

**Planning Applications Report**

**Planning Committee**

**27<sup>th</sup> July 2017**

**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](http://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](http://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: -

CS	The adopted Core Strategy 2011
AP	The adopted Allocations Plan 2014
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance
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](http://www.bolton.gov.uk/planapps)

## INDEX

Ref. No	Page No	Ward	Location
<b>00819/17</b>	4	WESO	LIDL SUPERSTORE, THE FAIRWAYS, WESTHOUGHTON, BOLTON, BL5 3YY
<b>01031/17</b>	15	WNCM	LAND TO REAR OF 364 TEMPEST ROAD, LOSTOCK, BOLTON, BL6 4HS
<b>00735/17</b>	32	LLDL	15 MARKET STREET, LITTLE LEVER, BOLTON, BL3 1HH
<b>00631/17</b>	39	HOBL	2 HARRISON STREET, HORWICH, BOLTON, BL6 7AH
<b>01173/17</b>	53	HALL	41 CHORLEY NEW ROAD, BOLTON, BOLTON, BL1 4QR
<b>97002/16</b>	66	HOBL	CHORLEY NEW ROAD PRIMARY SCHOOL, CHORLEY NEW ROAD, HORWICH, BOLTON, BL6 6EW
<b>00217/17</b>	87	FARN	LAND AT EGERTON STREET, FARNWORTH

# Application number 00819/17



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

Reproduction from the Ordnance Survey Map with the  
permission of the Controller of H.M. Stationery Office. Crown  
Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and database rights 2016. 0100019389





**Date of Meeting: 27/07/2017**

**Application Reference: 00819/17**

**Type of Application: Full Planning Application**  
**Registration Date: 02/05/2017**  
**Decision Due By: 31/07/2017**  
**Responsible Officer: Monika Dubacka**

**Location: LIDL SUPERSTORE, THE FAIRWAYS, WESTHOUGHTON, BOLTON, BL5 3YY**

**Proposal:** VARIATION OF CONDITION 11 TO ALLOW DELIVERIES TO THE STORE BETWEEN THE HOURS OF 8.00 AM AND 6.00 PM MONDAY TO SATURDAY (INCLUDING BANK HOLIDAYS) AND 10AM AND 4PM ON SUNDAYS AND CONDITION 12 TO ENABLE THE STORE TO OPEN BETWEEN 8.00 AM AND 10.00 PM MONDAY TO SATURDAY (INCLUDING BANK HOLIDAYS) AND 10.00 AM TO 4.00 PM ON SUNDAYS ON PLANNING PERMISSION 81747/09

**Ward: Westhoughton South**

**Applicant: Lidl UK GmbH**  
**Agent : Rapleys LLP**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

1. The applicant is seeking to vary the approved delivery and opening hours granted under approval for the original development. Members may recall planning permission was granted by Planning Committee in 2009 (Ref: 81747/09) for the demolition of club and erection of food store with vehicle and pedestrian accesses, car park and landscaping. Planning conditions 11 and 12 sought to control the hours of delivery and opening hours respectively.

2. Condition 11 relates to delivery times:

	Monday to Saturdays	Sundays	Bank holidays
Approved delivery hours	0800 hrs to 1800 hrs	1000 hrs to 1200 hrs	1000 hrs to 1200 hrs
Proposed delivery hours	0800 hrs to 1800 hrs	1000 hrs to 1600 hrs	Same as Monday to Saturday times

3. Condition 12 relates to customer opening times:

Approved hours	customer opening	Mondays to Saturdays 0800 hrs to 2000 hrs	Sundays 1000 hrs to 1600 hrs	Bank holidays 1000 hrs to 1600 hrs
Proposed hours	customer opening	0800 hrs to 2200 hrs	1000 hrs to 1600 hrs	Same as Monday Saturday times

4. Therefore, the applicant seeks to:

- vary delivery and opening times on Bank Holidays to match the proposed extended weekdays hour
- extend delivery hours to vary the Sundays delivery hours for a further four hour period in the afternoon
- extend opening hours to vary Monday to Saturday opening hours for a further two hour period in the evening

5. The applicant has provided an acoustic report that suggests the noise impact from deliveries is unlikely to result in noise complaints. Furthermore, they state the presence of a 3 metre high acoustic fence along the western boundary of the site also prevents any noise problems which may emanate from the site.
6. The applicant also cites precedent on other sites in Bolton. For example, 24 hour deliveries are permitted on the recently completed Sainsburys development at Cricketers Way which has a greater volume of deliveries to and from the site.
7. The proposal received seven objections (including Westhoughton Town Council) and thus in accordance with the Council's scheme of delegation the application is being referred to Planning Committee for determination.

### **Site Characteristics**

8. The site occupies a prominent location at the junction of The Fairways, Wigan Road and Cricketers Way. The main superstore is located at the rear of the site with the main vehicular access point located off The Fairways opposite properties at Esther Fold and abutting the boundary with properties on Templeton Close to the west.
9. The main delivery yard area is located on the western edge of the site with a sloping yard area located adjacent to No's 7 - 15 Templeton Close. Along the western boundary of the site is an acoustic close boarded fence which was installed as part of the original permission on the site.

### **Policy**

10. National Planning Policy Framework (NPPF)
11. Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; OA3 Westhoughton

### **Analysis**

12. 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.

13. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.
14. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.
15. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.
16. The main impacts of the proposal are:-
  - impact on the living conditions of the occupiers of adjoining residential properties.

#### Impact on the Living Conditions of the Occupiers of Adjoining Residential Properties

17. Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.
18. It is acknowledged that similar proposal to extend delivery hours on Sundays was refused in 2009 and 2010. Thus, to minimise any additional disturbance to the surrounding residential properties, the planning officer asked for the opening and delivery hours on Bank Holidays to match proposed weekdays hours and Sunday delivery hours to be reduced from the currently proposed 10am-4pm to 10am-2pm.
19. In response the agent clarified that the applicant does not consider this to be justified on the basis of the evidence provided and the EHO's response. Bank Holidays are increasingly similar to normal working days with regard to retail activity and therefore it is considered reasonable that Lidl's operational hours should be the same on Bank Holidays as those pertaining to Monday-Saturday. This is supported by the conclusions of the Noise Assessment submitted in support of the application, which specifically considered noise levels on Bank Holidays and found the predicted levels to be acceptable with existing mitigation measures in place.
20. In addition, whilst every application is considered on its own merits, the agent also noted that the Aldi store recently approved at Library Street, Westhoughton (Ref: 95552/15) does not have restrictions on delivery hours or opening hours on Bank Holidays. Similarly, Sainsbury's Cricketer's Way has received planning permission for an extension to opening hours between 7am and 10pm and 10am to 4pm on Sundays with no reference to Bank Holidays (Ref: 86155/11). Therefore, the agent considers it unreasonable for the operation of the Westhoughton Lidl store to be restricted on Bank Holidays in the context of these approvals.
21. In terms of the proposed extension to delivery hours on Sundays, the agent considers 10am to 4pm to be a reasonable window of time based on the conclusions of the Noise Assessment submitted in support of the proposal.
22. The above reasoning and the documentation submitted with the current application were reviewed by the Council's Environmental Health officer. In his comments he considers that the noise levels from the extended deliveries and opening would not result in a significant increase in noise levels or any additional nuisance. The original report submitted in support of an application to extend Sunday hours of deliveries was back in 2010 and Pollution Control have had no complaints about noise from Lidl in the ensuing 7 years save for one very recent report which would coincide with the proposals to extend the opening being advertised. Diary sheets

have not been returned though so Environmental Health can only assume there is actually still no nuisance.

23. Thus, he has no objections to the proposed extended hours of opening and deliveries.
24. With regards to the objections about possible light pollution, it is acknowledged that the store will be open a further two hour period in the evening. Advertisement consent ref. 00224/17 was granted for erection of various internally and externally illuminated signage when the planning officer recognised that due to the nearest residential properties with direct views of the advertisements being are located over 60 metres away to the north at Esther Fold, thus unlikely the proposed advertisements going to have a detrimental impact on residential amenity of surrounding occupiers. In addition, hours of illumination have been conditioned to be restricted to hours of use of the store only and attached to the above mentioned advertisement consent.
25. In view of the above, It is considered that the proposal would not have an unacceptable impact on the living conditions of adjoining properties at Templeton Close and/or Esther Fold in accordance with the Core Strategy Policy CG4.

### **Other matters**

26. The proposal if granted will result in issuing a new decision notice for this particular development. There were in total 30 conditions attached to the original planning permission ref. 81747/09 of which the majority were retained and reworded, the remaining conditions were pre-commencement conditions which are no longer relevant and are recommended to be removed from the new permission as discussed below:

**i) Conditions removed** (Pre-use or pre-commencement conditions that are no longer relevant or have been complied with):

- Condition 1 (time limits)
- Condition 2 (materials samples)
- Condition 5 (contamination)
- Condition 14 (means of vehicular access)
- Condition 15 (visibility splay measures)
- Condition 20 (no vegetation clearance) this is not material planning consideration and has been replaced with an informative
- Condition 23 (CO2 emissions)
- Condition 24 (surface water drainage)
- Condition 25 (recycled materials)
- Condition 26 (landscape scheme)
- Condition 28 (LAND LEVELS) DELETE
- Condition 30 (Travel Plan)

### **ii) Conditions reworded:**

- Condition 3 (the control of noise emanating from the service area )
- Condition 4 (no open storage)
- Condition 6 (fixed plant and equipment noise)
- Condition 7 (boundary treatment)
- Condition 8 (external lighting)
- Condition 9 (hours of external lighting)

- Condition 10 (extraction and filtration of odours )
- Condition 11 (delivery hours)
- Condition 12 (opening hours)
- Condition 13 (signal controlled pedestrian facilities )
- Condition 16 (no means of vehicular access to the development hereby permitted/approved from The Fairways)
- Condition 17 (part of the site used by vehicles)
- Condition 18 (heavy goods vehicle turning area)
- Condition 19 (Greenfields Private Members Club )
- Condition 21 (disabled ramp)
- Condition 22 (disabled car parking spaces)
- Condition 27 (shopping trolleys)
- Condition 29 (cycle parking)

### **Conclusion**

27. The proposal would allow the applicant additional flexibility in terms of both deliveries and customer opening times to the site whilst seeking to maintaining the living conditions of existing/future local residents. The proposal complies with policy and is recommended for approval.

## **Representation and Consultation Annex**

### **Representations**

**Letters:** - six letters of objection have been received raising the following issues:

- The proposed extended hours of deliveries will add to the existing noise and overall disturbance to the surrounding properties;
- Similar proposal was refused in 2010;
- external cooler systems on vehicles remain switched on during deliveries;
- the noise report submitted is disingenuous as it focuses on average noise levels rather than looking at the peak levels;
- the extended hours of opening would result in light pollution;
- the fence Lidl has erected adjacent to Templeton Close has been totally disregarded behind, its full of brambles and weeds making it impossible to maintain our fences;
- deliveries should not take time at school drop off and pick up hours as the delivery vehicles causes a real life danger to the children attending neighbouring St. Bartholomew's CE Primary School

**Westhoughton Town Council:-** raised an objection because of the detrimental impact on nearby residents

**Elected Members:-** none received

### **Consultations**

Advice was sought from the following consultees: The Council's Highways Engineers and Environmental Health Officers.

### **Planning History**

Since the original approval for the retail development of the site there have been a number of planning applications submitted for the site. The most relevant applications in relation to the current variation of opening and delivery times application are as follows:

A planning application (Ref: 84260/10) to vary Sunday delivery hours from 1000 hrs to 1200 hrs to 1000hr to 1400hrs was refused planning permission by Planning Committee in August 2010 for the following reason:

*"The proposed development will increase noise and activity in and around the premises to the detriment of the living conditions of nearby residents on Templeton Close and other adjoining properties/occupiers and is contrary to Policies EM2 and EM3 of Bolton's Unitary Development Plan"*

A planning application (Ref: 82585/09) to vary the delivery hours from 1000 hrs to 1600 hrs, allow Sunday openings until 1700 hrs and the removal of a lighting condition was refused planning permission under delegated powers in September 2009 for the following reasons:

*(i) the proposed development will increase noise and activity in and around the premises to the*



*detriment of the living conditions of nearby residents on Templeton Close and other adjoining properties/occupiers and is contrary to Policies EM2 and EM3 of Bolton's Unitary Development Plan.*

*(ii) the proposed removal of Planning Condition No. 9 will increase unnecessary light pollution to adjacent residential properties to the detriment of the living conditions of nearby residents particularly on Templeton Close and is contrary to EM2 and EM3 of Bolton's Unitary Development Plan.*

It is noted that this previous application was submitted without a noise / acoustic assessment to support the relaxation in the operating / delivery hours of the premises.

**Recommendation:            Approve subject to conditions**

### **Recommended Conditions and/or Reasons**

1. The scheme approved by the Local Planning Authority on planning permission ref.81747/09 which specified the provision made for the control of noise emanating from the service area shall be retained thereafter in accordance with the approved details.

**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 in accordance with Core Strategy Policy CG4.

2. There shall be no open storage within the confines of the application site.

**Reason**

To safeguard the visual appearance and character of the area in accordance with Core Strategy Policy CG3.

3. All the fixed plant and equipment shall be designed to prevent noise disturbance to local residential property and should be designed to give a rating level, as defined in BS4142:1997, 5dB below the night time  $L_{AF90}(5 \text{ min})$  or the daytime  $L_{AF90}(1 \text{ hour})$  whichever is the most appropriate, as measured 4 metres from the nearest residential properties in accordance with the details approved by the Local Planning Authority on planning permission ref. 81747/09

**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 in accordance with Core Strategy Policy CG4

4. The existing acoustic close boarded fence of height of 2.5 metres erected along the west, south and east boundary and thereafter the boundary fence shall be retained in the approved position and height.

**Reason**

To minimise the impact of noise disturbance on the residential amenity of the area in accordance with Core Strategy Policy CG4

5. All external lighting equipment shall be erected and directed so as to avoid nuisance to residential accommodation in close proximity. The lighting should be designed to provide a maximum standard maintained illumination of 5 LUX at the nearest residential property. No other lighting equipment may then be used within the development other than as approved by the Local Planning Authority on planning permission ref. 81747/09

Reason

To minimise light intrusion to the residential amenity of the area from the increase and alteration of commercial, industrial and recreational uses in the area in accordance with Core Strategy Policy CG4

6. All external lighting equipment servicing the service area shall not be used between the hours of 18:00 and 0800 Monday – Saturday (including Bank holidays) and between the hours of 18:00 to 1600 Sundays.

Reason

To minimise light intrusion to the residential amenity of the area from the increase of commercial use of the area in accordance with Core Strategy Policy CG4

7. The means of extraction and filtration of odours and methods employed to prevent noise disturbance as approved by the Local Planning Authority on planning permission ref. 81747/09 shall be retained thereafter at all times.

Reason

To minimise the impact of noise/odour on the general and residential amenity from the increase and alteration of commercial uses in the area in accordance with Core Strategy Policy CG4

8. No deliveries shall be taken at or dispatched from the site except between the hours of 0800 and 1800 on Mondays to Saturdays (including Bank Holidays) and between 1000 to 1600 on Sundays.

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 in accordance with Core Strategy Policy CG4

9. The premises shall not be open to customers except between the hours of 0800 and 2200 Monday to Saturday (including Bank Holidays) and between the hours of 10:00 and 16:00 on Sundays

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 in accordance with Core Strategy Policy CG4

10. The signal controlled pedestrian facilities at the junction of Wigan Road and The Fairways shall be retained thereafter in accordance with details approved by the Local Planning Authority on planning permission ref. 81747/09

Reason

In the interests of highway safety in accordance with Core Strategy Policies S1 and P5.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) there shall be no means of vehicular access to the development hereby permitted/approved from The Fairways other than those shown on the approved site layout (Drawing No. 830 02 Rev N received 12.05.09) as approved on planning permission ref. 81747/09.

Reason

In the interests of highway safety in accordance with Core Strategy Policies S1 and P5.

12. The part of the site used by vehicles laid out, drained and surfaced in accordance with details approved by the Local Planning Authority on planning permission ref. 81747/09 shall thereafter be made available for the parking of cars at all times the premises are in use.

Reason

To encourage drivers to make use of the parking and circulation area(s) provided in accordance with Core Strategy Policies S1 and P5.

13. The provision made for a heavy goods vehicle turning area which will enable vehicles to enter and leave the site in a forward gear, and laid out in accordance with details approved by the Local Planning Authority on planning permission ref. 81747/09 shall not be used for any purposes except the turning of vehicles and retained thereafter

Reason

In the interests of highway safety in accordance with Core Strategy Policies S1 and P5.

14. During the demolition of the former Greenfields Private Members Club all roof slates, fascia boards and other roof components will be removed carefully by hand to check for the presence of bats in line with recommendations contained within Paragraph 5.2 of the submitted bat survey dated 23/02/09.

Reason

To safeguard the habitats of protected species in accordance with Core Strategy Policies CG1 which seeks to ensure that development does not adversely affect a protected species or other rare species or its habitat.

15. The provision made for disabled people to gain access including level or ramped access in accordance with details approved by the Local Planning Authority on planning permission ref. 81747/09 shall be 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

16. The 6 (no.) disabled allocated car parking spaces shall be reserved at all times for use by drivers with disabilities 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.

17. The provision made for the storage of trolleys in accordance with details approved by the Local Planning Authority on planning permission ref. 81747/09 shall be made available for patrons at all times and retained thereafter.

Reason

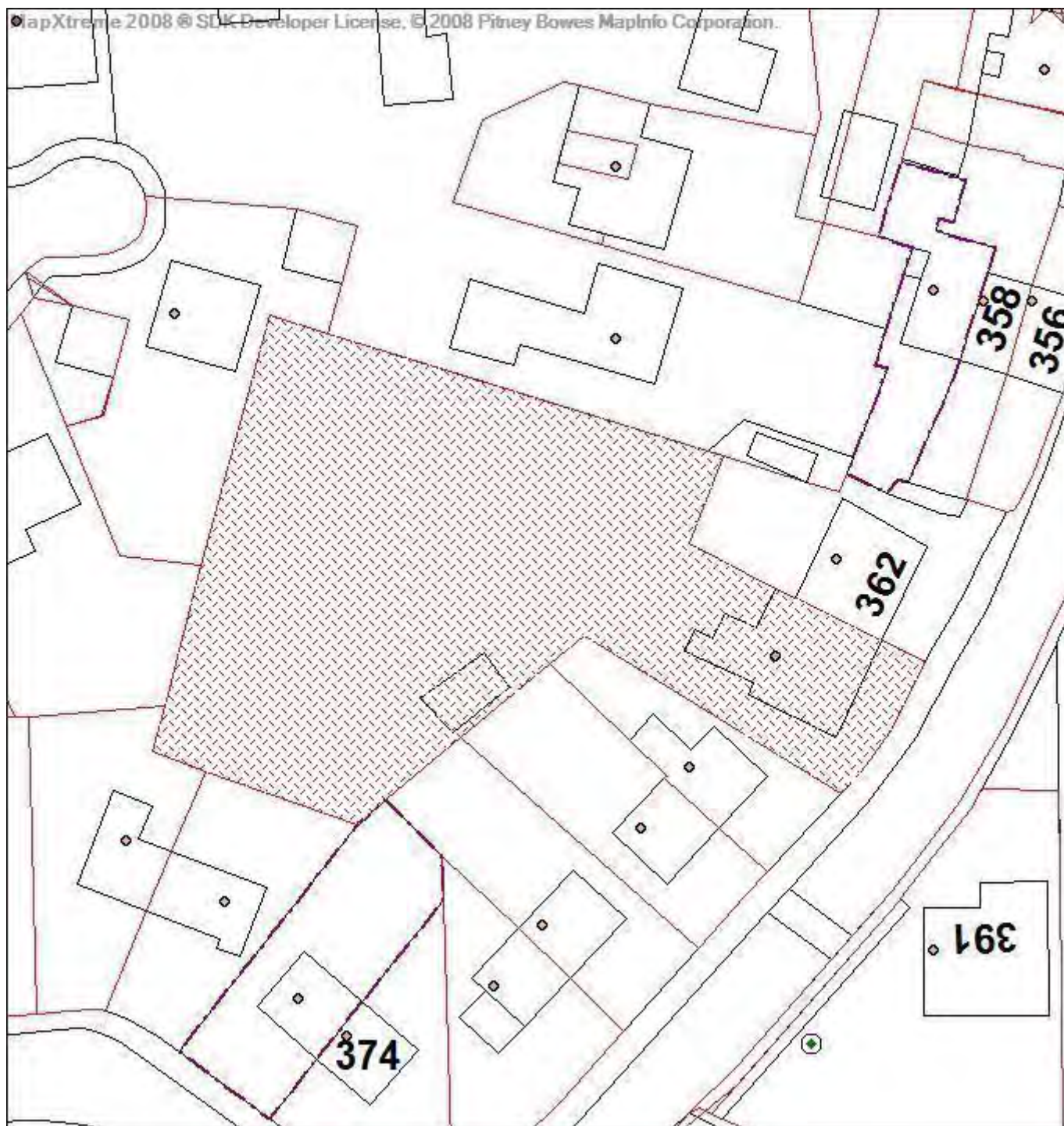
To safeguard the visual appearance of the area in accordance with Core Strategy Policy CG3.

18. The provision made for cycle parking within the site in accordance with details approved by the Local Planning Authority on planning permission ref. 81747/09 shall be retained as approved thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists in accordance with Core Strategy Policies S1 and P5.

**Application number  
01031/17**



**Development & Regeneration Dept  
Development Management Section**

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



**Date of Meeting: 27/07/2017**

**Application Reference: 01031/17**

**Type of Application: Full Planning Application**  
**Registration Date: 26/05/2017**  
**Decision Due By: 20/07/2017**  
**Responsible Officer: Monika Dubacka**

**Location: LAND TO REAR OF 364 TEMPEST ROAD, LOSTOCK, BOLTON, BL6 4HS**

**Proposal: ERECTION OF 3No DWELLINGS TOGETHER WITH ALTERATIONS TO GABLE SIDE OF No 364 TO PROVIDE VEHICULAR ACCESS FROM TEMPEST ROAD.**

**Ward: Westhoughton North**

**Applicant: JDS Property Developments Limited**  
**Agent : APB Building Surveyors**

## Officers Report

**Recommendation: Approve subject to conditions**

1. This application is being presented to committee for decision at the request of Councillor Christine Wild. Councillor Wild does not consider the number and size of the proposed houses to be appropriate within the application site and the surrounding area.

### Proposal

2. This application is a resubmission of a previously withdrawn application ref. 00425/17. The current application has however reduced the number of proposed dwellings from four to three. The proposal comprises of three x 4-bedroom detached dwellings with new pedestrian and vehicular access from Tempest Road. The dwellings will be two storey in height with a high-pitched gabled roof and front and rear skylights to facilitate the provision of a bedroom within the loft space.
3. Each dwelling will feature a dining room/kitchen, living room, utility room, WC and a single integral garage at ground floor with three en-suite bedrooms at first floor and additional study/en-suite bedroom within the attic.
4. The existing property at no.364 will be partially demolished and the rear/side boundary of no.366 Tempest Road will be repositioned to accommodate a new vehicular (4.5 metres wide) access which will be taken from Tempest Road, with a vehicular access track and driveways to the front



of each proposed dwelling.

### **Site Characteristics**

5. No. 364 Tempest Road is an existing semi-detached bungalow found in the urban settlement of Chew Moor. An extensive garden area to the rear is associated with no. 364. A number of semi-detached and detached dwellings back onto the land. A detached single berth garage bounds with no. 368 Tempest Road; this is accessed across a strip of hardstanding to the side of no. 364.
6. For the majority of dwellings abutting the site it is the rear elevations which face the site, though a number are side onto the site. Party boundaries are made up of timber fencing and landscaping. Landscaping and trees are present inside the rear garden. The site is reasonably level, though dips down to the rear.

### **Policy**

7. National Planning Policy Framework 2012
8. Bolton's Core Strategy: CG1 Cleaner and Greener Bolton, CG3 The Built Environment, CG4 Compatible Uses, S1 Safe, P5 Accessibility, SC1 Housing, and OA4 West Bolton.
9. Supplementary Planning Documents:
  - General Design Principles
  - Accessibility, Transport and Safety

### **Analysis**

10. 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.

11. The main impacts of the proposal are:-

- \* principle of development
- \* impact on the character and appearance of the area
- \* impact on neighbouring residential amenity
- \* impact on the highway and parking provision
- \* impact on trees
- \* Crime and Design
- \* Flood Risk
- \* Contamination

### **Principle of Development**

12. The principle of a residential development was established under the previous planning permission ref. 88358/12, which permitted the development of the site for two detached dwellings. This planning permission has now expired.
13. The application site represents an infill development in an existing residential area which is well related to local amenities and has good transport links. The site currently accommodates a large

garden space for the applicant's property at No. 364 Tempest Road, the sub-division of which leaves a sufficient sized garden area for no. 364, similar in size to the gardens of the dwellings surrounding the site along Tempest Road and Copperfields.

14. With regard to objections raised about the principle of developing this garden site, it is also acknowledged that the NPPF states that, "local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area." The previously approved application at the site established the principle for residential development here and deemed that the loss of the garden site would not cause harm to the local area. Furthermore, there is a presumption in favour of sustainable development as a fundamental part of the NPPF and it is noted that the delivery of sustainable development is not restricted solely to the use of previously developed land.
15. The residential use of the site is considered an appropriate use and as such is acceptable in principle subject to compliance with other relevant planning policies.

#### Impact on the Character and Appearance of the Area

16. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA4 of the Core Strategy aims to ensure the character of the existing environment is conserved and enhanced.
17. Guidance on design principles and level of private amenity space is contained within the General Design SPD.
18. It is acknowledged that the current application is a resubmission of the previously withdrawn application for 4 dwelling houses. Despite the reduction in the number of houses proposed (from four to three), Officers considered that a more appropriate scheme for the site would be for two dwellings (as previously approved - 88358/12). This would allow for a less cramped form of development with greater interface distances to neighbouring dwellings and larger garden areas for the proposed dwellings. On this basis, the agent was asked whether the proposal could be reduced to two dwellings or whether the currently proposed houses could be reduced in size to give the proposal a more spacious appearance within the application site and in relation to the surrounding residential properties. In response, the agent stated that it is simply not financially feasible to develop the land for two dwellings only. Nevertheless, he provided amended plans showing the double garage of Plot 1 reduced to a single garage with an explanation that any further reduction in size of the currently proposed houses would not only reduce the number of proposed bedrooms but could result in the introduction of substandard living conditions and odd design of houses appearing tall and narrow. In view of the above, it is considered that the scheme as proposed represents the best development solution for the land.
19. The application site is a residential garden, which is considered to be greenfield land as defined by the National Planning Policy Framework. The garden is made up of grassland with a mix of trees, shrubs and plants, bounded on all sides by existing residential gardens. The backland nature of the site prohibits any new development at the site from having a direct relationship with the street, and following the established pattern of development in the area. It is acknowledged that this is not ideal however the development of backland sites for residential purposes is not uncommon and consequently it is considered that subject to careful design a satisfactory residential environment can be created.

20. It is considered that the loss of this garden site would not unduly harm the wider character and appearance area. As mentioned above the land in question is surrounded by domestic gardens of nearby properties to the rear and sides, which perform the function of creating an urban character enclosure from the wider surrounding area, on balance, the development as proposed is not considered to result in any undue visual harm to the site or its setting, particularly as much of the existing/retained trees and landscaping are capable of being retained.
21. The proposals would introduce two story properties with pitched gable ended roofs and uniform features as the previously proposed dormers have been now removed from the proposal and replaced with skylights. Architecturally each design is traditional and reflective of the style, scale and massing of dwellings to the north and west.
22. The proposed dwelling houses will measure approximately 7.9 metres in height (each) which is slightly lower than the houses approved in 2004 at the height of 8.2 metres. Whilst the currently proposed houses would be approximately 1 metre taller in height than the neighbouring properties along Copperfields, it is considered that their massing and scale are acceptable which would respect the style and design of the neighbouring properties and would be in keeping with the character of the surrounding area. According to the information submitted with the current application the new dwellings would be constructed in mix of facing brickwork and render with grey concrete tiles. However, in order to ensure the suitability of the materials in the context of the surrounding area, a condition would be attached requesting samples of the materials to be submitted for the Local Planning Authority's approval.
23. Areas for refuse bins will be provided within the curtilage of each dwelling house.
24. Alterations to 364 Tempest Road would see the left hand rooms halved. The applicant has sought to minimise visual changes, by keeping existing windows together with ridge and eaves heights. Reducing the width of the dwelling changes the balance and proportionality of the semi detached house, but taken within a wider context of the street scene this is not considered to be unacceptable. In width the revised dwelling would closely mirror the widths of dwellings south of the access. Private amenity space will be retained to the front and a small garden to the rear.
25. On balance, it is considered that the design, massing and scale of the proposal are acceptable. Although it is considered that a development of two houses on this site would offer a more comfortable development in terms of layout and relationship with neighbouring properties, however in the context of the layout of the residential properties in the surrounding area the proposal is compatible. Furthermore, it is not considered that the proposed development would appear as an overly prominent feature in the street scene nor would it have an unacceptable impact of the character and appearance of the neighbouring vicinity in accordance with policies CG3 and OA4 of Bolton's Core Strategy.

#### Impact on Neighbouring Residential Amenity

26. Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Section 3 of the General Design Principles SPD outlines the recommended interface distances for conventional housing layouts where houses face each other to provide for 21 metres between principal room elevations overlook each other. Where principal/main room elevations overlook a blank gable this distance can be reduced to 13.5 metres.
27. The proposed layout shows that adequate distances would be maintained from the proposed dwellings to the surrounding residential properties in compliance with all the interface guidelines

outlined within the General Design Principles SPD and it is considered that the proposal would not result in detrimental overshadowing or be overbearing to the surrounding properties. In addition, once built it is not considered that the activity associated with three x 4-bed dwellings, would have an unacceptable impact upon the level of residential amenity neighbouring residents currently enjoy.

