encloses this land and the remainder of the curtilage of the property. The fence is constructed of concrete post and slab with wooden panels and has double gates facing the turning head.

The retention of the fence is proposed for a temporary period of five years to enable planted landscaping to grow and provide the level of privacy required.

The fence encompasses a street lighting column existing at the site.

Site Characteristics

This detached property is sited on a large corner plot at the head of a cul-de-sac where Kilmaine Drive meets Chesterton Drive. The original boundary fence for the property extended two panel widths from the side of the property, turning ninety degrees and further extending to the southern rear boundary. To the side of the original fence was an open grassed area with trees fronting the turning head, this area has now been enclosed. A public walkway runs parallel to the new fence and is used as an access route from Chesterton Drive to St Bernards and Beaumont Primary Schools to the south.

Opposite the property, on Chesterton Drive are small detached bungalows set at a lower level. No 2 directly overlooks the area of land included in this application and subsequent new fence.

The character of the immediate area is open plan, residential properties with the majority of properties having open frontages.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses; OA4 West Bolton.

SPD General Design Principles

SPD House Extensions

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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 OA4 of the Core Strategy states that the Council will conserve and enhance the character of the existing physical environment, and will ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings – these features should be retained where possible.

SPD House Extensions provides general advice on household developments and offers guidance relating to the effect of development on the street scene and the character and appearance of the area.

The area of land to which this application relates was previously an open grassed area and appears to be a design feature used throughout the estate, adjacent to 'end of row' properties. More specifically in this case to maintain an open aspect adjacent to a public walkway. Furthermore, the trees that have been removed from the land (albeit unprotected) were seen to have contributed to the amenity of the area.

The fence which extends to the kerb of the road and to the edge of the walkway is situated in a prominent location at the junction of two roads and a turning head. The walkway is well used by pedestrians walking between the different cul-de-sacs and taking children to school. It is visible from the north along Chesterton Drive and from properties opposite to the north and west.

It is considered that the fence itself, due to its siting, creates a strident feature within the street scene and the loss of a large expanse of grassed area, that is mirrored throughout the estate is detrimental to the overall character and appearance of the area.

The applicant has submitted details indicating that the additional land required and subsequent fence was needed to ensure a safe, private environment for her children to play. They further submit that one of the children has a medical condition, the symptoms of which can lead to mobility issues requiring intermittent use of crutches or a wheel chair.

Notwithstanding this information Officers are of the opinion that these requirements can be met with a reduced scheme and landscaping which would have a lesser impact upon the visual appearance of the street scene and the character and appearance of the area.

The proposed fence is considered to represent an incongruous feature on the street scene and is contrary to Core Strategy Policies CG3 and OA4.

Impact on the Amenity of Neighbouring Residents

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

SPD General Design Principles provides general advice relating to the impact of developments on neighbouring properties, particularly in relation to natural light, privacy and overlooking, together with setting out the Council's minimum interface standards between dwellings.

The fence has been erected close to the front elevation of 2 Chesterton Drive and is within 8 metres of their main elevation. This distance falls short of the Council's recommended interface distance and is further compounded by the difference in ground levels with 14 being on a higher level.

It is therefore considered that the proposal would have a detrimental impact on the outlook and living conditions of these residents, contrary to Core Strategy Policy CG4.

Impact on Highway Safety

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.

Objectors to the proposal have raised concerns regarding the use of the turning head on Chesterton Drive being used as a car park for taxis used by the Applicant who has a driveway accessed from Kilmaine Drive. Concern has also been raised to the use of the enclosed land.

The Council's Highway Engineer has raised objection to the fence on highway grounds and states the following:-

The fence must be set back a minimum distance of 1.5m from the edge of the carriageway to avoid affecting the street lighting column and cables and to provide overhang space for vehicles using the

turning head. A minimum distance of 2.0m must be retained from the adopted public footpath to avoid creating a ginnel effect.

Discussions have taken place with the applicant with regard to setting the fence back, however no agreement has been reached.

The proposal is considered to be contrary to Core Strategy Policy S1.

Conclusion

The fence creates a strident and incongruous feature within the street scene and is considered to have a detrimental impact on the living conditions of surrounding neighbours contrary to policies CG3, CG4 and OA4 of the Core Strategy. The siting of the fence in close proximity to the highways is considered to be detrimental to highway safety, contrary to policy S1 of the Core Strategy. The loss of the open area detracts from the feature of the original open plan estate to the further detriment of the character and appearance of the area.

Members are recommended to refuse the application.

Representation and Consultation Annex

Representations

Two letters of support have been received together with a petition in support of the application.

Ten letters of objection have been received including one from the Ladybridge Residents Association, objecting on the following grounds:-

- \ changes the walkway into unsightly, unsafe alley
- \ creates a precedent affecting the open plan aspect of the estate
- \ affects parking of cars for school drop off etc
- \ affects the visual amenity of the estate
- \ not in-keeping with the street scene
- \ affects the outlook from principal windows
- \ impacts on children's safety
- \ no need for additional garden space
- \ includes double gates - speculation for future development/use of the land
- \ creates an accident blind spot in relation to views of the road from the walk way
- \ temporary permission is a delaying tactic

Petitions:-None received

Elected Members:-None received

Consultations

Advice was sought from the following consultees: The Council's Tree and Woodland Officers, The Council's Highway Engineers.

Planning History

Permission refused for the retention of the fence under reference 93587/15

Permission granted for the erection of a porch and single storey extension together with the conversion of the garage under reference 76917/07.

Recommendation: **Refuse**

Recommended Conditions and/or Reasons

1. The proposed fence 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 2 Chesterton Drive and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "General Design Principles".
2. The proposal will result in the loss of an open grassed area to the detriment of the character and appearance of the area, and is therefore contrary to Policy CG3 of Bolton's Core Strategy.
3. The proposal will result in insufficient space to the turning head at Chesterton Drive to safely manoeuvre vehicles and is therefore contrary to Policy S1 of Bolton's Core Strategy.

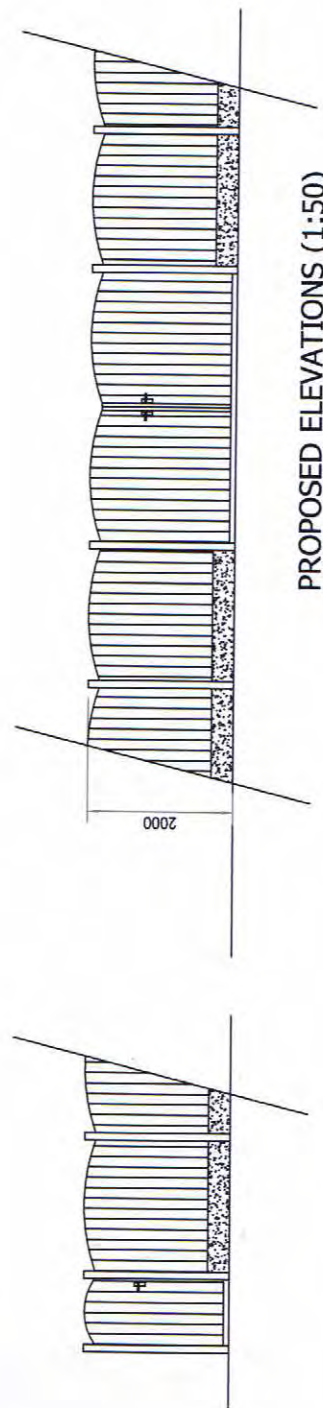


SITE PLAN (1:200)



LOCATION PLAN (1:1250)

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PROPOSED ELEVATIONS (1:50)

RAD

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

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

Project

14 KILMAINE DRIVE
BOLTON
BL3 4RU

Amendments

Client

MR. Z. IQBAL

Drawn

RA

Date

FEBRUARY 2015

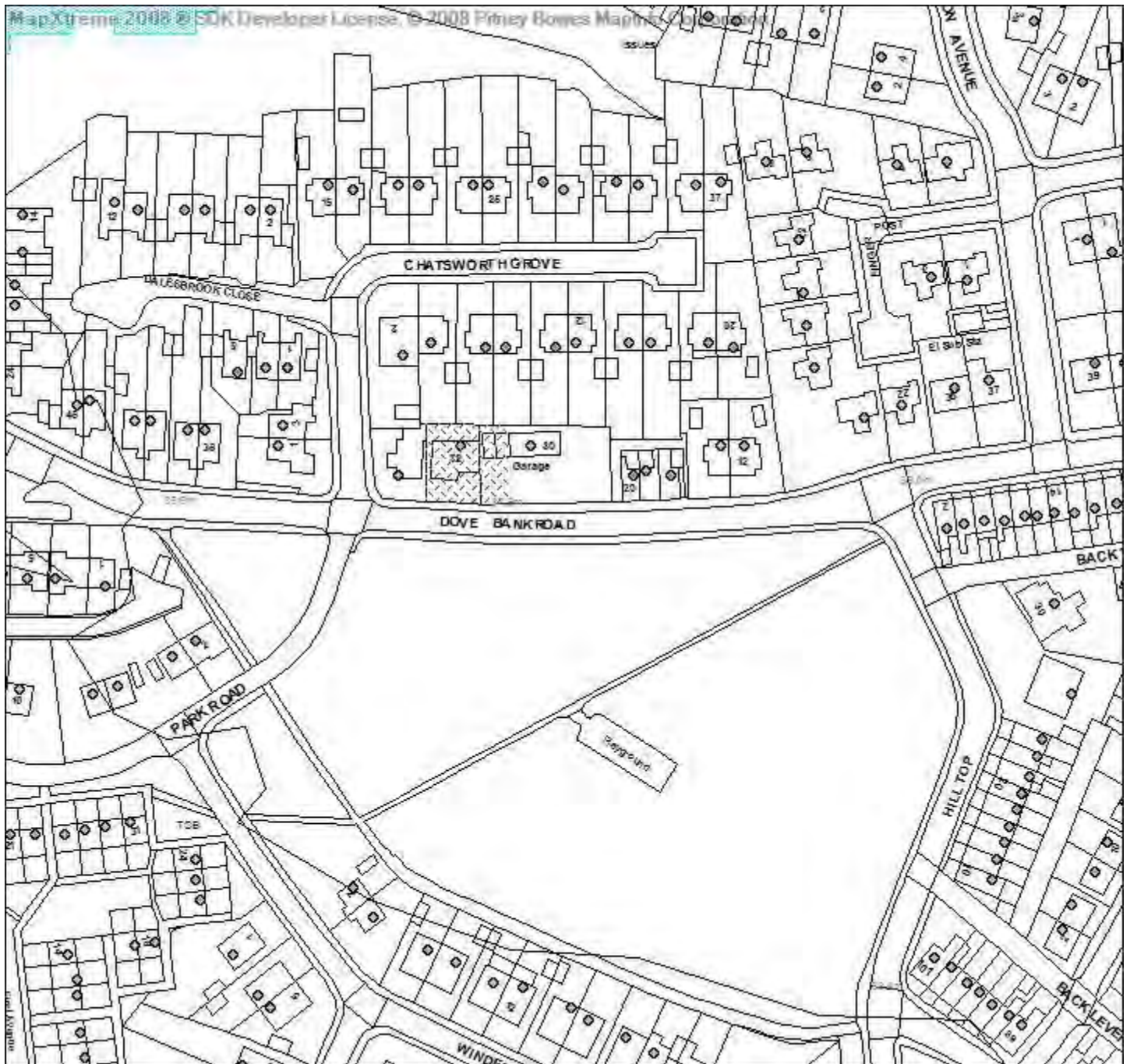
Scale

as indicated

Drawing Number

RAD/1169/15/1

Application number 94851/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94851/15

Type of Application: Full Planning Application
Registration Date: 24/08/2015
Decision Due By: 18/10/2015
Responsible Officer: Jon Berry

Location: BIRCHTREE, 32 DOVE BANK ROAD, LITTLE LEVER, BOLTON, BL3 1DB

Proposal: VARIATION OF CONDITION 5 ON APPLICATION 81354/08 TO ENABLE SEPARATION OF 30 AND 32 DOVE BANK ROAD DRIVEWAYS AT THE FRONT BY CONSTRUCTION OF A 1.2M HIGH FENCE.

Ward: Little Lever and Darcy Lever

Applicant: Mr Vickers
Agent :

Officers Report

Recommendation: Refuse

Proposal

Consent is sought for the variation of condition 5 of the planning permission referenced 81354/08 to enable separation of the driveways at the front of 30 and 32 Dovebank Road via the construction of a 1.2m high fence.

Planning permission 81354/08 granted consent for the formation of a new access to provide a shared driveway for 30 and 32 Dovebank Road.

Condition 5 stated that "The development hereby approved/permitted shall not be brought into use unless and until provision has been made for a vehicle turning area which will enable vehicles to enter and leave the site in a forward gear, and shall be laid out in accordance with details to be submitted to and approved by the Local Planning Authority. Thereafter such facilities shall not be used for any purposes except the turning of vehicles".

Site Characteristics

On the application site a former detached garage has been converted into a self-contained residential dwelling. The immediate surrounding area is mixed in nature with a number of commercial and residential dwellings

Policy

National Planning Policy Framework.

Core Strategy: CG3 The Built Environment, CG4 Compatible Uses, OA6 Little Lever and Kearsley and P5 Accessibility.

SPD House Extensions.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on highway safety;
- * impact on character of area;
- * impact on residential amenity.

Impact on Highway Safety

Planning permission (66470/03) for the conversion of the detached garage into a self-contained unit of accommodation and new access was refused in 2003 for the following reason:- The proposal makes insufficient provisions for vehicles to enter and leave the site in forward gear which would be detrimental to highway safety, particularly in respect of visibility to the west. The proposal is therefore contrary to Policy T4/4 of the Unitary Development Plan, and Planning Control Policy Note No.21 - "Highways Considerations".

A second application for the conversion (67816/04) was also refused in 2004 for the same reason.

Planning permission 81354/08 granted consent for the formation of a new access to provide a shared driveway for 30 and 32 in 2009.

Since planning application 81354/08 was granted the main dwelling has been sold and is now separate from the former garage which has been converted into a self-contained residential unit. No planning application was approved for the conversion of the detached garage, however, the occupier has recently been granted a Certificate of Lawfulness (existing) 94291/15 for the use of this as a dwelling.

There is therefore extensive planning history at the property which has raised the requirement for provision to enter/leave the site in forward gear on to Dovebank Road which is a classified road. A shared driveway to serve 30 and 32 Dovebank Road has previously been accepted as the correct

planning solution for the site, but the proposed new fence line would clearly impact upon the achievability of meeting highway safety policy.

At the time of the officer's site visit the highway appeared to be well used by traffic. However, it is accepted that there are mitigating factors here. There is no accident record along this stretch of Dovebank Road between 31st July 2010 and 31st July 2015 to warrant concern. No parking restrictions are in place on either side of the road directly to the front of the site, but vehicles tend to park at least partly on the footway in order to facilitate free traffic flow. In some respects a precedent has been set in terms of reversing onto the highway both for these properties and for other dwellings further along Dovebank Road and Tong Road.

However, there is still the potential for road safety implications to occur as a result of this proposal and this scenario applied for conflicts with Policy P5 of the adopted core strategy which seeks to avoid such impacts.

Impact on Character of Area

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

Policy OA1 of the Core Strategy states that the Council will conserve and enhance the character of the existing landscape and physical environment.

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 proposed fencing is of a standard design. It would be constructed out of concrete base panels and post, with wood infill panels. It would be approximately 7.4m in length and 1.2m in height.

The main dwelling is set back from the pavement. The immediate surrounding area is of mixed character of housing and commercial uses. There are other similar fences in the vicinity.

It is considered that the proposal would not have a detrimental impact on the character of the existing building or on the surrounding area in accordance with Core Strategy Policies CG3 and OA6 and guidance contained within the House Extension SPD.

Impact on Residential Amenity

Given the size and siting of the proposed fence, it is not considered that this would result in any unacceptable loss of residential amenity for the neighbouring occupiers in accordance with Policy CG4 which focuses on compatible uses.

Conclusion

It is considered that the proposal would not have an unacceptable impact on visual and residential

amenity. However, the correct planning land use solution for the site is for the provision of sufficient space for vehicles to be able to enter, turn and leave in forward gear. The proposed fence would compromise this arrangement and create potential road safety implications. This conflicts with Policy P5 of the Core Strategy and it is therefore recommended that planning permission is refused.

Representation and Consultation Annex

Representations

Letters:- 3 letters of objection have been received raising the issues of highway safety and land ownership.

Elected Members:- Councillor Evans has requested that the final determination of this application be made by the Planning Committee following an advanced site visit by Members.

