

Planning Applications Report

Planning Committee

20 November 2014

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

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

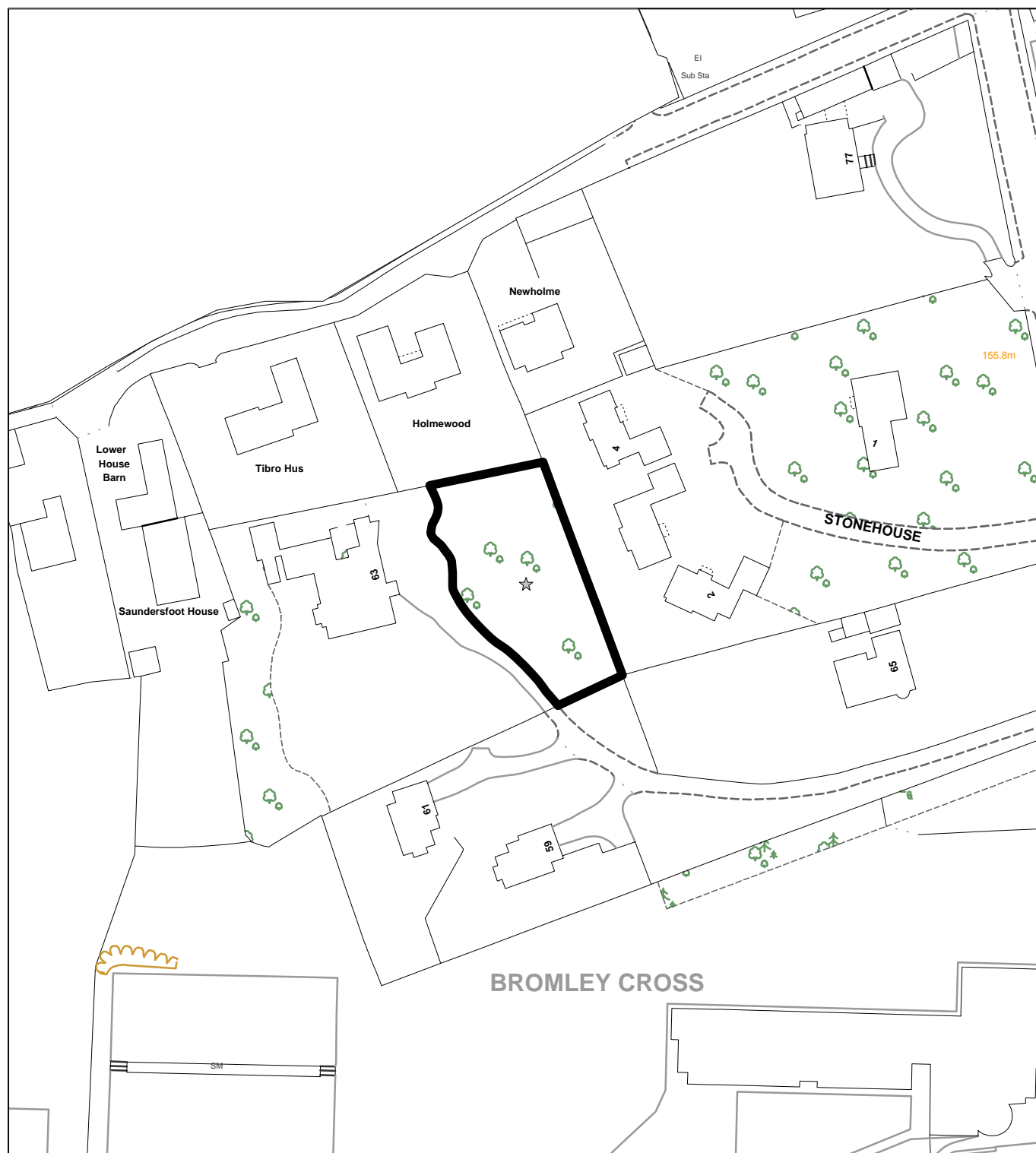
www.bolton.gov.uk/planapps

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Application No.

91676/14



Development and Regeneration Department
Planning Control Section

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**Bolton
Council**

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Date of Meeting: 20/11/2014

Application Reference: 91676/14

Type of Application: Reserved Matters
Registration Date: 25/03/2014
Decision Due By: 19/05/2014
Responsible Officer: Natalie Blackston

Location: 63 CHAPELTOWN ROAD, BROMLEY CROSS, BOLTON, BL7 9NB

Proposal: RESERVED MATTERS APPLICATION FOR ERECTION OF TWO STOREY DWELLING

Ward: Bromley Cross

Applicant: Mr & Mrs Shaw

Agent : Pce Designs

Officers Report

Recommendation: Approve subject to conditions

Proposal

This is a reserved matters application, with the principle of residential development having already been established under the 2012 planning permission (88716/12). Details of siting, scale and means of access were determined at the outline stage. Therefore, the matters to be considered at this stage are

- (a) Appearance
- (b) Layout
- (c) Landscaping

This current reserved matters application shows a two storey dwelling. There would be 4 bedrooms at first floor level and the roof space would be used for storage/games room. An integral garage is also now proposed. The dwelling would have a ridge height of 9.5m. The proposed detached dwelling would be located in the side garden area of number 63 Chapeltown Road. Access would be via an existing private access drive which serves No. 59, 61 and 63 Chapeltown Road.

Site Characteristics

The site measures approximately 0.46 hectares and forms part of the garden area of 63 Chapeltown Road. The existing garden has well established trees and garden landscaping. The trees in the eastern half of the site and the trees grouped in the south eastern corners of the site are protected under a Tree Preservation Order which was made in 1975.

Vehicular access is initially taken off Chapeltown Road via a shared access which currently serves 3 dwellings. The entrance to No. 63 is controlled by an electronic gate.

The site cannot be seen directly from Chapeltown Road.

The area surrounding the site is residential in character.

Policy

National Planning Policy Framework 2012

Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses; P5 Transport and Accessibility; S1 Safety; OA4 West Bolton

PCPN2 Space around Dwellings; PCPN7 Trees; PCPN10 Crime

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on impact on the amenity of neighbouring residents
- * impact on trees
- * impact on the highway

Impact on the character and appearance of the area

Policy CG3 of the Core Strategy states that the Council will expect development proposals that contribute to good urban design, that conserve and enhance local distinctiveness, ensuring it has regard to the overall built character of the area, and that are compatible with the surrounding area in terms of scale, massing, grain, form, architecture, street enclosure and local materials. Policy OA4 states that the Council will conserve and enhance the character of the existing physical environment in West Bolton and will require special attention to be given to the massing and materials used in new development.

The position of the proposed dwelling has not been materially altered since the submission of the original outline application. It is therefore considered that the position of the proposed dwelling is acceptable by virtue of the existing screening by the protected trees and future landscaping. The protected trees will mask the majority of the development from view and the proposed boundary treatment with number 63 will create a separate plot.

The character and appearance of the surrounding area consists of large properties set within large plots. The proposed dwelling would continue this theme and pattern of development with a large front and rear garden which would provide a significant amount

of amenity space. The scale of the house (footprint and height) is considered to be compatible with the neighbouring houses. Whilst it is acknowledged that the proposed dwelling now incorporates accommodation in the roofspace served by dormer windows, the height of properties within the surrounding area varies considerably and the proposed dwelling would not be significantly higher than the surrounding neighbouring properties.

The design of the proposed dwelling is considered acceptable and is in keeping with the character of the area. Many of the surrounding dwellings are of individual design and the proposed dwelling reflects this principle. Details of materials have been submitted, therefore a condition is recommended requesting the submission of material samples prior to commencement of development.

It is considered that the proposed development has regard to the built character of the area, is compatible with the surrounding area in terms of scale, massing, grain and architecture, and provides adequate amenity space. It is therefore considered that the proposal complies with Policy CG3 of the Core Strategy.

Impact on the amenity of neighbouring residents

Policy CG4 aims to ensure that new development is compatible with surrounding land uses and occupiers and protects amenity. Development should not generate unacceptable nuisance, odours, fumes, noise. PCPN2 sets out the Council's standards regarding space around dwellings.

It is not considered that the siting, height or scale of the proposed dwelling would unduly harm the amenity of neighbouring residents. The proposed dwelling would be sited in a face to gable relationship with 3 Stonehouse and a distance of 13.5 metres is maintained in accordance with the guidance contained in PCPN 2. The relationship with the existing property 63 Chapelton Road is also face to gable. The distance being shown at over 17.5 metres. This is in excess of the minimum requirement of 13.5 metres and is in accordance with PCPN 2. The property to the rear at Holmewood is over 35 metres away and there is sufficient screening along the boundary between the two to avoid any significant adverse issues of overlooking.

Furthermore, a distance of 5.7m would be maintained between the eastern wall of the dwelling and the eastern boundary of the application site, which would further improve the privacy and outlook of surrounding properties. This is in excess of the 4.58m that was required by condition 5 of the outline application.

It is therefore considered that the proposed development will not have an adverse impact on the living conditions of neighbouring residents as the siting of the proposed residential dwelling would meet the minimum interface distances as set out within PCPN2 "Space Around Dwellings". The proposal therefore complies with Policy CG4 of the Core Strategy.

Impact on trees

Policy CG1 seeks to safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees.

The site is currently used as residential curtilage and is surrounded by residential curtilages associated with nearby residential dwellings. The proposed dwelling has been repositioned just outside of the 'Root Protection Zones(RPZ) and two Lime Trees that were to be retained as part of the outline proposals have been removed. However, Bolton Council's Trees and Woodlands Officer has no objections to the application subject to the

attachment of a number of conditions. The following conditions have therefore been recommended:

- 1) The submission of a landscaping plan showing additional tree planting to compensate for the loss of the two Lime trees and the Horse Chestnut tree which was removed as part of the outline proposals.
- 2) The submission of a tree protection method statement detailing how the proposed dwelling is to be constructed without causing harm or damage to the root protection zones
- 3) The submission of a protective fencing plan detailing where the protective fencing is to be located.

Subject to the attachment of the above conditions, the proposal is considered to comply with Policy CG1.

Impact on highway _

The outline application previously dealt with access matters - therefore no new highway considerations should be taken into account.

Two representations have been received raising objection to traffic flows on the existing private driveway which is already narrow with no passing points. Notwithstanding the representations this matter was considered during the outline scheme. Although they are valid objections, they are not considerations in this application.

Highways Engineers have commented on the reserved matters proposal. They do not raise any objections to the layout of the development. The proposal therefore complies with policies S1 and P5 of the Core Strategy.

Conclusion

The proposal is considered to comply with Council policy and guidance. Relevant interface distances have been met and the development does not adversely affect the character and appearance of the area, protected trees are not adversely affected and nor are the living conditions of adjacent dwellings. Members are therefore recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:-4 letters of objection have been received from local residents raising the following points:

- The new 3 storey development is not in keeping with houses around the area (*Officer's response- the proposed dwelling now incorporates accommodation in the roofspace served by dormer windows, the height of properties within the surrounding area varies considerably and the proposed dwelling would not be significantly higher than the surrounding neighbouring properties*).
- The traffic flows to the new house will increase on what is already a narrow lane with no passing points (*Officer's response- Access matters were dealt with as part of the outline application and issues relating to access are not considerations in this application*)
- The road is already damaged by the increase in traffic flows caused by the recent planning applications granted by the council (*Officer's response- Access matters were dealt with as part of the outline application and issues relating to access are not considerations in this application*)
- This application is being made as a staged planning development (*Officer's response- this is not a planning matter*)
- Any building on that piece of land would severely impinge on the views of neighbouring properties (*Officer's response- Sufficient interface distances are maintained and there is sufficient screening to protect the outlook and privacy of surrounding dwellings*)
- Any trees to be unnecessarily felled shall be replaced (*Officer's response- A condition has been recommend for the submission of a landscaping plan showing additional tree planting to compensate for the loss of the two Lime trees and the Horse Chestnut tree which was removed as part of the outline proposals*)
- A distance of 4.58m should be maintained between any development and the boundary wall (*Officer response-a distance of 5.7m would be maintained between the eastern wall of the dwelling and the eastern boundary of the application site*)

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Petitions:-none received

Town Council:-no comments received

Elected Members:-no comments received

Consultations

Advice was sought from the following consultees:

Highways Engineer-no objection

United Utilities- no objection

Trees and Woodland Officer - no objection subject to the attachment of the conditions set out above.

Pollution Control-no objection

Planning History

88716/12-Outline application for the erection of one detached dwelling (Layout, Scale

and Access details only)-Approved with conditions

82701/09 - Erection of one detached dwelling (siting, means of access and scale details only). Approved with conditions.

60113/01 -Felling of 1 beech & 1 horse chestnut tree. Refused.

59349/01 - Felling of 1 beech & 1 horse chestnut tree. Approved with conditions.

15788/80 - Erection of a detached house with double garage. Approved with conditions.

15787/80 -Erection of a detached house with double garage. Approved with conditions.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

PCE-Shaw-July-14/location plan
PCE-Shaw-July-14/planning

Reason

For the avoidance of doubt and in the interests of proper planning.
3. Prior to the commencement of development samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

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

Reason

To reflect and soften the setting of the development within the landscape.
5. Prior to the 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.

6. Prior to the commencement of any works on site, the developer shall submit a method statement detailing how the development will be constructed without causing harm or damage to the protected trees found on the site to the Local Planning Authority. No development or site clearance shall take place until the Local Planning Authority has agreed the measures in writing, and these measures shall then be implemented fully in accordance with the approved details.

Reason

To ensure the safe development of the site and favourable retention of trees.

7. Within 12 months of any trees/hedgerows not covered by Tree Preservation Order but nevertheless shown for retention on the approved plan being felled, suitable replacements of a size, species and location to be agreed in writing with the Local Planning Authority shall be replanted. Any such trees/hedgerows which die or are removed (including those which die) within 5 years of planting shall be replaced in the next available planting season with others of a similar size and species.

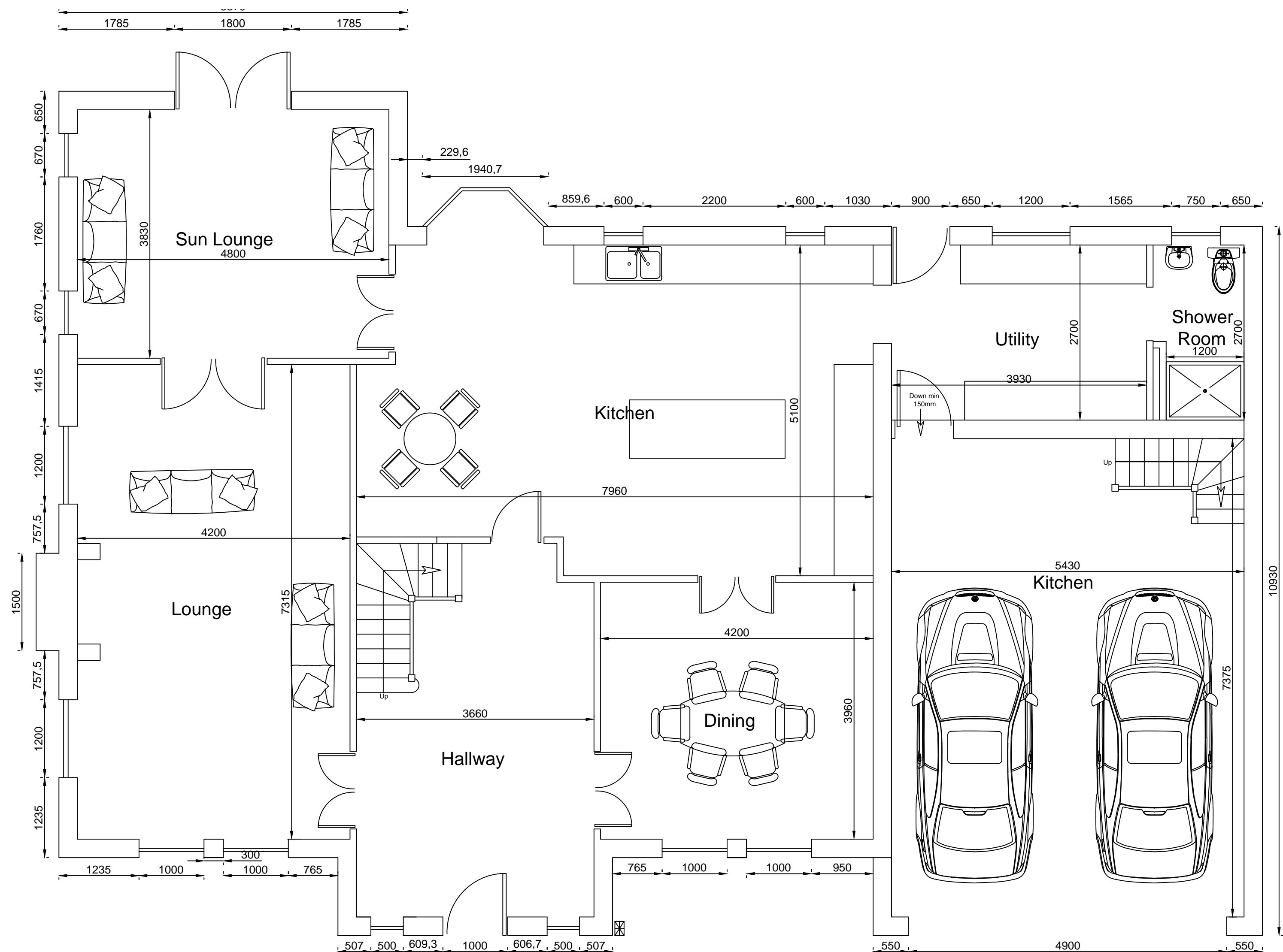
Reason

To safeguard the trees and hedgerows within or adjacent to the development site.

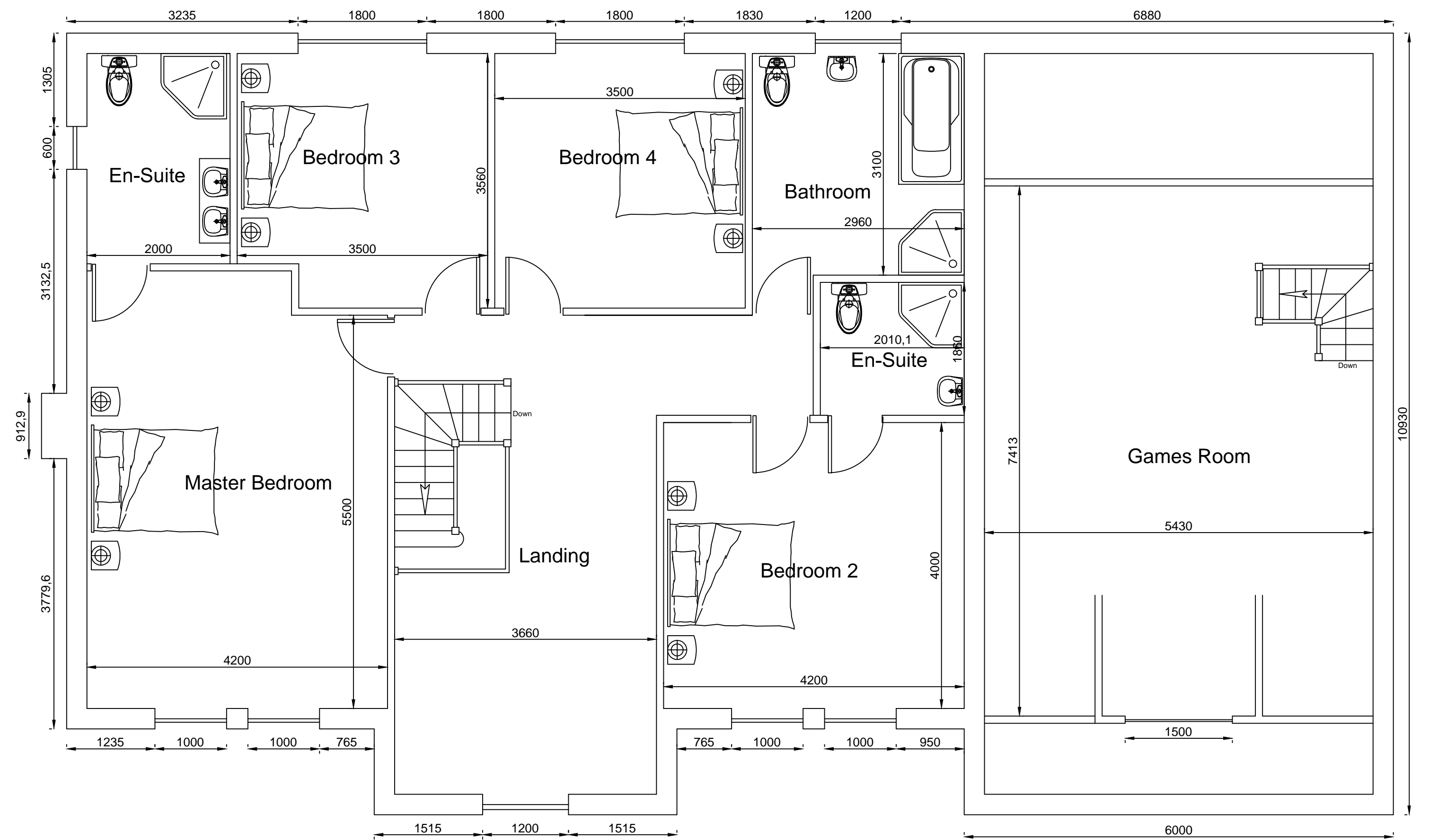
8. Prior to the commencement of development the protected trees on the site shall be surrounded by protective fencing, details of which shall have been approved in writing by the Local Planning Authority. Such fencing shall be retained in accordance with the approved details until construction has been completed.

Reason

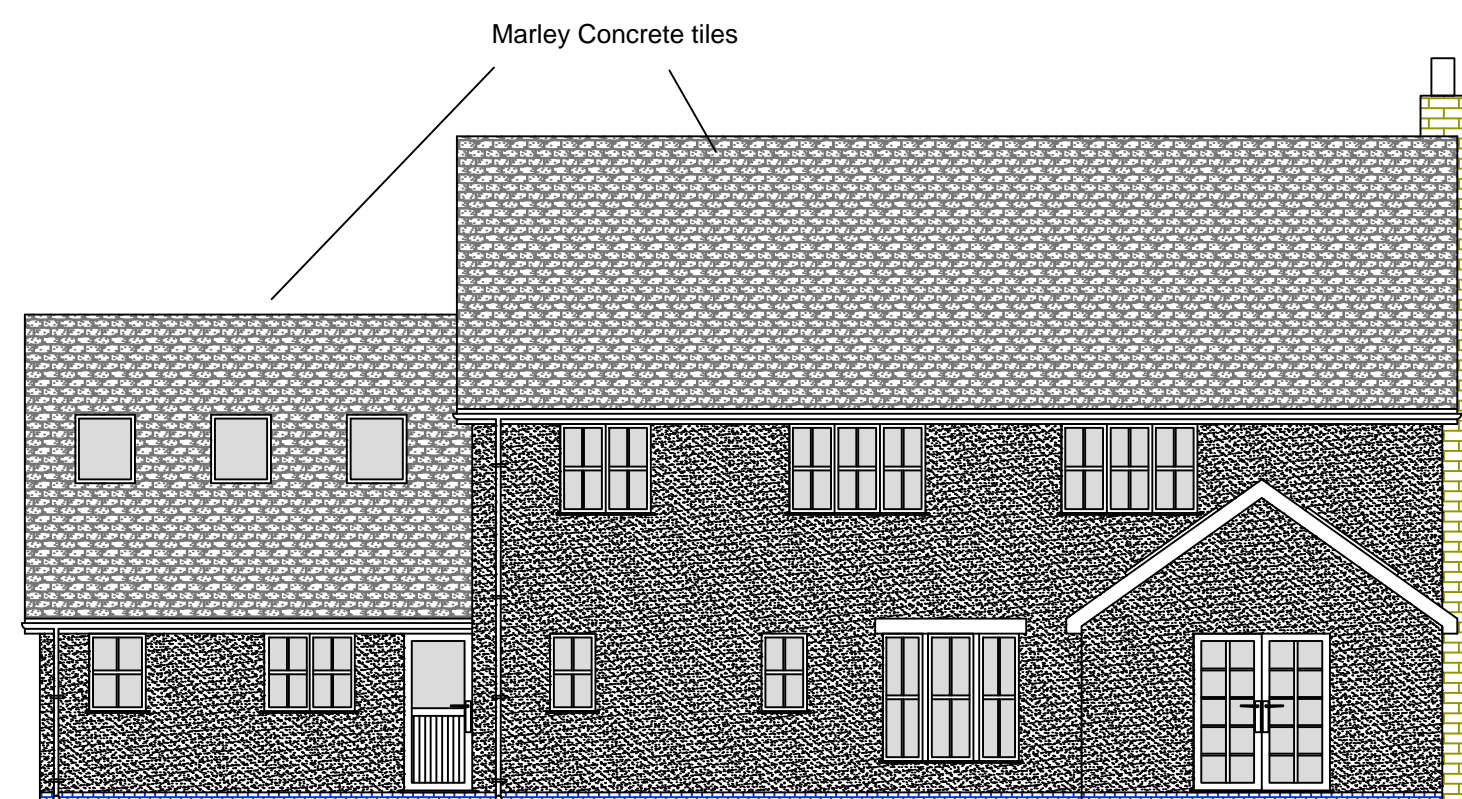
In the interests of tree preservation.



Proposed Ground Floor Layout

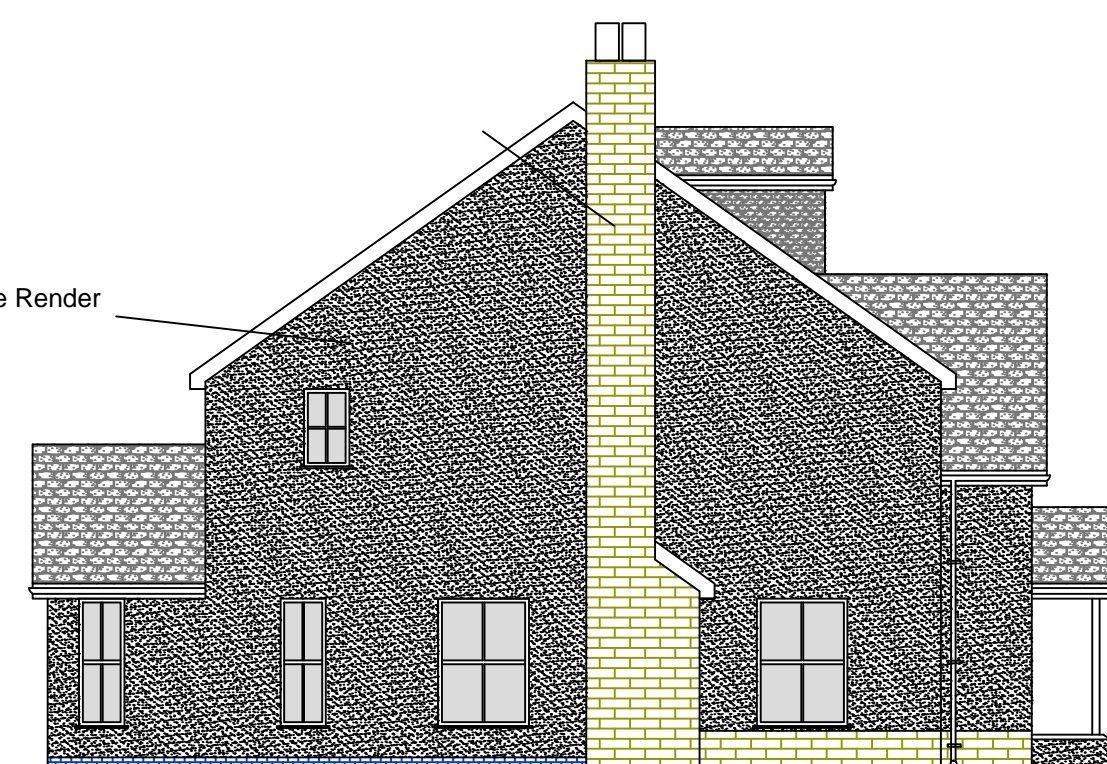


Proposed First Floor Layout



Proposed Rear Elevation

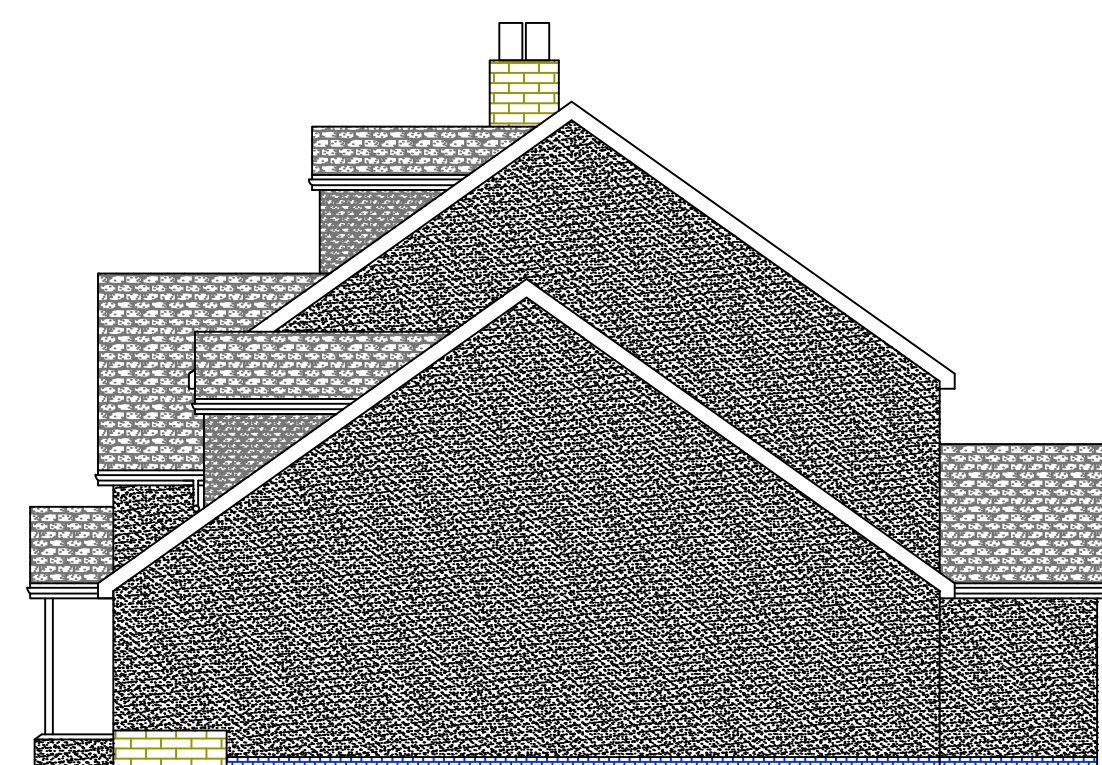
upvc windows and doors



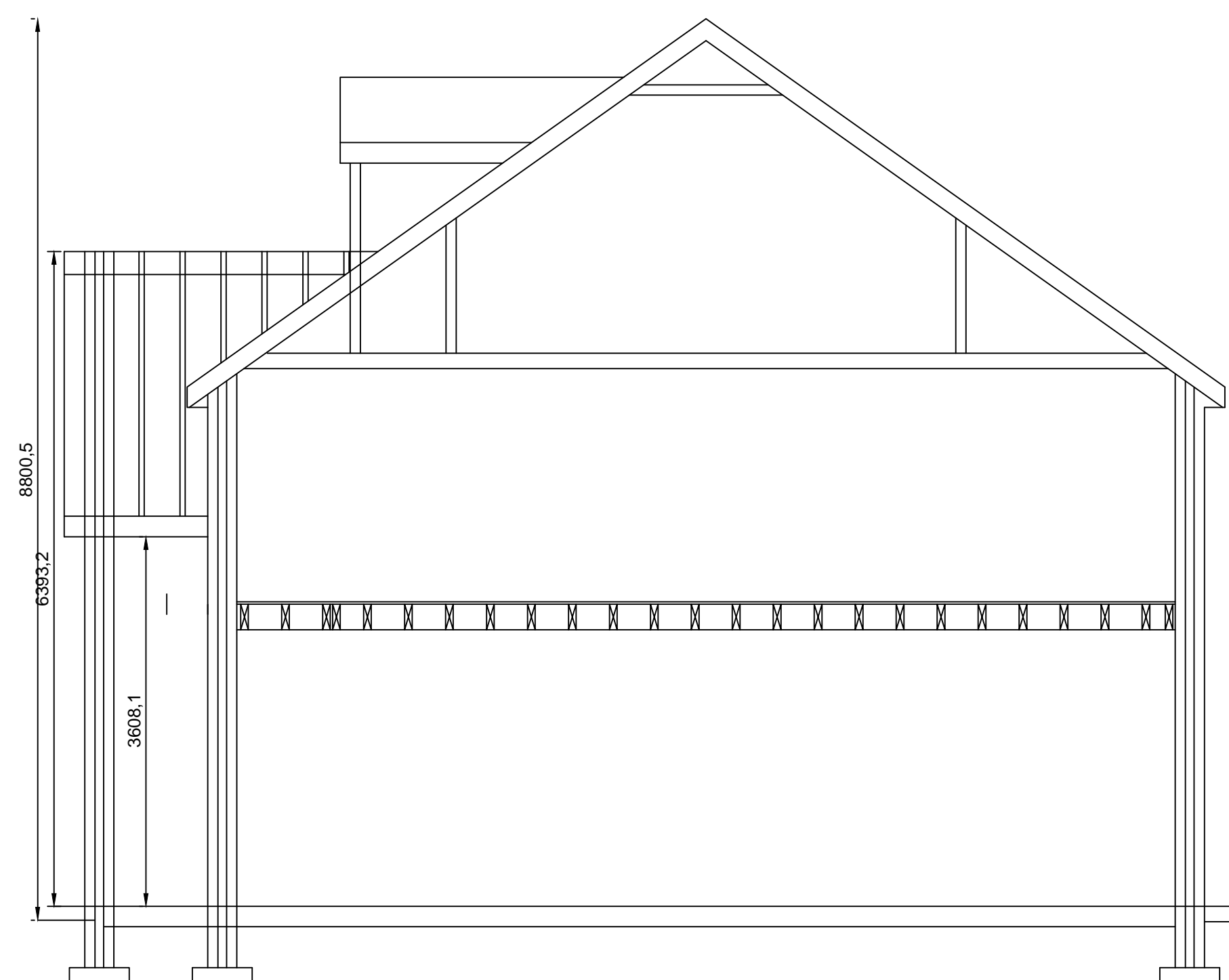
Proposed Side Elevation



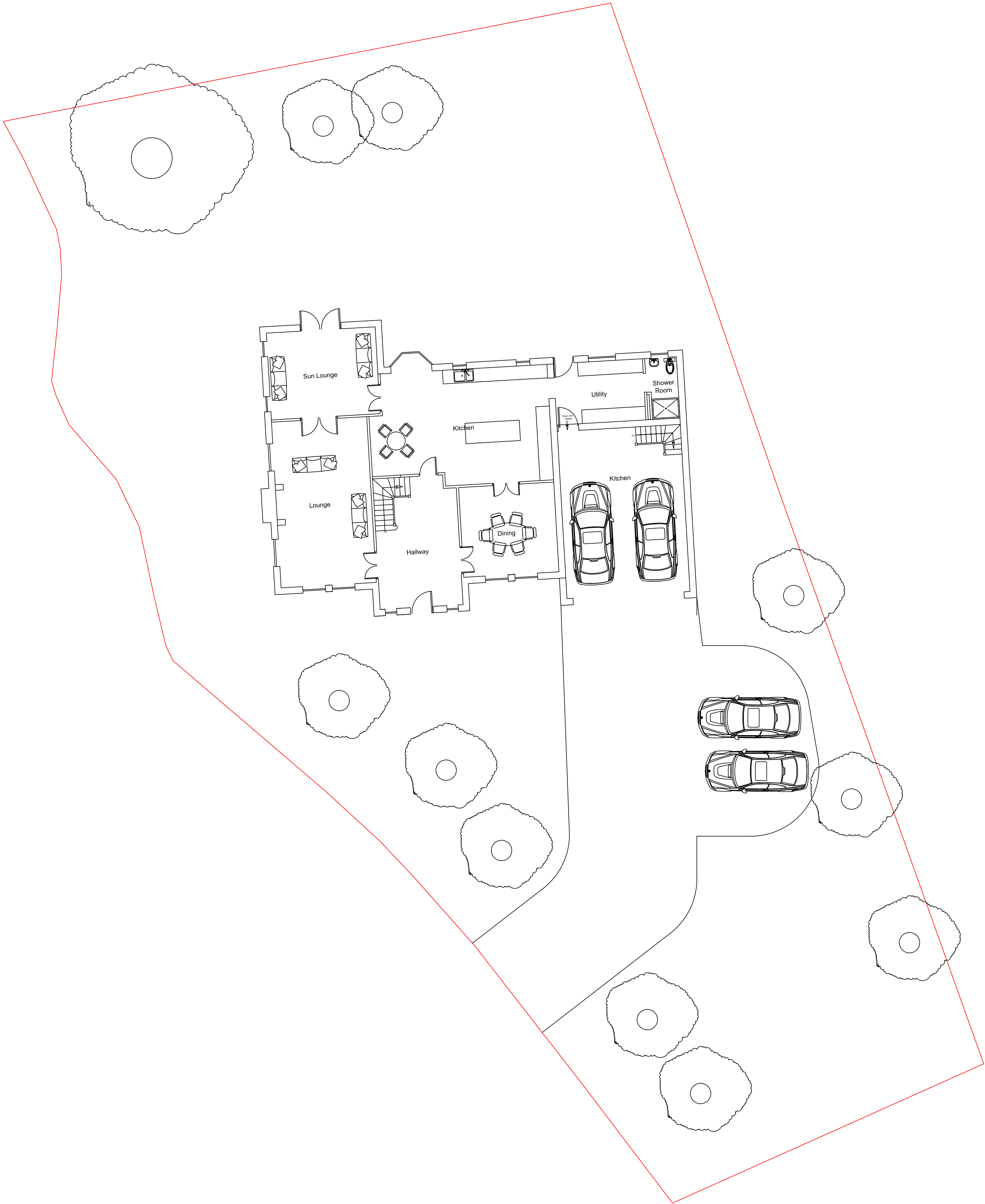
Proposed Front Elevation



Proposed Side Elevation



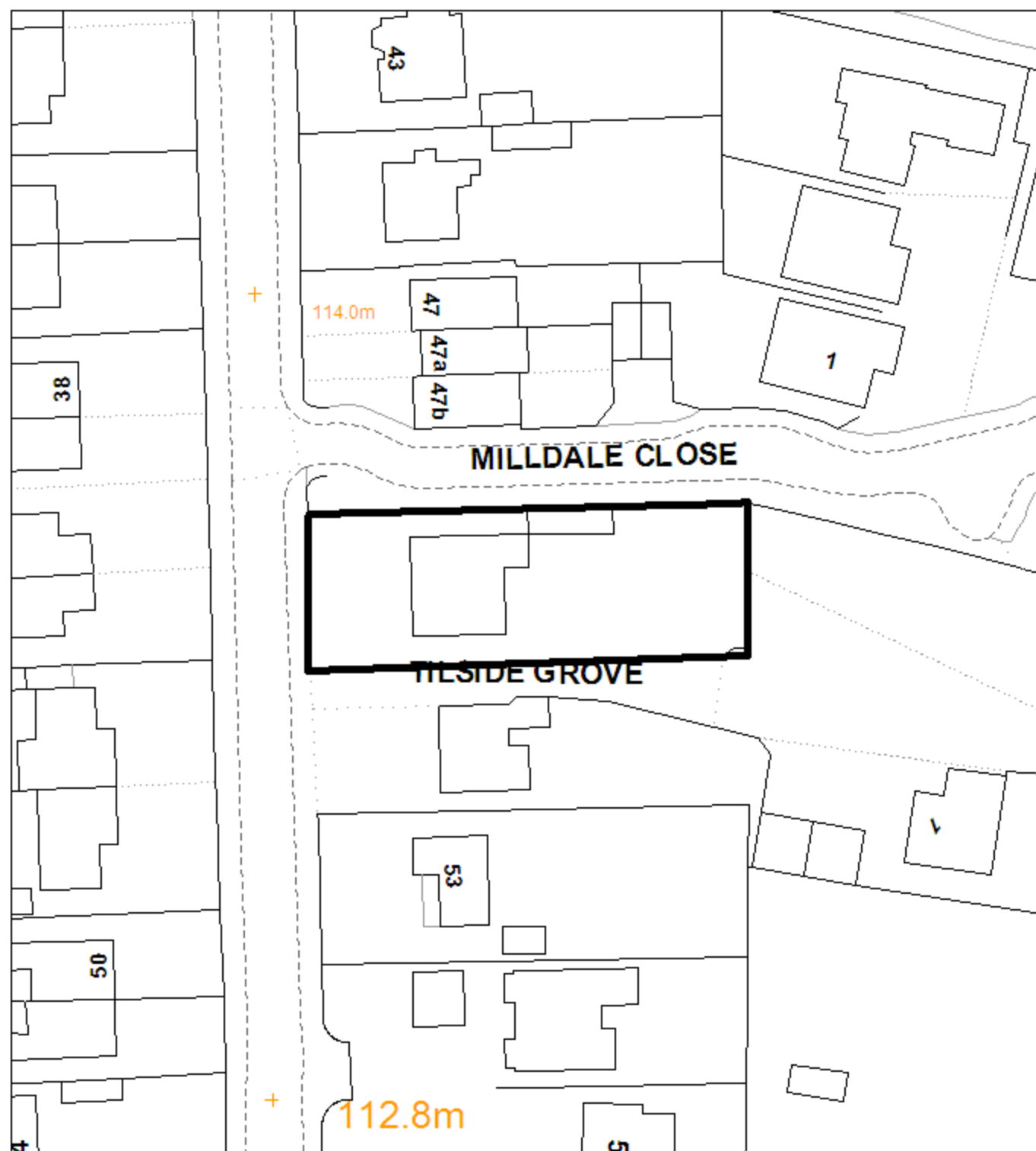
Proposed New Dwelling at :	
63 Chapel Town Road Bromley Cross Bolton BL7 9NB	
CLIENT:	Mr & Mrs Shaw
CONTRACT No:	PCE-Shaw-February-14
DATE:	25th February 2014
SCALE:	1:50,1:100 @A1
DWG No:	PCE-Shaw-February-14/Planning
L.A:	Bolton Metropolitan Borough Council
AMENDMENTS:	DATE:
PCE DESIGNS	
40 Queensway Euxton Chorley Lancashire PR7 6PW	Tel: 01257233850 Mobile:07515878823 Email pcedesigns@aol.com



Proposed New Dwelling at :	
63 Chapel Town Road Bromley Cross Bolton BL7 9NB	
CLIENT:	Mr & Mrs Shaw
CONTRACT No:	PCE-Shaw-February-14
DATE:	25th February 2014
SCALE:	1:100 @A1
DWG No:	PCE-Shaw-February-14/location
L.A:	Bolton Metropolitan Borough Council
AMENDMENTS:	
DATE:	
PCE DESIGNS	
40 Queensway Tel: 01257233850	
Euxton Mobile:07515878823	
Chorley Email pcedesigns@aol.com	
Lancashire	
PR7 6PW	

Application No.

91779/14



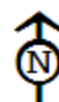
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Date of Meeting: 20/11/2014

Application Reference: 91779/14

Type of Application: Full Planning Application
Registration Date: 31/03/2014
Decision Due By: 25/05/2014
Responsible Officer: Helen Williams

Location: 49 REGENT ROAD, LOSTOCK, BOLTON, BL6 4DG

Proposal: SUBSTITUTION OF HOUSE TYPE

Ward: Heaton and Lostock

Applicant: Dr M Sidda
Agent : Mr A Chapman

Officers Report

Recommendation: Approve subject to conditions

Background

This planning application has previously been presented at Planning Committee, firstly on 3rd July 2014 and then on 28th August 2014. On both occasions the application was deferred for additional information.

At the latter meeting of 28th August, the application was deferred as:

- * Members were not convinced about the proposed parking arrangements for the dwelling (citing that the garage could not be used as a 'turning head' if it was in use and that the driveway, whilst maybe being just about acceptable in width, would not be attractive to use in practice);
- * Members queried, if the existing house was to be demolished, why could the new house not be set in slightly from the front and the northern boundary to widen the width of the proposed driveway (given that a fence has now been erected on the northern boundary reducing the width of the previously approved driveway) and increase its distance from the protected Copper Beech at the front of the site;
- * Members requested that the applicant be present at the next meeting.

Since the August Committee meeting, the remaining structure at 49 Regent Road has now been demolished. The applicant has also employed the services of a new planning consultant to represent them, and their response to Members' queries/requests above, as well as additional comments concerning the proposal, are summarised as follows:

- * The 2013 permission for the construction of a dwelling on the site (application 90548/13) is extant and all pre-development conditions attached to this permission have been fully discharged by the Council.
- * The latest proposal only seeks to modify the previously approved scheme (90548/13) in terms of its design and appearance (not its siting, parking arrangements, and so on). The key issue for both officers and Members to consider is whether it is

reasonable to withhold planning permission on the basis that the scheme would significantly harm the character and appearance of the area (as the only changes to the approved scheme are to the dwelling's design and appearance). With the changes proposed and the October 2013 approval it would clearly not.

- * Although the revised submission comprises a full planning application it is effectively a minor-material amendment to planning permission 90548/13 and should be considered on this basis.
- * The new scheme does not introduce any changes to the extant planning permission (which was only granted last year) with regard to the issues Members deferred the application for.
- * All matters relating to residential amenity, the provision of car parking and the potential impact on the protected copper tree to the frontage of the site have been fully addressed through the previous approval. That permission remains extant.
- * The level of parking provision proposed equates to at least four vehicles being parked clear of the highway, which exceeds the maximum parking standards set out in the adopted Bolton Core Strategy and is more than adequate for a single dwelling. Indeed the vast majority of the existing houses in this area do not benefit from such a generous parking provision.
- * With regard to the fence that has been erected along the northern boundary of the site, the applicant erected this to provide some security to the site. They do not believe that this effects the parking provision on the site. The applicant however, as a compromise, has suggested that a condition is attached to any approval to request the removal of the fence within an appropriate timeframe and that should he want to replace the fence in the future (even though it may be permitted development) this should be subject to a scheme to be agreed with the LPA.
- * It is considered unreasonable for the Council to continue to withhold planning permission on grounds that the Council found acceptable only last year. There has been no change to the development plan or any other circumstances in the intervening period.
- * The applicant is keen to make progress with construction works on-site. It would seem to be in the interests of all parties that this planning application is progressed as expeditiously as possible in order to allow development to proceed and bring this development project towards completion.

The applicant therefore respectfully requests that the application is presented to Committee on the basis of the submitted plans, with the above points being brought to the attention of Members. The applicant's consultant will be present at the meeting, as requested by Members.

The applicant's planning consultant has also questioned the necessity and reasonableness of condition 6 of the suggested conditions (double yellow lines at the junction of Regent Road and Milldale Close). They have stated that it is important to note that the existing planning permission (90548/13) is not subject to such a condition, that the proposed parking arrangements do not deviate from the extant planning permission, and that the reasons for the imposition of such a planning condition are not clear. They cite paragraph 206 of the NPPF, which states, "Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects."

They believe that the proposed condition fails to meet the two tests relating to necessity and reasonableness. They do not consider the condition is necessary because such measures are not required to make this development acceptable in planning terms and it is not considered reasonable as it places unjustifiable and disproportionate burden on

their client.

Information reported at Committee on 28th August 2014

Parking provision

The applicant has submitted a further plan showing how vehicles could be parked on site. The plan shows that at least four cars can be parked comfortably on site (front and rear of the dwelling), with the existing garage providing one space. The Planning Case Officer and a Highways Engineer met with the applicant on site to check measurements. The existing garage at the rear of the dwelling (which is proposed to be retained) was also examined and measured on site. The garage is split into two sections, with the front being the area previously used for vehicle parking (it is currently being used for the storage of building materials). The length of this section is 5 metres long, which is long enough for the parking of a vehicle (the garage is also wider than an average garage).

Highways Engineers have tracked the predicted car manoeuvres within the proposed site layout using "Autoturn". They have stated that a vehicle can enter/leave the rear of the property as long as the garage is used to manoeuvre into. They conclude that the "Autoturn" computer simulation shows that vehicle manoeuvres within the proposed site layout are achievable but there are constraints. As already reported below, there is also space to the front of the proposed dwelling (within the site) that can be utilised for on-site parking and it is considered that the number of parking spaces proposed within the site complies with the requirements of Appendix 3 of the Core Strategy. (Appendix 3 recommends a maximum of three parking spaces for four plus bedroom properties; the maximum standard is therefore met here/exceeded).

Engineers are still however recommending that the applicant fund waiting restrictions at the junction of Regent Road with Milldale Close (as any additional vehicles parked in this location would obstruct visibility for vehicles emerging from Milldale Close).

Driveway width

The driveway between the side of the dwelling (as built, and the position of the wall as approved) and the new fencing that has been erected at the side boundary of the site was measured on site by the Case Officer and the Highways Engineer. It was discovered that the width was 2.67 metres at the front of the dwelling and 2.6 metres at the rear. The proposed plan has therefore been corrected accordingly. The Council's Highways Engineers have confirmed that the driveway is wide enough for vehicles to drive down but cannot be used for parking as both doors could not be opened.

Canopy spread of the copper beech at the front of the site

The Council's Tree Officers have raised no objection to the proposed dwelling in relation to the copper beech at the front of the site. They have confirmed that unauthorised pruning of the tree did result in the canopy being cut back to its detriment, but have stated that the canopy will grow back over time. Should the canopy grow back and interfere with the front of the dwelling then an application to prune it would need to be submitted.

Comparison between the proposed and the approved layout of the dwelling

As reported below, the length of the proposed dwelling (14.5 metres), its height (7.5 metres to the ridge) and its siting are the same as the dwellings previously approved under applications 90548/13 and 86047/11. The width of the proposed dwelling is slightly narrower, being 11.015 metres instead of the approved 11.1 metres. The applicant has attempted to illustrate this on the new plan attached to this report, but due to the very slight difference (only 8.5 centimetres difference in width) this has been difficult to show.

Proposal

Permission is sought for another substitute house type on the site.

The length of the proposed dwelling (14.5 metres), its height (7.5 metres to the ridge) and its siting are the same as the dwellings previously approved under applications 90548/13 and 86047/11. The width of the proposed dwelling is slightly narrower, being 11.015 metres instead of the approved 11.1 metres.

The main alterations to the dwelling proposed within this application are:

Roof

- * The roof is proposed to be hipped at the front, rear and sides, whereas the roof of the dwellings approved under applications 90548/13 and 86047/11 had gabled front and rear elevations.

Front elevation

- * A two storey, ornamental, gabled, front element has been added between the bay windows. This will project out 0.56 metres from the front elevation, in line with the fronts of the bay windows.
- * The previously approved canopy over the bay windows (under application 90548/13), supported by two pillars at the entrance, has been removed to accommodate the two storey gabled element. The two single storey bay windows have therefore been given their own hipped roofs.
- * The stone heads to the first floor windows have been removed and the gabled frontage has been amended with a hipped roof.

Rear elevation

- * The window arrangement at both ground and first floor levels have been amended to reflect the internal layout change. Two lengthy patio doors are both at ground floor and an additional window is proposed at first floor.

The previously approved Juliet balcony has been removed.

- * Quoins at the corners have been added.

Northern side elevation

- * The roof has been hipped at both the front and the rear.
- * The side of the two storey front element is visible.
- * The banding detail between the ground and first floor has been removed.
- * The window openings proposed are slightly wider than previously approved, but these all still remain as secondary windows.
- * A small rooflight has been added.

Southern side elevation

- * The roof has been hipped at both the front and the rear
- * The side of the two storey front element is visible.
- * The banding detail between the ground and first floor has been removed.
- * The two windows at first floor level have been moved so they are more central to the side elevation.
- * The window openings proposed are slightly wider than previously approved, but these all still remain as secondary windows.
- * The previously approved rooflight has been removed (it is instead proposed on the northern side elevation).

Internal layout

- * The room layouts have been altered and there is no longer a corridor running the length of both the ground and first floors.
- * The roof space is now proposed to be utilised as an additional bedroom, with a proposed rooflight being the only window to this extra room (a rooflight was previously proposed for a study on the first floor within application 90548/14).
- * The dwelling is now proposed as a five bedroom house rather than a 4 bedroom house.

Site Characteristics

The partly demolished dwelling that formerly occupied the application site (which was built not in accordance with the 2011 planning permission) was demolished at the end of September.

There is an existing detached garage at the rear and vehicular access into the site is off Regent Road, to the front of the house.

The application site is located on a residential road within a residential area of the borough. Regent Road is characterised by large dwellings set in sizable plots. The dwellings differ in design, scale and character.

There is a protected Copper Beech tree at the front of the site and branches of a protected Sycamore tree (located on the landscape strip adjacent 49 Regent Road and Milldale Close) overhang the site.

To the north of the site is Milldale Close, which provides vehicular and pedestrian access to eight dwellings. To the south is Tilside Grove, which provides vehicular and pedestrian access to three dwellings.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA4 West Bolton.

Saved UDP Policies: N8 Protected Trees

PCPN No. 2 - Space Around Dwellings, PCPN No. 7 Trees and House Extensions 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:-

- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring residents
- * impact on trees
- * impact on the highway

Impact on the Character and Appearance of the Area

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

Permission was granted in May 2011 for a two storey dwelling on the site (86047/11) and a substitute house types was approved in October 2013 (90548/14). This application seeks permission for a further substitute house type, which will share the same siting, length, width (albeit 0.85 metres narrower) and height as the two previously approved dwellings on the site. The main differences between the newly proposed dwelling and the previously approved dwelling (90548/14) are described above in the "Proposal" section.

The previous two approved dwellings on the application site were considered by the Council to be compatible (in terms of their scale, siting, height and design) with the surrounding area and street scene of Regent Road, given the varied architectural styles of the neighbouring houses.

The design of the latest proposed dwelling is considered to be an improvement from the previous two approved dwellings, which were quite simplistic in their design. The two storey, ornamental, gabled, front element that is proposed to be added to the centre of the front elevation gives the dwelling some character, which was lacking from the approved dwellings. The change in the roof design, from being gabled at the front and rear to being hipped on all four sides, is also considered to be an improvement to the overall design and in turn reduces the overall massing of the dwelling.

It is considered that the proposed amended dwelling would not have any greater harm on the character and appearance of the street scene and surrounding area than the dwellings previously approved on the site (90548/13 is an extant permission) and that the proposed elevational alterations would actually improve the appearance of the dwelling. It is therefore considered that the proposed development would comply with Policies CG3 and OA4 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. PCPN2 Space Around Dwellings sets out the Council's minimum interface distances between dwellings (these interface distances have been updated within SPD House Extensions).

As with the dwellings approved under applications 86047/11 and 90548/13, the proposed

amended dwelling has its main (principal) windows on the front and rear elevations. The minimum interface distances prescribed within PCPN2 are far exceeded between the proposed dwelling and 42 and 44 Regent Road, opposite the site (approximately 34.5 metres).