28. In relation to privacy, a condition will be attached ensuring that windows to the side elevations of the proposed dwelling houses are fitted with obscurely glazed windows in order to safeguard the amenity of the surrounding neighbouring properties. The originally proposed dormers were removed from the proposal and a condition will be attached ensuring that there are no further amendments to the roof space unless otherwise agreed with the LPA. The proposed skylights would be positioned at the far end of the front and rear roof slopes would have clear glass but it is considered that they would be orientated at such an acute angle to the neighbouring dwellings as to prevent unacceptable overlooking.
29. With regard to the future occupants of the proposed dwellings, given the internal layout and space, it is considered that the proposed dwellings would provide sufficient space, outlook and natural light to provide adequate amenity for the future occupants. The site would include private gardens which would provide adequate outdoor amenity space for the future occupants.
30. Having regard to the above, it is considered that the proposals would comply with the standards of amenity in policy CG4 of Bolton's Core Strategy, and the General Design Principles SPD and would in principle provide satisfactory levels of amenity for future occupants and surrounding residents.

#### Impact on the Highway and Parking Provision

31. Core Strategy policies P5 and S1 and the maximum car parking standards provided in Appendix 3 of the Core Strategy seek to provide adequate off road car parking and to promote road safety in the design of new development.
32. Representations have been received regarding the proposed access and highway safety.
33. The proposal was reviewed by the council's highway officers and they have confirmed that the private access from Tempest Road complies with the council's code of practice for highway width/margins to support the level of development proposed. Vehicular access into the site would utilise the existing driveway and a strip of land following the demolition of part of 364 Tempest Road. Revised plans show this access to be 4.5 metres wide. Parking provision is to be provided for each dwelling. Appendix 3 of the Core Strategy seeks a maximum standard of 3 spaces for 4+ bedroom dwellings. Each new dwelling will satisfy this standard, whilst the existing dwelling would provide 2 spaces - this is considered acceptable considering the use will convert back from bed and breakfast accommodation to a private dwellinghouse. The proposed realignment of the side boundary line at no.366 Tempest Road would not impact on car parking provision to the front of the property and whilst a condition has been recommended by Highways to secure this, the majority of no.366 is outside of the proposed red line boundary and thus not included within the current proposal (except the above mentioned changes to the side boundary of no.366).
34. In addition, the proposal is for a low-density development which should generate negligible traffic volumes onto the surrounding highway network. Visibility from the access onto Tempest Road will potentially be affected by parked vehicles at that location, however, the level of proposed vehicle movement (above that already consented for the site) along with the fact that Tempest Road forms part of a 20mph traffic calmed zone (with no injury accident record over the last 5 years) will help to alleviate possible road safety implications and reduce concerns.

35. In addition, the amended plans show that there appears to be adequate manoeuvring space within the site curtilage to allow a vehicle to enter/leave Plots 1, 2 and 3 in forward gear.

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

#### Impact on Trees

37. Policy CG1.2 safeguards and enhances biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and inter connectivity of wildlife corridors and habitats.

38. The site contains a number of trees, but none are subject to preservation orders and the council's Tree and Woodland Officer considers that none of them are considered to be worthy of long term protection through TPO. Any loss of trees within the site would be regrettable; however the proposed plans suggest that numerous other trees and landscaping are to be retained as part of the new gardens and an informative will be attached informing the applicant that as the site has the potential to support breeding birds and in accordance with Section 1 of the Wildlife & Countryside Act 1981 (as amended) no vegetation clearance or demolition of buildings should take place between the months of March and August so not to disturb birds whilst they are nesting.

39. In view of the above, Officers consider the proposal accords with policy CG1.2.

#### Crime and Design

40. Core Strategy policy S1 seeks to ensure that the design of new development proposals will take into account the need to reduce crime and fear of crime.

41. Greater Manchester Police reviewed the submission and have suggested that due to the location of the proposed development it will lack of natural surveillance and lack of rear boundary to the rear of 364 Tempest Road will leave residents vulnerable to crime. However, whilst the site will not be facing Tempest Road directly, it will be surrounded by residential properties providing natural surveillance to the proposed dwelling houses. In addition, the rear of no.364 will be secured by fencing of which details will be requested by a planning condition.

42. With regards to the recommended security measures including construction of the building to be up to Secured by Design standards, external lighting, shrub planting and pedestrian access they will be all secured by an informative.

#### Flood risk

43. 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.

44. The application site is located within Flood Zone 1 and is therefore within an area defined as having the lowest risk of a flooding event occurring (less than 1 in 1,000 annual probability of flooding from rivers or the sea). According to the Environment Agency's website they have no comments to make on the application as the site is below 1 hectare and within Flood Zone 1.

45. United Utilities have raised no objections subject to a number of informatives and conditions to secure the provision of separate systems to drain foul and surface water and approval of surface water drainage scheme. A condition has therefore been recommended requiring the approval and implementation of a drainage scheme in line with the requirements for surface water drainage based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions.

46. In light of the above and subject to conditions, it is considered that the proposal would not be at unacceptable risk of flooding and so is in accordance with NPPG and the NPPF.

#### Contamination

47. The development proposal has been reviewed by the Councils Contaminated Land Officer. The officer has raised no objections to the proposed residential use and agreed with the conclusion the desktop submitted with the application. Thus, it is agreed with the consultant's recommendation that a Phase II is not required. The applicant should keep a watching brief for any ground contamination during construction what will be secured by a condition.

#### **Local finance considerations**

48. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. There are not considered to be any local financial considerations in this case.

#### **Conclusion**

49. For the reasons discussed above, it is considered that the proposal will not harm the character and appearance of the host dwelling or the surrounding area and will not unduly harm the amenity of neighbouring residents, compliant with the above mentioned policies. Concerns raised by residents are considered to be addressed by the proposal and the policies outlined above, including highway safety concerns. Members are therefore recommended to approve this application.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** five representations were made from four individual representations have been received. Summary of views expressed are as follows, where issues raised are not addressed in the main body of the report Officer's comments are shown in italics:

50. visual impact and appearance;

51. loss of privacy and amenity to neighbouring properties caused by windows and dormers (*Officers comments - amended plans have been received which remove the dormer windows from the proposal and a condition is recommended to remove permitted development rights for the construction of dormers*)

52. the dwellings could affect the structure of our house and walls by possible piling work (*Officers comments - these are building control issues*);

- traffic congestion and road safety issues;
- not enough space for vehicles to manoeuvre within the site;
- the building will increase the risk of floods - loss of natural drainage;
- the proposed dwellings would be at the height and scale that would have an overbearing impact on the surrounding properties;
- insufficient access to the site including for emergency vehicles;
- greenfield development in a private residential garden - Government against garden grabbing;
- overdevelopment of the site;
- Bins will be stored to the front of Tempest Road blocking the access to the site;
- No.364 is being used as a bed and breakfast adding to the existing traffic and parking issues within the area;
- No.364 after the proposed alterations will result in substandard living conditions;
- The development will be detrimental to the existing landscape and wildlife.
- This proposal is the destructive practice of 'garden grabbing' as Government implanted June 2010
- The proposed Plot3 would be too close to the side boundary of the adjoining property to the north contrary to the Bolton's guidance and could result in damage to the common boundary fence (*Officers comments - any potential damage to the surrounding properties would be a civil matter*);

**Petitions:-** None received

**Town Council:-** None received

### **Consultations**

Advice was sought from the following consultees: Response - Greater Manchester Police, Highway Engineer, Drainage Engineer, Environmental Health, United Utilities and Tree and Woodland Officer, Greenspace Neighbourhood Services, United Utilities, The Coal Authority

### **Planning History**

- 85494/11 erection of two detached houses. Withdrawn
- 88358/12 erection of 2no dwellings together with alterations to gable side of no 364 to provide vehicular access from tempest road. Approved with conditions
- 95014/15 outline application for demolition of dwelling and detached garage and erection of 9no dwellings together with access and landscaping (layout and scale details only). Withdrawn
- 88358/17 erection of 3no dwellings together with alterations to gable side of no 364 to provide vehicular access from tempest road. Withdrawn

**Recommendation:**        **Approve subject to conditions**

## Recommended Conditions and/or Reasons

1. 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.

2. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples or full details of materials to be used externally on the building(s) 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. Only the materials so approved shall be used, in accordance with any terms of such approval

### Reason

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

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

1. The trees and hedgerows within or overhanging the site which are to be retained 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 tree(s) and in order to comply with Bolton's Core Strategy policies CG1 and CG3

4. Notwithstanding any details submitted in the application, prior to commencement of development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented in full before the development is first occupied and in accordance with the approved details.

### Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

5. Prior to the commencement of development full details of the highway access works between nos. 364 and 366 Tempest Road, as shown on the approved Site Plan drawing number DWG/01/SITE/05C rev. A2, to be undertaken within the adopted footway (5.0m radii/4.5m carriageway full carriageway construction with margins/relocation of gully and telegraph pole) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the commencement of any works to construct the dwellings hereby approved in accordance with approved details and retained in such condition 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".

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

Reason

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

7. As the submitted Phase I Report does not recommend that a Phase II Report is required, from commencement of development through to completion of development a watching brief shall be carried out on the site, if contamination or gas migration is found or suspected, the developer shall contact the Local Planning Authority immediately and submit proposals for investigation and remediation of the contamination or gas migration within seven days from the date that it is found or suspected to the Local Planning Authority for approval in writing.

A verification report, which details that the objectives of a watching brief have been complied with should be submitted to, and approved in writing by the Local Planning Authority before the development is first brought into use or first occupied. If it is found that a remediation scheme is required, the proposed remediation scheme shall include provision for verifying that the remediation objectives (verification report) have been met and also for any subsequent monitoring and maintenance in accordance with Model Procedures for the Management of Land Contamination (CLR 11). Full details of which should be submitted to, and approved in writing by the Local Planning Authority before the development is first brought into use or first occupied.

Reason

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

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 approved Site Plan drawing ref. DWG/01/SITE/05C rev.A2.

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'.

9. Before the approved/permitted development is first brought into use no less than 3 car parking spaces per one approved dwelling house (including integral garages) and 2 car parking spaces for 364 Tempest Road with minimum dimensions of 2.5 metres by 5.0 metres shall be provided within the curtilage of each dwelling house mentioned above, in accordance with approved Site Plan drawing ref. DWG/01/SITE/05C rev. A2. 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 and in order to comply with Bolton's Core Strategy policies S1, P5 and Appendix 3

10. The development hereby approved/permitted shall not be brought into use unless and until a visibility splay measuring 2.4 metres by 25 metres is provided at the junction of Private Access with Tempest Road, and subsequently maintained 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.

11. 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 marking/turning of vehicles within the curtilage of each dwelling house hereby approved 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 and in order to comply with Bolton's Core Strategy policies S1, P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

12. 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 (including new boundary treatments to the rear and side of nos. 364 and 366 Tempest Road) 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 occupied or brought into use.

Reason

To ensure adequate standards of privacy and amenity are obtained and the development reflects the landscape and townscape character of the area and in order to comply with policies CG3 and CG4 of Bolton's Core Strategy.

13. Prior to the development being first occupied or brought into use, full details of both hard and soft landscape works has been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved. These details shall include hard surfacing materials and soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and opportunities for biodiversity enhancement including native tree / shrub planting, bat boxes and bolstering of hedgerows where appropriate. 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 and in order to comply with Core Strategy policies CG1 and CG3 and National Planning Policy Framework

14. 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 and in order to comply with Bolton's Core Strategy Policy CG3

15. Upon first installation of the ground floor and first floor windows in the side elevations of dwellings houses hereby approved, shall be either non opening or with openings more than 1.7 metres above the finished floor level and fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely) of the Pilkington Glass scale (or equivalent) and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy, outlook and living conditions of neighbouring occupiers and in order to comply with Core Strategy policy CG4.

16. 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 prior to the development hereby approved being first occupied or brought into use 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 and in order to comply with Core Strategy policies S1 and P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

17. The materials to be used in the re-construction of the external surfaces of 364 Tempest Road hereby permitted shall match the colour, texture and size of those of the existing building, and shall be retained thereafter.

Reason

To ensure the development fits in visually with the existing building and safeguards the character and visual appearance of the locality in accordance with Bolton's Core Strategy Policy CG4.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, fences, gates or walls shall be erected within the curtilage of (any of) the approved dwellinghouse(s) in front of the forward most part of any wall of the dwellinghouse which fronts onto a highway, other than those expressly authorised by this permission, if any.

Reason

To safeguard the character and appearance of the dwelling/land and or the plot size is limited and any extension would result in an unsatisfactory scheme which would impact on the parking spaces and area for manoeuvring to the front of the approved dwellinghouse(s) and in order to comply with Bolton's Core Strategy Policies CG3 and P5.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no dormers or any other alterations to the roof (other than those expressly authorised by this permission) of the dwelling houses (including the roof of the single storey garage at Plot 1 as shown on the approved plans) hereby approved shall be constructed.

Reason

To safeguard the character and appearance of the approved dwellings and safeguard the amenity of the surrounding residential properties in accordance with Bolton's Core Strategy Policies CG3 and CG4.

20. The garage(s) 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 and in order to comply with Bolton's Core Strategy policies S1, P5, Supplementary Planning Document 'Accessibility, Transport and Road Safety' and Appendix 3

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no additional windows or doors shall be formed in the side elevations of the development hereby approved (including the side elevation of the single storey garage at Plot 1 as shown on the approved plans) other than those shown on the approved drawings, nor shall those approved windows or doors be enlarged or altered.

Reason

To safeguard the outlook, privacy and living conditions of neighbouring residents and to comply with policy CG4 of Bolton's Core Strategy.

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

**Site Plan drawing number DWG/01/SITE/05C rev. A2 dated 11th July 2017 (received on 12th July 2017)**

**Housing Development (Detached House) drawing number DWG/02/D2 rev. B1 dated 10<sup>th</sup> July 2017 (received 12<sup>th</sup> July 2017)**

**Housing Development (Detached House) drawing number DWG/01/D1 rev. B2 dated 10<sup>th</sup> July 2017 (received 10<sup>th</sup> July 2017)**

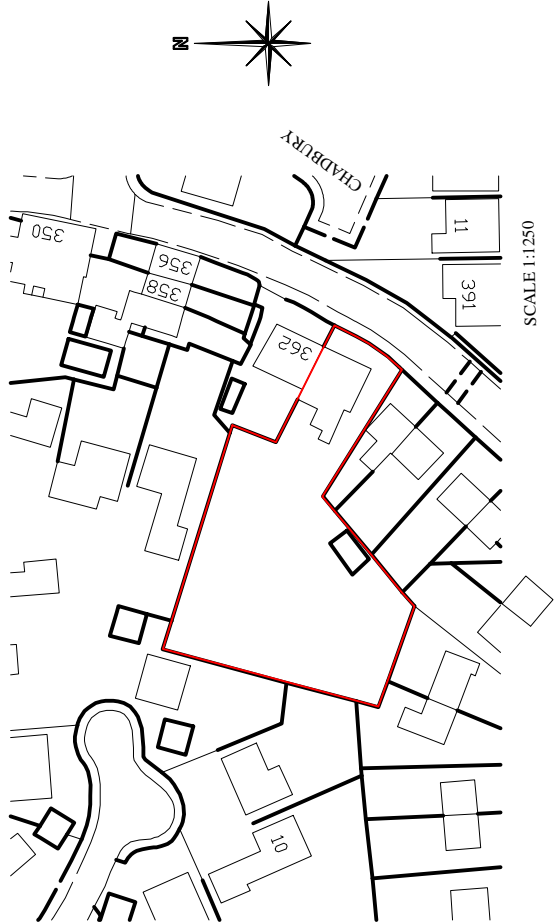
Reason

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





SCALE 1:200



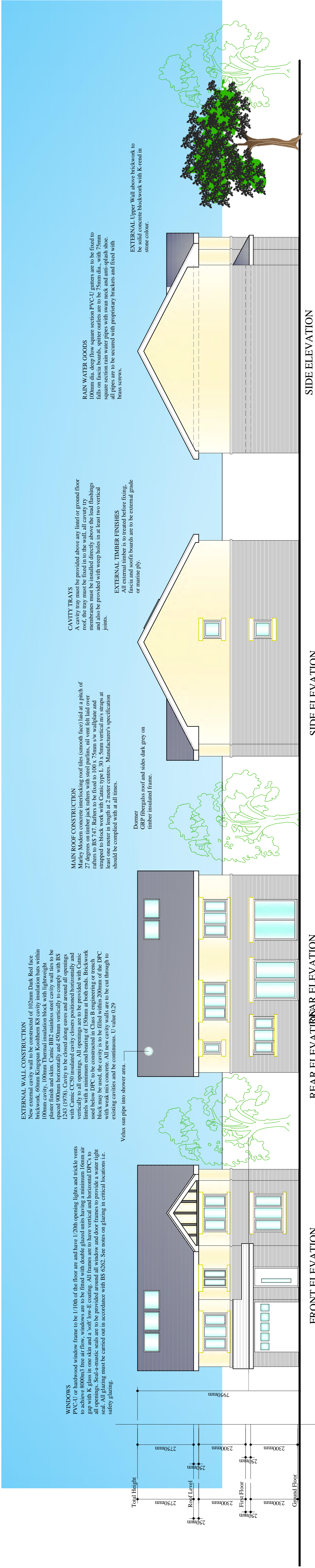
Ordnance Survey (c) Crown Copyright 2016. All rights reserved. Licence number 10002452

Client	JDS Property Developments Ltd
Location	Land Rear Of 364 Temperst Road Lostock, Bolton.
Project	Housing Development
Drawing	SITE PLAN
Agent	APB Consultant Building Surveyors 1 Maple Grove Lostock, Bolton BL1 6AN Telephone 01706 625800 Mobile 0797604449
Scale	1:200 & 1:250
Date	11th July 2017
Drawing No.	DWG 001 SITE 08C
Revision	A2
This drawing is provided for planning & Building Regulations consent only. The contractor must check all dimensions on site before work is commenced. The contractor must comply with all requirements of the Health & Safety Regulations. DO NOT SCALE THIS DRAWING	
1 of 1	









#### INSULATION

Insulation of the roof space is to be 100mm thick Rockwood mineral wool roll bats laid between ceiling joists over 12.5mm foil backed and 250mm thick Rockwood mineral wool roll bats laid over the timber joists. The insulation is to be extended over the timber wall plates off the internal wall maintaining a minimum 50mm air gap between the insulation and the sarking felt to ensure through ventilation of the roof space.

#### SAFETY GLAZING

Windows must comply with safety regulations applicable to their locations. Information is contained in the Approved Document Part N and the Workplace (Health, Safety and Welfare) Regulations 1992.

#### STAIRCASE

The new staircase shall comply with Part K of the Approved Document. The maximum rise and going shall be 220mm and 300mm respectively. The pitch of the staircase shall be no greater than 42 degrees, with a minimum headroom of 2m. The handrail is to be a minimum of 900mm high. Balustrades are to be in high strength material capable of resisting a horizontal force of at least 0.74kN/m for each metre height. Maximum height of the handrail is to be 1000mm. The staircase shall be guarded to external balconies and roof edges to be a minimum of 1100mm high and resist a horizontal force of 0.74kN/m.

**TOP WATER DRAINAGE**  
All top water drainage are to be 100mm underground PVC-U or Superseal with flexible joints piping to be laid at a 1:100 fall to the external drainage. The drainage is to be protected with a 50mm space is maintained around the pipe. Openings must be masked to prevent fill. All underground drainage to comply with BS 8011 (1985). New gullies to be provided with rodding access, separate drainage systems are to be combined at the last manhole depending on ceiling drainage systems.

#### REAR ELEVATION

#### WINDOWS

PVC-U or hardwood window frames to be 1/10th of the floor are and have 1/20th opening lights and trickle vents to achieve 8000m<sup>3</sup> free air flow. Windows are to be fitted with double glazed units having a minimum 16mm air space with K-glass to be fitted to all openings. Seal-a-mastic seals are to be provided around all window and door frames to provide a water tight seal. All glazing must be carried out in accordance with BS 6262. See notes on glazing safety glazing.

#### WASTE PIPES

All waste pipes are to be a minimum of 38mm dia. to wash hand basins and sinks, pipes are to be fitted with 75mm deep seal traps or anti-vac traps if connected directly to a soil and vent pipe. 40mm waste pipes are to be provided to bath and showers. Soil and vent pipes are to be 100mm dia and terminated 1m above any opening windows adjacent to the roof space. All installations are to comply with the Approved Document Part H and BS 5572 (1978).

#### FRONT ELEVATION

#### REAR ELEVATION

#### SIDE ELEVATION

#### SIDE ELEVATION

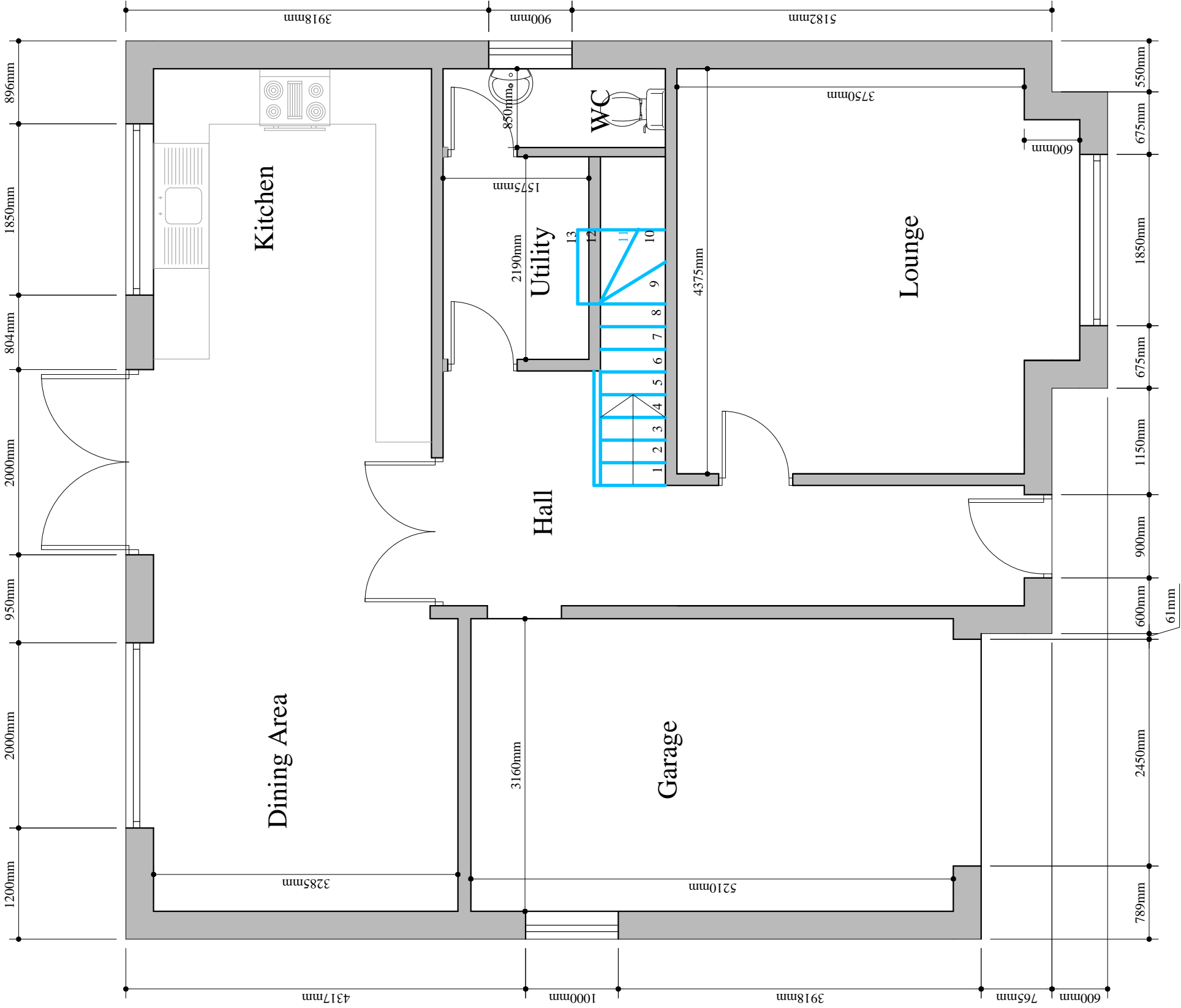
#### DRAINAGE

All existing drains under the proposed building are to be protected with 150mm of weak mix concrete. Flexible jointed drains are to be surrounded with 150mm of pipe bedding with a concrete cover using 150mm thick concrete.

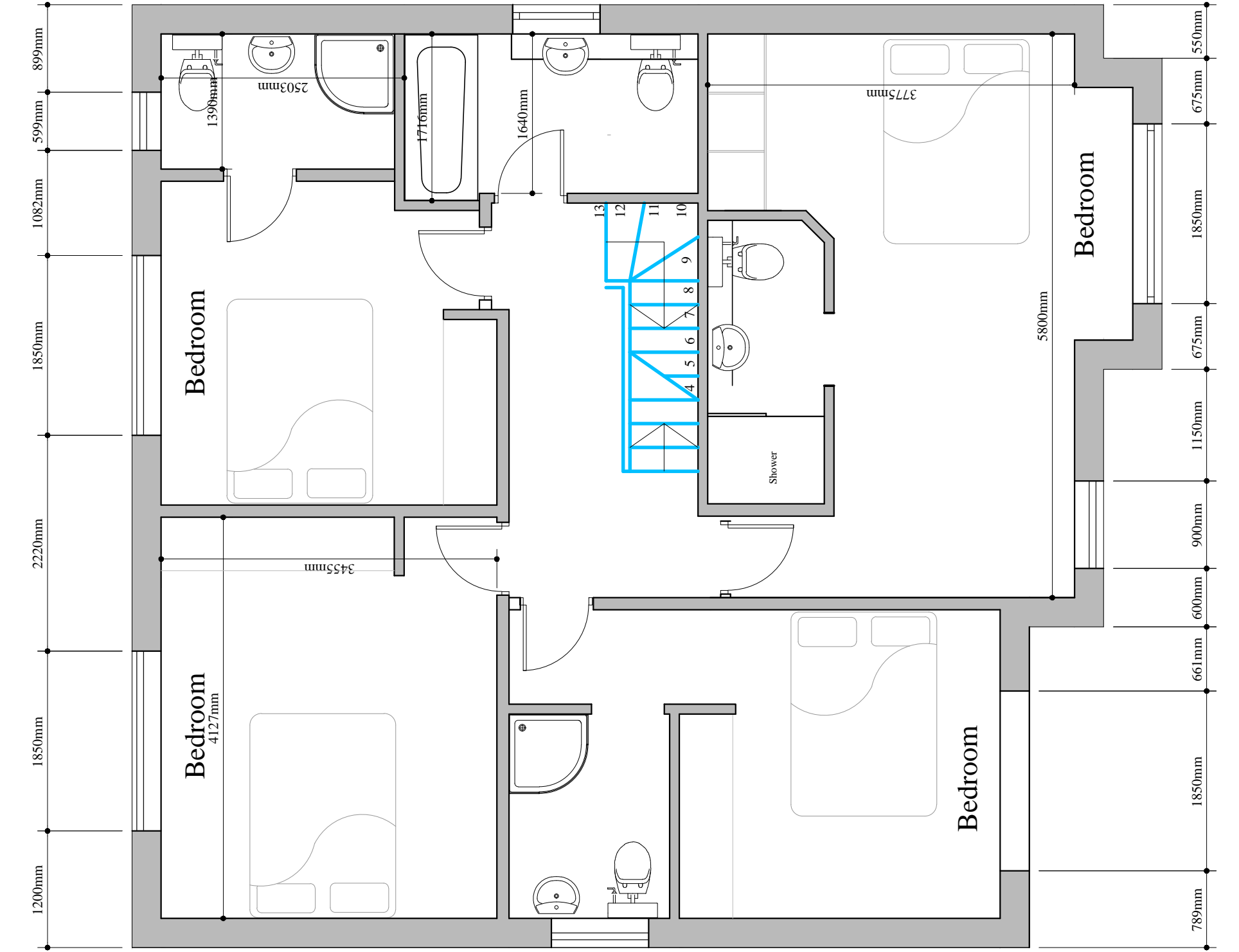
#### STEELWORK

Steelwork must comply with the relevant structural calculations and be supported on pad stones or spreader plates, sizes to be provided within the calculations. All steelwork is to be protected with a minimum of 12.5mm thick galvanneal steel with fireproof plasterboard and skim. Steelwork used in external openings must be provided with a cavity tray.

