Planning Applications Report

Planning Committee 5th January 2023



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

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

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

The following abbreviations are used within this report: -

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

www.bolton.gov.uk/planapps

which can be found at:-

Application Number 13772/22

Directorate of Place
Development Management Section

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



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Template: DC/OfficerRpt Page 1 of 19

Date of Meeting: 5 January 2023

Application Reference: 13772/22

Type Of Application Registration Date Decision Due Date Responsible Officer Authorising Officer **Full Planning Permission**

28 June 2022 9 August 2022 Ross Meachin

Location LAND ON EAST SIDE OF DORSET CLOSE FARNWORTH

BOLTON BL4 9TR

Proposal ERECTION OF A 2/3 STOREY BUILDING COMPRISING 8 X

1-BEDROOM SELF-CONTAINED ASSISTED LIVING

APARTMENTS TOGETHER WITH ASSOCIATED WORKS TO INCLUDE EXTERNAL AMENITY SPACE LANDSCAPING, BIN

STORAGE AND CAR AND CYCLE PARKING

Ward Farnworth

Applicant: Enabling Homes Ltd

Agent: Mr R Gee

OFFICER'S REPORT

Recommendation: Approve subject to conditions

Executive Summary

- The application has been called-in to Planning Committee by Councillor Nadeem Ayub.
- The principle of a residential apartment block in this location was established through the granting of planning permission (ref. 94453/15) for 7 no. apartments in 2016 and subsequent approval (ref. 04735/18) of 8 no. apartments in 2019.
- The current scheme seeks approval for the redevelopment of the site and construction of a residential apartment building with 8 no. apartments, all of which will be 1-bedroom.
- When compared to the 2019 approval, the main differences are:
 - a. no significant changes to the overall footprint, building line, form and scale of the proposed building;
 - b. façade has been simplified, including alterations to the window size and design;
 - c. previous scheme proposed 3 no. 1-bed flats and 5 no. 2-bed flats, the current scheme is for 8 no. 1-bed flats;
 - d. previously proposed recessed balconies to provide private amenity space for the upper floor flats have been replaced by Juliet balconies;
 - e. ground floor external amenity space is provided as communal space for use of all future occupants;
 - f. car parking, cycle parking and refuse storage has been reconfigured (no reduction in car or cycle parking spaces); and
 - g. former garages have been demolished and thus demolition does not form part of the proposal.
- The proposed scale, form and design is similar to previous approvals and considered an acceptable response to the site characteristics and constraints. Details of materials, landscaping and boundary treatments to be secured by a planning condition.
- The development will not unduly impact the amenity of neighbouring properties in respect of privacy, visual bulk or overshadowing.

Template: DC/OfficerRpt Page 2 of 19

- Council's Highways Engineers raise no highways objections. Public domain improvements to adjoining streets will be secured by condition.
- Noise and contamination issues can suitably be dealt with by condition.
- Eight (8) objection letters have been received from neighbouring properties. The content of objections is dealt with throughout this report.
- The proposal will maximise the use of the site, providing 8 dwellings in a sustainable location that contribute to Council's housing supply.
- The proposal is recommended for approval subject to conditions.

Background

- 1. In 2015 a planning application ref. 94453/15 was submitted for demolition of garages and erection of 7 no. apartments together with associated parking and landscaping. Due to a number of objections received, this application was considered by Planning Committee members and subsequently granted planning permission in August 2016.
- 2. In 2018 a further planning application ref. 04735/18 was submitted for demolition of existing garages and erection of 2/3 storey building comprising 8 no. self-contained residential apartments together with associated works to include landscaping and parking. The proposal was seeking to provide assisted living apartments. The application was referred to the Planning Committee and subsequently approved in June 2019.
- 3. The current application is submitted to provide a similar, albeit amended proposal to the 2019 approval. It is noted that the garages that previously occupied the site have been demolished since the 2019 approval. The subject application has been called in by Councillor Ayub and is therefore also being referred to the Planning Committee for determination.