The windows in both the side elevations of the proposed dwelling have been increased slightly in size, but these are secondary/non-main windows, and therefore do not pose any recognised privacy concerns to neighbouring dwellings in policy guidance terms. The en-suite windows at first floor level on the southern side elevation have been moved so that they are more centrally located, but this again is not considered to harm residential amenity; a condition is suggested to ensure that all first floor side windows are obscure glazed.

A rooflight has been introduced to the northern roof plane (it was previously approved on the southern roof plane). This window will serve a bedroom, but as it is sited in the slope of the roof (and therefore at an angle) it is not considered that it would create any overlooking concerns for neighbouring residents.

51 Regent Road has a ground floor kitchen window facing the application site. Kitchen windows are not classed by the Council as being main windows and therefore they are not afforded protection by policy guidance. The new dwelling will be sited forward of 51 Regent Road but it will not impinge upon a 45 degree line taken from the centre of the nearest main windows at number 51. The new dwelling will also not extend as far back into its plot as 51. It is therefore considered that the proposed dwelling would not unduly harm the amenity of this neighbouring property.

47b Regent Road only has its entrance door and two small windows in the side elevation facing the application site. These again are not classed as main windows. The rear elevation of the proposed dwelling will not extend beyond the rear elevation of 47b. It is therefore considered that the proposed dwelling would also not unduly harm the amenity of the residents at 47b Regent Road.

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

Impact on Trees

Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development. Saved UDP Policy N8 refers specifically to protected trees.

There is a protected Copper Beech tree at the front of the site and a protected Sycamore tree is located on the landscape strip adjacent 49 Regent Road and Milldale Close.

The Council's Tree Officer initially had concerns regarding the introduction of the two storey gabled front element and its relationship with the canopy of the Copper Beech tree within the front curtilage of the site. The applicant has amended their plans to show an elevational drawing of the tree in relation to the proposed dwelling, which illustrates that the amended dwelling will not have a significantly greater effect on the tree than the previously approved dwellings.

The Copper Beech had been pruned without the authorisation of the Council (prior to the submission of this application) however this did not result in the canopy being cut back to

its detriment, and the canopy will grow back over time. The Tree Officer has stated that should the canopy grow back and interfere with the front of the dwelling then an application to prune it would need to be submitted.

The applicant has also illustrated on their amended plans the extent of hardstanding at the front of the dwelling that was previously approved under application 90548/14. This allows for cars to be parked away from the root protection zone of the Copper Beech; the Tree Officer raises no objection to this.

It is therefore considered that the proposed amended dwelling will not unduly harm the two adjacent protected trees, compliant with Policy CG1.2 of the Core Strategy and saved UDP Policy N8.

Impact on the Highway

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

The proposed driveway along the northern boundary of the application site (between the side of the proposed dwelling and the new fencing that has been erected by the applicant along the side boundary was measured on site by the Planning Case Officer and a Highways Engineer. It was discovered that the width was 2.67 metres at the front of the dwelling and 2.6 metres at the rear. The proposed plan has therefore been corrected accordingly by the applicant. Highways Engineers have confirmed that the proposed driveway is wide enough for vehicles to drive down but cannot be used for parking as both doors could not be opened.

The applicant has however submitted a plan to show how vehicles could be parked on the site. The plan shows that at least four cars can be parked comfortably on site (front and rear of the dwelling), with the existing garage providing one space. The Case Officer and a Highways Engineer met with the applicant on site to check measurements. The existing garage at the rear of the dwelling (which is proposed to be retained) was also examined and measured on site. The garage is split into two sections, with the front being the area previously used for vehicle parking (it is currently being used for the storage of building materials). The length of this section is 5 metres long, which is long enough for the parking of a vehicle (the garage is also wider than an average garage).

Highways Engineers have tracked the predicted car manoeuvres within the proposed site layout using "Autoturn". They have stated that a vehicle can enter/leave the rear of the property as long as the garage is used to manoeuvre into. They conclude that the "Autoturn" computer simulation shows that vehicle manoeuvres within the proposed site layout are achievable but there are constraints. As already reported below, there is also space to the front of the proposed dwelling (within the site) that can be utilised for on-site parking and it is considered that the number of parking spaces proposed within the site complies with the requirements of Appendix 3 of the Core Strategy. (Appendix 3 recommends a maximum of three parking spaces for four plus bedroom properties; the maximum standard is therefore met here/exceeded).

It is considered that the proposal provides sufficient off-street parking and will not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Conclusion

For the reasons discussed above it is considered that the substitute house type would be

compatible with the character and appearance of the area, and would continue not to unduly harm the amenity of neighbouring residents, safeguard protected trees, and not jeopardise highway safety.

Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- Seven letters of objection have been received, as have two letters of comment. These letters raise the following concerns:

- * The design and size of the dwelling is not in keeping with Regent Road;
- * The proposal will change the street scene of Regent Road forever, due to damage to protected trees and building a huge house on a small plot;
- * The proposed chimney at the side of the dwelling will be particularly prominent (*officer's note: the chimney has been deleted from the scheme*);
- * The proposal fails to take into account the protected tree at the front of the site;
- * The proposed two storey element will damage the tree;
- * The tree has already been damaged during construction works;
- * Lack of parking on site. Cars will park on Regent Road instead, reducing visibility for vehicles coming out of Tilside Grove and Milldale;
- * The width of the driveway to the side of the dwelling is too narrow to be used for parking. The plans do not show where cars are to be parked and the proposed chimney at the side is in the way of the driveway (*officer's note: the plans have been amended to show the areas for parking and the chimney has been deleted from the scheme*);
- * A new fence erected along the proposed driveway reduces the width of the driveway;
- * A rooflight in the northern side elevation and large first floor window have previously been refused (*officer's note: the application was refused on design grounds due to the overall appearance and scale of the dwelling, not on privacy grounds because of the windows*);
- * Overlooking concerns from the rooflight proposed within the roof;
- * Land contamination (*officer's note: a condition for a phase II report has been added to the suggest conditions as a precaution*);
- * There are no dimensions on the plans (*officer's note: dimensions have since been added*);
- * The dimensions on the plan are not accurate (*officer's note: the main dimensions, that being the external dimensions, are considered to be correct. Internal dimensions are not considered to be as important as are not material to any planning decision*);
- * A view of the street scene should be submitted (*officer's note: a street scene plan was requested but was not received. It is considered to be unreasonable to insist one is submitted given that applications 90548/13 and 86047/11 were determined without such a plan*);
- * The application should be refused on the grounds of a lack of information (*officer's note: it is not considered that there is a lack of information*);
- * The bedroom on the second floor is large enough for three rooms (*officer's note: the headroom of about half of the bedroom is restricted by the hipped roof*);
- * Concerns that the application form has not be filled in correctly;
- * Further applications should only be considered once the house has been fully demolished;
- * Worried that the dwelling will not be built in accordance with the plans again;
- * How will the structure currently on site be covered into what is shown on the latest plans? (*officer's note: the building has now been demolished*);
- * No method of working has been submitted with the application (*officer's note: this is not required for a planning application*);
- * No bat survey (*officer's note: one is not required as the former bungalow has been demolished. The previous structure on site was not a suitable bat habitat*);
- * 51 Regent Road have not been able to sell their house (*officer's note: this is not a*

material planning consideration);

- * Cost to tax payers due to the numerous applications that have been submitted for the site (*officer's note: this is not a material planning consideration*).

Consultations

Advice was sought from the following consultees: Tree Officers and Highways Engineers.

Planning History

Permission was granted at Planning Committee in May 2011 for the proposed demolition of a bungalow and the erection of a new detached property (86047/11).

A non-material application to approval 86047/11 to enable alterations to windows and the inclusion of architectural features was withdrawn by the applicant in January 2012.

Retrospective planning application 87403/12 for proposed changes to planning approval 86047/11 was refused by Planning Committee in April 2012.

Retrospective planning application 89055/12 for the erection of one detached dwelling was refused by Planning Committee in February 2013.

An appeal against the enforcement notice to demolish the unauthorised dwelling (issued 13th June 2013) was dismissed on 17th April 2013 (the enforcement notice was upheld).

A non-material application to approval 86047/11 to enable the addition of quoins, cills, heads, stone banding and three rooflights and the omission of one window in the gable was withdrawn by the applicant on 23rd August 2013 (90479/13).

Prior notification was given at Planning Committee in September 2013 for the partial demolition of the dwelling built on site without the benefit of planning permission (90477/13).

Permission was granted at Planning Committee in October 2013 for a substitution of house type (90548/13).

Planning history of site prior to the 2011 approval for a new dwelling

Application 83576/10 for a first floor extension of the existing bungalow and a two storey side and rear extension was withdrawn by the applicant.

Application 84324/10 for the erection of a first floor extension to the bungalow together with a two storey extension to the side and rear was refused.

Permission was granted under application 85387/10 for the erection of a part ground and first floor extension to form a two storey dwelling.

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

Reason

To ensure the development reflects local distinctiveness.

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

Reason

To ensure the development reflects local distinctiveness.

5. The Beech tree at the front of the site and which is subject of a Tree Preservation Order (TPO) shall be surrounded by fencing, as agreed on site with the Council's Tree Officer on 13th September 2013 (in relation to planning approval 86047/11). The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area.

Reason

To protect the health and appearance of the tree.

6. Prior to the commencement of development of any works on site, the developer shall provide a method statement detailing how materials shall be delivered to and stored on site during the construction of the dwelling. No development shall take place until the Local Planning Authority has agreed the measures in writing, and these measures shall then be implemented in accordance with the approved details.

Reason

To ensure the safe development of the site and favourable retention of the Copper Beech/Sycamore tree.

7. Prior to the commencement of development full details of the highway works at the junction of Regent Road with Milldale Close comprising measures to prohibit waiting at all times 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.

8. Before the approved/permitted development is first brought into use provision shall be made for the parking and garaging of motor vehicles adjacent the dwelling house in the area identified for that purposes on the approved plan. Those areas shall thereafter be retained at all times for that purpose.

Reason

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

9. Before the first occupation of the building hereby permitted the en suite windows at first floor level in both 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.

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

Reason

To safeguard the character and appearance of the dwelling, as any extension could result in an unsatisfactory scheme.

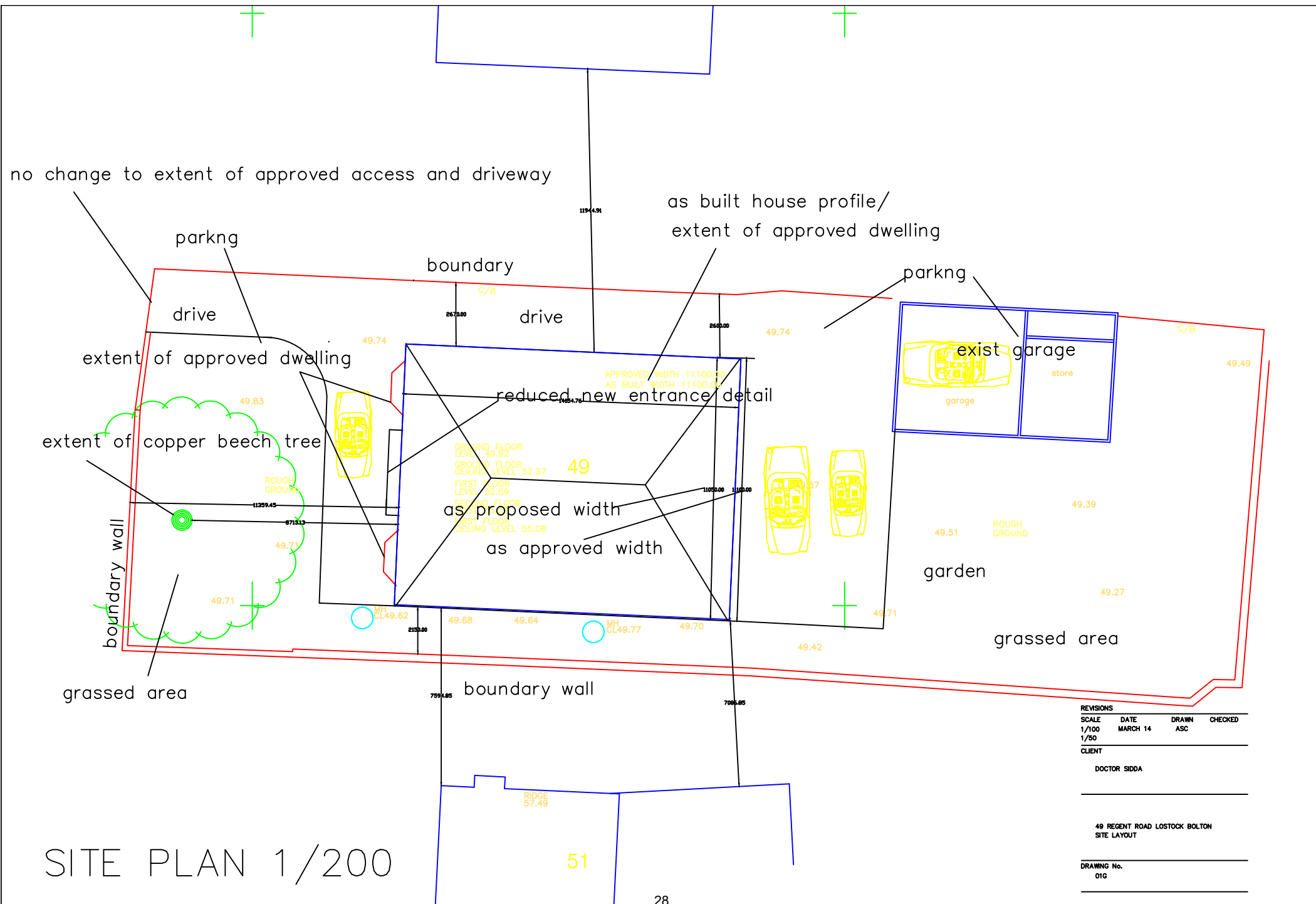
11. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

01G; dated March 14 and received 8th August 2014

01F; dated March 14 and received 16th June 2014 (for elevations and floor plans only)

Reason

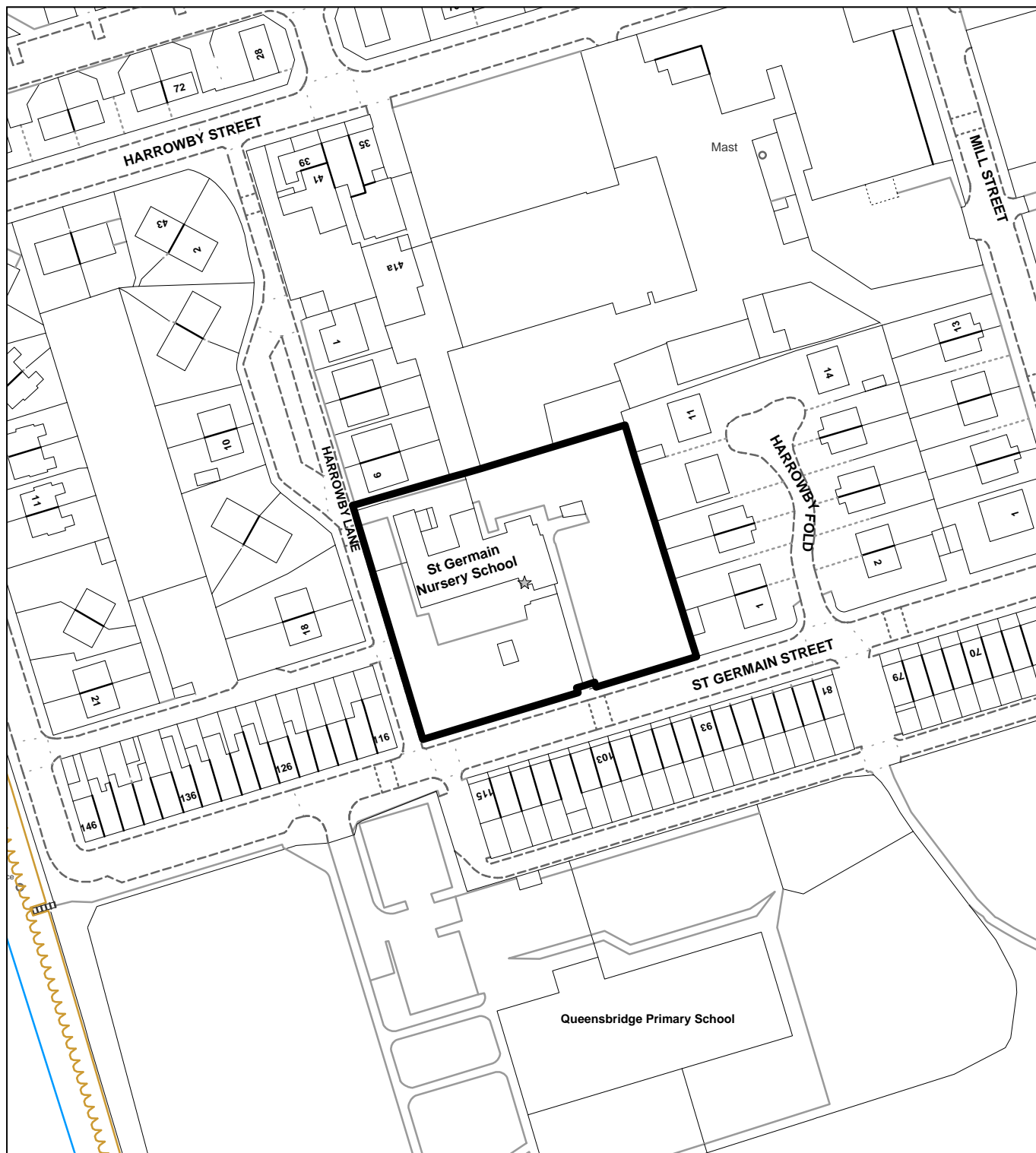
For the avoidance of doubt and in the interests of proper planning.



[illegible]

Application No.

91981/14



Development and Regeneration Department
Planning Control Section

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

**Bolton
Council**

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11

Date of Meeting: 20/11/2014

Application Reference: 91981/14

Type of Application: Full Planning Application
Registration Date: 08/05/2014
Decision Due By: 02/07/2014
Responsible Officer: Chris Hobson

**Location: ST GERMAIN NURSERY SCHOOL, ST GERMAIN STREET,
FARNWORTH, BOLTON, BL4 7BQ**

**Proposal: CHANGE OF USE FROM NURSERY (CLASS D1) TO MARTIAL
ARTS CENTRE AND GYMNASIUM (CLASS D2) TOGETHER WITH
NEW ACCESS AND CAR PARKING (Retrospective)**

Ward: Farnworth

Applicant: Mr Goulding
Agent : Harry Jackson Surveyors Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

This application seeks permission for the change of use of a nursery (Use Class D1) to a martial arts centre and gymnasium (Use Class D2), the creation of a new access, additional car parking area and landscaping at St Germain Nursery School, St Germain Street, Farnworth. The proposals would utilise existing openings with no external alterations proposed to the building. The proposed new car parking area would be sited in the southeast corner of the site and would provide 20 parking spaces, in addition to an enlarged parking area along the northern boundary of the site that would provide 8 further parking spaces for employees of the facility. The proposed martial arts centre and gymnasium would be in use between 4pm and 9pm Mondays to Thursdays; 4pm and 7:30pm on Fridays and between 10am and 1 pm on Saturdays. The submitted information indicates that there would be 4 no. employees at the site. Having carried out a site visit it is noted that the use has commenced and therefore this application seeks to continue the existing use.

Site Characteristics

The application site comprises the former St Germain Nursery School site, comprising a modern single storey nursery building, vehicular access and small car park at the rear and grassed landscaped areas and former hard surface playground. The application site is located in a predominantly residential area of Farnworth comprising a mix of pre-war two storey terraced streets, and interwar two storey semi-detached dwellings and more recent post-war infill housing. However, the site is also located immediately adjacent to a mix of industrial business uses to the north and it is noted that a primary school is located within close proximity further along St Germain Street to the southwest of the site.

Policy

National Planning Policy Framework (NPPF)

Core Strategy policies:

P5 Accessibility; S1 Safe Bolton; CG1 Cleaner Greener Bolton; CG2 Sustainable Design and Construction; CG3 the Built Environment; CG4 Compatible Uses; SC2 Cultural and Community Provision

Saved UDP policies:

N8 (Trees Woodlands and Hedgerows)

Planning Policy Guidance Notes:

PCPN2 Space Around Dwellings

PCPN21 Highway Considerations

PCPN Planning Out Crime

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * Principle of Development and impact on Local Centres
- * Impact on the Character and Appearance of the Surrounding Area
- * Amenity of Existing Residents and Future Occupiers
- * Impact on Highway Safety
- * Impact on Trees and Landscape Features
- * Drainage and Flood Risk

Principle of Development

The NPPF states that the effective use of land should be encouraged by re-using land that has been previously developed. The NPPF sets out a presumption in favour of sustainable development as core principle, and it is noted that the delivery of sustainable development is not restricted solely to the use of previously developed land (brownfield land). In this instance the development would bring back into use a previously vacant and developed site within the existing urban area and the change of use would therefore represent an efficient use of an accessible site.

The use of the site for health and fitness type purposes such as a gymnasium (Use Class D2) forms a main town centre use as defined in the NPPF. It is noted that the site sits outside of a designated, Local, District or Town Centre, which are where local and national planning policy seeks to direct such main town centre uses. Furthermore, given the minor scale of the martial arts and gymnasium facility at 350 m² in total, it is considered that it would not be of scale to draw trips and demand from surrounding designated centres. Indeed, given the minor scale of the recreational facility, it is noted that an assessment of the impact of the existing retail use would not be necessary as set out in paragraph 26 of the NPPF.

It is noted that Policy SC2 of the Core Strategy seeks to ensure that local community facilities are located in the neighbourhoods that they serve. In this instance, it is noted that the site was previously used for community purposes as a school nursery (Use Class D1) but has since been vacant following school reorganisation. In addition, it is noted that the gymnasium and martial arts facility would provide for a recreational and leisure type facility that would be available for use by members of the local community.

Furthermore, given the previous use of the site, it is considered that an assembly and leisure type use open to members of the public would complement the previous and existing uses and the character of the surrounding area. Therefore, the development is therefore considered to accord with policies SC2 and CG4 of the Core Strategy and the policy objectives within the NPPF.

Design and Impact on the Character and Appearance of Surrounding Area

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

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

The site comprises a post-war single storey flat roof nursery building within an area of Farnworth comprising a mix of traditional two storey terraced properties, inter-war semi-detached housing, more recent infill housing development and larger scale civic school and industrial buildings. The proposals include limited alterations to the original nursery building itself other than infilling two no. side entrances with brick. In order to ensure that the appropriate use of materials in the small number of brick insertions proposed, a condition has been recommended requiring the use of matching materials.

The site does though comprise a significant number of mature trees towards the boundaries which collectively provide a distinct feature within the streetscene along St Germain Street. It is proposed to carry out hard and soft landscaping works to form a car parking area and landscape buffer in the southeast corner of the site. Whilst a temporary hard surface and access has already been implemented it is proposed to provide a permanent hard surfaced car park surrounding by shrub planting which would soften and screen the additional hard surfaced area. The proposals also include the retention of the existing mature tree planting along the north, south and west boundaries of the site. Having regard to the above, it is considered that the proposed hard and soft landscaping

would be sympathetic with the character and appearance of the streetscene and surrounding area in accordance with policies CG3 and CG4 of the Core Strategy.

Amenity of Surrounding Residents and Occupiers

Policy CG4 of the Adopted Core Strategy seeks to ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. PCPN2 provides guidance on the minimum distances required to not cause unacceptable impact on the amenity, outlook, daylight and the privacy experienced by neighbouring properties.

With regard to the impact on the amenity of the surrounding residents and uses, it is noted that residential properties surround the site on all sides and particularly to the north and south where dwellings and gardens immediately adjoin the site. The site comprises a modern single storey building previously used as a children's nursery. Other than vehicles and customers entering and leaving the site, it is noted that the activity would take place within the building itself. The building and training room where the use would principally operate is located towards the centre of the site. In addition, it is noted that there are existing mature trees that border the north, south and west boundaries of the site that would provide screening to the surrounding dwellings. Following requests a 4.5 metre wide landscape buffer would also be provided along the east boundary of the site between the proposed car park and rear private gardens of dwellings along Harrowby Fold to the east. Notwithstanding this it is noted that there are a number of windows within the building and that should these remain open during use that surrounding properties could experience significant levels of noise generated from users and or equipment within the building. As such a condition has been recommended requiring the implementation of approved scheme management measures to control noise emanating from within the building.

The additional information received confirms that the use would be in operation between 16:00 and 21:00 hours Monday to Thursday; 16:00 to 19:30 Fridays; and between 10:00 and 13:00 on Saturdays. As such it is noted that there would be no activity and trips made during in the later part of the evening and night time, and a limited duration of activity at weekends. In addition, activity would largely take place during the day, afternoon and early evenings when there is an existing base noise levels experienced from the operation of the nearby school, surrounding road traffic and the operation of the industrial and business uses to the north. As such, it is considered that extended operating hours covering daytime hours between 10:00 and 21:00 Monday to Friday and 10:00 and 16:00 on Saturdays would not be unacceptable in principal subject to a condition.

Given the levels of activity and noise associated with the previous use of the site as a childrens nursery and the limited hours of opening, presence of intervening mature trees it is not considered that the proposals would result in significant additional levels of noise and the significant loss of amenity to neighbouring residents through noise and disturbance. The proposals would also provide sufficient space within and to the rear of the building for the storage of bins and waste in a safe, secure and accessible manner. In addition, it is also noted that no objections have been received with regards to the impact on neighbouring occupiers' amenity. Having regard to the above, it is considered that the change of use and proposals are therefore considered to accord with policy CG4 and PCPN2.

Impact on Highway Safety

The NPPF states that applications should only be refused where the residual cumulative impacts of development are severe. Policy P5 of the Core Strategy seeks to ensure that developments are accessible by a number of modes of transport including public transport, by cyclists and pedestrians, and prioritise these modes over the motor vehicle.

The application site is located within close proximity to a school located to the south west, and is accessed from St Germain Street which is subject to high levels of on street parking for relatively short periods at the start and end of the school day. The proposals would provide 10 no. parking spaces for members of staff and employees at the rear of the site with further 18 spaces for vehicles on the proposed parking area to the southeast corner of the site. As a result, the proposals would provide a significant increase in the number of parking spaces at the site and it is considered that there would be sufficient number of spaces for the use of the site as a martial arts centre and gymnasium.

The proposed parking levels would be significantly in excess of the maximum parking standards set out in Appendix 3 of the Core Strategy that would require up to 14 no. vehicular parking spaces. Whilst the proposals would provide in excess of the parking standards required, it is noted that no disabled parking spaces or cycle parking spaces have been indicated which could replace some of those existing parking spaces proposed, and that 2 no. spaces would be lost to provide sufficient separation to adjacent protected trees along the southern boundary of the site. Therefore, a condition has been recommended requiring the submission of an amended parking plan showing provision for disabled spaces and cycle parking provision in addition to removal of spaces to provide greater separation to the conifer trees along the frontage of the site.

The Highways Authority have raised no objections to the proposed development subject to conditions requiring the provision for the parking of vehicles, laying out of access, and provision of dropped kerb and appropriate 2.4m by 2.4m visibility splays. Having regard to the above, it is not considered that the proposals would cause any significant impact on the function of the surrounding highway network or cause any significant harm to highway safety. The proposals are therefore considered to accord with policy P5 of the Core Strategy and the NPPF.

Impact on Trees and Landscape Features

As noted above, the application site includes a number of mature trees which are covered by Tree Preservation Order no. 873 (Former St Germain Nursery), and collectively these form an important landscape feature and are of significant amenity value to the surrounding area. The proposals would retain the mature trees at the site, including those along the southern boundary, around the new vehicular access and car park and those along northern boundary of the site adjacent to the car park and access at the rear of the site.

The Councils' Trees and Woodlands Officer initially highlighted the need to provide satisfactory separation to protected trees and hedgerows along the site boundaries. The scheme has been amended and additional information submitted to provide a variety of shrub planting around the new car park, and confirm the retention of existing boundary hedgerows and trees along the northern boundary and the conifer trees either side of the new vehicular access on the southern boundary. Following the amendments to the scheme, the Councils Trees and Woodlands Officer has confirmed that the proposals would be acceptable subject to the inclusion of conditions requiring the submission of an

amended parking layout showing greater separation to the protected conifer trees either side of the new vehicular access, and installation of protective fencing around trees throughout the construction process. Subject to these conditions, it is considered that the proposals would accord with policy CG1 of the Core Strategy and saved policy N8 of the UDP.

Impact on Drainage and Flood risk

Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

Paragraph 103 of the NPPF states that when determining planning applications local planning authorities should ensure flood risk is not increased elsewhere.

The site is located within Flood Zone 1 and is therefore in an area at least risk of a flooding event occurring. The proposed enlarged parking areas would result in an increase in hard surfaces at the site. However, the application site would otherwise retain a significant proportion of landscaped grounds of lawned areas, trees, and low shrub. In addition, the proposals include a significant amount of additional shrub planting landscaping around the eastern half of the site. It is considered that this would help to collect, store and drain rainwater and surface water at the site. It is considered that the additional landscaping could be satisfactorily secured by way of a suitably worded condition.

With regards to foul water the facility would utilise existing connections to the public sewer and it is not proposed to install any additional toilet, washing and kitchen facilities. As such it is not considered that there would be any significant additional impact on water and sewerage connections. Having regard to the above, it is considered that the martial arts centre and gymnasium would be safeguarded from surface water flooding and the adjacent properties and surrounding area would be at no greater risk of flooding and surrounding area as a result of the development, in accordance with the NPPF.

Value Added to the Development

Additional planting and landscaping secured by amendments to the scheme.

Conclusion

For the reasons discussed above, it is considered that the change of use to a martial arts centre and gymnasium would provide for an efficient use of a vacant site in a sustainable location within the existing urban area and would not cause any significant harm to the character and appearance of the surrounding area. Furthermore, the development would not cause any significant harm to the amenity of surrounding residents, and subject to conditions securing an amended parking layout and measures to protect the retained trees on site it is considered that there would be no over-riding harm caused to the protected landscape features. Subject to conditions securing the provision of vehicular access and amended on site parking layout it is also considered that there would not be any severe impact on safety along the surrounding highway network. The proposal therefore complies with the aforementioned national and local planning policies and it is recommended that the application be approved subject to conditions.

Representation and Consultation Annex

Representations

Letters:-

Letters were sent to 29 surrounding properties on St Germain Street, Harrowby Fold and Harowby Lane.

1 letter was received raising objections to the proposed change of use due to the existing parking problems in the area. The proposed car park would not be used and the existing parking problems during school term time would be increased and would be experienced throughout the week and year by people using the proposed centre.

1 letter of support was received highlighting that the site has been vacant and an eyesore for many years. The change of use is welcomed as would be an improvement to the area and the provision of on site parking is good as parking along St Germain Street is difficult at certain times of the day.

Case Officers Response:

The matters relating to the car parking provision and highway safety implications have been discussed in detail above, and it is considered that there would be no severe impact on the highway safety and function of the surrounding highway network.

Petitions:- None received.

Town Council:- None received.

Elected Members:- None received.

Consultations

Advice was sought from the following consultees:

Highways Authority; Council's Drainage Engineer; Environmental Health Department; Trees and Woodland Officer; United Utilities.

Fire Service – The GM Fire Service should be consulted as part of the building regulations approval process.

Highways Authority – No objections subject to conditions and plan showing 2.4 metre by 2.4 metre visibility splay.

Trees and Woodland Officer – No objections subject to condition requiring 5 metre separation to protected trees.

Planning History

No recent relevant planning history

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

1. Within 3 months of the date of this permission, the proposed parking spaces; turning areas; vehicular access and dropped kerb on to St Germain Street; and the visibility at the access on to St Germain Street, shall be completed as shown on the approved parking and landscaping layout plan, scale 1:200, and shall thereafter be retained for the use of vehicles associated with the permitted use.

Reason

In order to provide sufficient on site parking spaces and safe vehicular access to the site.

2. Within 3 months of the date of this permission, the proposed planting and landscaping scheme shall be completed in accordance with the approved species, sizes and distances shown on the approved parking and landscaping layout plan scale 1:200 received and uploaded on 6th November 2014. Should any of the trees and shrub planting be lost within 5 years of the date of this permission, they shall be replaced with those of the same species and size within 6 months or the next planting season, whichever is the sooner.

Reason

To enhance the appearance of the development site.

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

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

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

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

Reason

To protect the health and appearance of the trees.

4. Within 3 months of the date of this permission, a scheme of management measures shall be submitted to and approved in writing by the Local Planning Authority specifying the provision to be made to control (internally generated) noise emanating from the site. The approved scheme shall be implemented in full within 4 months of the date of this permission and retained thereafter.

Reason

To safeguard the living conditions of residents, particularly from the effects of noise.

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

10:00 - 21:00 Mondays – Fridays

10:00 - 16:00 Saturdays

No opening shall take place on Sundays or Bank Holidays.

Reason

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

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

Reason

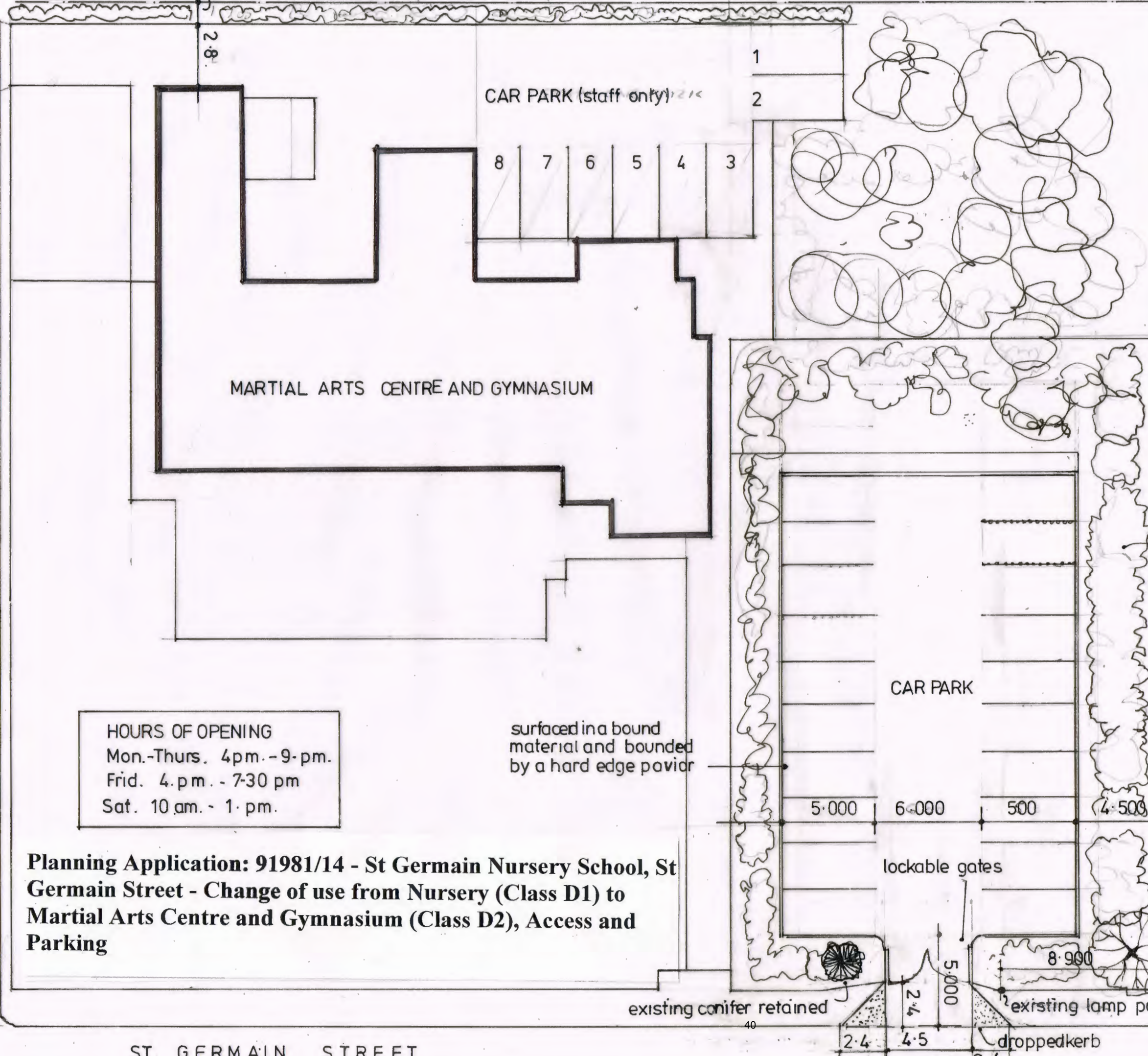
To ensure the development visually reflects the existing building.

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

**[Existing Ground Floor Layout, received and uploaded 15th May 2014;
Proposed Ground Floor Layout, received and uploaded 15th May 2014;
Proposed Site Layout, scale 1:200, received and uploaded 6th November 2014]**

Reason

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



LANDSCAPING (SHRUBS)		LITRE/SIZE	PLANT DISTANCE
1	BERBERIS DARWINII	A	V
:	THUMBERGII	A	V
:	WILSONAE	A	V
2	HEBE PAGEI	B	X
HEBE	AUTUMN GLORY	A	V
HEBE	CARL TESCHNER	A	V
3	HYPERICUM PROLIFICUM	A	X
4	MAHONIA AQUIFOLIUM	A	X
5	WEIGELA BRISTOL RUBY	A	X
6	OLEARIA HAASII	A	W
7	POTENTILLA "RED ACE"	A	Y
8	PERNETTYA MUCRONATA	A	W
9	PRUNUS OTTO LUYKEN	C	W
10	PEROVSKIA ATRIPLICFOLIA	A	V
11	RIBES BROCKLEBANKII	C	W
12	SKIMMIA JAPONICA	A	W
13a	SPIRAEA JAPONICA	A	V
13b	SPIRAEA BUMALDA ANTHONY WATERER A		V
14	SENECIO GREYI	A	W
15	VINCA- GROUND COVER (SHADE) B		X
16	PACHYSANDRA GRND. COVER	B	X

CONTAINER GROWN SHRUBS -- SIZE (LITRES)

A = 3 LTR
B = 0.45 LTR
C = 4.0 LTR

PLANTING DISTANCES-----

V = 500MM.
W = 600MM.
X = 300MM.

SCALE 1:200

Planning Application: 91981/14 - St Germain Nursery School, St Germain Street - Change of use from Nursery (Class D1) to Martial Arts Centre and Gymnasium (Class D2), Access and Parking

HOURS OF OPENING
Mon.-Thurs. 4pm.-9.pm.
Frid. 4.p.m. - 7:30 pm
Sat. 10.am. - 1.pm.

surfaced in a bound material and bounded by a hard edge pavior

existing conifer retained

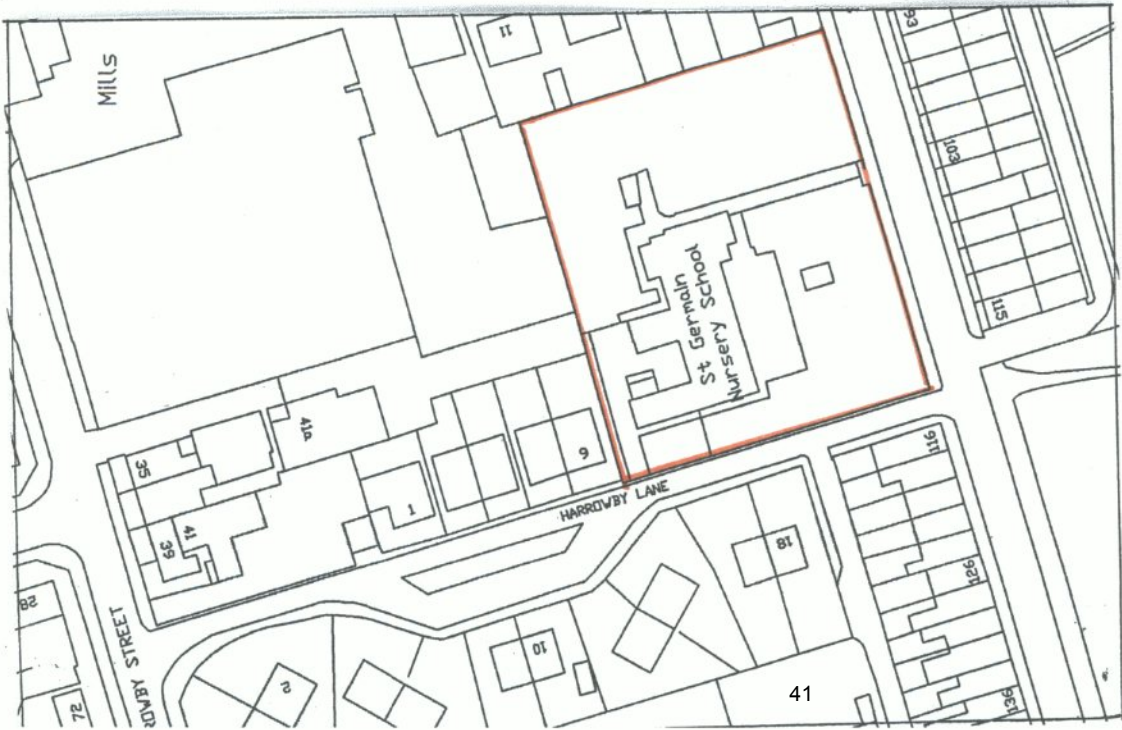
lockable gates

existing tree

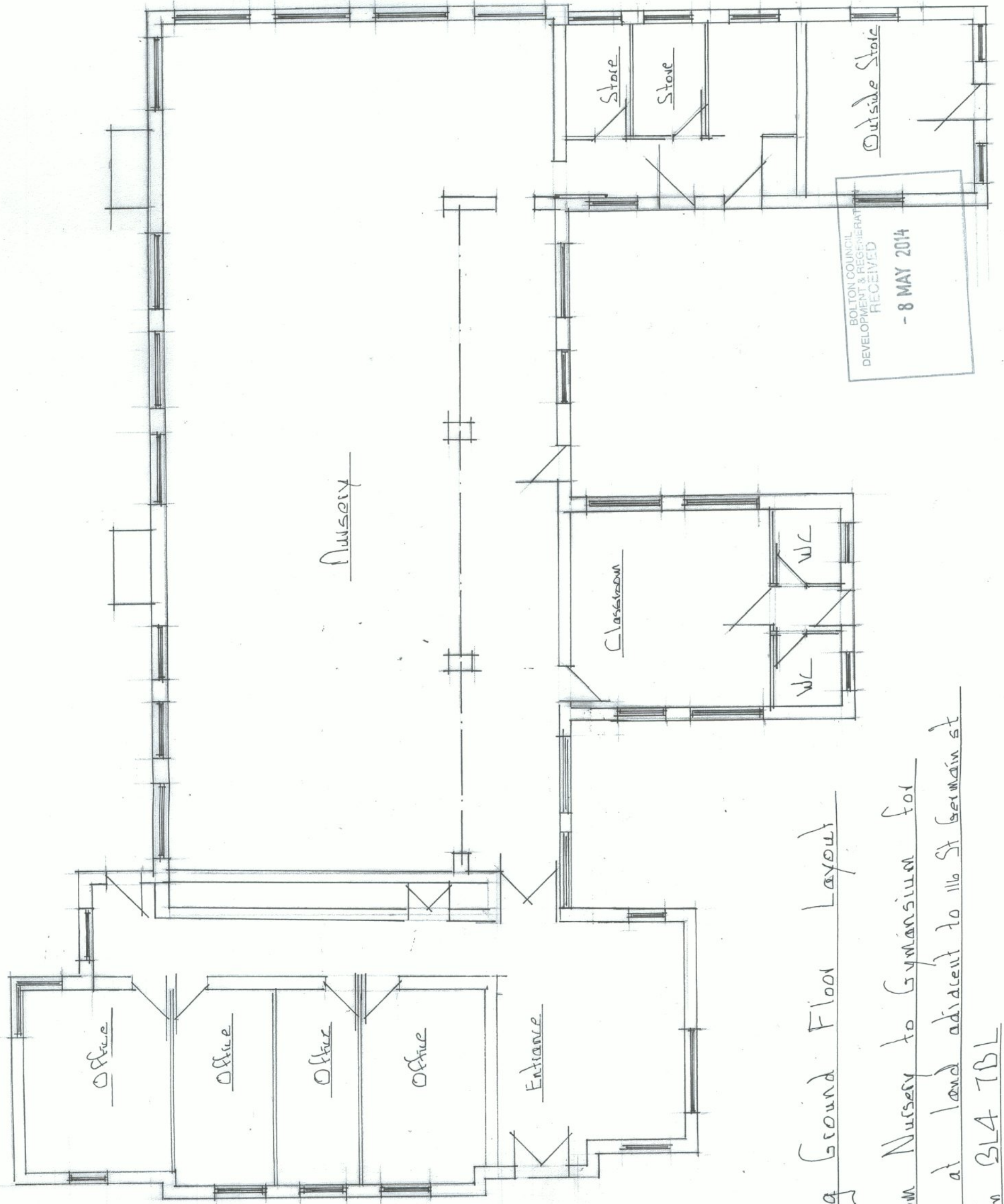
existing lamp post to remain

dropped kerb

ST. GERMAIN STREET



Scale 1:1250



BOLTON COUNCIL
DEVELOPMENT & REGENERATION
RECEIVED

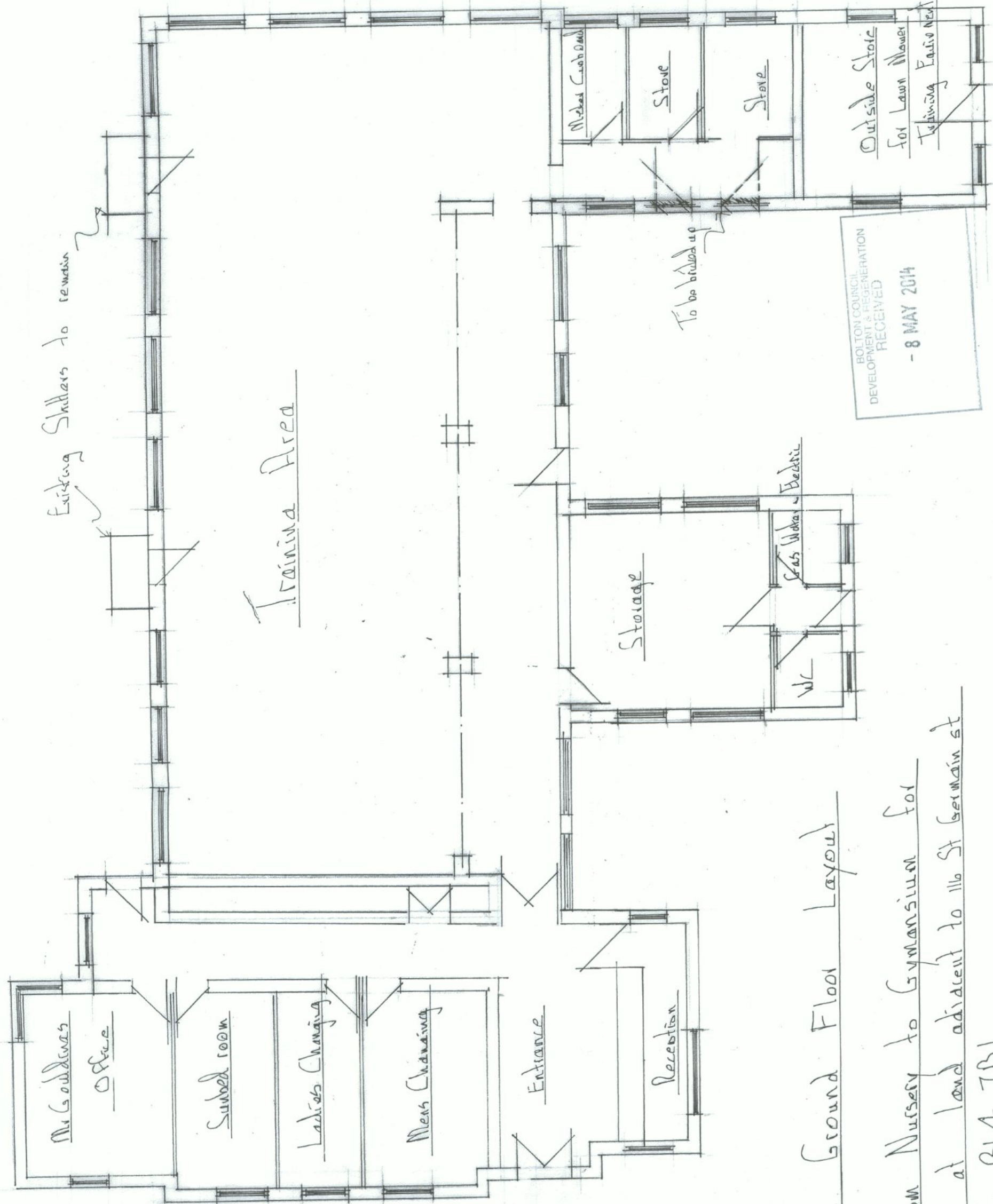
- 8 MAY 2014

Existing Ground Floor Layout

Change of Use from Nursery to Gymnasium for
Mr Jamie Gauding at land adjacent to 116 St Germain st
Farnworth BL4 7BL



Scale 1:1250



BOLTON COUNCIL
DEVELOPMENT & REGENERATION
RECEIVED

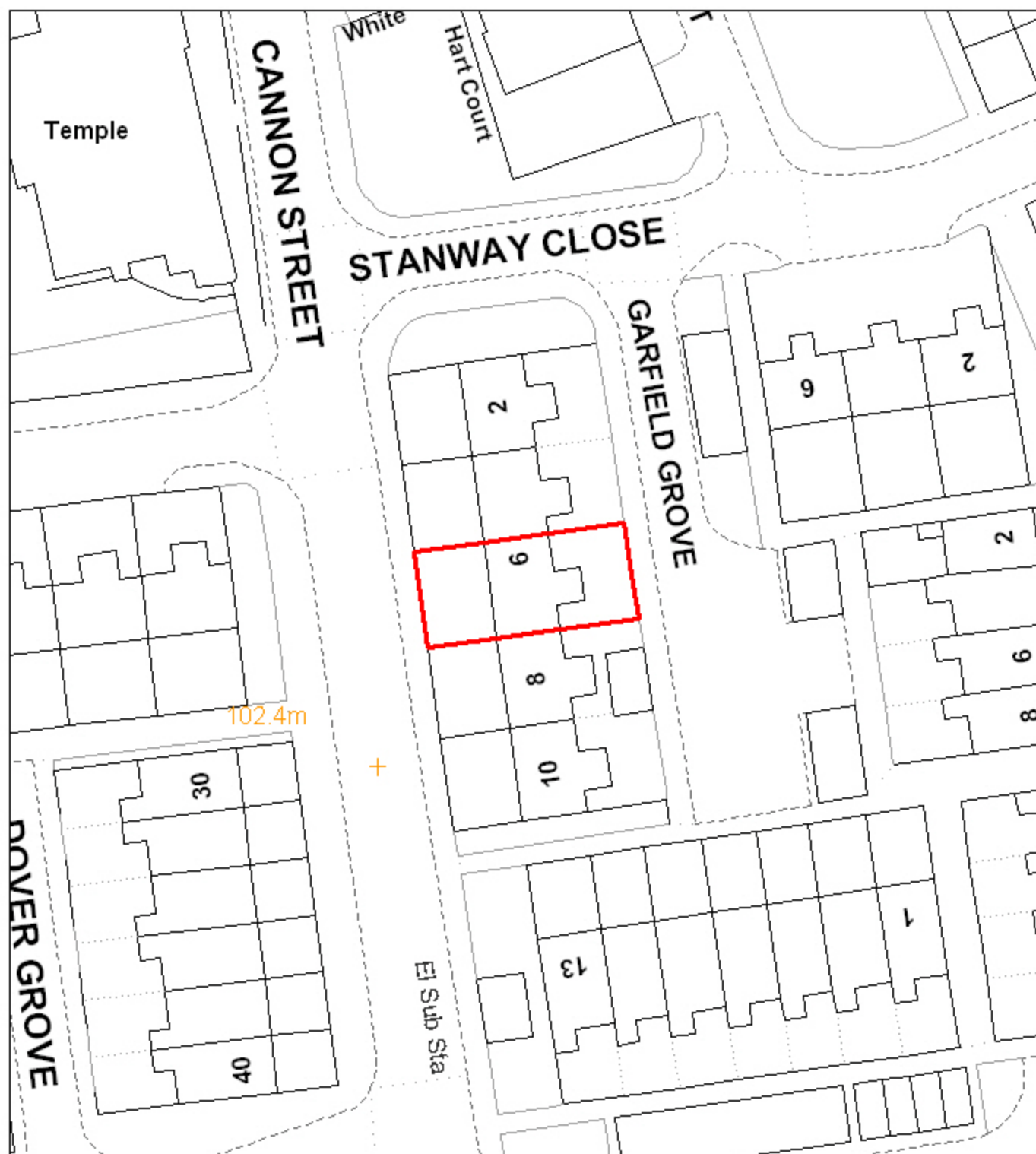
- 8 MAY 2014

Proposed Ground Floor Layout

Change of Use from Nursery to Gymnasium for
Mr Jamie Golding at land adjacent to 116 St Germain st
Farnworth N Bolton BL4 7BL

Application No.

92436/14



Development and Regeneration Department
Planning Control Section

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

**Bolton
Council**

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Date of Meeting: 20/11/2014

Application Reference: 92436/14

Type of Application: Full Planning Application
Registration Date: 21/07/2014
Decision Due By: 14/09/2014
Responsible Officer: Simon Coles

Location: 6 GARFIELD GROVE, BOLTON, BL3 5AY

Proposal: ERECTION OF TWO STOREY EXTENSIONS AT FRONT AND REAR

Ward: Rumworth

Applicant: Mr Many

Agent : Smusa1

Officers Report

Recommendation: Refuse

Background

The application was deferred for an advanced site visit at the planning meeting on 23rd October 2014.

Proposal

The application proposes the erection of a two storey extension at front and rear. The front element of the extension is 1.6 metres long and the full width of the property. The rear element is 4 metres long and full width of the property.

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 rear of the properties face Cannon Street, which is a provides 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 at the rear.

Policy

National Planning Policy Framework (NPPF)

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

Bolton.

SPD House Extensions and PCPN2 Space Around Dwellings.

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

Impact on 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 therefore considered that due to its siting, together its massing/size that the two storey rear element of the proposal would have an unacceptable effect on the wider street scene of Cannon Street and the character of the locality as it protrudes in front of a clear and consistent building line.

The front two storey element is 1.6 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 to on 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.

Further to the above, it is considered that the proposed 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 two storey rear extension 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 overbearing effect on the neighbouring residents at numbers 4 and 8 Garfield Grove to an unacceptable degree, especially with regards to overshadowing/loss of light to the main room lounge and bedroom windows.

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.

Conclusion

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

Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters:- One letter of objection has been received from a neighbouring resident with the following concerns: -

- my views at the front and rear will be curtailed, where I will be looking at brick walls;
- restriction of light;
- proposal is out of keeping with the surrounding properties and if built would look out of place;
- another resident applied for a much smaller extension and was refused permission;

Elected Members:- Cllr Ibrahim requested the application be determined at Planning Committee

Consultations

Advice was sought from the following consultees: Highways.