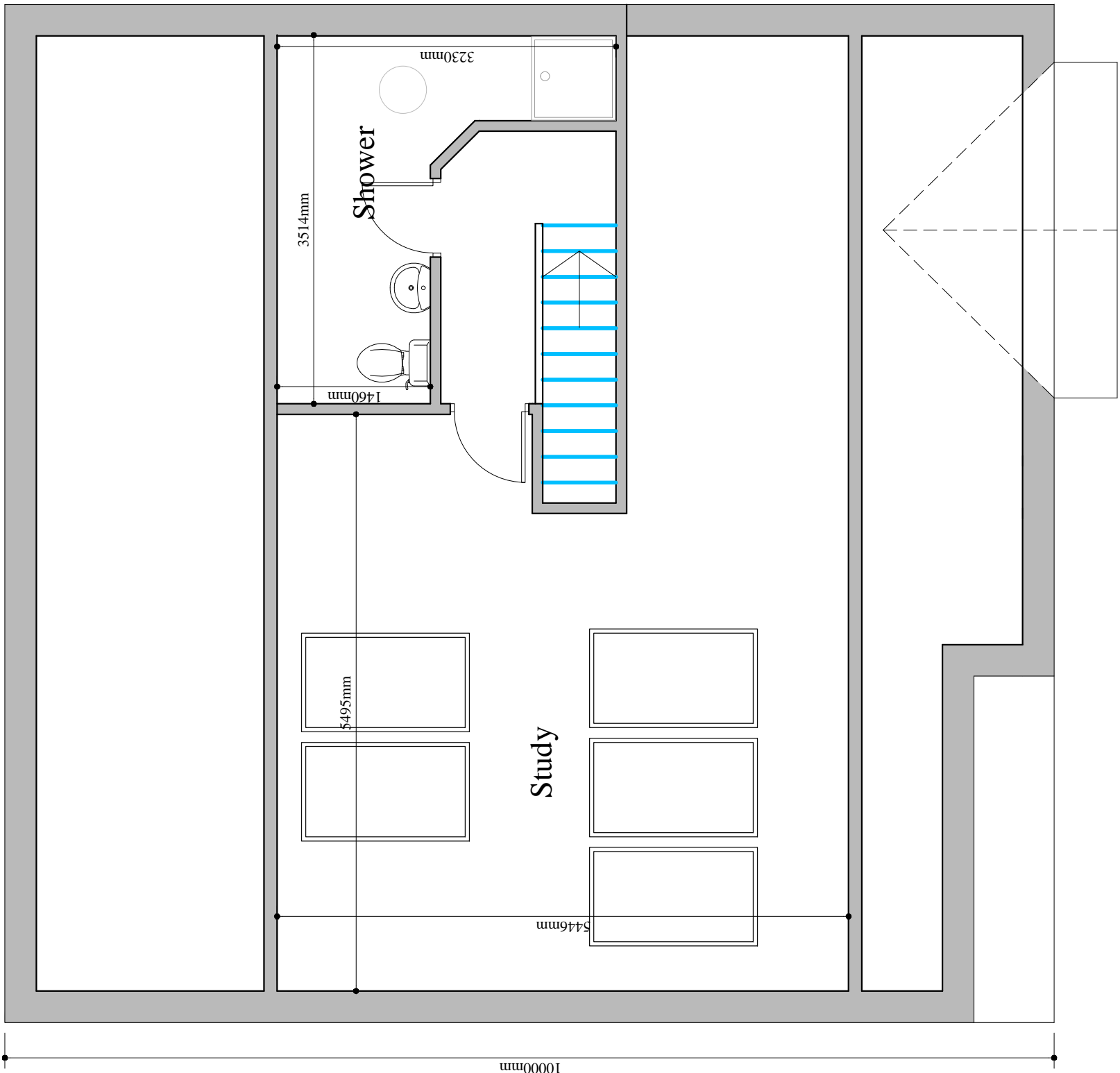
EXTERNAL Upper Wall above brickwork to be solid concrete blockwork with K-rand in stone colour.



GROUND FLOOR PLAN



FIRST FLOOR PLAN

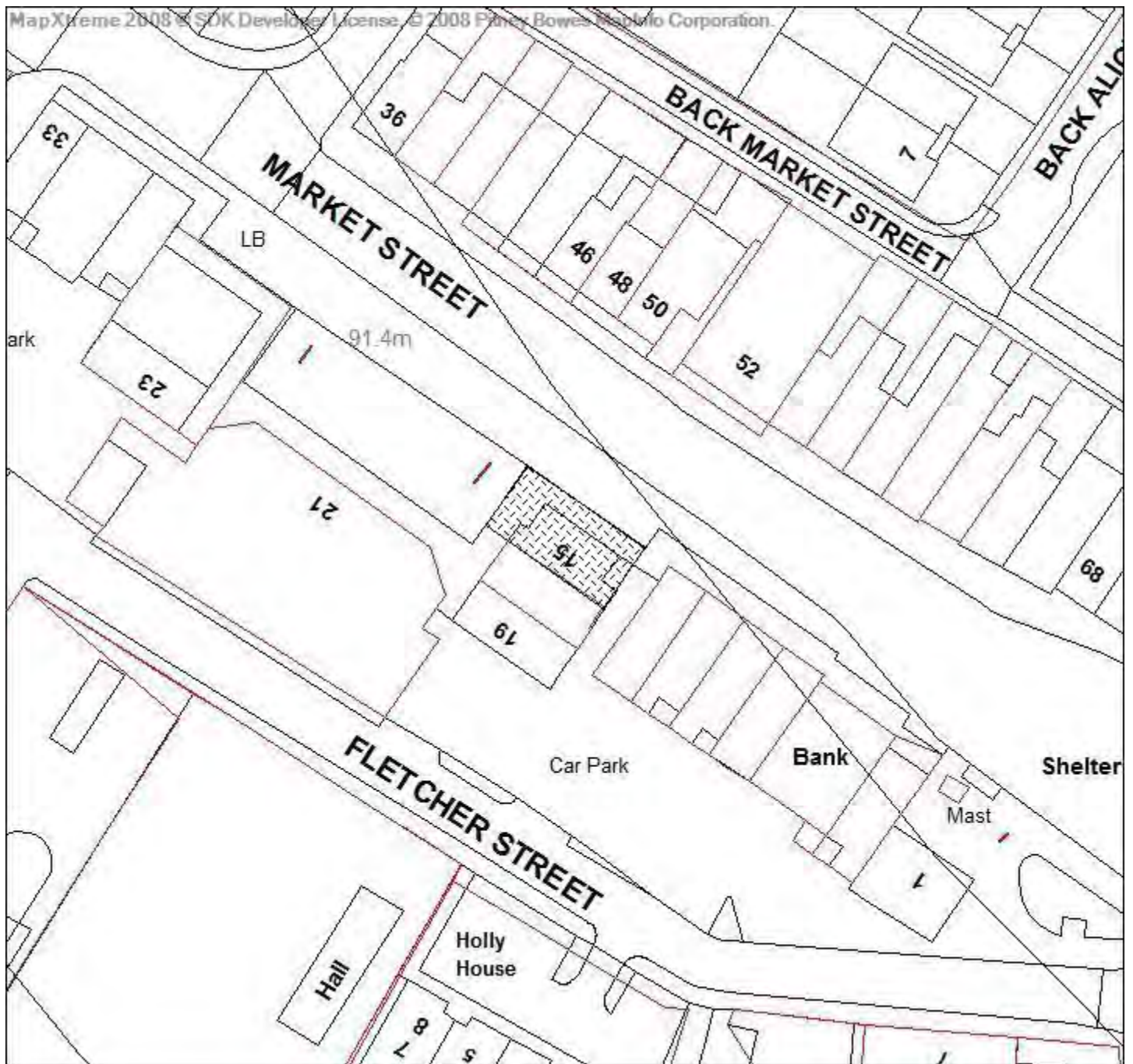


ROOF PLAN

Client	JDS Property Developments Ltd		
Location	Land Rear Of 36a Tempest Road Luslock, Bolton.		
Project	Housing Development (Detached House)		
Drawing	Planning Consent		
Agent	APB Consultant Building Surveyors 1 Maple Grove, 66A St. Marys Ramsbottom BL0 0AN Telephone 01706 626300 Mobile 0797604449		
Scale	1:100 & 1:50	Date	10th July 2017
Drawing No.	DWG 001/D1	Revision	B2
This drawing is provided for planning & Building Regulations consent only. The contractor must check all dimensions on site before works are commenced. The contractor must comply with all requirements of the Health & Safety Regulations. DO NOT SCALE THIS DRAWING			
1/1			



**Application number  
00735/17**



**Development & Regeneration Dept  
Development Management Section**

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

**Bolton  
Council**

Reproduction from the Ordnance Survey Map with the  
permission of the Controller of H.M. Stationery Office. Crown  
Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and database rights 2016. 0100019389



**Date of Meeting: 27/07/2017**

**Application Reference: 00735/17**

**Type of Application: Full Planning Application**

**Registration Date: 18/04/2017**

**Decision Due By: 12/06/2017**

**Responsible Officer: Andrew Cotton**

**Location: 15 MARKET STREET, LITTLE LEVER, BOLTON, BL3 1HH**

**Proposal: CHANGE OF USE FROM VACANT RETAIL (CLASS A1) TO CAFE AND DESSERT SHOP (CLASS A3)**

**Ward: Little Lever and Darcy Lever**

**Applicant: Mrs Fatakia**

**Agent : SMS architecture**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

1. The application proposes the change of use of 15 Market Street to a cafe and dessert shop (Class A3). The premises are currently vacant, but was previously a retail unit (Class A1). Eight members of staff would be employed at the site, four on a full and four on a part-time basis. It is proposed that the cafe would operate the following opening times: Monday to Sunday including Bank holidays 9:00- 23:00.
2. An outdoor seating area is proposed to the front and side of the unit. This is not on the public highway.
3. No external alterations are proposed within this application.
4. This application has been referred to Planning Committee at the request of Councillor Paul Richardson given the late opening hours and the outside seating area, which could have an impact upon anti-social behaviour.

### **Site Characteristics**

5. This application relates to a unit in a shopping arcade situated in Little Lever Town Centre. There are commercial units on either side of the application building. The property is situated within the designated Town Centre of Little Lever. The town centre contains a variety of uses including, cafes, retail, hot food takeaway and convenience stores.
6. The nearest residential properties are behind the application site, and beyond the public car park to the rear of the application site, on Fletcher Street.

### **Policy**

7. National Planning Policy Framework 2012

8. Core Strategy: CG3 - The Built Environment; CG4 - Compatible Uses; OA6- Little Lever and Kearsley; S1 - Safe.

9. Supplementary Planning Documents: Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas

**Analysis**

10. 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.

11. The main impacts of the proposal are:-

- \* Impact on the vitality and viability of the shopping centre
- \* Impact on residential amenity
- \* Impact on the highway

**Impact on the Vitality and Viability of the Shopping Centre**

12. Paragraph 26 of the Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas SPD provides detailed guidance on the proliferation of the same use and the level of proliferation that is considered to present an unacceptable impact on the vitality and viability of the shopping centre.

13. Given that the makeup of the surrounding commercial units, while there are some existing A3 uses within close proximity to the application site, it is however considered that if approved the proposed café would not result in an over proliferation of uses considering the town centre location.

14. The Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas SPD states that where residential properties are within 50 metres of the application site they will be subject to a condition to restrict opening hours to 09:00 to 23:30 Sunday to Thursday and 9:00 to 24:00 Friday and Saturday. There are residential properties to the rear of the shopping parade, on Fletcher Street, which are within 50 metres. The proposed hours of operation for the cafe are 9:00- 23:00 Monday to Sunday (including Bank holidays), which comply with the guidance within the SPD.

15. It is therefore considered that the proposed hours of operations are within the range specified within the SPD. Considering the cafe's proposed opening hours it is concluded that such a use would avoid the issue of 'dead' frontages during the day, which can create a negative image and perception of the local shopping area. The proposal would also bring back into use a currently vacant unit.

**Impact on Residential Amenity**

16. Core Strategy policy CG4 seeks to ensure that development is compatible with surrounding uses and protects occupier's amenity, furthermore development should not generate unacceptable

impacts in terms of nuisance, odour and fumes.

17. The Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas SPD states that in predominantly residential areas applications for café, bars and hot food takeaways will not normally be permitted. The policy goes on to state that these uses are not acceptable where there is a residential property adjacent to the site, this includes those which are next to, adjoining or have a close relationship.
18. The unit's location within the Town Centre means that it is surrounded by commercial properties. There are some residential units to the rear, however these are separated from the application unit by other commercial units and a car park. Therefore these residential properties are not considered to have an overly close relationship which would result in a detrimental impact on the living conditions of these residents.
19. After discussions the applicant has agreed to a condition to restrict the use of the outdoor seating area proposed to between the hours of 9:00- 18:00 Monday to Sunday. It is considered that while the application unit is not in close proximity to residential properties, given the concerns surrounding anti-social behaviour the restriction to the outdoor seating area is considered to be necessary and reasonable upon this basis.
20. The proposal thereby complies with Core Strategy policy CG4.

#### Impact on the Highway

21. 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.
22. The site is situated on a busy commercial road within Little Lever Town Centre and is therefore in a highly sustainable location. The Council's Highway Engineers raise no objections to the proposal and it is considered that the proposed development complies with the aforementioned policies.

#### **Conclusion**

23. The proposal will not cause an over proliferation of hot food takeaways, as defined by SPD Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas. There is a sufficient divide between the premises and nearby residential properties to ensure that there is no detrimental impact on living conditions, thus also complying with the guidance within the SPD. The proposal is considered to comply with policy and Members are therefore recommended to approve this application subject to the recommended conditions.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** Two objection have been received from the same person raising the following concerns:

- \* concerns over existing youth anti-social behaviour issues will be made worse if the application is permitted;
- \* local by-laws prohibiting new food outlets or businesses cannot be opened within 20 metres of another;
- \* a similar application was refused on Church Street in March 2017;
- \* litter and graffiti;
- \* comments should be sought from the Police;
- \* works have already commenced.

**Elected Members:-** Cllr. Richardson has requested that the application be heard before Committee.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers; Environmental Health Officers and Greater Manchester Police.

### **Planning History**

None.

**Recommendation:**            **Approve subject to conditions**

### **Recommended Conditions and/or Reasons**

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

Reason

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

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

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance and in order to comply with Bolton's Core Strategy policies CG3 and CG4.

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

9:00- 23:00 Mondays – Sundays including Bank Holidays.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance and in order to comply with Core Strategy policy CG4.



4. The outdoor seating area shown on the approved plans ref: no. 01 shall not be used outside of the following hours :-

9:00- 18:00 Mondays – Sundays

The external seating area shall be closed to the public at 18:00 and all patrons should be asked to vacate the area by this time.

Reason

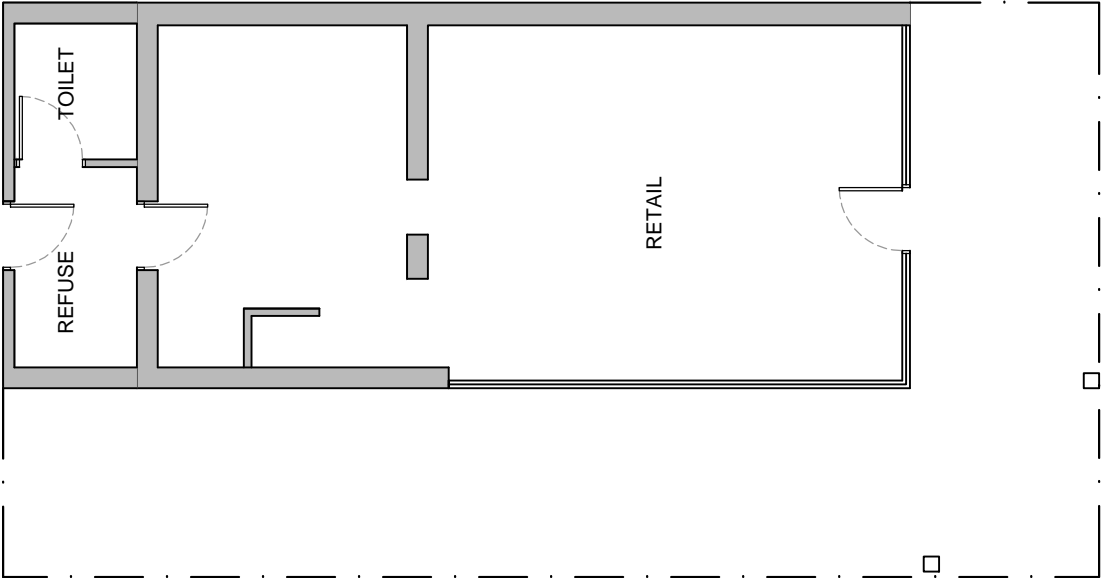
To reduce the potential for anti-social behaviour in the interest of the amenity of the area and in order to comply with Bolton's Core Strategy policies CG3 and CG4.

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

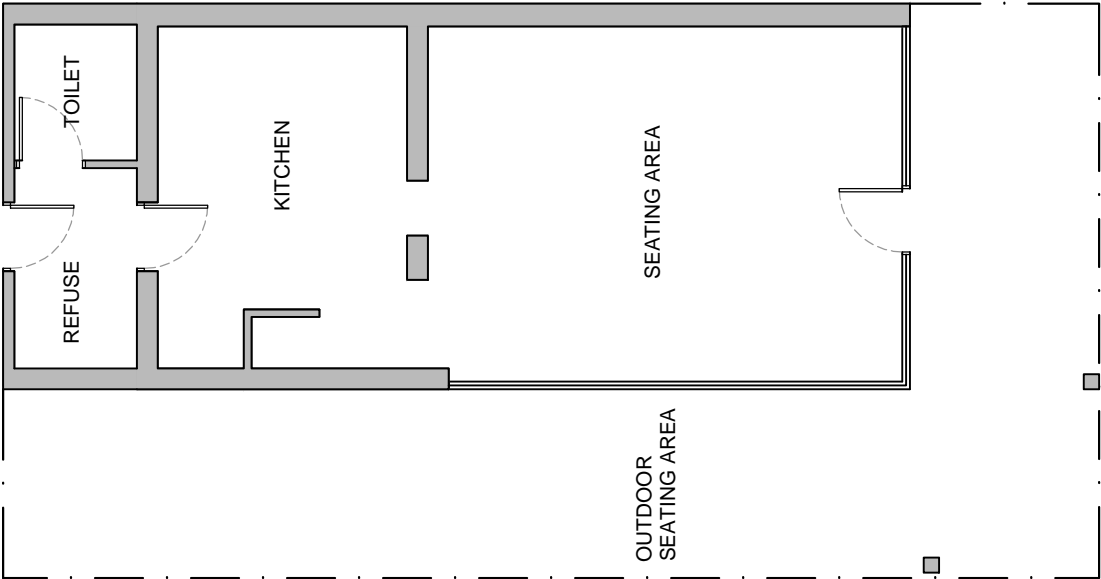
**Existing and Proposed Plans received 18/04/2017 no. 01**

Reason

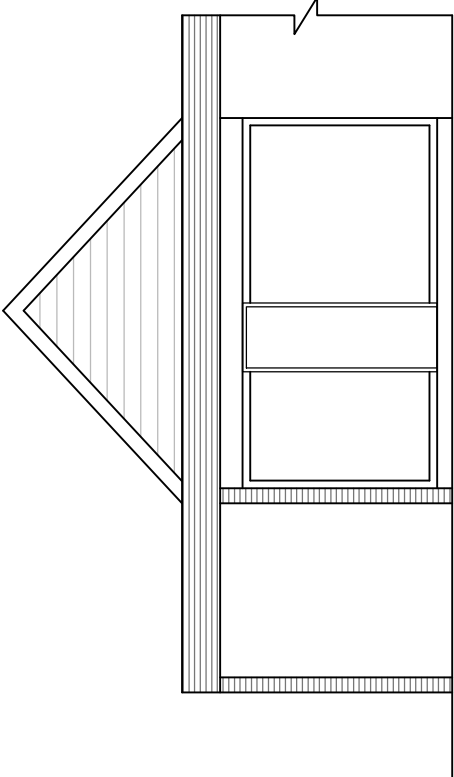
For the avoidance of doubt and in the interests of proper planning.



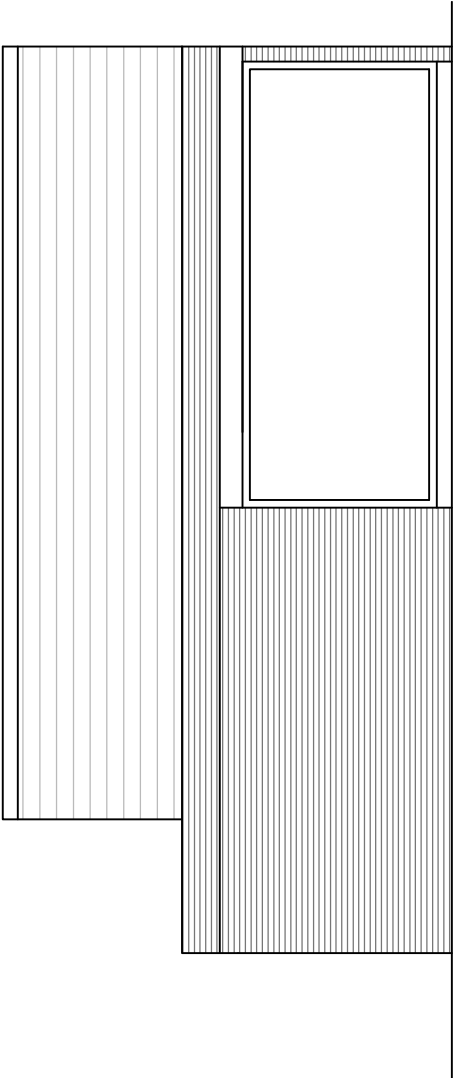
EXISTING GROUND FLOOR



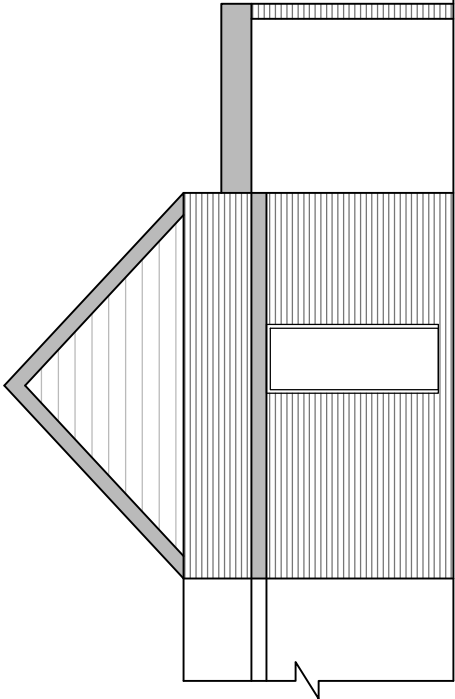
PROPOSED GROUND FLOOR



EXISTING/PROPOSED FRONT ELEVATION



EXISTING/PROPOSED SIDE ELEVATION



EXISTING/PROPOSED REAR ELEVATION

NOTES:

No scaling or dimensions other than those figured are to be taken from this drawing. All dimensions to be checked on site

This drawing is for use at the named location and for Planning Permission purposes only and as such should not be used at any other location or for any other purposes

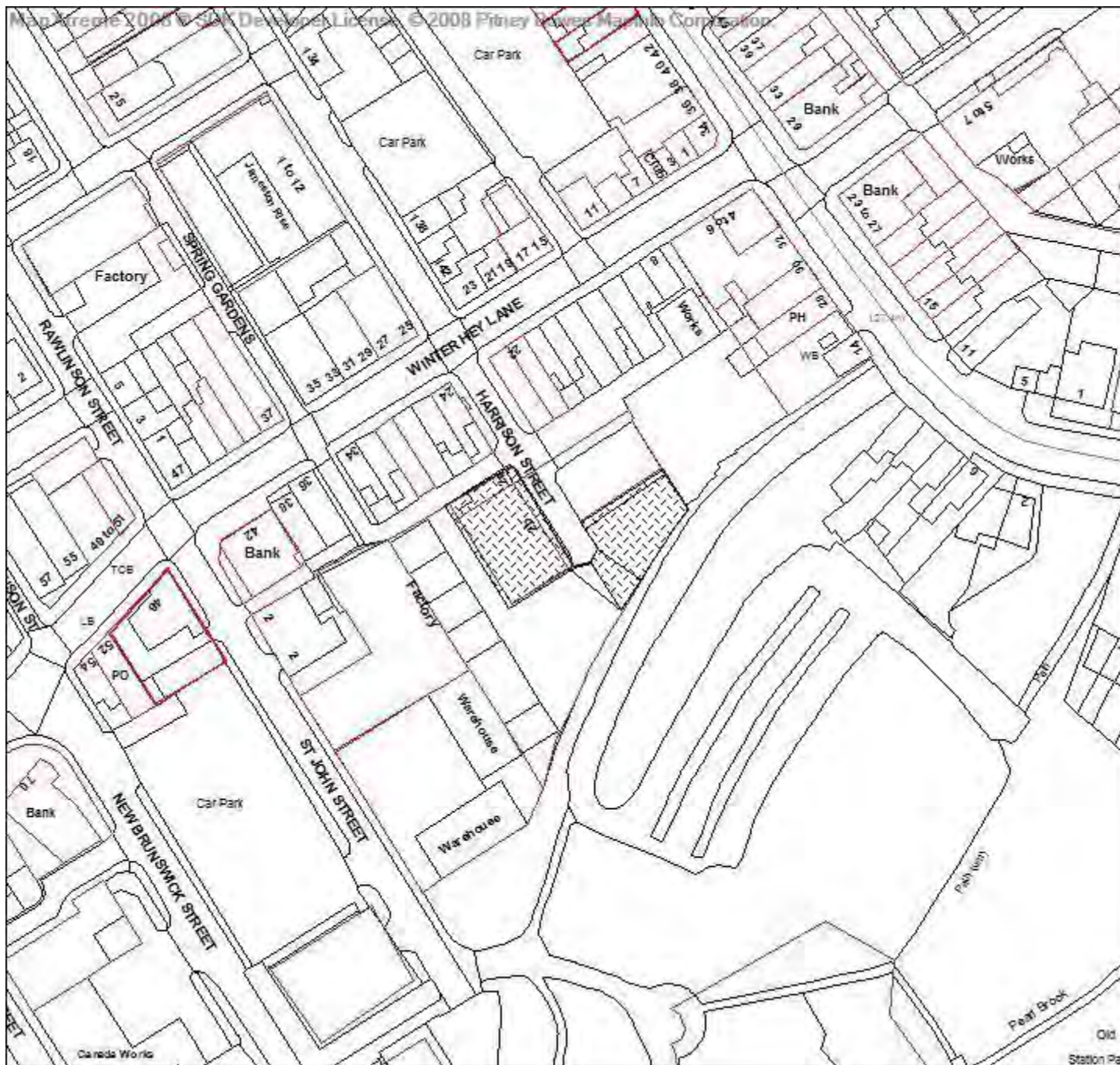
Project Location:  
15 Market St  
Bolton  
BL3 1HH

Drawing:

01 Existing and  
Proposed Plans

Scale:	Size:	Date:
1:100	A3	04/17

# Application number 00631/17



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

Reproduction from the Ordnance Survey Map with the  
permission of the Controller of H.M. Stationery Office. Crown  
Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and database rights 2016. 0100019389



**Date of Meeting: 27/07/2017**

**Application Reference: 00631/17**

**Type of Application: Full Planning Application**  
**Registration Date: 06/04/2017**  
**Decision Due By: 05/07/2017**  
**Responsible Officer: Helen Williams**

**Location: 2 HARRISON STREET, HORWICH, BOLTON, BL6 7AH**

**Proposal:** DEMOLITION OF EXISTING BUILDING AND ERECTION OF A THREE STOREY BUILDING COMPRISING 10NO. ONE-BEDROOM AND 1NO. TWO-BEDROOM APARTMENTS TOGETHER WITH ASSOCIATED PARKING

**Ward: Horwich and Blackrod**

**Applicant: Next Stage Limited**  
**Agent : R.A.Fisk and Associates**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

1. Permission was granted at Planning Committee in May 2016 for the demolition of the existing building and the erection of a three storey building comprising nine apartments (four 1 bed and five 2 bed apartments) (application ref. 95810/16).
2. Permission is now sought again for the demolition of the existing building and the erection of a three storey building, but the building is now to comprise 11 apartments (ten 1 bed and one 2 bed apartments). Therefore, although there is an increase in the number of apartments by two, the number of bedrooms in the building has been reduced by two (12 bedrooms are now proposed rather than the approved 14).
3. The scale (dimensions and height) and siting of the proposed building is identical to the building approved under application 95810/16, and its external appearance (design) is very similar (there are only a few fenestration changes to the front elevation).
4. The previously approved nine car parking spaces, on land on the opposite side of Harrison Street, are again proposed, as is the bin storage area to the rear of the building.
5. This application is brought before Planning Committee for determination as it is a major application and six objections have been received.

### **Site Characteristics**

6. The building to be demolished (2a and 2b Harrison Street) is a two storey red brick building which comprises a former social club (Central Club, at 2a) and a residential property (at 2b). The

former social club is now derelict and boarded up.

7. The red edge of the application site also encompasses land on the opposite side of Harrison Street (to the south east of the building). This land is vacant and is adjacent a private car park.
8. The application site is located within Horwich Town Centre (the allocated local centre).
9. The surrounding area contains a mix of uses, with terraced retail units (some with residential flats above) along Winter Hey Lane and industrial/commercial units (Harrisons Yard) to the rear and south of the application building. To the immediate south of the application building is the yard to a MOT and vehicle repair garage (Leader's Garage). Beyond this to the south is Old Station Park.
10. The application site is in Flood Zone 2.

### **Policy**

11. National Planning Policy Framework (NPPF)
12. Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Green Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod.
13. Supplementary Planning Documents (SPDs): Accessibility, Transport and Road Safety; General Design Principles.

### **Analysis**

14. 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.

15. The main impacts of the proposal are:-

- \* principle of residential development
- \* impact on the character and appearance of the area
- \* impact on the highway
- \* impact on the amenity of neighbouring residents and future residents of the apartments
- \* impact on flood risk
- \* impact on biodiversity

### **Principle of Residential Development**

16. A core planning principle of the National Planning Policy Framework (NPPF) (paragraph 17) is to encourage the effective use of land that has been previously developed (brownfield land), provided that it is not of high environmental value. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.
17. Core Strategy Policy SC1 relates to housing developments and is reflective of the principles within

the NPPF.

18. Policy OA1 of the Core Strategy refers specifically to developments in Horwich and Blackrod and states that the Council will continue to promote Horwich town centre as being suitable for a mix of retailing, leisure, employment and housing uses and will concentrate new housing in Horwich town centre, at Horwich Loco Works and on other sites within the existing urban area.
19. The application site is previously developed land within Horwich town centre. It is in a highly sustainable location, close to local shops, services, community facilities, schools and public transport. The application site also benefits from an extant planning permission for nine apartments (the principle of residential development on the site has therefore already been established).
20. The proposed development would therefore represent sustainable development, would comply with the principles for housing development within the NPPF, and would comply with Policies SC1 and OA1 of Bolton's Core Strategy.