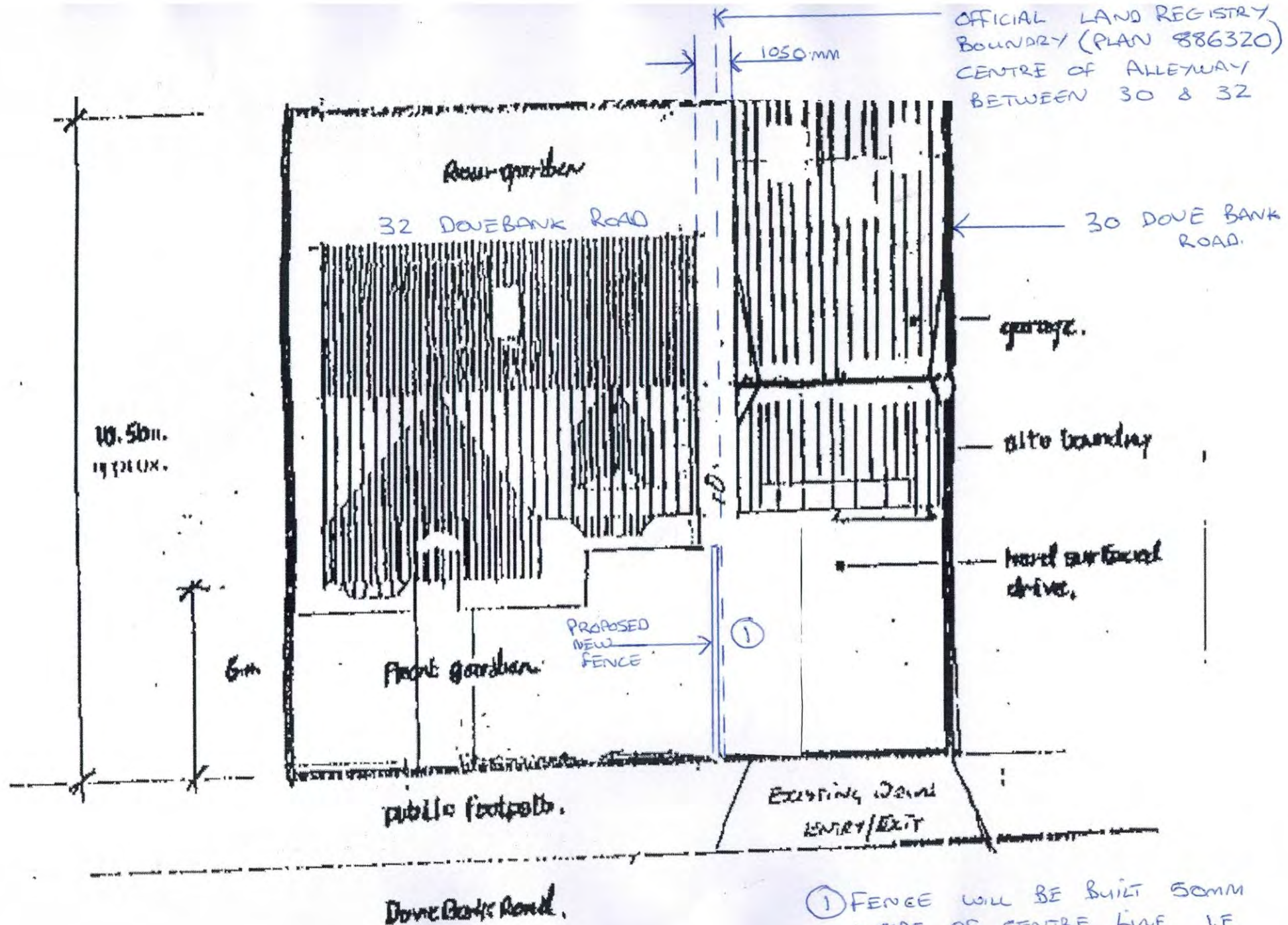
Consultations

Advice was sought from the following consultees: Bolton Council Highways Engineers

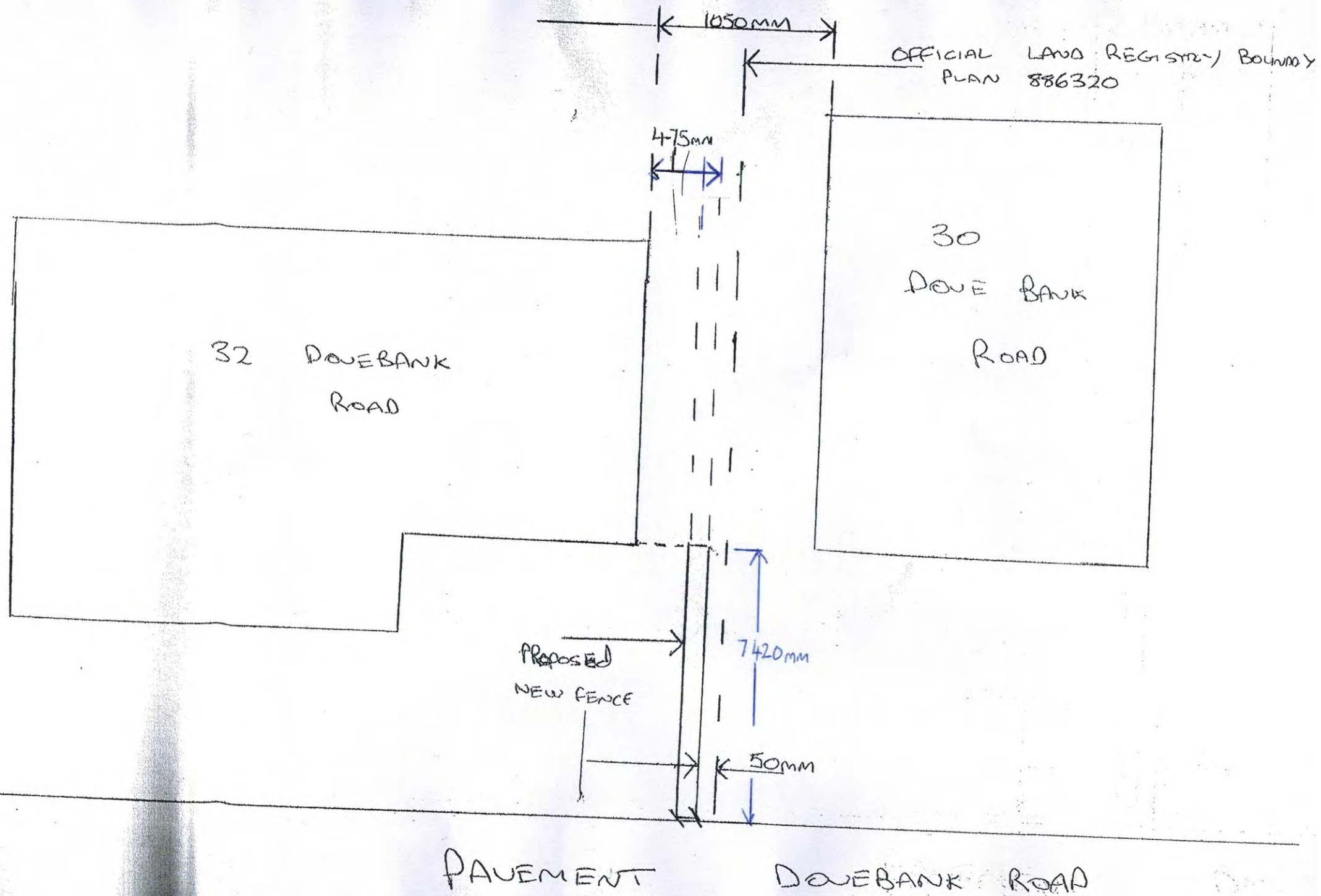
Recommendation: **Refuse**

Recommended Conditions and/or Reasons

1. The proposed development would compromise the ability of vehicle drivers to enter, turn and leave the site in forward gear which has potential adverse implications for highway safety and this conflicts with Policy P5 of the Core Strategy.



① FENCE will BE BUILT 50mm INSIDE OF CENTRE LINE I.E 4.75m From Gable end of 32 DOVE ROAD



**Application number
94912/15**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 19/11/2015

Application Reference: 94912/15

Type of Application: Non-Material Change to Existing Appn
Registration Date: 02/09/2015
Decision Due By: 29/09/2015
Responsible Officer: Helen Williams

Location: 4 GLENDALE DRIVE, BOLTON, BL3 4PD

Proposal: NON MATERIAL AMENDMENT FOR ALTERATIONS TO WINDOW POSITIONS ON APPLICATION 92044/14

Ward: Heaton and Lostock

Applicant: Mr A Anwar
Agent : Mr S Saund

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission was granted under application 92044/14 for the erection of front, side and rear extensions to this detached dwelling. A non-material amendment is now sought to planning approval 92044/14 for the following alterations:

-) installation of an obscure glazed window at first floor level on the southern side elevation (facing the side elevation of 6 Glendale Drive). This window is to a bathroom and was shown on the approved floor plans but not on the approved elevational plans.
-) change in position of the ground floor window on the southern side elevation (facing the side elevation of 6 Glendale Drive) so that it now serves a garage rather than a dining room. This window is to be obscure glazed.
-) installation of a patio door on the rear elevation to the lounge rather than the originally approved window.

This application has been submitted following an enforcement complaint.

Site Characteristics

The application property is a two storey detached dwelling. The property is currently being extended with a part single, part two storey side/front extension and a two storey rear extension.

The majority of houses on this side of Glendale Drive have been extended to the side and/or front, which has resulted in different designs. The neighbouring property at 6 Glendale Drive has a bathroom window at first floor level on the side elevation facing no. 4.

Legislation

Section 96A of the Town and Country Planning Act 1990

Analysis

Section 96A of the Town and Country Planning Act 1990 states that a local planning authority may make a change to any planning permission if they are satisfied that the change is not material. In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

No previous changes have been made to approval 92044/14.

The first floor obscure glazed window on the side elevation (to the bathroom) was shown on the approved floor plans for 92044/14 but not on the elevational plans. It was always the applicant's intention of installing this window. The window is obscure-glazed and top-opening and will therefore not cause any overlooking. Furthermore, there are no main windows in the side elevation of no. 6, only an obscure glazed bathroom window.

One window is still proposed at ground floor level on the side elevation, but this will now be positioned nearer the front of the dwelling than previously approved. This window will now serve a garage rather than a dining room, and there will be less opportunity for any privacy and overlooking issues as the new window will also be obscure-glazed, top-opening and will serve a non-habitable room, whilst the previously approved window would have been clear glazed and serving a main room.

Finally, the previously approved window to the lounge, on the rear elevation of the two storey rear extension, is to be changed to patio doors (of the same design as these approved for rear elevation of the ladies' room). The change in fenestration is not considered to materially affect the appearance of the rear of the dwelling (as extended) and the rear elevation is not visible from the street.

Conclusion

It is not considered that the proposed alterations would be material, as they will not affect the overall appearance of the extended dwelling (indeed they will not be particularly visible from the street) and will have no material affect on the amenity of neighbouring residents. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- An objection has been received from the neighbouring resident at 6 Glendale Drive.

Elected Members:- Councillors Morgan and Shaw have requested that the final determination of this application be made by the Planning Committee following an advanced site visit by Members.

Consultations

Advice was sought from the following consultees: None.

Planning History

Permission was granted in July 2014 for the erection of part single, part two storey extension at the front, side and rear (92044/14).

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

1. Before the first occupation of the side extension the windows facing 6 Glendale Drive shall be fitted with obscure glazing (top opening only) whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

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

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

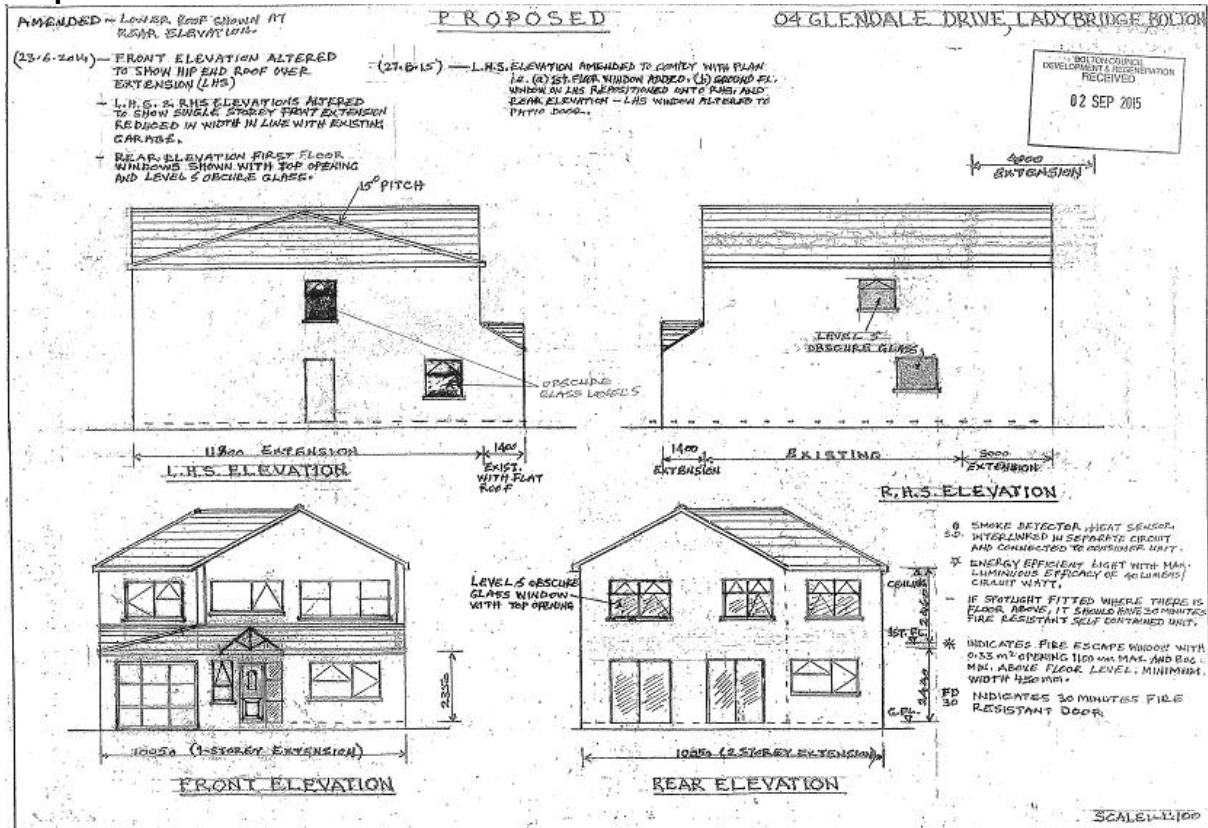
Proposed Elevations; dated 27.8.15 and scanned 3rd Sep 2015

Proposed Floor Plans; dated 27.8.15 and scanned 3rd Sep 2015

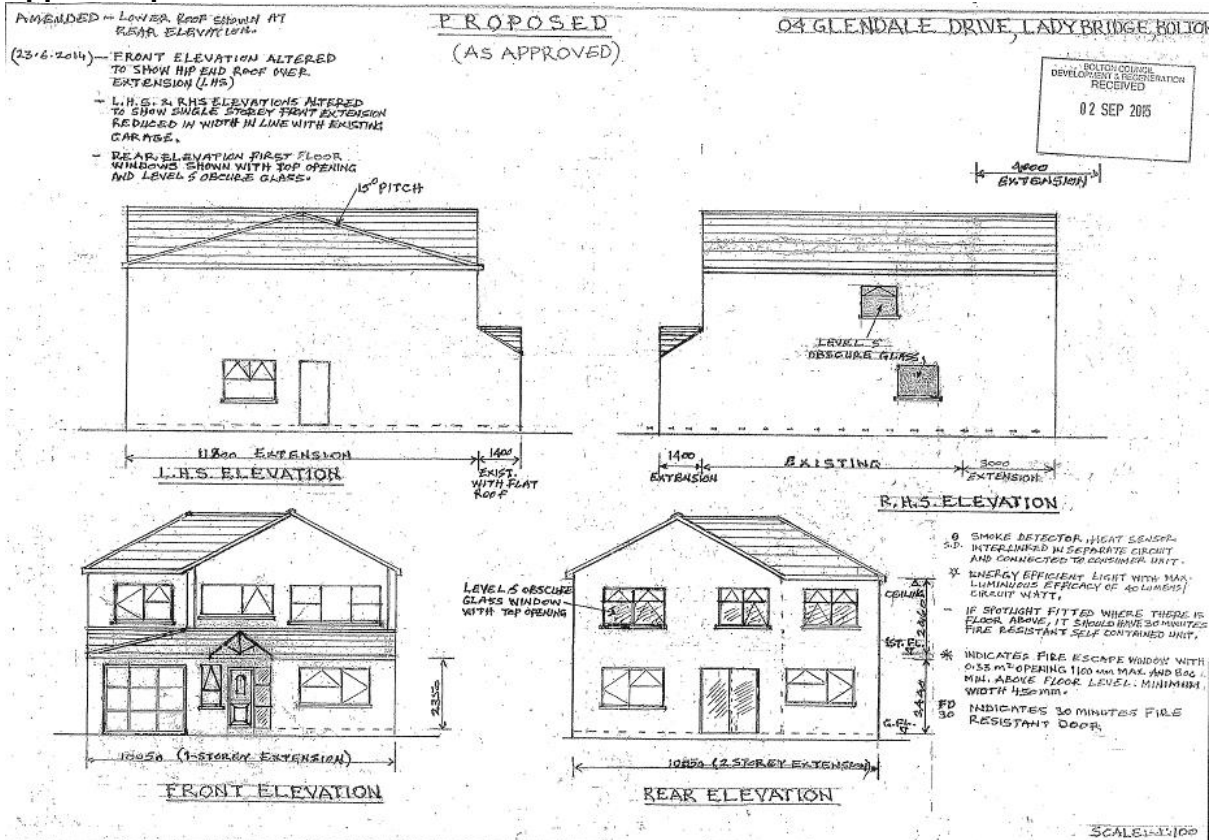
Reason

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

Proposed amendment



Approved plan



AMENDMENTS:-

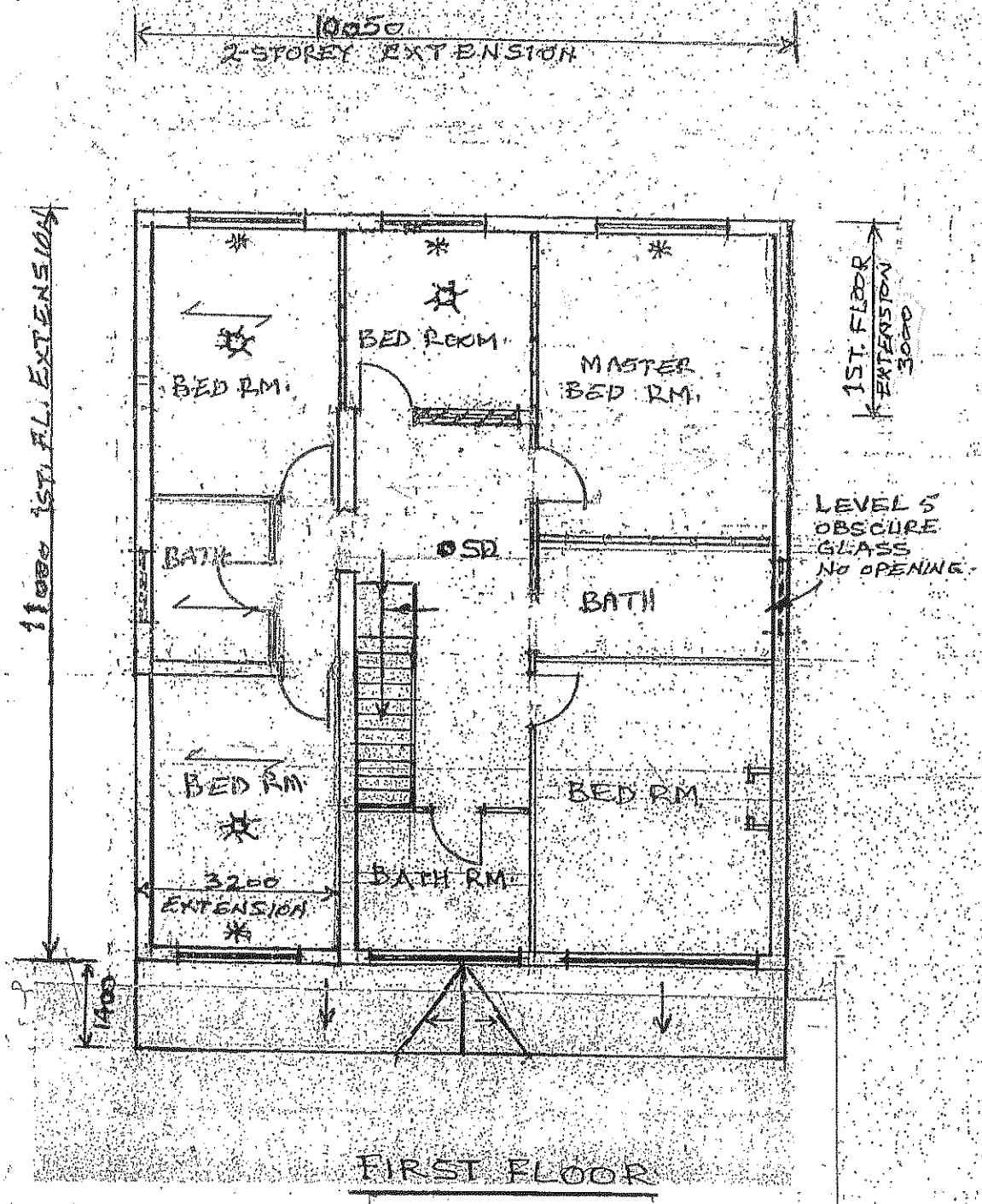
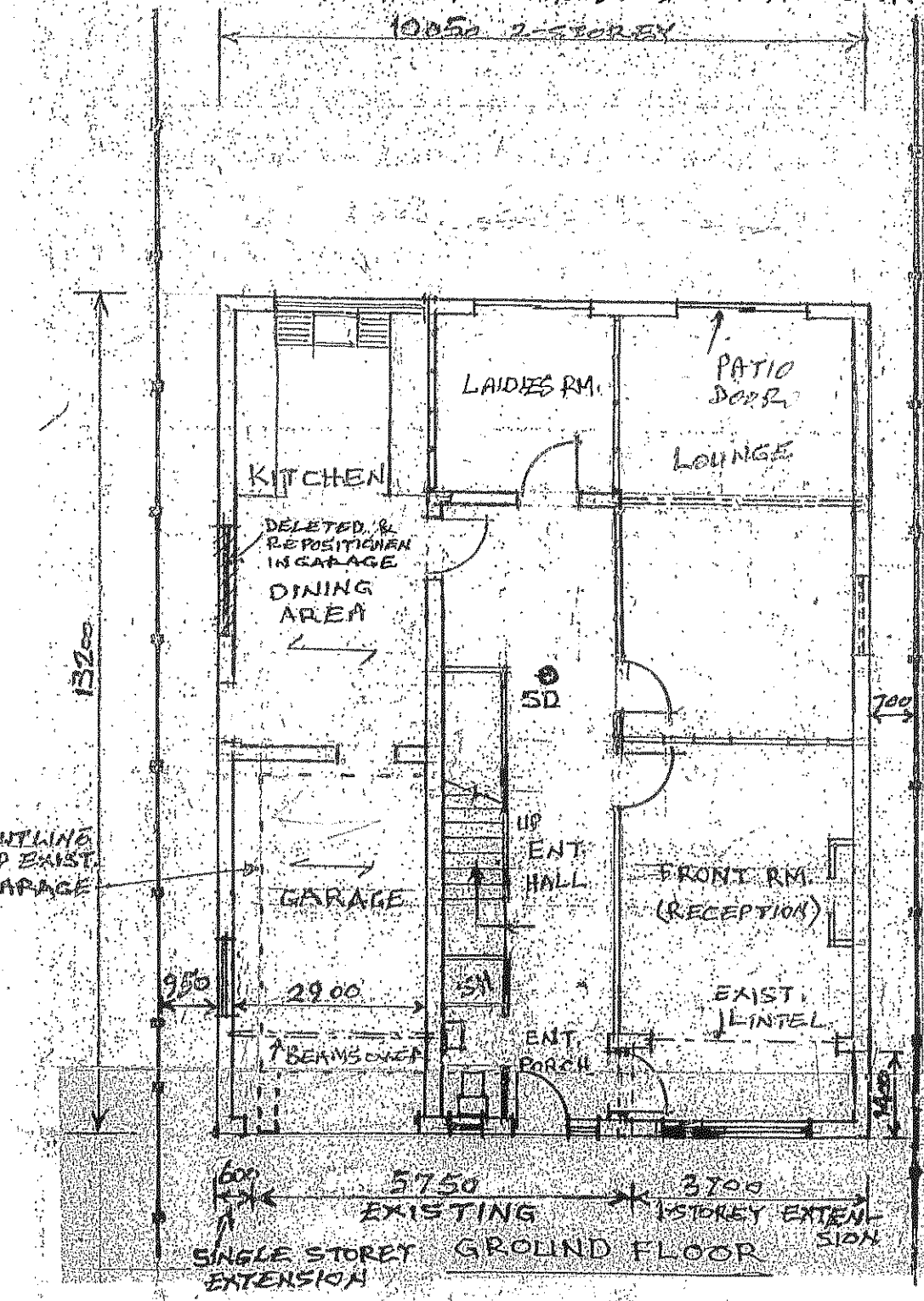
(23.6.2014) - FRONT EXTENSION REDUCED
IN LINE WITH THE EXISTING GARAGE
LINE.