Proposal

- 4. Full planning permission is sought for the erection of a block of apartments together with associated parking and landscaping. Minor amendments have been made during the course of this application and the proposed plans were amended to reconfigure the cycle parking and bin storage, alter the façade, and increase the size of Apartment 7.
- 5. The amended proposed development contains 1-bedroom apartments, which are as follows:
 - Apartment 1 56.2m2
 - Apartment 2 56.2m2
 - Apartment 3 48.8m2
 - Apartment 4 56.2m2
 - Apartment 5 56.2m2
 - Apartment 6 48.8m2
 - Apartment 7 56.2m2
 - Apartment 8 44.7m2
- 6. None of the proposed apartments would have access to individual private amenity space. However, all residents would have access to communal amenity space at the front and rear of the building with a total area of 144m2.
- 7. Access to the building would be from the southern side of the site from the existing rear lane of houses fronting Balmoral Road. Vehicular access would also be from the lane to a car park containing four car spaces. Cycle parking and bin storage would be located in the northeast corner of the site, accessible from the car parking area and communal garden.

Site Characteristics

8. The site is located to the west of Farnworth Town centre and is set within a densely populated area with a variety of properties in terms of mix, type, size and architecture. The existing site is currently vacant and surrounded by temporary Heras fencing, with the previous garages on the site having been demolished and only the ground floor slab retained. No significant trees or

Template: DC/OfficerRpt Page 3 of 19

vegetation are in situ on the site.

- 9. The site is bound by the unadopted Dorset Close to the west, whilst to the south is the rear access lane ("Back Balmoral Road") for the houses fronting Balmoral Road. Adjoining the site to the north is No. 3 Dorset Close, which is a two storey end-terraced dwelling in a small row of three terraces. The site backs on to an active vehicle scrap yard ("Bolton Breakers") to the east, where general dismantling of cars for resale and metal recycling is carried out. The scrap yard is accessed from Jackson Street to the east. On the opposite side of Dorset Close (to the west) and the lane (to the south) are the rear yards of two storey terraced houses fronting Leinster Street and Balmoral Road.
- 10. Both Dorset Close and Back Balmoral Road are in a poor state of repair, with numerous large potholes in the road surfaces adjacent the application site.

Policy

The Development Plan

11. Core Strategies Policies: CG1 Biodiversity and flood risk; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; RA2 Farnworth; S1 Safe Bolton; P5 Accessibility.

Other material considerations

- 12. National Planning Policy Framework (NPPF).
- 13. Supplementary Planning Documents: General Design Principles; Accessibility, Transport and Road Safety.

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 development
 - * impact on the character and appearance of the surrounding area
 - * impact on residential amenity and amenity of future occupants
 - * impact on highways and parking
 - * impact on crime and safety
 - * impact on the environment

Principle of the development

- 16. The principle of redeveloping the site for residential purposes was established in 2016 and 2019, through the granting of permission for the erection of an apartment building on the site (refs. 94453/15 and 04735/18). The NPPF advocates that housing applications should be considered in the context of the presumption in favour of sustainable development. The site is previously developed land and its development would constitute effective use of land in accordance with the NPPF.
- 17. Given that the site is defined as previously developed, is located within an urban area, and is in an accessible and sustainable location, it is considered that the principle of developing the site for residential purposes continues to be acceptable.
- 18. The proposed development provides 8 no. 1-bedroom residential apartments which are Template: DC/OfficerRpt Page 4 of 19

proposed to be for assisted living, operated by My Space Housing Solutions, a Housing Association with a remit to provide supported accommodation for vulnerable adults with mental health issues and/or learning disabilities. The operator also provides accommodation to ex-services personnel. Whilst the proposal is for assisted living, support staff will not reside at the property and the extent of visits will depend upon the particular needs of each tenant. Therefore, the use falls under Class C3 of The Town and Country Planning (Use Classes) Order 1987 (as amended) and is not a residential care home falling under Class C2 or HMO falling under Class C4.