#### Impact on the Character and Appearance of the Area

21. 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.
22. The scale, height and siting of the proposed apartment building is identical to that previously approved under application 95810/16. It was considered at that time (and is still considered) that a three storey building in this location would be appropriate within its context and would not appear out of character with the area. The proposed building would be the only building on Harrison Street and therefore it is considered that the street scene would not be harmed.
23. The design/external appearance of the proposed apartment building is also very similar to the building approved under application 95810/16. There are only minor fenestration changes to the front elevation.
24. The building would be constructed of red brick with grey roof tiles (which are in keeping with the area), with the square bay windows on the front elevation being surrounded with cladding (of a colour and type to be agreed with the local planning authority). The bay windows and proposed cladding would help to break up the massing of the front elevation.
25. The rear elevation is simplistic in design, however this would not be particularly visible from outside the site given the proximity of the buildings to the rear.
26. The site of the apartment building is to be surrounded by 2 metre high close boarded timber fence to the sides and rear and 0.9 metre high decorative steel fencing at the front. Details of these are to be requested by condition.
27. The proposed car park would be bordered by new tree planting to its south and east, which again would be secured by a condition of the approval.
28. It is considered, subject to the recommended conditions requesting further details, that the proposed development would be compatible with the surrounding area, compliant with Policies CG3 and OA1 of Bolton's Core Strategy.

### Impact on the Highway

29. Policy P5 of the Core Strategy states that the Council will ensure that development takes into account [amongst other things] accessibility by different types of transport, servicing arrangements and parking (in accordance with the parking standards set out in appendix 3). Policy S1.2 states that the Council will promote road safety in the design of new development.
30. Nine car parking spaces are proposed for the residents of the apartments on an area of land on the opposite side of Harrison Street. This land is adjacent to an existing private car park, which would remain following the development.
31. The nine proposed spaces for the eleven apartments fall below the Council's maximum parking standards for this type of residential development (a maximum of one space per apartment is usually requested). However it must be noted that the apartment building would be in a highly sustainable location (accessible by public transport and in the heart of the town centre, close to amenities) and that ten of the eleven proposed apartments would only contain one bedroom (therefore it is not expected that car ownership levels would be high). It is therefore considered that the proposed number of car parking spaces for the development would be acceptable, and the Council's Highways Engineers have raised no objections.
32. As with the previous apartment approval for the site, the Council's Highways Engineers are recommending that the applicant fund a review by the Highways Authority of parking needs in the area with a view to promoting waiting restrictions on Harrison Street: this would deter residents parking on the street rather than using the dedicated car park.
33. Also, as previously conditioned, Highways Engineers recommend a condition be attached to any approval to ensure that the footway and carriageway at Harrison Street is repaired/resurfaced following completion of the development.
34. Concerns have been raised by neighbouring businesses with regard to restrictions the development would cause to vehicular access to their premises (owing to on-street parking) and a reduction in parking spaces available as a result of the development. Vehicles currently park on-street on Harrison Street, which narrows the carriageway width (and restricts access). As reported above, the Council's Highways Engineers have requested a review of parking needs/waiting restrictions on Harrison Street should the development be approved. The implementation of waiting restrictions outside the apartment building would discourage drivers to park on the street and encourage them instead to use the residential car park (if they are residents) or the private car park next door (if they are authorised to do so). It should also be noted that there are a number of free car parks in Horwich town centre that could be used by both visitors to the apartments or by visitors to the local businesses. The proposed development should not make the current parking or access situation any worse than at present.

### Impact on the Amenity of Neighbouring Residents and Future Residents of the Apartments

35. 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 would not generate unacceptable nuisance, odours, fumes, noise or light pollution. Section 3 of SPD General Design Principles provides advice on distances between dwellings and amenity space standards for apartments.

### *Neighbouring residents*

36. The nearest residential neighbour to the proposed apartment building is (according to Council's records) a flat above 28 Winter Hey Lane. This flat would look onto the side of the proposed

apartment building. There would be no loss in privacy for the residents at 28 Winter Hey Lane as no windows are proposed in the side elevation of the apartment building, and the window in the rear of no.28 would not directly face the main bulk of the proposed building. It is therefore considered (as it was in the determination of the previous apartment building) that the amenity of the residents at 28 Winter Hey Lane would not be unduly harm by the development.

#### *Future residents*

37. Third party concerns have been raised by neighbouring businesses with regard to the compatibility of the proposed development with their businesses. The principle of residential development on the application site has already been established with the granting of application 95810/16 (nine apartments) and Policy OA1.1 of the Core Strategy is supportive of a mix of uses within Horwich town centre. The Council's Pollution Control Officers have also raised no objection to the proposed development and recommend that the windows are acoustically double glazed: this is to be conditioned.
38. It is noted, as with the last application for the site, that there will only be very limited amenity space provided around the building (with the exception of the space for bin storage). Old Station Park (a public park) however neighbours the site to the south.
39. For these reasons it is considered that the proposed development would not unduly harm the amenity of neighbouring or future residents, compliant with Policy CG4 of Bolton's Core Strategy.

#### Impact on Flood Risk

40. Policy CG1.5 of Bolton's Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk.
41. The application site lies within Flood Zone 2 (between a 1:1000 and 1:100 chance of flooding) and therefore a Flood Risk Assessment has been submitted with the application. The Environment Agency has commented that, as the site is within Flood Zone 2, it is a matter for the local flood authority rather than them. At the time of writing this report, comments from the Council's Drainage Officers had not been received. These will therefore be reported directly to the meeting.
42. As the application site is a brownfield (previously developed) site Policy CG2.2 requires a surface run-off rate 50% less than current conditions. The applicant has stated that surface water drainage will connect to the public surface water sewer in Harrison Street and that surface water will be stored on site (such as cellular storage units) and discharged at a limiting flow rate (which would be agreed with United Utilities).
43. With regard to sustainable urban drainage (SuDS) the applicant has stated that ground data cannot be obtained until the existing building has been demolished and cleared from the site. A surface water drainage condition (which requires SuDS where appropriate) is therefore suggested.
44. Foul drainage is proposed to connect to the Harrison Street public sewer.

#### Impact on Biodiversity

45. 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, woodlands and hedgerows from adverse development.



46. As the existing building on the site is proposed to be demolished, a bat survey has been submitted by the applicant. This survey concludes that the building has moderate potential for roosting bats. Greater Manchester Ecological Unit and the Council's Greenspace Officers agree with the findings but recommend that additional updated bat survey work is carried out prior to commencement of development (as the survey is over two years old). This additional survey is to be requested by condition.

#### **Local finance considerations**

47. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The following is considered to be a local financial consideration in this case:

48. New Homes Bonus for the 11 proposed dwellings – this is not a material planning consideration.

#### **Conclusion**

49. For the reasons discussed above it is considered that the proposed development would represent sustainable development and would make effective use of a previously developed site in Horwich town centre, would be compatible with the character and appearance of the area, would not unduly harm the amenity of neighbouring or future residents, and would not jeopardise highway safety. Members are therefore recommended to approve this application subject to the suggested conditions.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** six letters of objection have been received from neighbouring businesses. These raise the following concerns:

- \* Effect on access for delivery vehicles to neighbouring businesses;
- \* Access to the neighbouring MOT garage and other units would struggle with extra traffic as it is a narrow road. The garage own four large recovery vehicles;
- \* Construction work would cause disruption due to vehicles/machines being parked in an already congested area (*officer comment - this concern can only be given limited planning weight given that some disruption during construction will be inevitable but temporary*);
- \* Customers to the MOT garage would not be able to access their business due to the parking of new tenants and visitors;
- \* If customers are discouraged from visiting the local businesses it would impact on future trade and earnings;
- \* Flats would be incompatible with the area. The incompatibility may impact on local businesses/put them at risk;
- \* The development could deter future tenants to the nearby commercial units;
- \* Noise from the garage would disturb tenants (they are open between 7am to 8pm most days);
- \* The development could affect any future development plans for their site and/or any future decisions to sell (*officer comment - this is not considered to be a material consideration*);
- \* The proposed car park for the flats has been used by the general public for five years (*officer comment: the majority of the existing car park is to be retained, however this car park is private and is displayed as such*);
- \* Who owns the car park? (*officer comment: the applicant has served notice on the landowner, as is the requirement when submitting a planning application. Land ownership is however not a material planning consideration*).

**Horwich Town Council:-** raised no objection to the proposal at their meeting of 20th April 2017, subject to the recommended conditions within the consultee comments.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Pollution Control Officers, Economic Strategy Officers, Strategic Development Unit, Wildlife Liaison Officer, Greater Manchester Police, the Environment Agency and Greater Manchester Ecology Unit.

### **Planning History**

Permission was granted at Planning Committee in May 2016 for the demolition of the existing building and the erection of a three storey building comprising four 1-bedroom flats and five two bedroom flats together with associated parking (application 95810/16).

The retention of one banner sign, one double sided sign and one flat bill board sign for a temporary period of 12 months was refused in March 2011 (85739/11).

Application 81961/09 for the removal of condition 3 on application 79815/08 (demolition of workshops) and variation of condition 7 on application 79815/08 (car parking arrangements) was withdrawn by the application in May 2009 (81961/09).

Permission was granted at Planning Committee in May 2008 for the demolition of garages and the former club and the erection of a building comprising office accommodation at ground floor level and six apartments within the first floor and roofspace (79815/08).

Illuminated signs were approved in April 1995 (46750/95).

A new entrance door and exit door were approved in November 1979 (12625/79).

**Recommendation: Approve subject to conditions**

**Recommended Conditions and/or Reasons**

1. 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.

2. Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken 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 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. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

Prior to first use/occupation of the development hereby approved:

(iv) 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.

3. Prior to the commencement of any groundworks surface water drainage works should be implemented in full in accordance with details that have been submitted to and approved in writing with the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system is to be provided, the submitted details shall:

- 1) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.
- 2) Include a timetable for its implementation, and
- 3) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime

Reason

To 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.

4. Prior to the commencement of development, including demolition, the applicant shall re-survey the site for evidence of bats (as the submitted report is over 2 years old). A report shall be submitted to and approved in writing by the Local Planning Authority containing appropriate mitigation measures if required. The approved mitigation measures should be implemented in full and retained thereafter.

Reason

To safeguard the habitats of protected species and to comply with policy CG1 of Bolton's Core Strategy.

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

Reason

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

6. Prior to the commencement of development full details of the highway works at Harrison Street comprising the repair/reinstatement of the footway and carriageway surfaces 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 and in order to comply with Bolton's Core Strategy policies S1, P5 and Supplementary Planning Document "Accessibility, Transport and Road Safety".

7. Prior to the commencement of development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult, advertise, promote and implement Traffic Regulation Orders to mitigate the likely impact of the development.

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".

8. Trees and shrubs shall be planted on the site (the approved car park) 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 and in order to comply with Core Strategy policies CG1 and CG3.

9. 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 prior to first occupation 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 and in order to comply with policies CG3 and CG4 of Bolton's Core Strategy.

10. Before the approved/permitted development is first brought into use no less than 9 car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be (marked out and provided within the curtilage of the site, in accordance with drawing ref: 3169.05 Rev A. 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 and in order to comply with Bolton's Core Strategy policies S1, P5 and Appendix 3

11. Prior to the development hereby approved/permitted being first occupied or brought into use, all Traffic Regulation Orders required by the Local Highway Authority to mitigate the impact of the development shall be implemented in full.

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".

12. Before the first occupation of the dwellings hereby approved, the windows in the front and rear elevations 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 in order to comply with Bolton's Core Strategy policy CG4

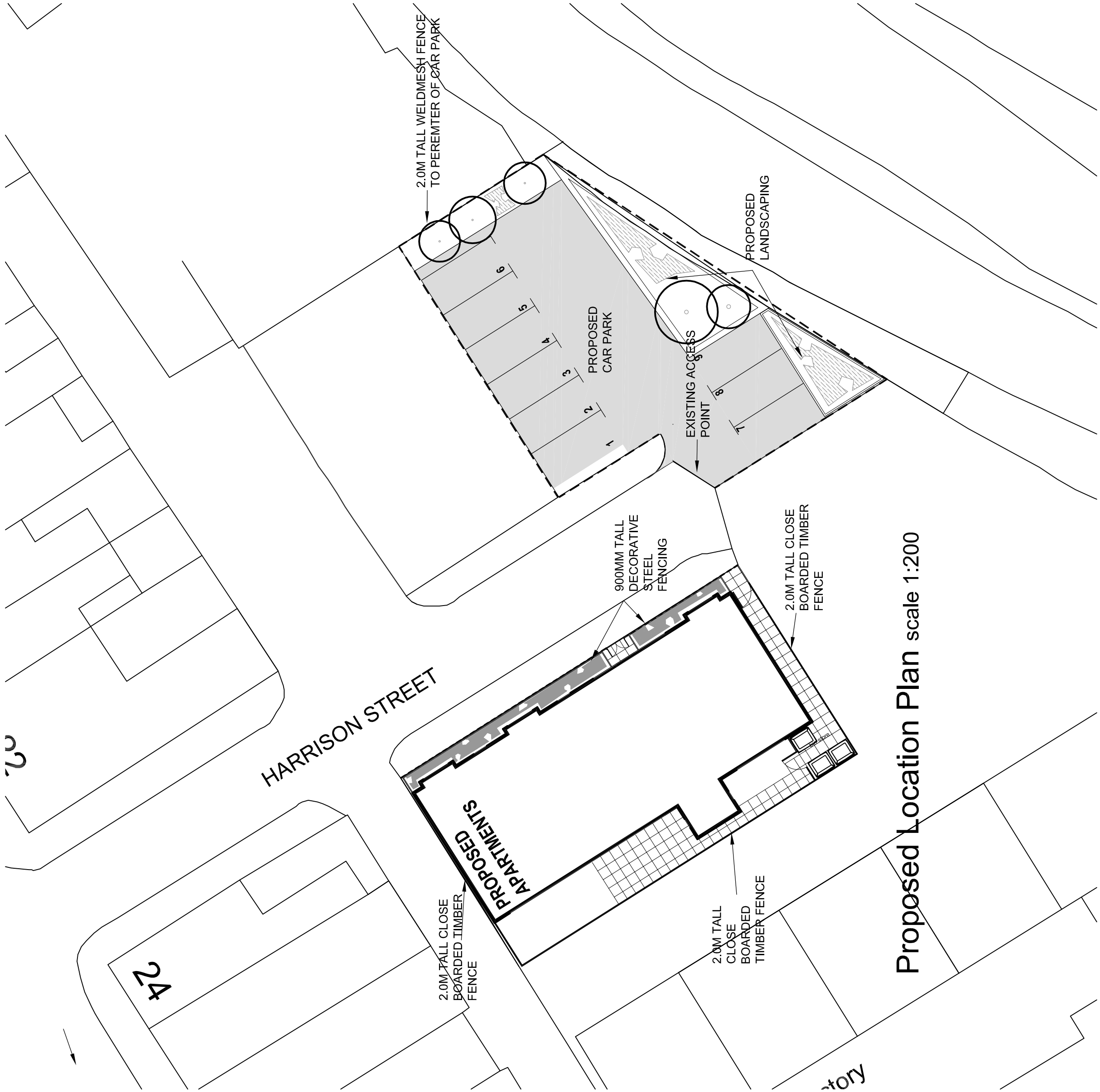
13. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

**3169.05 Rev A; "Site and Location Plan"; received 3 Apr 2017**  
**3169:06; "Elevations"; dated Feb 17**  
**3169:07; "Floor Plans"; dated Feb 17**

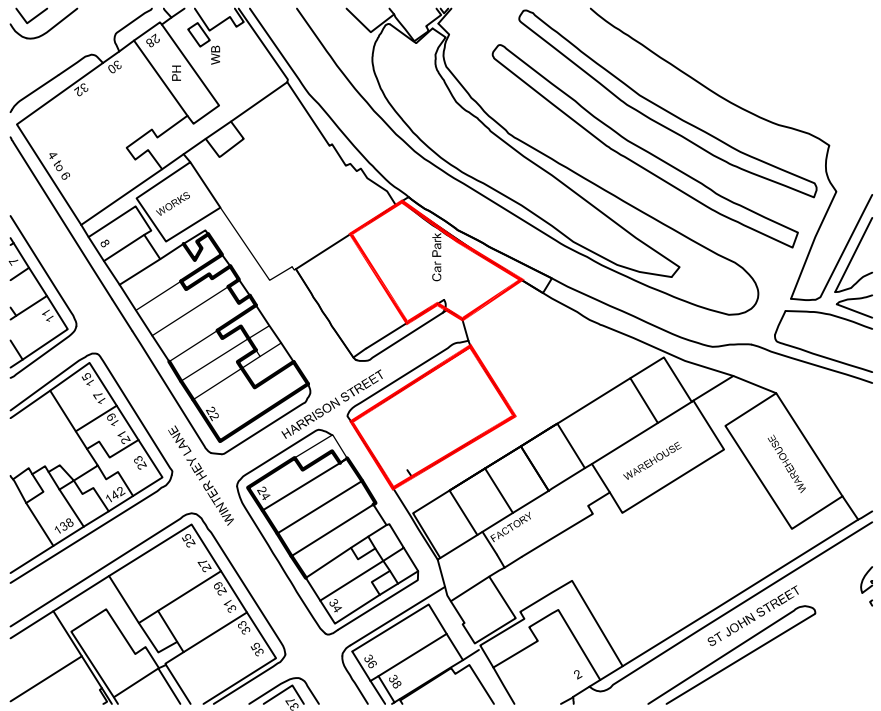
Reason

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

- do not scale dimensions from this drawing  
- all dimensions to be checked on-site and discrepancies to be reported to the architects

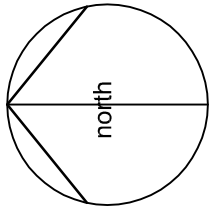


Proposed Location Plan scale 1:200



Proposed Location Plan

scale 1:1250



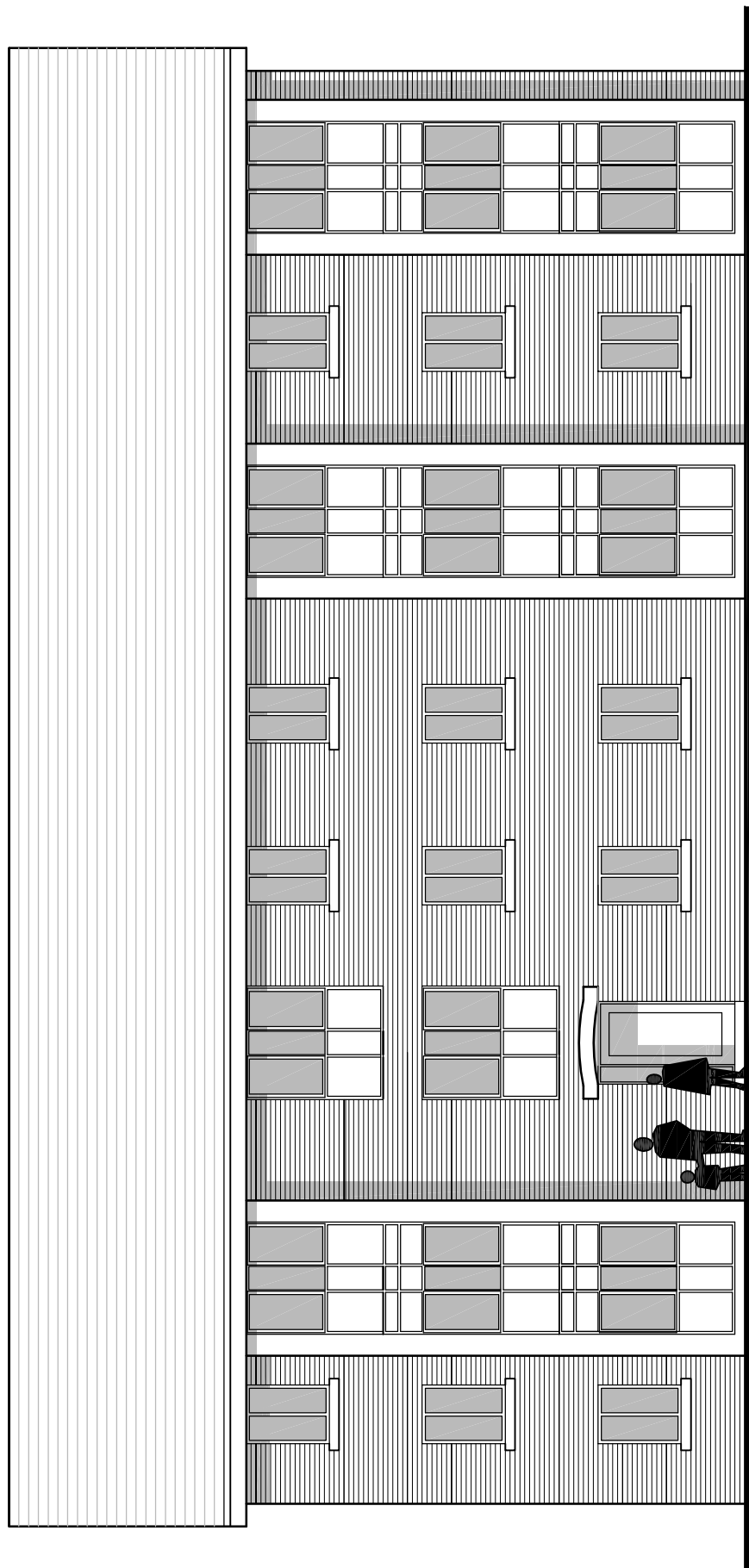
client	Enabling Homes Limited
project	Proposed Dwellings, Harrison Street, Horwich, Bolton,
title	Site and Location Plan
drawing number	3169.05
revision	A
scale	As Shown a2
date	
drawn by	RH
status	

**fisk**  
& associates  
architects

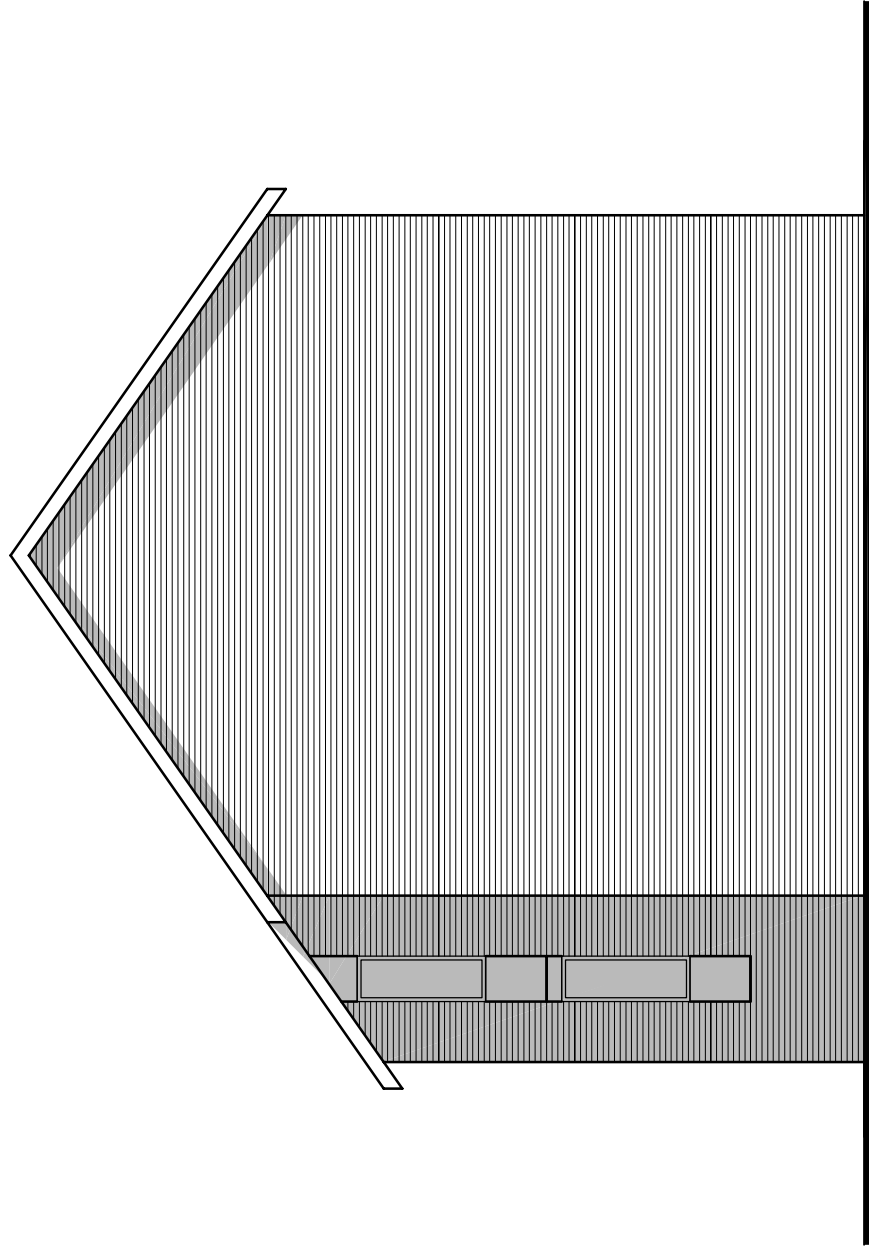


20 chorley road, swinton, manchester, m27 5aj  
t - 0161 793 5300 e - info@rafisk.co.uk

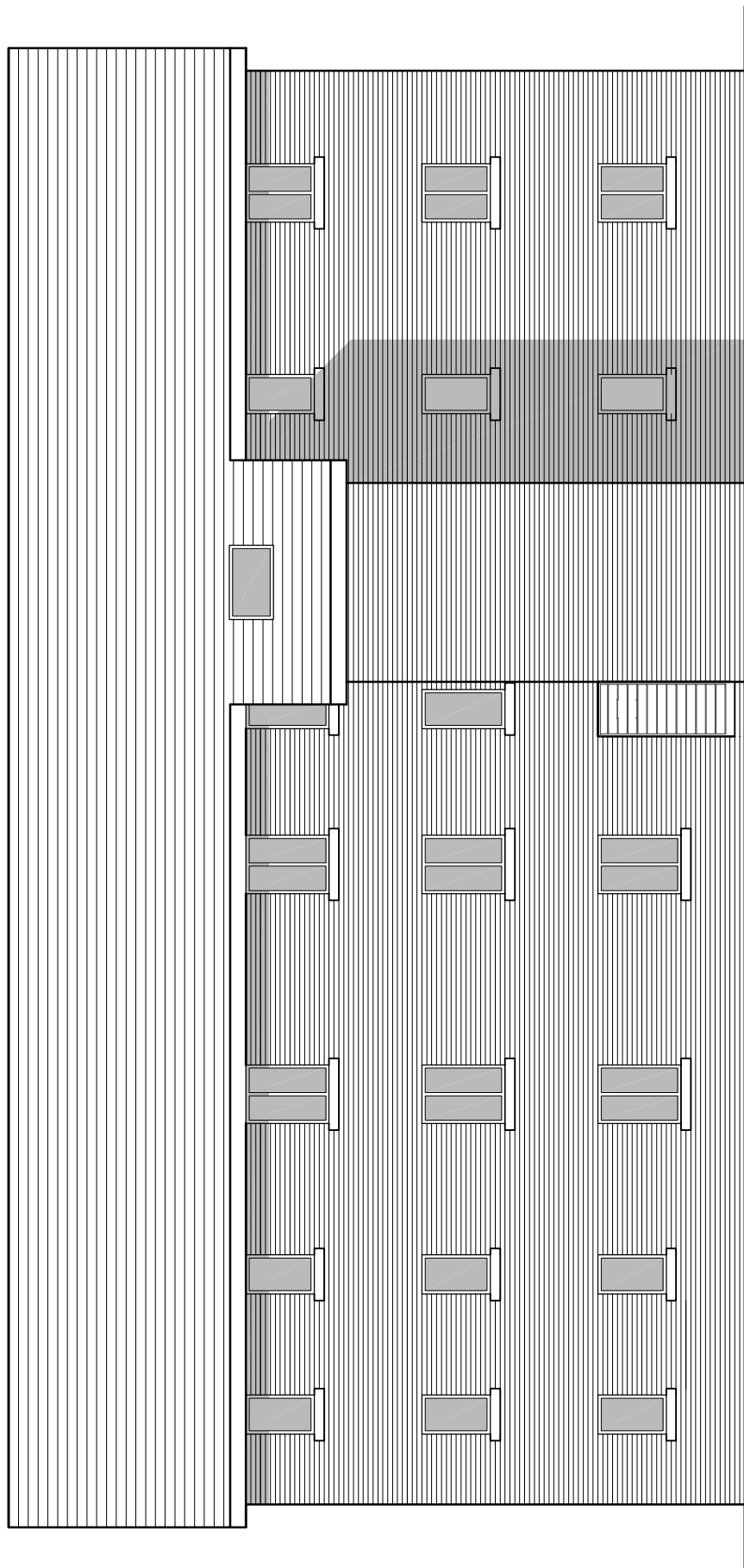
DO NOT SCALE DIMENSIONS FROM THIS DRAWING  
ALL DIMENSIONS TO BE CHECKED ON SITE AND DISCREPANCIES REPORTED IMMEDIATELY TO THE ARCHITECTS