(27.8.2015) - WINDOW IN KITCHEN DELETED & REPOSITIONED
IN GARAGE.

- LOUNGE REAR WINDOW ALTERED TO PATIO DOOR & EXTENSION
REDUCED TO 3000.

04 GLENDALE DRIVE, LADYBRIDGE, BOLTON.

BOLTON COUNCIL
DEVELOPMENT & REGENERATION
RECEIVED
02 SEP 2015



PROPOSED

Application number 94923/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 94923/15

Type of Application: Full Planning Application
Registration Date: 09/09/2015
Decision Due By: 03/11/2015
Responsible Officer: Alex Allen

Location: LAND OFF SALFORD ROAD, BOLTON, BL5 1BW

Proposal: ERECTION OF AN INDUSTRIAL BUILDING, INCLUDING FOUR VEHICLE BAYS, STORAGE AREA, OFFICES, NEW ACCESS, VEHICLE TEST FACILITY AND HGV AND STAFF PARKING AREAS

Ward: Hulton

Applicant: A & F Haulage
Agent : Steven Abbott Associates LLP

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the development of the application site for use by a haulage company including a new building, access, parking, and vehicle testing facility. The new building would be 20 metres in width and 19.5 metres in length to 8.093 metres in height to the ridge of the proposed roof. An acoustic fence would be sited along the boundary with Salford Road together with landscape buffer planting. A total of 17 car parking spaces are to be provided including 4 disabled access spaces. Landscaping is also planned for each boundary of the site.

Site Characteristics

The site is located off the A6 Salford Road close to junction 4 of the M61. It measures c. 1.70 hectares and is a designated employment site in the Allocations Plan. Although the site abuts the Green Belt, it is not however itself within the Green Belt. It is a greenfield site, which is largely overgrown with trees and shrubs to the boundaries of the site to the north east, to the western boundary and to the south. There is a belt of trees in the centre of the site. Directly opposite the site is a small row of terrace houses.

Policy

National Planning Policy Framework (2012)

Core Strategy (2011): P1 Employment, P3 Waste, P5 Accessibility, S1 Safe, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, OA4 West Bolton, Appendix 3 Parking Standards.

Allocations Plan policies P8AP - Public Rights of Way.

Supplementary Planning Documents - General Design Principles and Accessibility, Transport and Safety.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- \ principle of employment development;
- \ impact on the character and appearance of the area;
- \ impact on the living conditions of existing and future residents;
- \ impact on highway safety;
- \ impact on rights of way;
- \ impact in biodiversity/ecology.

Principal of employment development

Core Strategy policy P1 states that the Council will identify a range of employment sites for new development and safeguard existing employment sites where they are compatible with residential amenity.

The proposal would enable the expansion of an existing Bolton based business which will provide 50 full time and 10 part time staff. Whilst the proposal would not fall into a defined use class, the proposal would be for a haulage use which is comprised of a number of elements; HGV parking (B8 use), vehicle repair within the proposed new building (B2 use), and ancillary office accommodation which would also be sited within the proposed building.

The key issue is whether the proposed use is compatible with residential amenity.

Impact on the character and appearance of the area

Guidance contained within NPPF and Core Strategy policy CG3 seek to ensure that new developments contribute to good urban design by conserving and enhancing local distinctiveness. In the main the principle of a landscape and acoustic buffer would complement the adjacent site of the Household Waste Recycling Centre to the east.

The vehicle storage would in the main be screened from Salford Road. The proposed use of the site would be such that throughout the day once the vehicles have left they will not return before the end of the day c. 1800 hrs. It is considered that the proposal would improve the untidy appearance of the site.

It is considered that the proposal would comply with policy.

Impact on the living conditions of existing and future residents

Core Strategy CG4 seeks to ensure that new development proposals and changes of use are compatible with the surrounding land uses and occupiers, protecting amenity, privacy, safety and security.

The main area of concern which has been addressed by the applicant is that of noise disturbance from the proposed use of the site. The applicant has addressed the previous lack of information on noise issues on the earlier application by submitting an acoustic report. This report concludes the following, that subject to the provision of an acoustic fence along the site frontage, the proposal would not have a negative impact on the properties on the north side of Salford Road (No's 601 to 609).

Subject to the provision of acoustic fencing it is considered that the proposed would comply with Core Strategy policy CG4.

Impact on highway safety

Core Strategy policy P5 seeks to ensure that development takes into account both servicing arrangements and car parking provision, prioritizing pedestrians over motorised vehicle users.

It is noted that the Council's Highways Engineer has commented that they have no objections to the proposal. The proposal would comply with policy.

Impact on public rights of way

Allocations Plan policy P8AP seeks to ensure that will permit development proposals affecting public rights of way will be permitted if they maintain the integrity of the public right of way. The Council's Public Rights of Way (PROW) officer has commented that the proposal would alter a section of the existing public right of way by the provision of a new vehicular access over the PROW. The Council's PROW officer has recommended drop kerbs be placed on either side of the access point to assist pedestrians crossing the road.

The proposal would comply with policy, subject to the recommended condition.

Impact on biodiversity/ecology

Core Strategy CG1.2 seeks to ensure that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity. As part of the submission the applicant has submitted an ecological report.

Cutacre Brook corridor is located directly to the west of the application site. In summary the submitted ecological report concludes as follows:

- Γ There are no Biodiversity Action Plan priority habitats located within the site;
- Γ Himalayan Balsam, an invasive species is located within the site - the remediation/removal of this plant is required;
- Γ An ecological buffer is required along the western edge of the site to provide a local wildlife corridor along the Cutacre Brook.

The report suggests that ecological mitigation is required as part of the development proposal.

Both the Greater Manchester Ecology Unit and the Council's Wildlife Liaison Officer agree with the reports findings.

It is considered that subject to imposition of appropriate conditions that the proposal complies with

CS policy CG1.

Conclusion

The applicant has addressed the earlier reason for refusal and has confirmed that the proposal would not be detrimental to either highway safety or residential amenity. The proposal would assist in redeveloping an allocated employment site which has lain vacant for a number of years for an employment generating use. The proposal complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- three letters have been received (two from the same address) raising the following concerns:

-) There is a major gas pipeline which runs underneath the site;
-) Increased HGV / traffic movement;
-) Coal mining report submitted with the application is untrue as it does not identify a mine shaft underneath the properties to the north;
-) residents have benefited from 140 years of rural tranquility at this site;
-) loss of greenfield views to the front ./ to the south;
-) Increases in noise and pollution;
-) If all the vehicles return at the same time it would result in a queue of between 0.6 km and 1.2 km.

Petitions:- no petitions received.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: National Grid, Health and Safety Executive, Ramblers Association, Open Spaces Society, Peak and Northern Footpath Society, Environment Agency, Greater Manchester Ecology Unit, Environmental Health Officers, Greater Manchester Waste Disposal Authority, Public Rights of Way team, Greenspace Management, Highway Engineers, Drainage team and the Coal Authority.

Planning History

Planning permission was refused in August 2015 (Ref:94368/15) as insufficient information was provided to assess the impact of the proposal on the highway network and residential amenity.

Planning permission was refused in December 2014 (Ref: 92812/14) for the erection of a waste management facility as insufficient information was submitted with the application.

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 development commences details of the signing scheme within the site to inform drivers of the proposed one way system within the site (In, Out, No Exit, No Entry signs) shall be submitted to and approved by the Local Planning Authority. The approved signing scheme shall be implemented in full before the development hereby approved is first occupied or brought into use and retained thereafter.

Reasons

In the interest of highway safety

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

Reason

To ensure the development reflects local distinctiveness.

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

Reason

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

5. Prior to the commencement of development full details of the highway works at the junction of the Household Waste Recycling Centre access road comprising of a footway 2.0 metres wide 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. Development shall not commence until a scheme for the eradication of Himalayan Balsam has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for its implementation. The scheme shall be carried out as approved. Should there be a delay of more than one year between the approval of the scheme and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority.

Reason

To ensure the safe development of the site and eradication of an invasive species.

7. Prior to the commencement of all work, details shall be submitted to and approved in writing by the Local Planning Authority for site investigation and on site protection and mitigation of Great Crested Newt habitat. The approved scheme shall be implemented full and retained thereafter.

Reason

To ensure the favourable status of protected species.

8. Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority which details the following:

-) Construction Environment Management Plan which provides protective fencing details for Cutacre Brook;
-) Proposed Lighting scheme for during construction and post completion of the approved development;
-) Provision of Bird nesting facilities within the development.

The approved scheme shall be implemented in full and retained thereafter.

Reason

To ensure the favourable status of protected species.

9. 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.

10. Prior to the development being first occupied or brought into use, details (including a brick or masonry specification and colour scheme) of the treatment to all boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 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.

11. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from the access road to the east of the site shall be constructed in accordance with the drawing ref 15035/01.

Reason

In the interests of highway safety

12. Prior to the development hereby approved/permitted being first occupied or brought into use a scheme shall be submitted to and approved in writing by the Local Planning Authority for the parking/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 parking/turning/loading/unloading of vehicles.

Reason

In the interests of highway safety.

13. 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.

14. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 4.5 metres by 120 metres shall be provided at the junction of the Household Waste Recycling Centre access road with Salford Road, and subsequently remain free of all obstructions between the height of 0.6 metres and 2 metres (as measured above carriageway level).

Reason

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

15. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 25 metres (to the left) and 2.4 metres x 40 metres (to the right) shall be provided at the junction of the site egress with the Household Waste Recycling Centre and subsequently remain free of all obstructions between the height of 0.6 metres and 2 metres (as measured above carriageway level).

Reason

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

16. There shall be no HGV movements within or to or from the site outside the following hours:-

0600 to 1900 hrs Mondays – 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. 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: 15035/01.

Reason

In the interests of highway safety.

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

Reason

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

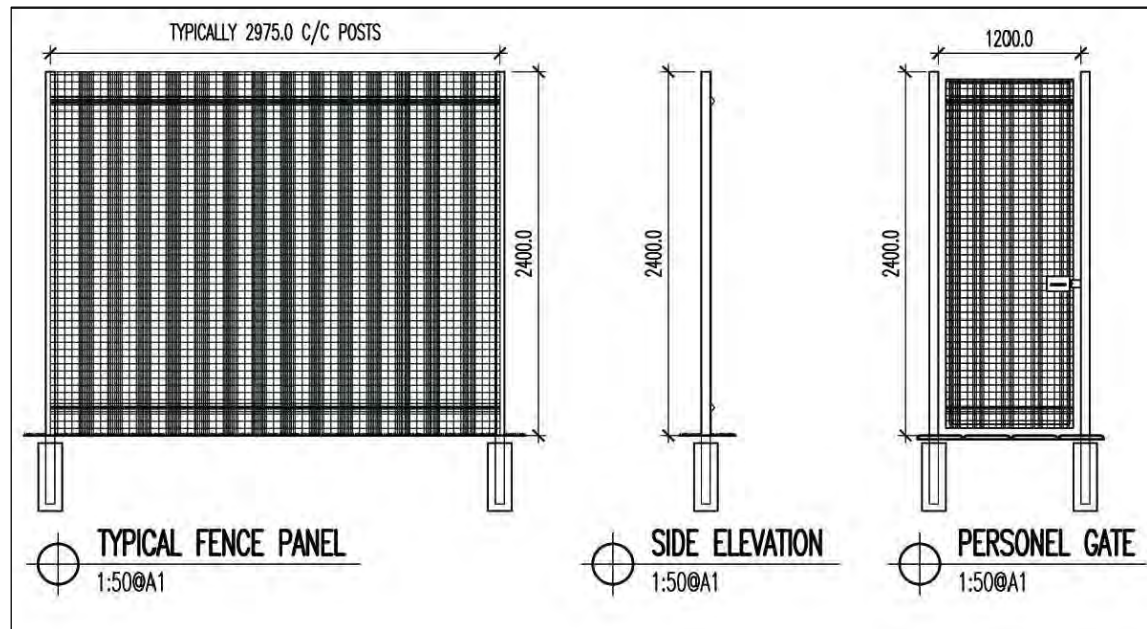
19. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Drawing No. 01 - Proposed Site Layout and Boundary Detail, dated 15/04/2015;
Drawing No. 02 - Proposed Floor Plans and Elevations, dated 15/04/2015;

Reason

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

Salford Road, Over Hulton.



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Key

- Denotes existing trees to be retained.
- Denotes proposed landscaping.
- Denotes hard surface parking spaces.
- Denotes disabled parking spaces.
- Denotes 2.4m high paladin fence, to be painted black.

Schedule of Accommodation				
Area	Description	SqM	No.	Footage
Warehouse / Vehicle Bays	Ground Floor	299.4	1	299.4 SqM
Office & Amenity	GF & FF	135.2	1	135.2 SqM
Storage	Ground Floor	40.2	1	40.2 SqM
Total gross internal area				474.8 SqM

Rev	Date	Revision	Initial		

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MPSSL

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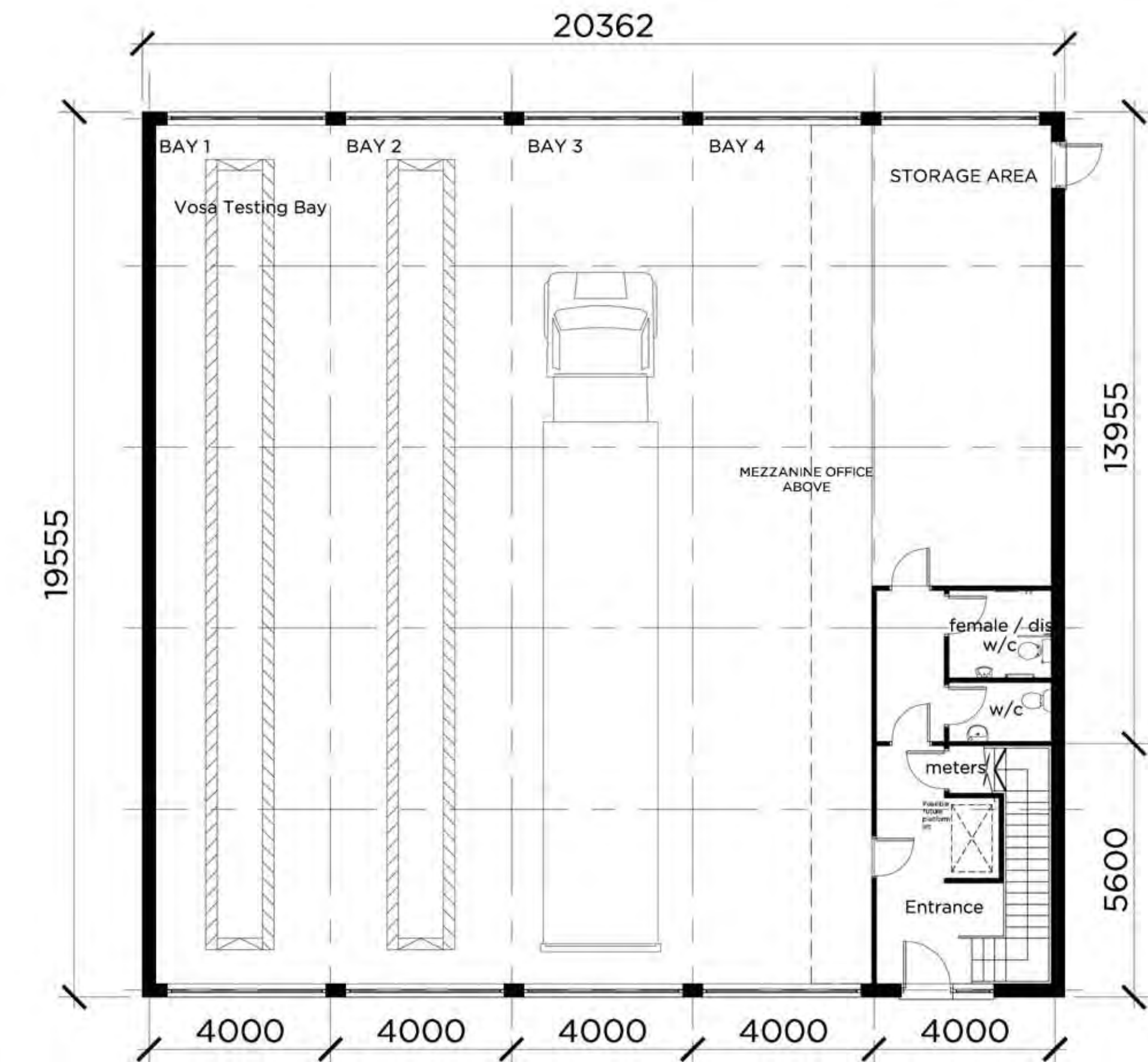
Front Elevation