Planning History

None.

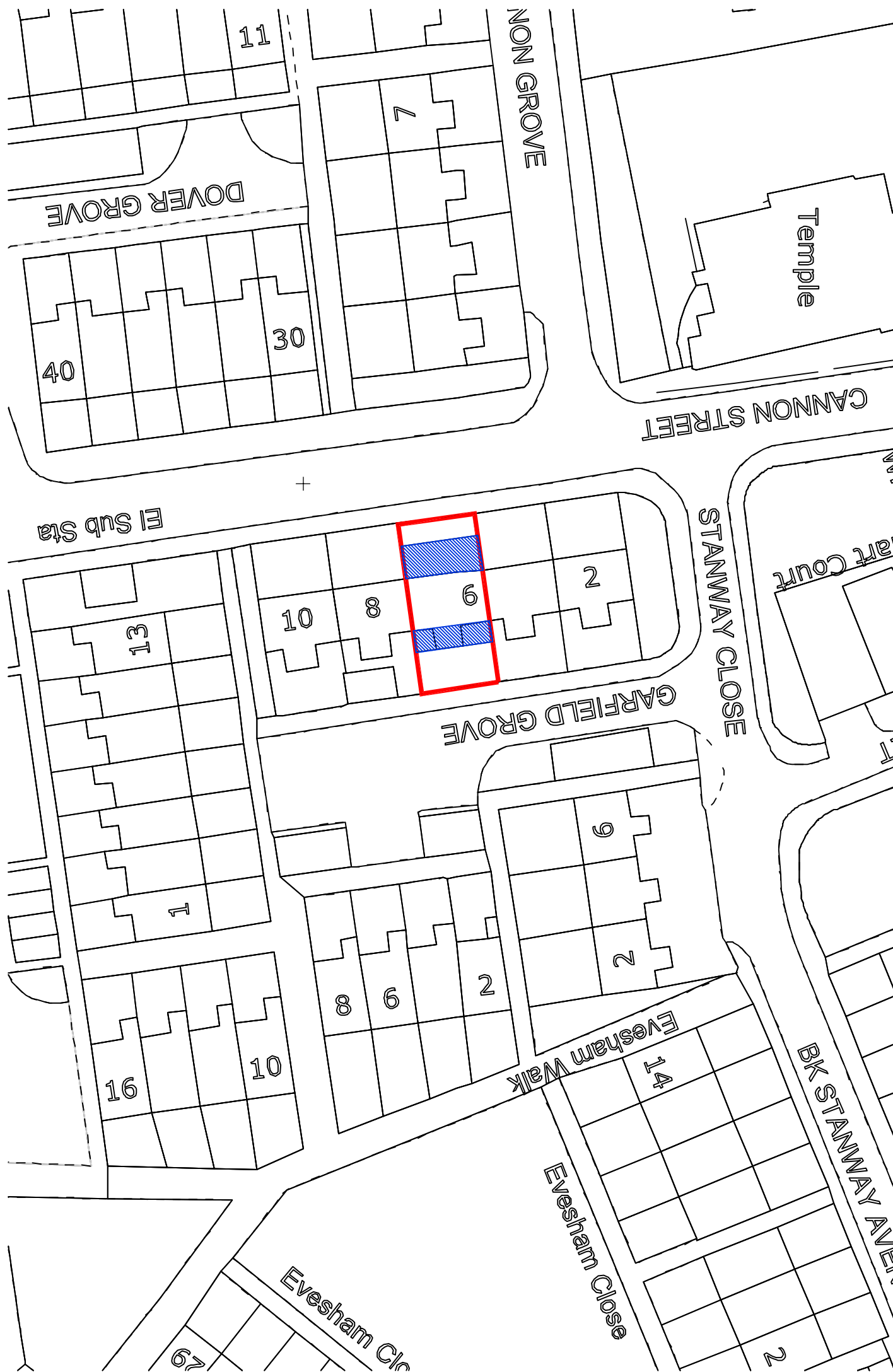
Recommendation: Refuse

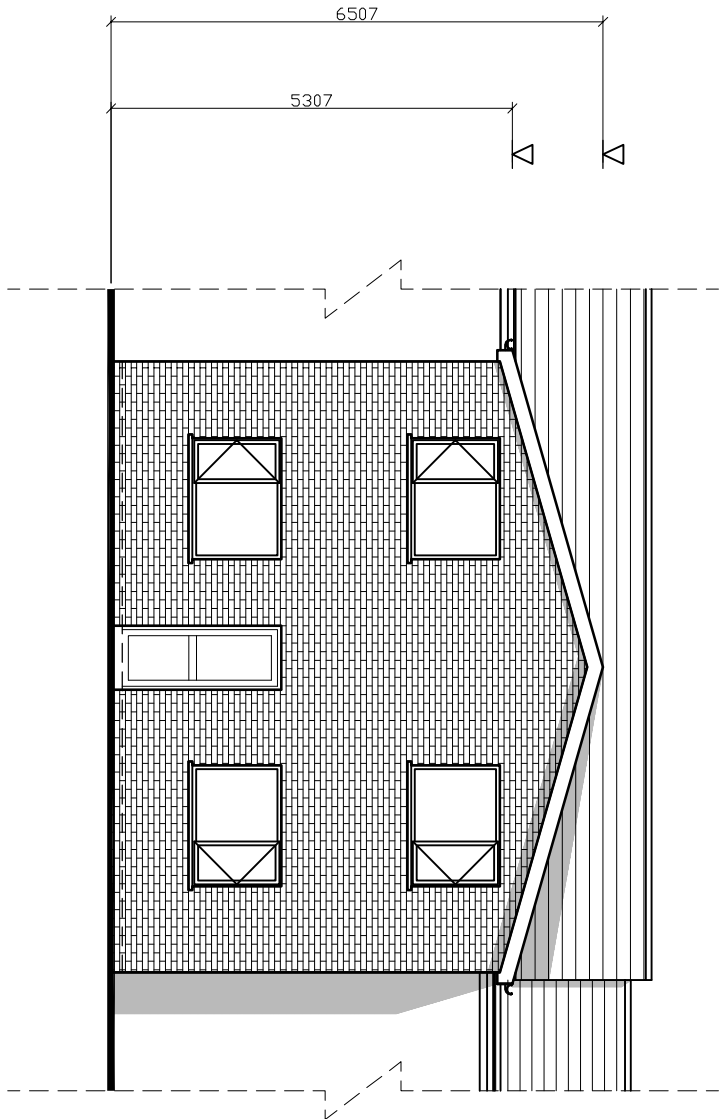
Recommended Conditions and/or Reasons

1. 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".

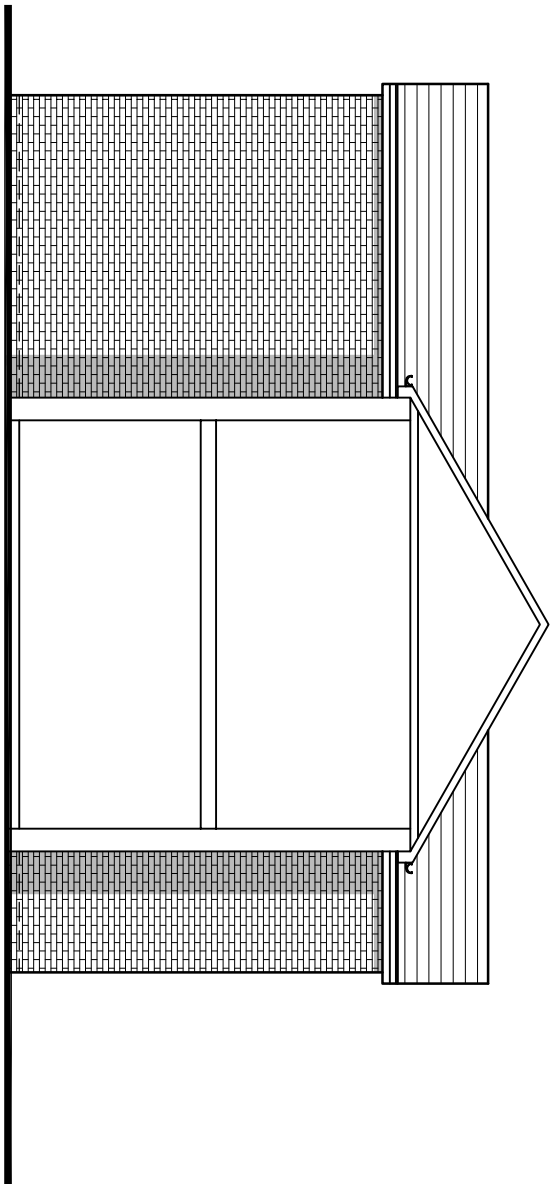
Site Plan for 6 Garfield Grove,

Scale 1:500

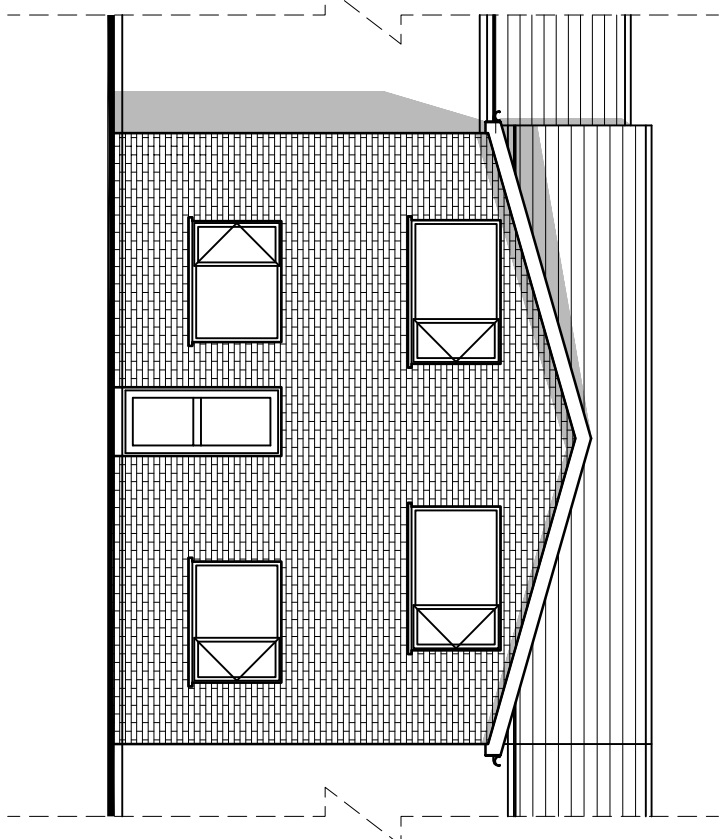




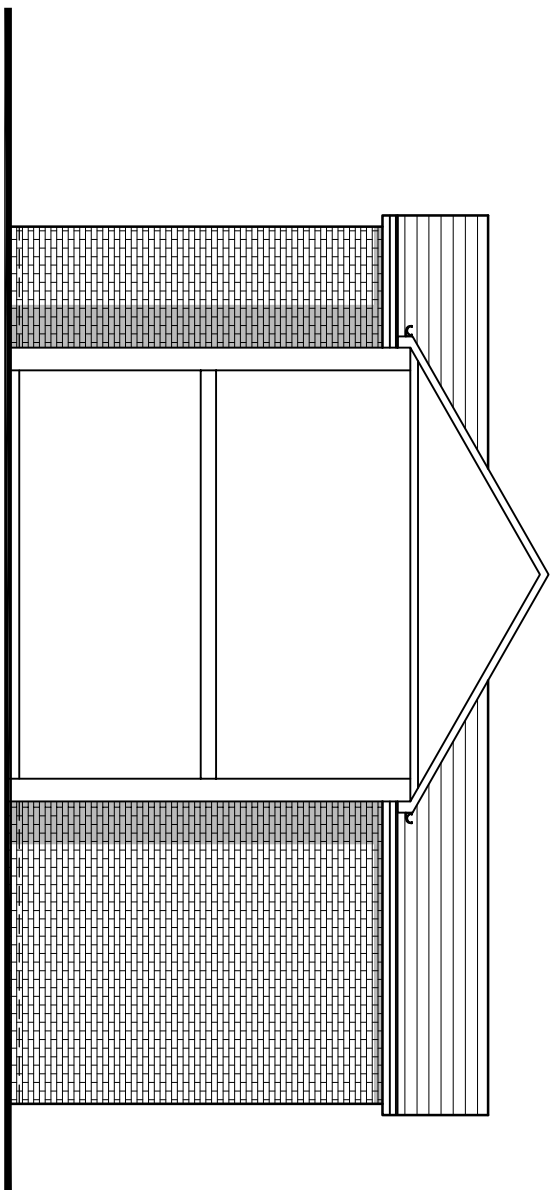
Front Elevation as Proposed
Scale 1:100



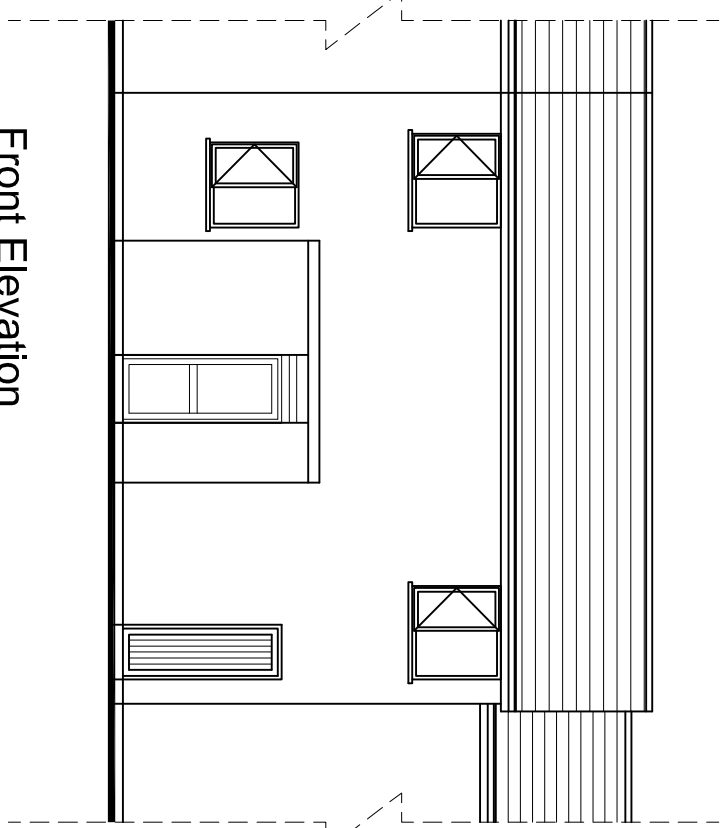
Side Elevation as Proposed
Scale 1:100



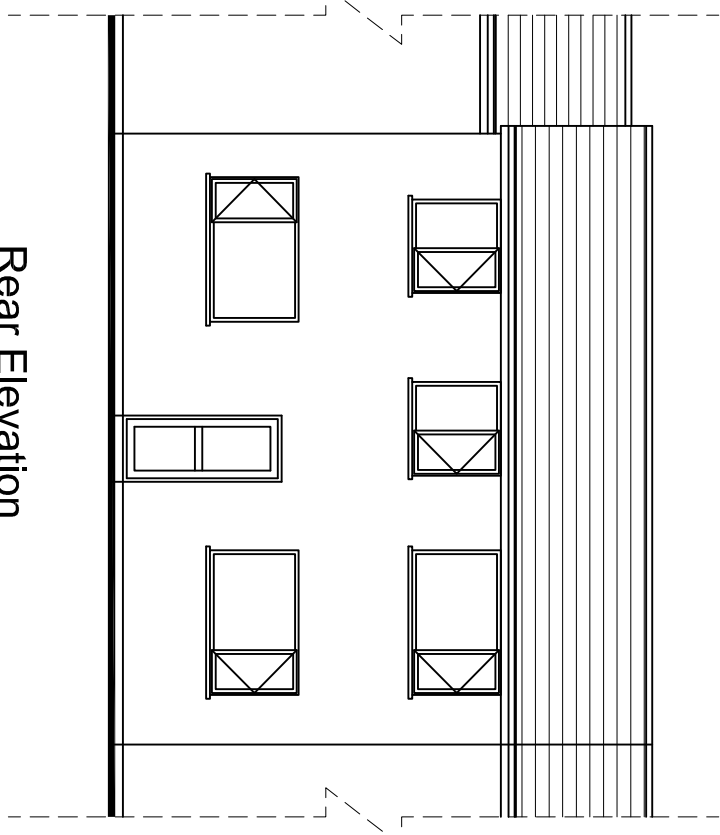
Rear Elevation as Proposed
Scale 1:100



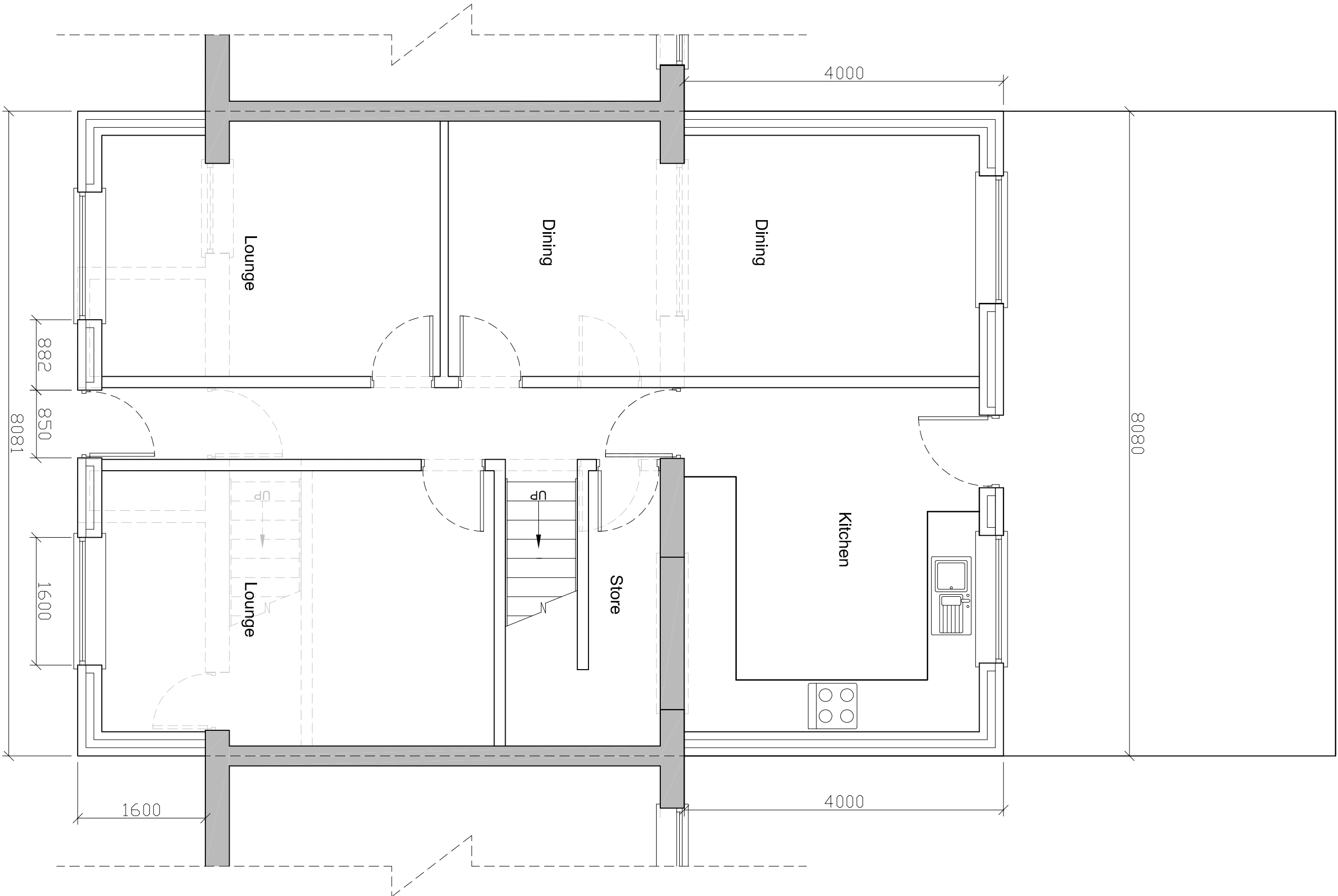
Side Elevation as Proposed
Scale 1:100



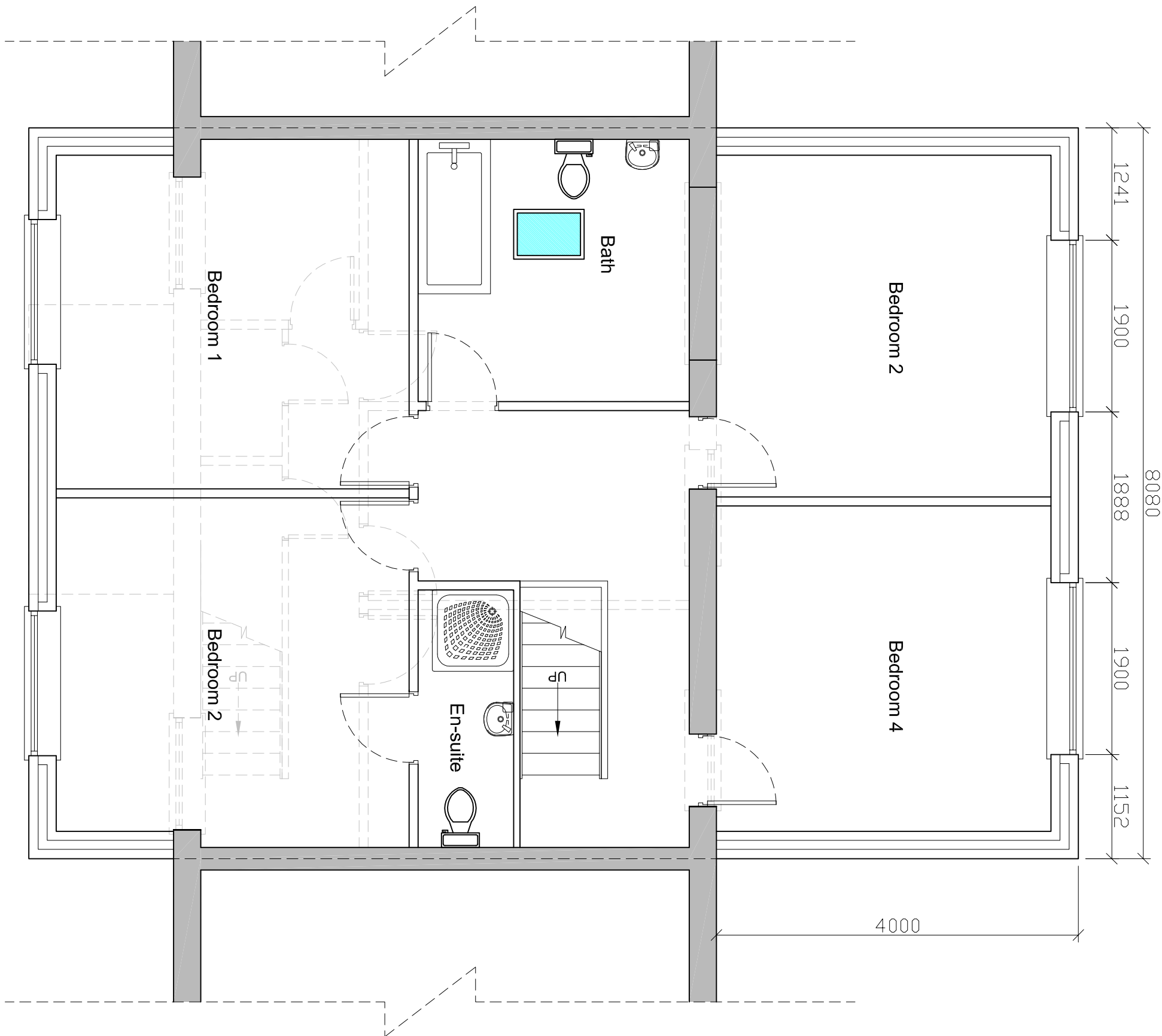
Front Elevation
as Existing
Scale 1:100



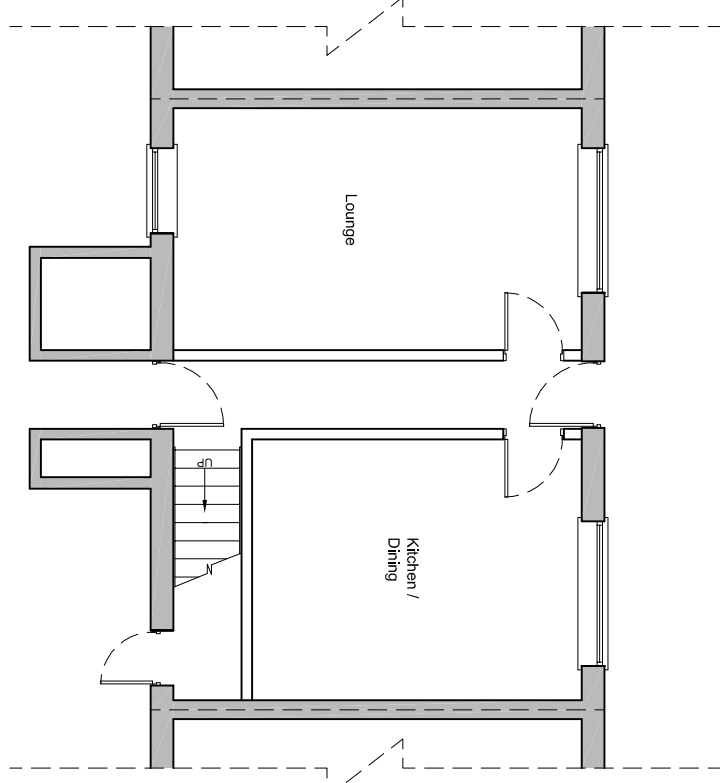
Rear Elevation
as Existing
Scale 1:100



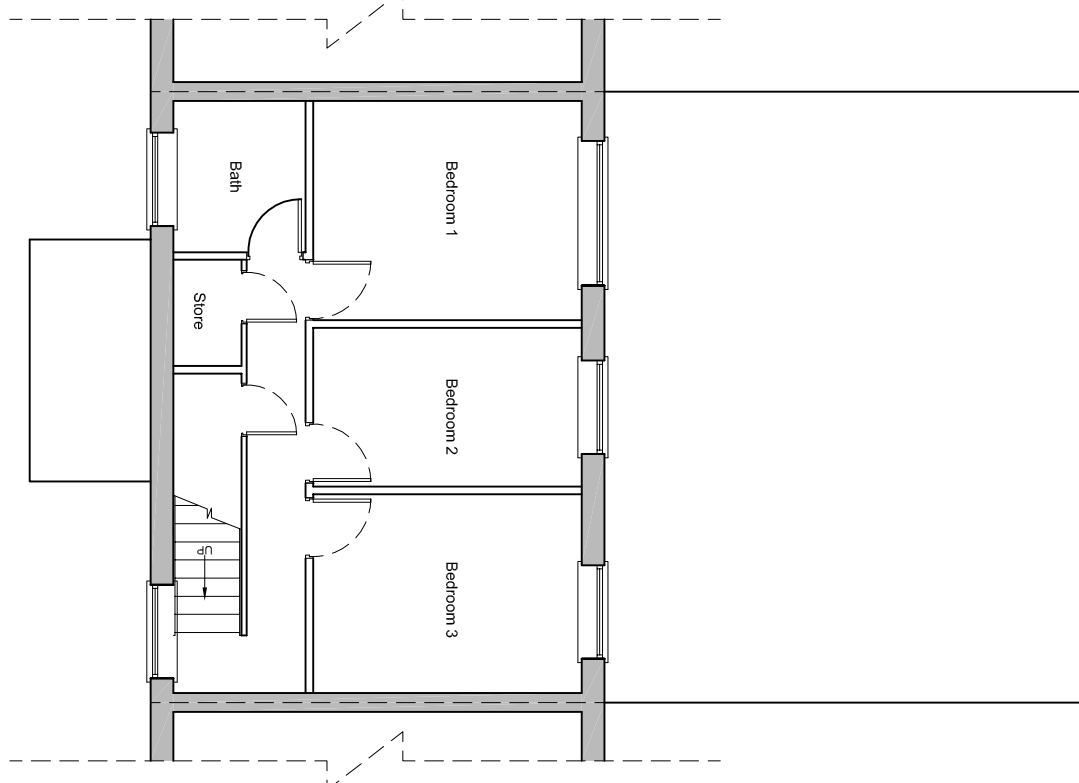
Ground Floor Plan as Proposed
Scale 1:50



First Floor Plan as Proposed
Scale 1:50



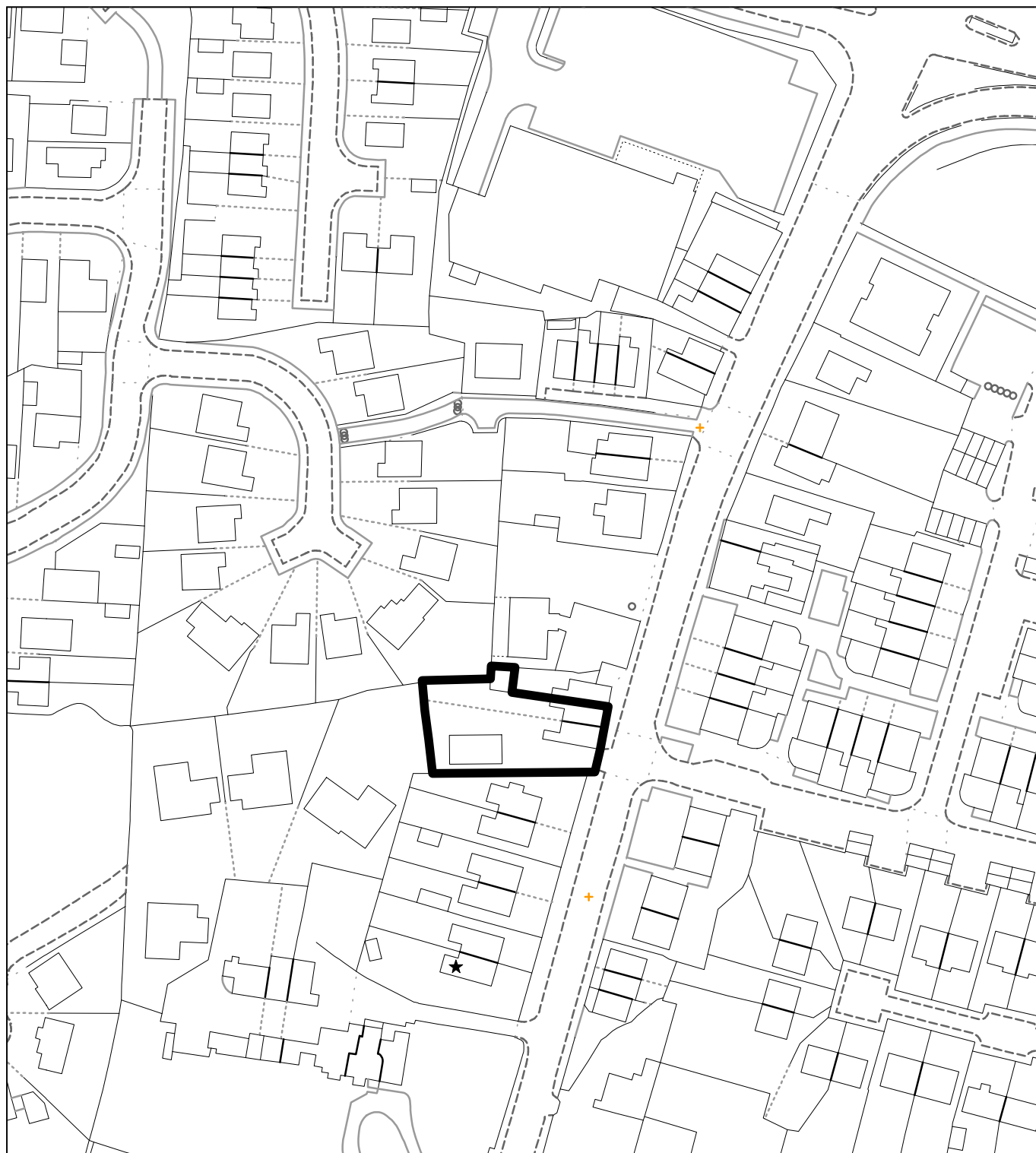
Ground Floor Plan as Existing
Scale 1:100



First Floor Plan as Existing
Scale 1:100

Application No.

92447/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
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**Bolton
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11

Date of Meeting: 20/11/2014

Application Reference: 92447/14

Type of Application: Outline Planning Permission
Registration Date: 01/08/2014
Decision Due By: 25/09/2014
Responsible Officer: Alex Allen

**Location: LAND TO THE REAR OF 92-96 WIGAN ROAD,
WESTHOUGHTON, BOLTON, BL5 3RQ**

Proposal: OUTLINE APPLICATION FOR DEMOLITION OF EXISTING
WORKSHOP WITH THE ERECTION TWO BEDROOM BUNGALOW
TO THE REAR OF PROPERTY (ACCESS, LAYOUT AND SCALE
DETAILS ONLY)

Ward: Westhoughton South

Applicant: Mrs Bancroft
Agent : ADS

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant seeks outline planning permission for the erection of one two bedroomed detached bungalow which is to be located at the rear of No's 92 to 96 (inclusive) Wigan Road. The applicant is seeking approval of access, layout and scale details only. Matters of landscaping and external appearance would be considered at the reserved matters stage.

The proposal would create new rear gardens for both No's 94 and 96 Wigan Road whilst providing formal car parking for the existing two properties together with a further 2 spaces for the proposed new dwelling.

The proposal would require the removal of a large workshop which is located along the shared boundary with No. 140 Wigan Road. Access to No. 92 Wigan Road would remain unaffected. The garden areas for 94 and 96 Wigan Road would be 47.5 square metres with the garden space for the new property being 80 square metres.

Site Characteristics

The application site relates to an existing rear garden area which has also historically been used as a workshop business. The existing vehicular access is from Wigan Road. Directly opposite the application site is vehicular access to the Welland housing estate. The application area is in the main directly behind No's 94 and 96 Wigan Road with a narrow strip of land also located at the rear of No. 92 Wigan Road. No. 140 Wigan Road adjoins the application site to the south. The shared boundary between the two sites is characterised by a 1.5 metre high post and panel fence with the large workshop building sited adjacent to the shared boundary. The workshop building itself is c. 4.3 metres to

the ridge of the roof.

To the north of the site is the Westhoughton Methodist Church building and its wider curtilage. To the north west and west of the application site there are a number of residential properties. No. 164 Green Meadows lies to the north west of the site whilst No. 74 Green Meadows is located at an oblique angle to the application site. This property has a leylandii hedge which is located next to the shared party boundary with the application site, together with a protected tree which overhangs the application site.

Policy

National Planning Policy Framework.

Core Strategy (2011) P5 Accessibility, S1 Safe, CG1.2 Urban Biodiversity, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing and OA3 Westhoughton.

Saved UDP Policy N8 Protected Trees

Planning Control Policy Note No. 2 Space Around Dwellings, No. 7 Trees: Protection and Planting in New Developments and No. 21 Highways Considerations.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development
- * impact on the character and appearance of the area;
- * impact on surrounding land uses and occupiers;
- * impact on protected trees;
- * impact on highway safety.

Principle of development

Guidance contained within NPPF and Core Strategy policies seek to prioritise new residential development on previously developed land in sustainable locations. The site is currently used as an amenity area for the residents of No. 94 and 96 Wigan Road together with a disused Workshop building. The site is previously developed and in close proximity to Westhoughton Town Centre.

The proposal would be back land development, located behind properties on Wigan Road and Green Meadows. It is considered that the site would benefit from redevelopment enabling the removal of the former workshop building, which is a non conforming use.

Issues of amenity space and the potential relationship with adjoining properties and users is considered elsewhere within this report.

The proposal would provide one additional dwelling in respect of meeting the housing provision in Bolton as outlined in Core Strategy policy SC1.

It is considered that the principle of residential development is acceptable in this location.

Impact on the character and appearance of the area

Core Strategy policies CG3 and OA3 seek to ensure that new developments respect the character and appearance of the area. It is noted that the external appearance of the dwelling would be determined at the reserved matters stage.

Due to the proximity of properties on Wigan Road which overlook the site it is considered that the proposal is sensitive to the overall character of the area. The adjoining properties on Wigan Road (No's 140 and 142) are bungalows whilst other properties are two storey. Given the mixed nature of the surrounding area it is considered that the proposal is complementary / would not be out of keeping.

It is considered that the proposed layout is acceptable and complies with policy.

Impact on the living conditions of existing/future residents

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

Due to the internal room configuration of the new build there would be no main windows located within the front elevation. The closest (kitchen) window located in the proposed front elevation of the new property would be c. 17.5 metres from the existing rear elevation of No. 94 Wigan Road.

Whereas the only other residential property which would have direct views of the new build property would be No. 164 Green Meadows to the north west of the site. Direct views of the proposed bungalow would be effectively screened by both existing and new boundary treatment, thus ensuring no impact on either existing/future residents living conditions. The proposal would meet all the suggested interface distances as outlined within Planning Control Policy Note No. 2.

Guidance contained within PCPN No. 2 (para. 14) provides guidelines on the recommended level of private amenity space for new dwellings. This equates to 65 square metres of private amenity space. The guidance goes on to say that for small infill sites the requirements can be reduced (para. 17). It is noted that the proposed new dwelling would provide 80 square metres of amenity space whilst the existing properties would have amenity space of 47.5 square metres.

It is considered that the proposal provides sufficient amenity space for both existing and proposed dwellings compliant with the above guidance.

It is noted that Design for Security officers have commented that due to the backland nature of the proposed development the rear of the site would not benefit from good natural surveillance. They have suggested that the proposal would benefit from boundary treatment which enhanced security. It is considered that the issue of boundary treatment

would be considered at the reserved matters stage.

It is considered that the relationship between existing dwellings and the proposed new build is satisfactory and the level of amenity space complies with policy and guidance provided within PCPN No. 2.

Impact on trees

Core Strategy policy CG1.2 seeks to safeguard and enhance biodiversity by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development. The resident at No. 74 Green Meadows has commented they have concerns regarding the impact of the proposal on the existing leylandii hedge and protected tree which are both located within the curtilage of their garden but which overhang the application site.

The Council's Trees and Woodland Officer has commented that the proposal is likely to result in the existing canopy of the protected tree overhanging the building. No objections have been raised regarding the siting of the property, rather the potential pressure that building a house on the site may have to result in requests for either the pruning or removal of the tree due to potential shading / moss on the new roof.

It is noted that the existing large workshop building is currently located under part of the canopy of the protected tree and that whilst the orientation of the bungalow is different, there will be little difference in terms of the level of encroachment. It is considered prudent to condition the provision of a construction methodology statement to ensure that the dwelling is constructed to ensure no damage is caused to the root protection zone of the protected tree. In addition, tree protection measures will need to be installed prior to commencement to prevent any damage being caused to the protected tree during construction.

The leylandii hedge referred to by the owners of No. 74 Green Meadows does not benefit from protection and is located within the boundary of their property. If any damage is caused to the hedge this would be a private matter between the two parties.

Notwithstanding the above, it is considered that the tree protection measures to be agreed/installed would also assist in protecting the hedge.

These conditions have been added to the draft list of conditions. It is considered that the proposal would comply with policy.

Impact on highway safety

Core Strategy policies P5 and S1 seek to ensure that new development proposals provide adequate off road parking and promote road safety. The proposal makes provision for two off road car parking spaces for each of the existing dwellings and the proposed new dwellings. The indicative floor plans suggest that the existing and proposed dwellings would have 2 bedrooms. The car parking standards as outlined within Appendix 3 of the Core Strategy seek the maximum provision of 2 spaces for a 2 - 3 bedroomed property. This proposal would meet these requirements in full.

The Council's Highways Engineers requested that the applicant demonstrate vehicles will

have the ability to enter and leave the site in forward gear. The applicant has provided amended plans which show this requirement can be achieved. The Highways Engineers have no objections to the proposal.

It is considered that the proposal provides adequate car parking for the needs associated with the new and existing dwellings and complies with policy.

Value Added to the Development

The applicant has provided amended plans which demonstrate that vehicles can enter and leave the site in forward gear.

Conclusion

The proposal would result in the provision of one additional dwelling on a previously developed site located in a sustainable location. The proposal would maintain the living conditions of existing and future residents together with providing adequate off road parking for the users / occupants of the property whilst maintaining the health of the adjoining protected tree.

The proposal complies with policy and is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- one comment letter has been received from the owner/occupier of No. 74 Green Meadows who states that the site would benefit from redevelopment but remain concerned about the potential impact the proposal would have on an existing mature hedge and a protected tree which are located within their garden.

Petitions:- no petitions received.

Town Council:- raise objections to the proposal as they consider there is insufficient room at the rear of No's 92-94 to accommodate a 2 bedroom bungalow.

Elected Members:- no comments received.

Consultations

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

Planning History

No planning history.

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

Reason

To ensure the development reflects local distinctiveness.

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. 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.

6. Prior to commencement of development the developer must either submit evidence that the workshop building was built post 2000 or an intrusive ***pre-demolition*** asbestos survey in accordance with HSG264 and a mitigation plan to reduce risks to potential occupiers.

Following completion of measures identified in the approved survey, verification and/or completion documentation that demonstrates the effectiveness of any asbestos removal works carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason

In the interests of the health and safety of construction / demolition workers/contractors and the future occupants of the dwelling hereby approved.

7. Before the approved/permitted development is first brought into use no less than 6 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be provided within the curtilage of the site, in accordance with the approved 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

8. 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

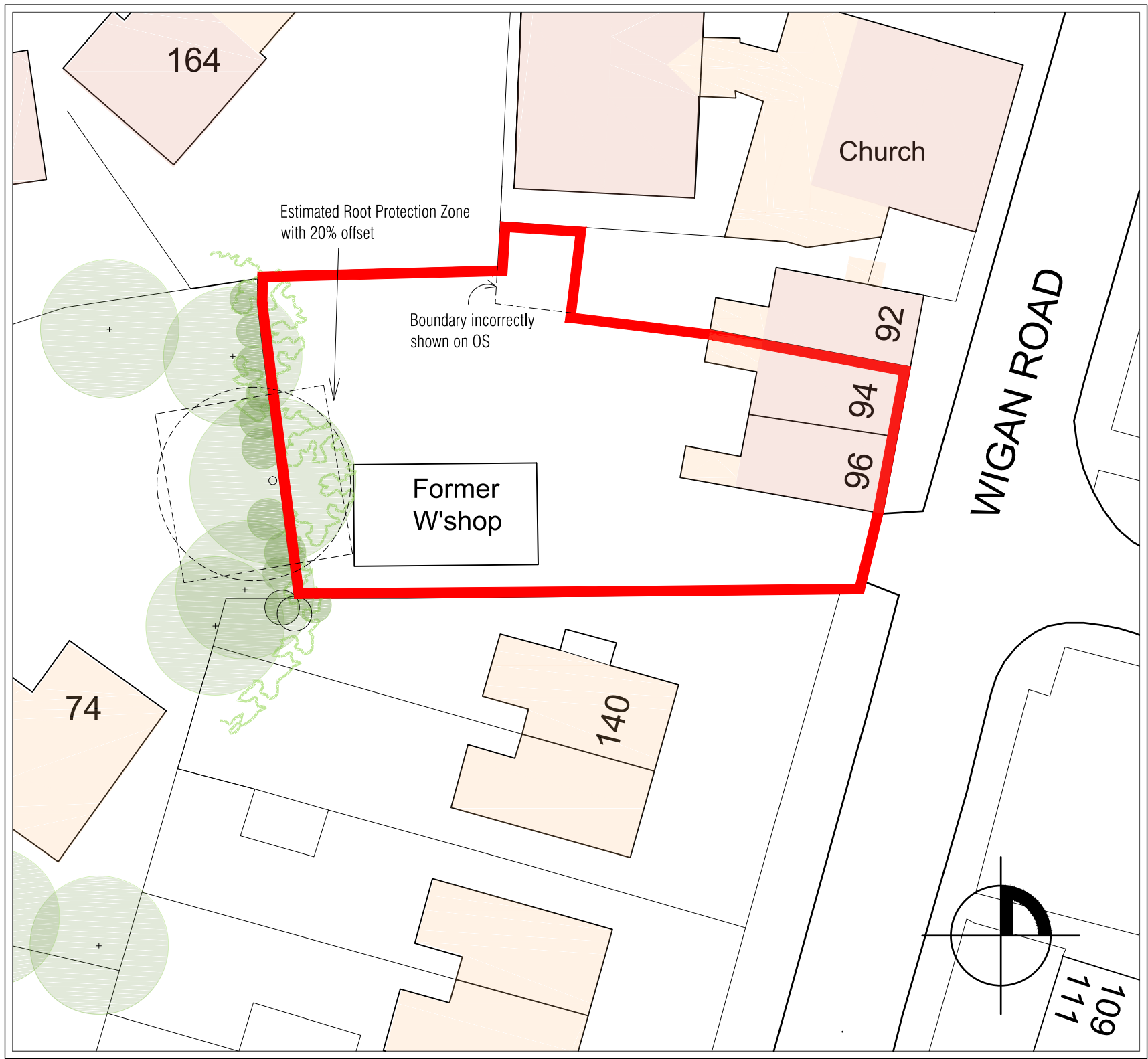
To encourage drivers to make use of the parking and circulation area(s) provided.

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

Drawing No. 1495-PSK 01A - Site Layout, received 03/11/14
Drawing No. 1495-PSK-02 scanned to file 23/07/14.

Reason

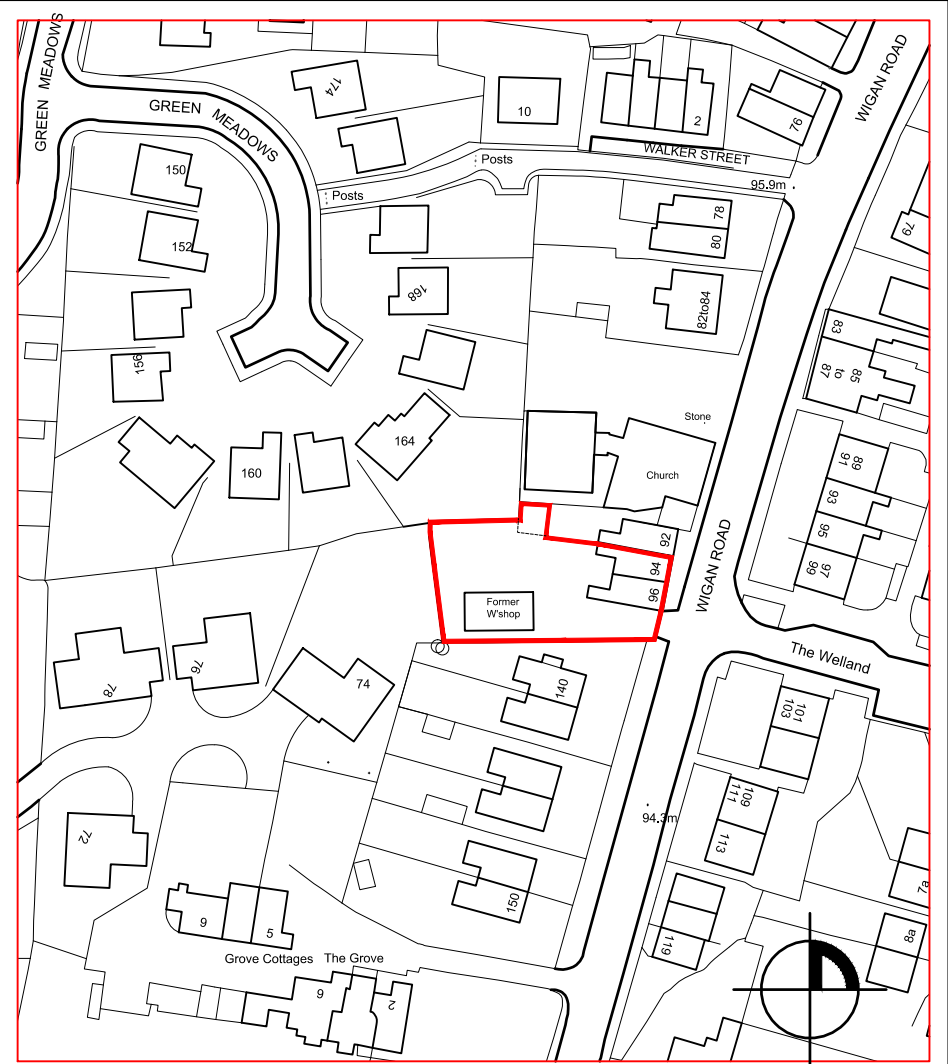
For the avoidance of doubt and in the interests of proper planning.



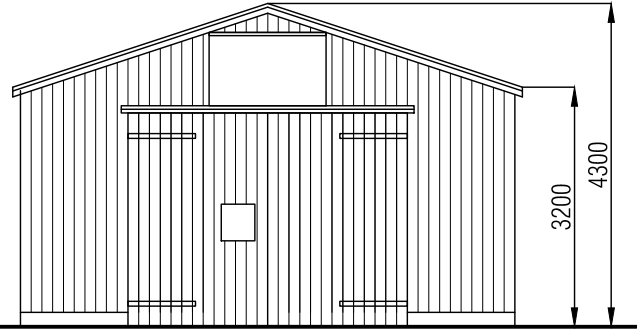
Site Plan- 1:500 Subject to detail site survey

Key:

- Boundary of Site under client ownership
- Existing trees (Green Meadows Westthoughton No. 3) TPO 1988

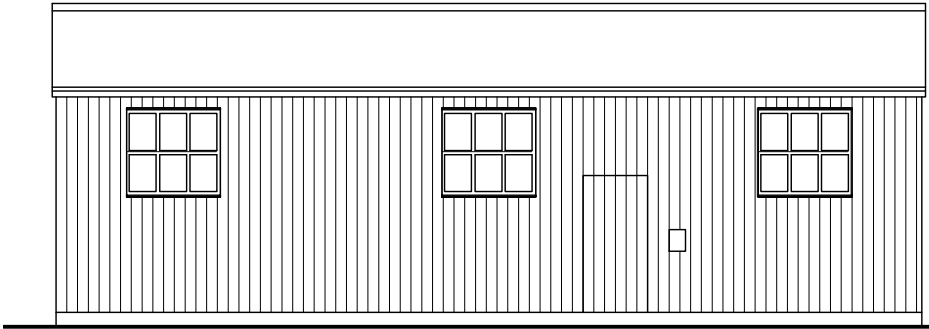


Site location - 1:1250 Trees within adjoining site of 74 Green Meadows - under TPO Bolton 160 Green Meadows, Westthoughton No3 [Sycamores]

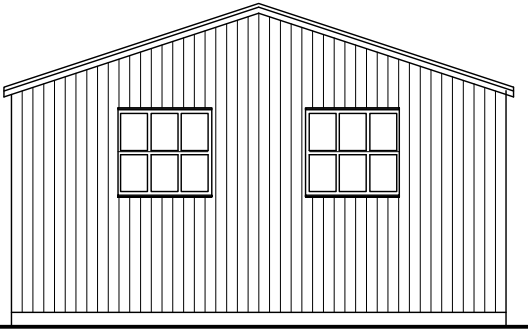


Front Elevation

Former Workshop



Side Elevations



Rear Elevation

Development:
Site feasibility study
94-96 Wigan Road, Westthoughton,
Bolton. BL5 3RQ

Client: Mrs A Bancroft

Drawing Title
Site Plan; Location & Former Workshop

Drawing No.	1495- Su 00
Date:	01.2014
Scale:	1:1250
Revision:	

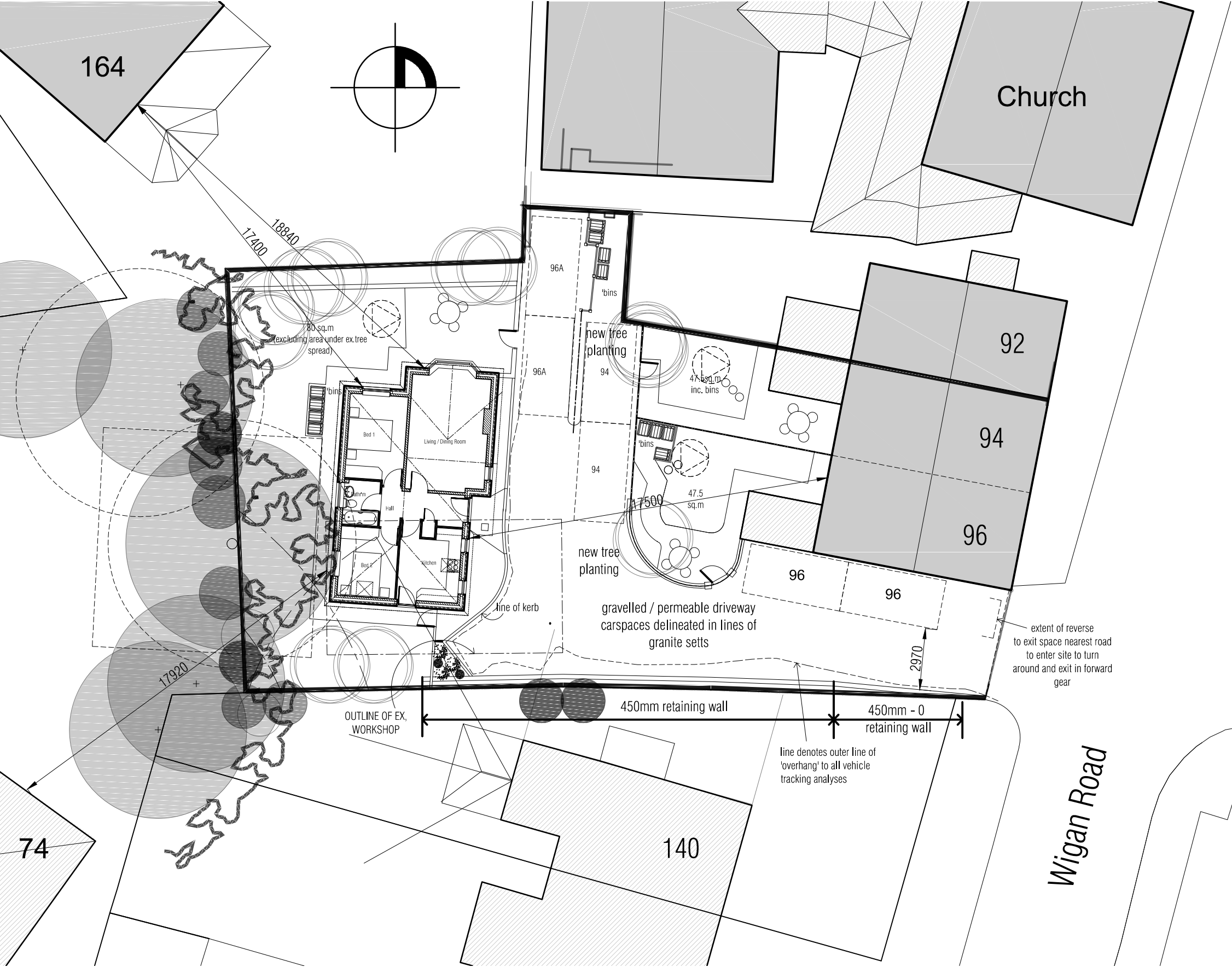
Architectural & Design Services
architectural design, illustration & residential styling consultancy



"The Rowans", 6 Croft Heath Gardens,
Croft, Warrington, CHESHIRE, WA3 7EL
'phone/ fax. (01925) 767714, E-mail Archdes@talktalk.net



Rev.	Revision note	Date	Signature	Checked
A.	VISITOR SPACE REMOVED DUE TO OVERHANG ON VEHICLE TRACKING ANALYSES USING 'LARGE CAR'. REAR GATE TO 96 RESITED TO PERMIT REMOVAL OF 'BINS WITH CARS PARKED IN SPACES ADJACENT TO 96. SPACES ADJACENT TO 96 MOVED OVER AND RESIZED TO NORMAL CAR SPACE. CARS TO 96 MAY ENTER SPACES IN FORWARD GEAR AND EACH CAR MAY REVERSE IN TURN TO TURN AROUND WITHIN SITE TO EXIT SITE IN FORWARD GEAR.	03.11.14	I.N.	I.N.