- 19. Core Strategy Policy SC1 outlines the appropriate housing mix for new developments, seeking for no more than 40% of dwellings being 1-bedroomed. Nonetheless, given the type of housing proposed, the provision of all 1-bedroom dwellings in this instance is considered to be acceptable. My Space Housing Solutions are a local housing provider that operate several similar schemes in Bolton and surrounding areas. These are generally made up of primarily 1-bedroom dwellings to support the needs of their user group.
- 20. The proposal for residential units on the site complies with policy SC1 in that it will contribute to the housing land supply in the Borough. Where Councils cannot demonstrate a 5-year supply of deliverable housing sites, paragraph 11(d) of the NPPF is engaged (along with footnote 7) which requires consideration as to whether the most important policies relating to the determination of the application are out-of-date.
- 21. The most up-to-date published information indicates that Council cannot demonstrate a 5-year supply of deliverable housing sites. Therefore, the provision of 8 new residential dwellings in this location is supported in principle and would contribute, albeit in a minor way, to the local authority's requirement to deliver a 5-year supply of housing. In particular, the proposal would contribute to the assisted living housing in Bolton, which is housing to meet a specific need.
- 22. The provision of 8 new residential units is a material benefit of the proposed development which should be given weight in the consideration of the application proposal. The following report will therefore consider the impact of the development proposal with regard to the 'tilted balance' and whether any harm identified significantly and demonstrably outweighs the benefit of new housing provision.

Impact on character and appearance of the surrounding area

- 23. Policy CG3 of the Core Strategy seeks to ensure that new development proposals contribute to good urban design in that they are compatible with/improve their surroundings, create a safe, secure environment and are accessible by people with a range of mobility and physical ability.
- 24. Paragraph 124 of the revised NPPF highlights that good design is a key aspect of sustainable development and is indivisible from good planning.
- 25. The Council's General Design SPD reiterates these points, advising that buildings that are well-designed contribute to the quality of the street scene and provide good living environments for their occupiers. The SPD further advises that applications for the various residential forms of development including flats will be expected to make provision for storage, within the site(s), for waste collection/recycling bins as appropriate. Such facilities should be appropriately sited and screened.
- 26. The application site is currently vacant, with previous garages having been demolished and only building slabs remaining, alongside some overgrown vegetation and weeds. Given the vacant, dilapidated appearance of the site, the prospect to suitably redevelop the site provides an opportunity to enhance the character and appearance of the locality.
- 27. The immediate vicinity of the site is principally characterised by two storey terraced dwellings. Whilst the proposed development is part 2, part 3 storey in height, this scale has been previously accepted as being appropriate for the site under the previous approval (04735/18). The proposed development is almost identical to that previous consent in regard to scale, form and

Template: DC/OfficerRpt Page 5 of 19

- massing, with only minor changes proposed to the building design (façade and fenestration), site configuration, and apartment type and mix.
- 28. The current proposal provides a similar contemporary building form for the site, maintaining a flat roof design. Building setbacks to the site boundaries remain similar to the previous proposal. One core design change when compared to 04735/18 is the removal of the recessed balconies from the upper level apartments, with these being replaced with Juliet balconies. Materials proposed are similar to the previous approval, comprising of a mixture of three types of brick to the external walls, with PVC framed windows and doors, and a powder coated steel cladding to the window projection. To ensure that the materials proposed are of a high quality, a condition is recommended requiring further details and/or samples to be submitted for approval prior to above ground construction works on site.
- 29. In terms of landscaping, similar to the previous approval, the proposed development maintains a landscaped front garden with high hedgerow along the Dorset Close frontage. A communal garden with soft landscaping and opportunity for tree planting is also provided along the northern side of the site. Additionally, a small pocket of soft landscaping is proposed in the southeast corner of the site. Overall, the balance between soft landscaped areas and built form / hard landscaping proposed is consistent with the previous approval on the site and provides adequate opportunity for mature planting to be established. A condition is recommended requiring further details of landscaping to be submitted for approval.
- 30. Council's Design and Conservation Officer has raised concerns regarding the scale and form of the proposed development, instead preferring a two-storey form with pitched roof. However, despite some minor amendments to the proposed design and configuration, the scale, form and massing of the proposal is largely similar to the development previously approved on site under 04735/18.
- 31. Therefore, it is considered that the proposed development aligns with this accepted scale and form of development and is also considered to be an appropriate response to the site constraints and characteristics. As such, subject to the use of high-quality materials and landscaping on site, the proposal would enhance the character and appearance of the existing dilapidated site and thus the wider locality, and therefore accords with the relevant provisions of Core Strategy Policies CG3 and RA2.