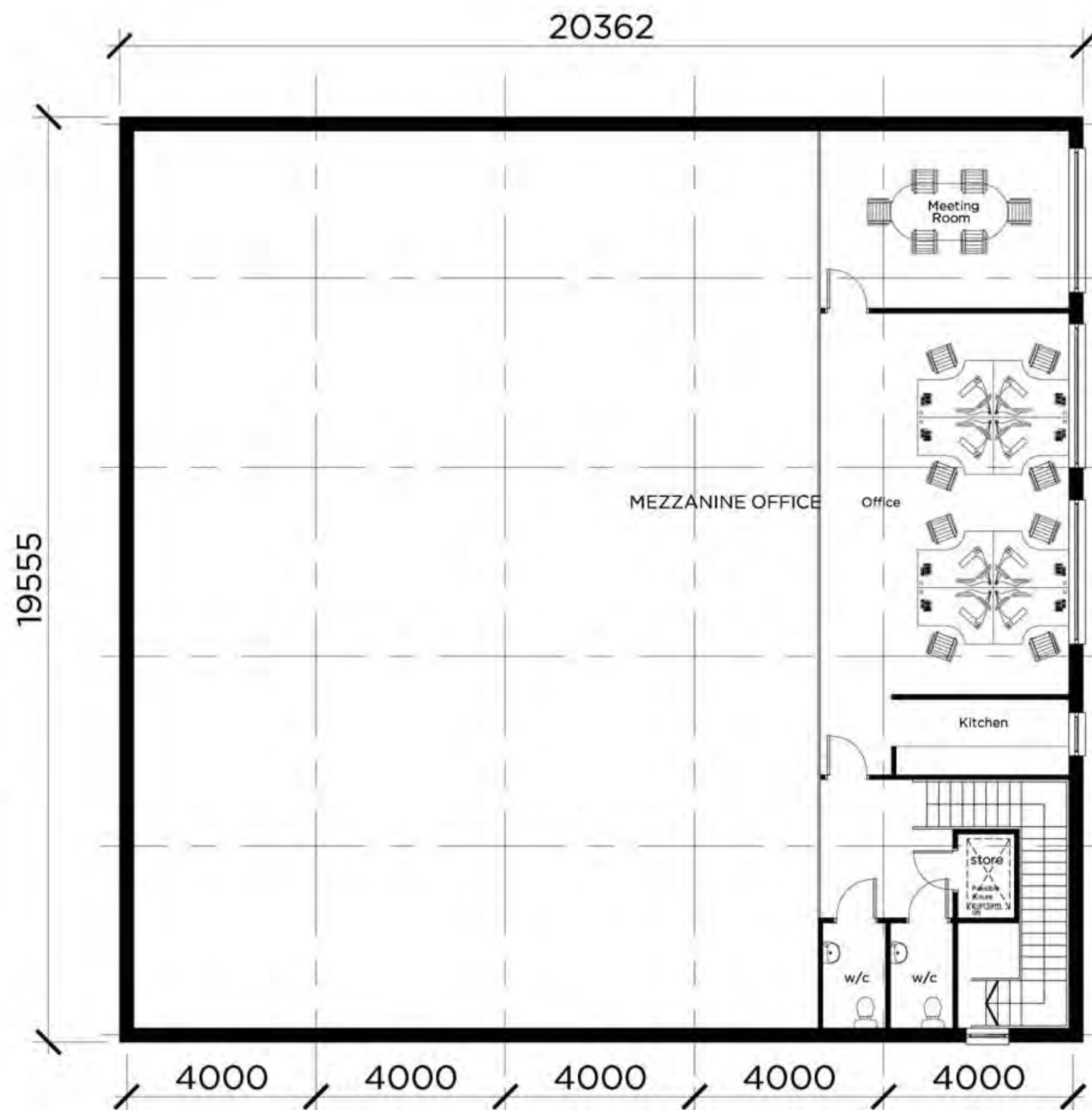
Side Elevation



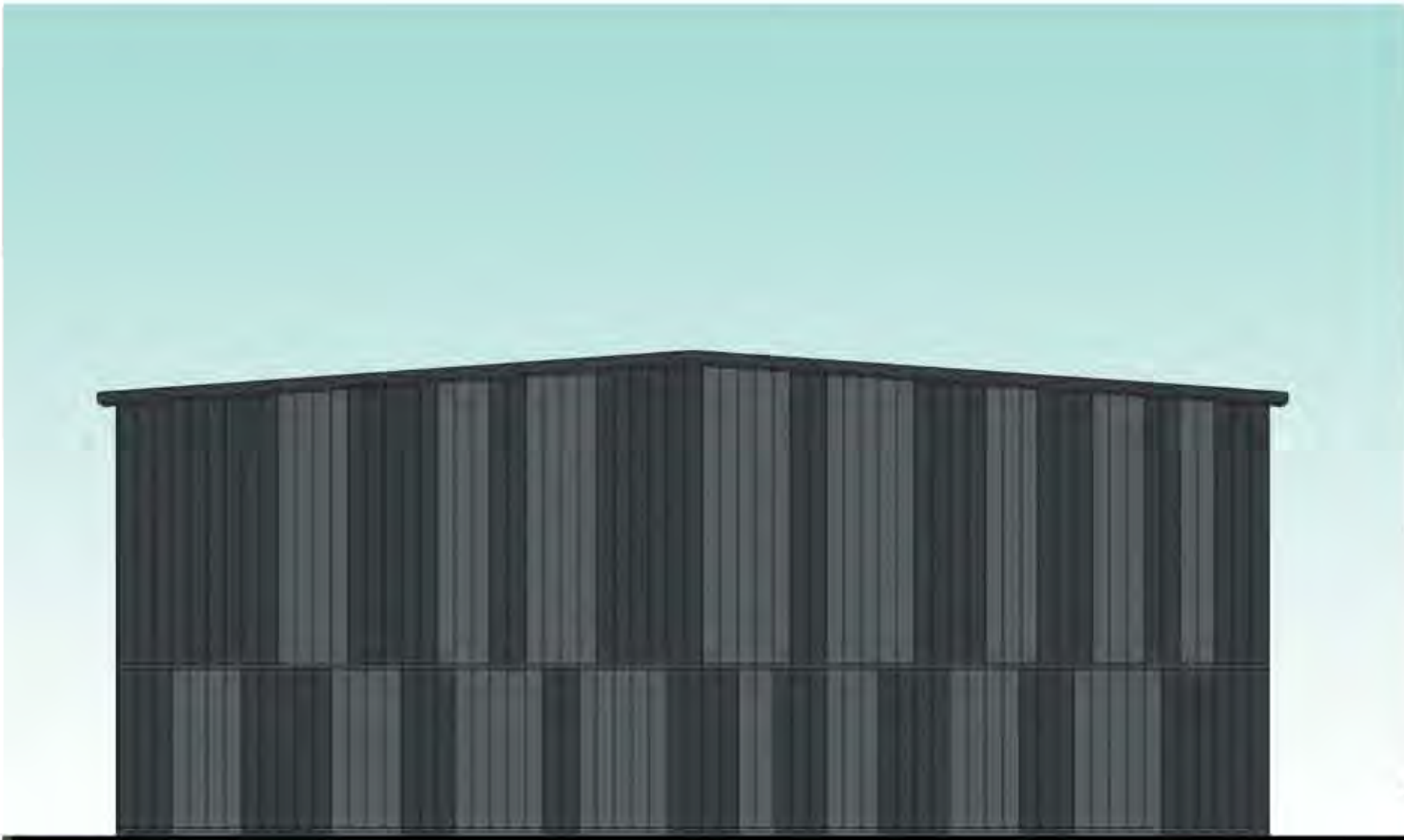
Rear Elevation



Ground Floor Plan



First Floor Plan

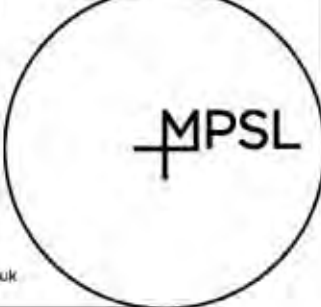


Side Elevation

External Materials Specification

1. Vertical laid built up cladding system comprising C32/1 galvanized mild steel external profile sheeting HPS200 plastisol coated - colour Basalt RAL 7012.
2. Vertical laid built up cladding system comprising C32/1 galvanized mild steel external profile sheeting HPS200 plastisol coated - colour Basalt RAL 7016.
3. Vertical profile composite insulated cladding sheets: KINGSPAN KS1000 RW - colour Gull Grey.
4. Aluminium framed thermally broken double glazed casement window system. Frame finish colour Anthracite RAL 7016.
5. 4° pitch trapezoidal insulated roof panel system to be fitted in accordance with manufacturers details - colour RAL 7016.
6. Insulated sectional overhead door. All flashings to match adjacent cladding. Sectional door colour Basalt RAL 7012.
7. Aluminium framed narrow style door with double glazed toughened glass window panel. Door leaf to provide a min clear opening width of 1000mm. Frame finish colour Anthracite RAL 7016.
8. External flush steel faced access door and frame with panic escape hardware to inner face.

Rev	Date	Revision	Initial
1			
A & F HAULAGE			
Drawing Title			
PROPOSED FLOOR PLANS & ELEVATIONS			
Project			
Proposed Commercial Development Salford Road, Over Hulton			
Job No	15035	Org No	02
Scale	1:100 @ A1	Drawn	slr
		Stage	FOR PLANNING
MP&S Planning & Design Ltd 14 West Point, Enterprise Park, Clarence Avenue, Trafford Park, Manchester, M17 1GS			
Tel: 0161 772 9999 Email: admin@mpdesign.co.uk www.mpdesign.co.uk			



Application number
94934/15





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Date of Meeting: 19/11/2015

Application Reference: 94934/15

Type of Application: Full Planning Application
Registration Date: 08/09/2015
Decision Due By: 02/11/2015
Responsible Officer: Jon Berry

Location: 4 ELSWORTH DRIVE, BOLTON, BL1 8TE

Proposal: ERECTION OF TWO STOREY EXTENSION AT SIDE AND REAR

Ward: Astley Bridge

Applicant: Mr Ismail
Agent : RA Design & Project Management Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application seeks permission for the erection of a two storey extension at side and rear to provide two bedrooms, bathroom and kitchen at ground floor, together with two bedrooms and a study at first floor. The proposal also contains a small single storey element to the front.

The side extension is to replace an attached garage and is approx. 2.9 metres wide and runs the full length of the dwelling coming flush with the front elevation. The extension wraps around the rear where it projects 4 metres and is the full width of the rear elevation. It is to incorporate a new side gable elevation with a hipped design to the rear. The eaves and ridge height are to match the existing dwelling. Windows are proposed in both the side elevation serving the kitchen, a bedroom and bathroom at ground floor and an ensuite at first floor. The rear elevation is to have patio doors serving the kitchen and a door serving a bedroom at ground floor and two windows at first floor serving each of the proposed bedrooms.

The application is supported by documentation describing the medical condition of an occupier of the development should planning permission be granted.

Site Characteristics

This is a detached property situated within a cul-de-sac location containing similar sized/type dwellings. Numbers 1 and 3 and 11 and 13 are semi-detached properties. The remainder are detached. The properties are all fairly modest 3/4 bedroom dwellings, some of which have been extended at first floor level to the side.

Elsworth Drive in this location is on a sloping ground, where it rises from the entrance upwards. The application property is therefore sited on a higher level to the property at number 2 and on a lower level to number 6.

The rear garden area of the property is currently approx. 120 sq m.

The property at number 2 has a main room lounge/dining room window at ground floor and a main bedroom window at first floor within its rear elevation closest to the application property.

The property at number 6 has a kitchen window, a modest sized conservatory off the dining room and a wet room and bathroom window at first floor. This property has a first floor side extension which is set back from the front.

To the rear are properties sited on Crompton Way. The properties are currently in excess of 30 metres away.

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 OA5 North Bolton.

SPD House Extensions and SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the dwelling and neighbouring residents
- * impact on parking

Impact on the Character and Appearance of the Dwelling and Neighbouring Residents

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 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.

Policy OA5 of the Core Strategy relates specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, and will require special attention to be given to the massing and materials used in new development.

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.

In terms of the side extension, the key judgement is whether this would alter the character of the area by creating a terraced effect. However, in this situation the site is located in a street of restricted length and it is considered that the visual linking of the dwellings would be limited by this factor. This element of the proposal conforms to the guidance in paragraph 5.5 of the House Extensions Supplementary Planning Document (SPD) 2012.

Turning to the rear extension, the House Extensions SPD also specifies that ground floor extensions of up to 4 metres in length on detached houses will normally be acceptable. Similarly sized two storey rear extensions will normally be acceptable if set away from any shared boundary by at least two metres.

The plans available for inspection by Members clearly show that this latter separation requirement from the boundaries with both 2 and 6 Elsworth Drive is not met by the proposed scheme and this will impact adversely on the outlook for the neighbours of those dwellings.

However, paragraph 1.11 of the House Extensions SPD also states that the Council is sympathetic to the additional needs of people with disabilities which may make a departure from the guidance necessary. Detailed evidence of disability will be required. The information is confidential but Officers can confirm to Members that NHS medical evidence of the disability, including lack of independent mobility, of the person who would occupy the development has been submitted to support the application. It is considered that on the basis of such individual circumstances permission should be granted in this case.

Objections have been received regarding the proposed inclusion of windows in the side elevations of the development facing the neighbouring properties. Officers would recommend a condition to secure the deletion of the openings for the kitchen and bedroom from those walls and instead patio doors can be provided for the bedroom at the rear. Further conditions are recommended to require a 1.8 metre high boundary fence with 2 Elsworth Drive, as this stands at a lower level than the application site, and that the gable bathroom windows in the extension are fitted with obscured glazing. These measures would protect the privacy of all affected.

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.

Officers consider that three off-street car parking spaces should be made available for a dwelling of the proposed size and this would be secured via a condition.

Conclusion

The proposed side extension is not deemed to create an unacceptable terracing effect due to the restricted length of the street scene. The rear extension is larger than would normally be considered acceptable but on the basis of the individual medical circumstances involved it is considered that a departure from planning guidance is necessary in this case. The conditions recommended at the end of the report would optimise privacy and secure adequate off-street car parking provision and, subject to these stipulations, Members are advised to grant planning permission.

Representation and Consultation Annex

Representations

Letters:- Two letters of objection have been received from neighbouring residents. They raise the following points: -

-) properties on Elsworth Drive are modest 3/4 bedrooms. This proposal is out of character with the other properties and will not conserve or enhance the local distinctiveness.
-) the extension is situated within a short cul-de-sac and would appear to produce a terracing effect. Another proposed extension had to be amended to avoid the terracing effect.
-) the side extension appears to go right up to the party boundary line, creating a very small gap, making maintenance from a ladder very difficult and scaffolding may need to be used which would be very expensive.
-) from the rear the extension will be overbearing and overshadow outlook.
-) the proposal represents an overdevelopment of the plot given that the garden is fairly small;
-) would impact on views (*Officer's comments: - the loss of a view is not a material planning consideration*)
-) impact on the patio doors which serve neighbouring ground floor living/dining room.
-) a kitchen window in the side elevation of the extension overlooks the neighbouring patio, resulting in a privacy issue and should be removed;
-) Elsworth Drive is on a sloping ground. The adjacent property is on a lower level to the application property.
-) the existing 1.2 metre high fence would no longer be adequate and should be replaced with a 1.8 metre high fence.
-) the property is to become a 5 bedroom property. The property only has two driveway spaces. Whilst it is noted that additional parking could be provided by utilising the front garden, this would have an adverse impact on the street scene.
-) a single storey extension would be more appropriate for this site.

Elected Members:- Councillor Wild has requested that the final determination of this application be made by the Planning Committee following an advanced site visit by Members.

Planning History

Not applicable.

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

Reason

To ensure the development visually reflects the existing building.

3. Notwithstanding the submitted plans no development shall be commenced unless and until new floor layout and elevational plans have been submitted to and approved in writing by the Local Planning Authority to show the deletion of the bedroom and kitchen windows in the side elevations and the replacement of the bedroom door in the rear elevation with patio doors. The development shall then be implemented entirely in accordance with such approved details and be so retained thereafter.

Reason

In order to protect privacy for the neighbours.