Site Plan- 1:200

Bungalow Nett floor area 702sq.ft.

Development:
Site feasibility study
94-96 Wigan Road, Westhoughton,
Bolton. BL5 3RQ
Client: Mrs A Bancroft
Drawing Title
Option 2 Retain ex. houses + 1 3B Bung.

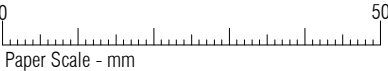
Drawing No.	1495- PSK 01A
Date:	06.2014
Scale:	1:200
Revision:	A

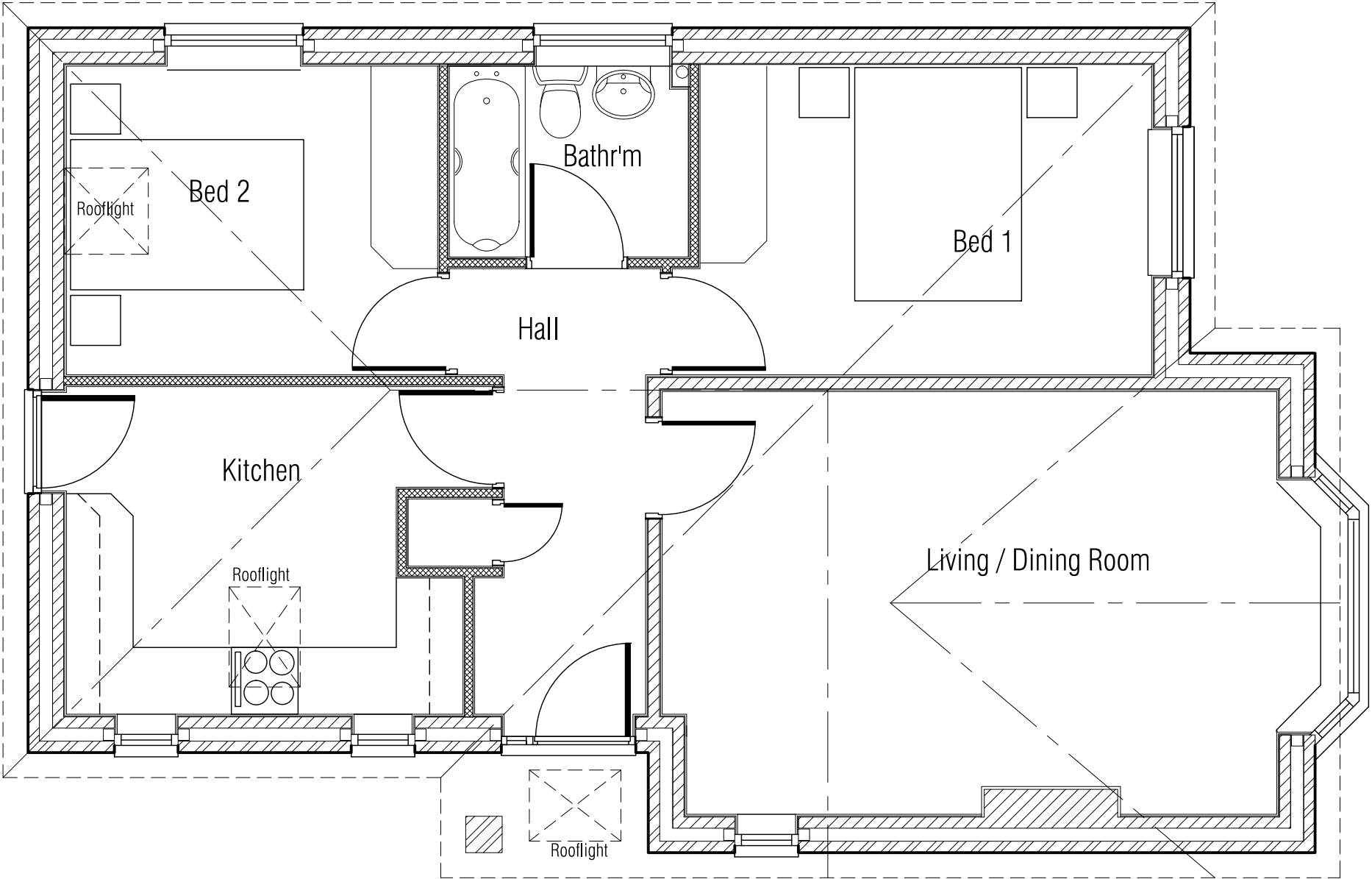
Architectural & Design Services
architectural design, illustration & residential styling consultancy



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Croft, Warrington, CHESHIRE, WA3 7EL

'phone/ fax. (01925) 767714, E-mail Archdes@talktalk.net





Proposed floor plan 1:50
 Nett Area 702sq.ft.

A3

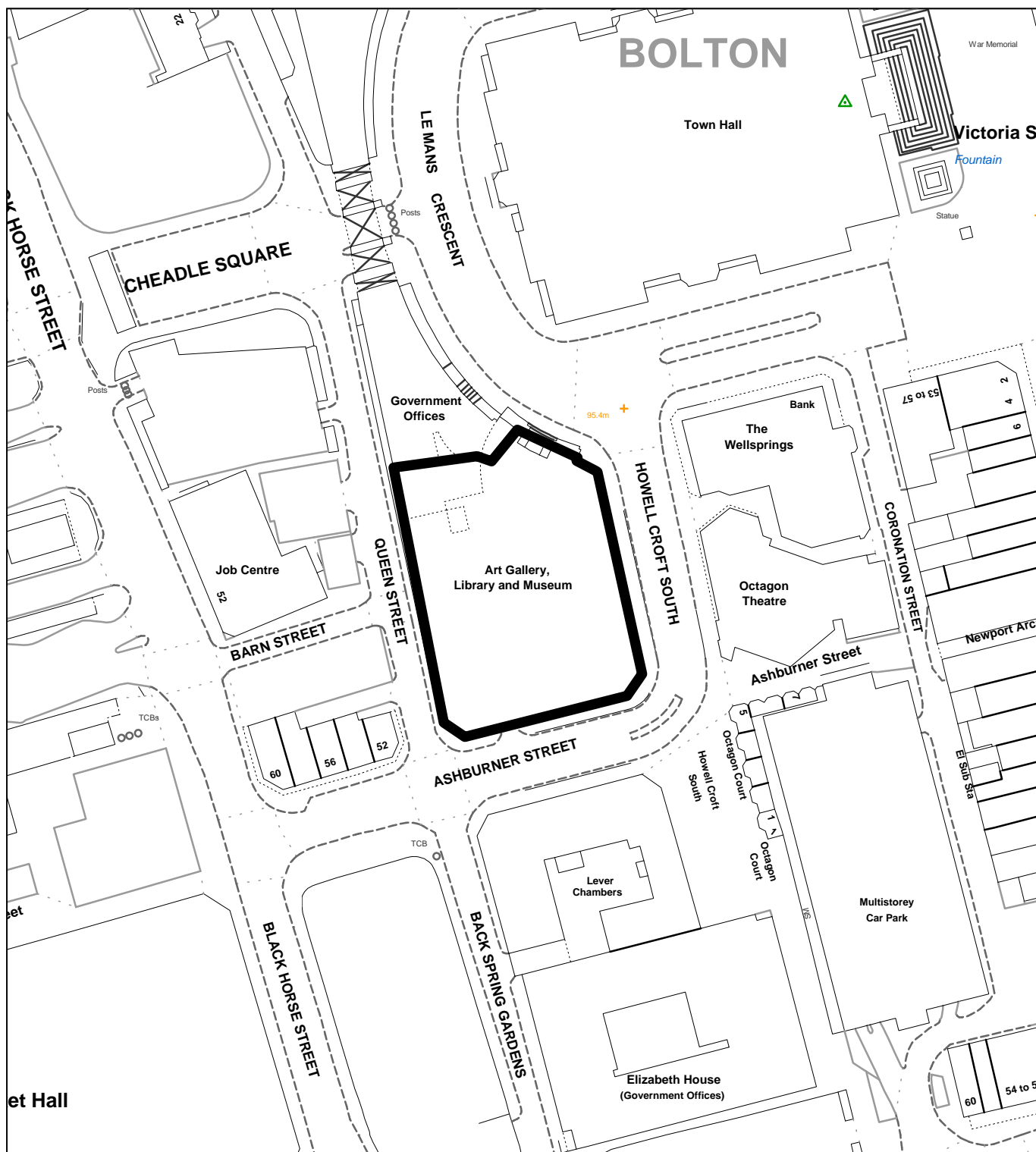
Development: Proposed Bungalow to rear of 94-96 Wigan Road, Westhoughton, Bolton. BL5 3RQ Client: Mrs A Bancroft Drawing Title Proposed Bungalow Layout	Drawing No. 1495- PSK 02
	Date: 07.2014
	Scale: 1:50
	Revision:

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 'phone/ fax. (01925) 767714, E-mail Archdes@talktalk.net

Application No.

92665/14



Development and Regeneration Department
Planning Control Section

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

**Bolton
Council**

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11

Date of Meeting: 20/11/2014

Application Reference: 92665/14

Type of Application: Local Authority Applications\Development
Registration Date: 03/09/2014
Decision Due By: 28/10/2014
Responsible Officer: Martin Mansell

Location: BOLTON LIBRARY AND MUSEUM SERVICES, BOLTON CIVIC CENTRE, LE MANS CRESCENT, BOLTON, BL1 1SE

Proposal: LISTED BUILDING CONSENT TO INFILL LIGHT WELL OVER CENTRAL LIBRARY TO CREATE ADDITIONAL FLOOR SPACE AT SECOND FLOOR LEVEL TO PROVIDE AN EXTERNAL EXHIBITION AREA INCLUDING INSTALLATION OF LIFT AND STAIRWAY TOGETHER WITH OTHER EXTENSIVE REFURBISHMENT WORKS BOTH EXTERNAL AND INTERNAL WHICH INCLUDE WORKS TO FLAT ROOF, COPINGS, STONework AND SKYLIGHTS

Ward: Halliwell

Applicant: Bolton MB Council
Agent : Bradshaw Gass & Hope

Officers Report

Recommendation: Refer to Secretary of State

Proposal

Listed Building Consent is sought to construct additional museum display space at second floor level over Central Library. The space will host the permanent "Eternal Egypt" exhibition, designed to house a full-size replica of the tomb of Thutmose III, sixth Pharaoh of the eighteenth dynasty.

The new gallery would be a relatively lightweight structure, suspended over the glazed panels of the vault in the main library room, with loadings distributed via steel beams spanning existing columns - in simple terms, the new structure will "hover" over the ceiling of the library. It would be fully faced externally in standing seam metal cladding to give the appearance of a lead or zinc clad structure if viewed from above or from a distance. The space below will be reserved for informal storage and access to the existing glazed panels.

The majority of the proposed works would take place within the existing building and include:-

- structural works in association within the additional display space
- installation of an artificial daylight array (LED) above the existing glazed panels
- formation of openings into the new space from existing areas
- installation of a lift and stairway

- extensive repair, conservation and protection works

The Application is accompanied by a Conservation Design and Access Report together with a Conservation Management Plan. The proposal would be partly funded by a grant from the Heritage Lottery. An application for Planning Permission for the newly created volume appears elsewhere on the agenda (ref: 92690/14) and the heritage impacts of the external works will be considered in that report.

The application appears at Planning Committee due to the Council's interest in the proposal as both the applicant and the owner of the site.

Site Characteristics

The site is that of Bolton Museum, itself part of the Le Mans Crescent part of the Civic Centre, used as a Library, Museum, Art Gallery and Offices linking to the Magistrates Court to the north. The building is Grade II Listed and is described in the supporting report as an "inter-war celebration of neo-classical architecture". Clearly, this is one of the most prominent buildings in Bolton Town Centre, perhaps second only to the Town Hall itself - with which it forms a coherent group as part of the Town Hall Conservation Area.

Policy

National Planning Policy Framework:
Conserving and Enhancing the Historic Environment

Core Strategy Policies:
SO11 Built Heritage, CG3 Design and the Built Environment
TC1 Civic Core, TC11 Design in Bolton Town Centre

Supplementary Planning Documents:
Building Bolton, Town Hall Conservation Area Character Study

Analysis

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

The main impact of the proposal is:

*its effect on the building or its setting or any features of special architectural or historic interest.

Impact on the Building or its Setting or any Features of Special Architectural or Historic Interest.

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage. Policy CG3 states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.

The key conservation planning policy test to assess whether the proposals are acceptable is contained in paragraph 134 of the National Planning Policy Statement, which notes that

"where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal viable use".

The Council's conservation adviser has been closely involved in the development of the scheme from pre-application advice onwards, as have English Heritage and the decision makers of the Heritage Lottery. Their advice to the architect has enabled the proposed alterations to be introduced in a sensitive way which retains and respects the heritage and quality of the Town Hall.

English Heritage do not wish to comment in detail but make the following general observations:-

"The current proposal seeks permission to undertake considerable alterations to the historic fabric, including infilling the lightwell over the Central Library to create a new gallery above, installation of vertical circulation and general refurbishment.

The restorative aspects of the proposal and positive intervention through HLF funded works are commended as a positive contribution to the long term enjoyment and use of this valuable heritage asset. Similarly, the interventions proposed to address long term deterioration of the historic fabric are welcomed in principle and we would encourage a minimum intervention approach to be taken with regard to any removal of historic fabric and, where removal is demonstrably necessary, a methodology of like-for-like replacement to be followed. In order to allow the building to adapt effectively to future needs whilst minimising harm to the historic fabric, we would also encourage new interventions to be designed for reversibility where possible.

The proposal to create a new gallery within the current void above the Library represents a considerable intervention into the historic fabric of the building and constitutes some harm as a result of the loss of the skylight and structure above. However, given that careful consideration has been given to conserving the significance of the library area, and considering the lower significance of the roof area above this space, the impact of this intervention is considered to be limited with regards to the significance of the building as a whole. In considering this work, we would reaffirm the need to ensure the structural integrity of the building through the proposed works as highlighted within the application."

English Heritage conclude by stating that the application should be determined in accordance with national and local policy guidance and on the basis of expert conservation advice. The Council has sought expert conservation advice and has been advised that the proposal are acceptable in principle. The scheme has been developed in accordance with pre-application advice and the conservation officer is supportive of the submitted scheme subject to confirmation of materials, finishes and various aspects of detailed design, all of which can be dealt with by way of planning conditions. As such, the impacts on the building or its setting or any features of special architectural or historic interest are considered to be acceptable.

Conclusion

The proposal would deliver cultural and community benefits by improving Bolton Museum and no harm would be caused to the significance and heritage value of this prominent heritage asset. The Council's Conservation Adviser and English Heritage do not raise any concerns.

For these reasons, the proposal is recommended for approval.

Representation and Consultation Annex

Representations

None.

Consultations

Advice was sought from the following consultees: Conservation Consultant, English Heritage.

Planning History

None relevant to the current proposal.

Recommendation: Refer to Secretary of State

Recommended Conditions and/or Reasons

1. The works must be begun not later than the expiration of three years beginning with the date of this consent.

Reason

Required to be imposed pursuant to Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the information shown on the submitted drawings, no development shall take place until a detailed schedule of all of the proposed materials of external construction has been submitted to and approved in writing by the local planning authority, and samples have been made available for inspection on site. Development shall not be carried out except in accordance with the agreed schedule, samples and details.

Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with (insert policy) and the National Policy Planning Framework.

3. No development shall take place until details of the location of all externally mounted plant equipment (including mechanical extraction, boiler flues, security equipment, and renewable energy installations) have been submitted to and approved in writing by the local planning authority. No installation of such equipment shall take place until details (including the design, method of support, materials and finishes) have been submitted to and approved in writing by the local planning authority. Such equipment shall not be installed other than in accordance with the approved details.

Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Policy CG4 of Bolton's Core Strategy and the National Policy Planning Framework.

4. No stone / brick / terrazzo cleaning shall be carried out except in accordance with details to be first submitted to and approved in writing by the local planning authority and a sample of the proposed work (approximately 1 square metre) has been prepared for inspection and approved in writing by the local planning authority.

Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Policy CG4 of Bolton's Core Strategy and the

National Policy Planning Framework.

5. No installation of windows (including roof lights/lanterns/skylights) shall take place until details have been submitted to and approved in writing by the local planning authority. Details shall include sample elevations drawn at a scale of 1:20, and vertical and horizontal sections drawn at a scale of 1:5. All windows shall accord with the approved details.

Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Policy CG4 of Bolton's Core Strategy and the National Policy Planning Framework.

6. No development shall take place until a detailed schedule of proposed historic fabric repairs and finishes, including proposed paint schemes and details of infilled openings to the History Centre, has been submitted to and approved in writing by the local planning authority.

Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Policy CG4 of Bolton's Core Strategy and the National Policy Planning Framework.

7. No development shall take place detailed plans (at 1:50/1:20/1:5 scale as appropriate) and sample materials of the following elements are submitted to and approved in writing by the local planning authority :
- New ramp and handrails in Art Gallery Lobby (entrance to History Gallery)
 - New central stair core leading from new Egyptian Gallery)
 - New reception /shopfittings / display units / signage to Entrance Halls/Portico Gallery

Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Policy CG4 of Bolton's Core Strategy and the National Policy Planning Framework.

8. Adequate support and protection shall be provided at all time to all items of high architectural/historic significance identified within the submitted Conservation Management Plan whilst the building works are being carried out.

Reason

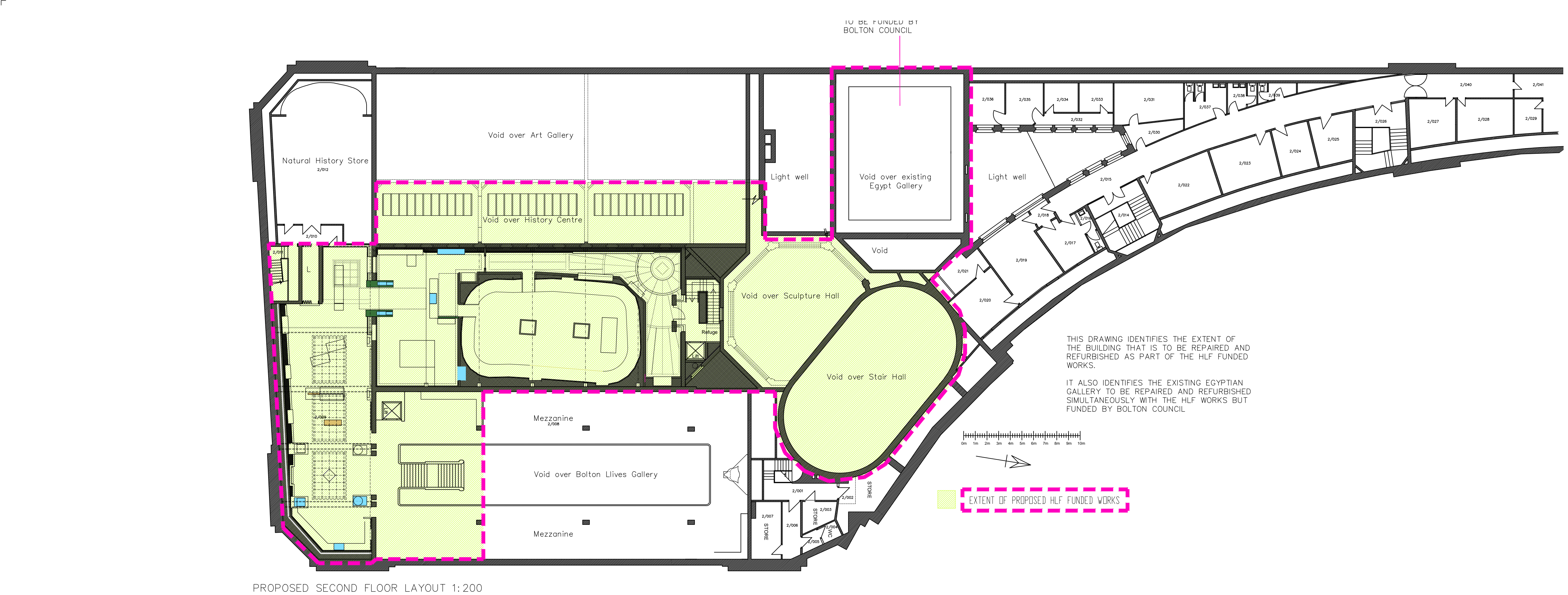
In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Policy CG4 of Bolton's Core Strategy and the National Policy Planning Framework.

9. All existing historic internal decorative plasterwork and internal joinery (skirtings, doors, architraves, dado and picture rails etc.) shall be retained and carefully repaired in accordance with a schedule of works to be submitted to and agreed in writing by the local planning authority prior to work

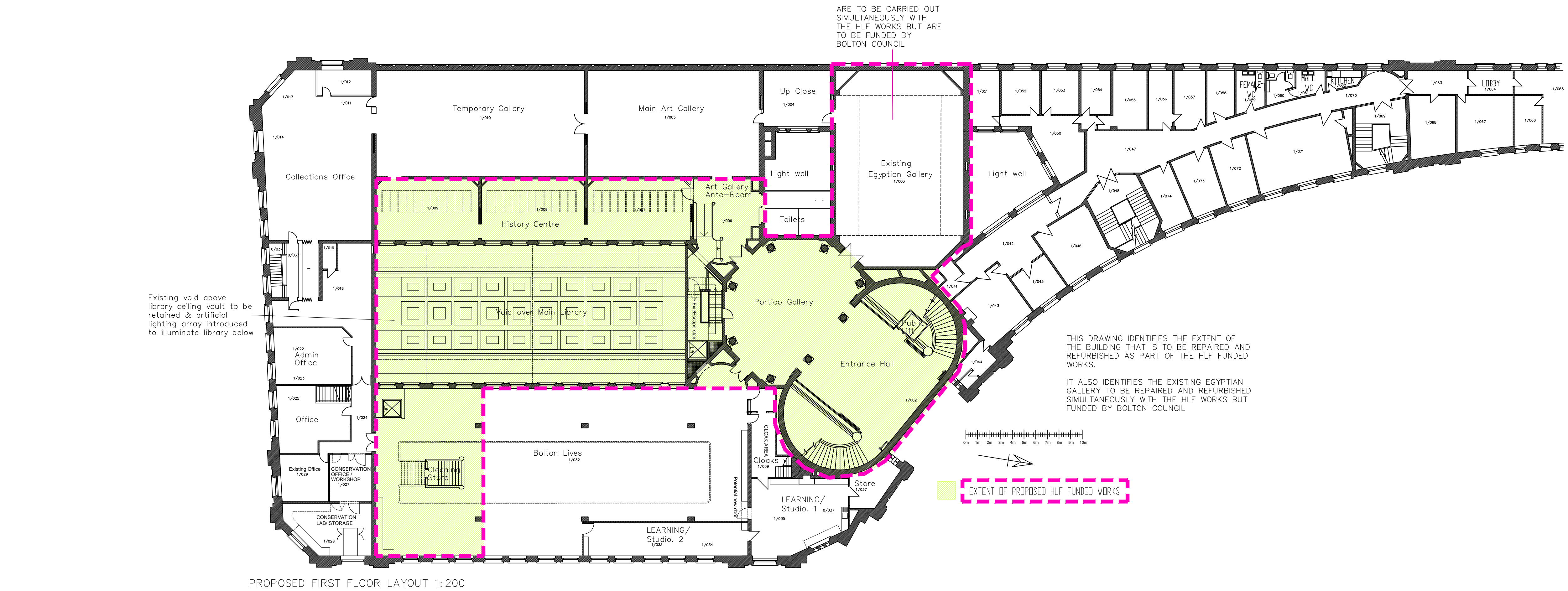
Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Policy CG4 of Bolton's Core Strategy and the National Policy Planning Framework.

1



PROPOSED SECOND FLOOR LAYOUT 1:200



PROPOSED FIRST FLOOR LAYOUT 1:200

status

LISTED BUILDING

Bolton

Library and Museum Services

ETERNAL EGYPT

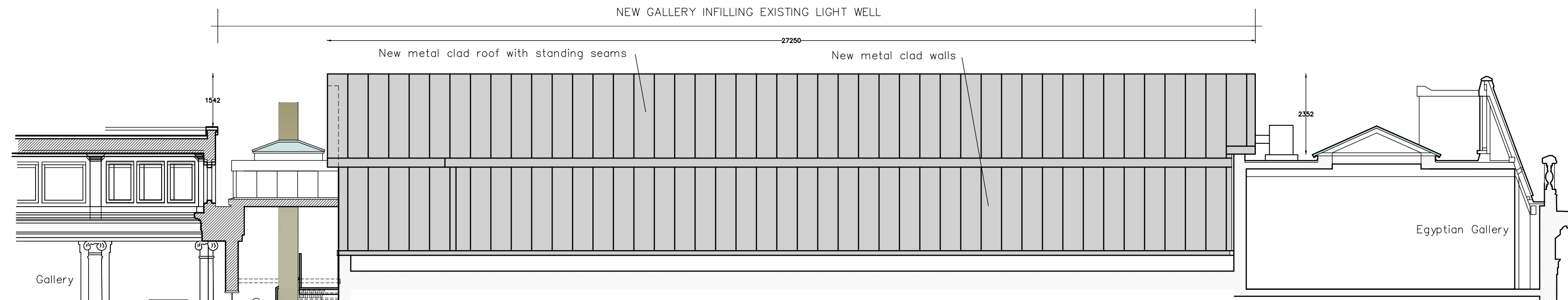
Supported by

The National Lottery

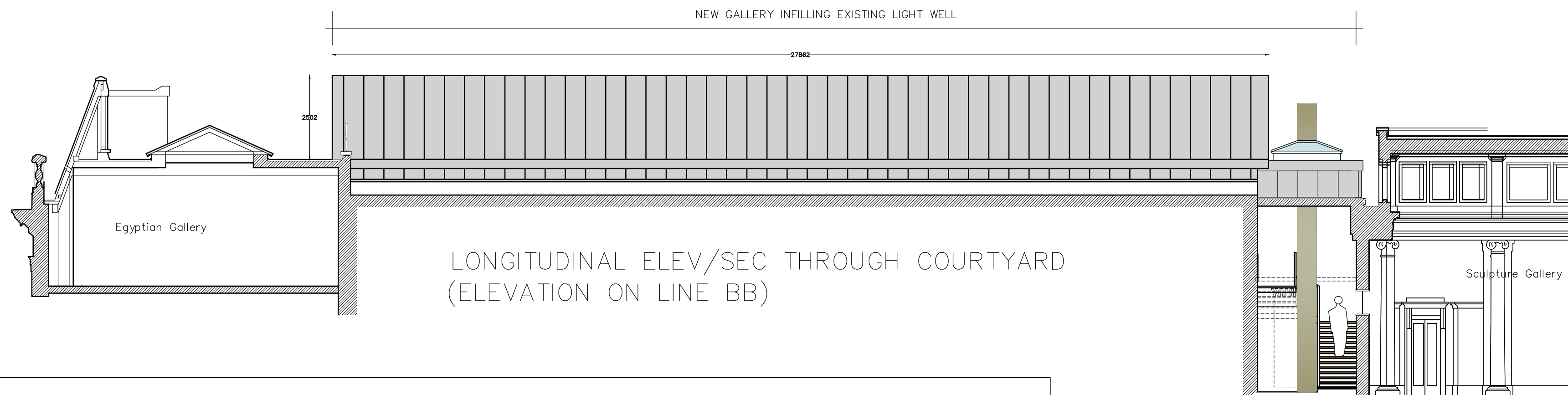
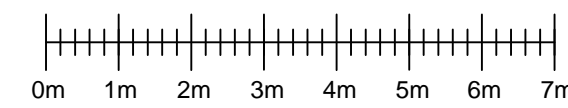
through the Heritage Lottery Fund

heritage lottery fund

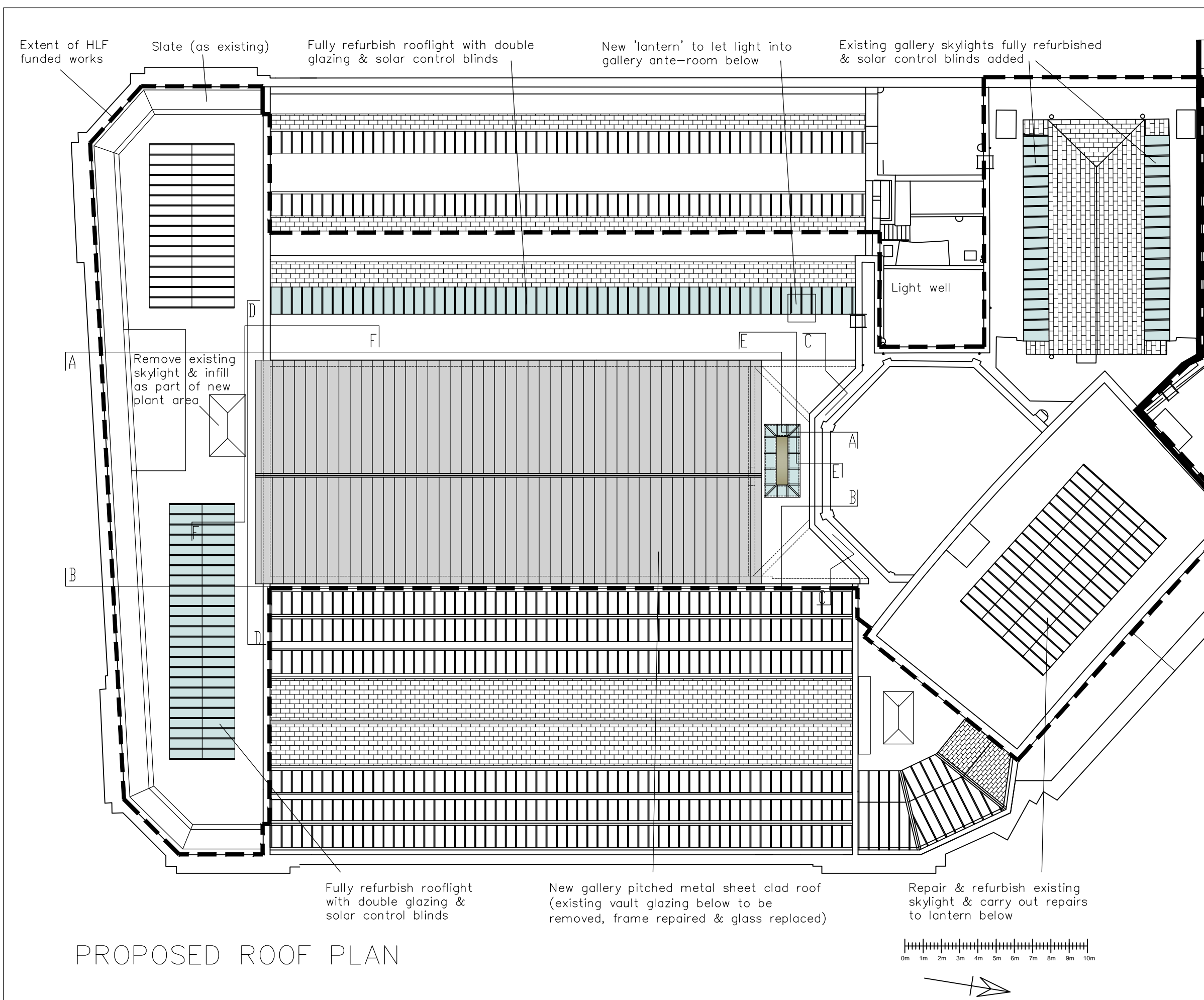
revision	by	date
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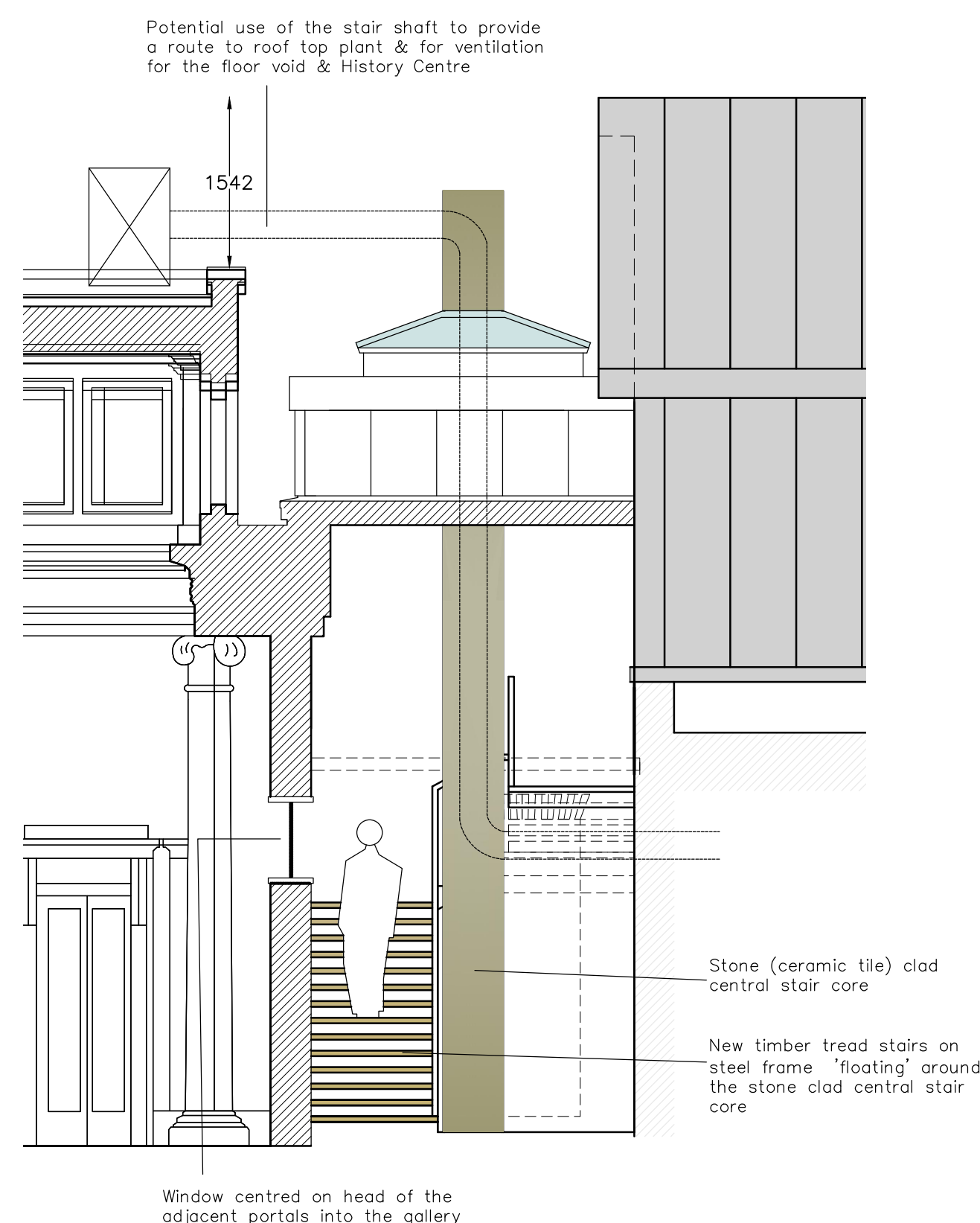
LONGITUDINAL ELEV/SECTION THROUGH COURTYARD
(ELEVATION ON LINE AA)



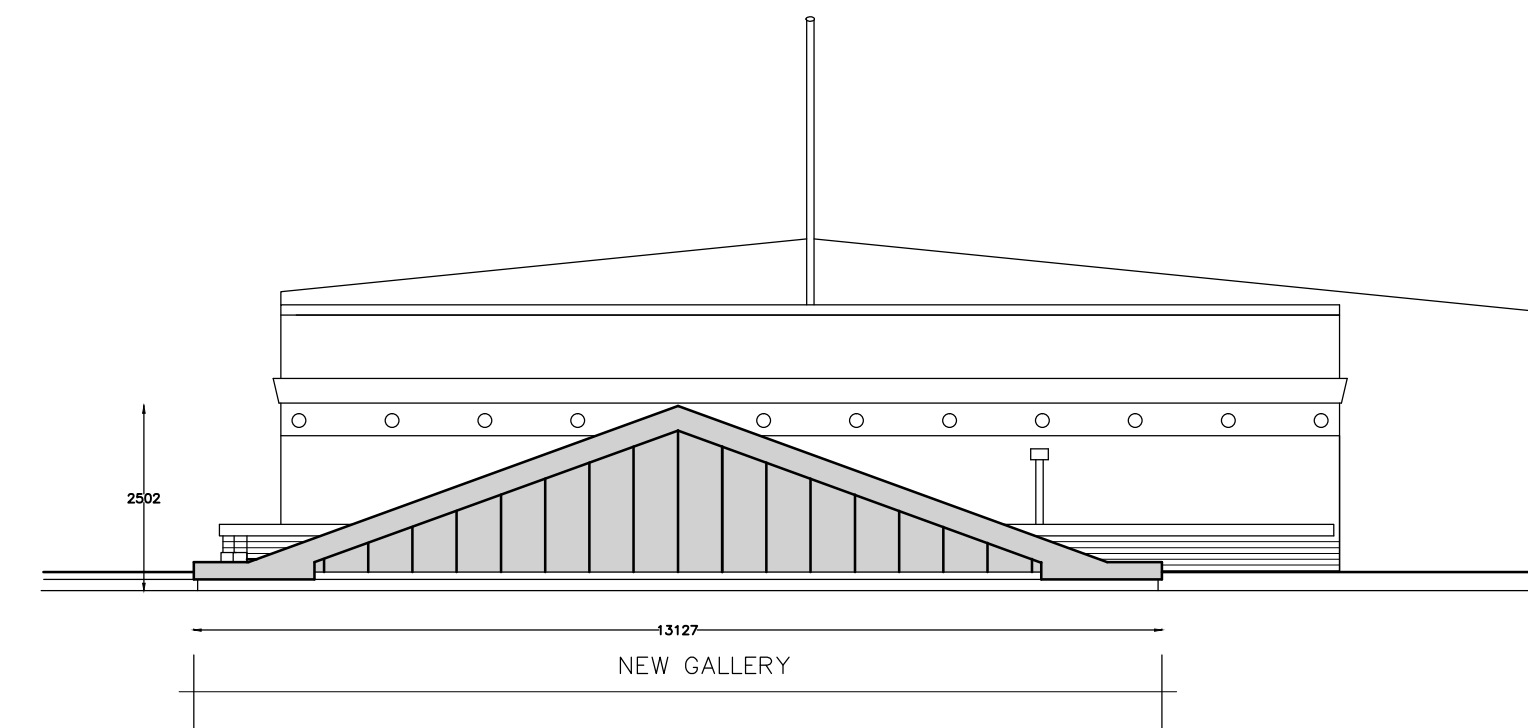
LONGITUDINAL ELEV/SEC THROUGH COURTYARD
(ELEVATION ON LINE BB)



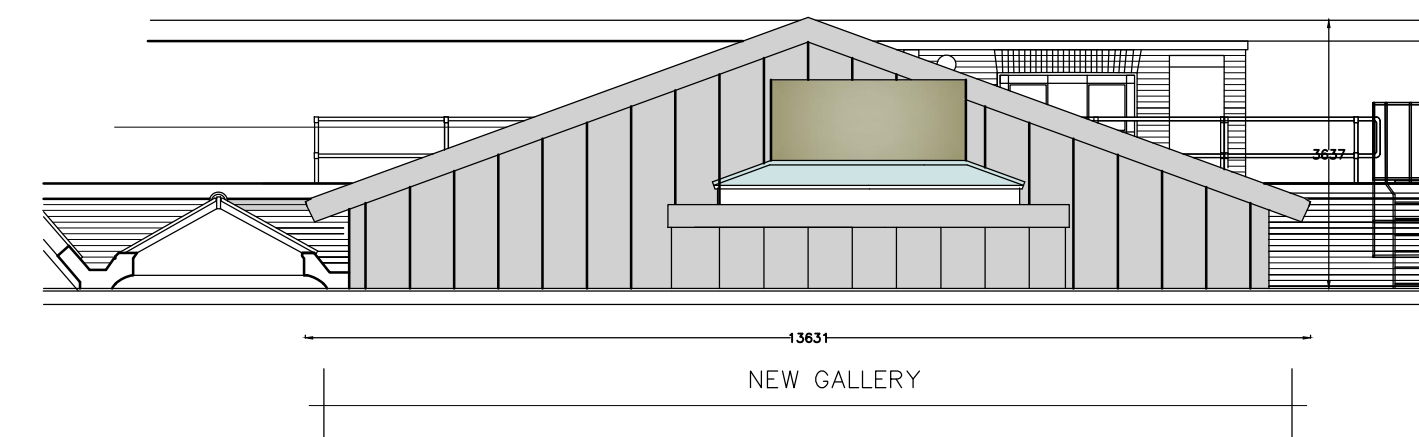
PROPOSED ROOF PLAN



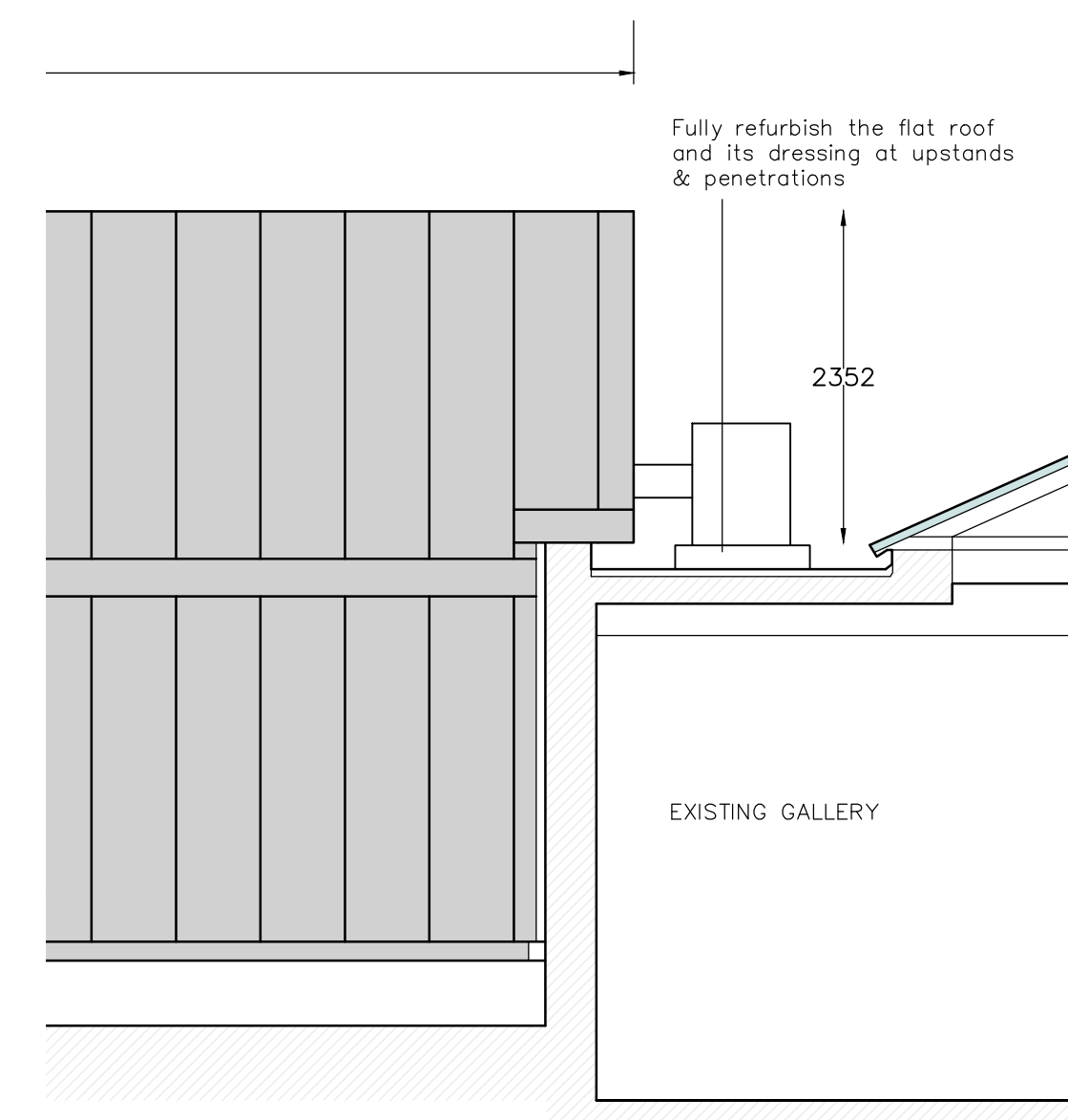
SECTIONAL ELEVATION EE
THROUGH STAIRWELL



PROPOSED ELEV/SECTION THROUGH COURTYARD
(ELEVATION ON LINE DD)



PROPOSED ELEV/SECTION THROUGH COUR
(ELEVATION ON LINE CC)



SECTIONAL ELEVATION FF

status

LISTED BUILDING

Bolton Library and Museum Services

ETERNAL EGYPT

Supported by **The National Lottery** through the Heritage Lottery Fund

heritage lottery fund

Note: This drawing is to give a general overview of the scale & appearance of the new insertion & of the proposed palette of materials

revision	by	date
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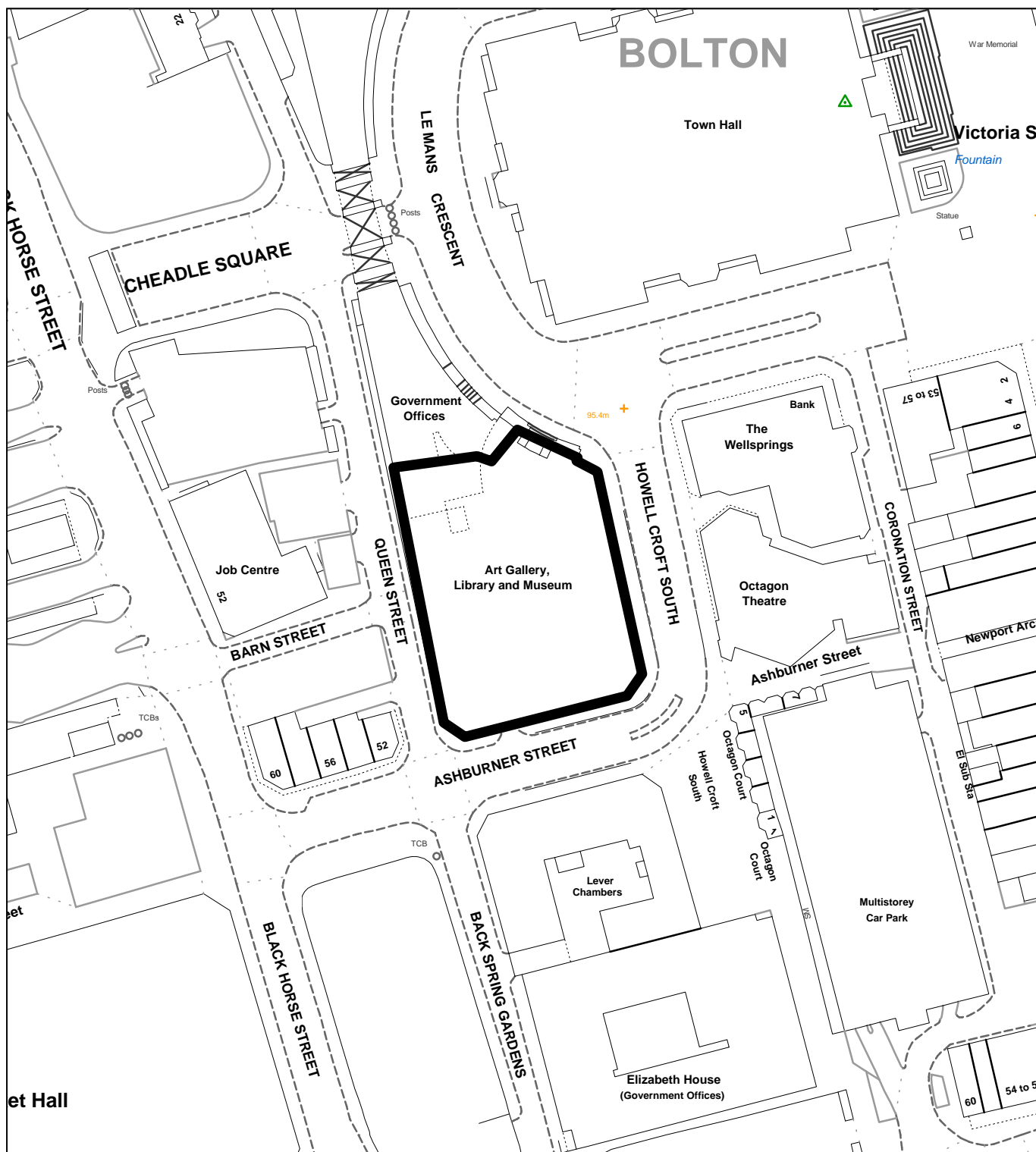
project
**'ETERNAL EGYPT'
New Gallery & Tomb Exhibition**

drawing
Proposed Courtyard Elevations

drawn	RB	date	24.06.14
approved		date	
scale	1:100		A1
drawing no	335.302.FB 410		rev
dept.	ARCHITECTURAL		RIBA

Application No.

92690/14



Development and Regeneration Department
Planning Control Section

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

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11

Date of Meeting: 20/11/2014

Application Reference: 92690/14

Type of Application: Local Authority Applications\Development
Registration Date: 03/09/2014
Decision Due By: 28/10/2014
Responsible Officer: Martin Mansell

Location: BOLTON LIBRARY AND MUSEUM SERVICES, BOLTON CIVIC CENTRE, LE MANS CRESCENT, BOLTON, BL1 1SE

Proposal: INFILLING OF LIGHT WELL OVER CENTRAL LIBRARY TO CREATE ADDITIONAL FLOOR SPACE AT SECOND FLOOR LEVEL TO PROVIDE AN EXTERNAL EXHIBITION AREA INCLUDING INSTALLATION OF LIFT AND STAIRWAY ACCESS TOGETHER WITH OTHER EXTENSIVE REFURBISHMENT WORKS BOTH INTERNAL AND EXTERNAL

Ward: Halliwell

Applicant: Bolton MB Council
Agent : Bradshaw Gass & Hope

Officers Report

Recommendation: Refer to Secretary of State

Proposal

Consent is sought to construct additional museum display space at second floor level over the Central Library. The space will host the permanent "Eternal Egypt" exhibition, designed to house a full-size replica of the tomb of Thutmose III, sixth Pharaoh of the eighteenth dynasty.

The new gallery would be a relatively lightweight structure, suspended over the glazed panels of the vault in the main library room, with loadings distributed via steel beams spanning existing columns - in simple terms, the new structure will "hover" over the ceiling of the library. It would be fully faced externally in standing seam metal cladding to give the appearance of a lead or zinc clad structure if viewed from above or from a distance. The space below will be reserved for informal storage and access to the existing glazed panels.

The Application is accompanied by a Conservation Design and Access Report together with a Conservation Management Plan. The proposal would be partly funded by a grant from the Heritage Lottery. An application for Listed Building Consent appears elsewhere on the agenda (ref: 92665/14) and the heritage impacts of the internal works will be considered in that report.

The application appears at Planning Committee due to the Council's interest in the proposal as both the applicant and the owner of the site.

Site Characteristics

The site is that of Bolton Museum, itself part of the Le Mans Crescent part of the Civic Centre, used as a Library, Museum, Art Gallery and Offices linking to the Magistrates Court to the north. The building is Grade II Listed and is described in the supporting report as an "inter-war celebration of neo-classical architecture". Clearly, this is one of the most prominent buildings in Bolton Town Centre, perhaps second only to the Town Hall itself - with which it forms a coherent group as part of the Town Hall Conservation Area.

Policy

National Planning Policy Framework - ensuring the vitality of town centres, requiring good design, conserving and enhancing the historic environment

Core Strategy Objectives

SO2 Access to Education, SO3 Economic Opportunities of Bolton Town Centre, SO4 Transforming Bolton Town Centre, SO6 Accessibility and Infrastructure, SO11 Built Heritage, SO16 Community Cohesion and Access

Core Strategy Policies

CG2 Sustainable Development, CG3 Design and the Built Environment, SC2 Cultural and Community Facilities, TC1 Civic Core, TC11 Design in Bolton Town Centre

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on cultural and community provision

Impact on the Character and Appearance of the Area

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

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

amenity for all existing and future occupants of land and buildings.

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

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

The proposals keep the ridge of the new gallery roof below the highest level of the adjacent roofscape and the gallery extent fully within the volume of the lightwell. For these reasons, views of the new structure from street-level nearby will be impossible and therefore the impact on the character and appearance of the area will be limited only to distant views from surrounding high level structures.

The new intervention will have no effect at all on the external appearance of the Civic Centre at Le Mans Crescent and therefore the impact on the character and appearance of the area, including the Town Hall Conservation Area, is considered to be acceptable.

Impact on Cultural and Community Provision

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. It goes on to state that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

Policy SO16 seeks to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities. Policy SC2 of the Core Strategy states that the Council will ensure that community facilities are located in the neighbourhoods that they serve.

Bolton Core Strategy refers specifically to the benefits of improvements to the museum, stating that "tourism and leisure attractions will be concentrated in Bolton town centre, making the most of the existing visitor attraction at Bolton Museum".

The proposal would be sustainably located due to the high accessibility of Bolton town centre and would deliver cultural and community benefits by improving Bolton Museum, consistent with the Core Strategy.

Conclusion

The proposal would deliver cultural and community benefits by improving Bolton Museum and no harm would be caused to the character and appearance of the building or the

wider area. The Council's Conservation Adviser and English Heritage do not raise any concerns.

For these reasons, the proposal is recommended for approval.

Representation and Consultation Annex

Representations

None.

Consultations

Advice was sought from the following consultees: Conservation Consultant, English Heritage.

Planning History

None relevant to the current proposal.

