

PLANNING COMMITTEE
Schedule of Supplementary Information

Thursday 4th March 2021

Members are advised of the enclosed information that was either received or requested after the production of the planning applications report

**Bolton
Council**

05250/19

Ward	Location
HONE	MONTCLIFFE QUARRY, GEORGES LANE, HORWICH

23 further letters of objection have been received, which brings the total number of objections to the proposal to 72.

The majority of the concerns raised have already been reported and addressed within the officer's report. Additional concerns to those already reported are:

- "Severe harm" should be attributed to the harm the proposal would have to the landscape, not the "moderate harm" officers have given (*Officer comment: it is for the decision taker, in this case Planning Committee, to decide how much planning weight is given to the benefits and harm related to a proposal. Officers consider that the weight given to the harm should be moderate, given the temporary nature of the development*);
- Concern that quarrying of the moorland between the two proposed quarry extensions will be applied for next (*Officer comment: each application must be assessed on its own merits. However the land between the extension areas is allocated as part of the SSSI and therefore development would unlikely be supported*);
- All previous quarry permissions have expired (*Officer comment: this is not correct*);
- Increased drainage of the neighbouring peatland and Natural England's concerns of May 2019 have not been addressed (*Officer comment: Natural England has had continuing correspondence with the applicant and are satisfied that the proposed development would not lead to water being drawn away from the neighbouring peatland habitats – see paras. 100 and 93 of the officer's report*);
- Groundwater contamination is already a problem as can be seen by the discolouration of watercourses downstream of the quarry (*Officer comment: groundwater is not affected by the existing or the proposed quarrying operations, with the aquifer being well below the permitted extraction depth. As reported within the officer's report, it is believed that the discolouration of the watercourses has been caused by historic mining activities in the area, to the south of the quarries*);
- The timeline for the quarrying keeps on being extended (*Officer comment: the applicant is entitled to apply for further permissions and each request must be assessed on its own merits*);
- The Committee report makes no reference to the noise and vibration impact on the residents of Arcon Village (*Officer comment: the nearest noise sensitive neighbours have been given due consideration during the determination of the application*).

09993/20	
Ward	Location
HONE	LAND TO THE EAST OF CENTRAL STREET BOLTON

Members are advised that the Applicant has responded to concerns raised by some consultees via the letter below.

For the avoidance of doubt, and bearing in mind the changes made to the proposal during the determination period, a plan showing the block arrangement is also provided and the proposal consists of:-

- Block A - 74 Apartments
- Block B - 16 Townhouses
- Block C - 14 Townhouses
- Block D - 14 Townhouses
- Block E - 6 Townhouses
- Block F - 28 Apartments
- Block G - 6 Townhouses

A final list of proposed conditions is also appended - the main changes from those listed in the Officer's report are: -

- some conditions reworded to refer to the phasing plan, so that conditions can be addressed more logically as the development progresses
- conditions added as recommended by the Coal Authority (additional survey work to reduce residual risk) and the Environment Agency (to prevent pollution of the River Croal during works)
- further details requested by the Council's Design and Conservation Officer

Dear Martin,

We write on behalf of the Central Street SPV Limited (Placefirst), the applicant, regarding its town centre regeneration proposals that are to be considered at the planning committee scheduled for 4 March 2021. This supplementary submission (shortened version) responds solely to the representations received from Historic England and the Bolton and District Civic Trust, further to the publication of the officer report to planning committee published on 24 February 2021. Details of all matters responded to are found in the full supplementary letter.

HISTORIC ENGLAND

Historic England has not raised a formal objection to the proposed development. The two principal points raised by Historic England (as noted in the officer report) were the subject of pre-application discussions, were duly considered in the technical submissions made with the planning application and are considered appropriately addressed by the officer report to planning committee. The demolition of buildings fronting Deansgate is a prerequisite to the comprehensive redevelopment that the proposal seeks to bring forward. The applicant and its design team have sought to be respectful of local heritage considerations, at the same time as pragmatic in arriving at a scheme that will work, by seeking to ensure that the proposed development has the potential to enhance the character and appearance of the Deansgate conservation area and make a positive contribution to the setting of statutorily listed assets. This justification is clearly set out in the submitted Heritage Statement and Heritage Statement Addendum, both authored by built heritage advisor Lanpro.

BOLTON AND DISTRICT CIVIC TRUST

Bolton and District Civic Trust (the Civic Trust) has objected to the proposed development. Paragraphs 5.3-5.5 of the submitted Statement of Community Involvement set out the detailed pre application consultation with the Civic Trust. During preliminary discussions in March 2020, the Civic Trust commented that the proposed development is an exciting scheme which has the potential to set a benchmark for the standard of new development in the town centre. A pre-planning application consultation with the Civic Trust in October 2020 generated a response from the Civic Trust that raised a number of points of preference, but overall applauded the effort that the applicant had made to embrace many of the concepts outlined in its March 2020 response.

For consistency and continuity, we similarly respond to four headline issues set out in the officer report.