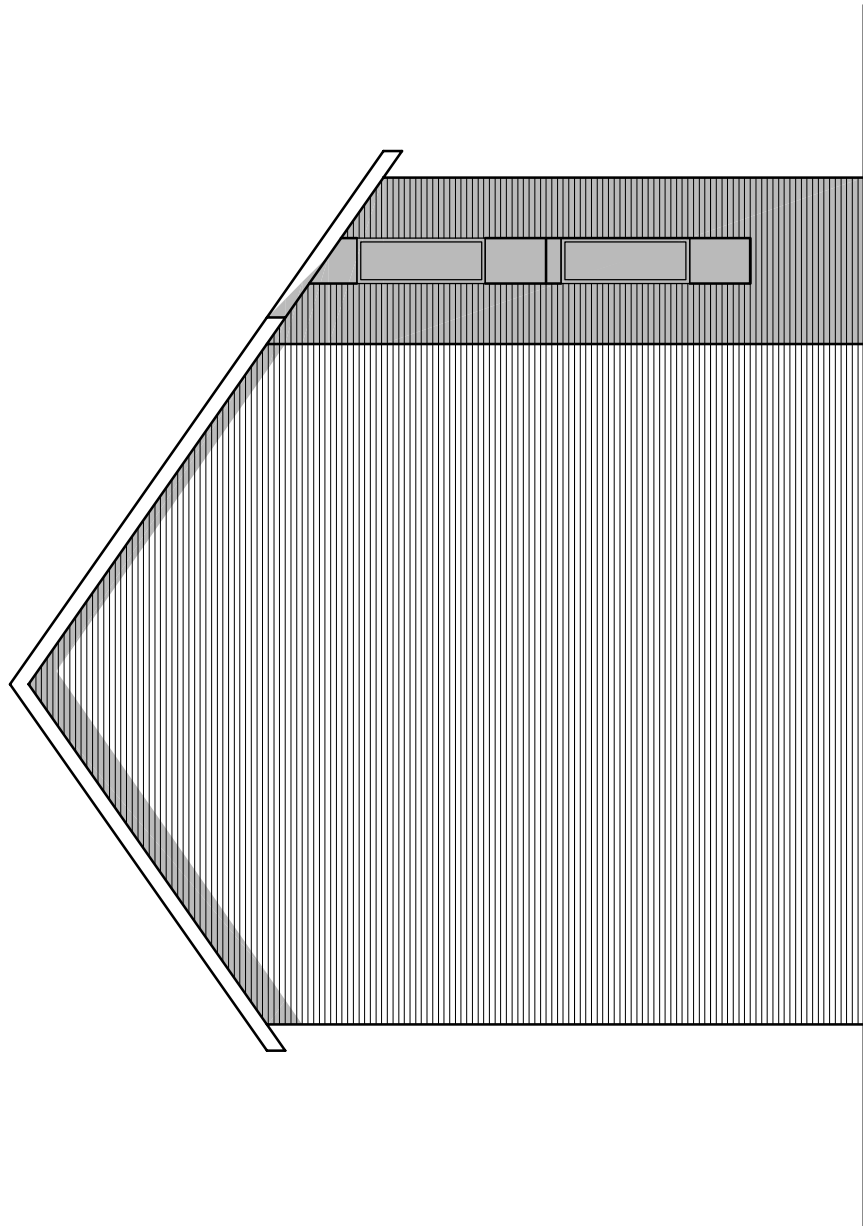
FRONT ELEVATION



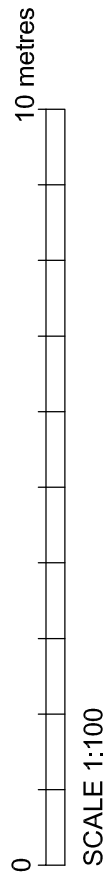
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



**R.A. FISK & ASSOCIATES**  
*Architects*

20 Chorley Road  
Swinton  
Manchester  
M27 3JU  
Tel: 0161-732-5300  
Fax: 0161-734-4799  
e-mail: info@rafisk.co.uk

CLIENT

**Next Stage Limited**

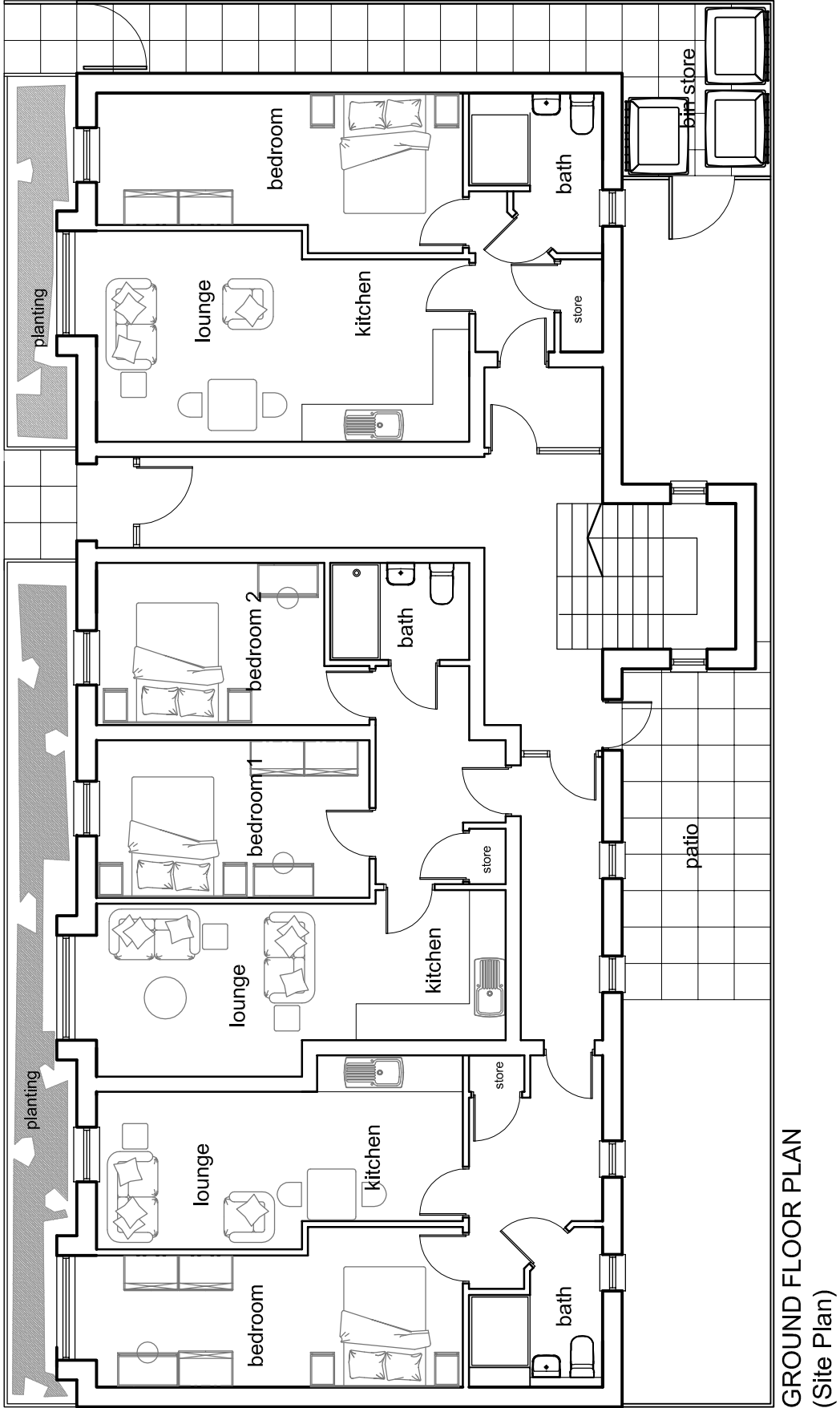
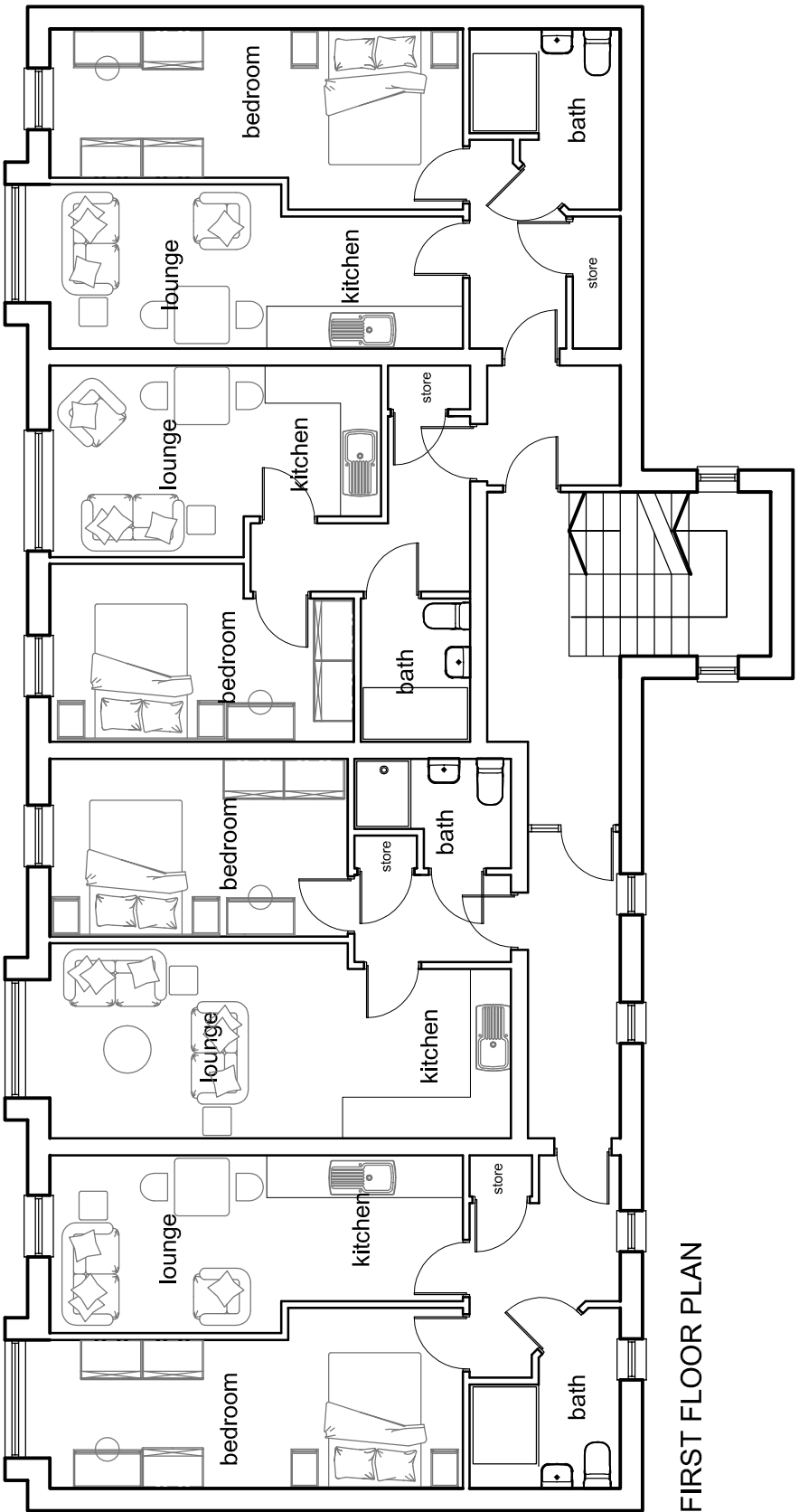
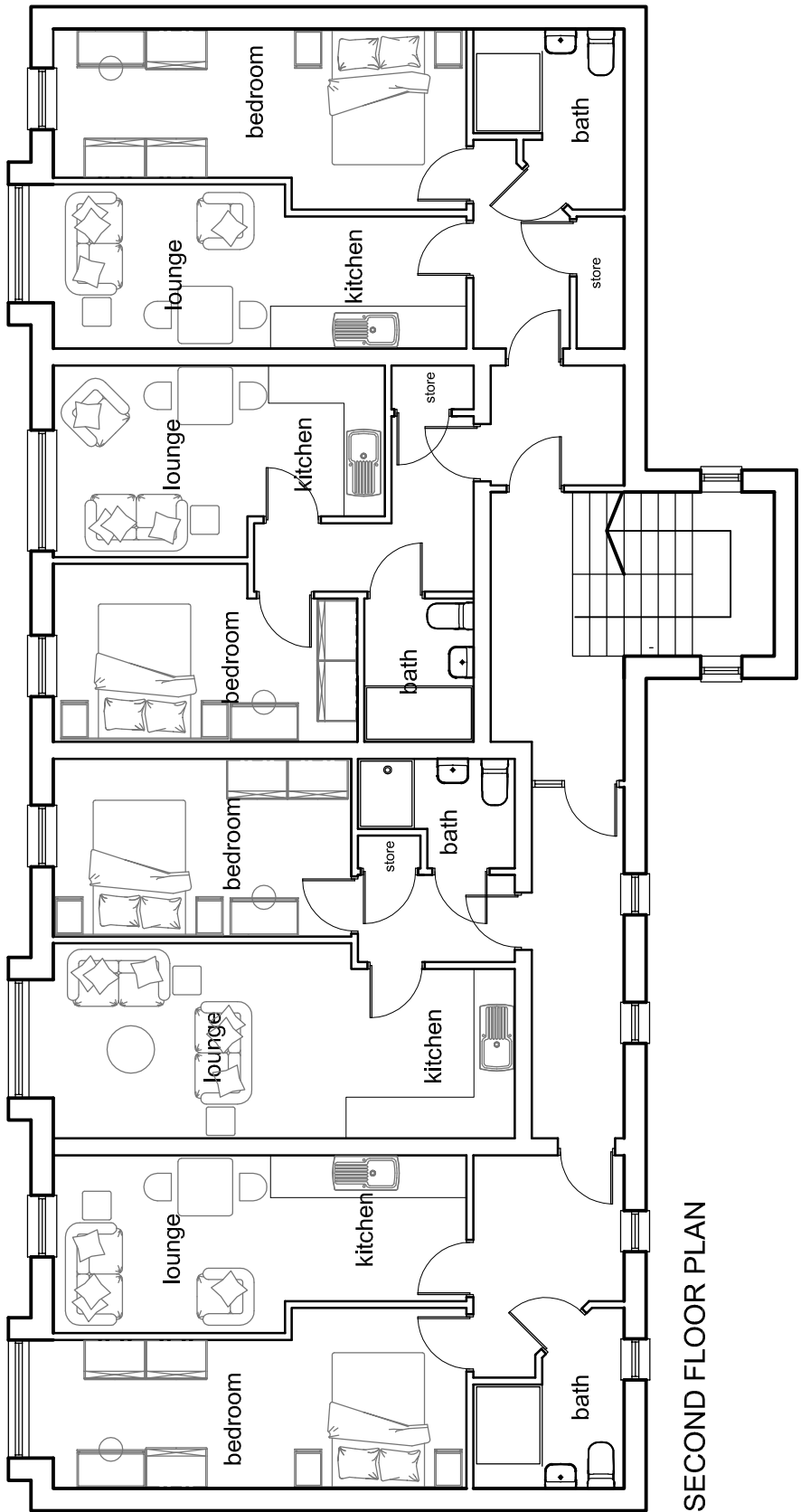
PROJECT

**Proposed Apartments  
Harrison Street, Horwich  
Bolton, BL6 7AH**

TITLE

**Elevations**

SCALE	DRAWN BY	DRAWING No.	REV.
1:100 @ A1	S.BURGESS		
DATE	STATUS		
Feb 17			3169: 06



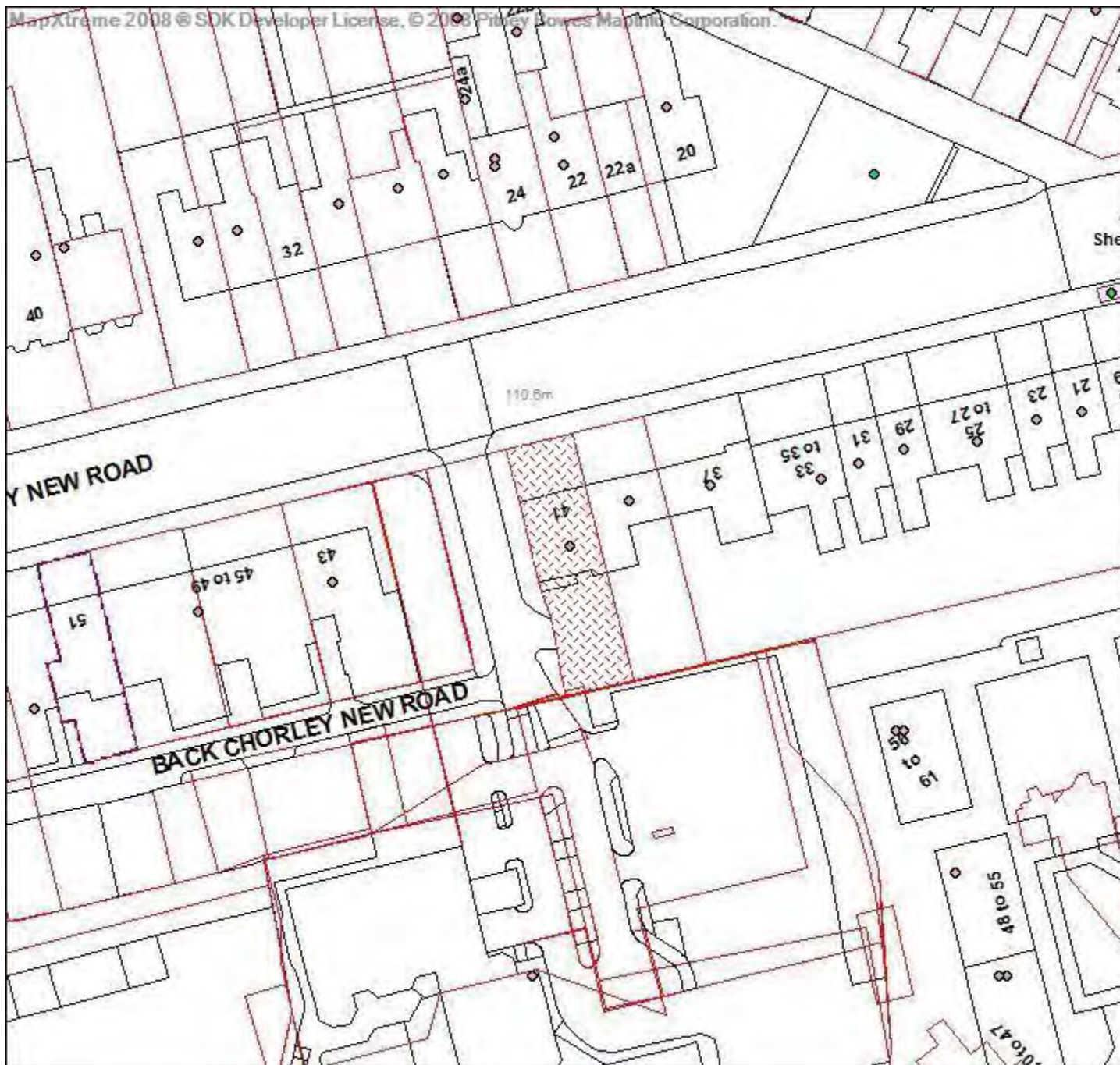
**R.A. FISK & ASSOCIATES**  
*Architects*

20 Chorley Road  
Swinton  
Manchester  
M27 3DU  
Tel: 0161-732-5300  
Fax: 0161-734-4799  
e-mail: info@rafisk.co.uk

CLIENT	Next Stage Limited		
PROJECT	Proposed Apartments Harrison Street, Horwich, Bolton, BL6 7AH		
TITLE	Floor Plans		
SCALE	DRAWN BY	DRAWING No.	REV.
1:100 A1	SB		3169: 07
DATE	STATUS		
Feb 17			



# Application number 01173/17



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

Reproduction from the Ordnance Survey Map with the  
permission of the Controller of H.M. Stationery Office. Crown  
Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and database rights 2016. 0100019389



**Date of Meeting: 27/07/2017**

**Application Reference: 01173/17**

**Type of Application: Full Planning Application**

**Registration Date: 16/06/2017**

**Decision Due By: 10/08/2017**

**Responsible Officer: Martin Mansell**

**Location: 41 CHORLEY NEW ROAD, BOLTON, BOLTON, BL1 4QR**

**Proposal: CHANGE OF USE FROM CLASS B1 TO A1 (RETAIL)**

**Ward: Halliwell**

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

**Agent : Neil Pike Architects**

## **Officers Report**

**Recommendation: Refuse**

### **Proposal**

1. Consent is sought to change the use of this vacant office building to a bridalwear shop, Class A1. No changes to the external appearance of the building are proposed or necessary to facilitate this. Existing parking provision of 7 spaces is available at the rear. Proposed hours of opening are typical of daytime retail uses and it is understood that the Applicant intends to operate on an appointments basis. No window displays are proposed.
2. The application is accompanied by a sequential assessment that seeks to demonstrate that this town centre use (as defined by the National Planning Policy Framework) cannot be accommodated within the boundaries of Bolton town centre or the closest Local Shopping Area - the Chorley Old Road District Centre, a section of Chorley Old Road running roughly from Avenue Street to slightly beyond Ivy Road and including the large Morrisons supermarket.
3. The application appears on the agenda for Planning Committee at the request of Councillor Allen, on the basis of the particular circumstances of the proposed use.

### **Site Characteristics**

4. The site is a two-storey property of a domestic scale and is situated at the western end of the row 13 to 41 Chorley Old Road. This relatively long row forms an attractive and distinctive terrace with a highly consistent character. It is understood that these properties formed accommodation for staff at the Royal Bolton Infirmary, formerly located at the rear. This row does not include any Listed Buildings - though the rows to the north and west do. The site has an internal floorspace of almost 300 square metres.
5. The area is considered to have a distinctive character, one of originally residential properties subsequently converted to professional uses and consultancies such as accountants, legal advisors and architects. Other than the small pharmacy at Landmark House at the Chorley New

Road / Chorley Old Road junction (itself originally an ancillary use to the former health centre at this site) there are no retail uses fronting this section of Chorley New Road.

6. Whilst the defined boundary of Bolton town centre extends to the junction of Chorley Street and Chorley New Road, the NPPF defines "edge of centre" as being within 300 metres of the primary shopping area - in this instance, the Knowsley Street / St Georges Road junction. This site therefore cannot be considered to be an edge of centre site and is instead considered to be out of centre.

### **Policy**

7. National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, requiring good design, promoting healthy communities, meeting the challenge of climate change, flood and coastal change
8. Core Strategy Objectives - SO3 Economic Opportunities of Bolton Town Centre, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO10 Climate Change
9. Core Strategy Policies - P5 Transport, S1 Crime and Road Safety, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses, TC1 Civic & Retail Core, RA1 Inner Bolton

### **Analysis**

10. 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.

11. The main impacts of the proposal are:-

- impact on the character and appearance of the area
- impact on the road network
- impact on economic development and employment
- impact on Bolton town centre

### **Impact on the Character and Appearance of the Area**

12. 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.
13. 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. Policy RA1 relates specifically to Inner Bolton and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment.

14. No changes are proposed to the external appearance of the building. Some details of proposed signage have been provided - a plaque to the front elevation and lettering to the gable - but these would be considered by way of an application for advertisement consent. In any case, the proposed change of use is not considered to cause any harm to the visual appearance of the area or the street scene.
15. The occupancy of buildings is generally considered to be preferable in terms of impact on the character and appearance of an area - however; in this instance there is little evidence of harm in such terms caused by vacancy and it must be borne in mind that Local Planning Authorities retain powers under S215 of the Act to require the proper maintenance of land and buildings.
16. However, the area does have a distinctive character of its own in terms of being a linear cluster of professional services such as accountants, financial advisors and other similar uses and this character is considered to be one that should be preserved and maintained. Retail uses are not part of this character, in fact, other than the ancillary pharmacy at the junction, there are no retail uses fronting Chorley New Road at all until Settle's Bakery, located almost at the Beehive Roundabout, a stretch of approximately 3.4 miles / 5.4 kilometres.
17. Whilst the visual appearance of the building would change very little, if at all, the introduction of a retail use in this location is considered to be contrary to Policy RA1 of Bolton's Core Strategy as it seeks to conserve the existing distinctive character of this area.

#### Impact on the Road Network

18. 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.
19. The proposed use is not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and above the existing lawful use. It is also noted that the Council's Highway Engineers do not raise objection - indeed, they advise that the proposed change of use will potentially generate less traffic and on-street parking than the extant use. Seven dedicated spaces are available at the rear and could be required by condition. The site is also accessible by public transport along both Chorley New Road and Chorley Old Road. The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1.

#### Impact on Economic Development and Employment

20. 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 proactively drive and support sustainable economic development to deliver the infrastructure, business and industrial units and thriving local places that the country needs. In the section "Building a Strong, Competitive Economy" it states that significant weight should be placed on the need to support economic growth through the planning system.

21. The Council has adopted the Sustainable Community Strategy which identifies two main aims - to narrow the gap between the most and the least well off and to ensure economic prosperity. The Core Strategy is consistent with this, seeking a prosperous Bolton by making sure that jobs are provided in accessible locations in a range of different sectors.
22. Policy RA1 relates specifically to Inner Bolton and states that the Council will continue to focus jobs in modern employment areas in the Valley, locate new employment-related development on undeveloped sites in the Valley and surrounding area, regenerate mills and other older industrial premises in the area with a mixture of new build and refurbishment for primarily employment uses, with supporting residential and mixed uses.
23. Whilst no employment details were submitted for this application, the proposed use is likely to have a materially beneficial impact on economic development and employment - certainly when set against the current situation of an unused building and site.

#### Impact on Bolton Town Centre & Other Defined Centres

24. 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 ensure the vitality of town centres. Local planning authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality, defining the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations. They should promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres, retain and enhance existing markets and, where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive.
25. The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for retailing, leisure, cultural and civic activities. It will make a significant contribution to the new jobs to be located in the borough over the plan period years, will be a main location for education, especially for those over 16 years old and will be one of the main locations for new housing development and a focus for transport infrastructure. The Core Strategy proposes to increase the quantity of retail floor space in the borough, concentrated mostly in Bolton town centre. A transformed and vibrant Bolton town centre is essential to Bolton's prosperity. The quality and scale of retailing will ensure that Bolton town centre is vibrant, safe, active and prosperous. It will act as a retail centre to serve the whole of the borough, as well as a wider catchment area. There is existing capacity within the town centre for further retail development, and this will provide for most of the additional comparison floor space. The Retail and Leisure Study also shows that Bolton town centre needs more high quality retail units, building on developments that have recently been completed or are proposed.
26. Core Strategy TC1 is a spatial policy which relates specifically to Bolton Town Centre and states that the Council will continue to support the civic and retail core as the principal location in the borough for retailing with an emphasis on renewal and improvement to achieve high quality floor space. The Core Strategy notes that the civic and retail core is at the heart of the town centre and includes the Town Hall, Victoria Square and the surrounding principal shopping streets. This area will continue to be the most significant retail location in the borough over the next 15 years.

27. Policies SO3, SO4 and SO5 of Bolton's Core Strategy are strategic objectives within the "Prosperous Bolton" theme and seek to take advantage of the economic opportunities presented by Bolton town centre and ensure that these opportunities benefit everybody in Bolton, including those people living in the most deprived areas, together with creating a transformed and vibrant Bolton town centre and ensuring that Bolton takes full economic advantage of its location in the Greater Manchester City Region.

28. The Core Strategy sets out a four-level hierarchy of centres within the Borough, as follows:-

*Sub-regional town centre*

Bolton

*Town centres*

Farnworth, Westhoughton, Horwich, Little Lever

*District centres*

Chorley Old Road, Astley Bridge, Breightmet, Harwood

*Local centres*

Deane Road, Derby Centre, Tonge Fold, Daubhill and St Helens Road, Halliwell Road, Tonge Moor Road, Blackrod, Bromley Cross, Kearsley

29. Policy RA1 relates specifically to Inner Bolton and states that the Council will focus both local shopping and specialist retailing within the existing district centres along Chorley Old Road and at Astley Bridge, and the local centres along Deane Road, Tonge Fold, Daubhill and St Helens Road, Halliwell Road and Tonge Moor Road, and at the Derby Centre.

30. Bolton's Core Strategy is consistent with the National Planning Policy Framework in that both require a "town centre first approach". Paragraph 24 of the NPPF is considered to be particularly relevant to the application:-

31. "Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale".

32. Retail uses are clearly defined in the NPPF as "town centre uses" and there is no minimum threshold for their size. Whilst it would be open to a Local Planning Authority to set a minimum threshold, below which the sequential test did not apply, Bolton's Core Strategy does not set such a threshold. Paragraph 24 of the NPPF therefore requires retail uses to be located within the boundaries of allocated centres - unless it can be demonstrated that no suitable sites are available, in which case edge of centre sites should be considered next. To this end, the Applicant has provided a sequential assessment that seeks to demonstrate that no suitable site exists within Bolton town centre to accommodate their proposal. This assessment will be analysed in some detail - for each site, the Applicant's view as to why this site is not suitable has been provided, together with the comments of the Council's Planning Policy and Strategic Development Officers.

33. The Applicant's submission states that they are looking to create a destination boutique for the

North West – attracting people from surrounding towns and counties. Such an operation being located in a town centre would help to improve the vitality and viability of that town centre. The submission goes on to state that “on visiting us, brides and their parties like to make a day of it and so we also recommend local eateries again bringing money into the area”. There would be a lot more potential for such linked trips if this proposal was located in a defined centre rather than the proposed location. Again, this would help to improve the vitality and viability of a centre.

34. The Applicant has considered the following town centre sites and discounted them for the reason given below. The assessment has been considered by Planning Officers, Planning Policy Officers and Strategic Development Officers and the comments of Officers follow each site, or group of sites.