Recommendation: Refer to Secretary of State

Recommended Conditions and/or Reasons

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

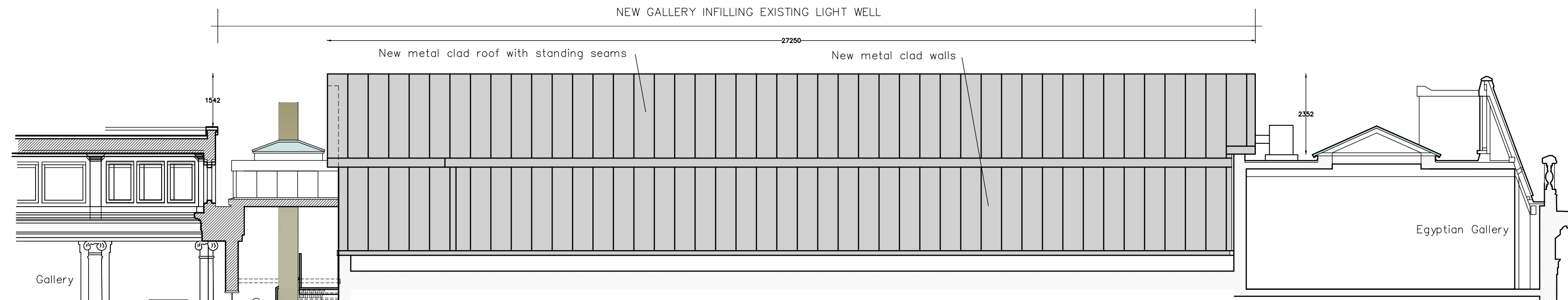
Reason

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

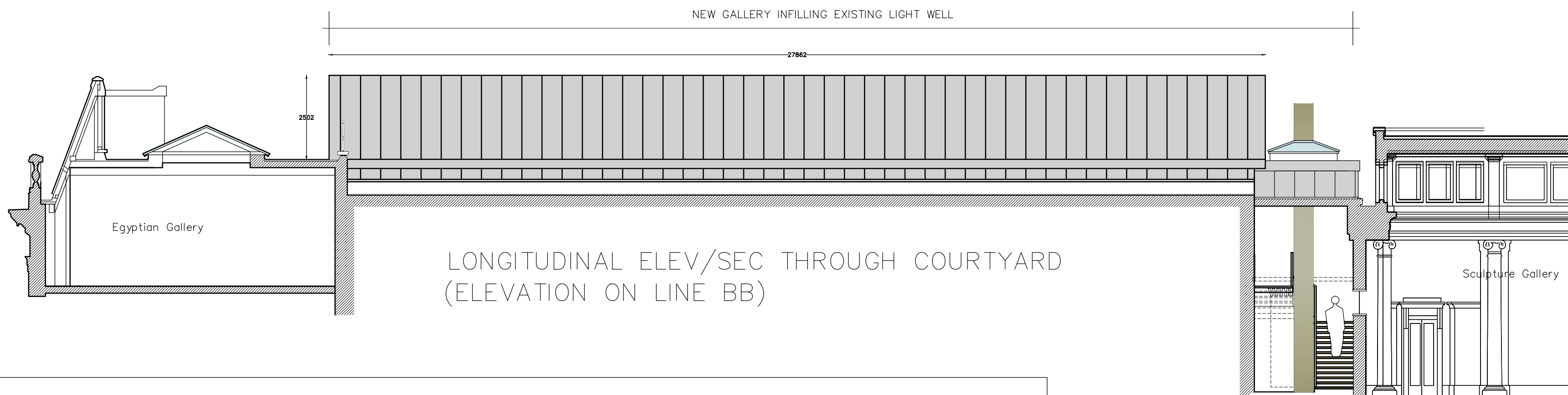
2. Prior to the commencement of development samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

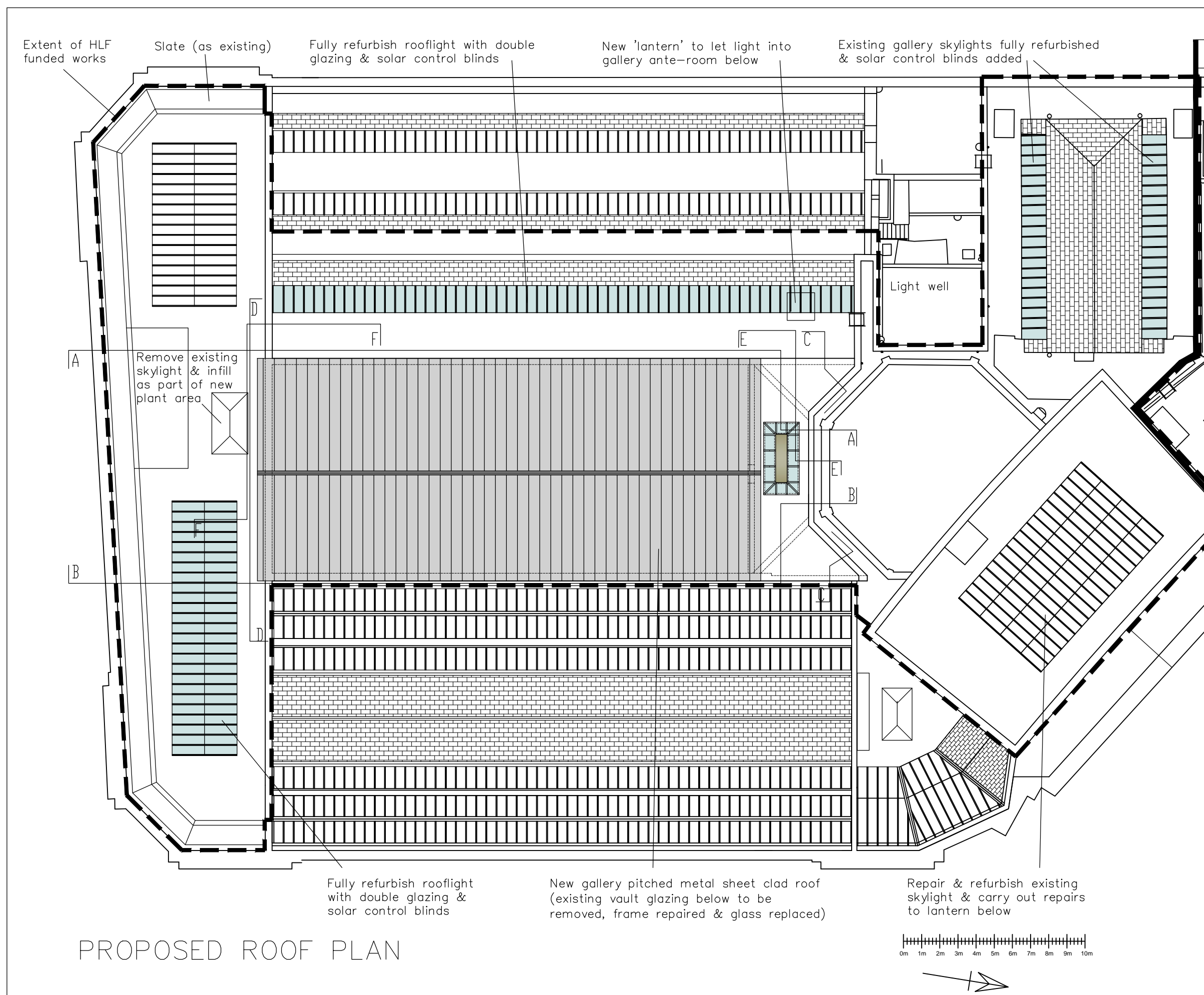
To ensure the development reflects local distinctiveness.



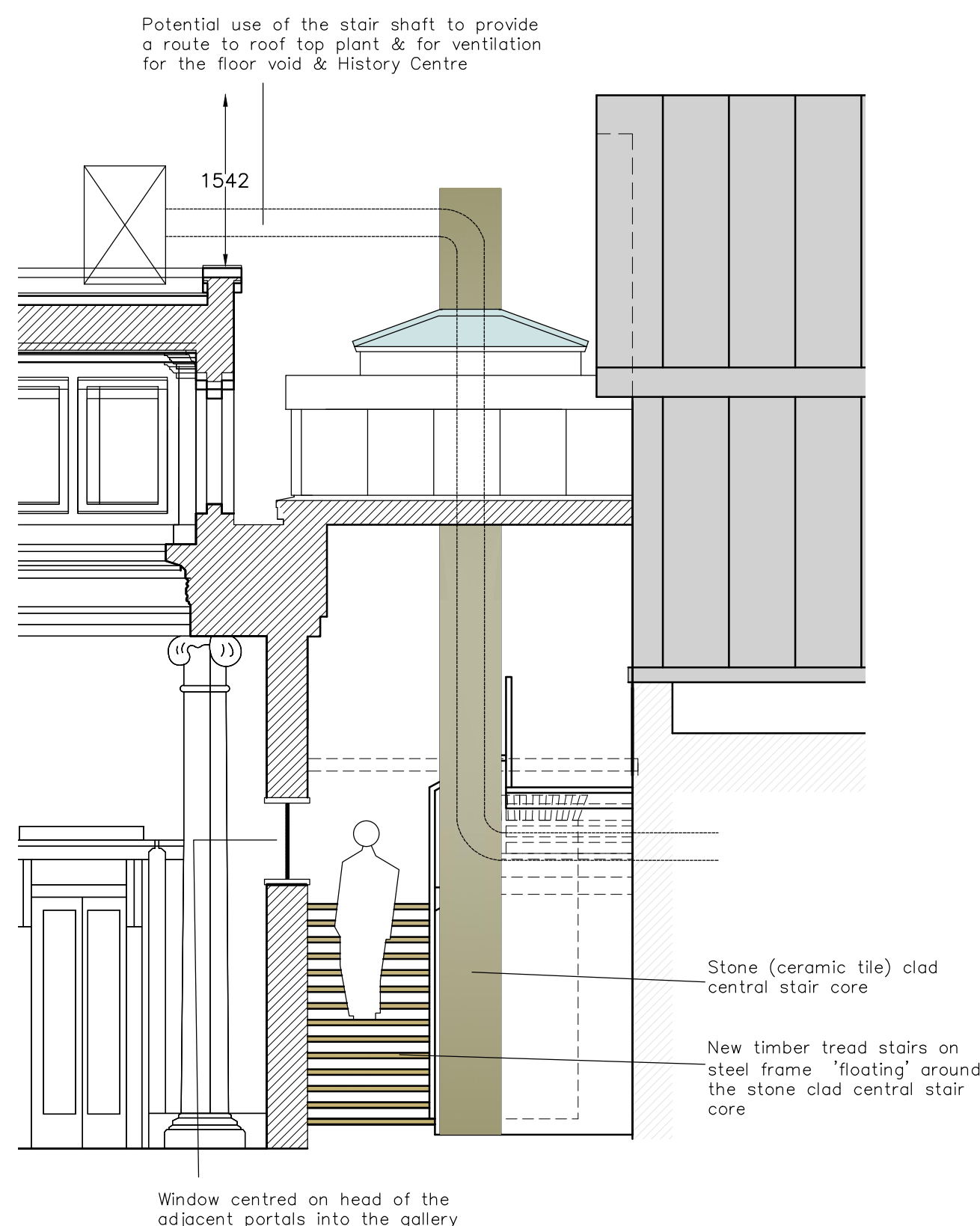
LONGITUDINAL ELEV/SECTION THROUGH COURTYARD
(ELEVATION ON LINE AA)



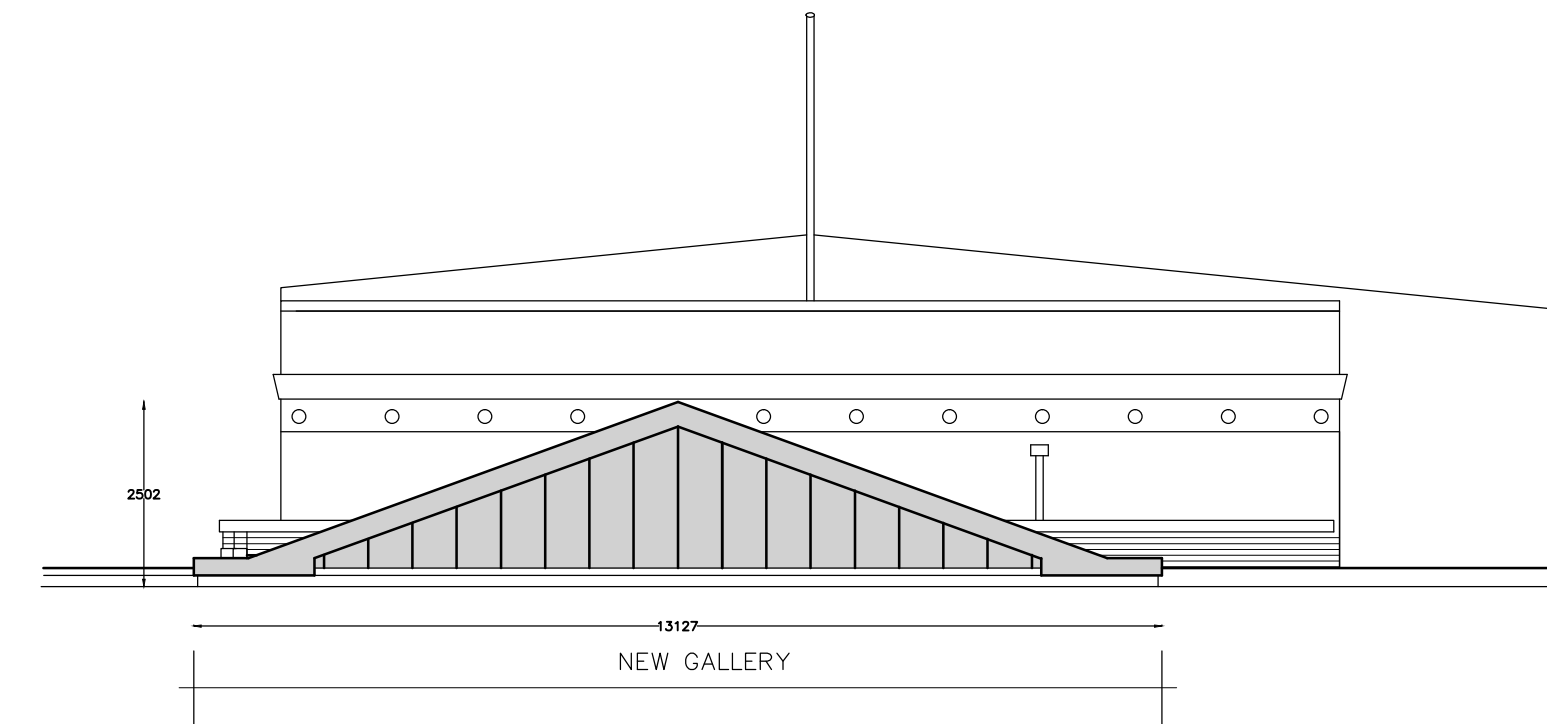
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(ELEVATION ON LINE BB)



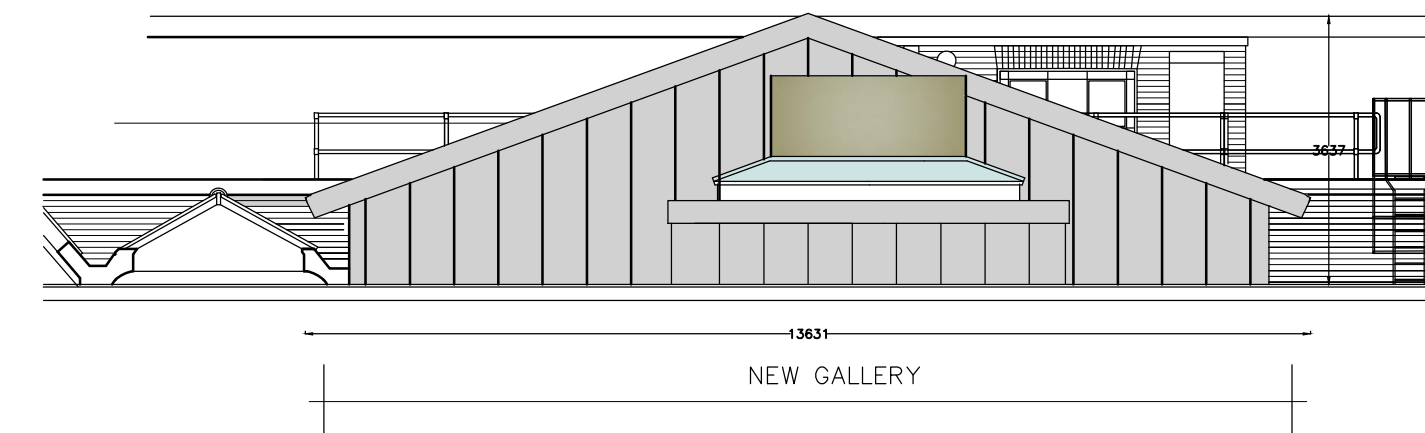
PROPOSED ROOF PLAN



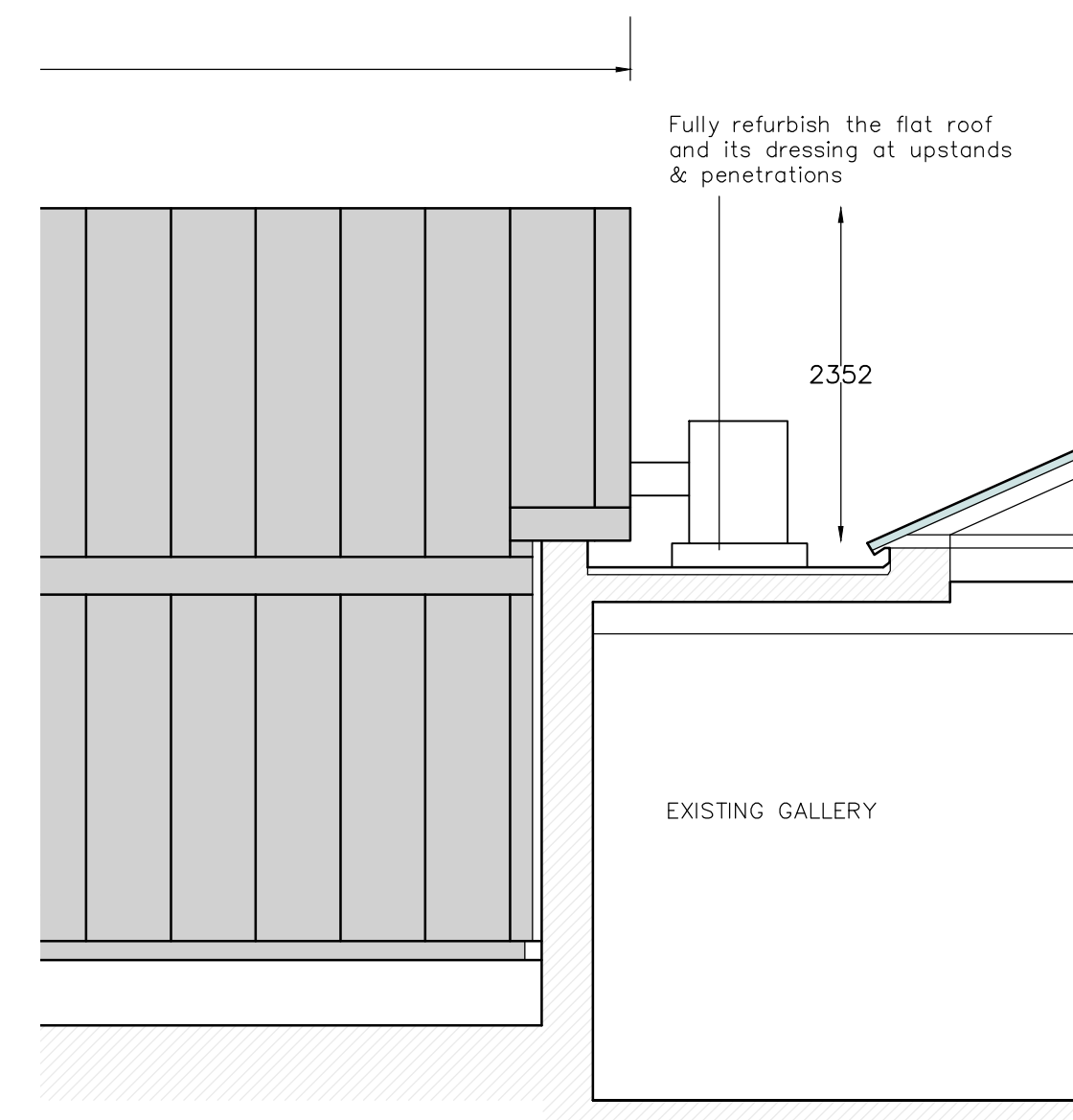
SECTIONAL ELEVATION EE
THROUGH STAIRWELL



PROPOSED ELEV/SECTION THROUGH COURTYARD
(ELEVATION ON LINE DD)



PROPOSED ELEV/SECTION THROUGH COUR
(ELEVATION ON LINE CC)



SECTIONAL ELEVATION FF

status

LISTED BUILDING

Bolton Library and Museum Services

ETERNAL EGYPT

Supported by **The National Lottery** through the Heritage Lottery Fund

Note: This drawing is to give a general overview of the scale & appearance of the new insertion & of the proposed palette of materials

revision	by	date
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Quantity Surveyors

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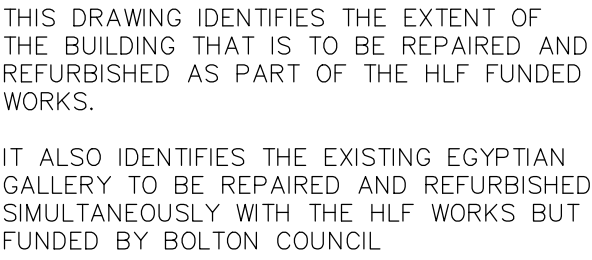
Bradshaw Gass & Hope LLP

client
BOLTON COUNCIL

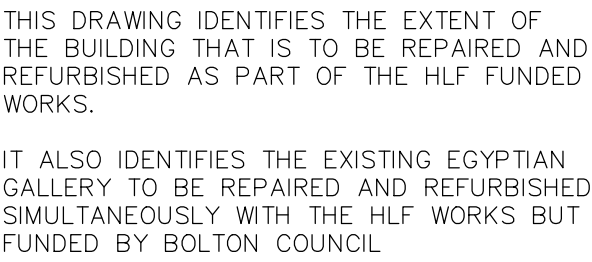
project
**'ETERNAL EGYPT'
New Gallery & Tomb Exhibition**

drawing
Proposed Courtyard Elevations

drawn	RB	date	24.06.14
approved		date	
scale	1:100		A1
drawing no	335.302.FB 410		rev
dept.	ARCHITECTURAL		RIBA



EXTENT OF PROPOSED HLF FUNDED WORKS



EXTENT OF PROPOSED HLF FUNDED WORKS

Bradshaw Gass & Hope LLP

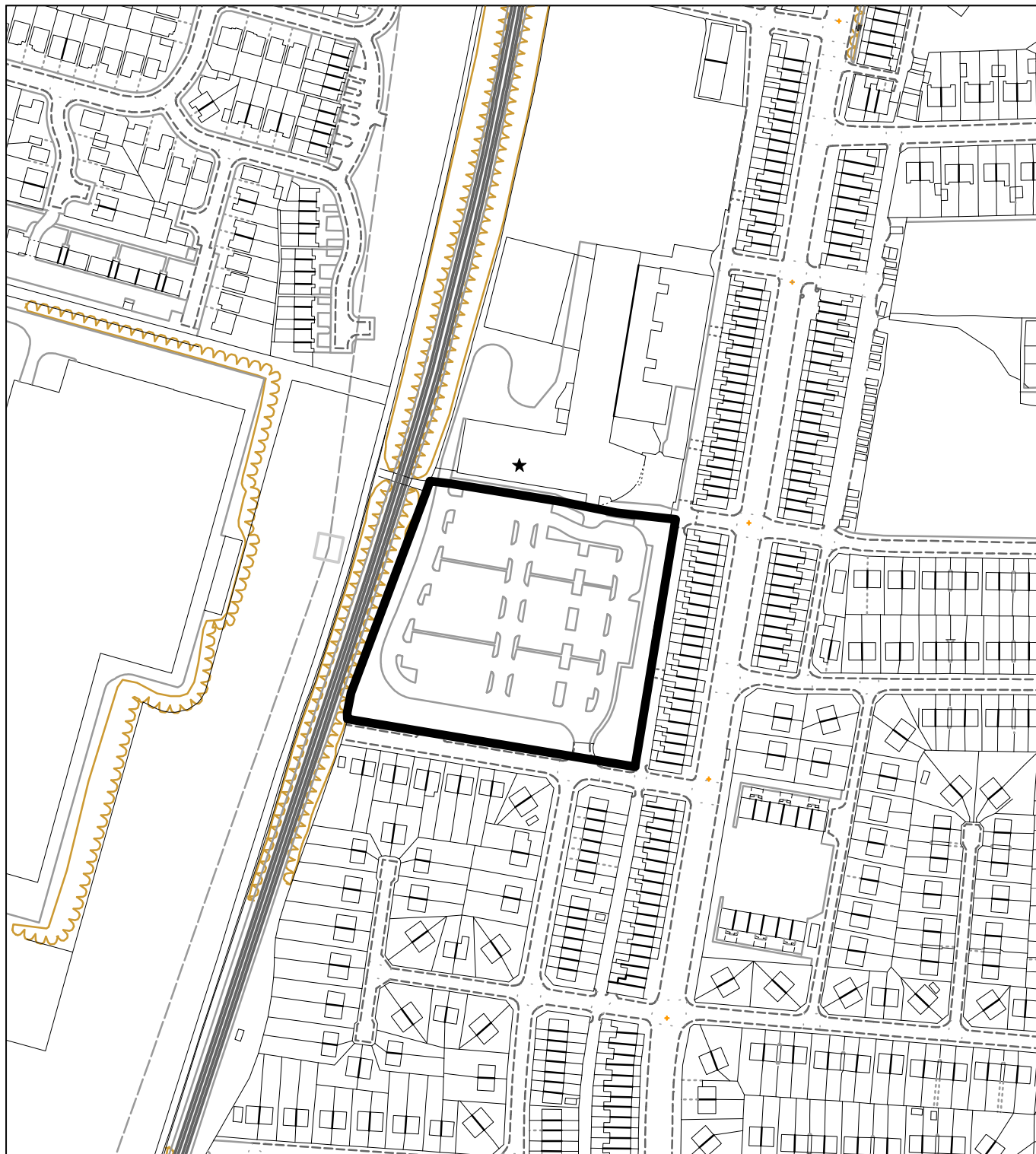
project

'ETERNAL EGYPT'
NEW GALLERY & TOMB
EXHIBITION

dept. ARCHITECTURAL

Application No.

92763/14



Development and Regeneration Department
Planning Control Section

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

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11

Date of Meeting: 20/11/2014

Application Reference: 92763/14

Type of Application: Full Planning Application
Registration Date: 07/10/2014
Decision Due By: 01/12/2014
Responsible Officer: Alex Allen

Location: CASTLE HILL CENTRE, CASTLETON STREET, BOLTON, BL2 2JW

Proposal: INCREASE OF ADDITIONAL CAR PARK SPACES ON SITE

Ward: Tonge with the Haulgh

Applicant: Mr S Young
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the reconfiguration of the existing car park to provide (i) a more efficient use of the existing car parking area and (ii) an extension to the existing car park by using areas on the edge of the car park currently used as areas of landscaping for additional car parking.

The existing two way system within the car park would be changed to a one way system. This will enable the central aisle to be infilled with car parking spaces. In addition, a total of 26 new spaces will be created by removing some of the landscaping on the southern side of the car park with a further 7 new spaces being provided on the eastern side of the car park. The changes will also allow for changes to existing car parking spaces to increase capacity.

The requirement for additional car parking on site arises from the changing the way the Council operates and the need to use Council operated buildings more effectively. The proposal will result in a total of 410 people being employed from the building. However, due to changes in the way the Council operate it is expected that only 80% of these employees will work from the Castle Hill Centre at any time i.e use of the building by 328 staff members.

The current car park provides 266 spaces whilst the current application proposes the provision of 373 spaces, an additional 107 spaces.

Site Characteristics

The application relates to the existing car park at the Castle Hill Centre a large Council run office building with an existing total of 266 spaces. The car park is also used by the adjoining School and Youth Club. The existing layout has substantial landscaped area which runs along the southern boundary with Castleton Street and in the south east

corner of the site adjacent to Back Tonge Moor Road.

Policy

National Planning Policy Framework

Core Strategy CG3 The Built Environment, CG4 Compatible Uses, P5 Accessibility, S1 Safe, RA1 Inner Bolton.

Planning Control Policy Notes: No. 21 Highways Considerations.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area;
- * impact on highway safety;
- * impact on surrounding land uses and occupiers.

Impact on the character and appearance of the area

Core Strategy policies CG3 seeks to ensure that new developments respect the character and appearance of the area. Policy RA1 seeks to conserve and enhance the distinctive character of the existing physical and natural environment.

Apart from the infilling of central vehicular access with car parking spaces, the main area of new car parking would be along the southern boundary of the existing car park. This area is currently formed by a 13 metre deep/wide landscaped strip. To enable the car parking to be located in this area, the existing landscaping would need to be reduced by some 5 metres. As a result, a landscaped area of 8 metres would still be retained between the southern edge of the new car park spaces and the perimeter fence adjacent to Castleton Street.

The other area where some established landscaping would be removed is in the South eastern corner of the site. Again the landscaped area is c. 13 metres in width to the edge of Back Tonge Moor Road.

Officers consider that sufficient landscaping would be retained to enable the character of the car park and the surrounding area to be maintained. The proposal would comply with Core Strategy policies CG3 and RA1.

Impact on highway safety

Core Strategy policies P5 and S1 seek to ensure that new development proposals provide

adequate off road parking and promote road safety. As stated above, the reason for the increase in car parking is to enable some Council staff to be relocated to the Castle Hill centre as part of the rationalisation of the Council's property portfolio.

The proposal will result in a total of 410 people being employed from the building. However, due to changes in the way the Council operate it is expected that only 80% of these employees will work from the Castle Hill Centre at any one time i.e use of the building by 328 staff members. The proposed new car parking provision would provide 373 spaces, an additional 107 spaces.

The proposal would retain a drop off/pick up facility for the adjacent Primary School, together with sufficient car parking within the main body of the car park, including designated 'family' parking to enable parents to visit the School.

The footpath which currently runs along the eastern edge of the car parking area would be reinstated around the proposed new car parking. This would ensure the desire lines for existing school children / parent can continue to walk safely to school.

The relocation of employees from the town centre to the Castle Hill Centre is likely to have a negligible impact on traffic congestion in the area given that the additional traffic flows will be against the peak flow direction and the flexible working hours of Council staff will spread journeys throughout and beyond the peak periods.

It is considered that the proposal provides adequate car parking for the future requirements of the Castle Hill Centre and the adjoining School/other users whilst providing a safe pedestrian routes through the site to the adjacent School. The proposal complies with policy.

Impact on surrounding land uses and occupiers

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

Local residents primary concerns are (i) the loss of landscaping/green areas adjacent to their homes, (ii) loss of landscaping will result in lights shining through their windows and (iii) existing out of hours use of car park resulting in anti social behaviour.

As noted above, the two existing areas of landscaped area on the southern and eastern sides of the car park provide a substantial 13 metre wide landscaped buffer. The proposed new car parking this area would be reduced in width by c. 5 metres. Therefore, a landscaped area of 8 metres would be retained in both areas. Not only would this ensure that the existing landscaping in this 8 metre wide area would be retained, but further replacement planting would be required to further soften the new areas of car parking.

In addition, it is considered that the retained landscaping and mounded areas would prevent any lights shining into local residents properties.

Therefore, subject to a condition requiring details of the new landscaping provision to be provided to the Local Planning Authority, it is considered that the proposal would fully comply with Core Strategy policy CG4. It is considered that the issue of anti social behaviour on the existing car park is a site management issue rather than a specific concern of this planning application. This issue has been passed onto the applicant for

them to address in the future.

Other issues

There are a number of issues raised by local residents which are detailed in the representations section below. Officers comments in response to these issues are also detailed within the representations section.

Conclusion

The proposal would provide sufficient additional car parking to meet the increased needs of the Castle Hill Centre whilst retaining sufficient car parking and a drop off/pick up facility to meet the needs of the adjacent Primary School / other users of the site. The changes are relatively modest and in keeping with the overall character of the site as a car parking area with relatively large areas of retained / new landscaping to ensure an effective buffer for local residents adjoining the site without compromising their living conditions.

The proposal complies with policy and is recommended for approval with conditions.

Representation and Consultation Annex

Representations

Letters:- five comment letters have been received raising concerns about the following:

- Loss of existing landscaping generally – ***replacement scheme to be provided where appropriate;***
- Loss of landscape buffer will result in car lights shining through residents windows – ***some loss – retained landscape and mounds would ensure no impact on local residents – trees / shrubs lost will be replaced – landscaping scheme to be submitted;***
- Increase in traffic esp. at peak times – ***increase yes – net impact staggered throughout the peak periods and against the peak traffic flows;***
- Faded yellow box junction at the junction of Tonge Moor Road and Castleton Street – will refer to Highways;
- Potential loss of footpaths impacting on users of the Centre and adjacent School who access the site on foot – ***majority of existing footpaths to remain, new footpath created on the eastern side of the car park to re-provide access;***
- Anti-social behaviour arising on the car park – (not a consideration for this application as this relationship will not change – a management issue);
- Safety issue – retaining wall at the c/o Castleton Street and Tonge Moor Road appears unsafe – ***informed Highways – not an issue for this application;***
- Removal of the existing fixed access to the site from Castleton Street with an electric barrier will make the car park less secure – ***there are no plans to change the existing access arrangements, no barrier is planned;***
- Vehicles going through No Entry signs on Back Tonge Moor Road - ***this is not a material planning consideration. Rather it is a highway enforcement / police matter.***

Letter from headmistress from the adjoining school concerned regarding loss of drop off / pick up facility – ***a facility would be retained albeit a smaller area. In addition, there would be general parking which would also be available to parents and there will be designated family spaces which will enable parents to park close to the School/Castle Hill Centre.***

Petitions:- no petitions received.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: the Council's Highways Engineers, Trees and Woodland Officer and the Council's Landscape Architects.

Planning History

Outline planning permission was granted in February 2000 (Ref: 55926/99) for the demolition of buildings and the erection of a primary school, nursery unit, youth club, library, training centre and offices).

Reserved matters approval was granted in August 2001 for the erection of a community resource centre including a public library, primary school, nursery unit, youth club, training centre and offices (Ref: 59402/01).

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. As shown on the approved plans, the approved car parking area shall be laid out and reserved at all times for use by drivers with disabilities before the development hereby approved/permited is first brought into use and thereafter retained unless otherwise agreed in writing with the Local Planning Authority.

Reason

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

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 completion of the development, 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.

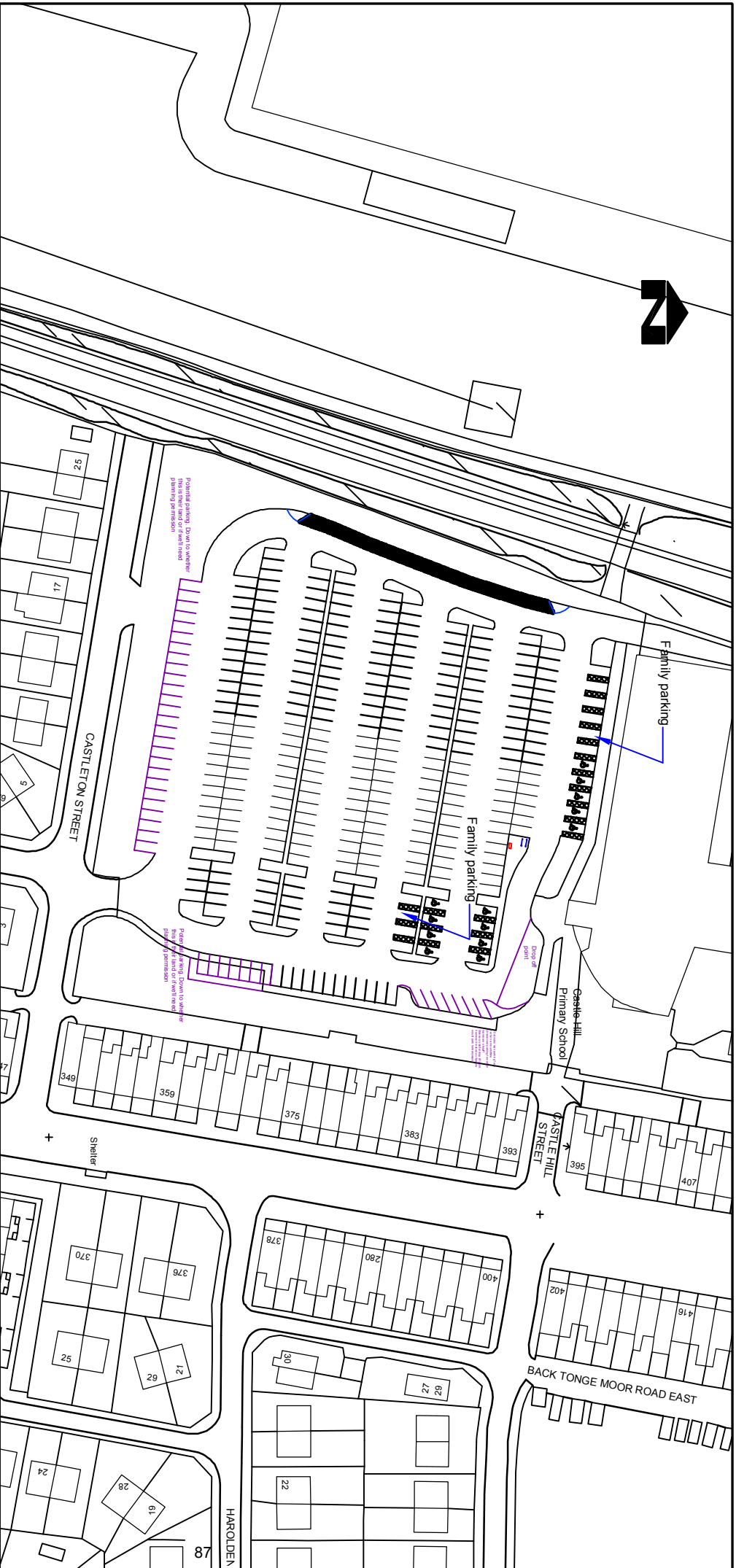
4. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Proposed parking layout, Revision A - scanned to file 07/11/2014.

Reason

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





DESIGNED AND PRODUCED BY THE HIGHWAYS AND
ENGINEERING SECTION OF THE ENVIRONMENTAL
SERVICES DEPARTMENT OF BOLTON COUNCIL

ISSUED . AUGUST 2014

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Bolton COUNCIL
HIGHWAYS AND
ENGINEERING
DIVISION

"KEEPING PEOPLE MOVING SAFELY"

ENVIRONMENTAL SERVICES DEPARTMENT

Director: Malcolm J. Cox MBA, BSc, C.Eng, MICE

CASTLE HILL

PROPOSED PARKING LAYOUT +

STATUS FOR INFORMATION

Rev.	Amendments	N/S	7/11/14	By	Date	Chkd.
A	5 family bays changed to disabled bays					

Date AUGUST 2014

Scale 1: 1250

Drawing Size A4

Drawn by

Checked by

CAD Ref.

Drawing No.

A

Revision

Application No.

92771/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
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**Bolton
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11

Date of Meeting: 20/11/2014

Application Reference: 92771/14

Type of Application: Outline Planning Permission
Registration Date: 12/09/2014
Decision Due By: 11/12/2014
Responsible Officer: Jodie Turton

Location: SHEPHERD CROSS STREET INDUSTRIAL ESTATE, SHEPHERD CROSS STREET, BOLTON, BL1 3DE

Proposal: OUTLINE APPLICATION FOR THE DEMOLITION OF INDUSTRIAL UNITS AND ERECTION OF 22 DWELLINGS (ACCESS, APPEARANCE, LAYOUT AND SCALE DETAILS ONLY).

Ward: Halliwell

Applicant: KC Sheet Metal Limited
Agent : ASC Designs LTD

Officers Report

Recommendation: Approve subject to conditions

Proposal

This is an outline application for the demolition of industrial units and the erection of 22 dwellings, comprising of 16 terrace town houses and an apartment block of 6 units. The town houses will be situated in three blocks of four, five and seven units. They will front onto Shepherds Cross Street and Elgin Street and a central courtyard to the rear of the properties will provide parking. The apartment block is situated to the rear of the houses and will have outlook to the courtyard parking area.

The 3-storey apartment block is sited to the southern corner of the site. The apartments on the ground and first floor have two bedrooms; the apartments to the second floor are one-bed. There are two apartments per floor of the building.

The town houses are shown to have a flexible layout, with the ground floor being a kitchen and family room, whilst the first floor has the flexibility to accommodate a lounge or master bedroom, in addition to a second bedroom and family bathroom. The second floor has a bathroom and three bedrooms, or two bedrooms and an office. The houses therefore have the flexibility to provide between three and five bedrooms depending on the need for an office and first floor lounge.

Vehicular access will be from the existing access to the industrial premises.

The application is before Members for decision due to the Section 106 requirement associated with the residential development of the site and inability of the proposed scheme to stand any commuted sum contribution.

Site Characteristics

This is an existing industrial site, set within a mixed use area. To the north are residential, terraced properties on Elgin Street. To the east and south are other industrial units. To the west is an area of open space with children's play facilities.

Policy

NPPF: 6. Delivering a wide choice of high quality homes; 7. Requiring good design.

Core Strategy policies: CG3 Built Environment; CG4 Compatible Uses; RA1 Inner Bolton; SC1 Housing; S1 Safe Bolton; P5 Accessibility; P1 Employment Sites; IPC1 Development Contributions.

Saved UDP policy N8 Trees

PCPN2 Space Around Dwellings

PCPN10 Designing Out Crime

Submitted Allocations Plan (2014)

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 employment land provision
- * impact on housing provision
- * impact on the character and appearance of the area and designing out crime
- * impact on the highway
- * impact on residential amenity
- * impact on trees
- * impact on sustainable construction
- * planning obligations

Impact on Employment Land Provision

Section 1 of the NPPF outlines the Government's commitment to securing economic growth in order to create jobs and prosperity. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Despite this, the Government recognises that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support

sustainable local communities.

Core Strategy policy P1 seeks to safeguard existing employment sites where they are compatible with residential amenity and contribute to the sustainability of communities in which they are situated. Where they are not compatible, mixed uses will be encouraged to retain an element of employment.

The site is an active industrial site which is unallocated in the UDP proposals map; however the site is allocated for housing development in the submitted Allocations Plan. The submitted Allocations Plan has not been formally adopted, however it is a significant material consideration in the consideration of the current application.

The site has previous approvals for residential development, one of which is extant for fourteen 4-bedroom houses, which will expire in March 2015 (86325/11).

Impact on Housing Provision

Section 6 of the NPPF indicates the Government's commitment to significantly boost the supply of housing. Local Authorities should seek to ensure the delivery of a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Where there is identified need for affordable housing, this should be provided on site. Housing applications should be considered in the context of a presumption in favour of sustainable development.

Core Strategy policy SC1 identifies that the borough requires a provision of 694 dwellings per annum between 2008 and 2026. At least 80% of housing development should be on previously developed land, at a density of at least 30 dwellings per hectare.

It is clear from the local authority's position detailed in the section above that the development of the site for residential use is acceptable in policy terms. This is a previously developed site, which is in a mixed, yet predominantly residential area. The site sits comfortably between the Halliwell Road and Chorley Old Road local centres, providing local services, whilst being within 2 miles of Bolton town centre. There is a school and community centre in the local area and the site is opposite a park, close to allotments and on a bus route. The site is therefore considered to be a sustainable location.

The delivery of 22 residential units on this site will contribute, albeit in a minor way, to the local authority's requirement to deliver a 5 year supply of housing and the development is therefore considered relevant in policy terms.

Impact on the Character and Appearance of the Area and Designing Out Crime

Section 7 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Developments should function well and contribute to the overall quality of the area; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of use (including incorporation of green and other public space as part of the development. Development should respond to local character, create a safe and accessible environment where crime and disorder, and fear of crime, not undermine quality of life or community cohesion; and be visually attractive as a result of good architecture and appropriate landscaping.

Core Strategy policy CG3 seeks to ensure that development proposals contribute to good

urban design, conserve and enhance local distinctiveness and have regard to the overall built character and landscape quality of the area. Furthermore, development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Core Strategy policy S1 seeks to ensure that development takes into account the need to reduce crime and the fear of crime. This is supported by guidance contained in PCPN10.

The designs of the houses are very similar to the extant permission at the site and the previous approvals for apartments and housing. The town houses proposed are three storey, with additional rooms accommodated within the roof space. The design is of a typical town house, which will sit comfortably with the character of the surrounding area which is predominantly traditional red brick terrace in nature.

The proposed apartment block will sit at the rear of the site and will be viewed against the neighbouring, larger industrial buildings. The apartment block is will be brick built, with a feature full length window to the centre of the front elevation which will add some elevational interest.

The development proposed is considered acceptable in design terms and complies with Core Strategy policy CG3.

Impact on the Highway

Section 4 of the NPPF seeks to promote sustainable transport. Planning decisions should take into account the opportunities for sustainable transport modes, safe and suitable access to the site for all people, and improvements within the transport network that cost effectively limit the significant impacts of the development. Developments should create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Core Strategy policy P5 states that the Council will ensure that developments take into account accessibility by different types of transport, prioritising pedestrians, cyclists, public transport users over other motorised vehicles and developments should be designed to be accessible by public transport. Parking standards are contained in Appendix 3

From a highway perspective the loss of the industrial units in this largely residential area is welcomed. Highway Engineers have identified some issues regarding changes to the highway since the previous approvals, in that a local safety scheme has been introduced on Elgin Street, creating a parking bay on the north side of Elgin Street. Highway Engineers therefore consider it important to prevent parking on the south side of Elgin Street. Parking on Shepherd Cross Street would also interfere with visibility at the Elgin Street / Shepherd Cross Street junction and the site access / Shepherd Cross Street junction. As a result Highway Engineers consider it essential that the applicant funds a traffic regulation order review and changes to the existing orders to prohibit waiting on Elgin Street and Shepherd Cross Street to prevent these problems from arising and to encourage the use of the internal car parking areas, this is recommended as a condition of planning approval.

The application proposes 24 parking spaces to serve the development as a whole. This equates to one space per dwelling plus two visitor spaces. This is below the maximum parking standard as defined by Appendix 3 of the Core Strategy which requires 2 spaces per 2 to 3 bedroom dwelling and 3 spaces for 4 bedroom dwellings. On this basis there is a significant shortfall of parking spaces. However the previous planning approvals had

the same number of parking spaces, albeit for slightly less units. The site is on a bus route, in a sustainable location and with good access to Bolton town centre. On balance therefore the shortfall in parking spaces is considered, in this instance, acceptable.

A swept path analysis has been provided with the application showing that large refuse vehicles can gain access to the site, entering and leaving in forward gear.

Impact on Residential Amenity

Core Strategy policy CG4 seeks to ensure that development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution. The guidance contained in PCPN2 seeks to ensure that adequate standards of privacy and light, as well as garden sizes are achieved in new developments to ensure appropriate levels of privacy and amenity are retained.

The proposed site layout is almost identical to the previously approved schemes. The site layout has been designed to take into consideration nearby residential properties as well as internal interface distances. The closest residential properties are on Elgin Street to the north, interface distances of approximately 19.5 metres will be achieved from the front of the proposed properties to those on Elgin Street. Whilst this is in excess of a typical traditional Victorian terrace street, it is acknowledged that the properties on Elgin Street have not previously had outlook to other residential properties, although do currently face a two storey blank industrial building, which is closer to the dwellings than the proposed houses. Although the interface distance is slightly below the policy guidance of 21 metres, the benefits of improved outlook and quality of life from replacing the industrial units with residential properties is considered to outweigh this minor shortfall.

Within the site interface distances are largely met, apart from between the central two houses of the southern terrace row on Shepherd Cross Street with the proposed 3-storey apartment building to the rear. Previous approvals have been for a two storey apartment building, where the 14.5 metre interface distance exceeded policy guidance. Given the 3-storey building now proposed a 16.5 metre interface should be achieved, however this is on balance considered acceptable given the nature of the development proposed and the opportunities for landscape screening along the boundary.

The garden areas of the dwellings and the external space for the apartments are acceptable in policy terms.

To the rear of the apartment building is an existing industrial unit, which is on a lower level than the application site. A condition will be necessary to ensure that the windows to the rear elevation of the apartment building are acoustically double glazed to protect future residents from noise disturbance from the industrial processes.

Overall, the replacement of the industrial units in this predominantly residential area will bring benefits.

Impact on Trees

Saved UDP policy N8 recognises the amenity value of trees and seeks to ensure that trees are protected in new developments. Core Strategy policy CG1 seeks to safeguard and enhance biodiversity by protecting sites of urban biodiversity including trees.

The northern boundary of the site with Elgin Street has a number of trees along the

perimeter. The trees are not considered worthy of protection via tree preservation order, however they do offer amenity value to the site. The application proposal does show the retention of the trees and this should be included within the landscape plan at reserved matters stage. If removal is required then replacement trees must be included.

Impact on Sustainable Construction

Section 10 of the NPPF recognises the role planning plays in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

Core Strategy policy CG2 seeks to ensure that all development proposals contribute to the delivery of sustainable development, being located and designed so as to mitigate any adverse effects of the development and adapt to climate change by incorporating high standards of sustainable design and construction principles. For non-residential development proposals greater than 500 square metres the following measures need to be achieved:

- a) Achieve Level 3 of the Code for Sustainable Homes.
- b) Incorporate appropriate decentralised, renewable or low carbon energy sources to reduce the CO2 emissions of predicated regulated and unregulated energy use by at least 10%.
- c) Sustainable management of surface water run-off. On brownfield sites the rate of run-off should be 50% less than conditions before development.

The applicant has provided a code for sustainable homes pre-assessment which details how the development will achieve level 3 of Code for Sustainable Homes. The requirement for a reduction in CO2 emissions and sustainable drainage scheme will be secured via condition.

Planning Obligations

Core Strategy policy IPC1 states that the council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or mitigate the impact of that development.

The calculated commuted sums in line with council policy have been calculated as follows:

Affordable Housing:	£217,500
Education:	£24,427
Public Open Space:	£20,262
Health:	£4,928
Public Art:	£29,216

TOTAL: £296,333

A viability assessment has been submitted with the application which shows that the development cannot stand any S.106 contribution and in fact the figures show that the scheme would not make any profit given the abnormalities associated with the remediation of the industrial site. The Council's surveyor is currently assessing the submitted information, however has confirmed that the figures do not allow for the payment of the required commuted sums. Further clarification will be reported to Members via the list of supplementary information.

Members should be aware that the site has extant permission until March 2015 (86703/11) for the erection of fourteen townhouses and because this was below the threshold for commuted sums to be applied there are no commuted sums associated with the extant scheme. Furthermore planning permission for an apartment scheme of four units has recently expired on the site. The two schemes together would have equated to 18 units, which exceeds the commuted sum threshold, however the schemes were submitted separately and there is no mechanism in the policy to take into consideration the accumulation of schemes on a site.

Conclusion

The application site has a history of approvals for residential development. The current scheme is similar in design and layout to the previous approvals and is therefore considered acceptable in principle and policy terms. Previous schemes have separated the housing and apartment schemes and have therefore not reached the threshold for commuted sum provision. The current application however covers both elements of the scheme, proposing 22 residential units. Viability information has been submitted with the application to justify the inability of the development to stand any S.106 contribution. The submitted information is considered to be a true representation of the scheme and on this basis the application is recommended for approval without any commuted sum contribution.

Representation and Consultation Annex

Representations

Letters:- none received.

Site Notice:- posted on 27th October 2014.

Consultations

Advice was sought from the following consultees: Highway Engineers, Pollution Control, GMEU, Tree and Woodland Officers, Economic Strategy, Strategic Housing, Education, GM Police.

Planning History

91865/14 – Outline application for demolition of industrial units and erection of 22 residential units – refused July 2014 (for reasons of insufficient information)

86703/11 – Extension of time to 80368/08 – approved October 2011.

86325/11 – Extension of time to 79363/08 – approved March 2012.

80368/08 – Erection of building comprising 4 apartments – approved September 2008.

79363/08 – Demolition of industrial units and erection of fourteen 4-bedroom houses – approved June 2008.

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

Reason

To ensure the development reflects local distinctiveness.

3. Prior to the commencement of development full details of the highway works at Elgin Street and Shepherd Cross Street comprising a review of traffic regulation orders shall be submitted to and approved in writing by the Local Planning Authority. None of the development shall be brought into use unless and until all developer obligations as set out in that scheme are fulfilled.

Reason

In the interests of highway safety.

4. Prior to the commencement of development, an energy assessment of the approved development and details of the location and type of renewable energy technology shall be submitted to and approved by the Local Planning Authority. The renewable energy technology shall reduce the CO2 emissions of predicted regulated and unregulated energy use of the development by at least 10%. The approved renewable energy technology shall be installed, retained and maintained in perpetuity thereafter unless agreed by the Local Planning Authority.

Reason

To reduce the impact on climate change and to improve the sustainability of the site in accordance with Core Strategy policy CG2.

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

- 1) A timetable for its implementation, and

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

Reason

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

6. 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.

7. Development shall not commence until:
 1. A site walk over review is undertaken to determine whether there have been any changes to the site circumstances since the submitted Phase 1 and Phase 2 reports were carried out. The report shall be submitted to, and approved in writing by, the Local Planning Authority and works shall be carried out in accordance with the approved details.
 2. Any remediation scheme required as a result of the investigation carried out in accordance with the submitted Phase 1 & Phase 2 reports, in addition to any additional works required as a result of the site walkover report, 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. Before the approved/permitted development is first brought into use no less than 24 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be marked out and provided within the curtilage of the site, in accordance with Drawing Ref: 0.02, dated January 2014. Such spaces shall be made available for the parking of cars at all times.

Reason

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

9. 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.

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

Reason

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

11. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 33 metres shall be provided at the junction of the site with Shepherd Cross Street.

Reason

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

12. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 43 metres shall be provided at the junction of Shepherd Cross Street with Elgin Street, and subsequently remain free of all obstructions between the height of 1.05 metres and 2 metres (as measured above carriageway level).

Reason

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

13. Before the first occupation of the dwellings hereby approved, the windows in the rear elevation of the apartment block facing the industrial units to the south shall be acoustically double glazed and ventilated in accordance with the 'good' standard laid down in BS8233:1999 of LAeq/T living rooms 30dB and bedrooms 30 dB.

Reason

To minimise the impact of noise on residential amenity.

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

Reason

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

15. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Shepherd Cross Street shall be constructed to a minimum width of 5.5 metres for a distance of 10 metres with 6.0 metres radii and 2 no. 2.0 metres wide footway(s).

Reason

In the interests of highway safety

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

Reason

In the interests of highway safety.

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

Reason

The plot size is limited and any extension would result in an unsatisfactory scheme.