The development proposed is of too high a density and would lead to poor living conditions
Project architect Levitt Bernstein has taken the proposal through a comprehensive and considered design evolution process. There is no sound basis for comparing average dwelling size within the proposed development to the national average for new homes. There are nine types of homes proposed, with the largest being a two-bedroom town house. The national average size of new homes in England includes homes of all sizes across urban, suburban and rural locations. This cannot be reasonably compared with the average dwelling size in a high-density urban regeneration project. A key objective of national planning guidance is to seek uplift in the average density of residential development within city and town centres (paragraph 123 - the framework- National Planning Policy Framework) and the proposed development responds to this. The submitted Design and Access Statement sets out details of compliance with the Nationally Described Space Standards (NDSS) for residential development.

Levitt Bernstein undertook an exercise considering residential amenity, to test the quality of light throughout the scheme. This demonstrated good living standards and was undertaken when a much higher density (230 apartment) scheme was under consideration at pre-application stage. The proposal is now at a much lower density and benefits from larger courtyards areas, resulting in a substantial amenity improvement on what was previously planned. It is important to appreciate that a significant proportion of the dwellings are dual aspect to maximise daylight levels and internal sunlight penetration, as well as aiding ventilation. Although a sunpath analysis was not required as part of the planning application's validation requirements, robust assessments by the design team were undertaken in the interests of achieving the best possible composition of development. Both shared residential courtyards and both Block A roof terraces meet applicable BRE guidance standards.

Insufficient planting is proposed and green walls should be a requirement

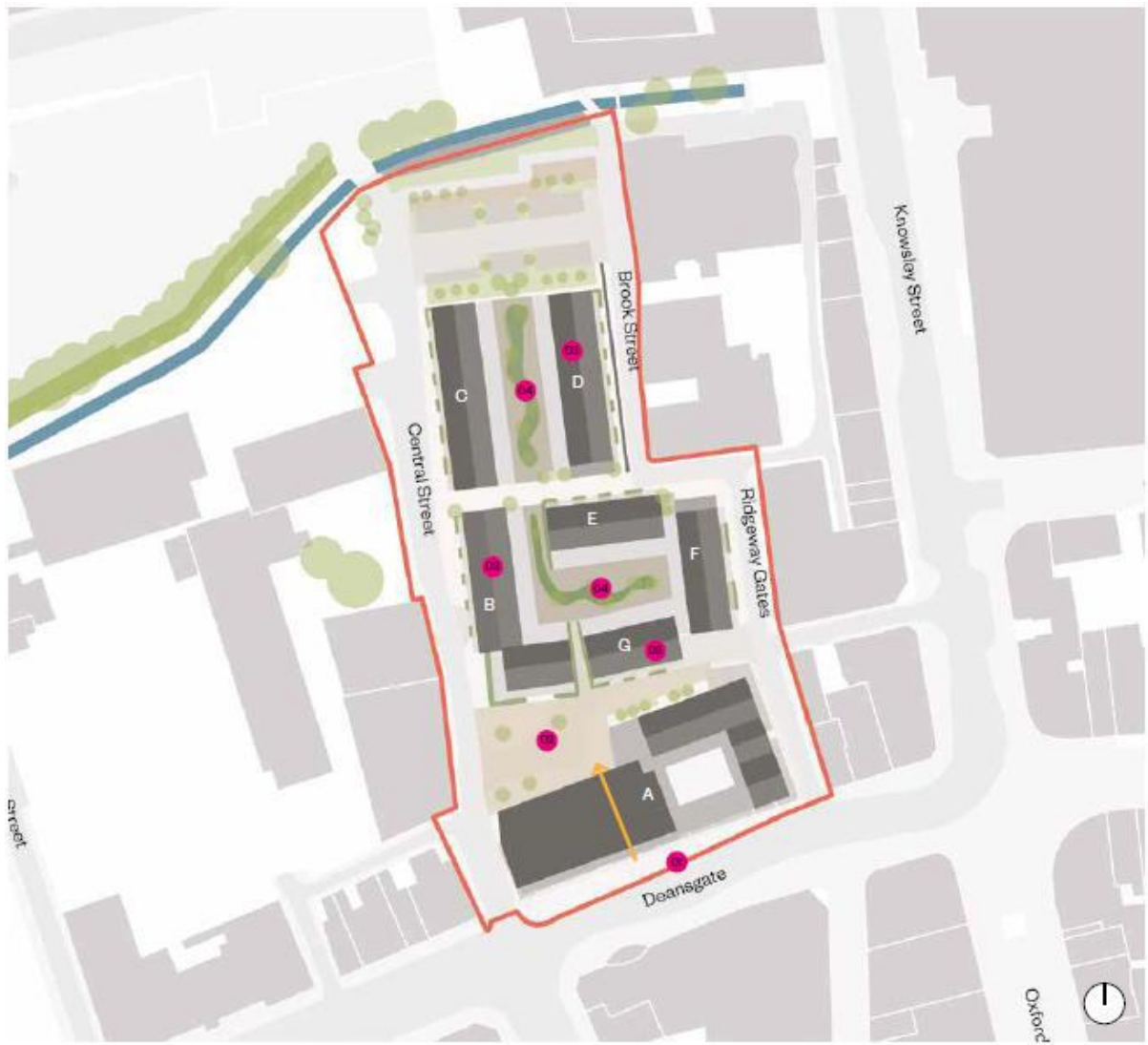
As part of the proposal, a multimillion-pound investment in public realm improvement works will be delivered. The proposed development includes significant landscape enhancements throughout the site, and these are detailed within the comprehensive landscaping drawing pack and proposals document. The proposal includes significant public realm improvement to the River Croal environment, which is consistent with the wider River Croal improvement works. There is no local or national policy dictating a requirement that the proposed development includes green walls. The applicant and its design team advisors assessed at pre-application stage the costs of providing green walls and/or other features. A clear conclusion was reached that this would be unviable, particularly in context with the high cost associated with the substantial positive public realm improvements which would be undertaken as part of delivering regeneration of the site. The applicant is firmly of the view that its proposed public realm enhancement should take precedence in this regard, not least because the public realm works are a direct response to satisfy local and national policy and guidance.