4. Before the first occupation of the building/extension hereby permitted the bathroom windows in the side elevations shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

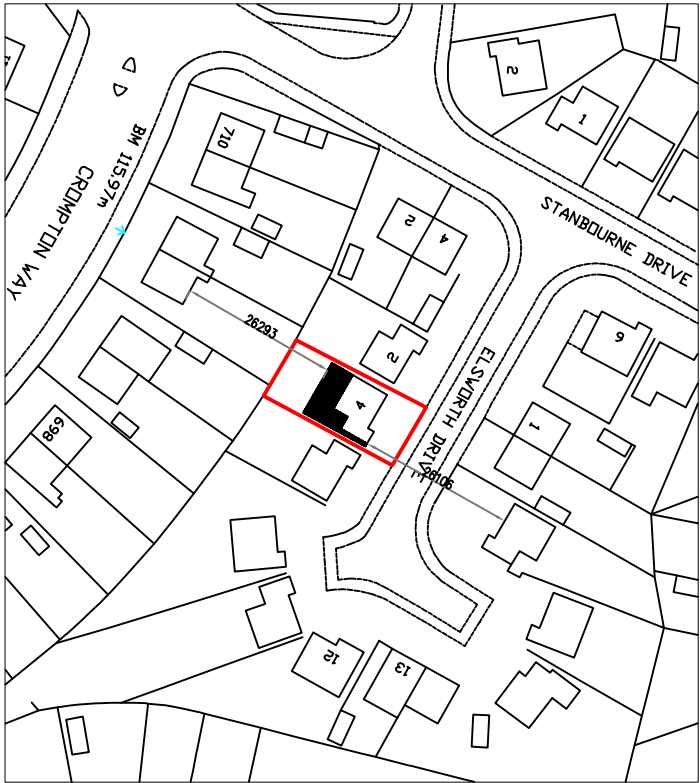
Reason

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

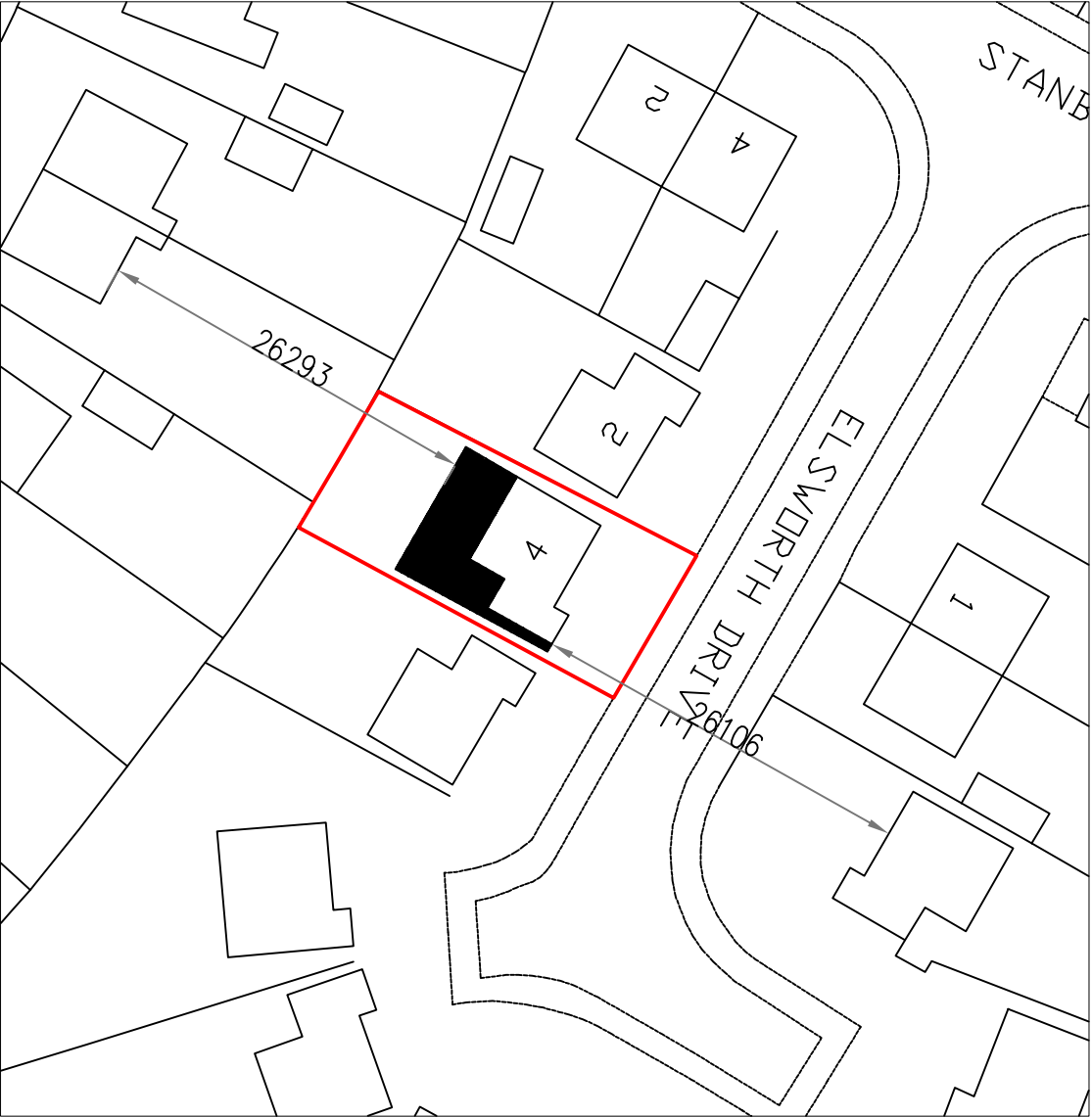
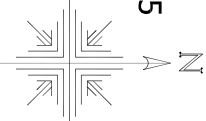
5. Prior to the development being first occupied or brought into use, details of the treatment to all boundaries to the site, including the provision of a 1.8 metre high fence at the boundary with 2 Elsworth Drive shall be submitted to and approved in writing by the Local Planning Authority. The approved 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

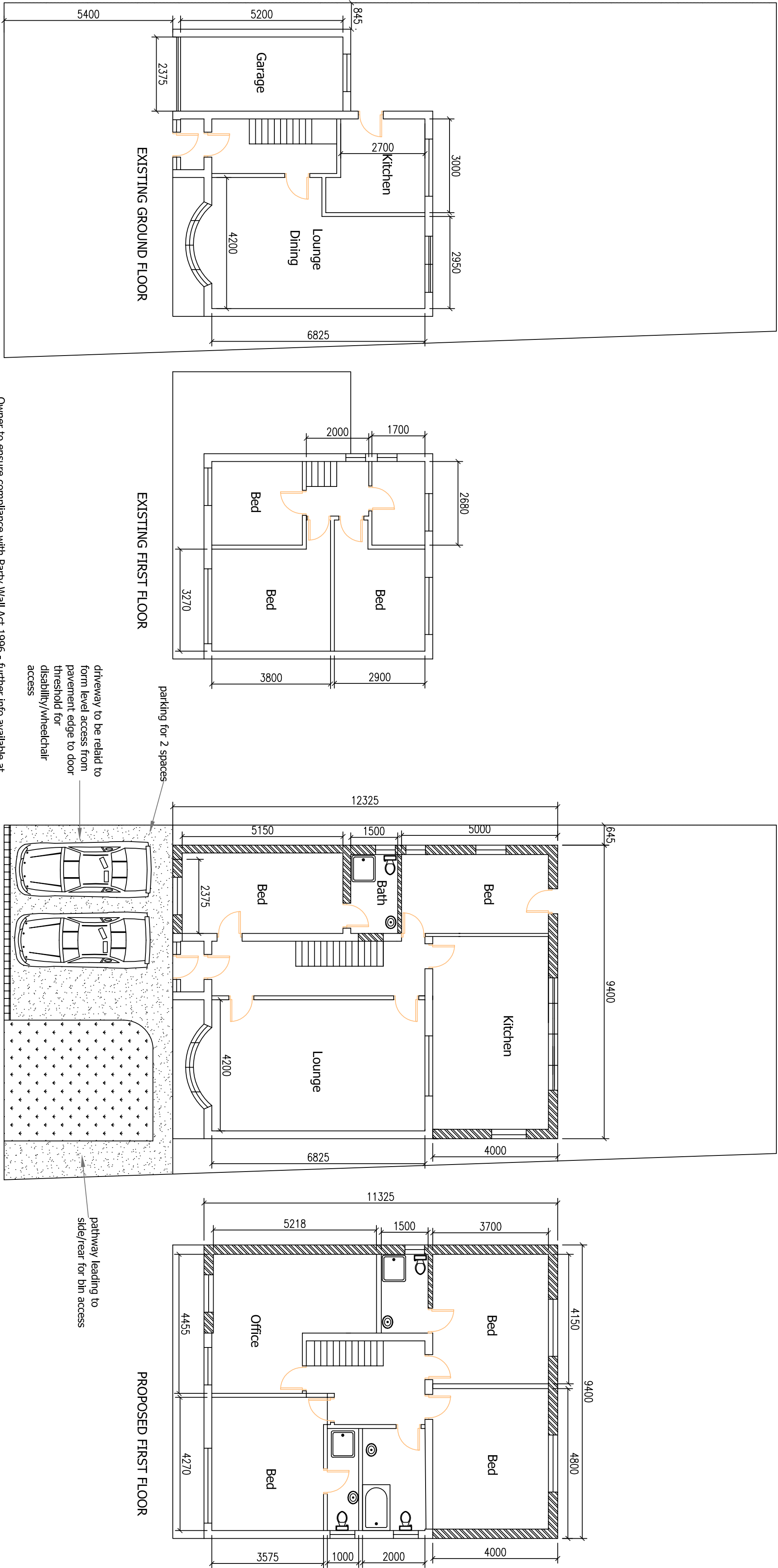
To ensure adequate standards of privacy and amenity are obtained and the development reflects the landscape and townscape character of the area.



LOCATION PLAN (1:1250)
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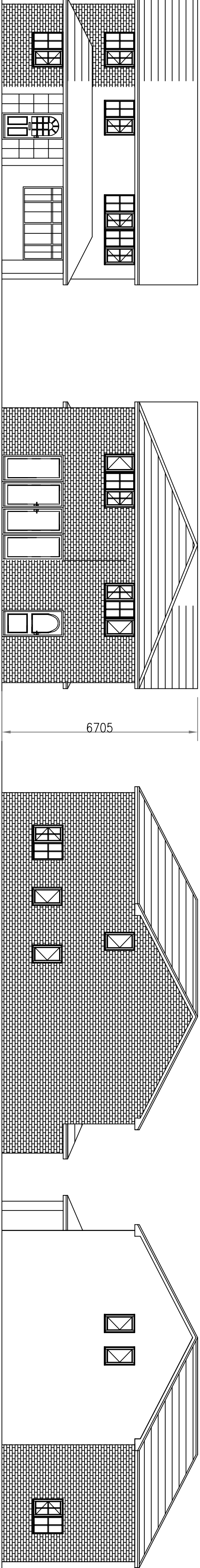
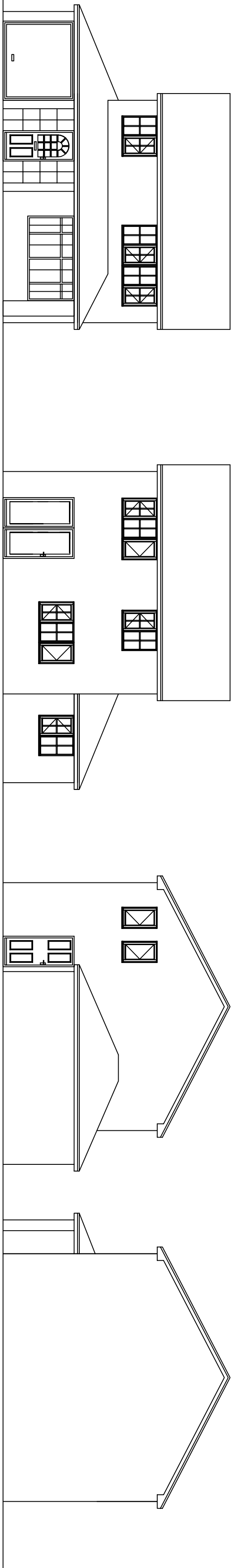
BLOCK PLAN (1:500)



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

driveway to be re-laid to form level access from pavement edge to door threshold for disability/wheelchair access

pathway leading to side/rear for bin access



ROOF : GREY TILE
WALLS : BRICK
DOORS/WINDOWS : UPVC

PROPOSED FRONT ELEVATION

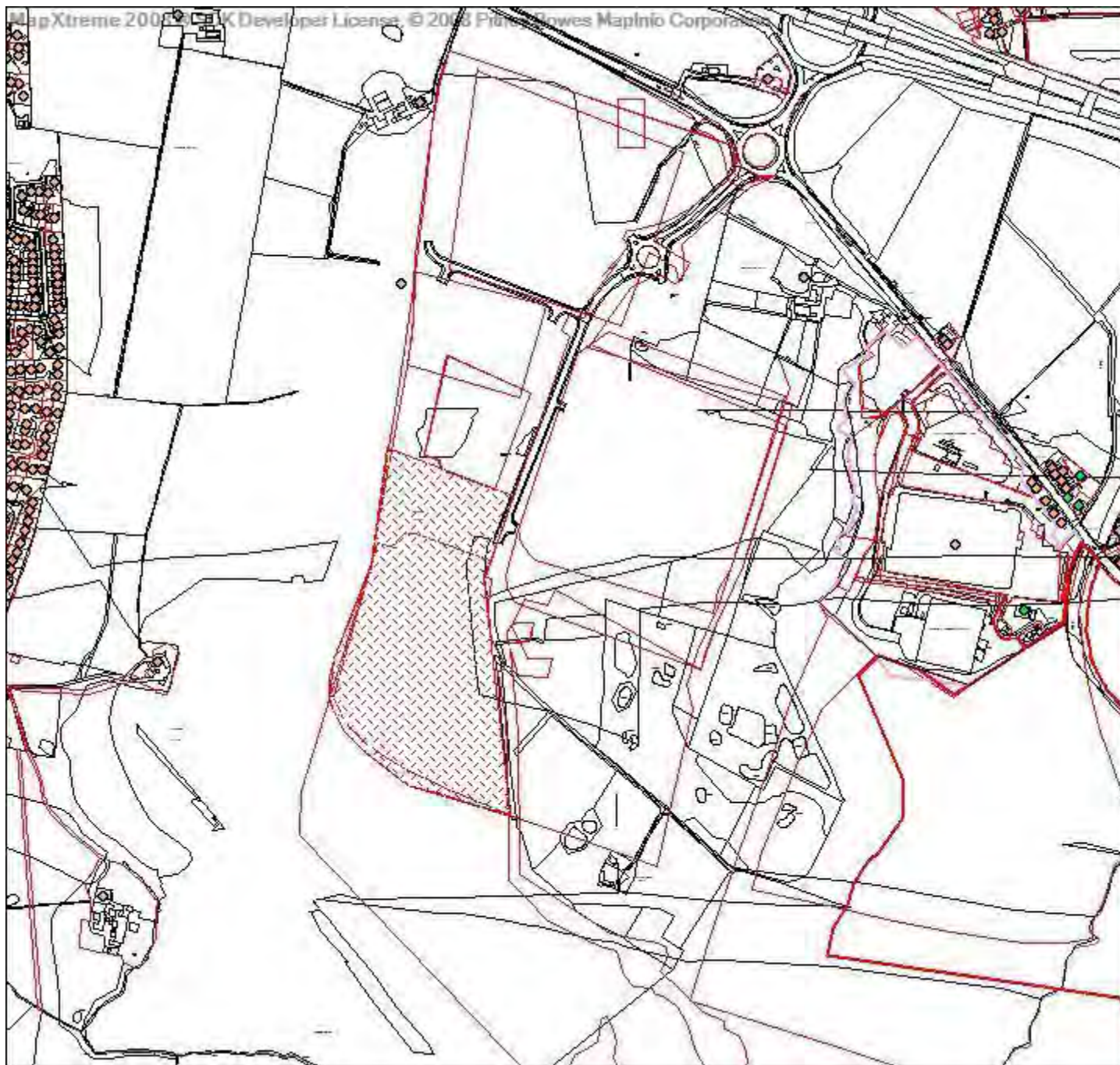
PROPOSED REAR ELEVATION

PROPOSED SIDE 1 ELEVATION

PROPOSED SIDE 2 ELEVATION

Date	Rev.	Trials	Notes	Project	Client
			This drawing is subject to copyright and is not to be reproduced in part or whole without approval. 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.	4 ELSWORTH DRIVE BOLTON BL1 8TE	Ms. BILKIS ISMAIL
				EXISTING & PROPOSED PLANS	Drawn RA
					Date SEPTEMBER 2015
					Scale 1:100
					Drawing Number RAD/1262/15/1

**Application number
94999/15**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 19/11/2015

Application Reference: 94999/15

Type of Application: Full Planning Application
Registration Date: 24/09/2015
Decision Due By: 23/12/2015
Responsible Officer: Alex Allen

Location: PLOT E1, LOGISTICS NORTH, CUTACRE, LITTLE HULTON, BOLTON

Proposal: APPROVAL OF RESERVED MATTERS (ACCESS, APPEARANCE, LANDSCAPING, LAYOUT & SCALE) PURSUANT TO 90539/13 FOR THE ERECTION OF A STORAGE AND DISTRIBUTION UNIT (USE CLASS B8), INCLUDING ANCILLARY OFFICE AND OTHER ACCOMMODATION, AND ASSOCIATED WORKS INCLUDING SITE PROFILING, FORMATION OF ACCESS, CAR AND HGV CAR PARKING, LANDSCAPING

Ward: Hulton

Applicant: First Industrial c/o agent
Agent : Turley

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant is seeking reserved matters approval for the erection of one industrial building which would comprise of approximately 32,000 sq.m of B8 floorspace, with ancillary office uses totalling just over 1,100 sq.m over two floors. The site would be accessed by both vehicular and pedestrian traffic from the inner spine road to the north where the car parking is also located. The overall dimensions of the building are 128 metres in width, 247 metres in length with a maximum height of 18.375 metres to the ridge of the roof.

A total of 284 car parking spaces would be provided in the northern part of the application site which would include 273 standard car parking spaces and 14 disabled/accessible spaces in addition to covered cycle storage facilities. The proposed ancillary offices would be located in the northern elevation of the building adjacent to the spur from the main spine road directly to the south of Plot B2 (Joy Global) development. The service yard which provides the docking bays for the development would be located along the western elevation of the building whilst the eastern elevation would be broken up by contrasting panels and the side elevation of the offices. In addition, there would be a 15 to 24 metre wide landscaping buffer running along the eastern side of the application site.

Site Characteristics

The application site occupies the plot located in the south western corner of the Logistics North employment area, with Plot B1 (MBDA) and B2 (Joy Global) currently under construction. The main

spine road has been constructed together whilst construction of the main east / west link road has also commenced construction.

The site slopes gently from the north to south with land to the west rising upwards. The closest residential properties are some 247 metres away to the west (Spout Fold Farm) and to the south some 425 metres away (Mills Brow). Members will be aware that these two farmsteads have extant permission for conversion and redevelopment to create new dwellings within the Country Park area. The site forms the south western limit of the Logistics North employment site which is then bounded to the west and south by the Cutacre Country Park. The implementation of the Country Park has also commenced.

Policy

National Planning Policy Framework 2012

Core Strategy policies: CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, P1 Employment, P5 Accessibility, S1 Safe and M3 Broad Location for Employment Development.

Allocations Plan: CG7AP Green Belt

Sustainable Design and Construction SPD, Accessibility and Transport SPD and General Design Principles SPD.

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 employment development;
- * impact on the character and appearance of the site/area;
- * impact on surrounding land uses/users;
- * impact on land stability / site remediation;
- * impact on drainage;
- * impact on highway safety / accessibility;
- * impact on sustainability.

Principle of Employment Development

Members will recall that outline planning permission was granted, subject to the signing of a Section 106 Agreement, for the development of the Logistics North employment area in April 2014. A number of other permissions have been granted for the Aldi, MBDA, Joy Global and Plot A6 development plots with the MBDA, Aldi and Joy Global developments currently under construction on

site.

The proposal is entirely consistent with the outline approval and the allocation of the wider site for employment use. The proposal would make provision for a B8 warehousing unit with ancillary office accommodation. The proposal is currently a speculative build with no end users currently lined up.

The proposal complies with policy.

Impact on the Character and Appearance of the Area

Core Strategy policy CG3 seeks to ensure that development proposals conserve/enhance local distinctiveness. The application and wider site has permission for employment development with development parameters which prevent the development from exceeding 20 metres in height in the western parcel of land. The maximum height of the current proposal is 18.375 metres.

The Officer's report for the outline permission states:

'The long term effect of the country park proposals, which wrap around the western and southern sides of the development site, will be to create a strong woodland framework and will assist in screening the development; nevertheless the inherent scale and nature of the buildings proposed will result in a change to the landscape character and views in the locality.'

'There is no doubt that the scale and extent of development proposed is a significant land use that would impact on the character and appearance of the area. These impacts would be most substantial in the early stages before the country park planting is complete and has had time to mature. They would diminish as the works are completed and the planting matures to the point where these impacts are partly mitigated. It is of vital importance therefore that the country park proposals are implemented in a timely fashion and are retained and well-managed in the long-term.'

Whilst the proposed building is large in scale the development would be largely screened from the north by landscaping and would be viewed in the context of a completed high quality development at Logistics North. Furthermore, it is considered that the applicant has attempted to successfully break up the large mass of the eastern elevation by the use of contrasting coloured materials together with providing a focal point for the development off the main spine road in the form of the two storey office part of the development.