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

Reason

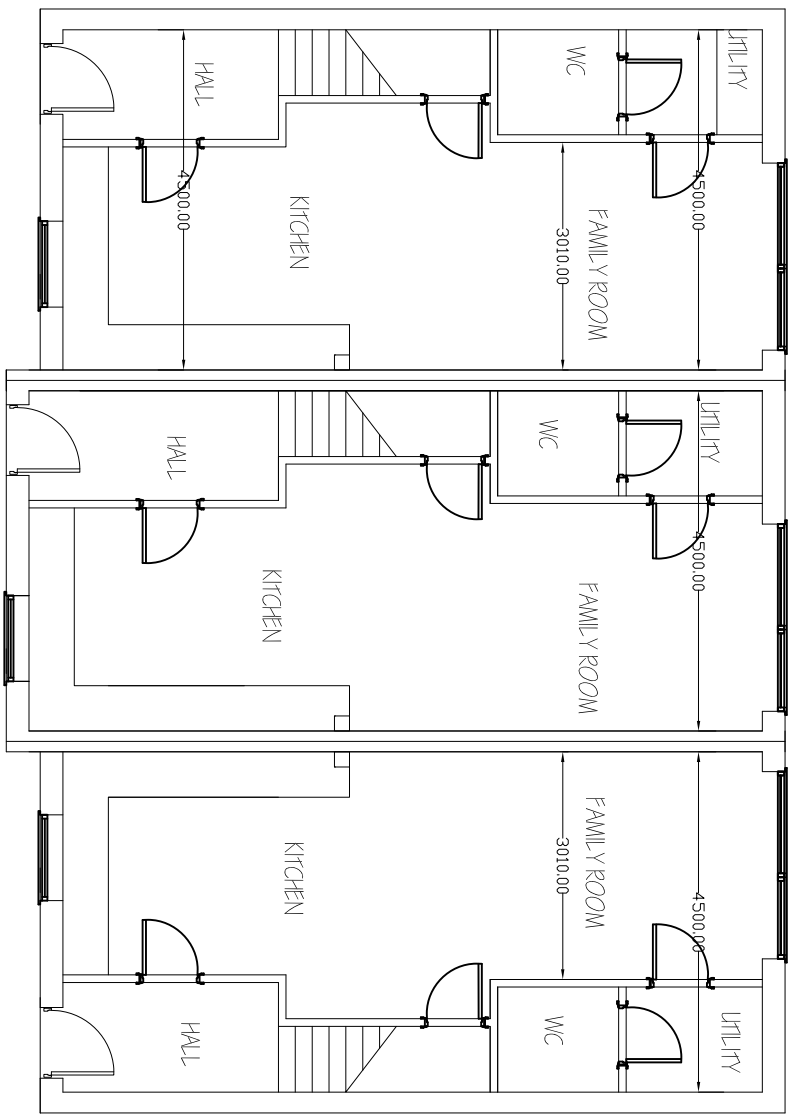
In the interest of creating architectural depth and shading to the elevations.

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

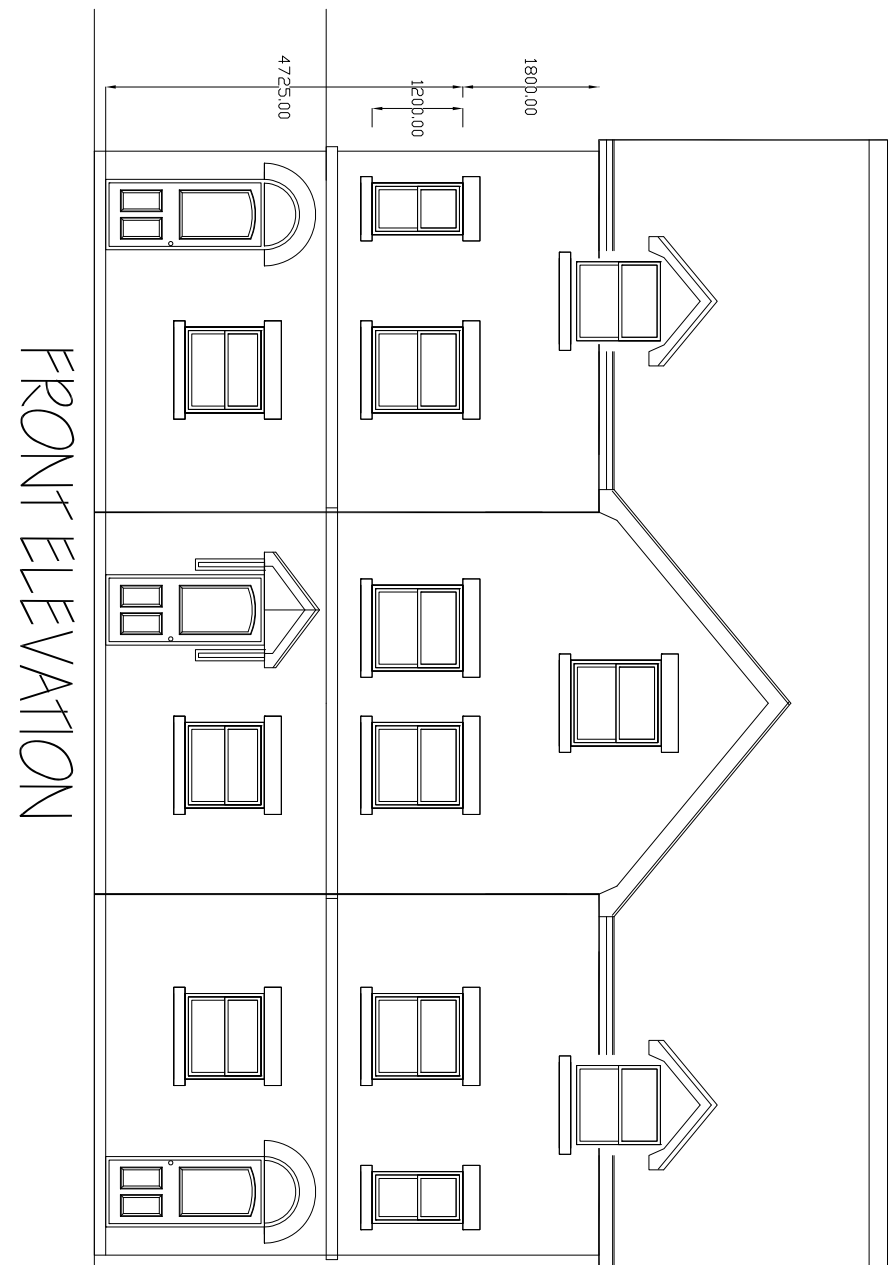
Drawing no. 0.02; dated Jan 2014 (*to note scale is incorrect and should read 1:200*)
Drawing no. 0.2; dated April 2014

Reason

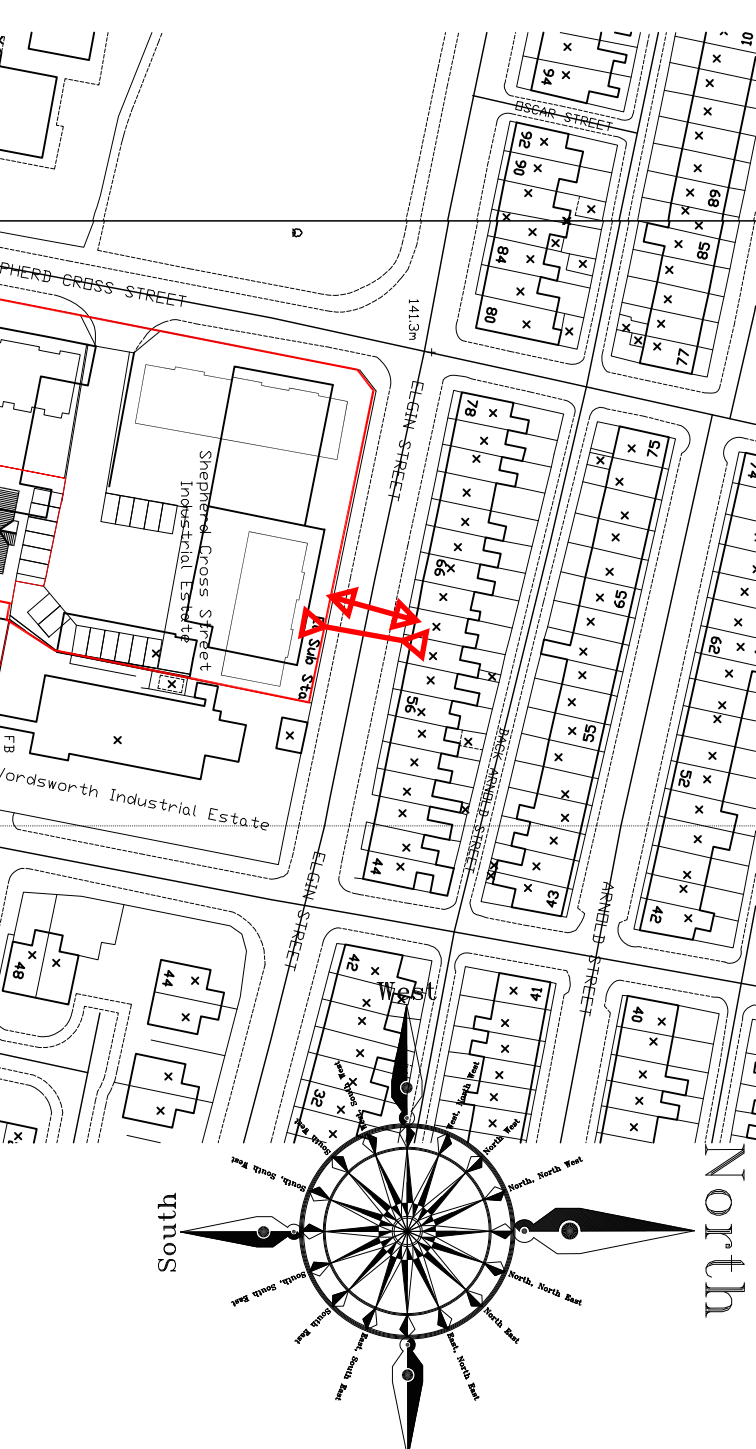
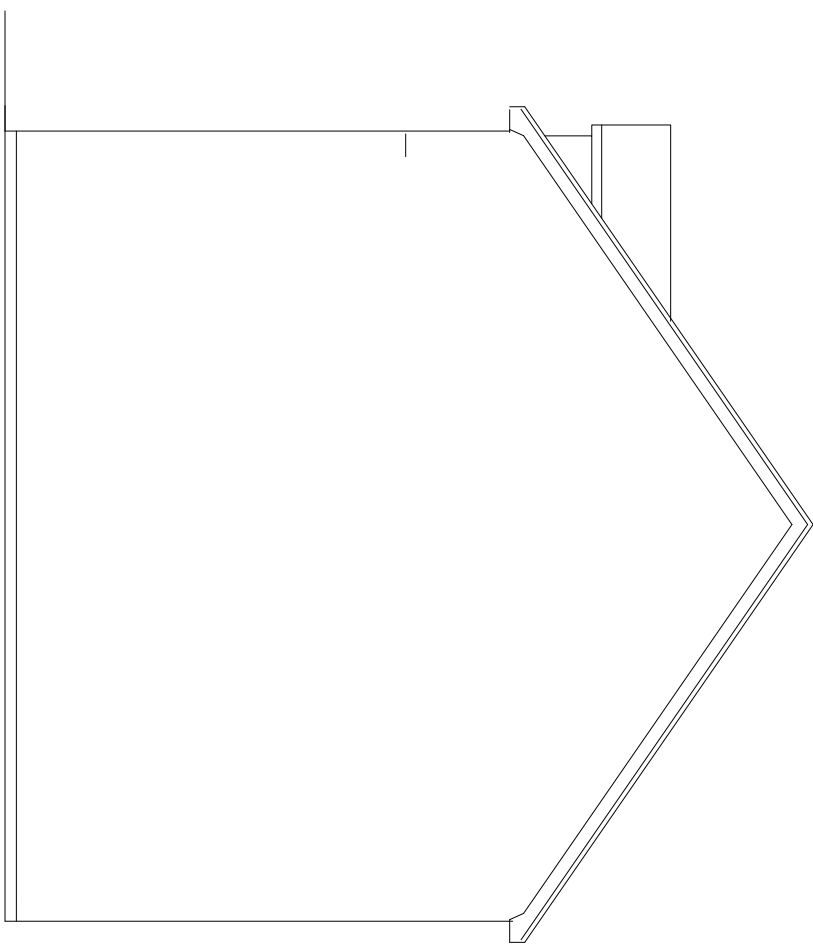
For the avoidance of doubt and in the interests of proper planning.



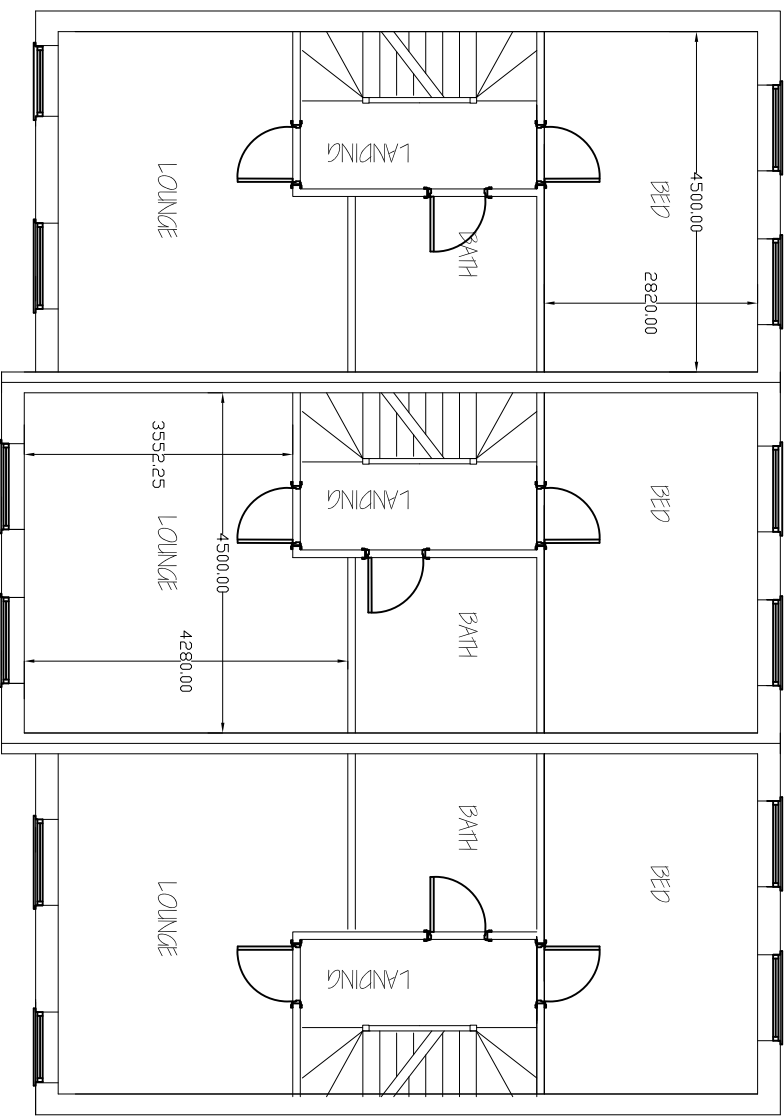
GROUND FLOOR PLAN



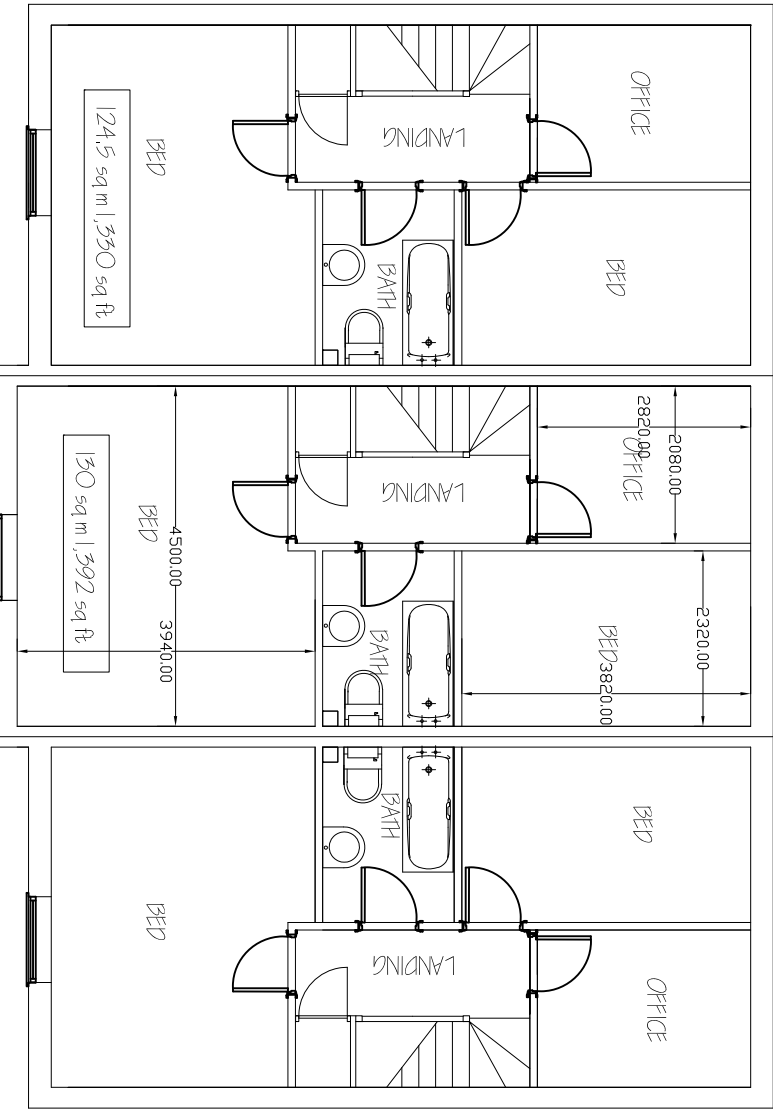
FRONT ELEVATION



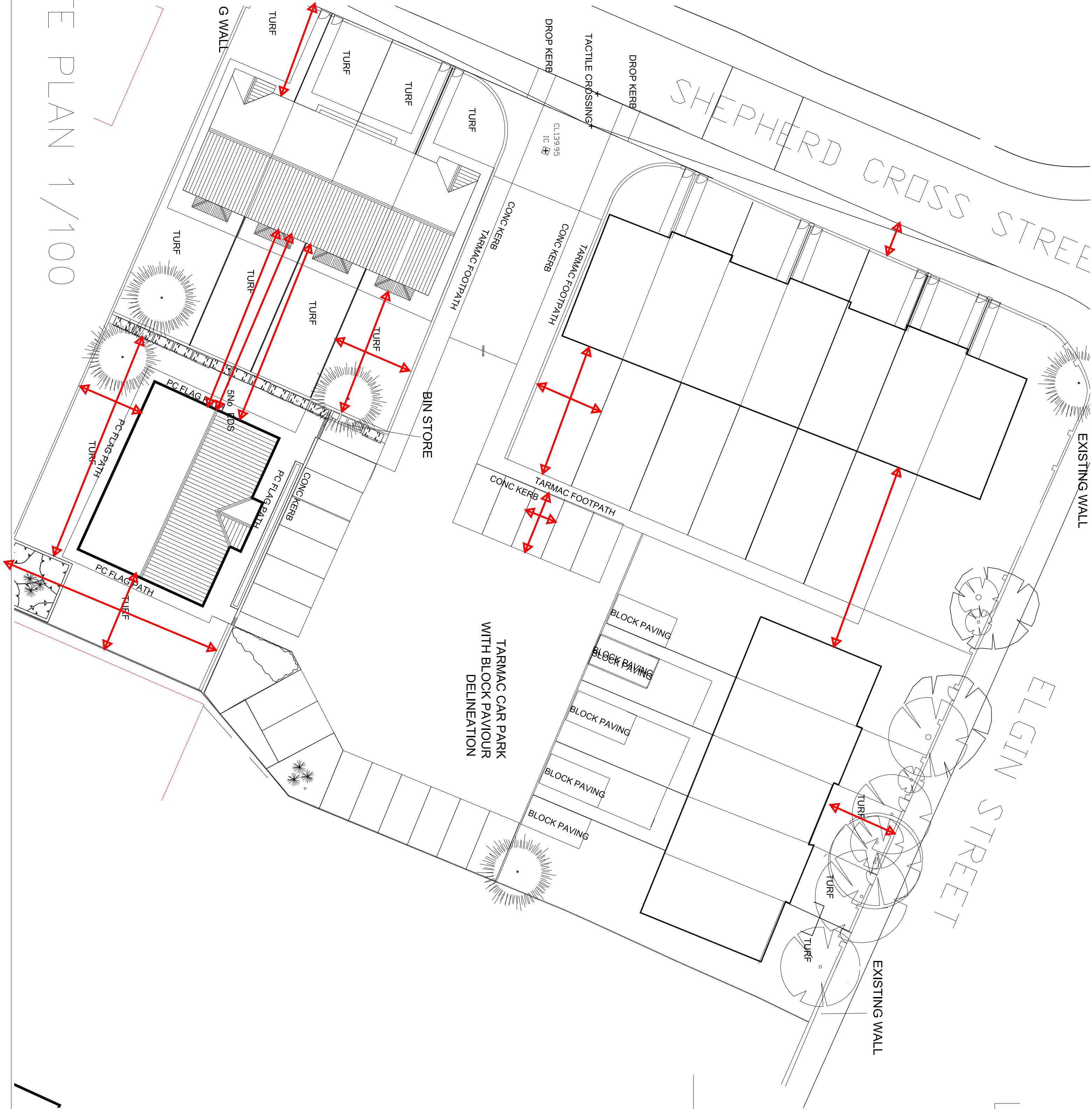
LOCATION PLAN 1/1250



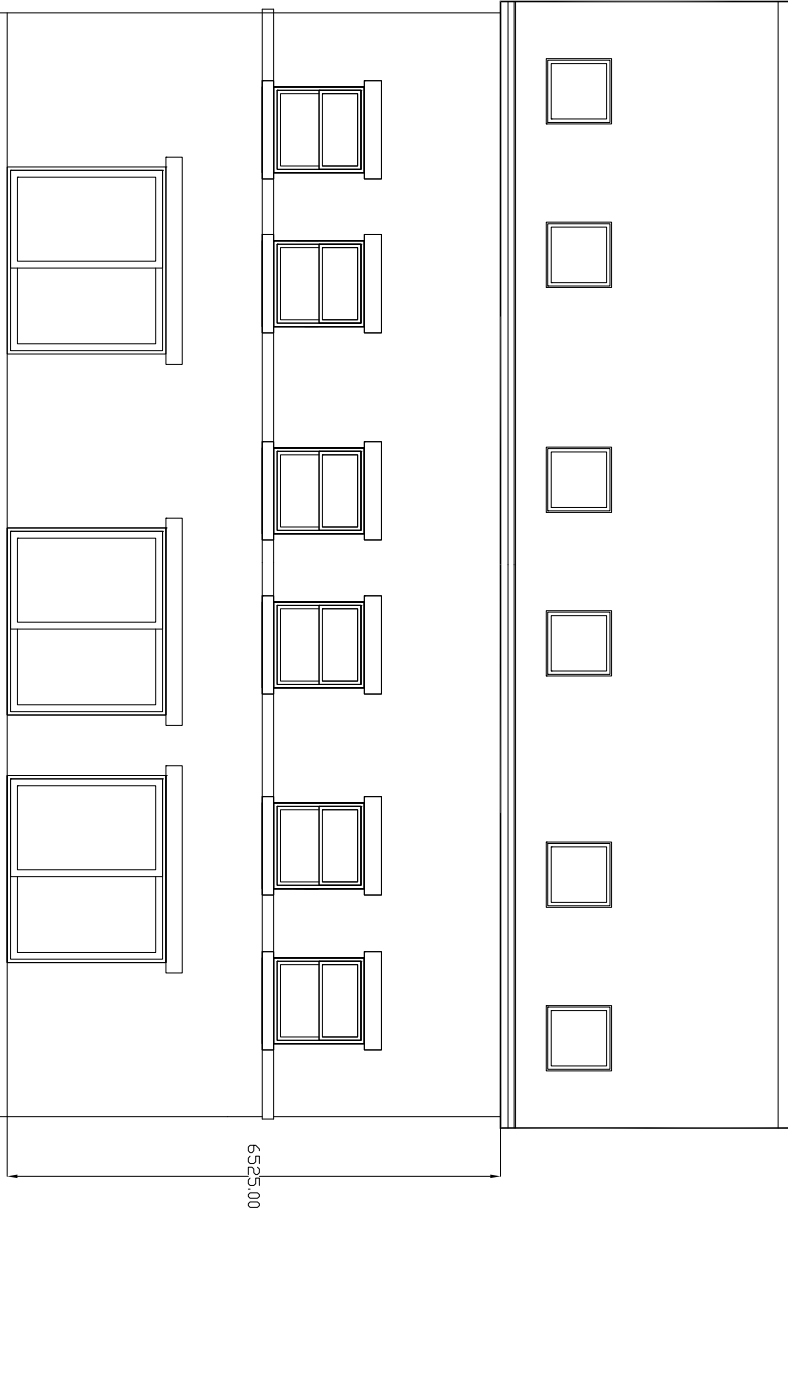
FIRST FLOOR PLAN



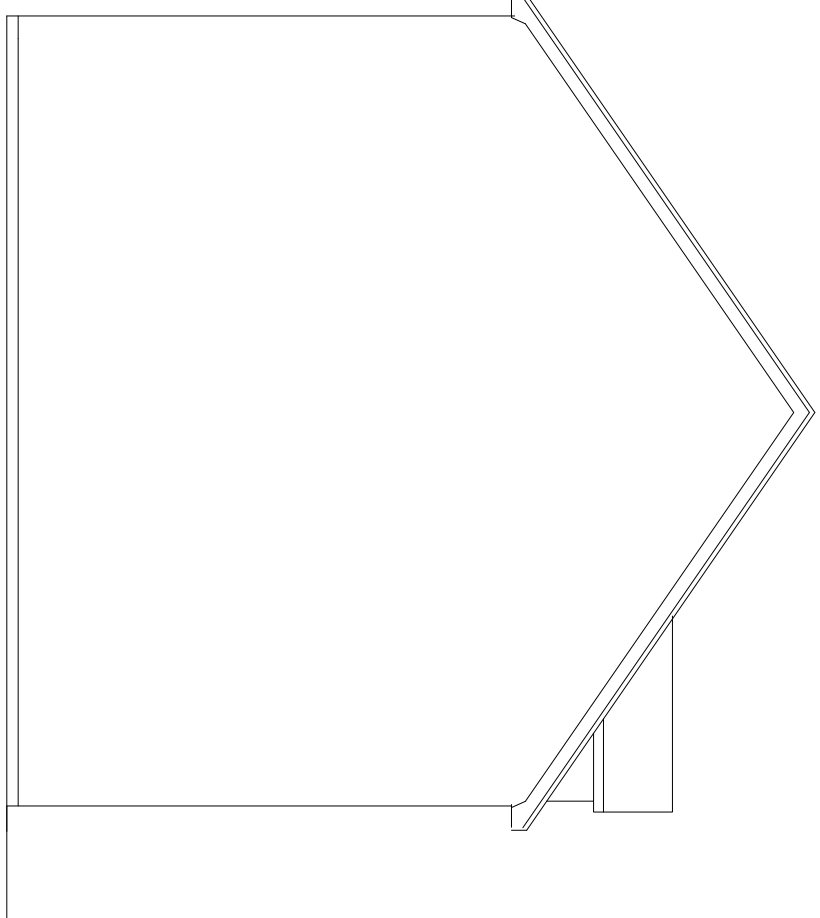
SECOND FLOOR PLAN



SITE PLAN 1/100



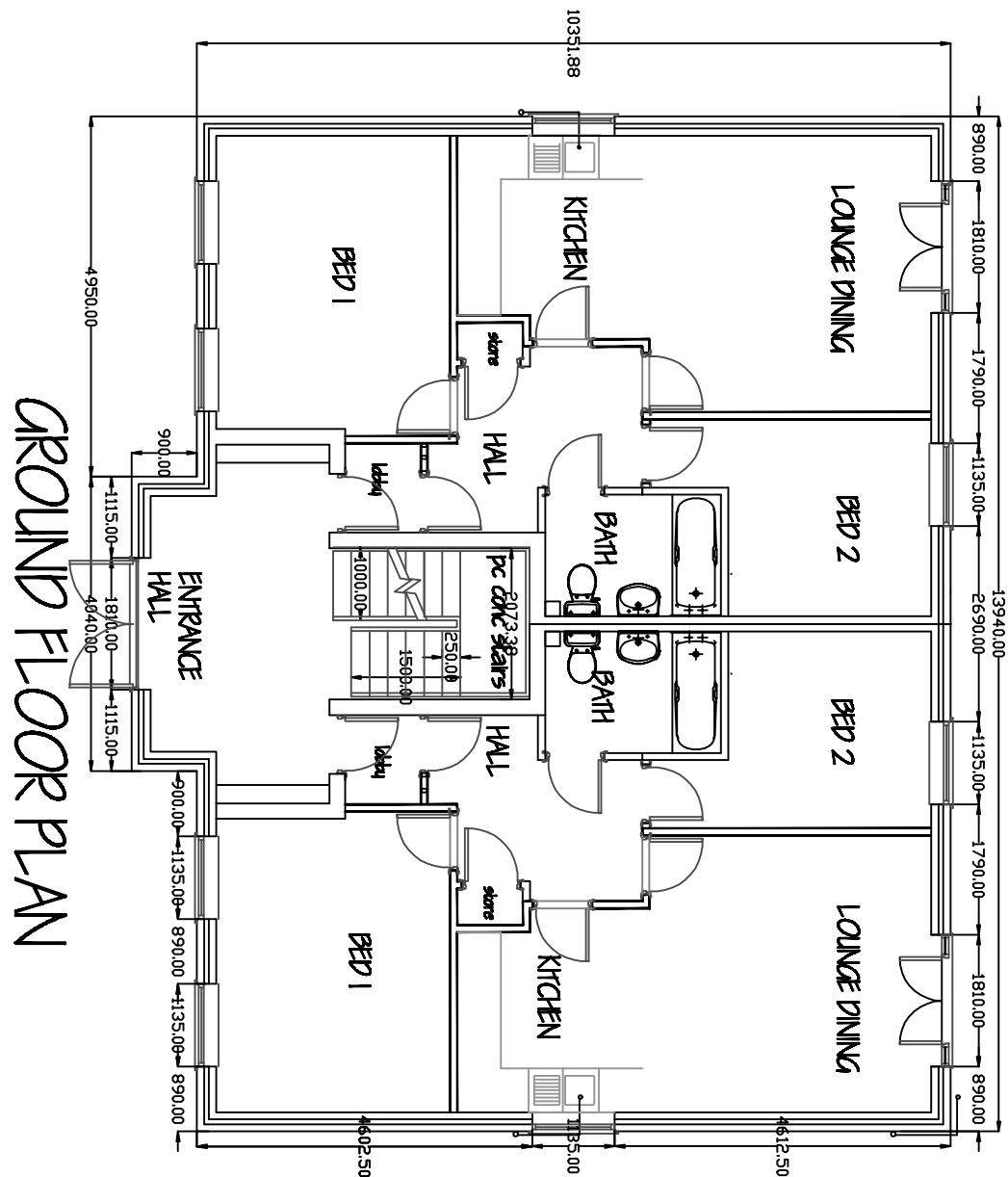
REAR ELEVATION



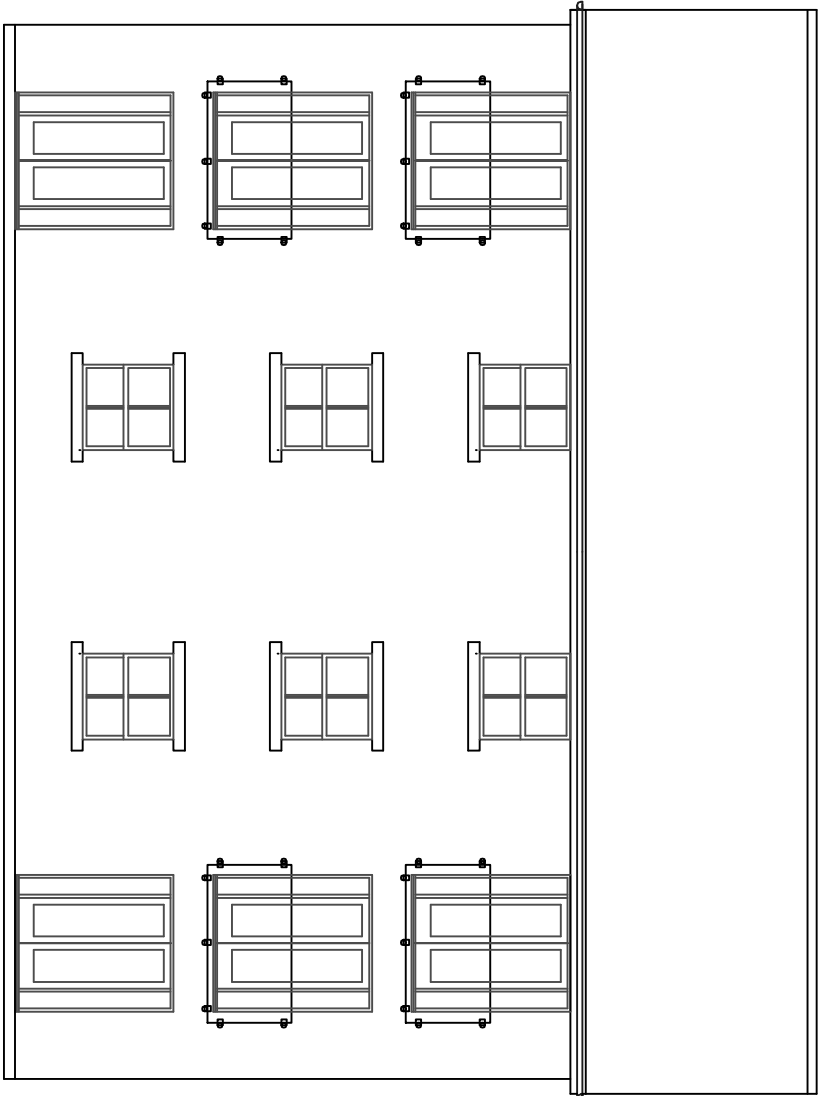
SIDE ELEVATION

REVISIONS			
SCALE	DATE	DRAWN	CHECKED
1/100	JAN 2014		
CLIENT			
KC SHEET METAL LTD			
TITLE			
PROPOSED OUTLINE PLANNING FOR RESIDENTIAL DEVELOPMENT TO SUBSTITUTE 10 OF THE APPROVED TOWN HOUSES WITH 12 AMENDED DESIGNED TOWN HOUSES/AMEND FOUR APARTMENTS TO SIX AND RETAIN FOUR HOUSES PREVIOUSLY APPROVED 22 UNITS IN TOTAL ON LAND AT FORMER WORKS, SHEPHERD CROSS ST, BOLTON			
DRAWING No. 0.02			

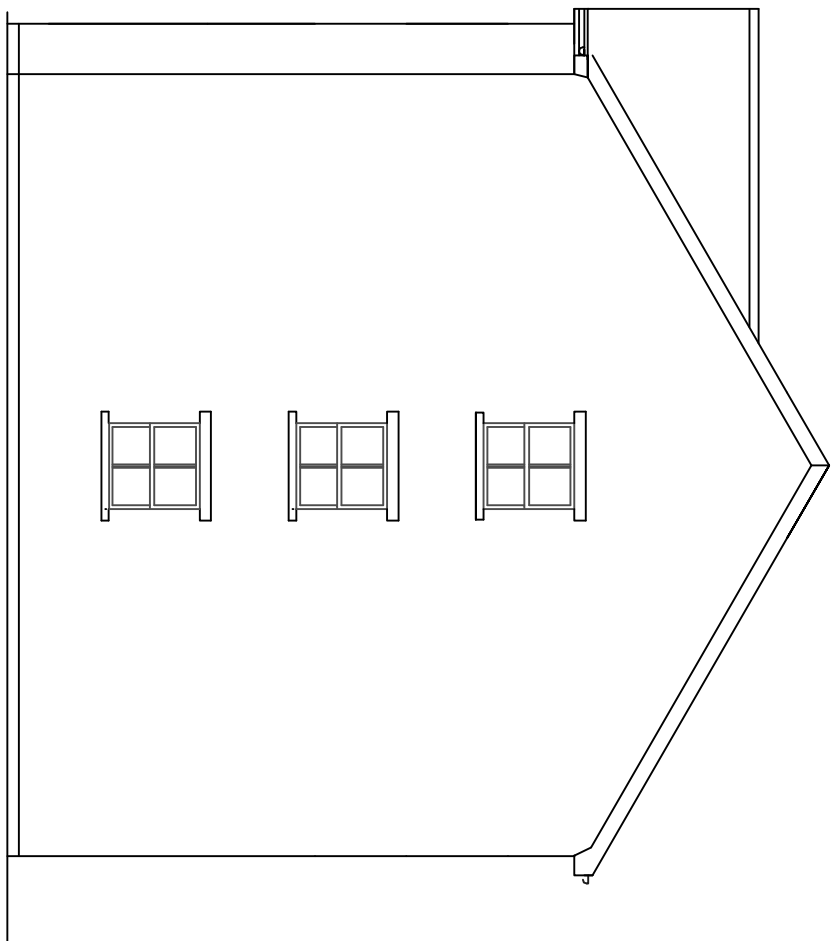
PROPOSALS APARTMENT BLOCK AT SHEPHERDCROSS STREET



GROUND FLOOR PLAN

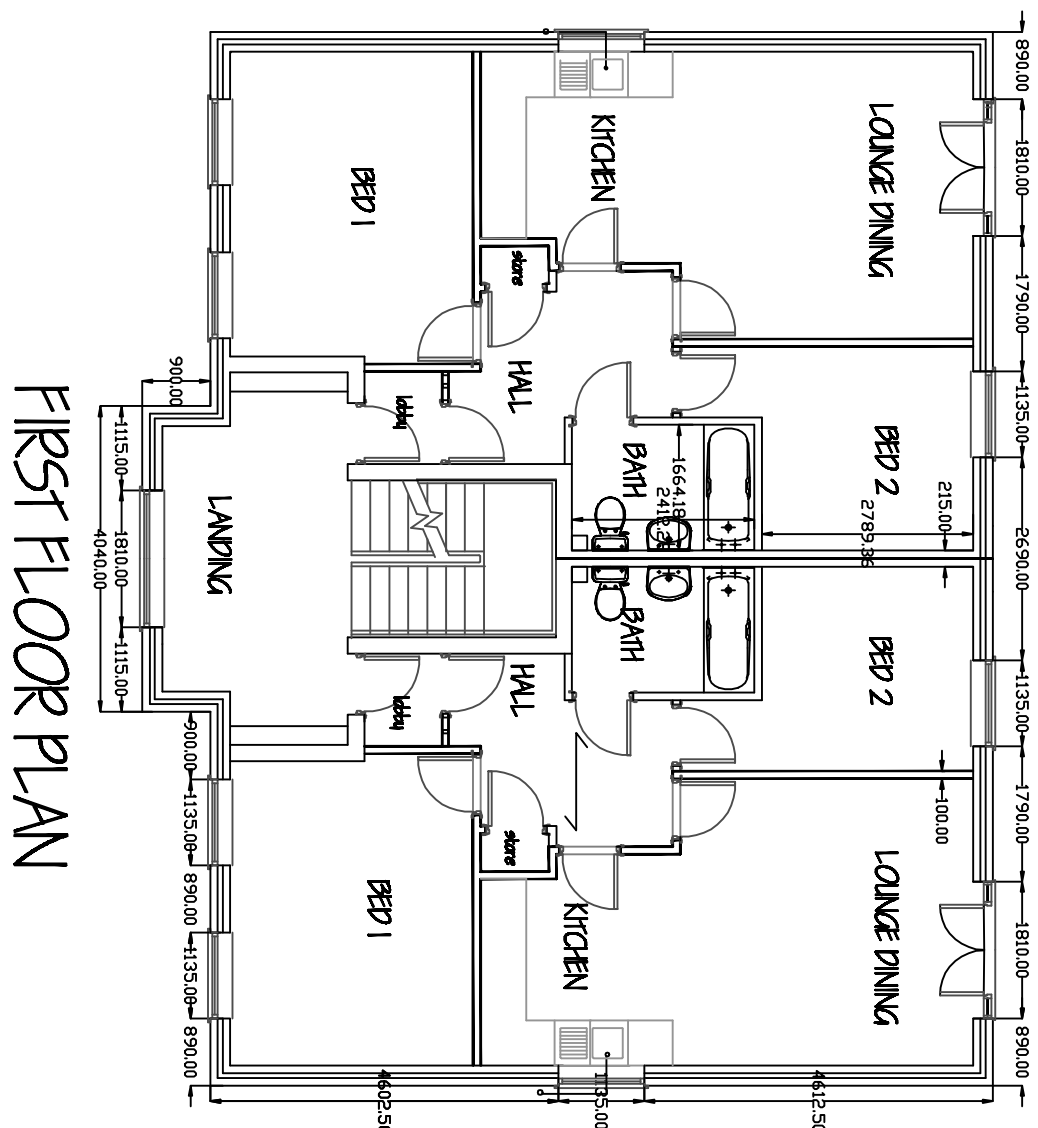


REAR ELEVATION

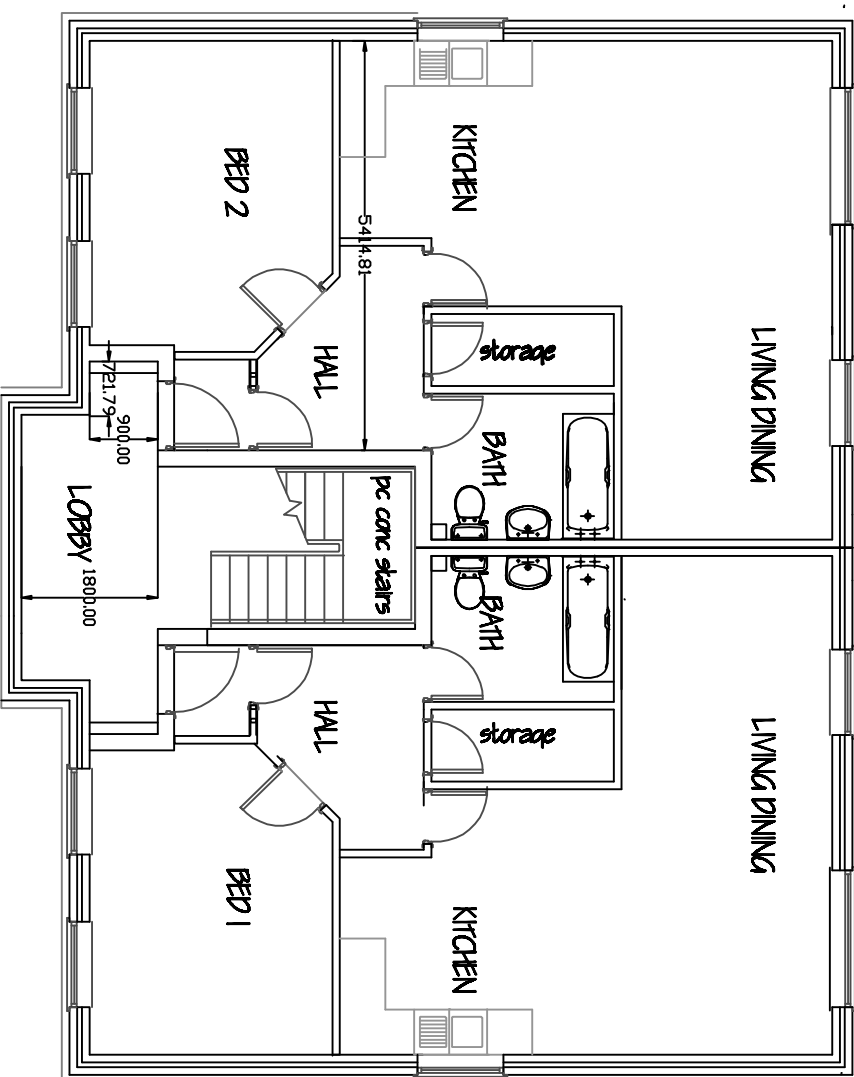


SIDE ELEVATION

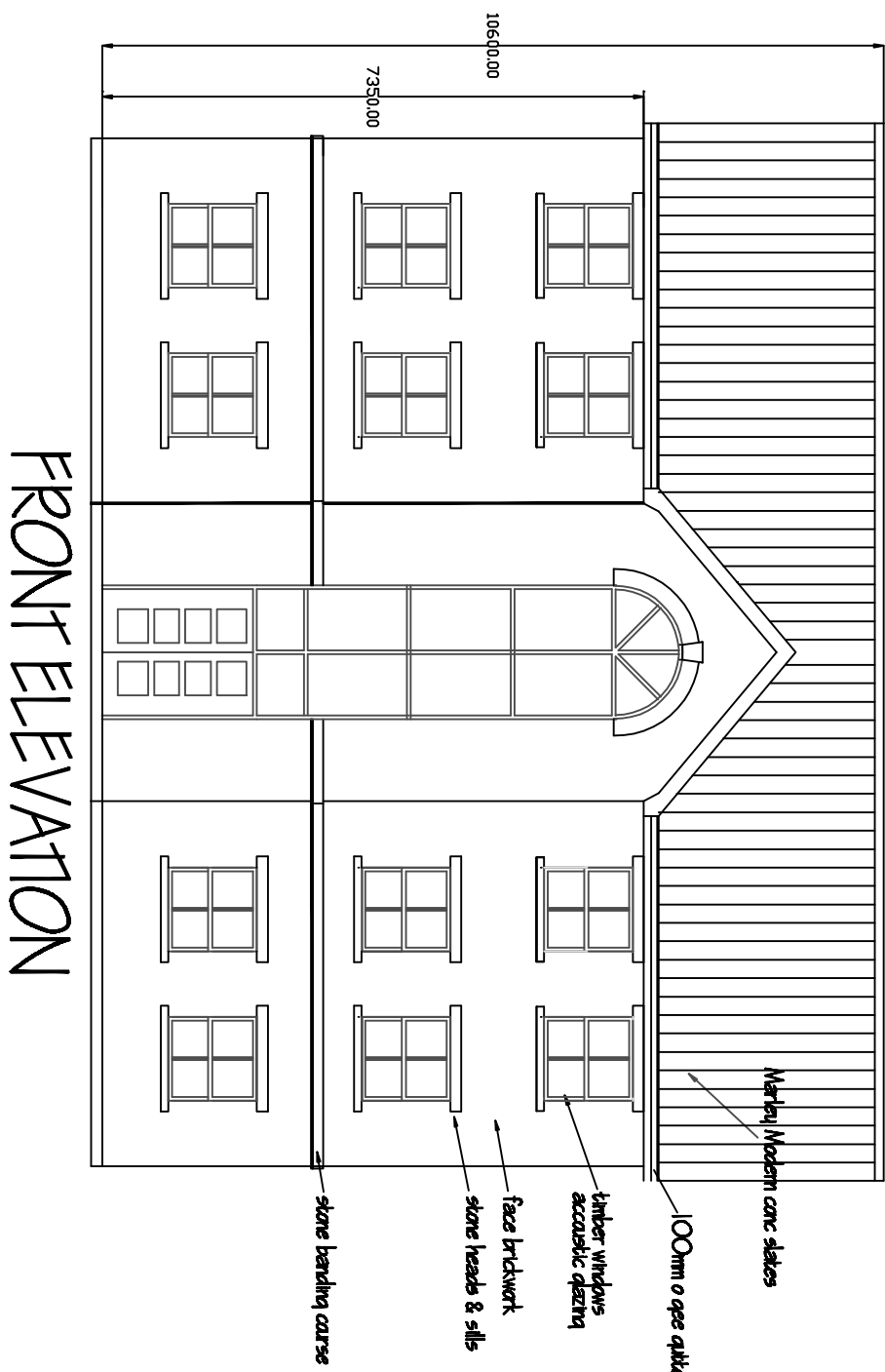
OTHER SIDE ELEVATION THE SAME AS THIS



FIRST FLOOR PLAN



SECOND FLOOR PLAN



FRONT ELEVATION

REVISIONS			
SCALE	DATE	DRAWN	CHECKED
1/100	MARCH 14		
CLIENT			
KC SHEET METAL LTD			
TITLE			
PROPOSED OUTLINE PLANNING FOR RESIDENTIAL DEVELOPMENT TO ERECT 18 TOWN HOUSES AND A 6 BLOCK OF APARTMENTS ON LAND AT SHEPHERD CROSS ST, BOLTON			

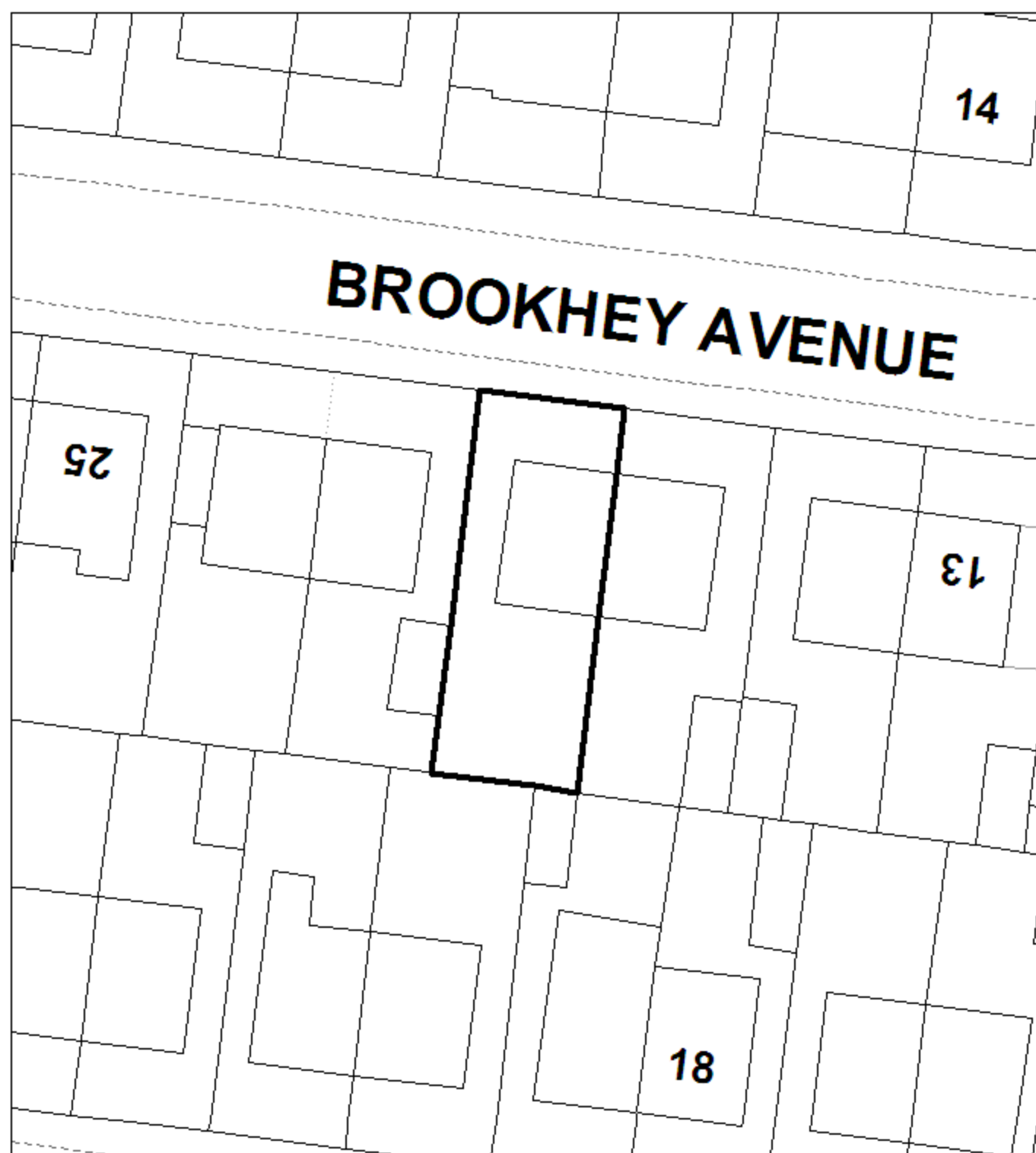
SIX BLOCK APARTMENTS

DRAWING NO.

0.2

Application No.

92843/14



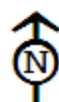
Development and Regeneration Department
Planning Control Section

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

**Bolton
Council**

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Date of Meeting: 20/11/2014

Application Reference: 92843/14

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

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

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

Ward: Harper Green

Applicant: Mrs Yasin
Agent : RA Design & Project Management

Officers Report

Recommendation: Refuse

Proposal

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

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

The applicant has amended their application by setting the two storey side extension back 2 metres from the front elevation, showing a bin store to the front of the house, and changing the rear bedroom window to a high level obscure glazed window.

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

The applicant has also now submitted a letter from the NHS regarding one of the

residents. The submission however does not explain why the proposed extension would be required for this resident.

Site Characteristics

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

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

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

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

Policy

National Planning Policy Framework (NPPF)

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

SPD House Extensions and PCPN2 Space Around Dwellings

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy RA2 of the Core Strategy relates

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

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

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

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

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

It is therefore considered that the proposed extensions would appear subservient to the main dwelling and would not be to the detriment of the character and appearance of the street scene, compliant with Policies CG3 and RA2 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the Council's minimum interface standards between dwellings.

Impact on 17 Brook Hey Avenue

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

Impact on 21 Brook Hey Avenue

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

Impact on 22 Rishton Avenue

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

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

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

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

Impact on Parking

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

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

There is an existing driveway to the side of the dwelling, which currently allows for the

off-street parking of two vehicles. The SPD states that side extensions which do not provide a garage or car port should maintain adequate provision within the curtilage of the dwelling for the parking of two vehicles.

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

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

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

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

Conclusion

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

Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

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

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

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

Consultations

Advice was sought from the following consultees: Highways Engineers.