The warehouse at the junction of Ridgeway Gates and Palatine Street should be retained and incorporated within the development

Retaining the warehouse would restrict the ability of the applicant to deliver a high quality, comprehensive redevelopment scheme as is the aspiration locally and is consistent with what national planning policy and guidance encourages for a strategically located town centre site. A retained warehouse would not integrate easily with any new build element given the complexity (and costs) of linking such a building to new space delivered using modern construction techniques. This limitation on new build is at odds with national planning policy and guidance to seek uplift in the average density of residential developments in town and city centre locations.

Yours sincerely,

Amy Brontë Littlejohns
Senior Planner
Maddox Associates



Plan Showing Blocks A - G

Revised Conditions

1 Commencement

The development hereby permitted shall be begun before the expiration of **two** 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. A shorter period than the default three years is imposed, as permitted by paragraph 76 of the National Planning Policy Framework and as required by Bolton's Housing Delivery Test Action Plan (August 2019).

2 Phasing Plan - Prior To Commencement

No development shall commence until such time as a phasing plan for the proposed development of the application site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing contained within the phasing plan unless otherwise agreed in writing by the Local Planning Authority

Reason

To clarify how the site is to be phased to assist with the determination of subsequent discharge of conditions applications and in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development in accordance with the relevant policies of the development plans

Reason for Pre-commencement Condition

It would not be possible to understanding the proposed phasing once the development had commenced.

3 Construction Environmental Management Plan - River Croal

No development in the form of the construction of a new riparian corridor along the River Croal waterbody shall take place until a detailed construction environmental management plan (CEMP) for the same has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include details demonstrating how the River Croal and main ecological receptor will be protected and restored during development based on the following:

- a) Timing of the bankside works
- b) The measures to be used during the riparian development in order to minimise environmental impacts on adjoining River Croal (considering both disturbance and pollution risk)
- c) Detailed design of river bank improvements and new revetment solutions along River Croal.
- d) Details of removal of redundant hard revetment and infrastructure along River Croal waterbody
- e) Environmentally sensitive design of any new surface water outfall to river.
- f) Details of any works to existing sewers within River Croal corridor
- g) Pollution protection measures during construction of new river walk and riparian greenspace
- h) A post construction monitoring plan for the section of new improved embankment until wider River Croal channel restoration works are fully completed to monitor soft landscape re establishment proposals post scheme construction.

Reason

To ensure that the main ecological receptor of the River Croal and WFD waterbody (Ref: Middle Brook (GB112069064540) is protected, and positively restored as part of major riparian Town Centre regeneration project within River Croal riparian corridor. Specifically proposals should towards the objectives of the Water Framework Directive (2000/60/EC) and prevent any detrimental impacts to the ecological quality elements, in accordance with Policy CG4 of Bolton's Core Strategy.

4 Construction Environmental Management Plans – (1) Pre-commencement (phase 1 demolition phase) and (2) pre-construction (phase 2 construction phase)

Prior to the commencement of development, including demolition, ground works or vegetation clearance, and prior to the construction phase a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include as relevant the following details:
Amenity & Pollution

- a) an intrusive pre-demolition asbestos survey in accordance with HSG264 and a mitigation plan for the demolition phase
- b) Hours of work and of deliveries / removal of demolition waste
- c) Measures for the suppression of noise and fugitive dust
- d) Proposals to minimise the impact on the reasonable activities of surrounding commercial properties and the Victoria Hall
- e) A method statement to protect the River Croal from accidental spillages, dust and debris Highways

- f) Details of the precautions to guard against the deposit of mud and substances on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances prior to entering the highway
- g) Routes for vehicles / heavy machinery and around the site including swept path analysis
- h) Compound locations together with details of the storage facilities for any plant and materials including off-site consolidation if appropriate, the siting of any site huts and other temporary structures, including site hoardings and details of the proposed security arrangements for the site
- i) Parking of vehicles associated with demolition construction, deliveries, site personnel, operatives and visitors,
- j) Sheeting over of construction vehicles.
- k) Proposals to minimise the impact on the free flow of pedestrian and vehicular traffic on Deansgate and other nearby highways

Wildlife

- l) Reasonable Avoidance Measures to prevent harm or disturbance to wildlife including bats and otters

General

- m) Display of an emergency contact number
- n) Location, removal and recycling of waste
- o) Evidence of the consideration of the adoption of an appropriate standard such as CLOCS or Considerate Constructors

The demolition shall then be carried out in accordance with the approved phase 1 CEMP.