The proposal is fully compliant with the site's allocation as a development site for primarily logistics / distribution uses and complies with policy.

Impact on Surrounding Land Uses/Users

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

The closest residential properties (Spout Fold Farm and Mills Brow Farm) are between 250 and 425 metres away from the western edge of the application site. Members will be aware that these properties are currently unoccupied but have consent for conversion and/or redevelopment for residential purposes. In terms of the visual impact of the proposed development it is considered that the properties are far enough away from the proposed development to not have any detrimental impact on their outlook.

Issues of noise emanating from the application site / operations would be controlled through Condition No. 14 on the outline permission for the site. This condition sets the noise limit from the building and plant and equipment from the site to 39dB within 4 metres of the closest elevation of

the residential property. This information needs to be submitted and approved prior to occupation of the proposed unit.

It is considered that the proposal complies with policy CG4.

Impact on Land Stability / Site Remediation

Core Strategy policy CG4 seeks to ensure that new development proposals affected by contamination and / or ground stability must include an assessment of the issues and potential risks. Development will only be permitted where the land is, or is made, suitable for the proposed use.

The applicant has provided a comprehensive earthworks and remediation strategy for the proposed development which is currently being considered by the Coal Authority. The Council's Environmental Health officers have agreed in principle the remediation strategy for the site subject to clarification on a number of minor points.

Subject to further approval from the Coal Authority and the Council's EHOs it is considered that the proposal complies with policy.

Impact on Drainage

Core Strategy policy CG2 seeks the provision of a sustainable drainage system which is capable of reducing surface water run-off from the site in addition to policy CG1 which seeks to reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development.

Natural surface water runoff, infiltration and drainage regimes at the site have been fundamentally altered as a result of the previous opencast mining operations. The proposals for the wider site include a package of works for the diversion and re-profiling of the Cutacre and Wharton Brooks into a more natural form, together with the creation of an above ground surface water drainage system comprising:

-) a series of swales and channels,
-) a large number of small ecology and fishing ponds,
-) a small number of large ponds to act as water storage bodies, and
-) a pumping station.

This will ensure that flood risk to the proposed development is appropriately managed without increasing flood risk downstream of the site.

It is considered that the proposal would contribute to the wider sustainable drainage system and complies with plot level restrictions on surface water run-off and therefore complies with policy.

Impact on Highway Safety/Accessibility

Core Strategy policies P5 and S1 seek to ensure that new development proposals are accessible by a range of types of transport including pedestrians, cyclists and public transport uses. It is also necessary to ensure that developments should promote road safety.

The overall highway impact of the Logistics North site has been assessed at the outline stage in which Harworth Estates produced a robust Transport Assessment that has been accepted by Transport for Greater Manchester (TfGM) and Highways England (formerly the Highways Agency) and which demonstrated satisfactorily that the impact of the development can be mitigated. Public transport accessibility will be improved with significant investment in cycling and walking routes.

There is a public right of way (restricted byway) which crosses the South East corner of the proposed development site. Whilst this public right of way (PROW) does not physically exist on site its diversion is required. The Council's public rights of way officer has commented that the PROW will need diverting around the site. It is considered that there is scope to divert the PROW without compromising accessibility in the wider area.

The proposal would make provision for a total of 284 car parking spaces which include 14 disabled/accessible spaces. The applicant also proposes covered cycle parking spaces. The car parking provision for the site would be in accordance with the Council's maximum standards.

It is considered that the proposal provides for sufficient curtilage car parking for staff and visitors with safe circulation space for all users of the site.

The proposal complies with policy.

Impact on Sustainability

The application is accompanied by a Sustainability Statement which proposes that the development would achieve a rating of BREEAM 'very good' or better.

The applicant has confirmed the development would achieve a BREEAM rating of very good.

The proposal complies with policy.

Conclusion

The proposal to develop plot E1 is entirely consistent with both the approved outline planning permission and masterplan for the wider site in terms of the principle of industrial development, the design, siting and massing of the proposal and the environmental and transport impacts. The proposal fully complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters/petitions:- no representations received to date.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: Coal Authority, Design for Security - Greater Manchester Police, Environment Agency, Greater Manchester Archaeological Unit, Greater Manchester Ecology Unit, Health & Safety Executive, National Grid, Natural England, Peak & Northern Footpaths Society, The Ramblers Association, The Open Spaces Society.

Bolton Council's: Environmental Health Officers, Highway Engineers, Public Rights of Way Officer and Drainage.

Planning History

In November 2013 three planning applications were delegated to the Director of Development and Regeneration pending the signing of a legal agreement. These were as follows:

Ref: 90539/13 which provided for outline planning permission for phased employment development comprising of 102 ha of B8, B2 and ancillary uses.

Ref: 90543/13 which will grant full planning permission for the construction of a Regional Distribution Centre (including ancillary office accommodation); and

Ref: 90552/13 which will change the use of restored former Open Cast mine site to form a Country Park including remodelled landform, creation of ponds, watercourses and a mix of habitats, improved public access routes and the provision of a visitors' car park.

Reserved matters permission was granted planning permission (Ref: 91459/14) for the siting of a manufacturing facility with ancillary offices and outbuildings (Class B2) on Plot B1. Planning permission (reserved matters) was granted in August 2015 for the erection of (94417/15) two (B2 / B8) industrial units with ancillary office accommodation on Plot A6 fronting Salford Road.

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. Within 3 months of the commencement of development an Employment and Skills Statement shall be submitted to the Local Planning Authority for approval and once approved shall be implemented in full in accordance with an agreed timetable. This Statement should be based on the Local Employment Framework Plan approved under 90539/13.

Reason

To ensure that local employment benefits are addressed and secured.

3. Prior to first use of permitted development no less than 284 car parking spaces shall be provided in accordance with Drawing Ref K001 Rev. D - Site Plan dated 10/2015. 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 kept clear of the highway.

4. Prior to the development hereby approved/permitted being first occupied or brought into use the scheme for parking/turning/loading and unloading of vehicles within the curtilage of the site shall be provided in accordance with drawing ref NK 018159-103 Rev. A - Proposed Site Plan.

Reason

In the interests of highway safety.

5. Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme drawing reference: 01 - Detailed Planting Plan, dated 18/09/2015. 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.

6. Within 3 months of the commencement of development, a scheme which assesses the proposed BREEAM rating of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall achieve a BREEAM (Industrial) Very Good standard (or such national measure of sustainability for industrial design that replaces that scheme). Within 6 months of the occupation of each building a Final BREEAM Certificate has been issued for it certifying that the approved scheme/standard has been achieved and such Certificate shall be submitted to and approved by the Local Planning Authority.

Reason:

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

7. Before the approved development is first brought into use the arrangements for HGV access, waiting and parking (including cycle parking) shall be laid out within the curtilage of the site in accordance with the submitted plans reference K001 Rev. D - Site Plan, 003 Rev. A Hard Landscaping dated 09-2015 and 01 Detailed Planting Plan dated 18/09/2015.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the access road and that no obstruction is caused to the access road.

8. Notwithstanding the provisions of Parts 24 and 25 of the Town and country Planning (General Permitted Development) Order 1995 (as amended or re-enacted) no external telecommunications equipment or structures shall be placed on the roof or any other part of the building without the prior written consent of the Local Planning Authority.

Reason

In the interest of the appearance and design of the building and the visual amenity of the area.

9. Prior to first occupation of each phase of the development hereby approved full details of open

storage within the confines of the application site shall be submitted to and approved in writing by the Local Planning Authority. Submitted details should include the area proposed, proposed types of materials and/or equipment to be stored, means of enclosure / screening and maximum heights of external storage. The approved details shall be implemented in full and retained thereafter.

Reason

To safeguard the visual appearance and character of the area.

10. The illumination of the lighting permitted by this consent shall be no greater than 5 LUX at the closest elevation with any residential property.

Reason

To safeguard the amenity of nearby dwellings.

11. No roof plant, equipment or other structures, other than as approved pursuant to this permission shall be placed on the roof or be permitted to project above the roofline of any part of the building or shall be permitted to extend outside of any roof plant enclosure without the prior written consent of the Local planning Authority.

Reason

In the interest of the appearance and design of the building and the visual amenity of the area.

12. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan ref: B700 - Gatehouse (dated 22/10/2015) and B600 Rev. D - Plot E Elevations.

Reason

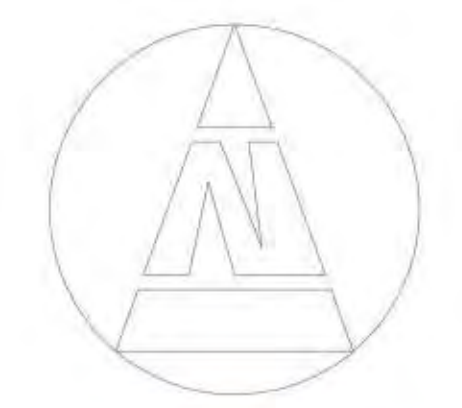
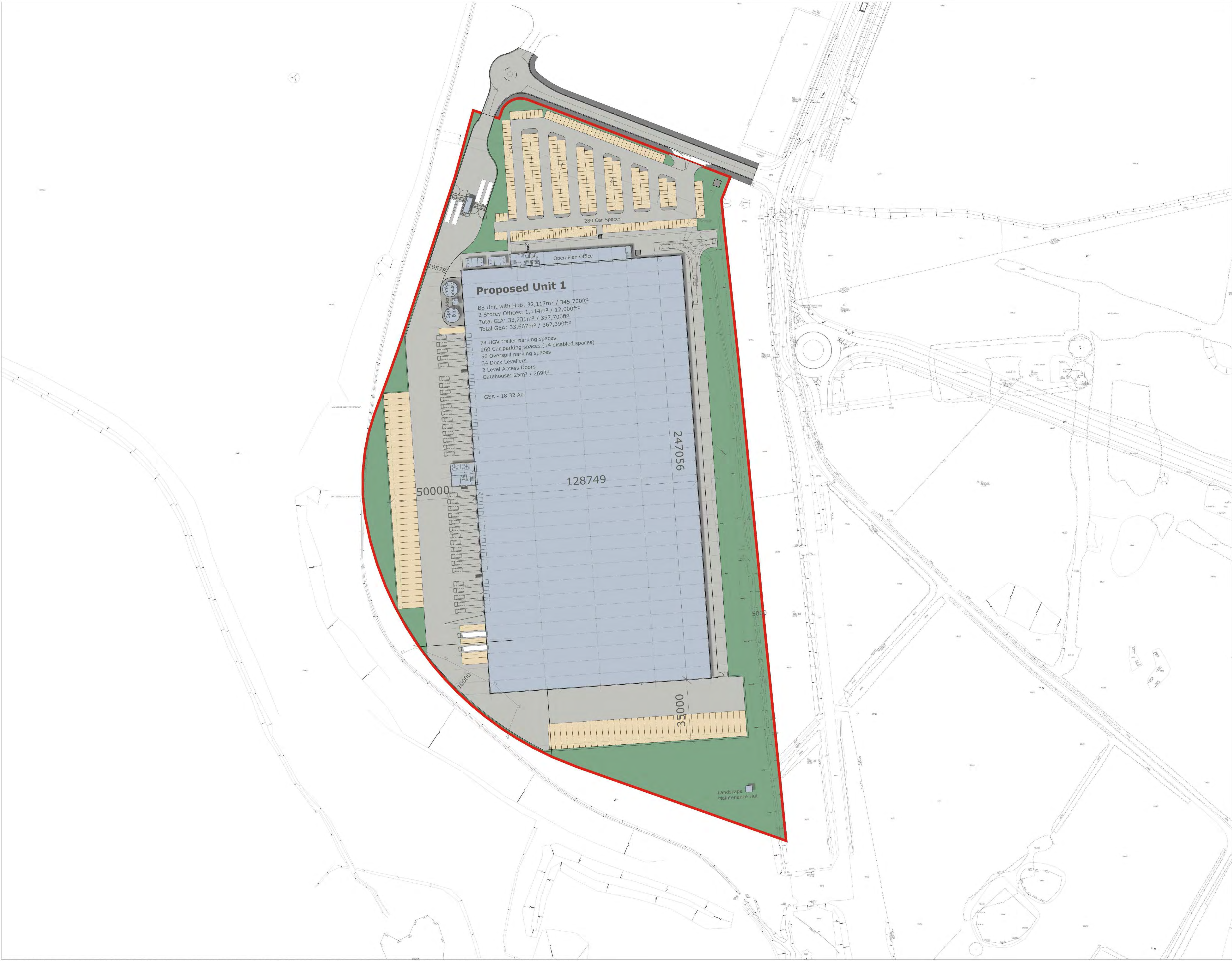
For the avoidance of doubt as to what is permitted.

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

Drg. No. K001 Rev. D - Site Plan - dated 10/2015;
Drg. No. B600 Rev. D - Plot E Elevations, dated 27/10/2015;
Drg No. B700 - Gatehouse, dated 22/10/15;
Drg No. 01 Detailed Planting Plan, dated 18/09/2015;
Drg No. 003 Rev. A - Hard Landscaping, dated 09-2015;
P040 Rev. B - Plot E - General Arrangement, dated 14/09/2015;
P041 Rev. B - Office Plans, dated 14/09/2015;
P042 Rev. B Plot E Roof Plan, dated 14/09/2015;

Reason

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



winvic



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& PARTNERS LLP**

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Leicester LE2 1ND
t: 0116 247 0557 f: 0116 254 1095
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Bolton
Logistics North, Plot E
Site Plan

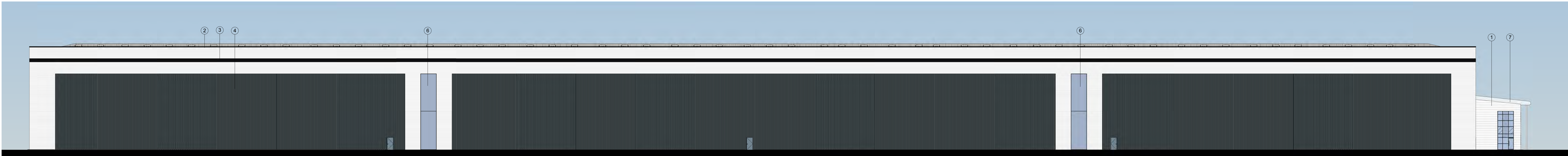
Drawing status:	Preliminary
CAD reference:	15-751-K001
Drawn:	MMS
Team:	MMS
Date:	10/2015
Scale:	1:1000@ A1

Project no:	Dwg no:	Rev:
15-751	K001	D

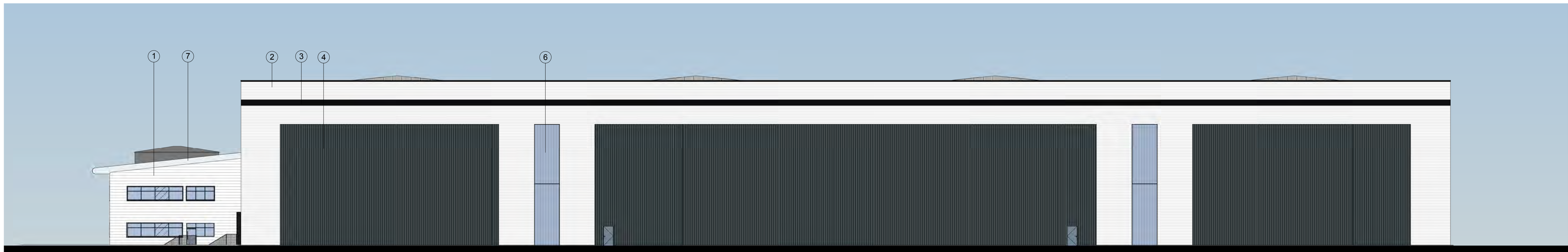
Rev	Description	Date
A	Warehouse glazing changed	12/10/15
B	Additional Warehouse glazing included	13/10/15
C	Glazing revised	16/10/15
D	Cladding revised	27/10/15



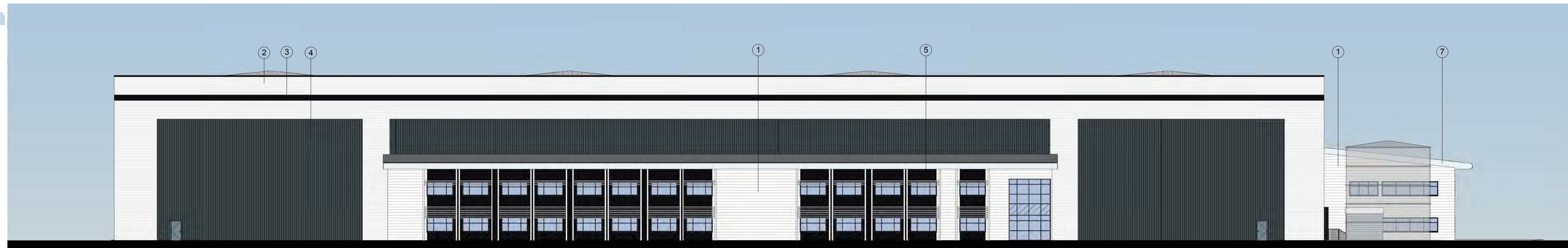
1 West Elevation
1 : 250
0 5 10 m



2 East Elevation
1 : 250
0 5 10 m



3 South Elevation
1 : 250
0 5 10 m



4 North Elevation
1 : 250
0 5 10 m

Note: Building Haunch height 15.00m
Clear. Ridge height 18.375m

1. Built up cladding laid horizontally CA MR300
Color: White
2. Built up cladding laid horizontally CA 32
Color: White
3. Feature band
Color: Black
4. Low Level Built up cladding laid vertically CA 32
Color: Anthracite grey
5. Offices Mid Level Built up cladding laid horizontally CA MR300
Color: Black
6. Warehouse glazing: Thermalight CS translucent glazing
7. Roof Flashing
Color: White
- White (RAL 9003)**
- Black (RAL 9005)**
- Anthracite (RAL 7016)**