Planning History

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

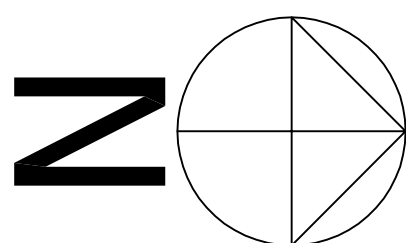
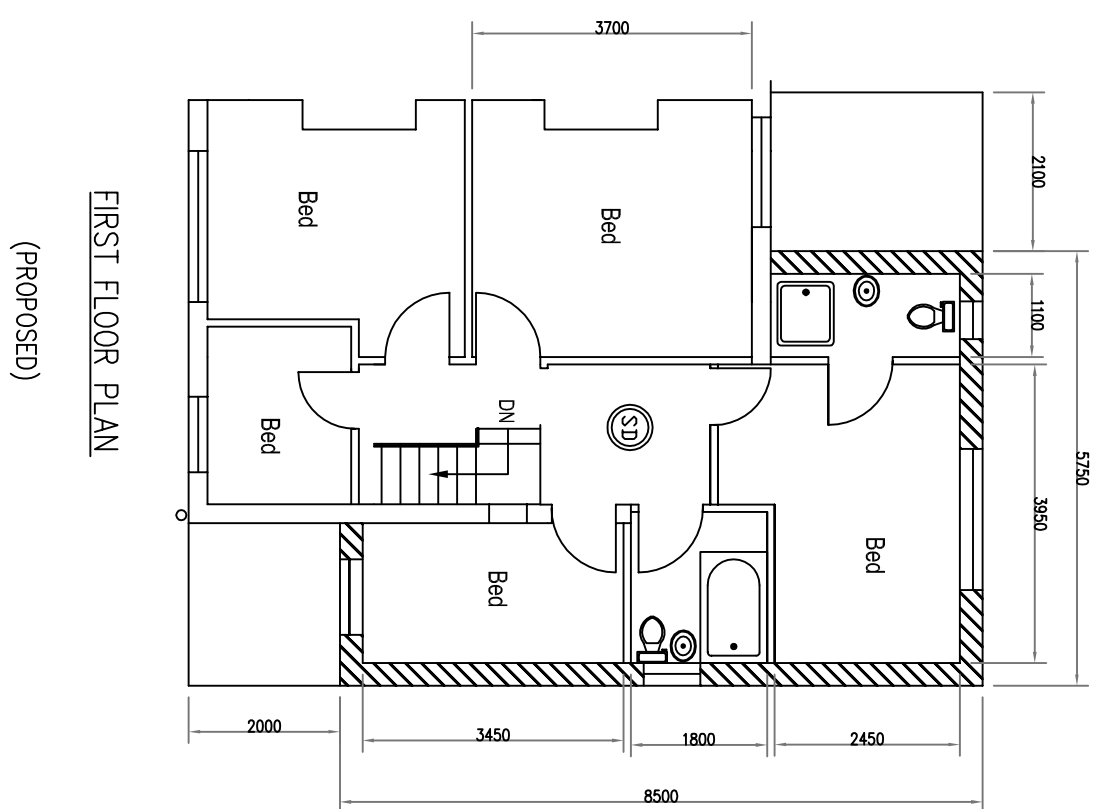
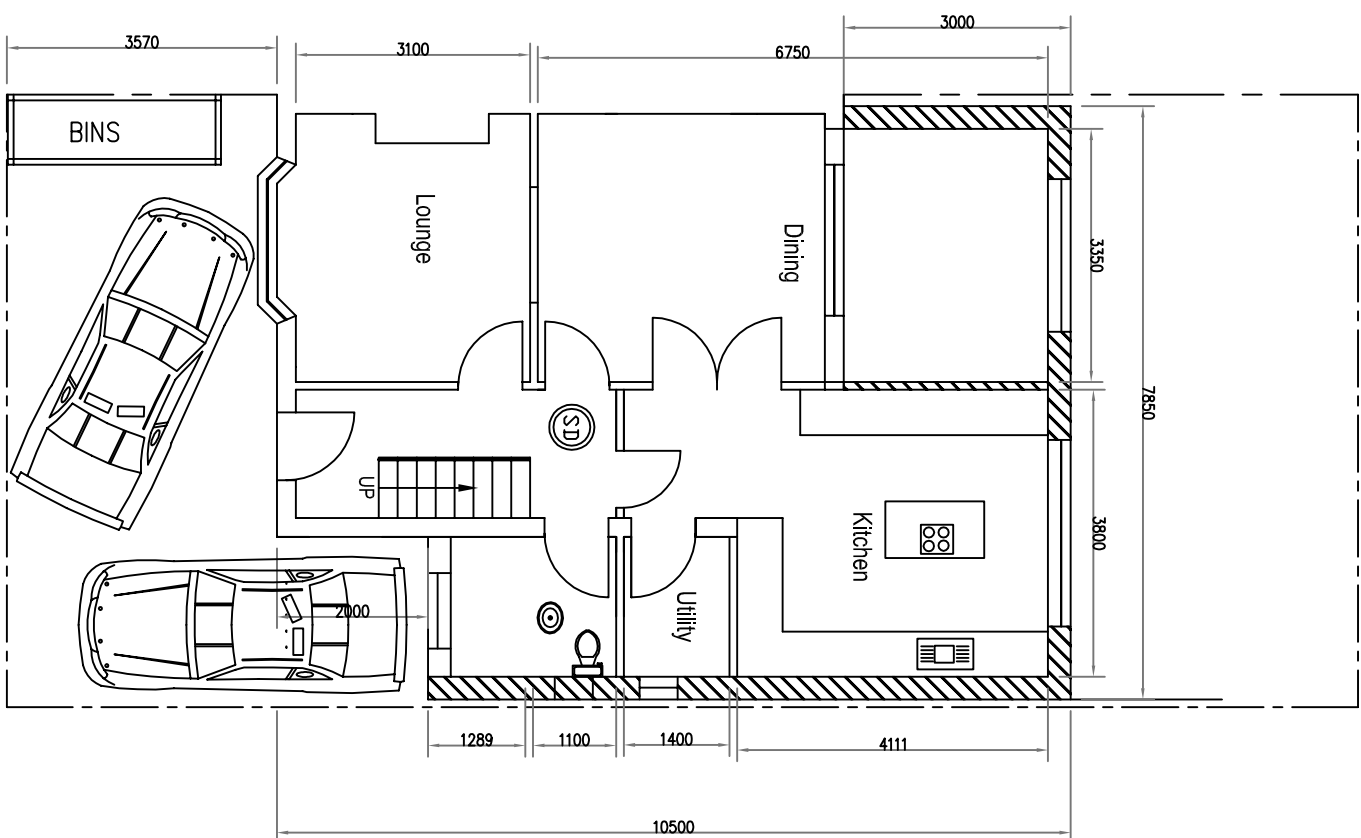
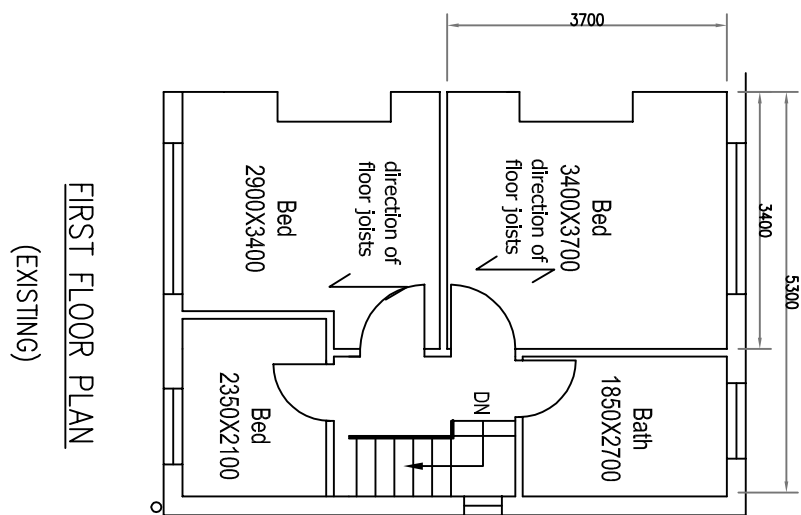
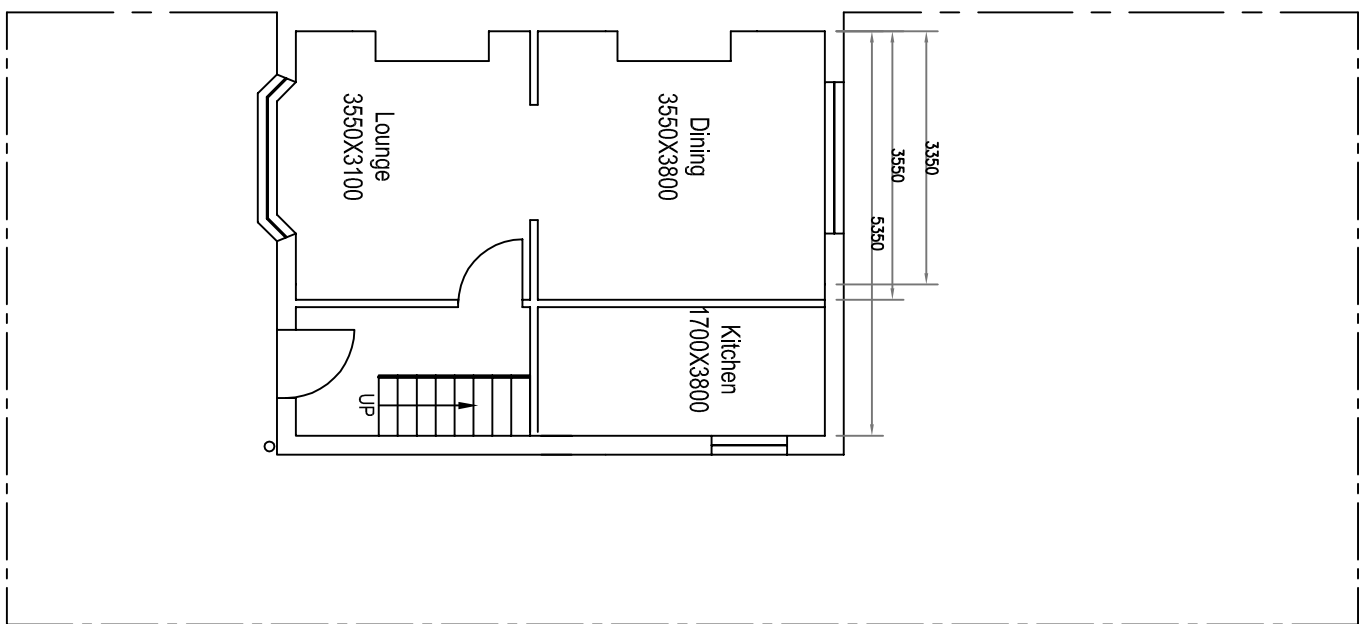
1. *The proposed extension, by virtue of its scale and siting, would be detrimental to the character and appearance of the area (due to a lack of bin storage) and would impact detrimentally on the outlook and living conditions of neighbouring residents at 22 Rishton Avenue, contrary to Policies CG3 and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

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

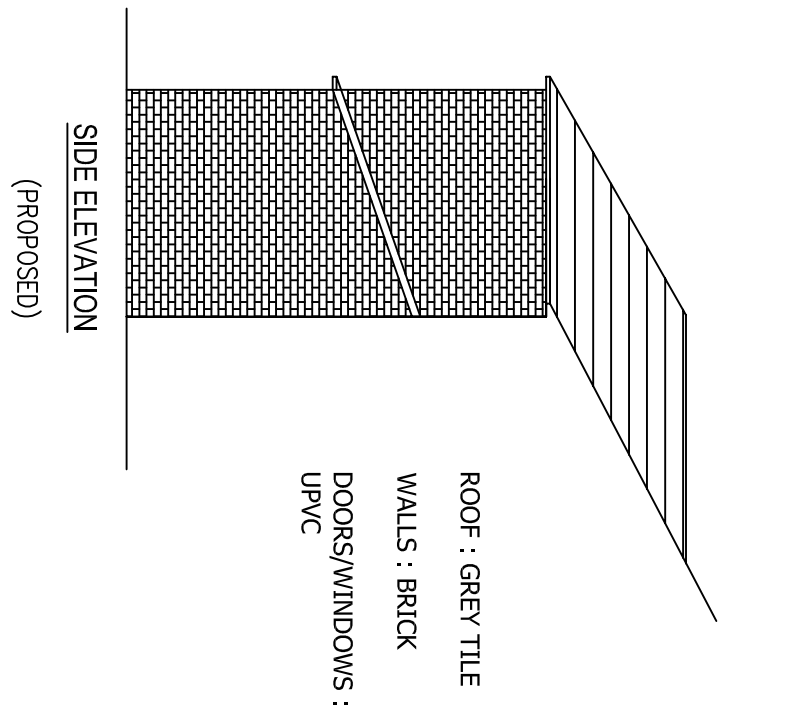
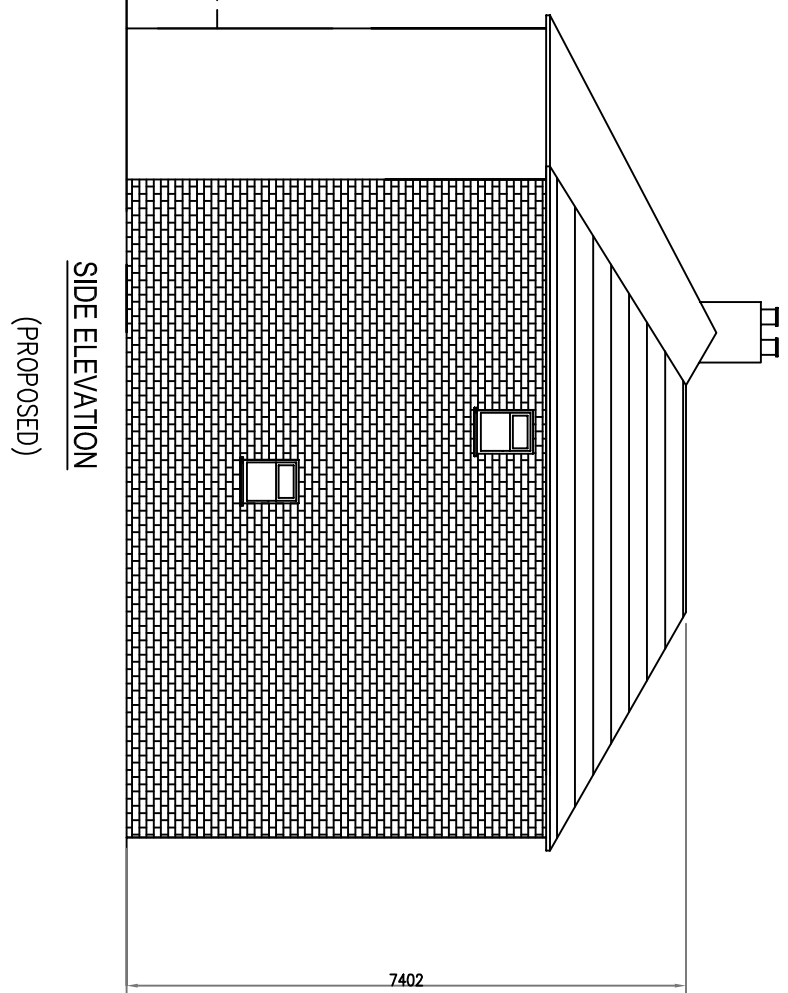
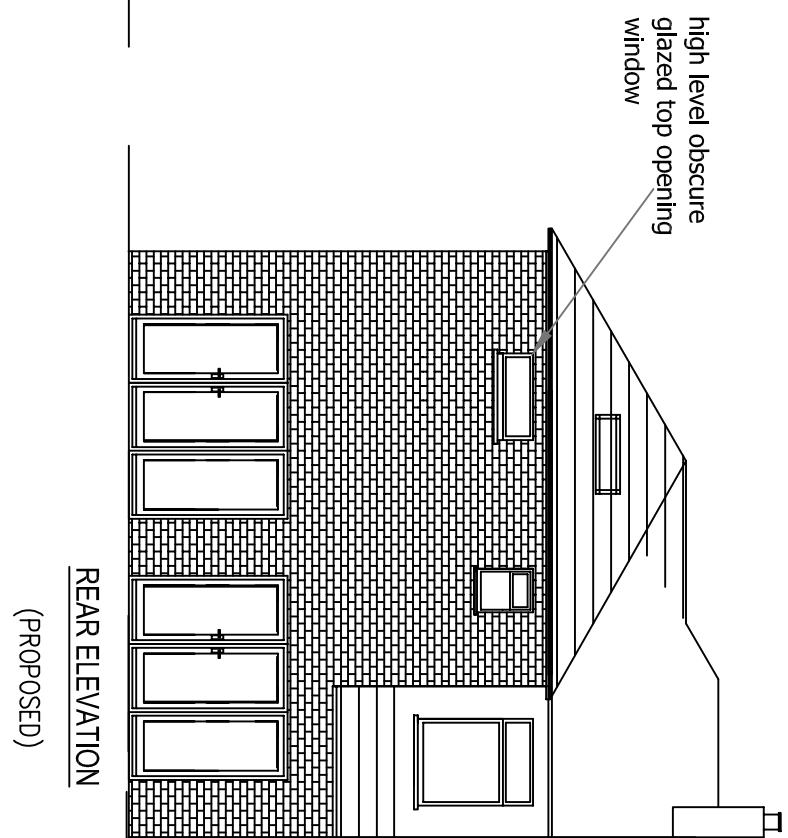
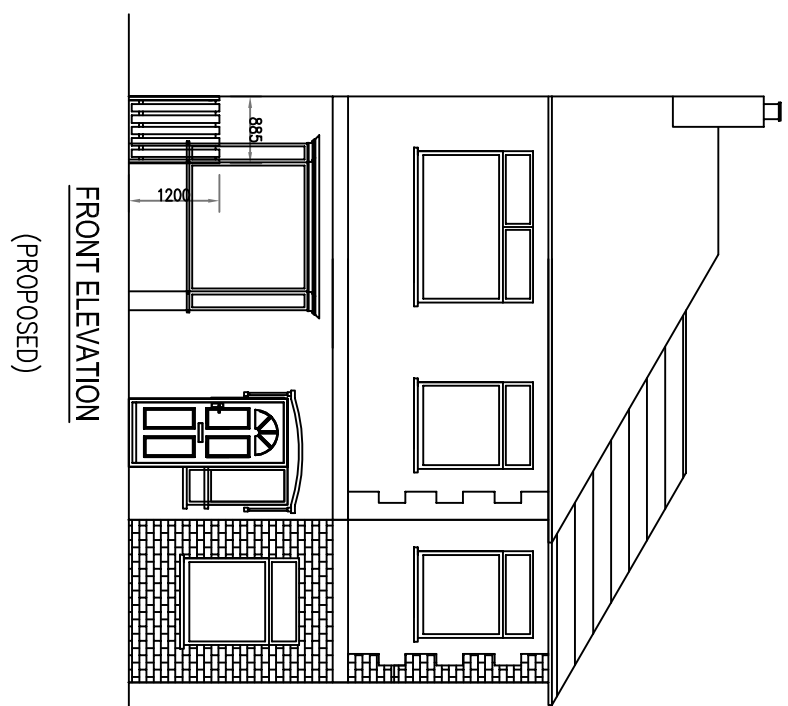
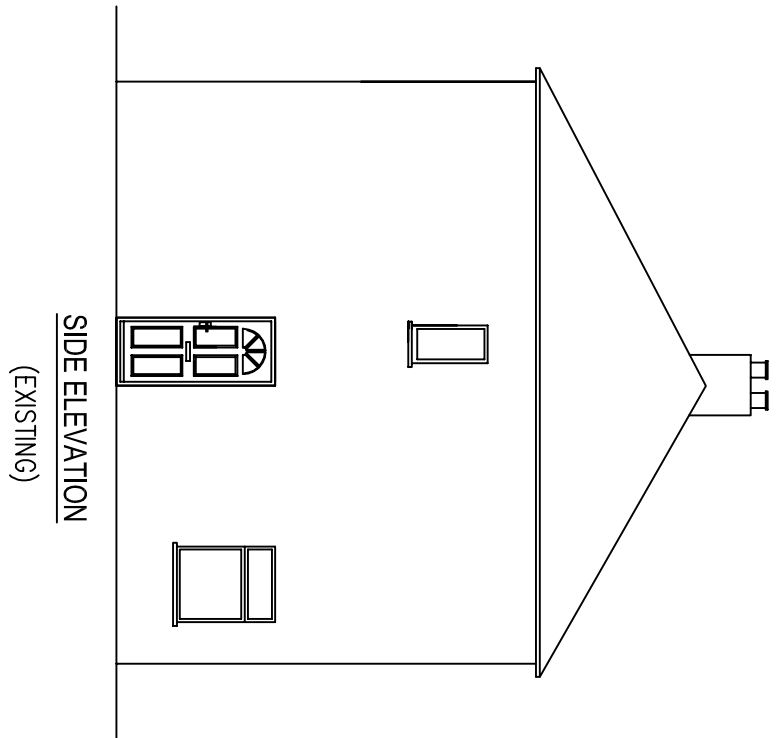
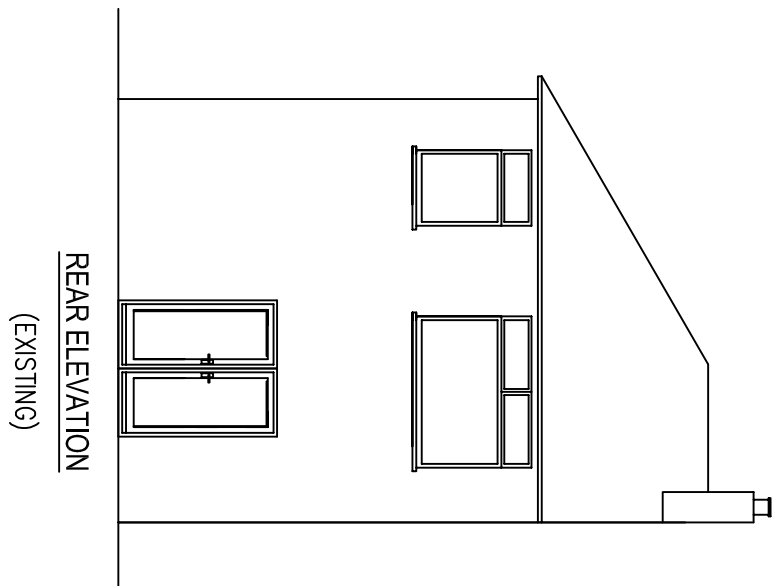
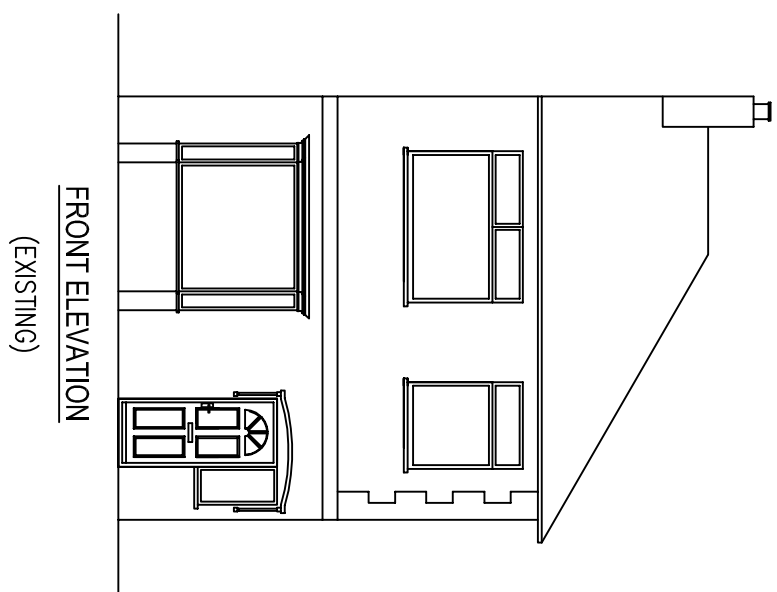
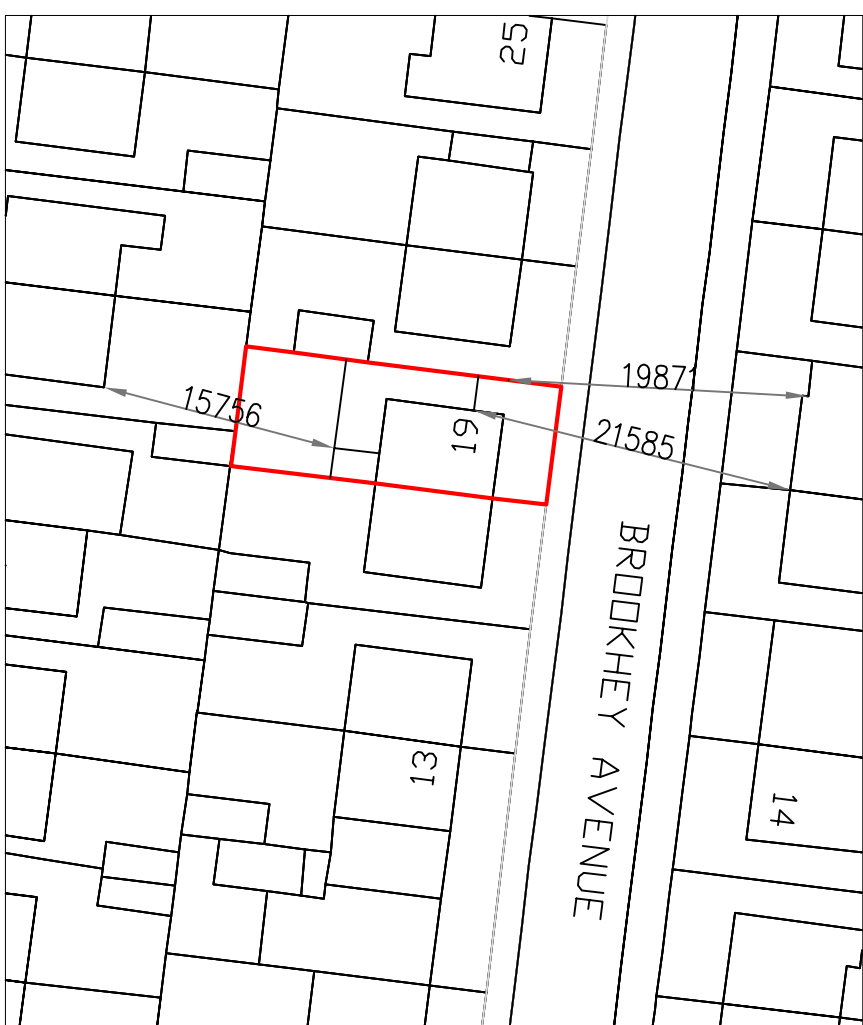
Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed extension would, by virtue of its scale and siting, impact detrimentally on the outlook and living conditions of neighbouring residents at 22 Rishton Avenue, contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".
2. The proposed extension will result in the loss of existing off-street car parking provision and will lead to an increase in demand for on-street parking to the detriment of highway safety and is contrary to Policies P5 and S1.2 of Bolton's Core Strategy and Supplementary Planning Document "House Extensions".



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0100031673



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

high level obscure
glazed top opening
window

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

[illegible]

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Figured dimensions take precedence over scaled measurements from the drawing. All dimensions to be checked by Contractor and discrepancies clarified with the Client prior to commencement.

The whole of the works to comply with current Building Regulations. No work to commence without Building Regulations approval.

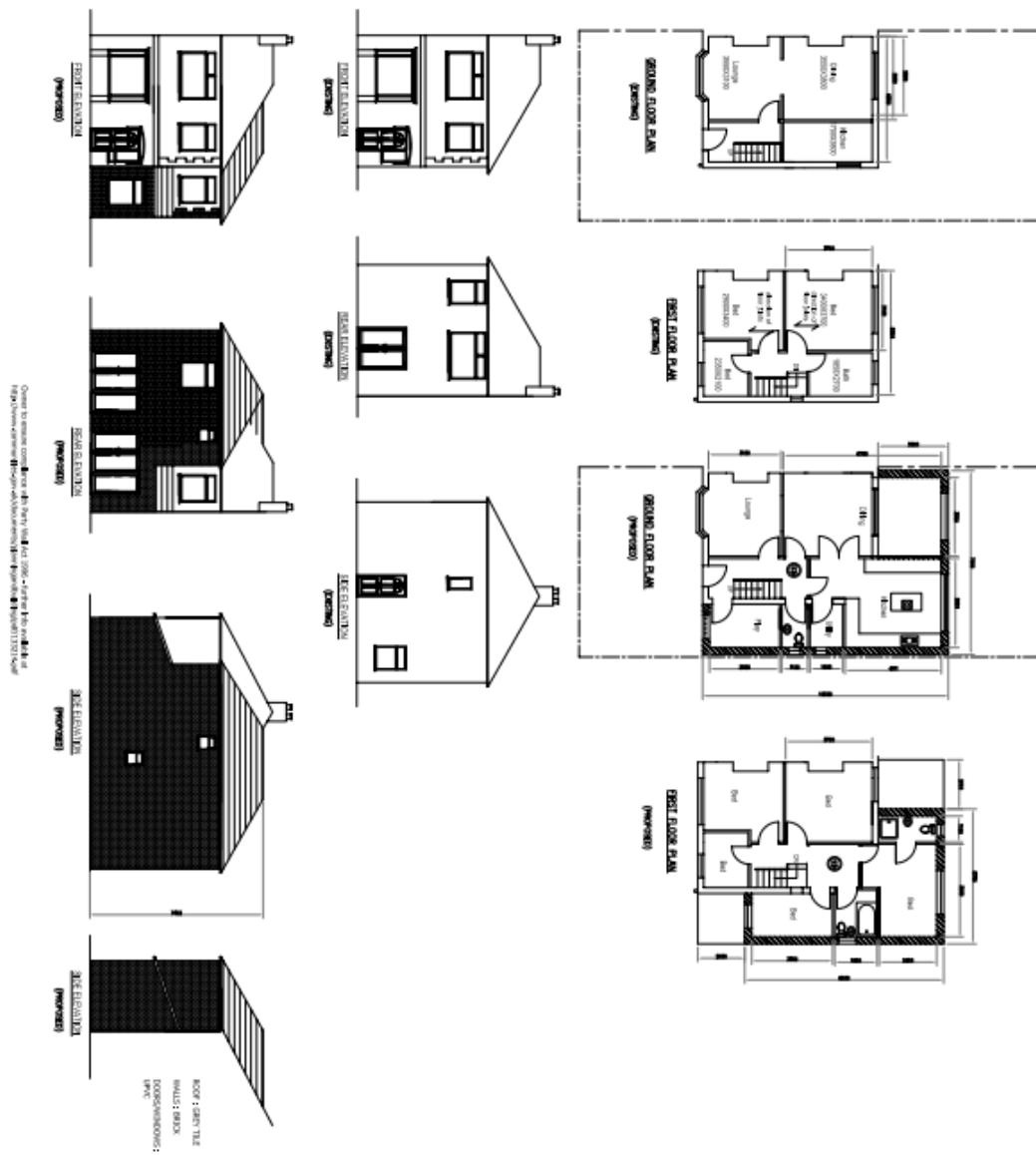
Notes

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Project	Title
19 BROOK HAY AVENUE BOLTON BL3 2EQ	PROPOSED PLANS

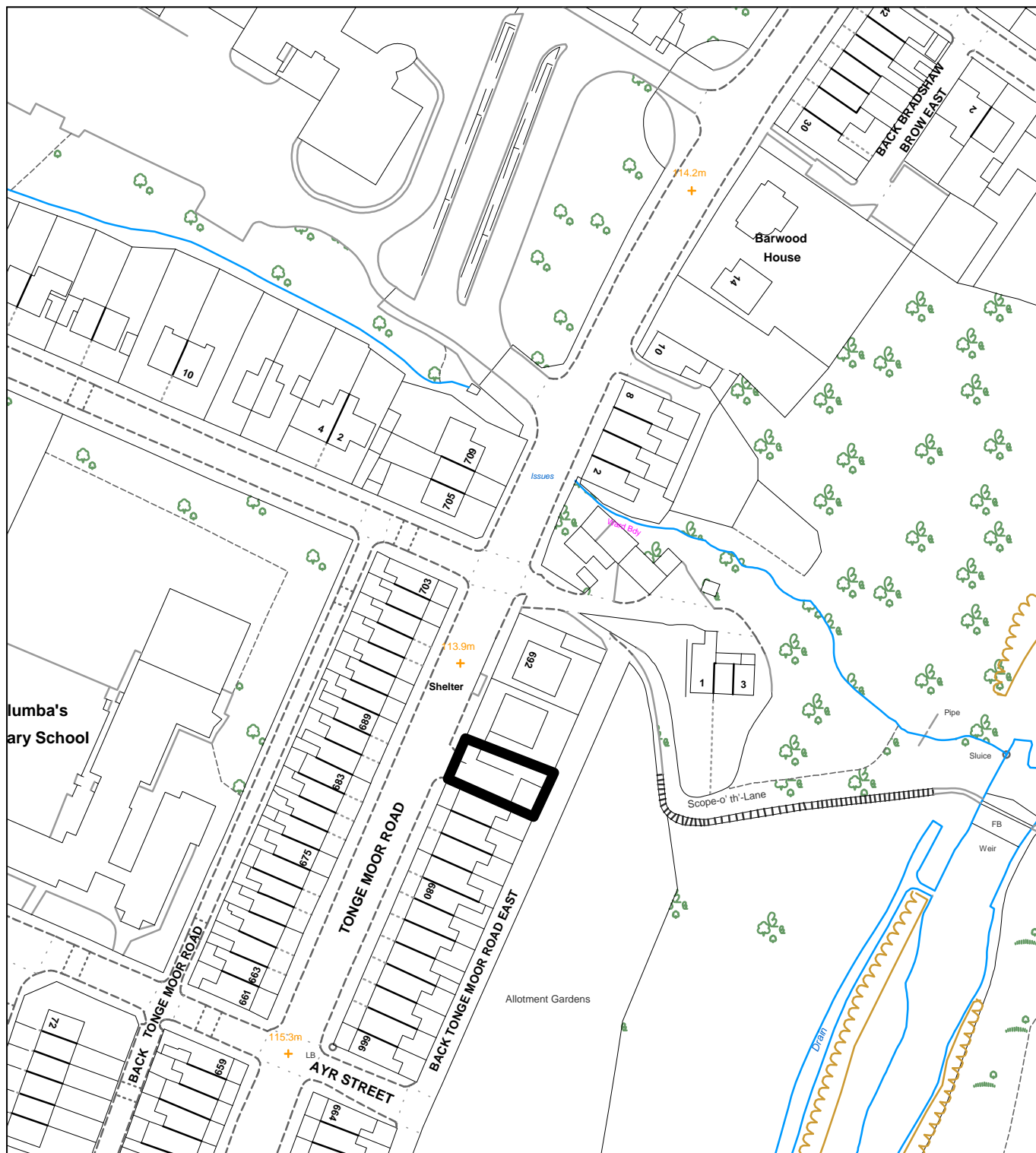
Client	MRS MAZNIN YASIN
Drawing	RA
Date	JULY 2014
Scale	1:100
Drawing Number	RA/D/1072/14/1/RevA

Previously refused application (92384/14)



Application No.

92858/14



Development and Regeneration Department
Planning Control Section

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

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Council**

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11

Date of Meeting: 20/11/2014

Application Reference: 92858/14

Type of Application: Full Planning Application
Registration Date: 01/10/2014
Decision Due By: 25/11/2014
Responsible Officer: Martin Mansell

Location: 690 TONGE MOOR ROAD, BOLTON, BL2 3BL

Proposal: ERECTION OF THREE STOREY DWELLING

Ward: Crompton

Applicant: Mr chadwick
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought for the erection of one three storey house fronting Tonge Moor Road. It is proposed that the dwelling be constructed in brick with a slate roof. The basement would be lower than street level due to the differences between levels and used for parking and storage with the typical two floors of residential accommodation above. The rear of the site would be slightly unusual in that the rear garden would be constructed on the flat roof of the garage.

A previous application (92535/14) was withdrawn by the applicant so that matters relating to the Party Wall Act could be addressed without the pressure of a live planning application. The new dwelling would now be free-standing and no longer abut either of its neighbours.

Site Characteristics

The site has the appearance of a "gap" in the mostly otherwise built up frontage of Tonge Moor Road, located between 688 and 690. It is understood that the land was used for tram turning and tram sheds and it now seems to be used as the curtilage of No. 690, despite the difference in levels. It is clearly previously developed land.

The character of the surrounding area is typical of many of the Borough's radial routes - residential properties front the highway with the occasional commercial property. No. 690 Tonge Moor Road has the appearance of a bungalow when viewed from the front but is more substantial to the rear, again due to the differences in levels. No. 688 is a more traditional end-of-terrace property, but is again relatively substantial. Opposite is another terraced row, with Canon Slade School located to the north east.

Policy

National Planning Policy Framework - promoting sustainable transport, delivering a wide

choice of high quality homes, requiring good design, promoting healthy communities, conserving and enhancing the historic environment.

Core Strategy Objectives

SO1 Access to Health, Sport, Recreation and Food, Walking and Cycling, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO10 Climate Change, SO11 Built Heritage, SO14 Inclusive Housing, SO15 Sustainably Located Housing, SO16 Community Cohesion and Access

Core Strategy Policies

P5 Transport, S1 Crime and Road Safety, CG1 Biodiversity, Open Space, Flood Risk and Climate Change, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses, SC1 Housing Targets, SC2 Cultural and Community Facilities, RA1 Inner Bolton

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on living conditions
- * impact on the road network
- * impact on housing provision

Impact on the Character and Appearance of the Area

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

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

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of

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

The proposed dwelling is of a simple design which is considered to be appropriate within its context. The character of the area is mixed - predominantly traditional terraces, infilled and replaced with more modern properties. The building line would form a continuation of the properties fronting Tonge Moor Road and materials would be compatible with the existing built form. The streetscene drawings demonstrate that the new house would be compatible with the context in terms of scale, though proportions would differ due to the need to make more effective use of space in comparison with the higher ceilings of the existing housing.

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

Impact on Living Conditions

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

Policy CG4 of Bolton's Core Strategy seeks to ensure that new development is compatible with surrounding land uses; protects amenity, privacy, safety and security; does not cause unacceptable nuisance or pollution; and takes potential historic ground contamination into account. The use is obviously considered to be appropriate for this area, given the generally residential context.

Houses either side of the site present principal elevations to Tonge Moor Road and therefore living conditions will not be materially harmed. A privacy screen is proposed to the rear garden and an originally proposed projecting balcony has been deleted from the scheme and replaced with Juliet windows in order to minimise overlooking. The rear elevation is in line the two adjacent properties and so outlook from these elevations will not be affected.

The objection from the property across the road is noted; however, the interface between these properties is 22.8 metres, comfortably within the recommended 21 metres and entirely consistent with all other properties on this road. It is accepted that this property has enjoyed an unrestricted view across the application site for many decades; however, Members will be aware that the planning process does not seek to protect the particular circumstances of any individual property but instead to set a basic standard for living conditions in terms of outlook and privacy - the proposed development complies in full with this standard. There is no right to a protected view within planning law.

The impact on living conditions is considered to be acceptable.

Impact on the Road Network

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into

account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety.

The Council's Highway Engineers note that the level of parking provided is acceptable and have no objections subject to a condition that the existing front access is closed and the highway made good to adoptable standards. The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1.

Impact on Housing Provision

The National Planning Policy Framework recognises the role of the planning system in providing the supply of housing required to meet the needs of present and future generations and the need to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development. The Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. Two of these principles are that planning should proactively drive and support sustainable economic development to deliver the homes and thriving local places that the country needs whilst encouraging the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value.

Policies SO14, SO15 and SO16 of Bolton's Core Strategy are strategic objectives within the "Strong and Confident Bolton" theme and seek to provide housing that meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households, focus new housing in the existing urban area, especially in Bolton town centre, council-owned housing areas and in mixed-use developments on existing older industrial sites and to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities.

This is a proposal for a single family house on a brownfield site, within a renewal area and in a sustainable location well served by public transport and close to shops, services and places of employment. As such, it is considered to comply in full with national and local planning policies on new housing provision and to deliver benefits in those terms, particularly in the context of the presumption in favour of sustainable development.

Value Added to the Development

The scheme has been amended to remove a party wall issue, prevent overlooking from a balcony and to avoid a hipped roof that would have given the dwelling and unbalanced appearance.

Conclusion

The proposed development will contribute to sustainable development in the form of a new dwelling and insufficient harm has been identified to outweigh this.

The proposal is considered to be in compliance with the National Planning Policy Framework and Bolton's Core Strategy and is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- one letter of objection has been received from a property on the other side of the road.

The issues raised by the objector include:-

- unrestricted views of Longsight Park and Harwood Hill have been enjoyed by the occupiers for over 30 years, together with other neighbours
- the views are also enjoyed by members of the public
- the affected property will also be overlooked for the first time
- loss of sunlight will affect the front garden

A representation has also been received from an immediate neighbour; however, this letter raises only private matters such as maintenance, right to light and rainfall management and makes no points relating to land use planning. In any case, the impact on this property has been found to be acceptable. A window in the side elevation of this property serves the first floor landing and is therefore not a principal window.

Consultations

Advice was sought from the following consultees: Highways

Planning History

Previously withdrawn application for one dwelling (92535/14)

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

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

Reason

To ensure the development reflects local distinctiveness.

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

Reason

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, hardstandings, fences, gates, walls, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed on any elevation.

Reason

To safeguard the character and appearance of the dwellings and because the plot size is limited and any extension would result in an unsatisfactory scheme.

6. Prior to the development being first occupied or brought into use, details of a 1.7m timber privacy screen to the side boundaries of 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 first occupation of the dwelling hereby permitted 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.

7. Prior to the development hereby approved/permitted being first occupied or brought into use the existing vehicular access onto Tonge Moor Road shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Tonge Moor Road.

Reason

In the interests of highway safety.

8. Before the approved/permitted development is first brought into use no less than 4 car parking spaces shall be provided within the curtilage of the site. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

9. 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.

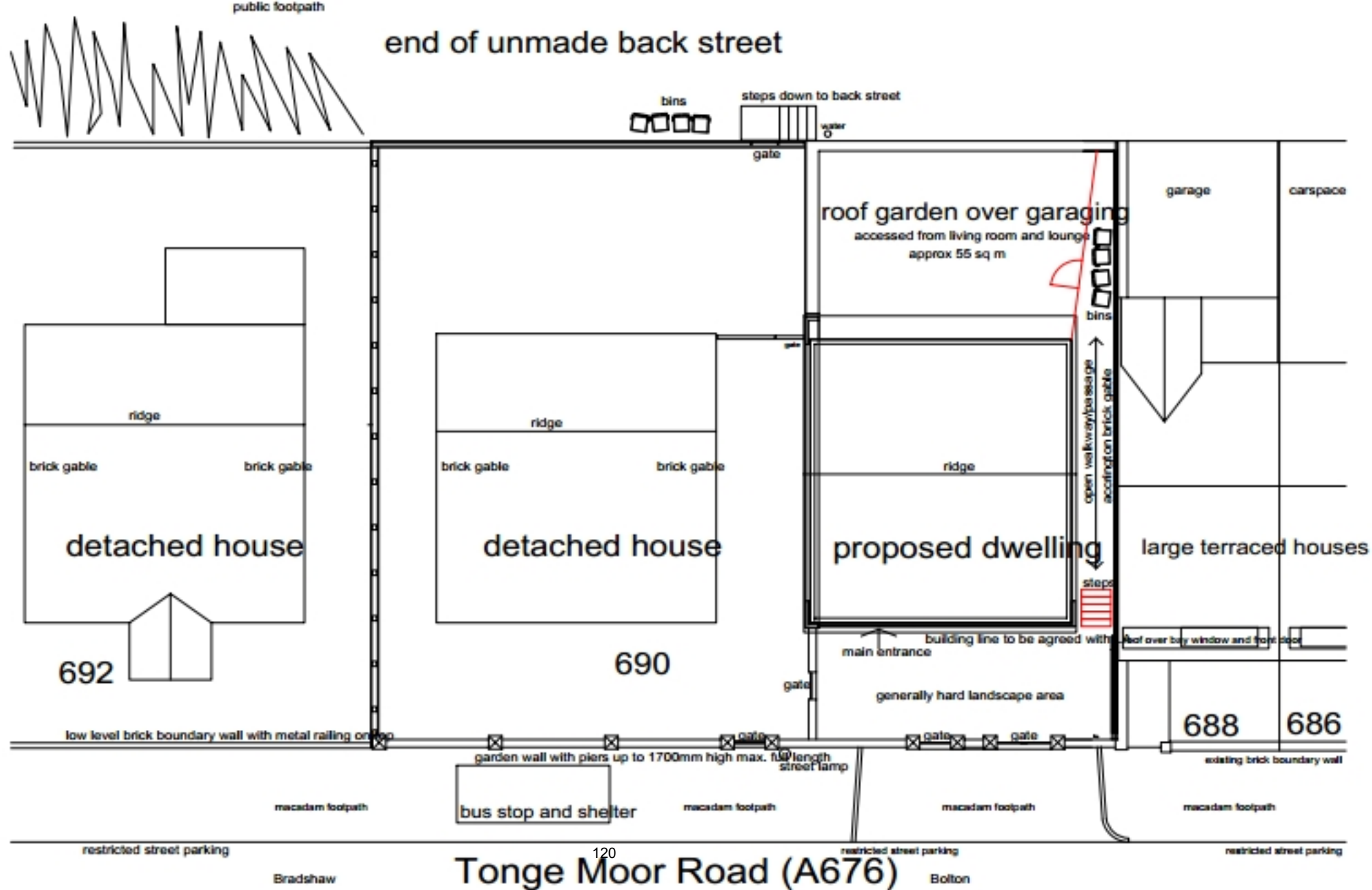
Reason

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

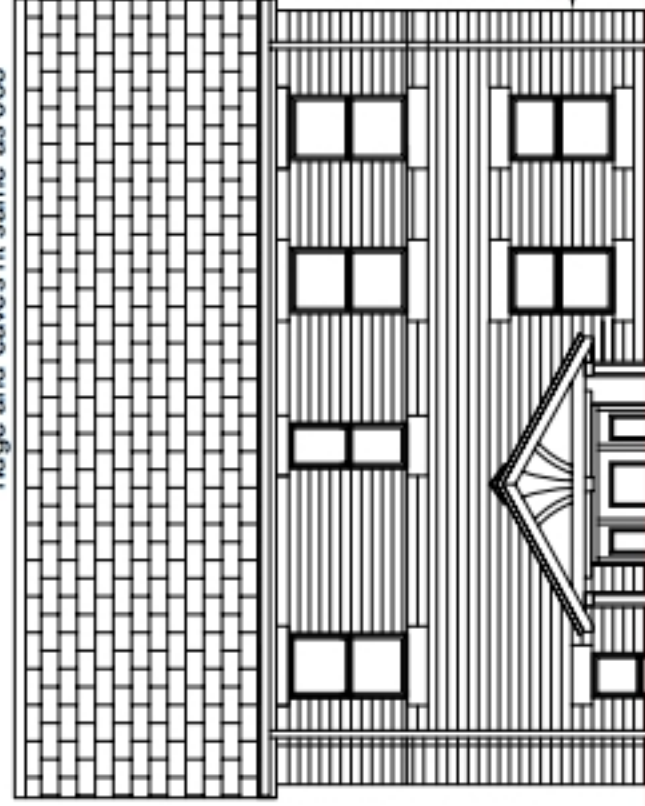
10. The garage hereby approved/permitted shall be made available at all times for the parking of motor vehicles.

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety.



ridge and eaves ht same as 688



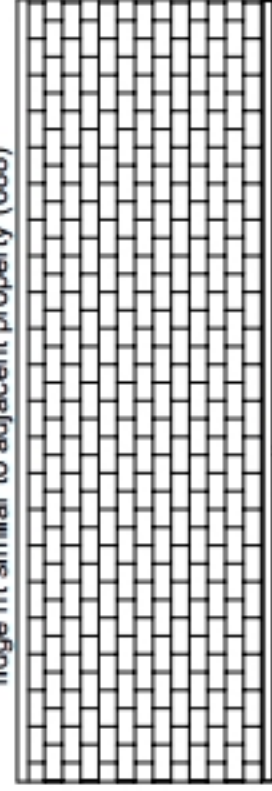
gable wall of 688

1500

proposed front elevation

hatching illustrates front garden wall height (same as existing return

ridge ht similar to adjacent property (688)



gable wall of 688

1500

black ogee gutter

black round rwp

lightweight timber framed construction to rear

part of rear elevation to be rendered in white

French doors

cedar shingles cladding to return

juliet glass balustrade

bi-fold doors

bi-fold doors

re-rendered half rendered ceiling

timberwork to match existing at rear

4.290

automatic garage door

automatic garage door

proposed rear elevation

Application No.

92874/14



Development and Regeneration Department
Planning Control Section

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

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11

Date of Meeting: 20/11/2014

Application Reference: 92874/14

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

Location: LAND AT WINTER STREET, BOLTON, BL1 8AZ

Proposal: ERECTION OF SIX THREE BEDROOMED TERRACED DWELLINGS.

Ward: Crompton

Applicant: Lancashire Developments Ltd
Agent : Foxx Ltd.

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought for the erection of six two storey houses fronting Winter Street. It is proposed that the dwellings be constructed in brick with a tile roof. Each would have three bedrooms provided by making use of the roofspace via a front skylight and rear dormer. Eight shared parking spaces would be provided in a communal area to the side. Each dwelling would have a small area of amenity space at the front together with a rear garden, approximately the size of the yard of a typical terraced houses. Indeed, the design seeks to replicate features of the nearby terraced houses.

A previous application (92179/14) was withdrawn by the applicant so that matters relating the industrial development at the rear could be addressed together with general improvements to the design. This application (92875/14) is also to be presented at this Committee meeting.

Site Characteristics

The site is a rectangular grassed area of land, approximately the size of a row of eight terraced houses.

The Applicant has provided evidence in the form of an Ordnance Survey extract from the 1930s demonstrating that the land did once contain buildings. However, no evidence of this can now be seen on site and therefore the land is not considered to fall within the definition of previously developed land.

The character of the surrounding area is typical of much of Inner Bolton - the area is dominated by the large buildings of Halliwell Mills to the east and contains dense rows of the terraced houses that would have accommodated its workers. Some of these terraces were demolished in the 1970s and replaced with social housing.

Policy

National Planning Policy Framework - promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities, conserving and enhancing the historic environment.

Core Strategy Objectives

SO1 Access to Health, Sport, Recreation and Food, Walking and Cycling, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO10 Climate Change, SO11 Built Heritage, SO14 Inclusive Housing, SO15 Sustainably Located Housing, SO16 Community Cohesion and Access

Core Strategy Policies

P5 Transport, S1 Crime and Road Safety, CG1 Biodiversity, Open Space, Flood Risk and Climate Change, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses, SC1 Housing Targets, SC2 Cultural and Community Facilities, RA1 Inner Bolton

PCPN2 Space Around Dwellings

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on living conditions
- * impact on the road network
- * impact on housing provision

Impact on the Character and Appearance of the Area

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

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

amenity for all existing and future occupants of land and buildings.

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

The proposed dwellings are of a simple design which is considered to be appropriate within its context. The character of the area is mixed but predominantly traditional terraces and the new dwellings have been designed to be consistent with this context. The objector's comments about number and density are noted, but these characteristics are considered to be consistent with the traditional terraces nearby. The rear dormers are not typical but as they are located on the non-prominent elevation are considered to be acceptable. In any case, a rear dormer would be permitted development on these and other dwellings in the area. Adequate space for bin storage is available in within the rear curtilage.

It is also noted that the site has been subject to fly tipping and other anti-social behaviour and the development will remove this possibility.

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

Impact on Living Conditions

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

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

The previous application was withdrawn as the applicant had not properly taken account of the relationship with the industrial and employment area of Halliwell Mills, nor their own proposal for new light industrial units to the east. A noise survey has now been carried out by a professional company which makes recommendations as to how this relationship can be mitigated. Conditions recommended for both this application and the new units are considered to address this by controlling hours of use, plant, insulation, limiting use of rear unit doors to emergency only and other methods.

Houses nearby do not present principal elevations to the application site and therefore living conditions will not be materially harmed.

The impact on living conditions is considered to be acceptable.

Impact on the Road Network

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety.

The Council's Highway Engineers note that the level of parking provided is acceptable and have no objections subject to a conditions restoring the highway to adoptable standards.

The objector's comments about a "natural pathway" across the site are noted and a pedestrian desire line can be seen; however, anyone wishing to walk to the other side of the site will merely have to walk around the corner - the desire line is nothing more than a way of cutting the corner.

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

Impact on Housing Provision

The National Planning Policy Framework recognises the role of the planning system in providing the supply of housing required to meet the needs of present and future generations and the need to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development. The Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. Two of these principles are that planning should proactively drive and support sustainable economic development to deliver the homes and thriving local places that the country needs whilst encouraging the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value.

Policies SO14, SO15 and SO16 of Bolton's Core Strategy are strategic objectives within the "Strong and Confident Bolton" theme and seek to provide housing that meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households, focus new housing in the existing urban area, especially in Bolton town centre, council-owned housing areas and in mixed-use developments on existing older industrial sites and to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities.

This is a proposal for six family houses on a brownfield site, within a renewal area and in a sustainable location well served by public transport and close to shops, services and places of employment. However, it is accepted that the land, whilst it has been previously developed, no longer falls within the definition of a brownfield site due to the passage of time. Nevertheless, the engineered and regular appearance of the site give the impression of previously developed and it is considered to be of limited amenity value. Some relatively small trees are located to the north but are not considered to be of such value that development of the site should be sterilised. The general appearance is one of a neglected site and it is not considered that national and local planning policies relating to prioritising brownfield sites envisaged protecting sites such as this.

The proposal is considered to be consistent with national and local planning policies on new housing provision and to deliver benefits in those terms, particularly in the context of the presumption in favour of sustainable development.

Value Added to the Development

The scheme has been amended to improve the design and to properly address the relationship with the existing industrial area and the proposed light industrial units.

Conclusion

The proposed development will contribute to sustainable development in the form of new dwellings and insufficient harm has been identified to outweigh this.

The proposal is considered to be in compliance with the National Planning Policy Framework and Bolton's Core Strategy and is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- one letter of objection has been received from a property nearby.

The issues raised by the objector include:-

- six dwellings are too many for this site
- the natural pathway across the site should be retained

A representation has been made by a nearby resident, questioning why they were not consulted. Their property lies beyond the scope of the consultation exercise and Officers are satisfied that the requirements of planning law have been satisfied in terms of consultation.

Consultations

Advice was sought from the following consultees: Highways, Environmental Health, GM Police, Strategic Development

Planning History

Previously withdrawn application for six dwellings (92179/14)

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

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

Reason

To ensure the development is safe for use.

4. Prior to the development hereby approved being first occupied or brought into use the means of vehicular access to the site from Wapping Street shall be constructed in accordance with drawing ref F5383 1C.

Reason

In the interests of highway safety

5. Prior to the development hereby approved being first occupied or brought into use the existing vehicular access onto Winter Street, Wapping Street and Regan Street shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Winter Street, Wapping Street and Regan Street, other than as shown on drawing ref F5383 1C.

Reason

In the interests of highway safety.

6. Before the approved development is first brought into use no less than 8 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be marked out and provided within the curtilage of the site, in accordance with Drawing Ref: F5383 1C. Such spaces shall be made available for the parking of cars at all times.

Reason

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

7. 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.

8. 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 F5383 1C.

Reason

In the interests of highway safety.

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

F5383 1C; "Site Plan"; dated April 14
F5383 2C; "Plans & Elevations"; dated April 14

Reason

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

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, hardstandings, fences, gates, walls, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed on any elevation.

Reason

To safeguard the character and appearance of the dwellings and because the plot size is limited and any extension would result in an unsatisfactory scheme.

13. Prior to the commencement of development full details of the highway works at *Regan Street comprising kerbing, 1.5m footway and street lighting 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.