Following the demolition phase, a revised CEMP that takes all the above relevant matters into account for the construction phase shall be submitted to and approved in writing by the local planning authority ahead of the construction phase starting. The development shall then be carried out in accordance with the approved CEMP.

Reason

To ensure that adequate consideration is given to the need to minimise the impact on the road network and reduce pollution, in accordance with Policies P5 and CG4 of Bolton's Core Strategy.

Reason For Pre-commencement Condition

It would not be possible to properly mitigate the impacts of demolition or construction once each phase had commenced.

5 Nesting Birds - Prior To Demolition / Tree Removal

No works of demolition or tree removal shall be commenced between the months of March and August unless a survey demonstrating that no nesting bird will be affected has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that urban biodiversity is safeguarded in accordance with Policy CG1 of Bolton's Core Strategy.

6 Demolition / Clearance - Bats

No demolition or site clearance of any building or structure shall take commence after 30th April 2021 unless and until an updated bat emergence survey has been undertaken relevant to the building or structure proposed for demolition / clearance, submitted to and approved in writing by the Local Planning Authority. Demolition / clearance shall be carried out in accordance with the findings and recommendations of the survey, including any mitigation or compensation measures, as set out within the relevant approved bat emergence survey.

Reason

To identify any residual threat to the habitat of a protected species and to ensure that appropriate mitigation measures are undertaken as part of a phased development in accordance with Policy CG1.2 of Bolton's Core Strategy.

7 Coal Mining Legacy - Investigations Prior To Above Ground Works, Verified Prior To Occupation

No above ground works shall commence until a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity and any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason

To appropriately address the legacy of former coal mining activity, in accordance with Policy CG4 of Bolton's Core Strategy.

8 Sustainability and Air Quality Measures - Prior To Construction Phase

Prior to the commencement of any above ground works (other than site hoarding, signboards, compound, demolition, vegetation strip and stripping / crushing of tarmac), details of how the development shall reduce CO2 emissions of predicted energy use of the development by at least 10% below the baseline of Building Regulations Part L standards (taking into account the recommendations of the submitted Energy Statement by Complete Sustainability (November 2020, ref: CSS2265)) shall be submitted to and approved in writing by the local planning. The details shall also demonstrate that the releases associated with any gas-fired boilers shall not exceed 40mgNOx/kWh.

The development shall be completed in accordance with the approved details and all such measures retained in full thereafter.

Reason

In the interests of tackling climate change and in order to comply with policy CG2.2 of Bolton's Core Strategy and the Sustainable Design and Construction SPD.

9 Biodiversity Net Gain - Post-demolition, Prior To Above Ground Works

No above ground works (other than site hoarding, signboards, compound, demolition, vegetation strip and stripping / crushing of tarmac) shall commence until details of proposed improvements to urban biodiversity at that site have been submitted to and approved by the Local Planning Authority, including the consideration of bat or swift boxes incorporated within the external fabric of the buildings, where appropriate. Such details as are agreed shall be implemented in full prior to the development first being brought into use and retained in full thereafter.

Reason

In accordance with Policy CG1.2 of Bolton's Core Strategy and in order to implement the net gains for biodiversity required by Policy 170 of the National Planning Policy Framework.

10 Security Measures Recommended by the Crime Impact Statement - Details Prior To Construction Phase

No above ground works (other than site hoarding, signboards, compound, demolition, vegetation strip and stripping / crushing of tarmac) shall commence until details of measures to be implemented to enhance security and reduce the risk of crime at the site in accordance with the recommendations and physical security specifications set out in the submitted Crime Impact Statement (Greater Manchester Police Design For Security Version D: 27/11/20 Ref: 2019/0486/CIS/02) have been submitted to and approved in writing by the Local Planning Authority. Such measures as are approved shall be implemented in full and retained in full thereafter.

Reason

In the interests of crime reduction and Policies CG3 and S1 of Bolton's Core Strategy.

11 Materials and Other Details - Prior To Construction Phase

Notwithstanding any description of materials in the application no above ground construction works for each phase or plot shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The approved materials shall be implemented in full thereafter.

- samples or full details of materials to be used externally on all buildings within that phase or plot
- drawings and detailed specification of decorative railings
- detailed drawings of and finish to replacement for former Chapel Alley ginnel
- shopfront framing and signage zones
- detailed cross sections through parapet and balconies at 1:50 scale

Reason

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

12 Public Realm & Landscape - Detail Design and Management - Prior to Construction Phase, Delivered Prior To First Occupation

Prior to the commencement of any above ground works (other than site hoarding, signboards, compound, demolition, vegetation strip and stripping / crushing of tarmac) or in accordance with any phasing plan agreed in writing by the Local Planning Authority, a detailed Landscape Delivery & Management Scheme to cover all landscaped areas including associated public realm improvements and works to the River Croal embankment shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include, but not be limited to, matters of:

- Details of materials and finishes to hard surfaces in public and publicly accessible areas;
- Detail of trees and shrubs to be planted / green infrastructure;
- Details and materials of walls, fences, boundary treatments;
- Details of proposed lighting structures;
- Details of proposed seating, bollards, bins, cycle racks, grilles and other street furniture; and

- Details of works to the River Croal embankment, including consideration of enhancements for nesting birds, especially river species such as dipper, grey wagtail and kingfisher
- Details of public realm improvements to internal and surrounding highways
- Details of the applicant's proposals for the future maintenance of the landscape areas in the form of a Delivery & Management Statement