Impact on living conditions of existing and future residents

- 32. Core Strategy Policy CG4 states that development shall be compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Development should not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.
- 33. Core Strategy policy RA2.17 seeks to ensure that new development makes efficient use of land in Farnworth due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach.
- 34. Guidance is also contained within the General Design Principles SPD on matters of external amenity space and interface guidance.

Future Occupiers

- 35. All new development, alterations and extensions to existing buildings should provide potential users with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout.
- 36. The application site is bound by a scrap yard to the rear (east), which has the potential to give rise to noise and disturbance impacts on future occupants of the proposed development. Consistent with the previous approval (04735/18), a noise assessment has been submitted with the application to assess the potential noise impacts on the proposed apartments. Pollution Control officers have assessed the submitted documentation and raised no objections to the

Template: DC/OfficerRpt Page 6 of 19

proposal in terms of acoustic impacts, subject to the imposition of conditions requiring the recommendations of the report to be implemented as part of the development. This includes the provision of acoustically double-glazed windows to all habitable rooms and sound attenuated ventilation to the proposed apartments. A condition of consent is recommended to secure the implementation of the recommendations of the Noise Assessment.

- 37. With regards to internal space standards, the nationally described space standards seeks the following:
 - 1b, 1p single storey dwelling = 37m2
 - 1b, 2p single storey dwelling = 50m2
 - 2b, 3p single storey dwelling = 61m2
 - 2b, 4p single storey dwelling = 70m2
- 38. Bolton's General Design Principles SPD provides guidance on external amenity space for new flat/apartment development. This seeks either a minimum balcony area of 5m2 for each flat or for an adequately screened communal area with a minimum provision of 18m2 per flat.
- 39. Three (3) of the proposed apartments do not achieve compliance with the nationally described space standards, being Apartments 3 and 6 (48.8m2) and Apartment 8 (44.7m2). Nonetheless, each of these apartments provides adequate internal circulation space and rooms that comply with the minimum dimensions and areas outlined within the nationally described space standards. Each level of the development achieves floor to ceiling heights of 2.4m. Furthermore, each of the apartments in question has more than one aspect, with all habitable rooms receiving good levels of outlook, natural light, and ventilation. Therefore, despite the shortfalls in floor space, each apartment achieves a satisfactory level of internal amenity and functionality.
- 40. In addition, it is noted that all the apartments would have access to an adequately screened communal open space at ground level, one at the front and one at the rear. When combined, these would have a total area of 144m2. This equates to 18m2 of communal space per flat, which is consistent with the guidance in the SPD.
- 41. It is therefore considered that, on balance, despite a shortfall of internal floor area for three of the apartments, the development provides a satisfactory level of internal and external amenity for all future occupants. Each apartment would enjoy good levels of outlook, light, and ventilation and are provided with a functional floor plan. Therefore, the development provides acceptable residential amenity for future occupants.

Neighbouring Residents

42. There are several residential dwellings immediately adjacent to the site. The development replaces a previous garage use and it is not considered that the proposed residential use will increase instances of noise and disturbance over and above the previous garage use. Residential flat development was considered acceptable under previous approvals and was deemed to be a compatible use in this context. The proposal does not increase the quantum of residential dwellings on the site and is therefore also considered acceptable in this regard.