14. Prior to the commencement of development full details of the highway works at Wapping Street/Regan Street and Wapping Street/Winter Street comprising 5m radii shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

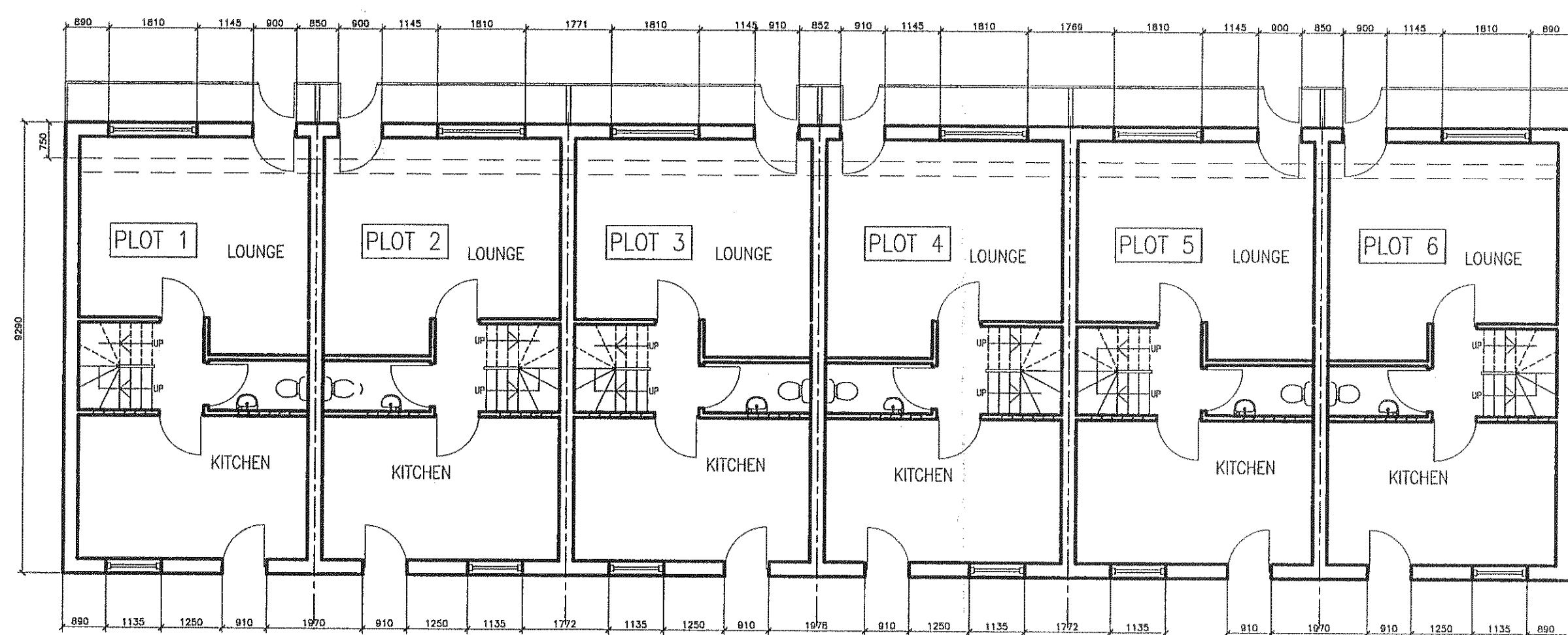
Reason

In the interests of highway safety.

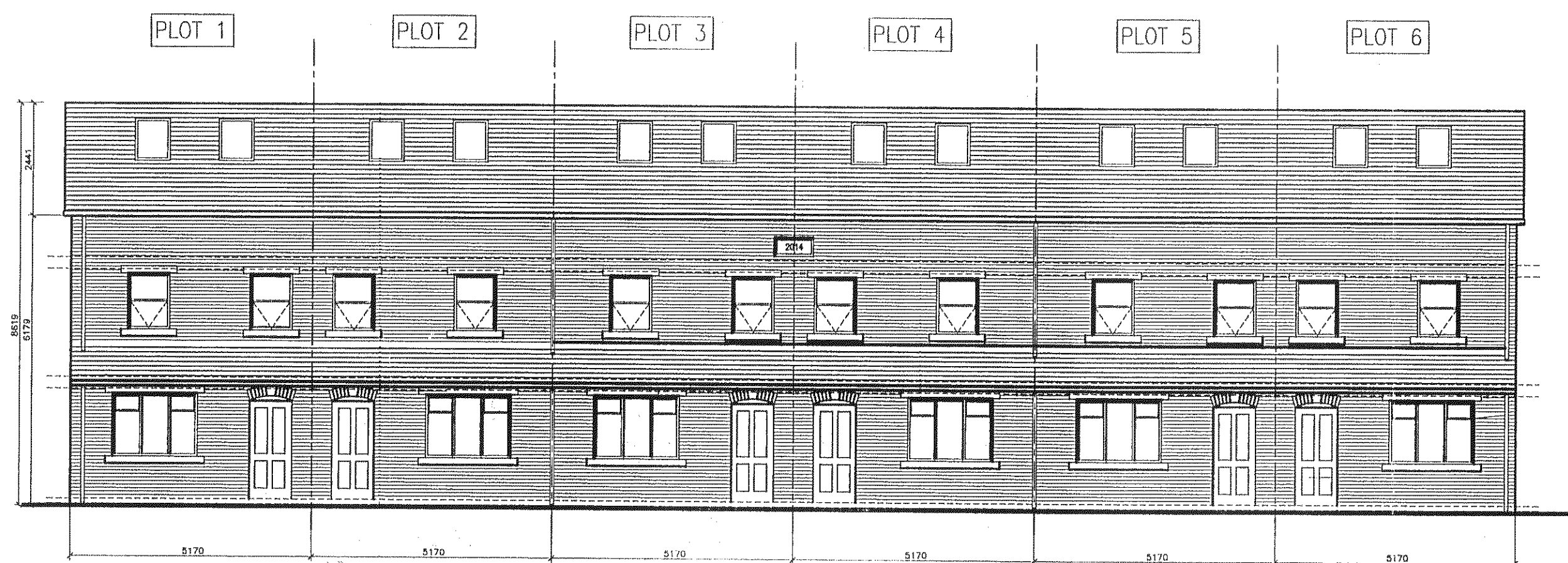
15. Prior to the commencement of development full details of the highway works at *Wapping Street comprising 2.3m wide footway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

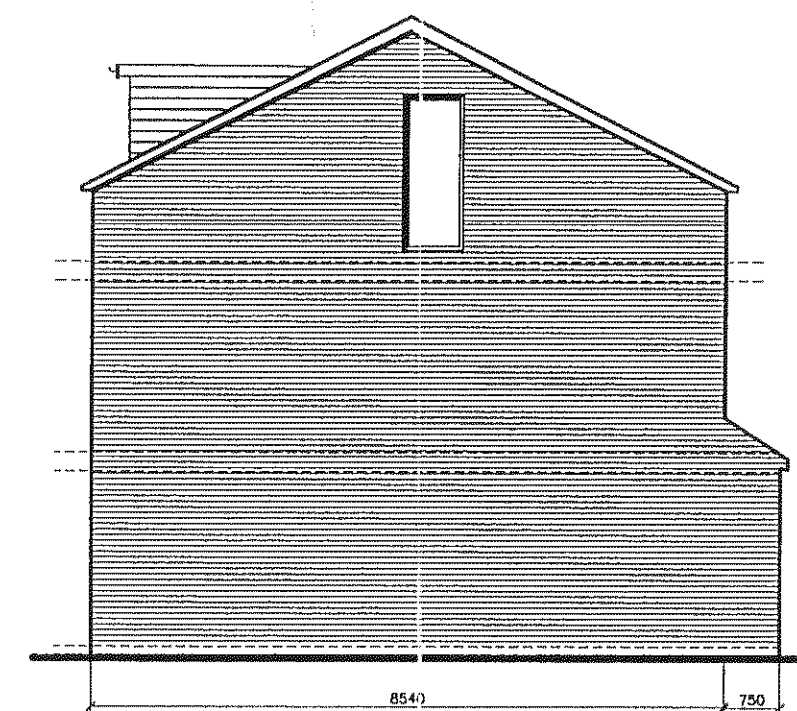
In the interests of highway safety.



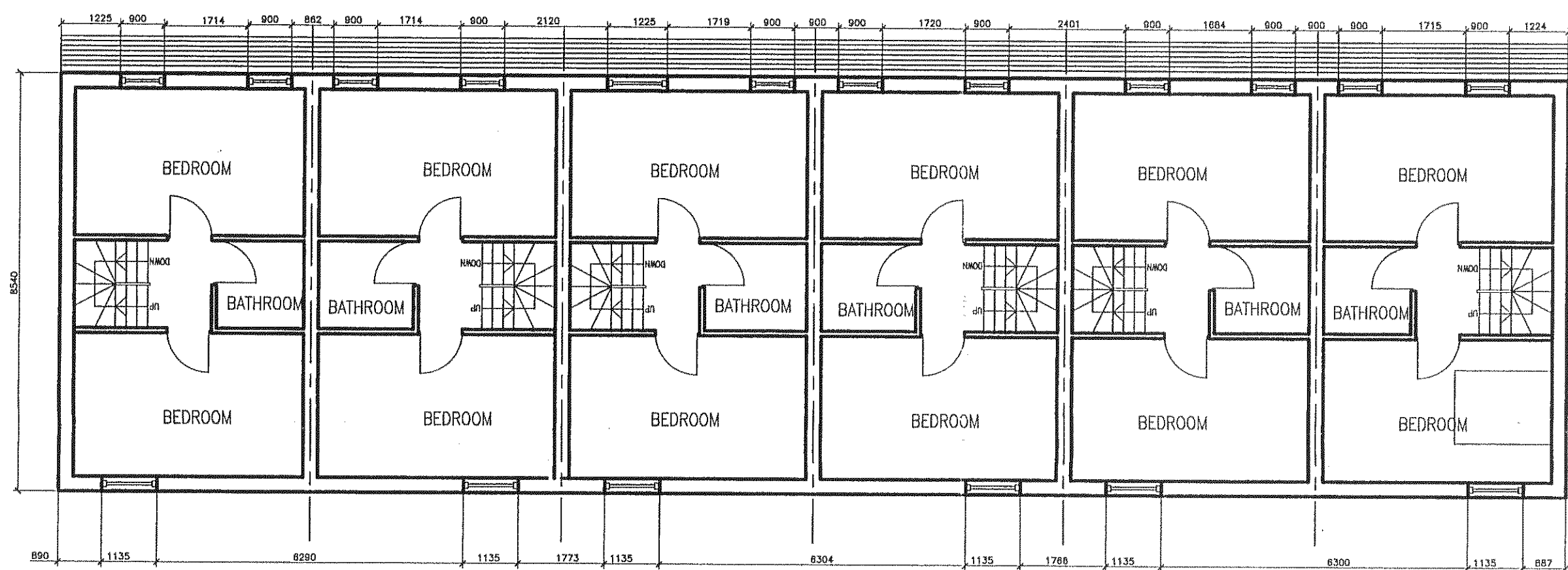
GROUND FLOOR PLAN



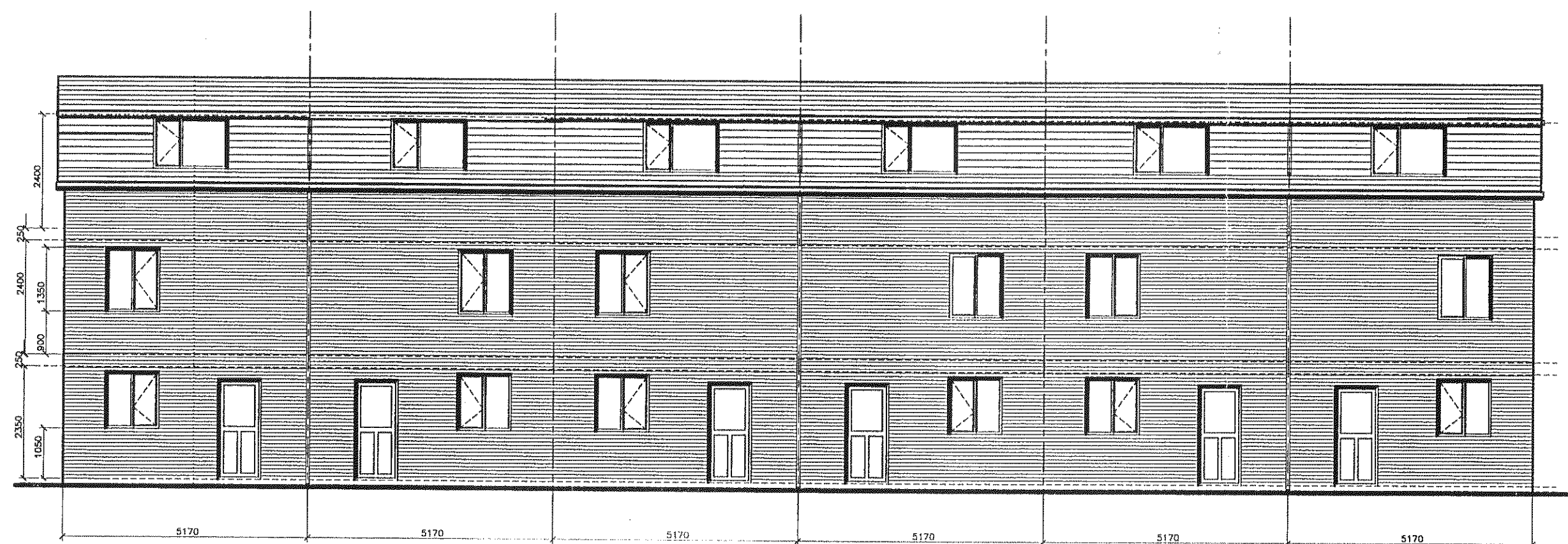
FRONT ELEVATION.



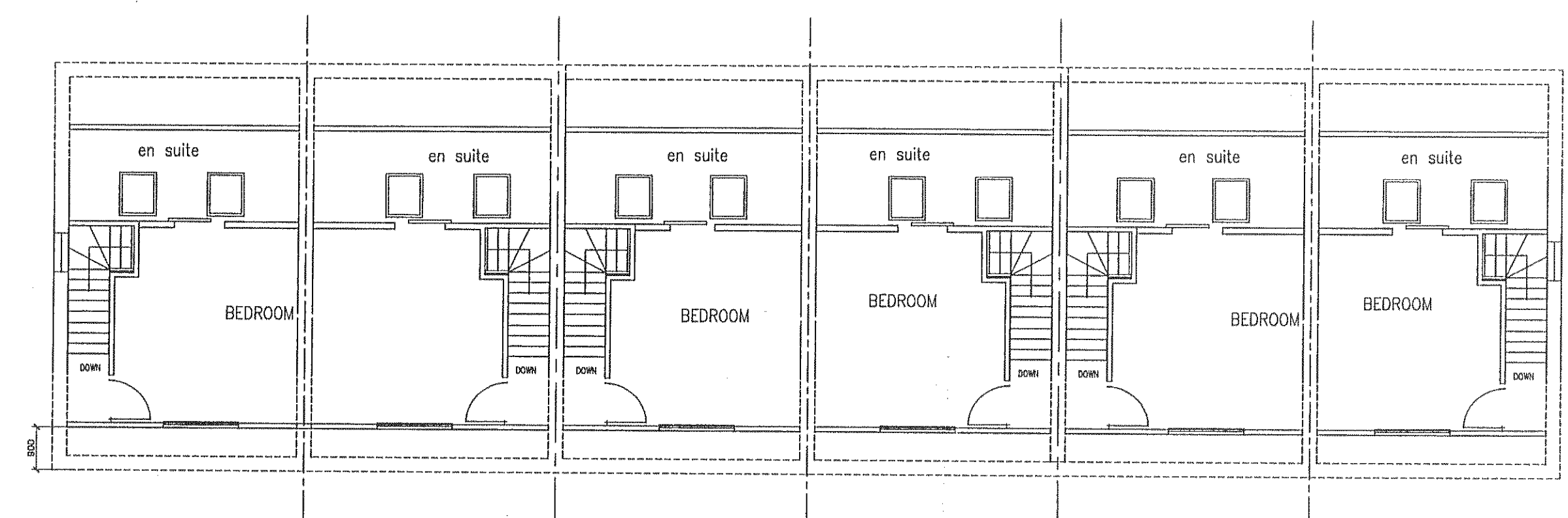
SIDE ELEVATION.



FIRST FLOOR PLAN



REAR ELEVATION.

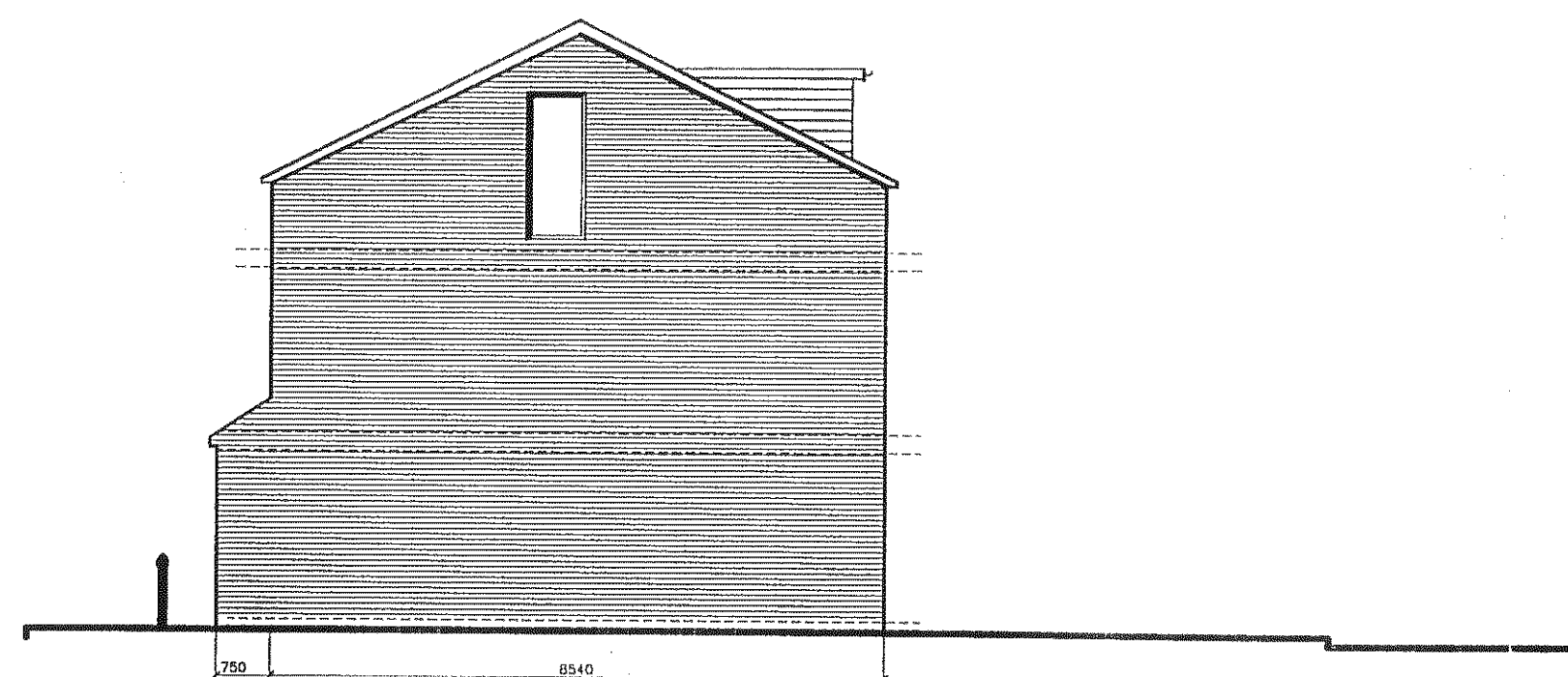


SECOND FLOOR PLAN

Materials

Roof - Santoft - Rivius
Walls - Approved facing brick (Hanson Old Trafford Red or similar)
Front - Artstone head and cills
Front - Arch detail over front door

Rear Doors and Windows - uPVC.
Front Door - Self coloured Composite moulded
Rainwater Goods - Black uPVC
Dormer - uPVC Cladding



SIDE ELEVATION.

Rev B Units redesigned.
Revision

Client:
LANCASHIRE DEVELOPMENTS.

Drawing Title:
PLANS & ELEVATIONS

BOLTON COUNCIL
DEVELOPMENT & REGISTRATION
RECEIVED
03 OCT 2014

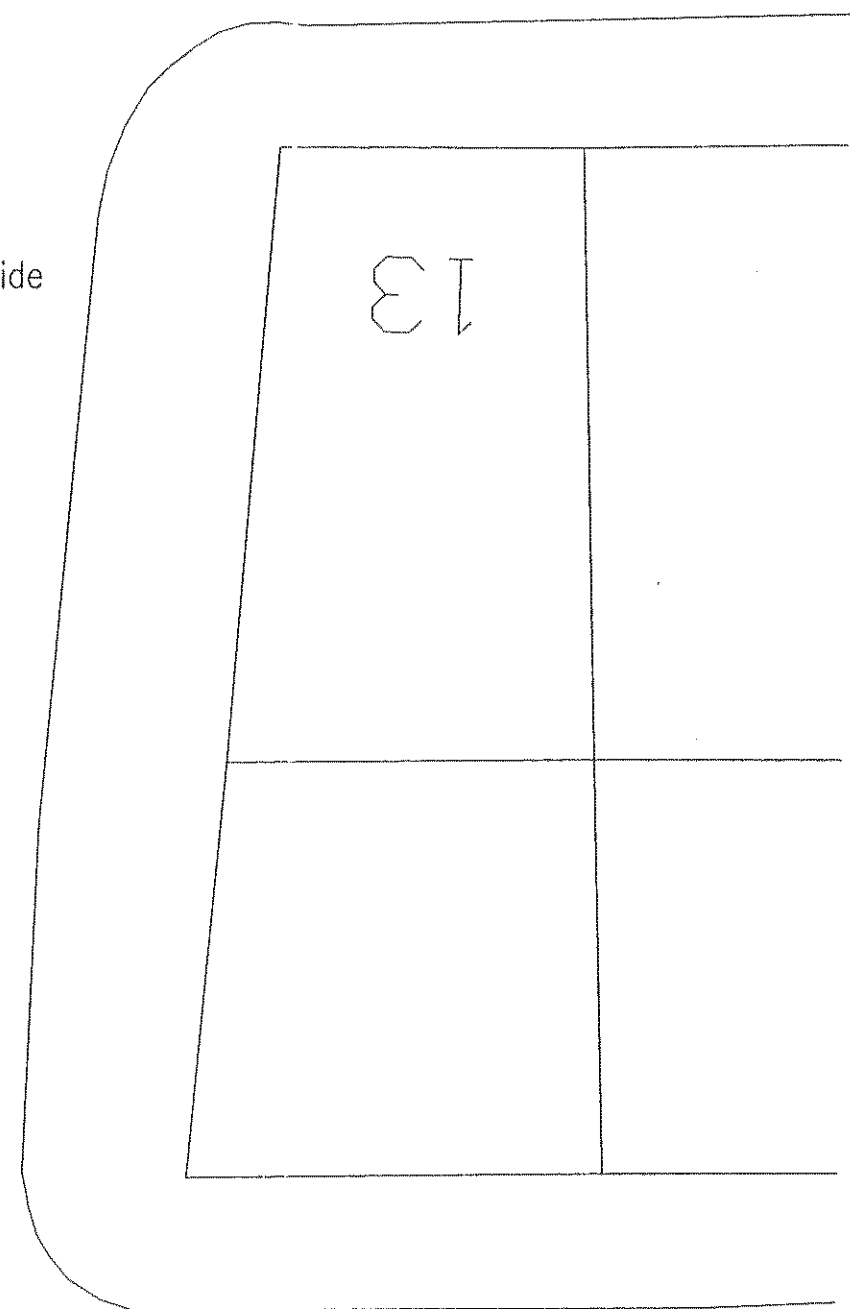
Foxx Limited.
Consulting Civil & Structural Engineers,
66-70 Park Hill Street, Bolton, BL1 4AR.
Tel: (01204) 362300
Fax: (01204) 399200
Email: info@foxx.cc.uk

SCALE: 1:100 DATE: APRIL 14
DRAWN: R.M. CHECKED: N.T.

CONTRACT No: F5383 DRAWING No: 2C

PROPOSED HOUSING DEVELOPMENT WINTER STREET, BOLTON.

DO NOT SCALE OFF THIS DRAWING



Rev C Footpath width amended to planners comments 4/7/14
Rev B Amended to planners comments (Highways) 30/6/14

Client.

LANCASHIRE DEVELOPMENTS.

Drawing Title.
SITE PLAN.



SCALE: 1:100 DATE: APRIL 14

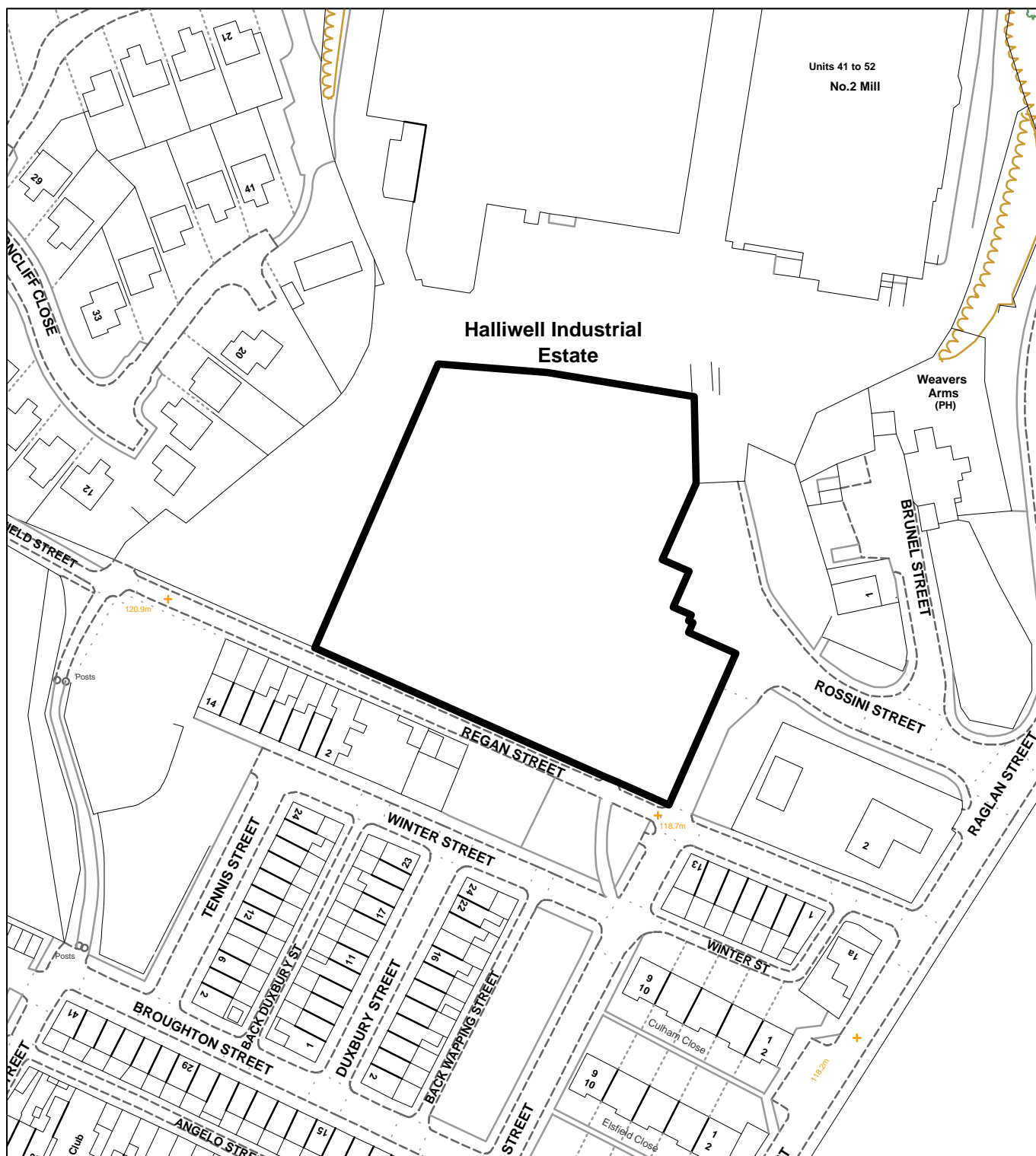
DRAWN: R.M. CHECKED: N.T

CONTRACT No: **F5383** DRAWING No: **1C**

PROPOSED HOUSING DEVELOPMENT WINTER STREET, BOLTON.

Application No.

92875/14



Development and Regeneration Department
Planning Control Section

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

**Bolton
Council**

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11

Date of Meeting: 20/11/2014

Application Reference: 92875/14

Type of Application: Full Planning Application
Registration Date: 03/10/2014
Decision Due By: 01/01/2015
Responsible Officer: Jodie Turton

Location: HALLIWELL INDUSTRIAL ESTATE, ROSSINI STREET, BOLTON, BL1 8DL

Proposal: DEMOLITION OF EXISTING MILL AND ERECTION OF 15No INDUSTRIAL UNITS (CLASS B1)

Ward: Crompton

Applicant: Lancashire Developments Ltd
Agent : Foxx Ltd.

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the demolition of the existing industrial units in the southern section of the Halliwell Mills site and their replacement with the erection of 15 industrial units. The units will be in B1 industrial use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended), which includes light industrial and research and development.

The existing industrial units comprise large former weaving sheds and have a floor area of approximately 6,500 sq metres. The proposed replacement units will almost halve the floor area to approximately 2,750 sq metres.

The proposed units are arranged in a horseshoe formation in three blocks around a courtyard intended for parking, servicing, loading and unloading. The units will have roller shutter doors opening onto the courtyard and fire exit doors to the external elevations of the building. Secure parking is proposed within the development area, with dedicated parking for each industrial unit and additional parking for staff/visitors. A total of 43 car parking spaces are to be provided, in addition to an area for cycle parking.

The development will be accessed via Rossini Street and will have a secure gated access.

The front of the units facing internally to the courtyard will be brick at the lower level, with cladding above, as will the rear of Block A, which faces the existing Halliwell Mills industrial area. The rear of Block B, which faces the residential properties in the Regan Street, Winter Street area will be brick and has been designed to incorporate design features at first floor level of feature 'infilled' windows. At ground floor a 2.4 metre high timber panel fence will provide screening to the building and will also provide sound insulation to nearby residential properties.

The rear of Block C, which backs onto an open area of land which forms a buffer between the industrial site and the rear of the residential properties on Avoncliff Close, will be cladding panels, with fire exit doors at ground floor.

An application for a similar development was recently refused via the scheme of delegation (92175/14). The redevelopment of the site was supported in principle, however the proposal lacked details of heritage, a sustainability assessment and a noise impact assessment and the design was not considered acceptable. The current application seeks to address the deficiencies of the previous scheme.

A noise impact assessment has been provided with the application given the close proximity of the site with neighbouring residential properties.

An application for a residential development is being considered in conjunction with the industrial development proposal (92874/14). The same applicant has submitted the two applications and the sites are in close proximity. Both applications are to be considered by members at the November planning committee meeting given the close relationship between the two sites.

Site Characteristics

This is an existing industrial site, which forms the southern section of a much larger industrial complex. The site currently accommodates traditional brick industrial units, as part of the larger Halliwell mill complex. Access to the site is from Rossini Street.

There are residential properties to the south and south east on Regan Street and Winter Street. To the west is a buffer which separates the mill complex from the residential properties on Avoncliff Close.

Policy

NPPF (2012): 1. Building a Strong, Competitive Economy; 7. Requiring Good Design; 12. Conserving and Enhancing the Historic Environment.

Core Strategy policies: P1 Employment Sites; P5 Accessibility; S1 Safe Bolton; CG1 Biodiversity; CG2 Sustainable Design and Construction; CG3 Built Environment; CG4 Compatible Uses; RA1 Inner Bolton.

Submitted Allocations Plan policy: P6AP Mixed Use Development.

SPD: Accessibility Transport and Safety

PCPN2 Space Around Dwellings

Bolton Mill Strategy

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 provision of employment land
- * impact on the historic environment and the design and character of the area
- * impact on residential amenity
- * impact on parking and the highway
- * impact on biodiversity and vermin
- * sustainable construction

Impact on the Provision of Employment Land

Section 1 of the NPPF states the Government's commitment to securing economic growth in order to create jobs and prosperity.

It is the aim of the Core Strategy to help to secure a prosperous Bolton in a number of ways, by making sure that jobs are provided in accessible locations in a range of different sectors, to ensure that employment provision is supported by necessary infrastructure. Core Strategy policy P1 seeks to safeguard existing employment sites where they are compatible with residential amenity and contribute to the sustainability of communities in which they are situated. The Core Strategy also supports the development of brownfield sites to contribute to urban regeneration objectives.

Policy P6AP of the Submitted Allocations Plan identifies the Halliwell Mills site as a mixed use development site. The policy states that the Council and its partners require proposals for sites within mixed use areas to be brought forward in the context of achieving a balanced mix of employment and housing uses over the whole area. This should be achieved by a comprehensive and viable development, appropriate mitigation and ensure the timely provision of infrastructure, services, open spaces and other facilities in a coordinated way. Development in these areas will be guided by the following principles in order to ensure they are economically, socially and environmentally suitable:

- Neighbouring uses should be compatible;
- Opportunities for employment should be maximised;
- Impact on the highway network must be acceptable;
- Development must be well served by public transport, and make effective provision for cycling and walking;
- Potential for sustainable energy sources must be maximised;
- Provision of open space will be required to meet the appropriate council standards for residential development.

The proposed industrial use of the site is compatible with Core Strategy and the submitted Allocations Plan policy objectives. The site is partially vacant and partially in active employment use. The development will replace the existing buildings with new purpose built industrial starter units, which will serve to enhance the employment offer in the area. Although it would be preferable to deal with the redevelopment of the Halliwell Mills complex as a whole given the policy support for a mixed use development, which may include elements of residential, however it is acknowledged that this is a large site in mixed ownership and it is unrealistic to expect one development proposal, however

consideration should be given to the relationship of the proposal with the wider site.

The proposed development will result in an almost halving of the industrial floor area to be provided, however the existing building arrangement does not easily lend itself to modern industrial need and demand. The formation of the proposed units presents a modern industrial solution which meets the demand of smaller and start-up businesses, meeting current industrial demand in the Bolton area.

Some of the points addressed in policy P6AP are relevant to the sections below and will be dealt with accordingly.

Impact on the Historic Environment and the Design and Character of the Area

Section 7 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Core Strategy policy CG3 seeks to ensure that development proposals contribute to good urban design, conserve and enhance local distinctiveness and have regard to the overall built character and landscape quality of the area. Furthermore, development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Paragraph CG3.4 also recognises the need to conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.

The existing mill buildings are in a poor state of repair, have suffered from vandalism both internally and externally over the last ten years when the building has been largely vacant and are unsuitable for modern industrial use. A heritage assessment has been submitted with the application, and whilst limited in detail, does address the issue of the loss of the industrial heritage. The mill buildings have limited historic merit and much of this has been lost by modern alterations. The Halliwell Mill complex has other more prominent buildings, whose historical significance is more relevant than those of the application buildings. The mill strategy does not specifically refer to the retention of this part of the mill site. The principle of the demolition of the application buildings is therefore considered acceptable in this instance.

The proposed replacement industrial buildings will provide approximately half of the floor area of the existing mill buildings and will provide purpose built industrial starter units. The buildings will be arranged around a central courtyard, which will provide parking, servicing, turning area and bin storage. The buildings will provide large open space internal areas and will be double height, although will have a ground floor only, the additional height allowing for industrial processes to be carried out. The front of the buildings facing the internal courtyard incorporate large roller shutter doors and will be of standard design with brick at the ground floor and cladding panels above. The externally facing elevations reflect the differing external circumstances beyond the site. The elevation facing the Halliwell Mills will again have brick to the ground floor and cladding panels above, the rear elevation of Block C facing the buffer area to the west which is largely screened from view will be treated with cladding panels. To the south of the site, where the industrial buildings will interface with residential properties the elevational treatment has been given more attention and detailing. The rear of Block B will be brick built and due to the height and breadth of the elevation, this is to be broken up in a similar way to the existing mill elevation through the use of feature infilled 'windows', soldier course heads and artstone cills. At ground floor level a 2.4 metre high wooden

acoustic fence will screen the lower level of the elevation and will also serve to break up the large expanse of brickwork.

The proposal is considered acceptable in design terms and thus complies with Core Strategy policy CG3.

Impact on Residential Amenity

Core Strategy policy CG4 seeks to ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Development should not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.

PCPN2 provides guidance on interface distances to ensure that residential amenity and privacy is protected.

As with most historic industrial sites in Bolton, the established industrial site is closely surrounded by housing, this was central to the development of the industrial use which developed in conjunction with the provision of housing for workers. Over time however, the relationship between industrial sites and the adjacent housing has changed and it is not generally factory workers that live in such close proximity to their place of work. Inevitably, this close relationship brings with it some compatibility issues, it is therefore imperative to ensure that any impact is minimised.

The main impact, and issue raised by nearby residential dwellings, is that of noise. A noise impact assessment has been submitted with the application, which seeks to address the potential impact of the industrial uses and to offer mitigation measures where necessary.

A number of recommendations are made to alleviate any impact on neighbouring residential properties and conditions will be used to enforce these. Amongst other things, the main recommendations are: to erect a 2.4 metre high acoustic fence along the southern boundary with Rossini Street; the fire doors to the south and west of the site shall be fitted with emergency bolts to prevent the doors from being opened apart from in an emergency; and specific levels of sound insulation and limitations to noise emitted from plant and machinery.

The closest residential properties are on Rossini Street/Winter Street to the south. In conjunction with this application, a proposal for a terrace of 6 houses is proposed. The recommendations of the noise impact assessment will ensure that there is no greater impact on the residential properties than the existing industrial use and in fact, given that the existing buildings are unrestricted in use, hours of operation and noise emissions, the current proposal will have a lesser impact than if the existing buildings were to be brought back into active use.

The PCPN2 guidance recommends a distance of 13.5 metres from principal windows to a 2-storey blank elevation. There is a distance of approximately 12.5 metres from the existing and proposed dwellings on Winter Street to the proposed industrial units. For the existing dwellings the interface distances are slightly improved from the current situation as the building has been set back by a metre to incorporate the acoustic fence to the boundary of the site. For the proposed dwellings, the shortfall in distance is considered to be on balance acceptable given the established urban grain and the fact that the applicant has set back the building by a metre from the previous proposal to incorporate the acoustic fence.

A buffer zone exists between the site and residential properties on Avoncliff Close to the east, the buffer will be retained and the proposal has no impact on this area of land.

The proposed development complies with Core Strategy policy CG4.

Impact on Parking and the Highway

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

Access to the site will be from Rossini Street and will use the existing vehicular access to the industrial site. Appendix 3 of the Core Strategy makes the requirement for B1 uses to provide 1 car parking space per 40 sq metres, which would equate to 69 car parking spaces. The application proposal shows 43 car parking spaces, which although below the requirement for B1 use, this is a maximum requirement, and the car parking has been significantly increased from the previous application proposal. The layout has also been amended in line with the Council's Highway Engineer recommendations to ensure that the car parking is accessible and useable by the industrial units.

Furthermore, the layout has been amended to address concerns of highway engineers in terms of turning circle and layout. Highway Engineers are satisfied with the amended plans.

The proposal is considered to comply with Core Strategy policy P5.

Impact on Biodiversity and Vermin

Core Strategy policy CG1 seeks to safeguard and enhance biodiversity in the borough. Core Strategy policy CG4 seeks to ensure that development does not generate unacceptable nuisance, or impact upon amenity.

A bat survey has been submitted with the application and no evidence of bats has been found.

A concern has been raised by local residents about the presence of rats and other vermin within the buildings and the possibility that the demolition of the buildings will lead to the disturbance of these and result in them entering neighbouring residential dwellings. The applicant has been made aware of resident's concerns through the previous application proposal and has surveyed the buildings and not found any evidence of a vermin infestation.

Sustainable Construction

Section 10 of the NPPF recognises the role planning plays in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

Core Strategy policy CG2 seeks to ensure that all development proposals contribute to the delivery of sustainable development, being located and designed so as to mitigate any adverse effects of the development and adapt to climate change by incorporating high standards of sustainable design and construction principles. For non-residential

development proposals greater than 500 square metres the following measures need to be achieved:

- a) "Very good" BREEAM rating (or equivalent).
- b) Incorporate appropriate decentralised, renewable or low carbon energy sources to reduce the CO2 emissions of predicated regulated and unregulated energy use by at least 10%.
- c) Sustainable management of surface water run-off. On brownfield sites the rate of run-off should be 50% less than conditions before development.

The applicant has confirmed that they accept the requirements of Core Strategy policy CG2 and that they are content for these to be dealt with via condition, on this basis the proposal complies with policy CG2.

Value Added to the Development

Following the refusal of planning application 92175/14 a pre-application meeting was held with the applicant and agent to discuss the proposal. A noise impact assessment had been carried out and the recommended mitigation measures have been incorporated into the scheme. Officers worked with the applicant on the design to ensure that the elevational treatment of the Regan Street/Winter Street elevation was improved to reflect the industrial nature of the site whilst giving due consideration to the neighbouring residential environment.

Conclusion

The redevelopment of the Halliwell Mills site is welcomed and the principle of the industrial development is supported in policy terms. The current application, which is a resubmission of a previously refused scheme, has successfully addressed the previous reasons for refusal and proposes a scheme which is acceptable in policy terms. The number of units has been reduced from 20 to 15. The design of the units are considered appropriate in their setting and particular attention has been given to the southern elevation which interfaces with residential properties on Regan Street/Winter Street and beyond. The number of car parking spaces and car park arrangement has been amended to increase the number of parking spaces, whilst also ensuring an accessible parking arrangement and internal vehicular circulation area. A noise impact assessment has been submitted with the application, which contains recommendations for appropriate mitigation measures to ensure that the development will not impact detrimentally on neighbouring residential amenity. The proposal is considered to meet policy requirements and is therefore recommended for approval.

Representation and Consultation Annex

Representations

Letters:- five letters of objection have been received from local residents, raising the following concerns (*planning officer comments in italics*):

- Impact on the buffer zone between the industrial estate and Avoncliff Close - *the application proposal does not affect the buffer zone and this will remain as existing.*
- Noise, traffic and pollution from the new extra businesses (where before there was just one - Bolton Hemmings).
- Hours of operation and disturbance to neighbouring residents - *the hours of operation will be limited via condition, which is not the case for the existing industrial units.*
- Increase in traffic using Handel Street - particularly HGVs.
- Hours of operation - 7am to 7pm, 6 days a week is too long in a residential area - *the submitted noise assessment recommends 07:30 to 19:00 6 days a week. There are no restrictions on the existing industrial units, which if occupied could operate 24 hours a day, 7 days a week.*
- Huge increase in industrial provision from one business (most recently) to fifteen.
- The fire doors directly face residential properties if left open by occupants more noise will emanate and impact detrimentally on neighbours (*addressed in the main body of the report*).
- There is no proposed noise control (*addressed in the main body of the report*).
- Risk of increased rubbish and dumping.
- Banging from the emptying of skips.
- Impact of more vehicles passing through residential area.
- There are a lot of empty units at the industrial estate therefore why are more needed? *This is not a material planning consideration, however the application proposal seeks to meet a specific industrial need, not currently met at the Halliwell Mills site.*

Other issues raised:

- Burglar alarms and noise of emptying skips at the existing industrial units.

Site Notice: posted on 27th October 2014.

Consultations

Advice was sought from the following consultees: Highway Engineers, Pollution Control, GM Police, Green Space, Strategic Development, Environmental Health, Drainage, GMEU.

Planning History

92175/14 – planning permission refused in 2014 for the demolition of mill building and erection of 20 industrial units.

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. Works shall be carried out in accordance with the recommendations of the bat survey, in that the loose tiles located on the south slope of the 'north light' roof on the building's western edge shall be removed by hand during the buildings demolition. If during any stage of the demolition evidence of bats is found, works should immediately stop and further advice should be sought from a licenced bat worker.

Reason

To safeguard the habitats of protected species.

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

Reason

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

4. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources, a fabric first approach to achieving the 10% reduction in predicted energy use may also be acceptable. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (other than works of demolition). The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of tackling climate change.

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

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

The approved strategy shall be carried out in full in accordance with the approved plans and it shall be retained thereafter.

Reason

To reduce the risk of contaminating surface water run-off and to reduce the risk of localised flooding and downstream flooding by ensuring the provision of a satisfactory means of surface water dispersion.

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

Reason

To ensure the development reflects local distinctiveness.

7. Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting/floodlighting. The lighting shall be designed to a maximum illumination value of 5 lux at the nearest residential property. The lights shall be erected, directed and shielded to avoid nuisance to nearby residential properties. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution.

8. Before the approved/permitted development is first brought into use no less than 43 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be marked out and provided within the curtilage of the site, in accordance with Drawing Ref: Site Plan; 10E, Revision E; 26/10/14. 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

9. Notwithstanding the approved plans, prior to the development being first occupied/brought into use a scheme indicating the provision to be made for not less than 2 car parking spaces or 6% of the total car parking spaces, whichever is the greater, shall be submitted to and approved by the Local Planning Authority. The approved car parking area shall be laid out and reserved at all times for use by drivers with disabilities before the development hereby approved/permitted is first brought into use and thereafter retained unless otherwise agreed in writing with the Local Planning Authority.

Reason

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

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

Reason

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

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

Reason

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

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. The development hereby approved shall achieve a BREEAM Very Good standard (or any subsequently adopted set of national sustainable construction standards). Within 3 months of the occupation of the building a Final BREEAM Certificate (or equivalent) shall be submitted to, and approved in writing by, the local planning authority, certifying that the approved scheme/standard has been achieved.

Reason:

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

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

- **Site Plan; 10E, Revision E; 26/10/14.**
- **Plans & Elevations; 11C; April 14.**

Reason

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

16. No operations (including the repair of plant machinery and the movement of such machinery) shall be carried out on the premises outside the following hours:-

08:00 and 19:00 Mondays – Saturdays

No operations shall take place on Sundays or Bank Holidays.

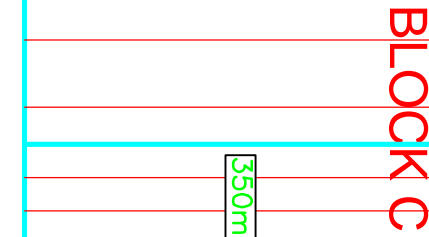
Reason

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

17. The development hereby approved shall be carried out fully in accordance with the recommendations of the submitted noise assessment (Miller Goodall Environmental Services, Noise Assessment, 1st October 2014, report no. 100956).

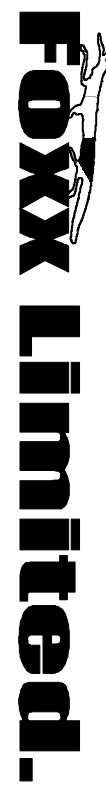
Reason

To protect the amenity of neighbouring residential properties.



LANCASHIRE DEVELOPMENTS.

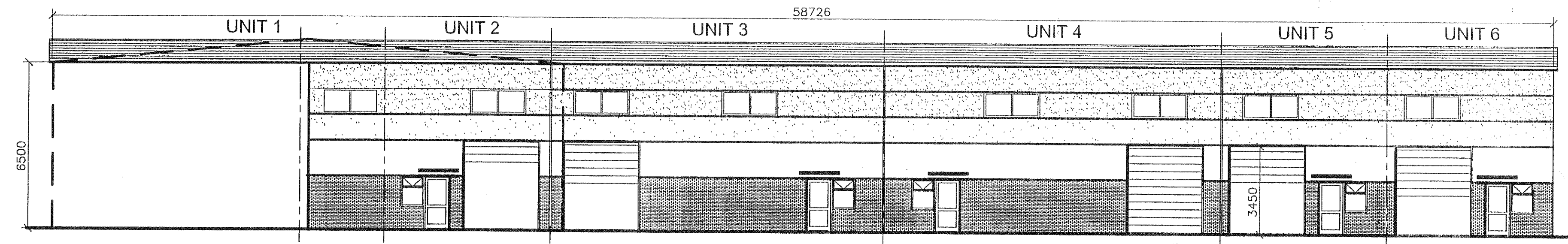
SITE PLAN



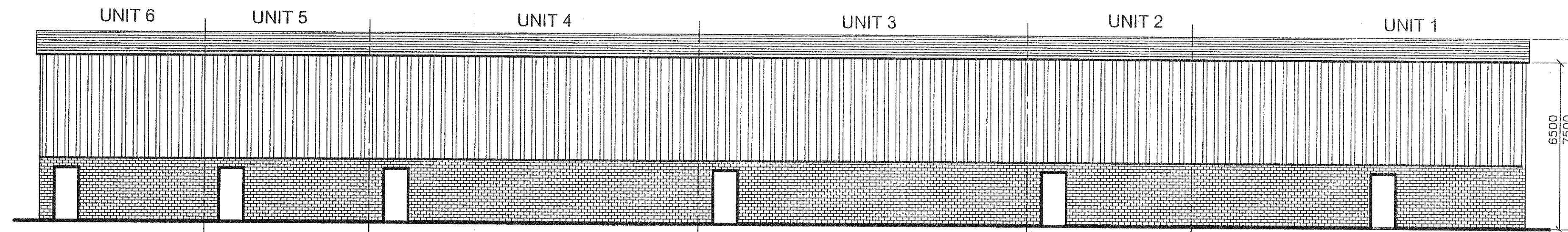
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DRAWN: R.M. CHECKED: N.T

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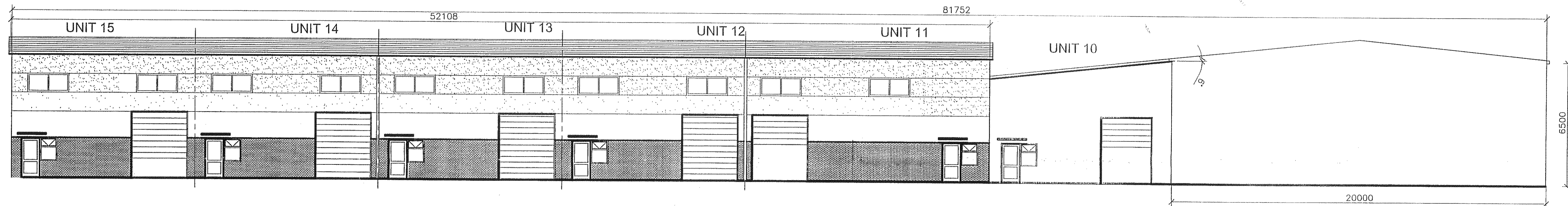
PROPOSED INDUSTRIAL UNITS ROSSINI STREET, BOLTON



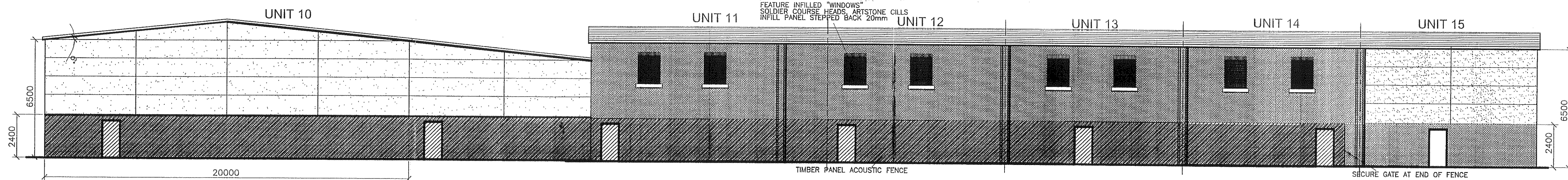
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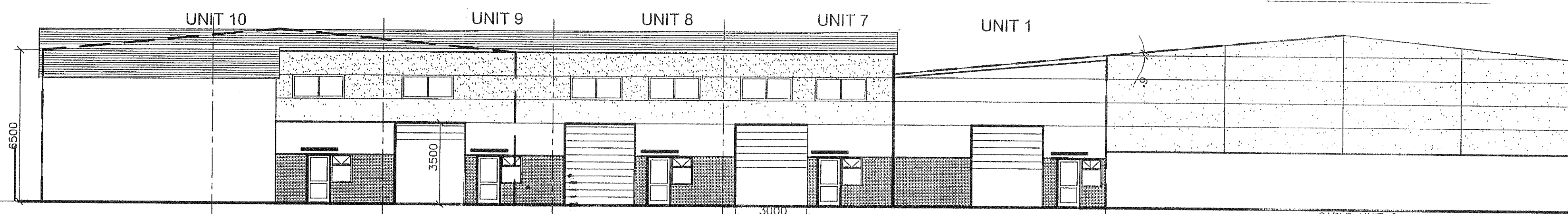
REAR ELEVATION BLOCK A.



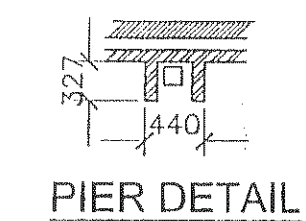
FRONT ELEVATION BLOCK B.



REAR ELEVATION BLOCK B.



FRONT ELEVATION BLOCK C.

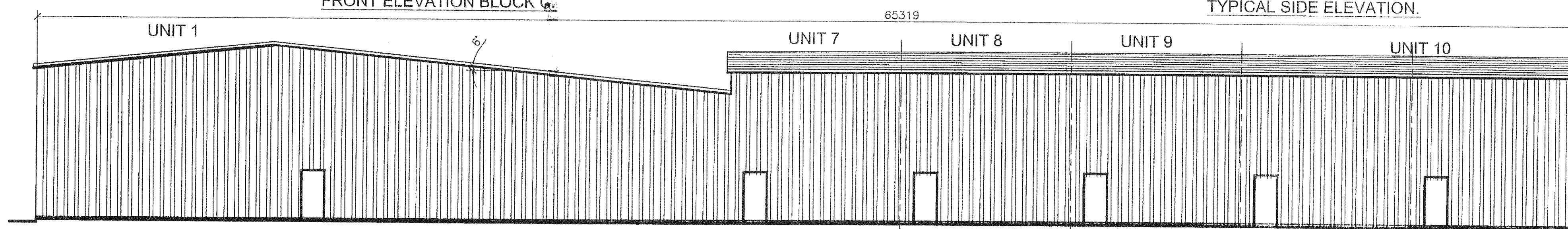


BQOE
PROFILED METAL CLADDING GOOSEWING GREY
10% ROOF LIGHTS

WALLS
APPROVED RED FACING BRICK
FLAT PANEL CLADDING TO "VISIBLE" ELEVATIONS
VERTICAL CLADDING TO OTHER ELEVATIONS
COLOUR TO BE AGREED

INDUSTRIAL DOORS
INSULATED PANEL DOORS SELF COLOURED - COLOUR TO BE AGREED
FIRE DOORS
FLUSH TIMBER DOOR WITH STEEL SHEET PAINTED FINISH - COLOUR TO BE AGREED
ENTRANCE DOORS AND WINDOWS
UPVC FRAMES DOUBLE GLAZED
GLAZED CANOPY OVER ENTRANCE DOORS

TIMBER PANEL ACOUSTIC FENCE



REAR ELEVATION BLOCK C.

PROPOSED INDUSTRIAL UNITS ROSSINI STREET, BOLTON.

BOLTON COUNCIL
DEVELOPMENT & REGENERATION
RECEIVED
03 OCT 2014

Revision

Client:
LANCASHIRE DEVELOPMENTS.

Drawing Title:
PLANS AND ELEVATIONS

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SCALE: 1:125 DATE: APRIL 14
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