The scheme shall be consistent with the documents listed below:-

Landscape Masterplan (ref: 911-CWS-XX-GF-DR-L-140 P01)

Tree Pits and Rain Gardens (ref: 1911-CWS-XX-01-DR-L-300 P01)

Building A - Courtyard (ref: 1911-CWS-XX-01-DR-L-200 P01)

Building A - Communal Garden (ref: 1911-CWS-XX-05-DR-L-201 P01)

Building A - Yoga Terrace (ref: 1911-CWS-XX-05-DR-L-202 P01)

Car Park Detail A (ref: 1911-CWS-XX-GF-DR-L-160 P01)

Crime Impact Statement (Greater Manchester Police Design For Security Version D: 27/11/20 Ref: 2019/0486/CIS/02)

Such details as are approved shall be implemented in full prior to any part of the development being brought into use or in accordance with any phasing plan agreed in writing by the Local Planning Authority and retained thereafter. All new planting shall be carried out during the planting season October/March inclusive, in accordance with the appropriate British Standard BS4428:1989, (as amended, revoked or re-enacted), immediately following start of works, unless otherwise agreed in writing by the Local Planning Authority. Any plants or trees found damaged, dead or dying in the first five years are to be duly replaced and the scheme thereafter retained.

Reason

To ensure the provision of an acceptable standard of public realm and landscaping in accordance with Policies TC11, CG3 and IPC1 of Bolton's Core Strategy, together with the Public Realm Implementation Framework and the Trinity Gateway SPD.

13 Surface Water - Detailed Design - Prior To Any Groundworks

Prior to the commencement of any groundworks, full details of the proposed surface water drainage works shall be submitted to and approved in writing by the local planning authority. The submitted details shall:

1) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.

2) Include a timetable for its implementation, and

3) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime

The approved works shall be implemented in full prior to the occupation of the buildings hereby approved and those works as approved shall be retained thereafter.

Reason

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

Reason for pre-commencement condition:

The solution for surface water disposal must be understood prior to works commencing on site as it could affect how underground works are planned and carried out.

14 Land Contamination - Following Demolition

Prior to the commencement of the development, other than demolition:-

a) A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority relating to the land containing the buildings proposed to be demolished in the southern portion of the site. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, property and/or the wider environment; and

b) The details of any proposed remedial works for the site as a whole shall be submitted to, and approved in writing by the Local Planning Authority. The approved remedial works shall be incorporated into the development during the course of construction and completed prior to occupation of the development or the development being first brought into use; and
Prior to first use/occupation of the development hereby approved:

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

Reason

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

Reason for Pre-Commencement Condition:

Any works on site could affect contamination which may be present and hinder the effective remediation of any contamination causing a risk to the health of future occupiers and harm to the environment, hence the initial investigation must be carried out prior to the commencement of any works on site.

15 Noise - Details Prior to Construction Phase

All residential units shall be constructed to achieve within the building envelope (windows, floor, ceilings and walls) provision of sound attenuation against external noise including road traffic noise and noise from Victoria Hall: Bolton Methodist Mission that achieves the following internal noise levels with windows shut and other means of ventilation provided if necessary:

- a) Living room – daytime 07:00 to 23:00 hours 35 LAeq 16 hours
- b) Dining room / Area – daytime 07:00 to 23:00 hours 40 LAeq 16 hours
- c) Bedroom – daytime 07:00 to 23:00 hours 35 LAeq 16 hours and night time 23:00 to 07:00 hours 30 LAeq 8 hours and 45 LAm_{ax} (not to be exceeded more than 15 times per night). Details of the acoustic insulation shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (except for demolition) of each relevant phase or plot. The acoustic attenuation measures and, if necessary, alternative ventilation shall be implemented in accordance with the approved details prior to first use or occupation of the phase or plot and retained thereafter.'
- d) For phases or plots affected by entertainment / music noise the noise level shall not exceed 47dB (Leq, 5 minutes) in the 63 Hz octave frequency band and 41 dB (Leq, 5 minutes) in the 125 Hz octave frequency band in any habitable room.

Reason

To safeguard the living conditions of occupiers from noise pollution in accordance with Policy CG4 of Bolton's Core Strategy.

16 Noise - Relationship between residential and non-residential - Prior To Construction Phase

Prior to the commencement of any above ground works at any phase or plot that includes both a non-residential use / commercial use and a residential use or would result in a relationship of close proximity a scheme specifying the provision to be made to control noise transmission / break out from the non-residential / commercial unit(s) that may affect any proposed residential units, 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 brought into first use or occupation and retained thereafter.

Reason

To safeguard the living conditions of occupiers from noise pollution in accordance with Policy CG4 of Bolton's Core Strategy.

17 Invasive Species - No Work To Croal Bank

No work shall be carried to or at the southern bank of the River Croal unless and until a method statement for the proposed eradication of Himalayan Balsam has been submitted to and approved in writing by the Local Planning Authority and the invasive species completely removed in accordance with the approved method statement.

Reason

To prevent the spread of invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site and the locality contrary to national planning policy as set out in the National Planning Policy Framework paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible and to comply with policy CG1 of Bolton's Core Strategy.