Visual Privacy

- 43. The General Design Principles SPD (Section 3) provides recommendations for interface distances between developments. This includes a consideration that a distance of 21 metres should be maintained between facing houses (i.e. 'directly' facing principle habitable room windows) and 17 metres where there is an oblique view.
- 44. The proposed development would provide habitable and non-habitable room windows to all elevations on all three levels. This includes a combination of Juliet balconies, standard windows, and high levels windows.
- 45. To the rear (east) elevation, the proposed development includes Juliet balconies and standard

Template: DC/OfficerRpt Page 7 of 19

windows to habitable rooms. However, the site is bound by a scrap yard and a pocket of vegetation to the rear, with rear elevation of houses accessed off Jackson Street some 30m away from the eastern boundary of the application site.

- 46. To the north, the site adjoins No.3 Dorset Close, a two storey terraced dwelling that fronts Dorset Close to the west and with a rear garden to the east. No. 3 has main habitable room windows facing west and east, with no principal windows facing directly onto the application site. The northern side elevation of the proposed development includes a ground and first floor window and ground floor patio door serving living rooms within Apartments 3 and 6, which will be approximately 5.3m from the common boundary with No.3. The windows are both high level and therefore do not enable any direct cross views towards No.3. Furthermore, the patio door is at ground level and thus any potential views towards No.3 are obstructed by existing boundary fencing along the southern boundary of that neighbouring site. It is anticipated that boundary fencing would also be implemented within the application site, as part of detailed landscape plans that would be required to be approved by recommended conditions of consent. In light of the high-level windows and existing boundary treatments, the proposal would not unduly overlook the garden or habitable rooms of No.3.
- 47. To the west, the proposed development would include habitable room windows on all floors that face the rear yards and elevations of dwellings fronting Leinster Street. The dwellings along Leinster Street are set at an angle following the alignment of Dorset Close at the rear, which provides a splayed frontage to the application site. When compared to the alignment of the west elevation of the proposed development, this ensures that views between upper level habitable room windows are oblique rather than direct.
- 48. A minimum interface distance of approximately 7.7m would be maintained between proposed habitable room windows and the rear boundary of No. 26 Leinster Street and 15.4m to the first floor rear windows of that neighbouring dwelling. Whilst a minor shortfall on the 17m guideline in the SPD, this is considered acceptable due to the oblique angle of potential cross views and in light of the previous approval where the same relationship was determined to be appropriate. An interface distance of at least 17m is provided between the proposed upper level habitable room windows and rear windows of properties fronting Leinster Street.
- 49. To the south, the proposed development also includes habitable room windows that face towards the rear yards and elevations of dwellings fronting Balmoral Road. However, these windows would be high level and thus not enable any adverse overlooking of those neighbouring properties. Other windows within this elevation serve the communal stairwell and are thus not habitable spaces and would not give rise to adverse overlooking impacts.

Overshadowing / Visual Bulk

No.3 Dorset Close

50. The proposed building is stepped and includes a 'rear wing' that is only two storey in height to reduce potential overshadowing and visual bulk from the development. The scale and siting of the proposed building is almost identical to the previous approval (04735/18), where the level of overshadowing and visual bulk was deemed acceptable. Therefore, given the stepped form of the development to the rear and setback from the northern boundary, the proposed development would not adversely overshadow No.3 and would not appear unduly overbearing when viewed from this property.

Balmoral Road

- 51. In respect of the dwellings located along Balmoral Road, only No.58 would directly face three storey elements of the proposal. Nos. 48 to 56 would look towards the smaller two storey element and associated car parking area.
- 52. No. 58 Balmoral Road has principal habitable room windows at both ground and first floor level which would directly face the proposal. Notwithstanding the above, the habitable room window at ground floor level directly faces their rear yard brick wall which is approximately 2.4m in height. As such it is considered that the outlook from this window is already severely restricted and the

Template: DC/OfficerRpt Page 8 of 19

proposal would not exaggerate this to any further unacceptable degree.