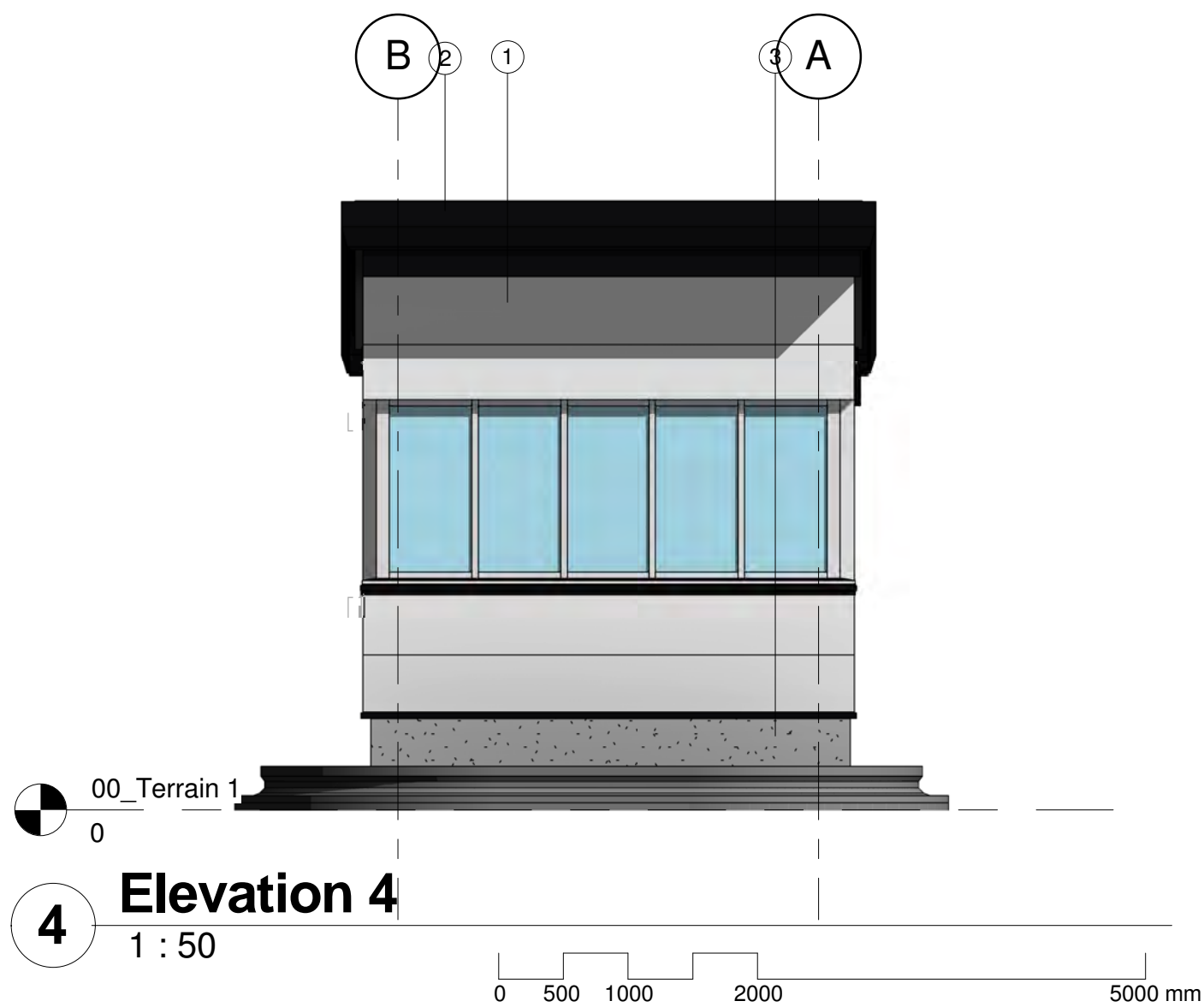
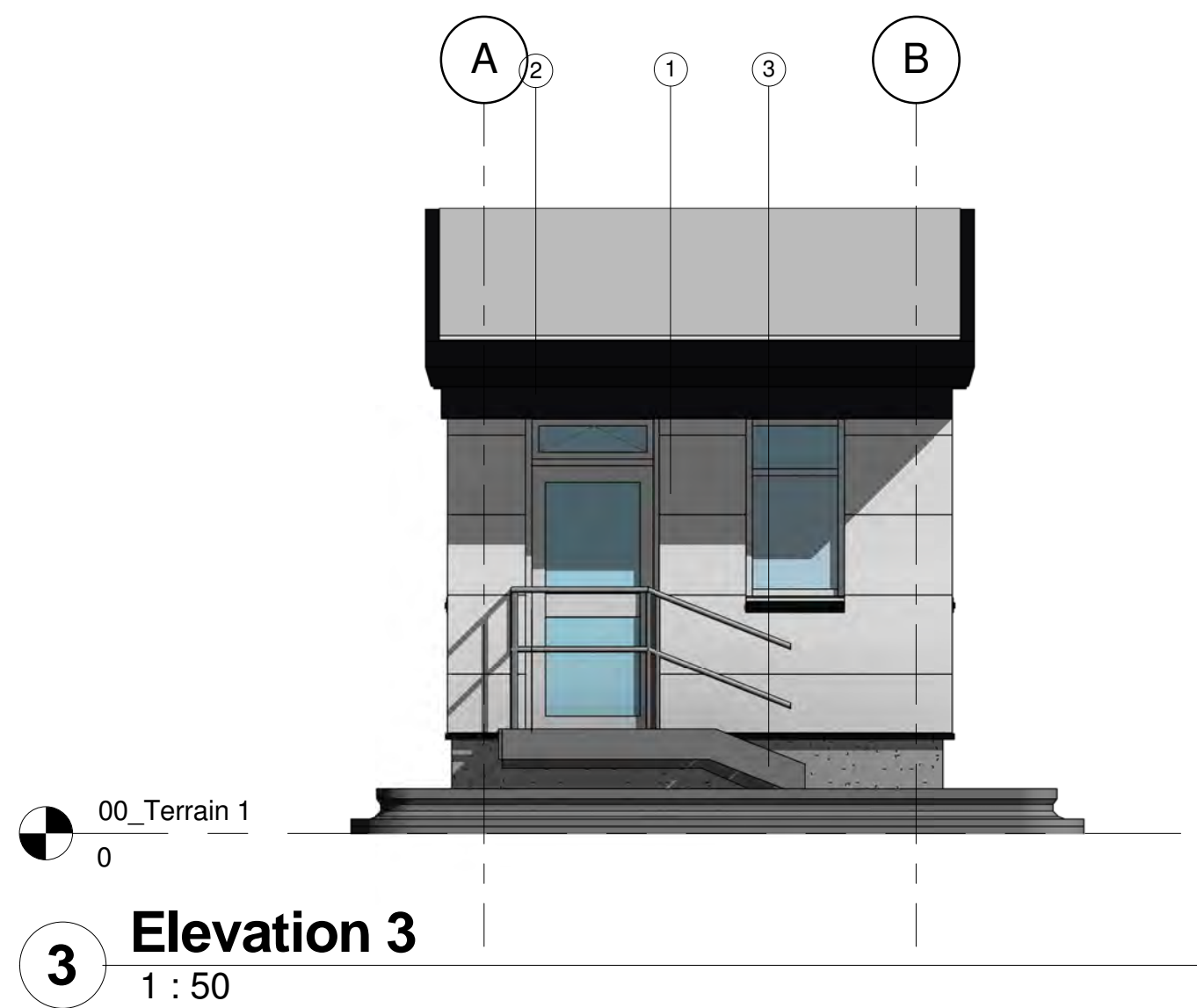
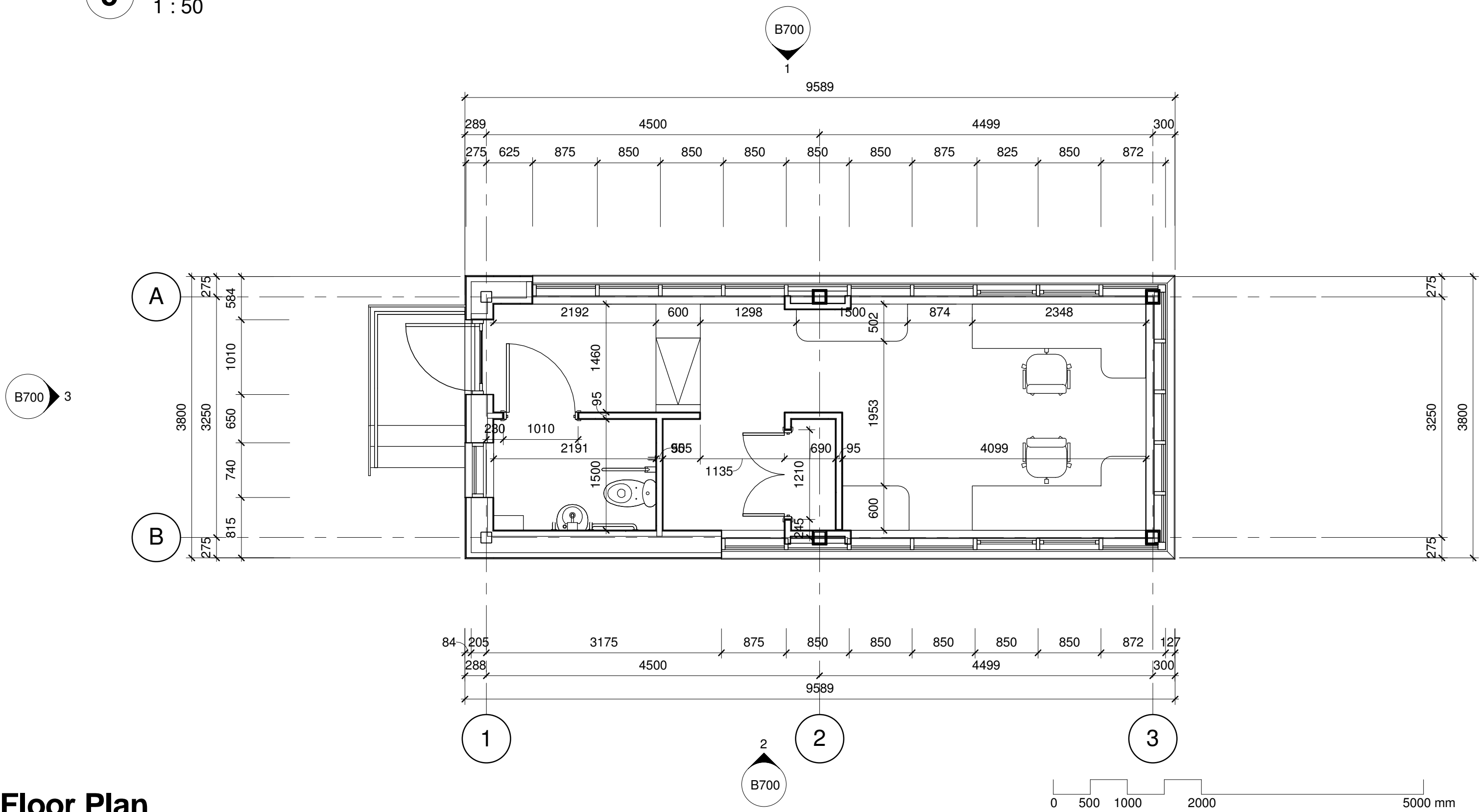
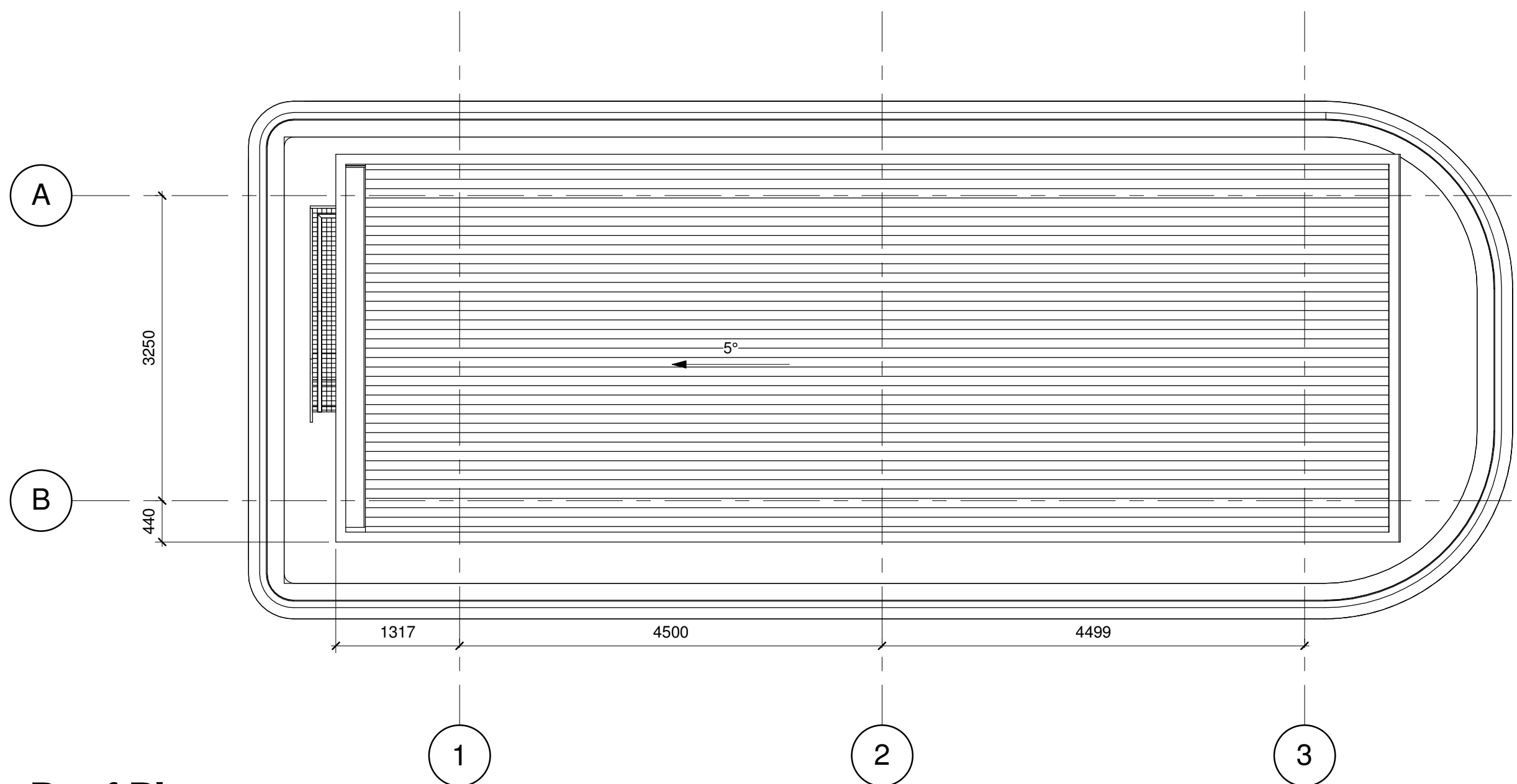
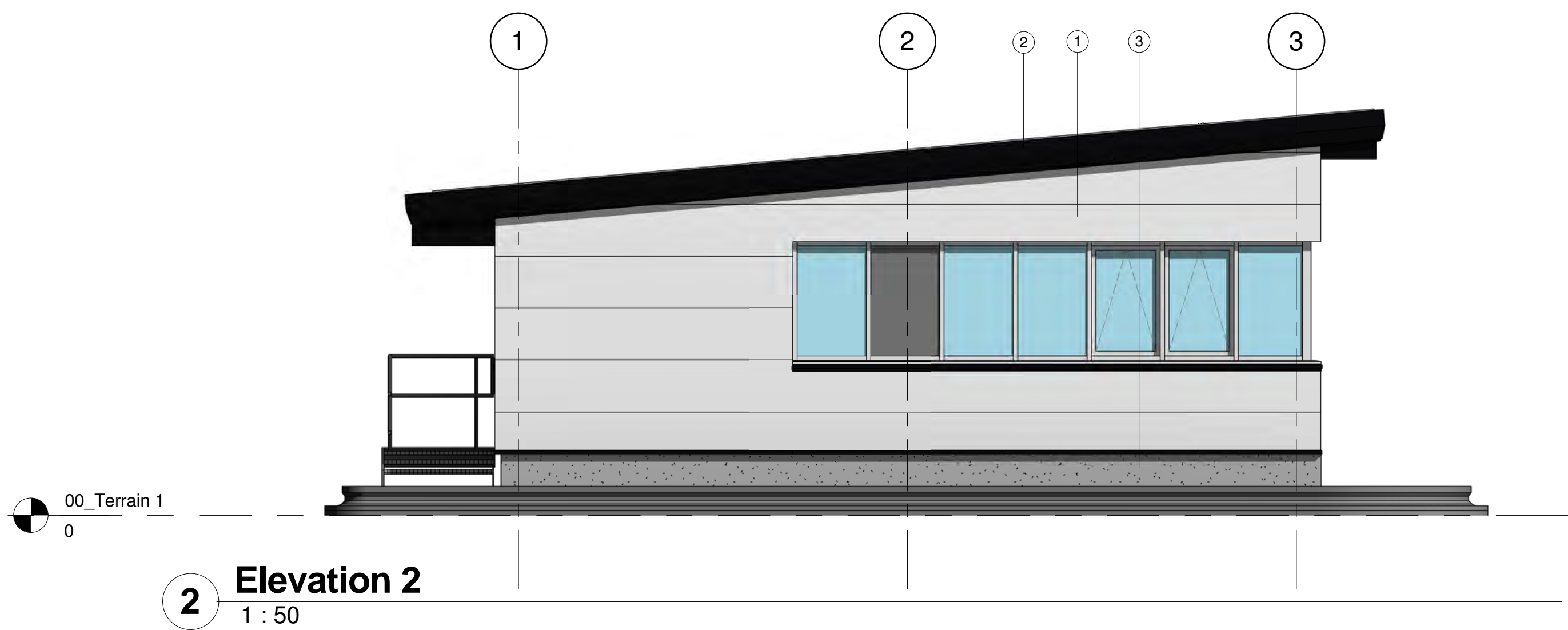
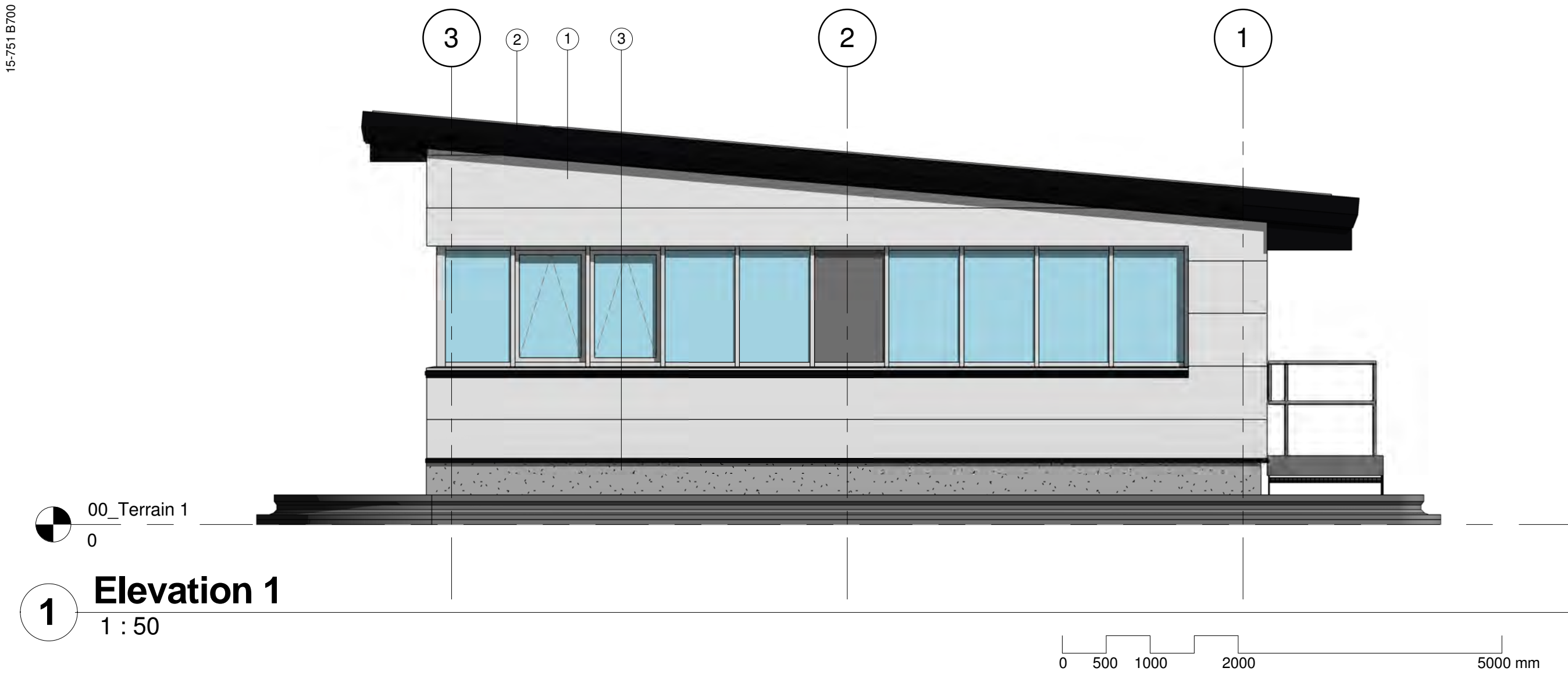
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Bolton
Logistics North

Plot E
Elevations

Drawing status: CONSTRUCTION
CAD Reference: 15-751 F002-003
Drawn: YM, ST
Team: FY
Date: 27/10/2015
Scale: 1:200 @ A0

Project no: 15-751
Draw no: B600
Rev: D



1. Built up cladding laid horizontally
Color: White
2. Flashing
Color: Black
3. Concrete
Color: Grey
- White (RAL 9003)**
White (RAL 9005)



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Bolton
Logistics North

Gatehouse

Drawing status: CONSTRUCTION
CAD Reference: 15-751 F002-003
Drawn: ZT
Team: IV
Date: 22/10/2015
Scale: 1:50@A1

Project no: 15-751
Dwg no: B700
Rev:

Application number 95001/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 95001/15

Type of Application: Full Planning Application
Registration Date: 21/09/2015
Decision Due By: 15/11/2015
Responsible Officer: Jeanette Isherwood

Location: LAND ADJ. 11 HOREB STREET

Proposal: OUTLINE APPLICATION FOR ERECTION OF 1NO. THREE BED DWELLING (ALL MATTERS RESERVED)

Ward: Rumworth

Applicant: Bolton at Home
Agent : Bolton Council

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the erection of one detached, three bedroom dwelling on vacant land adjacent to 11 Horeb Street. This is an outline application (all matters reserved) and therefore the details provided in terms of footprint and access are indicative only. The application is essentially to establish the principle of development in this instance.