18 Windows & Doors - Prior To Their Installation

Prior to any external doors or windows being installed at any phase or plot, a detailed specification of their materials, appearance, colour, finish, texture, profile and depth of reveal together shall be submitted to and approved in writing by the Local Planning Authority. The approved specification shall be implemented in full before any of the residential units of that phase or plot are first occupied and shall be retained thereafter.

Reason

To ensure the development reflects local distinctiveness in order to comply with Policies CG3 and RA1 of Bolton's Core Strategy.

19 External Lighting - Prior To Its Installation

No external lighting equipment shall be installed unless and until details of such has been submitted to and approved in writing by the Local Planning Authority. All external lighting shall be designed to avoid giving rise to nuisance to residential accommodation in close proximity and designed to provide a standard maintained illumination of no more than 5 LUX at the nearest residential property façade (or proposed façade in a future phase or plot) and shall take into account the recommendations of both the submitted

Crime Impact Statement and the consultation response of Greater Manchester Ecology Unit. The external lighting for the relevant phase or plot shall be installed in accordance with the approved details and no other external lighting equipment may then be used within the relevant phase or plot other than as approved by the Local planning Authority.

Reason

To minimise the impact of light on the residential amenity of the area in accordance with Policy CG4 of Bolton's Core Strategy.

20 Essential Elements Of The Scheme - Provided Prior To First Occupation

Prior to the occupation of the building by any residents, the following elements of the scheme shall be implemented in full, unless otherwise agreed as part of a phasing plan, in accordance with the approved plans listed in condition 23.

- no less than 20 car parking spaces marked out provided within the curtilage of the site Such spaces shall be made available for the parking of cars at all times
- all access roads, footways and footpaths
- the turning areas indicated on the approved drawings which shall be not be used for any purposes
- except the turning of vehicles
- provision for the storage of cycles

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and in order to comply with Bolton's Core Strategy policies S1, P5 and the Car Parking Standards.

21 Highway Works - Prior To First Occupation

No part of the development shall be occupied or otherwise brought into use unless and until details of the following have been submitted to and approved in writing by the Local Planning Authority

- a scheme detailing how parts of the site to be used by vehicles are to be laid out, constructed, surfaced, drained and lit
- details of the repair/reinstatement of surrounding highway surfaces arising from the demolition/construction phases of development
- details of the areas to be stopped up under S247 of the Town and Country Planning Act as indicated under Drg No SCP/190030/RC04
- areas of highway improvements under S278 of the Highways Act as indicated under Drg No SCP/190030/RC04. Level of work to be agreed by the Local Highway Authority as part of the S278 process
- amendments to existing Traffic Regulation Orders at that location (moving/static) to be agreed with the Traffic Management Section of Bolton Council and funded by the applicant
- a servicing and management strategy for the commercial / non-residential floorspace

Such details as are approved shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety and in order to comply with Bolton's Core Strategy policies S1, P5 and Supplementary Planning Document "Accessibility, Transport and Road Safety".

22 Plant Noise - Compliance

The rating level, as defined in BS4142:2014, from fixed plant and equipment installed within any phase or plot within the development shall not exceed the measured daytime and/or night time background sound level at the closest sensitive premises at any time.

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area and in order to comply with Core Strategy policy CG4.

23 Approved Plans - Compliance

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

Levitt Bernstein

- Site Plan - Proposed (ref: D-097-P7)
- Masterplan - Level 00 (ref: D-100-P21)
- Masterplan - Level 01 (ref: D-101-P16)
- Masterplan - Level 02 (ref: D-102-P16)
- Masterplan - Level 03 (ref: D-103-P16)
- Masterplan - Level 04 (ref: D-104-P12)
- Masterplan - Level 05 (ref: D-105-P12)
- Masterplan - Roof Plan (ref: D-106-P6)
- GA Plan (1 of 3) - Level 00 (ref: D-120-P10)

GA Plan (1 of 3) - Level 01 (ref: D-121-P5)
GA Plan (1 of 3) - Level 02 (ref: D-122-P6)
GA Plan (1 of 3) - Level 03 (ref: D-123-P2)
GA Plan (1 of 3) - Level 04 (ref: D-124-P2)
GA Plan (1 of 3) - Level 05 (ref: D-125-P2)
GA Plan (1 of 3) - Roof (ref: D-126-P2)
GA Plan (2 of 3) - Level 00 (ref: D-130-P5)
GA Plan (2 of 3) - Level 01 (ref: D-131-P5)
GA Plan (2 of 3) - Level 02 (ref: D-132-P5)
GA Plan (2 of 3) - Level 03 (ref: D-133-P5)
GA Plan (2 of 3) - Roof (ref: D-134-P3)
GA Plan (3 of 3) - Level 00 (ref: D-140-P5)
GA Plan (3 of 3) - Level 01 (ref: D-141-P5)
GA Plan (3 of 3) - Level 02 (ref: D-142-P5)
GA Plan (3 of 3) - Level 03 (ref: D-143-P5)
GA Plan (3 of 3) - Roof (ref: D-144-P4)
Site Sections - Central St & Courtyard (ref: D-220-P4)
Site Sections - Brook St & Courtyard (ref: D-221-P4)
Site Sections - Croal & Centre (S) (ref: D-222-P4)
Site Sections - Centre (N) & Palatine St. (ref: D-223-P4)
Site Sections - Block A (ref: D-224-P3)
Block A - Elevations (ref: D-230-P5)
Block A - Elevations (ref: D-231-P4)
Block A - Elevations (ref: D-232-P4)
Block A - Elevations (ref: D-233-P4)
Block A - Elevations (ref: D-234-P4)
Block B - Elevations (ref: D-240-P7)
Block B - Elevations (ref: D-241-P6)
Block C - Elevations (ref: D-250-P7)
Block D - Elevations (ref: D-260-P4)
Block E - Elevations (ref: D-270-P4)
Block F - Elevations (ref: D-280-P4)
Block G - Elevations (ref: D-290-P4)
CW Studio
Landscape Masterplan (ref: 1911-CWS-XX-GF-DR-L-140 P02)
Car Park Detail (ref: 1911-CWS-XX-01-DR-L-160 P02)
Building A - Courtyard (ref: 1911-CWS-XX-01-DR-L-200 P02)
Building A - Communal Garden (ref: 1911-CWS-XX-05-DR-L-201 P02)
Building A - Yoga Terrace (ref: 1911-CWS-XX-05-DR-L-202 P02)
Tree Pits and Rain Gardens (ref: 1911-CWS-XX-01-DR-L-300 P01)