### **30 Hotel Street, 55-59 Deansgate & 73-75 Knowsley Street**

35. Officers accept that these two sites are too large for the Applicant's requirements, by some considerable margin.

### **5 Newport Street**

36. The Applicant considers this site to be too expensive with no parking. They consider a site next to Greggs and a newsagent's to be inappropriate for the value of goods being sold. They also consider the fact that other shops in the parade include Coral, Rymans and BetFred to be unsuitable for their clientele.
37. Officers consider that only limited weight can be given to the issue of cost, in terms of rent and business rates. Planning, in terms of the allocation of land for different purposes, has an effect on land values and therefore property values and rates. It therefore follows that land allocated for retail uses can often be more expensive than land that is not allocated for this purpose - in the same way that land suitable for residential development can often be more expensive than Green Belt land as this has no likelihood of development ever being permitted. Similarly, whilst it is perfectly reasonable for the Applicant to wish to locate their premises away from uses that they consider to have the potential to be detrimental to their commercial interests, only limited weight can be attributed to this in the planning balance. Aiming for a certain clientele does not remove the need for a sequential assessment. Town centres by their nature will often include uses such as pubs, newsagent's, takeaways and vape shops and Officers note that existing bridalwear shops in the Bolton area manage to exist in close proximity to such uses.
38. Bolton town centre is well provided with parking. It is considered that what the Applicant means by "no parking" is that there is no free parking either nearby or within the site itself. This may well be the case, and the Applicant may well consider this to be an important commercial consideration, but it is not a reason by which a sequential test can be passed.
39. Officers consider this to be an appropriate site given that it lies within the civic & retail core, in close proximity to the Town Hall and Victoria Square in an area undergoing considerable regeneration and improvement at public expense - with a key purpose being attracting retail users to unoccupied properties.

### **Bradshawgate, Bolton (Former Tiggis / Downtown)**

40. The Applicant considers that noise from the residential flats above would not be suitable for bridal appointments. The brochure states that this site would ideally suit a convenience store. It is situated near bars and next to a takeaway, located in the main leisure circuit of Bolton Town Centre and therefore not appropriate for boutique clientele. It is also too expensive and the layout is not appropriate for what the boutique requires in terms of retail space, storage of



gowns, and office space.

41. Officers see no reason why flats above a shop preclude a retail use. There is no evidence to suggest that the flats in this location are unusually noisy. The brochure reference to a convenience store does not prevent other retail uses. Many bridal retailers operate successfully in town centre environments in proximity to bars and takeaways. The rent is 18% higher in relation to the application and in any case Officers consider that only limited weight can be given to this issue, for the reasons expressed in relation to 5 Newport Street. The Applicant states that the layout is not appropriate but little justification is provided - in any case, para 24 of the NPPF requires applicants to demonstrate flexibility on issues such as format and scale.

### **149 Chorley Old Road**

42. The Applicant considers the location next to a pub (the Victory Hotel) to be an inappropriate location for selling £4000 gowns. It is a very similar location to their current premises - they are currently located on Wigan Road, in front of a pub and clientele have commented on this – one reason for choosing 41 Chorley New Road was due to the surrounding buildings. Parking provision is similar to their current location on Wigan Road and this has caused considerable problems for our clientele as they have had nowhere to park. They consider that moving to this location would not be an expansion or improvement.
43. Officers consider this to be an appropriate site. Many retail uses operate within close proximity to pubs and bars. The site is highly accessible by public transport and on-road parking provision exists to the site and in the bays on Chorley Old Road.

### **Mealhouse Lane**

44. The Applicant considers this site to be too expensive, with no car parking spaces and the layout is not suitable to our requirements.
45. Officers note that the site is 27% more expensive than the application site and again point out that land use allocations will often affect land values - this is simply an effect of the planning system in general. It is considered that adequate parking provision exists within Bolton town centre. The Applicant does not expand upon why the layout is not suitable for their requirements.

### **16-18 Deansgate**

46. The Applicant considers this site to be too small for their requirements, too expensive and as it is next to a pub it would be no improvement on their current location.
47. Officers note that the available floorspace is 11% smaller than the application site and also note the NPPF requirement for Applicants to demonstrate flexibility in terms of format and scale. The rent is 12% higher than the application site, reflecting the town centre location. Again, many retail uses operate within close proximity to pubs and bars.

### **30 Corporation Street**

48. The Applicant considers the site to be too small for their requirements and no improvement for their requirements in terms of surrounding business as it is currently next to a vape shop. There is no car parking and it benefits from footfall but they do not consider that their business requires footfall.
49. Officers note that the available floorspace is 22% smaller than the application site and also note the NPPF requirement for Applicants to demonstrate flexibility in terms of format and scale. Officers remain unconvinced that customers will necessarily be put off visiting the shop due to



there being a vape shop next door. It is considered that adequate parking provision exists within Bolton town centre.

### **80 Markland Hill Lane, Heaton**

50. The Applicant considers this site to be too small for their requirements as it is no larger than their current property.
51. Officers accept that as this site is outside of a defined centre, it should not be included within the sequential assessment.

### **Bradshawgate (address not specified)**

52. The Applicant considers this site to be too small for their requirements as it is no larger than current property. The advertisement states 'ideally suited business requiring a high street presence' but they do not consider this to be right for their clientele. Also, there is no car parking.
53. The address has not been provided so assessment is difficult. However, Officers note that the Applicant refers to their competition being located in Clitheroe, Whalley and Didsbury. However, there are two bridal shops located in Clitheroe town centre, two in Didsbury allocated centre and the Whalley bridalwear shop is located in an edge of centre location. The Didsbury stores are located close to takeaways, bars and off-licenses - as is typical in many town centres. They do not appear to benefit from dedicated off-road parking.

### **Churchgate House**

54. The Applicant considers this to be too small and it is suitable for good footfall, which is not their clientele. They do not consider the outlook from property to be at all in keeping with an exclusive bridal boutique selling £4000 wedding gowns - across the road are 2 pubs and kebab shop on the corner, this location is not suitable for our clientele. There is no car parking and it is too close to another bridal boutique which is not comparable to our boutique and what we are looking to achieve with new premises.
55. The outlook is that of the Churchgate Conservation Area, defined as an area of special conservation and townscape interest. It contains a number of Listed Buildings, not least the Grade I listed St Peter's Church. The area benefited from considerable public investment into the public realm approximately 10 years ago and these improvements are still visible. Officers note that the available floorspace is 31% smaller than the application site and also note the NPPF requirement for Applicants to demonstrate flexibility in terms of format and scale. The applicant states that this site is too close to another bridal boutique; however, competition is not an issue relevant to the sequential assessment. Furthermore, the applicant states that the bridal boutique mentioned above is not comparable to their proposal - it is therefore difficult to see what relevance it has.
56. Nineteen other sites in locations such as Chorley Old Road, Bradshawgate, St Andrew's Court, High Street and Deane Road have been considered by the Applicant and dismissed as being too small for their needs. Officers accept that this is the case for those particular sites.
57. Officers do not consider that the sequential test has been passed in this instance. It is considered that some of the above sites are suitable for the proposed use. Officers take that view that the Applicant does not consider Bolton town centre to be suitable for their needs in general due to a lack of on-site parking provision and the presence of other use that they do not consider appropriate for their business or clientele; however, this is not the purpose of the sequential assessment.

58. It is therefore considered that the approval of a retail use at the application would not support the civic and retail core of Bolton town centre as the principal location in the borough for retailing and would therefore be contrary to Policy TC1 of the Core Strategy.

### **Conclusion**

59. One of the key purposes of the planning system is to direct land uses into locations that are preferable in terms of the public interest. For instance, it seeks to direct residential uses away from less sustainable Green Belt location and towards more sustainable urban areas. The sequential approach operates in a very similar way, directing town centre uses to town centre locations so that the vitality and viability of such areas can be maintained. Officers accept that the proposed use is relatively small-scale - clearly, this is not of the scale of the sort of out-of-town retailing that the sequential approach often seeks to discourage; however, Bolton's Core Strategy does not set a size threshold below which the sequential approach does not apply and the proposed use does not, according to the Applicant's submission, seek to serve an immediately local need. Officers consider that a failure to consistently apply the sequential risks a cumulatively harmful impact on Bolton town centre. The reverse is also considered to be true - applying the sequential test and requiring retailers to locate within retail areas defined on the adopted allocations plan can deliver benefits to existing centres. It is considered that Bolton town centre would benefit from the proposed use being located within its boundaries.
60. Officers note the views of the applicant and their supporters who believe that the Council, as Local Planning Authority, should not be manipulating businesses into locations such as town centres that the businesses owner considers to be inappropriate. However, the "town centre first" approach has been adopted by the Government in the National Planning Policy Framework.
61. It is accepted that the use of the application site for retail purposes would deliver some limited benefits in terms of employment, service provision and the occupancy of a vacant building. However, national and local planning policies adopt a "town centre first" approach and it is considered that the Applicant has failed to demonstrate that a use such as the one proposed could not be reasonably accommodated within the boundaries of Bolton town centre, one of the district or local centres or in an edge of centre location and therefore the proposal is contrary to Policy TC1. Furthermore, as retail is not part of the existing character of this part of Chorley New Road - an existing character that is considered to be worthy of being conserved - the proposal is also contrary to Policy RA1.

## **Representation and Consultation Annex**

### **Representations**

Representations of support have been received from the Applicant's accountant and from the owner of the application site. Their support is based on:-

- it is disappointing that hear that Bolton Council's Planning Officers are proposing to recommend refusal on the grounds that this use should be focussed in the town centre
- Chorley New Road and the area in the vicinity of No 41 features a wide range of businesses, including A1, B1 and D1 occupiers. Although the retail core is situated in the heart of the town centre, Emma Louise Bridal Wear are not a generic retail occupier, as they operate on an appointment only basis from premises which offer high value wedding gowns not usually found on high streets
- in line with the types of clients and the quality of stock the town centre is not suitable for their business as they require car parking adjoining in order that their customers can arrive for
- appointments taking purchased orders with them when they leave
- due to the lack of investment in the town centre, increasing social issues and high level of void units, this location is not suitable for this type of business
- 41 Chorley New Road has been vacant for over 2 years and since marketing it, our agents have undertaken numerous viewings from a wide range of occupiers - during this time the only serious interest that has come to light is from Emma Louise Bridal Wear
- should this transaction not take place due to restrictive planning policy, it could be another 12 to 24 months before we find another occupier to lease the property, pay rent and rates
- forcing Emma Louise Bridal Wear to consider town centre options only, then it is highly likely to be to the detriment of Bolton as I believe they would consider other higher value locations outside of the Borough and we as investors in property will again suffer
- the Council should be encouraging successful businesses to grow in the Borough and not attempt to manipulate them to a location which is considered inappropriate for their business
- the Planning Committee should not follow the planner's recommendation and support this change of use application for the benefit of an expanding businesses, not to mention the owners of the building

### **Consultations**

Advice was sought from the following consultees: Highway Engineers, Planning Policy, Strategic Development

### **Planning History**

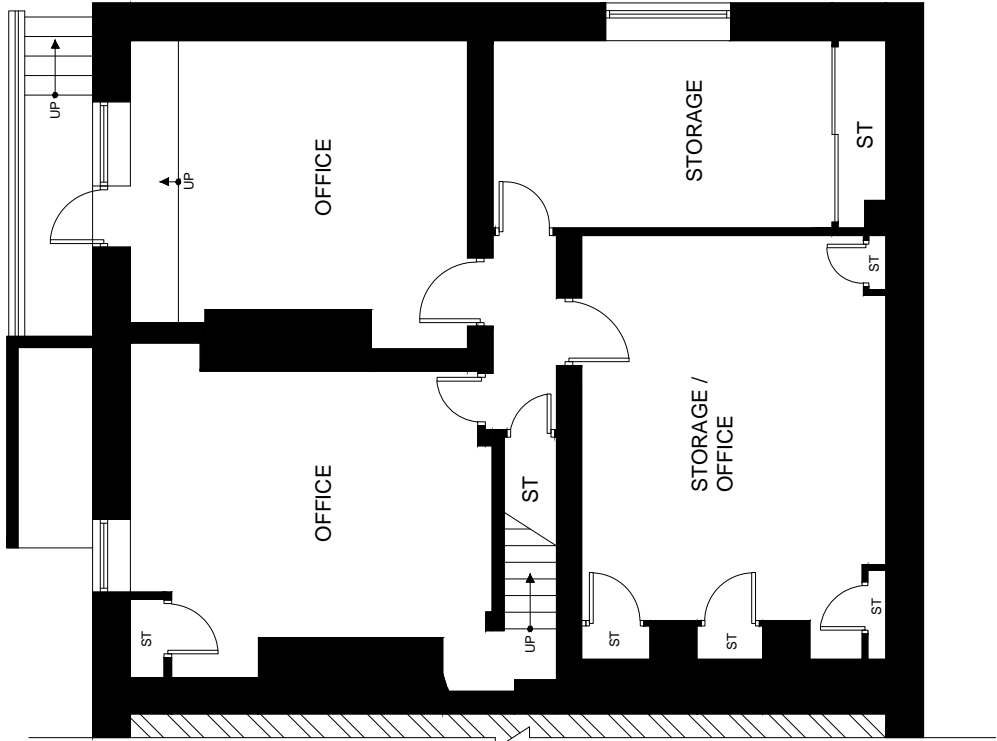
The site has no relevant planning history.

**Recommendation:            Refuse**

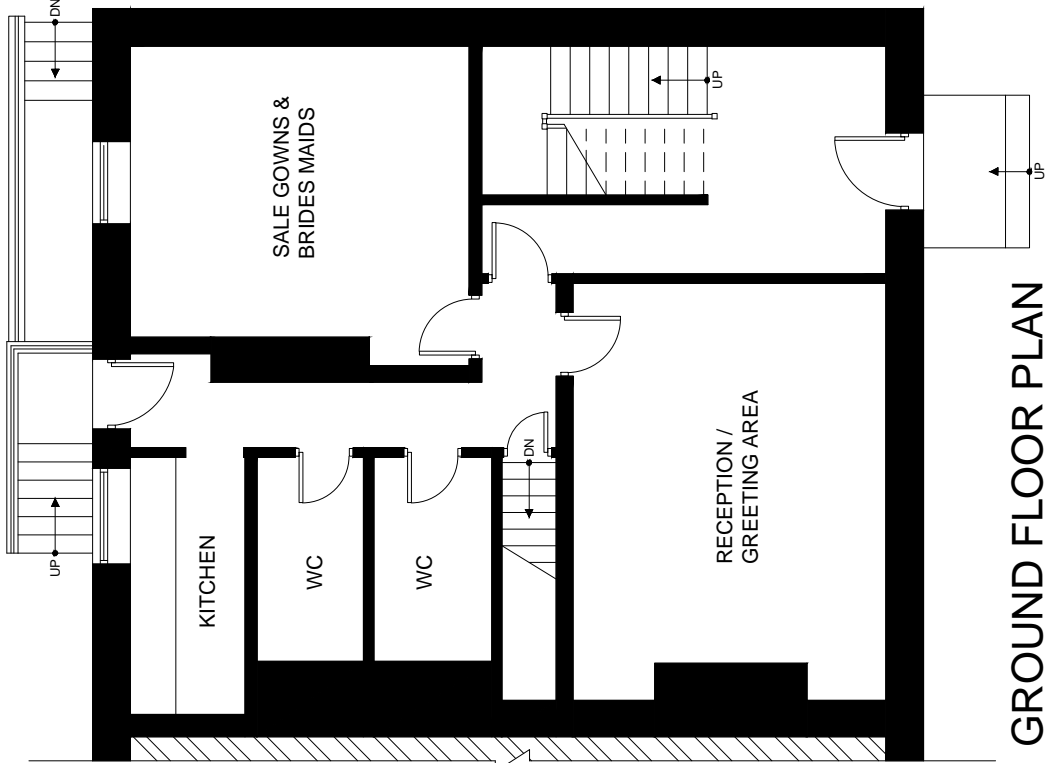
### **Recommended Conditions and/or Reasons**

1. The use of the application site for retail purposes would be contrary to the "town centre first" approach of the National Planning Policy Framework as the Applicant has failed to demonstrate that the proposed retail use could not be reasonably accommodated within the boundaries of Bolton town centre, one of the district or local centres or in an edge of centre location and therefore the proposal is contrary to Policy TC1 of Bolton's Core Strategy.
2. Retail is not part of the existing character of this part of Chorley New Road, an existing character that is considered to be worthy of being conserved, and the proposal is therefore contrary to Policy RA1 of Bolton's Core Strategy.

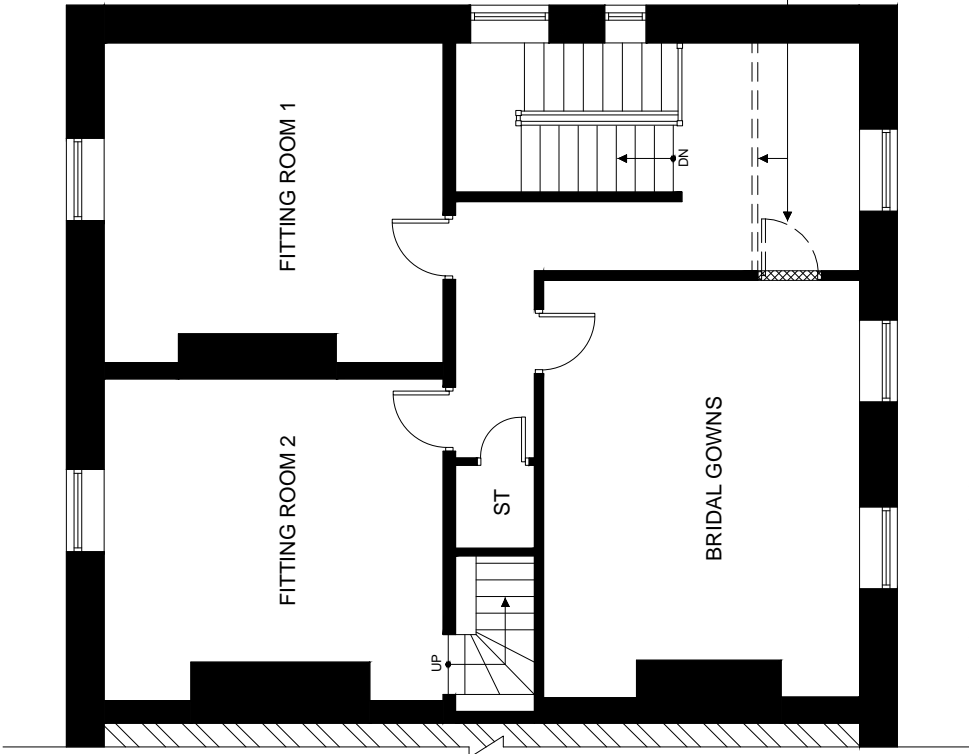




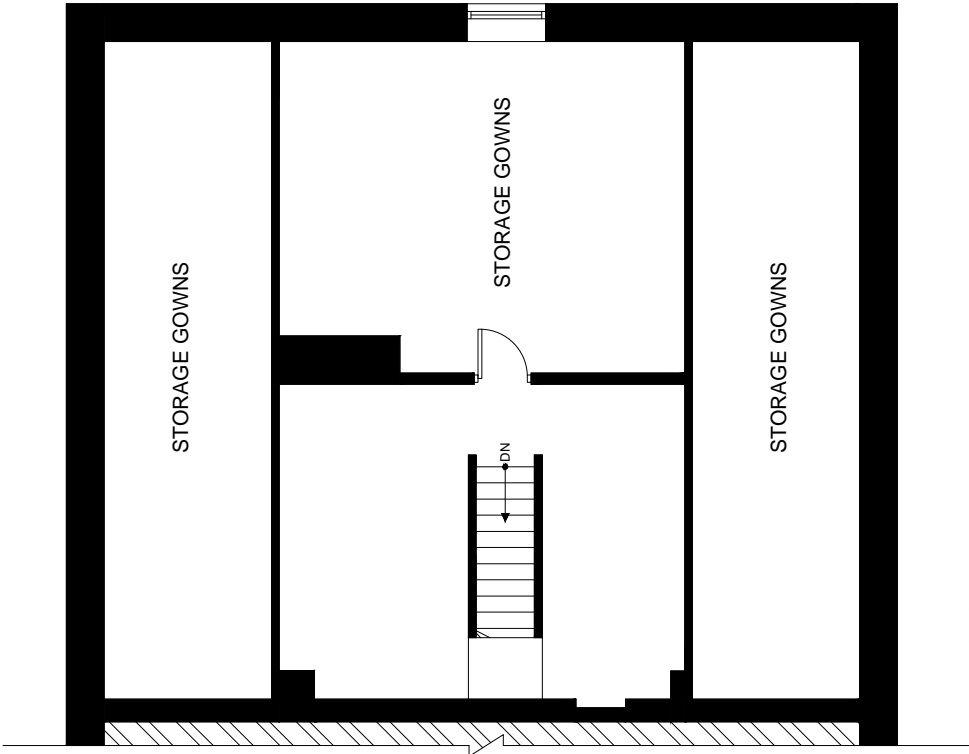
BASEMENT PLAN



GROUND FLOOR PLAN



FIRST FLOOR PLAN



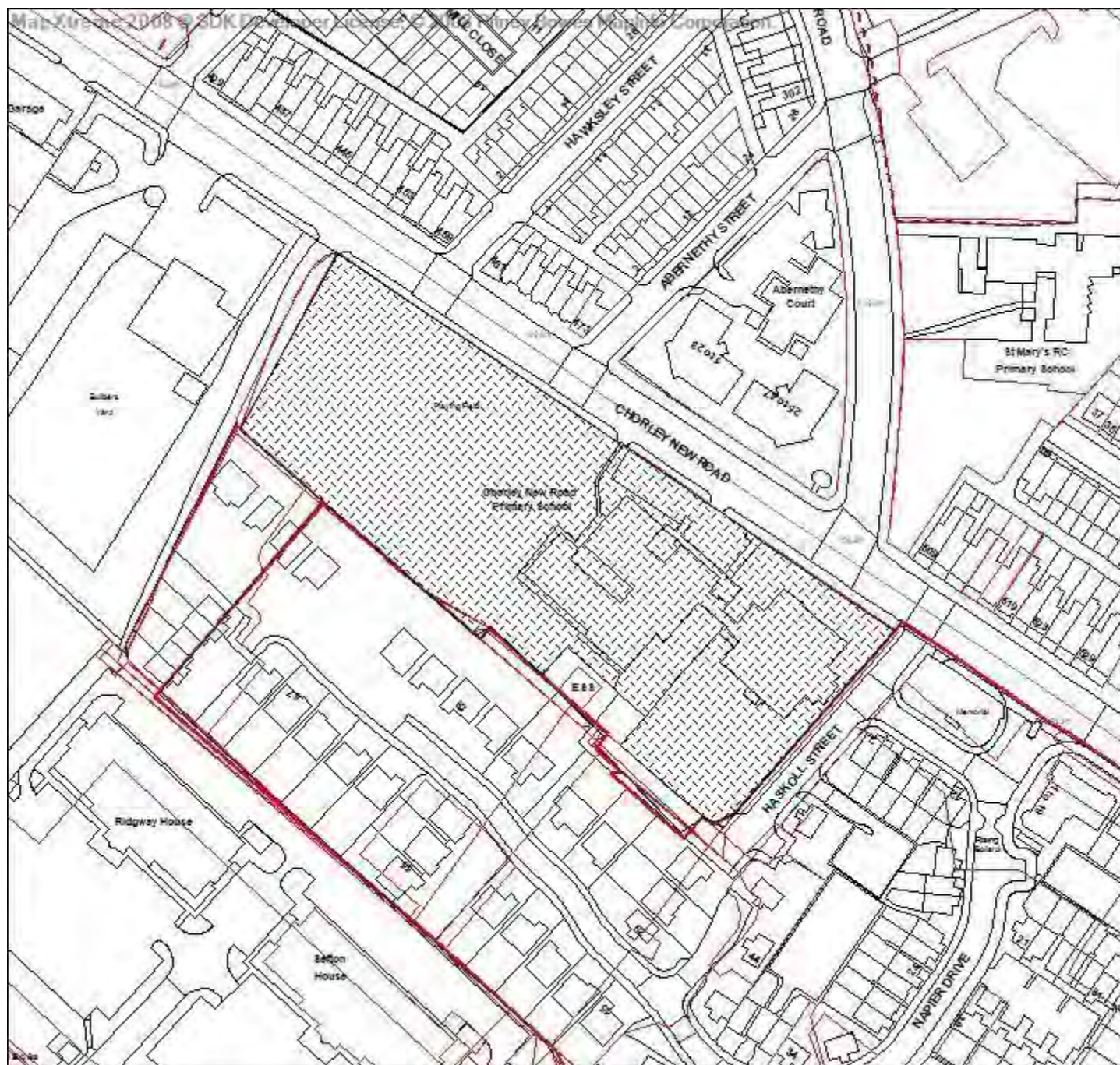
SECOND FLOOR PLAN

REV	DESCRIPTION
PROPOSED FLOOR PLANS	
PROPOSED CHANGE OF USE TO PREMISES AT 41 CHORLEY NEW ROAD, HEATON, BOLTON, BL1 4QR	
CLIENT:	SALSBY
DWG NO:	PL K813/01
SCALE:	1/100 @ A3
DRAWN BY:	R.S.P.
DATE:	24/05/17
REV:	
MICHIGAN HOUSE,17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR WWW.NEILPIKEARCHITECTURE.CO.UK TEL: 01204 392233 FAX: 01204 598505 COPYRIGHT OF THIS DRAWING REMAINS WITH THE ARCHITECT. DO NOT SCALE FROM THIS DRAWING. WORK TO FOURED DIMENSIONS. CHECK ALL DIMENSIONS ON SITE. IN THE EVENT OF ANY DISCREPANCY REFER QUERY TO THE ARCHITECTS.	





# Application number 97002/16



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

Reproduction from the Ordnance Survey Map with the  
permission of the Controller of H.M. Stationery Office. Crown  
Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and database rights 2016. 0100019389



**Date of Meeting: 27/07/2017**

**Application Reference: 97002/16**

**Type of Application: Full Planning Application**  
**Registration Date: 08/08/2016**  
**Decision Due By: 06/11/2016**  
**Responsible Officer: Helen Williams**

**Location: CHORLEY NEW ROAD PRIMARY SCHOOL, CHORLEY NEW ROAD, HORWICH, BOLTON, BL6 6EW**

**Proposal:** DEMOLITION AND REPLACEMENT OF PRIMARY SCHOOL COMPRISING ERECTION OF TWO STOREY PRIMARY SCHOOL BUILDING TOGETHER WITH ASSOCIATED EXTERNAL WORKS INCLUDING CAR PARK, MUGAS, HARD AND SOFT PLAY AREAS AND LANDSCAPING.

**Ward: Horwich and Blackrod**

**Applicant: Bolton M B Council**  
**Agent : Lovelock Mitchell Architects**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Background**

1. This application is brought back before Committee as a number of amendments have been made to the proposed development. The main amendments are as follows:

#### *Proposed school building*

- \* The school building is now proposed to be sited further back from the footway along Chorley New Road and further in from the western boundary.
- \* The width of the building has been reduced by approximately 2 metres.
- \* The height of the building has been reduced by approximately 0.2 metres.
- \* Cladding originally proposed on the rear and side elevations have been replaced with red brick.
- \* More red brick is proposed for the front elevation instead of grey bricks.
- \* Fenestration changes to the front elevation are proposed. Amongst these changes the glazed entrance is proposed to be wider, which will make it more prominent.
- \* A covered walkway (canopy) is proposed to the rear.

#### *Proposed school grounds*

- \* Only one vehicular access point into the development/car park (off Chorley New Road) is now proposed, as opposed to the original two accesses. Whereas it was previously proposed that there would be one access in and one access/exit out of the car park, additional space is now proposed within the car park to allow for increased manoeuvrability to enable vehicles to also exit from the proposed access. The proposed access is as existing but is proposed to be widened.

- \* Three fewer car parking spaces are proposed within the car park (38 instead of the originally proposed 41). 38 spaces however continue to exceed the 21 spaces that are required under the Council's maximum car parking standards for schools (within appendix 3 of the Core Strategy).
  - \* Four multi-use game areas (MUGAs) are now proposed within the grounds instead of the originally proposed two MUGAs and three ball courts. The existing playground at the south eastern corner of the school grounds is to be re-surfaced as two MUGAs instead of the originally proposed grass play area and the two MUGAs originally proposed for the north eastern corner are to be replaced with just one MUGA (which will increase the amount of landscaping at the front of the site along Chorley New Road). The originally proposed playground at the rear of the school is now proposed to be marked out with a netball court.
2. The application was last heard at Planning Committee in September 2016, when it was delegated to the Director to allow the applicant resolve the outstanding issues regarding drainage of the development (owing to the history of flooding at the site). Discussions about the best drainage solution for the development have been on-going since September, but this has now been resolved. This is reported in more detail below.

### **Proposal**

3. Permission is being sought for the demolition of the existing primary school building and the erection of a replacement school building for Chorley New Road Primary School. The new school building will be a two form entry primary school (Reception to Year 6), as opposed to the current one and a half form school.
4. The proposed development is being put forward following a review of current and future pupils places in the Horwich area by the Council, which highlighted a high demand owing to the existing local population and inherent pupil population growth. It is expected that this demand will further increase over the next few years owing to the proposed development of the adjacent former Horwich Loco Works site. To ensure that the local authority can satisfactorily meet its obligation that there are sufficient school places available to meet future demand, a number of options to increase primary school capacity are being considered. This proposal is one of these options.
5. It is proposed to build the new school on the existing site, on the north western half of the site that currently accommodates the playing field. The new primary school will provide up to 60 places per year group, offering a total of 420 places (the school currently admits up to 45 pupils per year group and has a total of 315 places).
6. The proposed new school building would be two storeys in height and would have a flat roof. The principal elevation to the school (including the entrance to the building) would front onto Chorley New Road and would have its central part faced in red brick.
7. A car park comprising 38 spaces is proposed to the south east of the proposed school building. Vehicular access into the school site and to the proposed car park is proposed off Chorley New Road (it is proposed that the existing access into the school grounds is widened).
8. The current school will remain fully operational throughout the construction of the new school building, then will be demolished once the new school is ready for occupation.