The site area is approximately 0.023 hectares.

Vehicular access would be taken from Back Nebo Street, the back street would be widened to 6.5m along the width of the plot. Two parking spaces would be provided for vehicles 2.5m x 5.5m.

Site Characteristics

The site is a rectangular parcel of land sited on the corner of Horeb Street and Back Nebo Street. Horeb Street is of mixed character with terraced, town houses and flats on both sides. The area in question forms a small pedestrianised development sited at right angles with Horeb Street, it consists of four semi-detached properties, formerly flats, on one side of the central walkway and a row of modern town houses on the other. This development would fill the vacant land to the end of the row with its gable parallel to Horeb Street. There is a distinct difference in ground levels with the ground sloping up and away from Horeb Street to the south west towards the back of Willows Lane.

To the rear is a row of terraced properties on Nebo Street, rear elevations facing, separated by a small back street. The majority of these properties have been extended at single and two storey level.

Immediately adjacent to the site is 11 Horeb Street, two flats that have subsequently been converted into one property. This property has been extensively extended at two storey level to the rear.

Policy

National Planning Policy Framework 2012

Core Strategy: CG1 Cleaner and Greener, CG3 Built Environment, CG4 Compatible Uses, RA1 Inner Bolton, SC1 Housing, S1 Access and Appendix 3 - Parking Standards.

SPD General Design Principles

SPD Accessibility, Transport and Road Safety

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development
- * impact on residential amenity
- * impact on highway safety
- * impact on trees

Principle of residential development

Paragraph 49 of the National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy RA1 of the Core Strategy states that the Council will develop new housing throughout the area on a combination of brownfield sites and on a limited number of greenfield sites in existing housing areas. Policy CG3 of the Bolton Core Strategy states that the Council expects development proposals to contribute to good urban design, respect and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area.

The proposed dwelling is a detached two storey property with parking. No specific design details have been included with this outline application and therefore the consideration is to the principle of development on the site.

The area is allocated as within the urban area and was historically the siting of two properties that were demolished in the 1990s and therefore it is considered that the principle of development has already been established. It is considered that the proposal would represent infill development (being at the side of an existing dwelling within an established urban area) and a dwelling sited here would be viewed as a continuation of the established urban form of the area, which would not be to the detriment of local distinctiveness or the character and appearance of the area. Whilst the proposed dwelling shown on the indicative layout plan is of a scale and massing, detailed assessment regarding the siting, scale and massing would be provided at the reserved matters stage.

The proposal is considered to comply with Core Strategy policies CG3 and RA1.

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. Section 3 (1) of SPD General Design Principles sets out recommended interface distances between dwellings.

It is acknowledged that the immediate vicinity is one of high density housing and there is an existing shortfall in interface distances. The property would face the rears of terraced houses on Nebo Street. The plans indicate this property will be set closer to these properties than the four other properties in the row. However it is noted that No 11 has a significant two storey rear extension that will surpass the siting of this new development. An interface distance of approximately 18 metres will be maintained and although this falls short of the present guidance the size of the application site gives some scope to locate any new dwelling further away from these properties, closer to the 19 metres there is at present.

The proposal is considered to comply with Core Strategy policy CG4.

Impact on highway safety

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

The indicative plans submitted with the application show a proposed vehicular access off Back Nebo Street with the widening of the road to 6.5 metres. Together with parking for new vehicles.

The Council's Highways Engineers have commented that they have no objections to the proposal. Detailed consideration of this matter would be provided at the reserved matters stage.

It is considered that the proposed development would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Impact on Trees

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

The Council's Trees and Woodland Officer was consulted on the proposal and although there are large shrubs on the site that are of amenity value they are not of significant merit to warrant a Tree Preservation Order.

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

Conclusion

For the reasons discussed above the proposal is considered to comply with present national and local policies and is therefore recommended for approval.

Members are advised to approve the application.

Representation and Consultation Annex

Representations

Three letters of objection have been received from neighbouring residents, with the concerns being as follows:-

-) The land should be put to better use as a car park or a designated children's play area
-) The grassed area is used by children to play and is the only safe area around.

Consultations

Advice was sought from the following consultees: Highways, Environmental Health, GMP Design for Security.

Planning History

None

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. Application for the approval of 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

- i) The expiration of five years from the date of this permission, or
- ii) The expiration of two years from the final approval of the Reserved Matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason

To application is for outline planning permission and these matters were reserved by the applicant for subsequent approval.

3. Development shall not commence until a site investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health, property or the environment;
 - (iii) an appraisal of remedial options and proposal for a preferred option.

Part B.

The proposed remediation scheme shall include provision for verifying that the remediation objectives

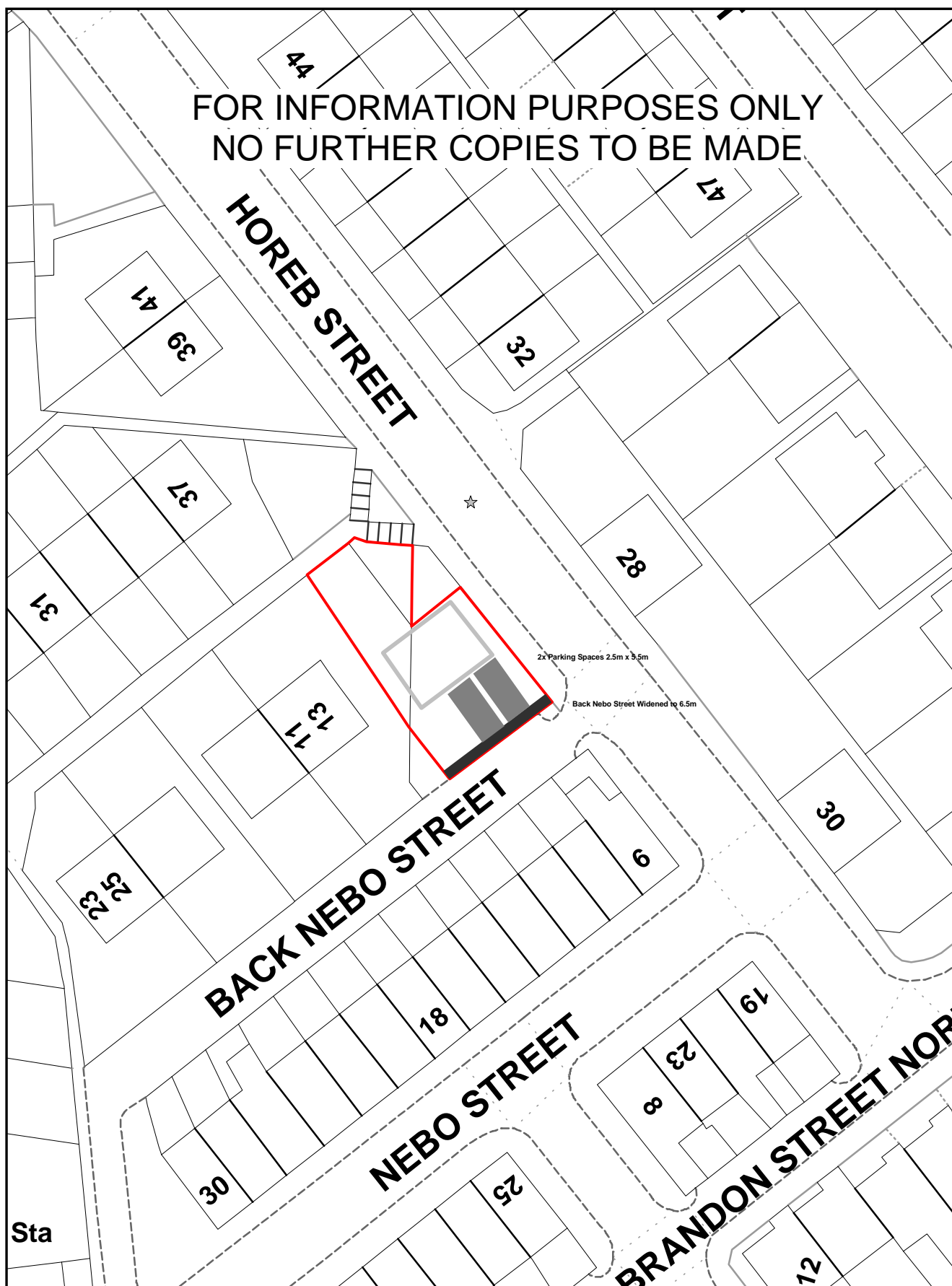
(verification report) have been met, and also for any subsequent monitoring and maintenance in accordance with Model Procedures for the Management of Land Contamination (CLR 11). Full details of which should be submitted to, and approved in writing by the Local Planning Authority before the development is first brought into use or first occupied.

Part C.

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

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

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LAND AT HOREB STREET

prepared by: GH
reference:
date: 16/04/2015

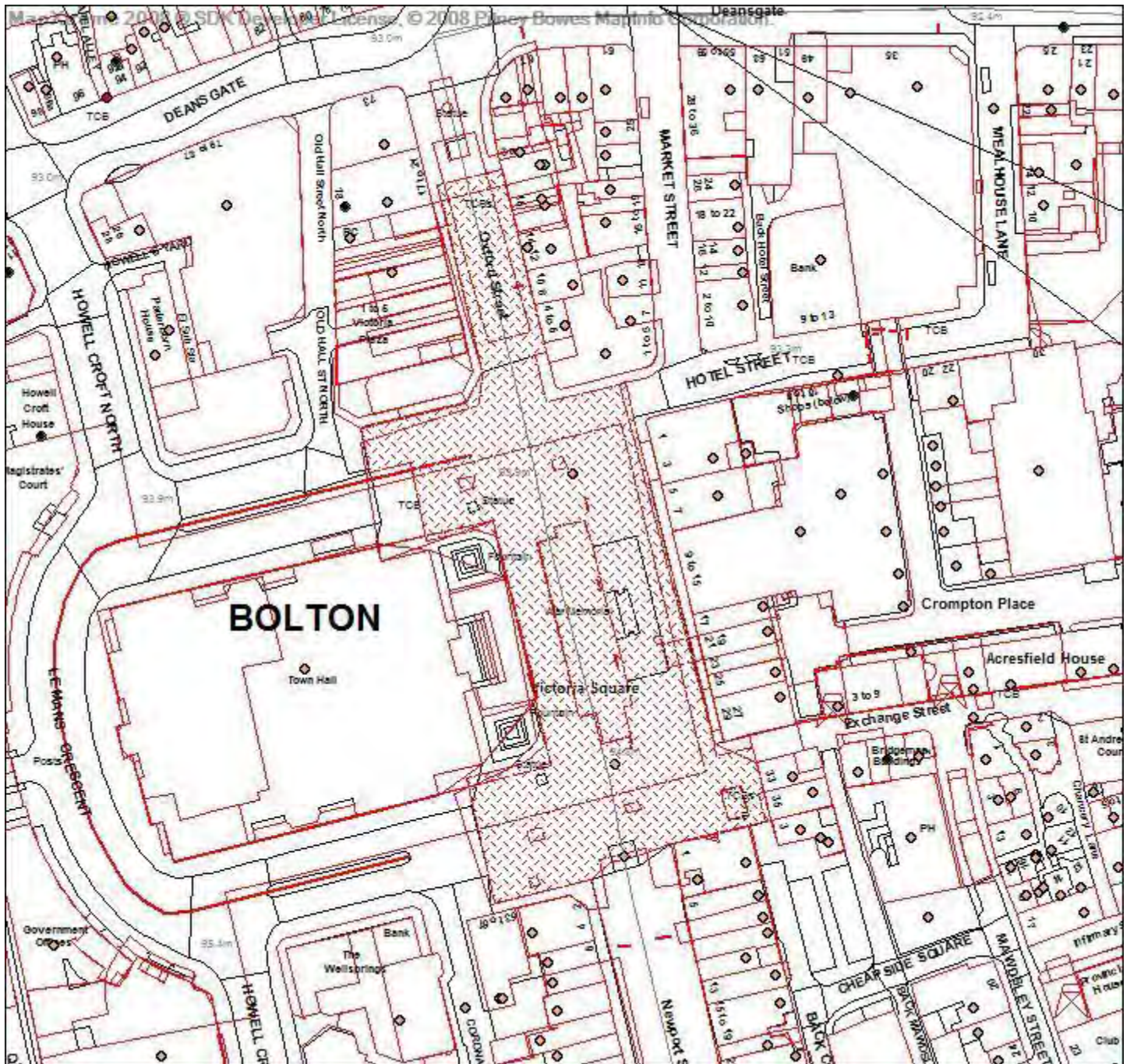
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CHIEF EXECUTIVES
ESTATES

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Application number 95035/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 19/11/2015

Application Reference: 95035/15

Type of Application: Full Planning Application

Registration Date: 05/10/2015

Decision Due By: 29/11/2015

Responsible Officer: Martin Mansell

Location: VICTORIA SQUARE AND OXFORD STREET, BOLTON, BL1 1RU

Proposal: TEMPORARY CHANGE OF USE OF THE HIGHWAY AT VICTORIA SQUARE AND OXFORD STREET TO ENABLE CHRISTMAS FESTIVAL EVENT.

Ward: Halliwell

Applicant: Bolton M B Council

Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought to use Victoria Square and parts of Oxford Street for the purposes of this year's Bolton Winter Festival. The key features would be an ice skating rink and a catering tent together with ancillary structures such as a ticket booth, a grotto and generators for the refrigeration of the ice rink. It is intended that the use would commence on Saturday 28th November 2015 and would conclude on Sunday 3rd January 2016, a total of 37 days. Construction and site clearance would take approximately 4 or 5 days each side of this period.

Part 4 of the General Permitted Development Order 2015 grants consent in advance for the use of any land for any purpose for not more than 28 days in total in any calendar year and the provision on the land of any moveable structure for the purposes of the permitted use. However, at 37 days, the proposed use cannot take advantage of the permitted development right and therefore requires planning consent.

Site Characteristics

The site is primarily that of Victoria Square, an area of public open space between Newport Street and Oxford Street, bounded to the east and west by Crompton Place and the highly prominent front elevation of Bolton Town Hall, a Grade II* Listed Building. Part of Oxford Street would also be used for ancillary structures and uses. The site lies within the Town Hall Conservation Area and has a long history of being used for civic and public uses, most recently the Food and Drink Festival and previous Christmas Festivals. This is allocated as public highway with restrictions on vehicular use.

Policy

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

communities, conserving and enhancing the historic environment

Core Strategy Objectives

SO1 Access to Health, Sport and Recreation, SO3 Economic Opportunities of Bolton Town Centre, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO11 Built Heritage, SO16 Community Cohesion and Access

Core Strategy Policies

P5 Transport

S1 Crime and Road Safety

CG1 Open Space, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses

SC2 Cultural and Community Facilities

TC1 Civic Core, TC11 Design in Bolton Town Centre

Supplementary Planning Documents

Building Bolton, Town Hall 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:-

- * impact on the site and its setting
- * impact on Bolton town centre

Impact on the Site and its Setting

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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on Local Planning Authorities that in the exercise of their powers with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings. Core Strategy Policy CG3 seeks to ensure that development proposals conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings. Historical associations should be retained where possible.

Core Strategy Policy TC11 relates specifically to development in Bolton Town Centre and states that the council and its partners will protect, strengthen and enhance the distinctive townscape qualities of Bolton town centre. Development should conserve and enhance the special nature of the conservation areas and listed buildings.

The proposed two main features are demountable structures that will have no lasting impact on historic setting of the site. They are considered to be appropriately designed and whilst they will be clearly and prominently visible within the town centre, they are not considered to cause visual harm during the course of their use. Access for pedestrians during this important retail period will be adequately retained.

The impact on the site and its setting is considered to be acceptable.

Impact on Bolton Town Centre

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

The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for retailing, leisure, cultural and civic activities. Victoria Square in particular will be a focus for leisure activity, with a presumption in favour of food-based restaurant and café uses including the use of the Square itself for events and outdoor seating areas. Ensuring that the whole of the civic and retail core is safe and attractive for pedestrians will be a priority

Core Strategy TC1 is a spatial policy which relates specifically to Bolton Town Centre and states that the Council will continue to support the civic and retail core as the principal location in the borough for retailing.

Officers note the references in the Core Strategy to the use of Victoria Square for events and civic activities and also note its long history of successfully delivering these events. Such events are key to encouraging visitor numbers at this most important period for retailers. The benefits of the proposed use to Bolton town centre are considered to be highly significant.

Conclusion

This is a temporary use and will leave no permanent impact on the historic setting. Victoria Square has a long and successful history of use for similar purposes and the impact of events such as these on the local economy and the vitality and viability of Bolton town centre is clear. There have been no objections from nearby consulted properties or the Council's Highway Engineers. The proposal would have no discernible harm in planning terms and, for the period of its use, would deliver considerable benefits to local business, the general impression of the town and its civic and retail and would provide much enjoyment for users of these facilities. Members are recommended to approve the

proposal.

Representation and Consultation Annex

None. The Application appears at Planning Committee due to the fact that the Council is the Applicant.

Consultations

Advice was sought from the following consultees: Highway Engineers.

Planning History

Planning consent was granted in November 2014 for use of a similar area for that year's winter festival (92735/14)

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. This permission shall be for a temporary period expiring on **14th January 2016** when the use hereby approved shall be discontinued and the site reinstated to its previous condition.

Reason

The applicant has only applied for temporary permission.