Reason

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

10231/21	
Ward	Location
HOBL	MANSELL WAY

An objection received 25.02.21 from nearby neighbour objecting on the following grounds;

- Application is capable of being refused on grounds of its size, siting and appearance is completely out of character with the built character and landscape quality of the area. *Officer comment – the LPA is aware that these applications can be refused on the said grounds, it is the Officers view that the site offers a potential option for the installation of a monopole.*
- The estate and retail park were deliberately designed in a manner to provide a soft landscape green buffer between the residential character of the estate to the north and this, coupled with the change in topography, allows a transition from the residential area to the retail park to the south. *Officer comment – it is the Officers view that the site is distinctly separate from the housing estate, is part of the highway environment albeit designed with a limited number of street furniture on the northern side of the road. Mansell Way is a busy dual carriageway road with the backdrop of a retail park to the south and trees/shrubbery with side elevations of houses beyond to the north.*
- The amount of street lighting on the northern side of Mansell Way for the entirety of the landscaped street is intentionally minimal in order to preserve the residential character of the area. Therefore inserting a 15 or 20 metre mast would disrupt this character. The applicant fails to differentiate that the majority of the street lighting is on the southern side of the road, deliberately set away from the residential properties. *Officer comment – Officers would agree with this comment.*



North side Mansell Way

- At 15 or 20 metres in height, the mast will be significantly higher than the street lamps on the southern side of the road which are approximately 7-8 metres in height. There is also a level change as mentioned above. *Officer comment – it is the Officers view that such telecoms apparatus is typically between 15 -25m in height, and the pole.*
- Question in terms of the accuracy of the building height as represented within the submission and suggest these may be exaggerated; nevertheless, the monopole would be a minimum of 6m taller than the houses on the estate. This is entirely out of character and completely at odds with the planned design of this residential area. The proposal is therefore wholly inappropriate in its context and would be an unattractive and incongruous addition to the street scene. *Officer comment – as previously mentioned it is the Officers view that the site is distinctly separate from the housing estate, is part of the highway environment and has a backdrop of retail park to the south and trees/shrubbery with side elevations of houses beyond to the north*
- Policy CG3 The Built Environment Core Strategy explains that development should be compatible with its surrounding in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. It is incomprehensible that the development could be considered to be compatible in terms of scale, form and landscape treatment. *Officer comment – the officers view is balanced, the site is located adjacent to a residential area within a relatively wide landscaped area but also on the fringe of a busy commercial area.*
- Policy CG4 Compatible Uses Core Strategy - the development is not compatible with the surrounding residential land use and would be highly visible from within residential properties and garden areas. It is considered that the proximity and dominance of this view would be harmful to residential amenity and the development is therefore incompatible. *Officer comment – it is acknowledged that the lower part of the monopole*

would be effectively screened by the existing hedgerow and the upper part of the monopole would not be

- The development is also not considered to be compatible with the landscaped character of this strip on the northern side of Mansell Way in which it resides. *Officer comment – point previously addressed in points above.*
- Policy OA 1 Horwich and Blackrod - Given the incompatibility of the proposed mast with the surrounding landscape setting and physical environment, the development is again considered to be contrary to the above policy. The proposed development does nothing to conserve or enhance the existing landscape or physical environment. The form of the development by virtue of its scale, size, siting and overall appearance would also be out of character with the form and location of existing street furniture in the locality. *Officer comment – point previously addressed in points above.*
- NPPF Paragraph 113 is particularly relevant and highlights the requirement for telecommunications equipment on new sites to be “sympathetically designed and camouflaged where appropriate”. *Officer comment – the LPA typically requests that cabinets be coloured green when placed in grass/shrubs and masts be grey/steel which is recognised in the telecoms industry as being best to blend into a sky backdrop. The trees are relatively young and will grow further in future years.*
- NPPF Paragraphs 124-130 on ‘Achieving well-designed places’ is also directly relevant and sets out that development should function well and add to the overall quality of the area as well as being sympathetic to local character and history, including the surrounding built environment and landscape setting. *Officer comment – point previously addressed in points above.*
- On account of its dominating height that is significantly taller than the nearest residential property and 10 metres higher than the shrub planting it is clear that the development by virtue of its size and siting is not sympathetically designed and is not capable of being camouflaged or screened by surrounding features. The development is therefore contrary to the requirements of national planning policy. *Officer comment – the monopole would be visible within the street scene.*