### **Site Characteristics**

9. The application site is the site of Chorley New Road Primary School. The school comprises the original red brick Victorian school building (1896) and its later (possibly 1960s) extension. The school was again extended (at the rear) a couple of years ago. The school buildings are sited at



the south eastern half of the site with the school playing field occupying the north western half. There is a small car park to the front of the school building (accessed off Chorley New Road) and a playground to the rear of the original school building.

10. The original part of the school is an attractive, red brick and slate roofed, Victorian school building. The building comprises three elements; a triple gable fronted element at the front (fronting Chorley New Road), with two pitched roofed "halls" to the rear. The central part of the old school building has a clock tower projecting above its roof.
11. Along the Chorley New Road and Haskoll Street boundaries to the original school building are red brick pillared walls (stone topped) with decorative black painted railings.
12. The site slopes down from Chorley New Road to the south west. Trees border the site to the north, west and south, along with a hedge to the north (the playing field's boundary with Chorley New Road). Public Right of Way HOR101 runs between the application site to the west and the adjacent builder's yard.
13. Chorley New Road is a main thoroughfare between Horwich and Bolton town centres (A673).
14. On the opposite side of Chorley New Road to the application site is the three storey Abernethy Court (apartments) and two storey terraced properties (mainly in residential use). The site is neighboured to the south east and south west by new housing on Haskoll Street and Napier Drive. To the north west are industrial/commercial premises (Stirling Industrial Estate).

### **Policy**

15. National Planning Policy Framework (NPPF)
16. Core Strategy Strategic Objective 2 - Achieving Bolton
17. Core Strategy Policies: A1.2 Development of Primary Schools; P5 Accessibility and Transport; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.
18. Allocations Plan Policies: CG5AP School Playing Fields
19. Supplementary Planning Documents: Accessibility, Transport and Safety; General Design Principles

### **Analysis**

20. 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.
21. The main impacts of the proposal are:-
  - \* principle of the proposed replacement school
  - \* loss of a non-designated heritage asset

- \* impact on the character and appearance of the area
- \* impact on the highway
- \* impact on the amenity of neighbouring residents
- \* impact on biodiversity
- \* impact on the risk of flooding

#### Principle of the Proposed Replacement School

22. Policy A1.2 of the Core Strategy states that the Council will support the development of primary schools in locations accessible to the communities they serve.
23. The proposed new primary school is to replace the existing primary school on the site, to enable the school to become a two form entry school.
24. The proposed development is being put forward following a review of current and future pupils places in the Horwich area by the Council, which highlighted a high demand owing to the existing local population and inherent pupil population growth. It is expected that this demand will further increase over the next few years owing to the proposed development of the adjacent former Horwich Loco Works site. To ensure that the local authority can satisfactorily meet its obligation that there are sufficient school places available to meet future demand, a number of options to increase primary school capacity are being considered. This proposal is one of these options.
25. The new primary school will provide up to 60 places per year group, offering a total of 420 places (the school currently admits up to 45 pupils per year group and has a total of 315 places).
26. The proposed school is within an established residential area of Horwich and is adjacent the proposed Rivington Chase development (former Horwich Loco Works site), therefore the proposed larger replacement school will be highly accessible to the community it will serve, compliant with Policy A1.2 of the Core Strategy.
27. The new school is proposed to be built on the part of the site that is currently the playing field (to enable the current school to remain fully operational throughout the construction phase). Allocations Plan Policy CG5AP states that the Council will only permit development proposals that would result in the loss of school playing fields if [amongst other things] the loss of the playing field resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. The existing playing field will be replaced by four multi-use games areas (MUGAs) and a grassed play area once the site is fully developed. These areas have been specifically designed to meet the needs of pupils, from Early Years (nursery) to key Stage 2. It is therefore considered that the proposed development complies with Policy CG5AP of the Allocations Plan as the quantity and quality of the play space for the school will be improved.

#### Loss of a Non-Designated Heritage Asset

28. Paragraph 135 of the National Planning Policy Framework (NPPF) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
29. The local planning authority considers that the Victorian part of the school building (the original school building) is a non-designated heritage asset as, although it is not a listed building and not in a conservation area, it has a degree of significance meriting consideration in planning

decisions because of its heritage interest.

30. The applicant proposes the demolition of the existing Chorley New Road Primary School building following the construction of the new larger primary school. The proposal will therefore result in the loss of the non-designated heritage asset and thus the loss of significance of the building and its contribution within the street scene.
31. The Victorian Society has raised an objection to the loss of the original school building. They consider that the building is of high local significance and could, with relative ease, be retained as part of a more sympathetic and successful reworking of the site. They also consider that the demolition of the school building would harm and erode the setting of the Horwich Locomotive Works Conservation Area.
32. Whilst the loss of the original school building is regretful, paragraph 135 of the NPPF states that a "balanced judgement" is required when weighing application proposals. In this case the applicant has justified the loss of the Victorian building by confirming that the inflexible spaces within the building create difficult teaching environments and limit the future expansion of the school. The replacement of the old school buildings with a specially designed new school building will create a better teaching environment (with classrooms sited to the rear of the building and away from the noise of the main road, amongst other things) and will enable more pupils to be accommodated in a modern building with modern facilities (including improved accessibility). The benefits of, and need for, the proposed development are considered to outweigh the harm caused by the loss of Victorian building.
33. To retain part of the heritage significance of the site it is proposed to retain the wall and decorative black railings that bound the Chorley New Road and Haskoll Street boundaries of the Victorian element of the school. These also reflect and mirror the walls and railings that have been retained across the road at the Abernethy Court development (where the former Chorley New Road CP School was sited).
34. The submitted plans also show the clock tower of the original school building being incorporated within the proposed scheme, between two of the proposed playgrounds. Whilst this will not be visible from outside the site it will be retained as a historic remnant of the former school for pupils, staff and visitors.
35. The applicant has also agreed to retain the school's commemorative plaque and stone within the site.
36. It is suggested that conditions be attached to any approval to secure the retention of these heritage features on site.

#### Impact on the Character and Appearance of the Area

37. Section 7 of the NPPF requires good design and states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
38. Policy CG3 of the Core Strategy states that the Council will expect development proposals to display innovative, sustainable designs that contribute to good urban design, conserve and enhance local distinctiveness (ensuring development has regard to the overall built character and landscape quality of the area), and require development to be compatible with the surrounding area (in terms of scale, massing, grain, form, architecture, street enclosure, local materials and

landscape treatment). Historical associations should be retained where possible. Policy OA1 specifically concerns development in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment and will ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.

39. The new school building is proposed at two storeys in height and will be located at the northern part of the site, opposite the terraced properties at 453 to 473 Chorley New Road. Whilst the rear elevation is proposed as a continuous 70 metre long elevation, the front elevation (facing Chorley New Road) is broken up by a staggered building line, which effectively breaks up the massing of the long building.
40. The central part of the front elevation (the part that projects closest to the main road) will be constructed from red brick, which is the predominant building material in the local area. The design of the windows in this part of the elevation (tall full height windows with brick piers and brick corbelling detailing) take reference from the Victorian brick buildings within the nearby Horwich Loco Works site and the design of this part of the building reflects the historic architecture of the vicinity. The remainder of the front elevation is proposed to be constructed from contrasting blue/grey brick.
41. The rear elevation of the building is proposed to be simpler in design and will comprise of blue/grey brick at ground floor level and red brick at first floor. A covered walkway/canopy is also proposed at the rear.
42. The trees and hedges that border the existing playing field along Chorley New Road and the public footpath to the west will be lost as a result of the development (to accommodate the new building). This will have a marked difference on the appearance of the street scene in this location given that the trees will be replaced by a large school building. Additional/replacement trees will however be planted elsewhere on the site to soften and green the appearance of the school development, and it is not considered that the loss of the existing trees would be detrimental to the character and appearance of this part of Chorley New Road.
43. As discussed above, the wall and decorative black railings that bound the Chorley New Road and Haskoll Street boundaries of the Victorian element of the school will be retained, as these are considered to be an attractive enclosure to the site.
44. It is considered that the proposed development would be compatible with the street scene and the character and appearance of the local area, compliant with Policies CG3 and OA1 of Bolton's Core Strategy.

#### Impact on the Highway

45. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements and parking (in accordance with the parking standards set out in appendix 3). Policy S1.2 states that the Council will promote road safety in the design of new development.
46. The proposed development will replace the existing Chorley New Road Primary School with a new larger school, with the capacity to accommodate more pupils and staff.
47. The Council's Highways Engineers have commented that with schools there will always be associated traffic issues at school start and finish times, but this situation is normally short lived.

Chorley New Road Primary School is no exception to this, with associated on-street parking on the surrounding highways. Engineers state that the increase in the size of the school has the potential to exacerbate traffic during school start and finish times and on-street parking. They comment that the applicant has attempted to alleviate the associated traffic issues by providing a larger parking area than the existing school, but advise that owing to the nature of the development and the travel patterns of parents this issue may never fully be alleviated.

48. Despite concerns from the Council's Highways Engineers, the 38 car parking spaces proposed within the new school car park will exceed the 21 spaces that are required under the Council's maximum car parking standards for schools (within appendix 3 of the Core Strategy).
49. The applicant has submitted a Travel Plan with their planning submission, which indicated that the catchment area for the school is the Horwich and Blackrod areas. The Plan also maintains that the modal split for school travel is comparable with walking and travelling by car. It is agreed that the application site is in a highly sustainable location, accessible by alternative transport modes other than the private car.
50. The Council's Highways Engineers have also confirmed that there is no accident data over the last five years across the school frontage on Chorley New Road and that the existing pedestrian and refuge facilities on Chorley New Road are adequate.
51. Subject to a number of highways related conditions, the Council's Highways Engineers raise no objection to the proposed development.
52. It is therefore considered that the proposed development would provide for adequate on-site parking and servicing arrangements and would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

53. 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 should not generate unacceptable nuisance, odours, fumes, noise or light pollution.
54. The closest neighbouring residential properties to the proposed school building are at 463 to 467 Chorley New Road. These terraced properties will be approximately 21 metres away from the front of the new school (the amended plans have resulted in the school building being set slightly further back into the site). SPD General Design Principles recommends an interface distance of 21 metres between dwellings where main room windows have the potential to overlook. The siting of the proposed school building would meet this recommended interface distance (for new dwellings), and furthermore it is considered that there would be no undue overlooking between the school and the neighbouring dwellings here as the nearest part of the building is proposed as a school hall (rather than classrooms).
55. The new dwellings sited to the rear of the application, at Napier Drive, will be (at their nearest) over 37 meters away from the rear of the school building. It is therefore considered that the proposed siting and height of the building would not unduly affect these neighbours.
56. The application site is an existing primary school site and it is not considered that the increase in pupil numbers at the school would any further materially unduly harm the amenity of neighbouring residents. The rear part of the site, where the main outdoor play areas are proposed, will be screened from the residents along Napier Drive by trees and landscaping. Any disturbance will also be contained during school hours, and is therefore not considered to be

unreasonable.

57. The noise assessment submitted by the applicant in support of their application concludes that the operation of the new school building and the external services plant will not adversely affect the existing noise climate.
58. It is therefore considered that the proposed development would not unduly harm the amenity of any neighbouring residents to the site, compliant with Policy CG4 of the Core Strategy.

#### Impact on Biodiversity

59. 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.

#### *Trees*

60. An arboricultural impact assessment has been submitted with the application.
61. The proposed development will result in the loss of a number of trees and hedges along the Chorley New Road and western boundaries of the site. The applicant however proposes to plant replacement trees along the western boundary (the re-siting of the school within the amended plans now allows for planting here) and within the school grounds (including three trees along the Chorley New Road frontage).
62. The existing trees to the rear/south of the site are to be retained (including a memorial tree), as is the Holly tree at the corner of Chorley New Road with Haskoll Street. Tree Officers recommend that the trees that are to be retained within the site be protected by protective fencing. This is suggested by condition.

#### *Ecology*

63. An ecological assessment (phase 1 habitat survey and bat roost assessment) has been submitted with the application. This assessment recommends that a further bat survey (nocturnal emergence survey) be carried out on the buildings as they have a potential to support roosting bats. A condition requesting this further survey is therefore suggested.
64. The ecological assessment also recommends that any new lighting installed as part of the new build should be given consideration in terms of the impact on foraging/commuting habitat for bats. The Council's Wildlife Liaison Officer therefore recommends that the proposed lighting scheme is conditioned to ensure that bats are safeguarded.
65. It is considered, subject to the suggested conditions, that the proposed development would safeguard biodiversity on the site, compliant with Policy CG1.2 of the Core Strategy.

#### Impact on the Risk of Flooding

66. Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk. Policy CG2.2c seeks to ensure that new major development demonstrates the sustainable management of surface water run-off and on brownfield sites the rate of run-off should be 50% less than conditions before development.
67. Nellie's Clough (a culverted watercourse) passes through the centre of the site (north to south). Chorley New Road Primary School was flooded during the Boxing Day floods in 2015, with the

flooding originating from Nellie's Clough culverted watercourse within the site.

68. This application was delegated to the Director at Planning Committee in September 2016 (when the original plans were heard) to allow for the drainage/flooding issues at the site to be resolved.
69. The amended plans now before Committee incorporate the proposed drainage scheme, which has been agreed with the Council's Drainage officers. This includes the following:
- \* The ground level of the school building is to be elevated at least 600mm above the manhole at the downstream end of the culverted section of Nellies Clough and at least 150mm above the finished external ground level, to ensure that any surface water flooding does not enter the building.
  - \* The siting of the school to the west of the Nellies Clough culvert ensures that there will be safe and dry access from the new building onto Chorley New Road at all times.
  - \* The site will discharge into the existing culverted watercourse within the site at a peak discharge rate of 8.5l/s.
  - \* The primary attenuation will be provided within a storage tank proposed under the school grounds to the rear of the school building. This tank will be used to accommodate water during storms.
  - \* A hydro-brake is to be provided to restrict flows from the site. this will reduce runoff from the site during higher return periods meaning that there will be a significant reduction in runoff.
  - \* The section of the Nellies Clough culvert within the site and up to the first 90 degree bend/manhole within the neighbouring garden to the south of the site is to be upgraded to at least the equivalent size of the upstream section of the culvert (that is twice the size).
  - \* No building is to constructed within 8 metres of the outside edge of the upgraded culvert.
70. The Environment Agency's final comments are to be reported at the meeting.
71. United Utilities raise no objection to the proposal.
72. The proposed drainage scheme for the site will provide a significant betterment in terms of surface water runoff and therefore will reduce the risk of flooding both at the school and in the surrounding area. It is therefore considered that the proposed development complies with Policies CG1.5 and CG2.2 of Bolton's Core Strategy.

### **Financial benefits of the proposal**

73. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The applicant considers that the following are local financial considerations in this case:
- \* An additional four full time teacher posts will be created, along with additional support staff (possibly at least one per additional classroom - four additional classrooms are being created) (Officer comment: this is considered to be a material benefit to the proposal);
  - \* The increase in pupil numbers will result in additional DfE funding for the school (Officer comment: this is not a material planning consideration);
  - \* The new facilities at the school, such as a new modern hall and other new additions (such as meeting space) will provide greater opportunities for the school to engage with third party users out of school hours who may wish to hire out their facilities, and the potential to bring additional income to the school (Officer comment: this is not a material planning consideration);
  - \* Contractors from Bolton have been/will be employed pre-construction and during construction, therefore creating local employment (Officer comment: this is considered to be a material benefit to the proposal).

## **Conclusion**

74. For the reasons discussed above it is considered that the proposal for a new replacement school would be compatible with the character and appearance of the area, would provide for sufficient on-site parking and would not jeopardise highway safety, would not unduly harm the amenity of neighbouring residents, and would safeguard the biodiversity of the site, and would reduce the current risk of flooding within the site. It is also considered that the benefits of the proposed development would outweigh the loss of significance caused by the demolition of the Victorian part of the existing school. Members are recommended to approve this amended application.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** One letter from a neighbouring resident commenting on the application has been received. This raises concern regarding the culvert that runs underground from the application site to their back garden (Nellie's Clough), as their property and garden was flooded in the Boxing Day floods owing to the amount of water within the culvert. Jones Homes rectified the issued, however they wish for this issue to be noted before any works start on the culvert as they believe the culvert may be enlarged, which could affect the pipework in their garden.

**Horwich Town Council:-** raised no objection to the proposal at their meeting of 18th August 2016.

### **Consultations**

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Pollution Control Officers, Tree Officers, Landscape Officers, Wildlife Liaison Officer, Asset Management Unit (Children's Services), Corporate Property Officers, the Environment Agency, Greater Manchester Police's Architectural Liaison Officers, Victorian Society, Horwich Heritage and United Utilities.

### **Planning History**

A single storey extension to the side of the school to form additional toilets and an extension to the playground area were approved in June 2013 (89887/13).

3 metres high security fencing to the rear was approved in May 2011 (85966/11).

3 metre high paladin fencing and 1.2 metre high bow top fencing to the playground was approved in March 2010 (83519/10).

Permission was granted at Committee in March 2002 for an extension to form classrooms, toilets and store (60795/01).

An outline application for alterations and extensions to the school was approved at Committee in June 2001 (59075/01).

**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. No demolition of any building shall be commenced unless and until a further bat survey/s of the buildings to be demolished (as recommended within the submitted ecological assessment by The Environment Partnership, dated July 2016) has/have been submitted to and approved in writing by the local planning authority. Any approved mitigation measures shall be implemented in full by the approved timescale/s and retained thereafter.

Reason

To protect any bats on site, and to comply with Policy CG1.2 of Bolton's Core Strategy.

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

1. The trees within the site which are to be retained 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 and to comply with Policy CG1.2 of Bolton's Core Strategy.

4. Prior to the demolition of the existing school building full details of how:

- \* the existing clock tower (on the Victorian/original part of the school building),
- \* the foundation stone,
- \* the commemorative plaque, and,
- \* the commemorative stone

will be incorporated within the school grounds shall be submitted to and approved in writing by the local planning authority. These approved details shall be implemented in full, and the heritage features as listed above shall be retained on site (as approved), unless otherwise agreed in writing by the local planning authority.

Reason

To retain the historical features associated with the original school building, and to comply with Policy CG3 of Bolton's Core Strategy.

5. Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken 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 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. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

Prior to first use/occupation of the development hereby approved:

(iv) 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.

6. Prior to the commencement of development full details of the improvement to the access point into the approved car park and car park signage 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 (unless otherwise agreed in writing by the Local Planning Authority) and retained thereafter.

Reason

In the interests of highway safety and to comply with Policy S1.2 of Bolton's Core Strategy.

7. Prior to the commencement of development full details of the highway works at Haskoll Street comprising its re-dedication/re-adoption 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 and to comply with Policy S1.2 of Bolton's Core Strategy.

8. Prior to the commencement of development full details of the highway works at Chorley New Road and Haskoll Street comprising the re-surfacing of the footways to the front of the school site 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 and to comply with Policy S1.2 of Bolton's Core Strategy.

9. Prior to the commencement of development full details of the highway works at Chorley New Road comprising the potential relocation of street-lighting columns to facilitate the approved development 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 and to comply with Policy S1.2 of Bolton's Core Strategy.

10. Prior to the commencement of development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult, advertise, promote and implement Traffic Regulation Orders to mitigate the likely impact of the development.

Reason

In the interests of highway safety and to comply with Policy S1.2 of Bolton's Core Strategy.

11. 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 and to comply with Policy CG3 of Bolton's Core Strategy.

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

Reason

To ensure the development reflects local distinctiveness and to comply with policies CG3 and OA1 of Bolton's Core Strategy.

13. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed fully in accordance with the approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

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.

14. Prior to the development hereby approved/permitted being first brought into use the existing vehicular accesses onto Chorley New 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 Chorley New Road, other than as shown on drawing ref: K0164-RYD-00-XX-DR-L-20000 Rev P7.

Reason

In the interests of highway safety and to comply with Policy S1.2 of Bolton's Core Strategy.

15. Before the approved/permitted development is first brought into use (unless otherwise agreed in writing by the Local Planning Authority) the car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with drawing ref: K0164-RYD-00-XX-DR-L-20000 P7. 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 and to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

Reason

In the interests of highway safety and to comply with Policies P5 and S1.2 of Bolton's Core Strategy.

17. Prior to the development hereby approved being first brought into use (unless otherwise agreed 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 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 and to comply with Policies P5 and S1.2 of Bolton's Core Strategy.

18. 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 (unless otherwise agreed in writing by the Local Planning Authority). 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 and to comply with Policies CG3 and OA1 of Bolton's Core Strategy.

19. The rating level, as defined in BS4142:2014, shall not exceed the measured daytime and/or night time background sound level at the closest residential properties at any time.

A noise assessment shall be carried out and a report submitted to, and approved in writing by, the Local Planning Authority prior to the construction phase of the development. The report shall include all the information specified in Clause 12 of BS4142:2014 and details of any mitigation proposed to achieve the rating level. The approved details shall be carried out in full and retained thereafter.

Reason

To minimise the impact of noise on residential amenity and to comply with policy CG4 of Bolton's Core Strategy.

20. The boundary details shall be erected fully in accordance with the approved design details contained on drawing ref: K0164-RYD-00-XX-DR-L-20002 P5 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, complying with Policies CG3 and CG4 of Bolton's Core Strategy.

21. The existing boundary wall and railings along Chorley New Road and Haskoll Street (adjacent the existing red brick/original part of the school building) shall be retained in accordance with the approved plans. The retained wall and railings shall not be removed unless otherwise agreed in writing by the local planning authority.

Reason

To retain the historical feature associated with the original school building and to conserve the street scene, compliant with Policies CG3 and OA1 of Bolton's Core Strategy.

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

**K0164-RYD-00-XX-DR-L-20000 Rev P7; "External Realm General Arrangement"; dated 31-03-17**

**K0164-RYD-00-XX-DR-L-20002 Rev P5; "Boundary Treatment Plan"; dated 31-03-17**

**K0164-LMA-Z1-XX-GA-A-2002 Rev P12; "GA\_Plans"; dated 16.06.17**

**K0164-LMA-Z1-RF-GA-A-2003 Rev P6; "GA\_Roof Plan"; dated 16.06.17**

**K0164-LMA-Z1-XX-EL-A-2004 Rev P9; "GA\_Elevations"; dated 16.06.17**

**K0164-RYD-00-XX-DR-L-40000 Rev P5; "Treeworks Plan"; dated 31-03-17**

**K0164\_BGH\_00\_XX\_DR\_S\_10601 Rev P08; "Surface Water Drainage Layout Sheet 1"; dated 06.04.17**

**K0164\_BGH\_00\_XX\_DR\_S\_10603 Rev P05; "Foul Water Drainage Layout"; dated 06.04.17**

**K0164-RYD-00-XX-DR-L-60000 Rev P6; "Hardworks Plan"; dated 31-03-17**  
**EX01 Rev T5; "External Lighting Installation"; dated 18.04.17**  
**EX02 Rev T3; "External Lighting Calculations"; dated 07.04.17**

Reason

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



Notes

- Figured dimensions are to be used in all case.
- Dimensions should not be scaled from drawing
- All existing dimensions should be checked on site
- All construction dimensions should be checked on site
- All construction dimensions should be clarified with the Architect prior to commencement of the work.
- No deviation from this drawing will be permitted without the prior written consent of the Architect.
- This drawing is to be read in conjunction with all the relevant Mechanical and Electrical drawings
- This drawing is to be read in conjunction with the relevant Structural Engineer's drawings, structural calculations and recommendations.
- This drawing is to be read in conjunction with the relevant Fire Safety Strategy drawings
- This drawing is to be read in conjunction with the relevant specification - K0164-LMA-00-XX-SF-A-1000

This drawing is copyright and to be returned to the architect on completion of the contract.



Visualisation Main Entrance



Visualisation Rear Playground 01



Visualisation Rear Playground 02



Visualisation Main Road

Rev.	Description	Drawn	Checked	Date
P0	Issued for Planning Approval	YMB	TPB	15.05.17
P1	Issued for Planning Submission	YMB	TPB	08.07.16



**Lovelock Mitchell Architects**  
3 Sharncliffe Way  
St Andrews Park, Mold, Flintshire, CH7 1JG  
Tel: 0843 315 9921  
email: [sam@lovelockmitchell.com](mailto:sam@lovelockmitchell.com)  
web: [www.lovelockmitchell.com](http://www.lovelockmitchell.com)

Project  
Chorley New Road Primary School

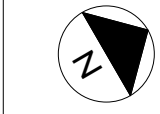
Title  
GA\_Visualisations

LMA Project	Drawing number	Rev.
1401	K0164-LMA-XX-XX-VS-A-2006	P2









- NOTES:**

  - This drawing is the copyright of Ryder Landscape Consultants. It must not be copied or reproduced without written consent.
  - This drawing is to be read as part of a full Landscape Drawing Package in conjunction with all the relevant surveys alongside the Architectural and Engineering drawings
  - Only figured dimensions are to be taken from this drawing. Dimensions shall be called from this drawing, in writing, of this drawing cannot be assumed.
  - All dimensions are to millimetres unless specified otherwise
  - All contractors must visit the site and be responsible for taking and checking all dimensions, services and setting out related to the works shown on this drawing
  - All coordinates are set to dimensional points to enable easy cross reference
  - All setting out points are to be verified on site and any discrepancies should be clarified by the Landscape Architect
  - Hatching is not a technical representation of surface patterns, contractors are to follow the line of direction specified on drawings. Where no line of direction is given contractor to contact Landscape Architect before laying
  - All works should be checked on site and conflicts reported to the design office.
  - ...If in doubt ask
- Key:**

  - 1- Nursery Play Yard. Refer to drawing 70001 for details.
  - 2- Reception Play Yard. Refer to drawing 70001 for details.
  - 3- Key Stage 1 Yard
  - 4- Netball Court Games Area
  - 5- Key Stage 2 Play Space
  - 6- Grass Play Area
  - 7- Main Access and Circulation Route
  - 8- Multi Use Games Area
  - 9- Staff Car Park, 36 spaces and 2 DDA spaces
  - 10- Main Entrance of School

- Existing planting areas, protected with Root Protection Area Fencing. Refer to TEP Arboriculturalists Report and dwg 60000 for details. Total Area 976m<sup>2</sup>.

- New grass areas to be seeded on 150mm of imported clean topsoil. Refer to specification. Total Area 3051m<sup>2</sup>.

- New planting areas, 450mm of imported clean topsoil. Refer to dwg 50000 and Specification for details. Total Area 1160m<sup>2</sup>.

- New hedge planting. Refer to dwg 50000 and Specification for details. Total Length 326m.

- Tarmac Areas. Refer to Hardworks plan dwg 60000 for details.

- Verisour safety surfacing. Refer to Hardworks plan dwg 60000 for details.
- PLEASE NOTE**

  - Refer to TEP Arboriculturalists Report for Details on Tree Protection Plan and Method Statements
  - Onsite review of cables and their exact location should be established before any ground works occur. Service providers should also be consulted before any works on site.
  - Ramp design as instructed by Willmott Dixon. Slabch issued 10.01.17

**Stage 4 : Design**

PT	RF	GO	31.03.17	Issued for Stage 4 Design
PS	RF	GO	22.02.17	Revised for Tender Issue
PS	GO	RF	24.01.17	Changes to external layout in accordance with new building position and VE changes
PS	GO	RF	16.01.17	Changes to external layout in accordance with new building position and VE changes
PS	RF	GO	26.09.16	Changes to external layout in accordance with new building position and VE changes
PS	LM	SR	08.07.16	Minor sheet formatting
PI	LHSD	SR	29.06.16	Planning Issue
Rev	Drawn	Checked	Date	Description

**RYDER**  
LANDSCAPE CONSULTANTS

Meyer House, 42, City Road, Chester, CH1 3AE  
TEL: 01244 400064 EMAIL: info@ryderlandscape.co.uk  
www.ryderlandscape.co.uk Company Registration no: 6065464

Client  
**Willmott Dixon**

**Project**  
Chorely New Road Primary School

**Drawing Title**  
External Realm General Arrangement

Drawn By: SOIRF

Date: 29/06/16

Checked By: GO

Date: 29/06/16

Drawing Scale: 1 : 500

Sheet Size: **A2**

Drawing No: K0164-RYD-00-XX-DK-L-20000

Status: -

Revision: P7

**Landscape Features:**

Pergola structure to Nursery and Reception

New tree planting, 7yrns chestnutleer.

Low maintenance planting, accent shrubs with evergreen groundcover such as Pachyandria terminals

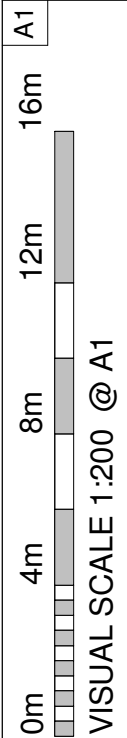
Weld mesh security fencing creates a secure playground/boundary.

Timber raised planters for growing vegetables and plants in the Nursery and Reception area.

Timber performance stage accommodated under new pergolas in the Early Years play space.

Timber play train forms informal divide and play feature between Nursery and Reception play areas. Paying reference to Chorely's locomotive heritage.





## Notes

- Figured dimensions are to be used in all cases.  
Dimensions should not be scaled from drawing.  
All existing dimensions should be checked on site before commencement of the work.  
Any discrepancies in dimensions should be clarified with the Architect prior to commencement of the work.  
No deviation from the drawings is permitted without the prior approval of the Architect.  
This drawing is to be read in conjunction with all the relevant Mechanical and Electrical drawings.  
This drawing is to be read in conjunction with the relevant Structural Engineer's drawings, structural calculations and recommendations.  
This drawing is to be read in conjunction with the relevant Fire Safety Strategy drawings.  
This drawing is to be read in conjunction with the relevant specification - K104-LWA-00-XX-SPA-1000.  
This drawing is copyright and is to be returned to the architect on completion of the contract.

Room Schedule - Level 1		
Number	Name	Area

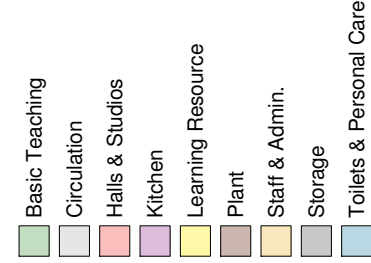
Room Schedule - Level 1		
Number	Name	Area

Room Schedule - Level 1		
Number	Name	Area

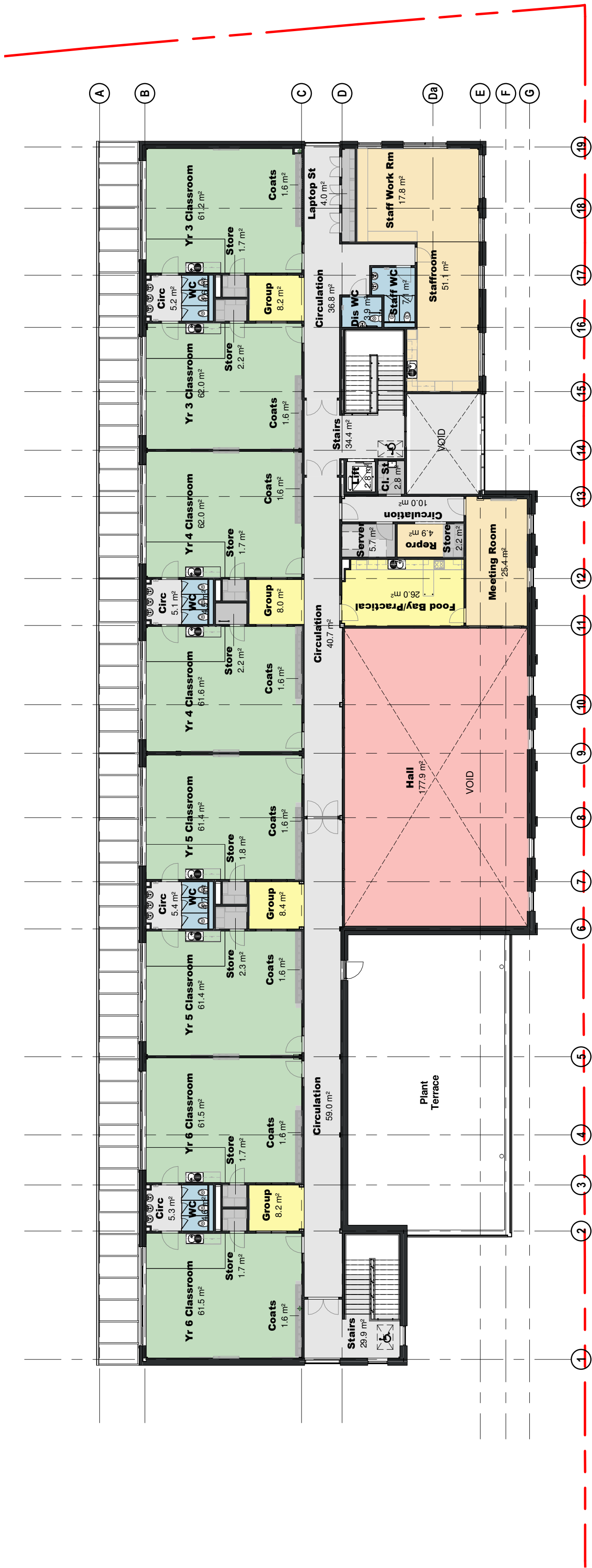
1/147	Laptop St	4.0 m <sup>2</sup>
1/148	Start Work Rm	17.6 m <sup>2</sup>
1/149	Starroom	51.1 m <sup>2</sup>
1/151	Starf WC	7.1 m <sup>2</sup>
1/152	Dis WC	3.9 m <sup>2</sup>
1/153	Lift	2.8 m <sup>2</sup>
1/155	Circulation	36.8 m <sup>2</sup>
1/156	Circulation	10.0 m <sup>2</sup>
1/157	Store	2.2 m <sup>2</sup>
1/158	Repro	4.9 m <sup>2</sup>
1/159	Food Bay/Practical	26.0 m <sup>2</sup>
1/163	Circulation	40.7 m <sup>2</sup>
1/165	Stairs	29.9 m <sup>2</sup>
Grand total: 54		957.3 m <sup>2</sup>

61.4 m <sup>2</sup>	1.6 m <sup>2</sup>
1/126	Yr 5 Classroom
61.4 m <sup>2</sup>	1.6 m <sup>2</sup>
1/128	Yr 4 Classroom
61.6 m <sup>2</sup>	1.6 m <sup>2</sup>
1/129	Coats
22.4 m <sup>2</sup>	
1/130	Store
31.1 m <sup>2</sup>	
1/131	Circ
4.5 m <sup>2</sup>	
1/132	WC
1.7 m <sup>2</sup>	
1/133	Store
8.0 m <sup>2</sup>	
1/134	Coats
1.6 m <sup>2</sup>	
1/135	Coats
62.0 m <sup>2</sup>	
1/136	Yr 4 Classroom
62.0 m <sup>2</sup>	
1/137	Yr 3 Classroom
1.6 m <sup>2</sup>	
1/138	Coats
2.2 m <sup>2</sup>	
1/139	Store
5.2 m <sup>2</sup>	
1/140	Circ
4.6 m <sup>2</sup>	
1/141	WC
1.7 m <sup>2</sup>	
1/142	Store
8.2 m <sup>2</sup>	
1/143	Coats
1.6 m <sup>2</sup>	
1/144	Coats
61.2 m <sup>2</sup>	
1/145	Yr 3 Classroom
34.4 m <sup>2</sup>	
1/146	Stairs

1/02	Server	5.7 m <sup>2</sup>	2.8 m <sup>2</sup>
1/03	Meeting Room	25.4 m <sup>2</sup>	2.8 m <sup>2</sup>
1/06	Circulation	59.0 m <sup>2</sup>	2.8 m <sup>2</sup>
1/09	Circulation	59.0 m <sup>2</sup>	2.8 m <sup>2</sup>
1/10	Yr 6 Classroom	61.5 m <sup>2</sup>	2.8 m <sup>2</sup>
1/11	Yr 6 Classroom	61.5 m <sup>2</sup>	2.8 m <sup>2</sup>
1/12	Store	1.7 m <sup>2</sup>	2.8 m <sup>2</sup>
1/13	Store	5.3 m <sup>2</sup>	2.8 m <sup>2</sup>
1/14	WC	4.6 m <sup>2</sup>	2.8 m <sup>2</sup>
1/15	Store	1.7 m <sup>2</sup>	2.8 m <sup>2</sup>
1/16	Group	8.2 m <sup>2</sup>	2.8 m <sup>2</sup>
1/17	Coats	1.6 m <sup>2</sup>	2.8 m <sup>2</sup>
1/18	Yr 6 Classroom	61.5 m <sup>2</sup>	2.8 m <sup>2</sup>
1/19	Yr 5 Classroom	61.4 m <sup>2</sup>	2.8 m <sup>2</sup>
1/20	Coats	1.3 m <sup>2</sup>	2.8 m <sup>2</sup>
1/21	Store	2.3 m <sup>2</sup>	2.8 m <sup>2</sup>
1/22	WC	4.7 m <sup>2</sup>	2.8 m <sup>2</sup>
1/23	WC	5.4 m <sup>2</sup>	2.8 m <sup>2</sup>
1/24	Store	1.8 m <sup>2</sup>	2.8 m <sup>2</sup>
1/25	Group	8.4 m <sup>2</sup>	2.8 m <sup>2</sup>



**Note:**  
Client supply FF&E shown indicatively  
(transparent to indicate locations)



## 2 level 01 Concept GA Plan

Scale: 1 : 200

Room Schedule - Level 0		
Number	Name	Area

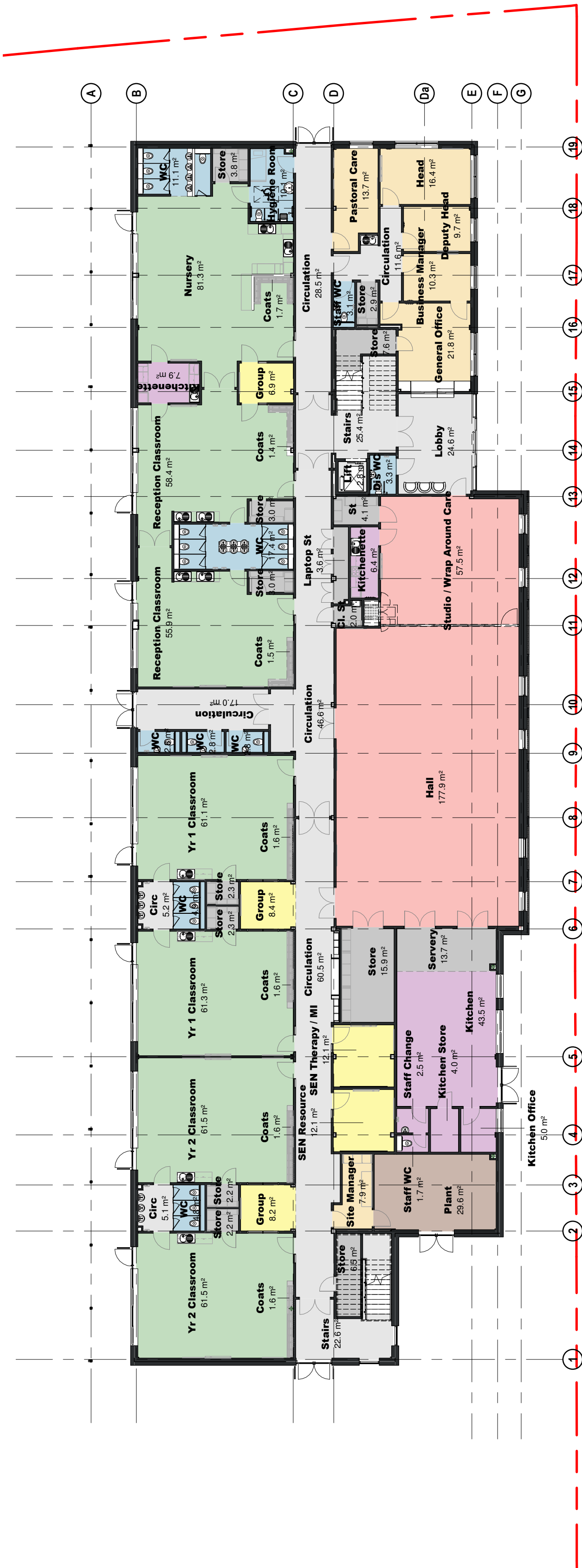
Room Schedule - Level 0		
Number	Name	Area

Room Schedule - Level 0		
Number	Name	Area

0060	Business Manager	10.3 m <sup>2</sup>
0061	General Office	21.8 m <sup>2</sup>
0062	Store	7.6 m <sup>2</sup>
0063	Store	2.9 m <sup>2</sup>
0064	Staff WC	3.1 m <sup>2</sup>
0065	Lift	2.8 m <sup>2</sup>
0066	Kitchen Office	5.0 m <sup>2</sup>
0067	Kitchen Store	4.0 m <sup>2</sup>
0068	Staff Change	2.5 m <sup>2</sup>
0069	Staff WC	1.7 m <sup>2</sup>
0070	Store	22.6 m <sup>2</sup>
0071	Stairs	6.5 m <sup>2</sup>
Grand total: 71		1,303.8 m <sup>2</sup>

0.031	WC	19 m <sup>2</sup>
0.032	Store	2.3 m <sup>2</sup>
0.033	Coats	8.4 m <sup>2</sup>
0.035	Yr. 1 Classroom	16.1 m <sup>2</sup>
0.036	WC	2.8 m <sup>2</sup>
0.037	WC	2.8 m <sup>2</sup>
0.038	WC	2.8 m <sup>2</sup>
0.039	Circulation	17.0 m <sup>2</sup>
0.040	Reception Classroom	55.9 m <sup>2</sup>
0.041	Coats	1.5 m <sup>2</sup>
0.042	Store	3.0 m <sup>2</sup>
0.043	WC	17.4 m <sup>2</sup>
0.044	Store	3.0 m <sup>2</sup>
0.045	Coats	1.4 m <sup>2</sup>
0.046	Reception Classroom	58.4 m <sup>2</sup>
0.047	Kitchenette	7.9 m <sup>2</sup>
0.048	Group	6.9 m <sup>2</sup>
0.049	Coats	1.7 m <sup>2</sup>
0.050	Nursery	81.3 m <sup>2</sup>
0.051	WC	11.1 m <sup>2</sup>
0.052	Store	3.8 m <sup>2</sup>
0.053	Hygiene Room	10.1 m <sup>2</sup>
0.054	Stairs	25.4 m <sup>2</sup>
0.055	Circulation	11.6 m <sup>2</sup>
0.056	Pastoral Care	13.7 m <sup>2</sup>
0.057	Head	16.4 m <sup>2</sup>
0.058	St	4.1 m <sup>2</sup>
0.059	Deputy Head	9.7 m <sup>2</sup>

0001	Lobby			24.6 m²
0002	Dis WC			3.3 m²
0003	Studio / Wrap Around Care			57.5 m²
0004	Kitchenette			6.4 m²
0005	Laptop St			3.6 m²
0006	Cl. St			2.0 m²
0007	Circulation			48.6 m²
0008	Circulation			28.5 m²
0009	Circulation			60.5 m²
0010	Hall			177.9 m²
0011	Service			13.7 m²
0012	Kitchen			43.5 m²
0013	Plant			29.6 m²
0014	Store			13.9 m²
0015	SEN Therapy / MI			12.1 m²
0016	SEN Resource			12.1 m²
0017	Site Manager			7.9 m²
0018	Yr 2 Classroom			61.5 m²
0019	Coats			1.6 m²
0020	Store			2.2 m²
0021	Circ			5.1 m²
0022	WC			4.8 m²
0023	Store			2.2 m²
0024	Group			8.2 m²
0025	Coats			1.6 m²
0026	Yr 2 Classroom			61.5 m²
0027	Yr 1 Classroom			61.3 m²
0028	Coats			1.6 m²
0029	Store			2.3 m²
0030	Circ			5.2 m²

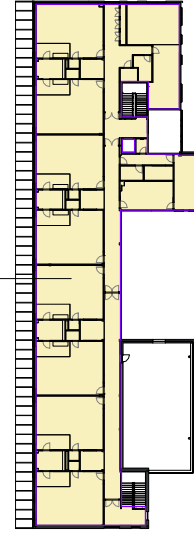


# 1 level 00 Concept GA Plan

Scale: 1 : 200

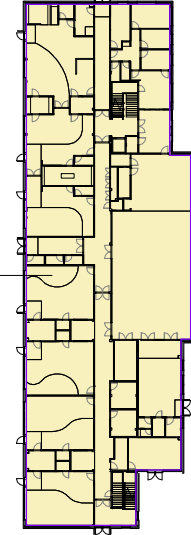


Area  
965.00 m<sup>2</sup>

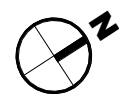


## level 01

Area  
1366.30 m<sup>2</sup>



## level 00



Area Schedule (GIA)	
Level	Area
level 00	1.366.3 m <sup>2</sup>
level 01	985.0 m <sup>2</sup>

level 00	1,366.3 m <sup>2</sup>
level 01	965.0 m <sup>2</sup>

**Loveclack Mitchell Architects**  
3 Stanley Street, Chester, CH1 2LS  
Tel +44 (0) 1244 404321

St Andrews Business Centre  
St Andrews Park, Mold, Flintshire, CH7 1XB  
Tel 0843 515 9921

e-mail: [admin@loveclackmitchell.com](mailto:admin@loveclackmitchell.com)  
web: [www.loveclackmitchell.com](http://www.loveclackmitchell.com)

St Andrews Business Centre  
St Andrews Park, Mold, Flintshire, CH7 1XB  
Tel 0843 515 9921  
e-mail: [admin@lovelockmitchell.com](mailto:admin@lovelockmitchell.com)  
web: [www.lovelockmitchell.com](http://www.lovelockmitchell.com)

mail: [admin@lovelockmitchell.com](mailto:admin@lovelockmitchell.com)  
web: [www.lovelockmitchell.com](http://www.lovelockmitchell.com)

Project

Title
GA_Plans

MA Project	Drawing number	Rev.
1401	K0164-LMA-Z1-XX-GA-A-2002	P12



Application number  
00217/17



Development & Regeneration Dept  
Development Management Section

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

**Bolton  
Council**

Reproduction from the Ordnance Survey Map with the  
permission of the Controller of H.M. Stationery Office. Crown  
Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and database rights 2016. 0100019389



**Date of Meeting: 27/07/2017**

**Application Reference: 00217/17**

**Type of Application: Full Planning Application**  
**Registration Date: 09/02/2017**  
**Decision Due By: 05/04/2017**  
**Responsible Officer: Paul Bridge**

**Location: LAND AT EGERTON STREET, FARNWORTH, BOLTON, BL4 7JZ**

**Proposal: CHANGE OF USE OF VACANT LAND TO CAR PARK WITH 26NO. PARKING SPACES**

**Ward: Farnworth**

**Applicant: c/o Sughra Mosque**  
**Agent : RA Design & Project Management Ltd**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

1. Planning permission is sought for the change of use of land to form a car park providing 26 spaces. The entrance to the car park would be from a new vehicular access on Francis Street. The car park would be covered in a hardstanding and marked out to formalise the parking area.
2. The car park would provide additional car parking for the Sughra Mosque also located on Egerton Street.
3. All the trees on the site are proposed to be removed in order to accommodate the proposal.

### **Site Characteristics**

4. The application site is located on Egerton Street, close to the junction with Francis Street. It is an informal area of green space and accommodates a number of trees. The site is bound by an access road to the rear, beyond which are a number of residential dwellings and commercial/industrial premises. Directly adjacent to the site is public car park, whilst on the opposite side of Egerton Road is a row of shop and other business premises.

### **Policy**

5. National Planning Policy Framework (NPPF)
6. Core Strategy policies: P5 Transport and Accessibility, S1 Safe Bolton, CG1 Cleaner and Greener, CG3 The Built Environment, CG4 Compatible Uses, RA2 Farnworth.
7. SPD General Design Principles

### **Analysis**

8. 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.
9. The main impacts of the proposal are:-
- \* impact on the visual amenity
  - \* impact on residential amenity
  - \* impact on the highway
  - \* impact on trees

#### Impact on Visual Amenity

10. 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.
11. The proposed car parks surface would be constructed from tarmac and pre-cast concrete edgings.
12. The proposal would require the removal of over 25 trees in order to accommodate the proposal. The immediate surrounding area is urban in nature and the trees do provide some welcome greenspace in this urbanised location and therefore their loss would be regrettable. However, the case officer has visited the site during prayer time and it was evident that car parking provision for the existing site was a particular problem. Visitors to the mosque took up all the available on street parking and the existing public car park. This resulted in inconsiderate parking along Joseph Street and the rear alleyway along Bolton Road which resulted in a number of residents of Bolton Road being unable to access or exit their properties during peak prayer times.
13. In order to partially mitigate the loss of the trees, the case officer sought amended plans which now includes a 1m wide landscaping strip along the boundary of the site fronting Egerton Street. This will assist in softening the appearance of the site when travelling along Egerton Street, whilst also screening the proposal once the landscaping has had time to establish.
14. On balance, the adverse impacts of the development have been considered (that is, the loss of trees) however, when weighed against the benefits of the proposal, it is not considered that the adverse impacts would significantly and demonstrably outweigh the benefits of the development, when considered in the context of the current parking problems which exist at the mosque. The proposal is therefore considered to be in accordance with policies CG3 and RA2 of the Core Strategy.

#### Impact on Residential Amenity

15. 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.

16. The proposed car park would be used by visitors to the mosque. The nearest residential dwellings are located at 26 to 34 Francis Street and are separated from the application site by an access road.
17. The likely noise and disturbance would be that associated with visitors' voices when arriving or leaving and getting into and out of cars. This can give rise to nuisance if it occurs later in the evening or at night. The submitted plans and supporting information do not indicate how the car park would be managed and also secured when not in use/required by the mosque.
18. The dwellings are separated from the application site via an access road. Egerton Street is a busy route both in during the daytime and evening. There also a number of businesses in close proximity to the site, which are open late into the evening.
19. It is considered that subject to a condition which requires a management plan for the car park, that the proposal would not result in an unacceptable impact on neighbouring residential dwellings in respect of noise and disturbance late into the evening when residents should expect a certain amount of quietude.
20. In respect of air pollution it is not considered that a proposal on this scale who have an unacceptable impact on air quality and there is no requirement for an Air Quality Assessment to be carried out for application on this scale.
21. For the above reasons the proposal is not considered to have an unacceptable impact on residential amenity in respect of noise and disturbance, compliant with Policy CG4 of the Core Strategy.

#### Impact on the Highway

22. Core Strategy policy P5 refers to [amongst other things] to parking and policy S1 promotes road safety in the design of new development.
23. The current proposal would provide an additional 26 car parking spaces for visitors to the mosque. The Council's Highway Engineers have been consulted and have no objections to the scheme subject to appropriate conditions regarding appropriate signage, road markings and new vehicular access crossing. Therefore when the application is judged on its own merits, solely as a proposed car park, it is considered that the proposal complies with policies P5 and S1 of the Bolton Core Strategy.

#### Impact on Trees

24. As stated earlier in the report, the proposal will result in the loss of a large number of trees. The Tree and Woodland Officer has objected to the proposal due to the loss of the trees. However, and as addressed earlier in the report, the need for the additional parking is considered to outweigh the adverse impacts of the proposal in respect of the loss of trees.
25. Site clearance during the breeding season has the potential to damage or destroy bird nests, which would constitute an offence under the Wildlife and Countryside Act 1981 (as amended). An informative note would therefore be attached to any approval to ensure that work must not begin if nesting birds are present on site and should occur outside the bird nesting season (March to July inclusive). The proposal is therefore considered to be in accordance with policy CG1 of the Core Strategy.

#### Other Issues

26. The land is an informal greenspace and is not allocated as a recreation site in the Council's Allocation Plan. Therefore limited weight has been given to the loss of this land. In addition, Farnworth Central Park is located within walking distance of the site which provides adequate provision for outdoor recreation for local residents.

### **Conclusion**

27. The adverse impacts of the proposed development, specifically the loss of trees, has been considered, assessed and weighed against the benefits of the scheme. It is considered that the impacts associated with the proposed development can be largely mitigated through the use of planning conditions where necessary. Although the development would result in the loss of a large number of trees, it is not considered that the adverse impacts would significantly and demonstrably outweigh the benefits of the development, when considered in the context of the current parking position for the mosque.
28. Development of the site represents an opportunity to provide additional parking for the mosque in a sustainable location.
29. Members are therefore recommended to approve this application.

## **Representation and Consultation Annex**

### **Representations**

Three letters have been received in response to the planning application publicity and who have raised the following concerns:-

- \* Loss of Tress and Informal Greenspace.
- \* The land is used as children as a play area?
- \* Loss of habitat.

The above issues are addressed in the appraisal.

- \* The application for the mosque advised that the parking provision was adequate. *Officer Response – The applicant, after reviewing the parking provision feels that the mosque would benefit from additional parking provision.*
- \* Access to garages on Francis Street would be restricted. *Officer Response – The application is sited on private land and would not encroach onto the access road which serves the garages for Francis Street.*
- \* Alternative sites are available – *Officer Response - This application will be judged entirely on its own planning merits.*

### **Consultations**

Advice was sought from the following consultees: Highways, Design and Crime, Corporate Property and Tree and Woodland Officer.

### **Planning History**

None relevant to the application site.

**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 highway works at the car park access with Francis Street comprising of a vehicle access crossing (and potential relocation of existing road signage) 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 and in order to comply with Core Strategy policy P5 and Supplementary Planning Document "Accessibility, Transport and Road Safety".
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 in full prior to the first use of the car park. 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 and in order to comply with Core Strategy policies CG1 and CG3.

4. Before the approved/permitted development is first brought into use no less than 26 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with Drawing Ref: RAD/1544/17/1/RevA. Such spaces shall be made available for the parking of cars at all times when the mosque is in use for prayers.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

5. 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 and in order to comply with Core Strategy policy P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

6. Before development is brought into use details of the signing scheme within the site to indicate the direction of vehicle travel for vehicles accessing the car park onto Francis Street shall be submitted to and approved by the Local Planning Authority. The approved signing scheme shall be implemented in full before the development hereby approved is first occupied or brought into use and retained thereafter.

Reason

In the interests of highway safety and to comply with policy S1.2 of Bolton's Core Strategy.

7. Prior to first use of the car park, a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include the proposed hours of use and full detail on the the car park will be managed and secured outside prayers times for the mosque. The plan will be implemented and managed in accordance with the details approved.

Reason

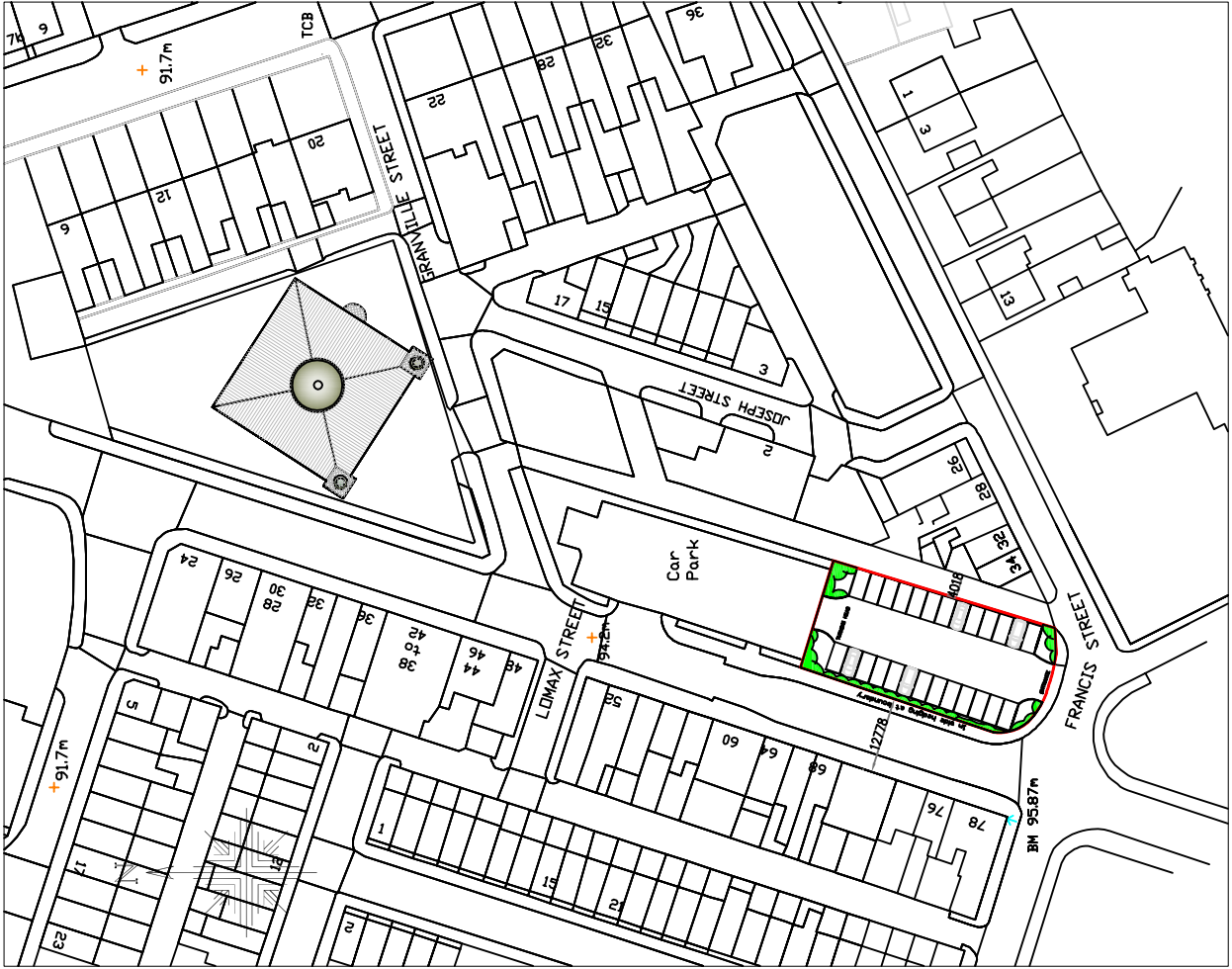
In the interest of residential amenity and to comply with policy S1.2 of Bolton's Core Strategy.

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

**RAD/1544/17/1/Rev A - Proposed Car Park dated January 2017 and received 6th April 2017**

Reason

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



LOCATION PLAN (1:1250 @ A1)  
© Crown copyright and database rights 2016  
Ordnance Survey 0100031673



PROPOSED LAYOUT (1:100 @ A1)



EXISTING LAYOUT (1:150 @ A1)

This drawing is subject to copyright and is not to be reproduced in part or whole without approval.  
Figured dimensions take precedence over scaled measurements from the drawing. All dimensions to be checked by Contractor and discrepancies clarified with the Client prior to commencement.  
The whole of the works to comply with current Building Regulations. No work to commence without Building Regulations approval.

Notes

**RAD**  
The White House,  
62-64 Chorley New Road,  
BL1 4AP  
Tel : 01204 529195  
Fax : 01204 214190  
Mob: 07790 361104  
Email: info@redesignprojects.co.uk

Project	LAND AT EGERTON STREET BOLTON BL4 7LE
Client	SUGHRA MOSQUE
Title	PROPOSED CAR PARK
Drawn	RA
Date	JANUARY 2017
Scale	as stated
Drawing Number	RAD/1544/17/1/Rev A