At the February 2021 Horwich Town Council meeting the following was minuted;

“10231/21 Mansell Way – refusal - the proposed development not being in keeping with the local surroundings and being too close to lower-level housing; concern that the deciding factor is cost as cheaper for the applicant to site the monopole near to houses and public footpaths when there were more suitable locations in the adjacent industrial and commercial areas; going forward consideration should be given to mitigation measures such as colours more in keeping with the surroundings”.

In addition, between 25th and 26th February, several previous objectors wrote to the LPA and repeated their objections, some several times, and 5 further addresses wrote to the LPA to object on the following additional grounds;

- This application has been submitted during a period of national lockdown and stay at home order. Under non-Covid environment, a doorstep petition would have been sought from the wider Meadows community due to the lack of consultation by the applicant. Thus, the lack of a signed petition should not be considered negatively on this objection. *Officer comment – point noted.*
- Pollution and consequent risks to wildlife and public health. It is national policy that planners cannot consider public health as long as the mast application has an ICNIRP (International Commission of Non-Ionising Radiation Protection) certificate BUT this is a fallacy, as legally, planners must make evidence-based decisions on public health material planning grounds. There is extensive scientific evidence which justifies

challenging national policy of only following Public Health England and ICNIRP guidelines for safety. Guidelines are not obligatory. Please consider the facts below when making your decision and refer to the pollution control officer to look further into this, these emissions qualify for investigation under the Environmental Protection Act 1990. ICNIRP is based on heating effects over 6-30 minutes, this mast will emit radiation 24/7. Children absorb more radiation, and their developing nervous system are vulnerable and are not protected by ICNIRP [https://www.radiationresearch.org/wp-content/uploads/2019/04/On-the-Clear-](https://www.radiationresearch.org/wp-content/uploads/2019/04/On-the-Clear-Evidence-of-the-Risks-to-Children-from-Smartphone-and-WiFi-Radio-Frequency-Radiation-Final-20201.pdf)

[Evidence-of-the-Risks-to-Children-from-Smartphone-and-WiFi-Radio-Frequency-Radiation-Final-20201.pdf](https://www.radiationresearch.org/wp-content/uploads/2019/04/On-the-Clear-Evidence-of-the-Risks-to-Children-from-Smartphone-and-WiFi-Radio-Frequency-Radiation-Final-20201.pdf) As the parent of a child with brain cancer I am extremely concerned. *Officer comment – comments are noted.*

- Siting and Appearance. For a Prior-approval application I can object on grounds of siting and appearance - which includes proximity to residential dwellings, schools and so on. The openness and visibility of the site in relation to existing structures and buildings. The dis-quietening appearance of a mast affecting people's quiet enjoyment of the neighbourhood leading to anxiety and mental health issues. *Officer comment – point previously addressed above.*
- I also mention that the reduced height remains an issue regarding surrounding land and the topography of the site and vegetation. *Officer comment – point previously addressed above.*
- The openness and visibility of the site in relation to existing structures and buildings. the dis-quietening appearance of a mast affecting people's quiet enjoyment of the neighbourhood leading to anxiety and mental health issues.
- 5G brings no benefits – *Officer comment – as the rollout of 5G phones occurs demand for similar monopoles will increase.*
- The footpath needs widening due to COVID-19, mast will create pinch point – *Officer comment – this point would be best addressed at Highways Engineers.*
- If approved, at this site, the construction of mast and associated cabinets will become a gathering point for gangs of feral youths. Passers-by, dog walkers, individuals (young and old) and in particular young women, with or without children, will be subject to verbal and physical abuse. The environment will suffer from accumulated litter, plus drug paraphernalia, and the area subject to the stench from an open urinal. Local residents will live in fear of vandalism to property and damage to parked vehicles on the estate and surrounding areas. *Officer comment – the proposed site is located in an area which experiences a relative high volume of vehicular traffic and has some natural surveillance from the adjoining houses and commercial property. It is unlikely that the site if approved would become a magnet for anti-social behaviour.*

Officer conclusion - it is clear that the Officers view expressed within the Planning Committee report is a finely balanced recommendation which clearly explains the relationship between the proposed site and the overall character of the area together with the benefits which the proposal would bring. There are some disbenefits to the scheme, (i) the northern part of Mansell Way is a relatively attractive landscaped area with a limited number of lampposts sited within it and (ii) it is a relative short distance from properties on Ashburn Close (c. 9 metres from front bedroom windows), therefore being clearly visible by the owner/occupiers. It is also noted that the proposed alternative sites considered have not been reassessed given the change in height of the proposed monopole. Balancing the benefits of supporting the expansion of electronic communications networks with the negative impact the proposal is likely to have on the character of the area and the outlook of adjoining residents Officers are therefore minded to recommend refusal of this prior approval proposal.