53. At first floor level, an interface distance of approximately 14.6m would be maintained between the proposal (at first floor level) and the first floor habitable room windows. An interface distance of approximately 17m would be maintained between the other dwellings along this section of Balmoral Road and the rear two storey element. This relationship is almost identical to that which was approved under 04735/18, where it was determined to be acceptable. Therefore, it is also considered acceptable under the subject application.

Leinster Road

- 54. Nos. 28 to 36 Leinster Street would face the three-storey front elevation of the proposal. Due to the juxtaposition of these dwellings in relation to the proposal, interface distances ranging between 15.4m and 20m would be maintained to the main two storey rear elevations of these dwellings which is considered acceptable to prevent any unacceptable loss of light and outlook to these dwellings.
- 55. In light of the above, the proposal is considered to have an acceptable impact on the residential amenity of neighbouring properties. The scale of development and relationship to these properties remains almost identical to that which was approved under 04735/18 and nothing has changed since that approval that would deem the current application as unacceptable with regards to impacts on neighbouring properties. The proposal is therefore also considered acceptable under this application. Therefore, the development accords with Policies CG3 and RA2 of the Core Strategy with regards to residential amenity.

Impact on highways and parking

- 56. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 57. 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 and ensure that parking is available in accordance with the Council's standards. Appendix 3 provides guidance on parking standards. Policy S1 seeks to ensure that development promotes road safety.
- 58. The proposal provides for 8 apartments and four parking spaces. This falls below the Council's maximum parking standards, however, it is consistent with the previous approval under 04735/18, where it was determined to be acceptable in respect of its impact on the local highways network and parking conditions in the locality.
- 59. Council's Highways Engineers have assessed the application and had consideration for the proposed use being to provide assisted living, where car ownership is generally lower than private tenures. Furthermore, the site is located within an accessible location which is served by good public transport links allowing for trips to be made using active and public transport. Accordingly, this provides an element of justification for the relaxation of the Council's parking standards for this development.
- 60. The proposed car park would be accessed via a new entrance into the site from the access road to the rear of the dwellings along Balmoral Road. Under previous applications for the subject site, Council's Highway Engineers assessed the site layout and access, including the poor condition of both Dorset Close and Back Balmoral Road adjoining the site to the south and west, some of which is unadopted and thus managed by the street managers (frontages) at those locations. They noted that the condition of the street is likely to deteriorate under the impact of construction traffic and is likely to be unsuitable to serve new development. It would therefore be unreasonable to expect the existing residents to have to pay to bring the street up to an acceptable standard.
- 61. To address these concerns, previous consents included a condition requiring the following roads

 Template: DC/OfficerRpt Page 9 of 19

to be improved to adoptable standards (funded by the applicant):

- Back Balmoral Street along the site frontage at its existing width.
- Dorset Close along the site frontage widened to 6m.
- Dorset Close from Balmoral Road to Back Balmoral Road at its existing width.
- 62. Under the subject application, Council's Highways Engineers have raised no objection on highways grounds subject to the abovementioned highways improvements also being secured by condition.
- 63. In addition to the above, the proposed development includes an area for secure resident cycle parking in the northeast corner of the site. This would assist in promoting active forms of transport for future residents of the development. Details and implementation of the cycle parking will be secured by recommended conditions of consent.
- 64. A waste storage area is also proposed in the northeast corner of the site and is a suitable size commensurate to the proposed development. A condition is recommended requiring further details to be provided.
- 65. Consequently, there is no reason to consider that the proposal would lead to a significant increase in on-street parking or have any consequential impact upon highway safety in the locality over and above the previous approvals, where the impact was determined to be acceptable. Therefore, subject to the imposition of conditions, the proposal accords with Policies P5 and S1 of the Core Strategy and the relevant provisions within the NPPF.

Impact on crime and safety

- 66. Core Strategy policy S1 seeks to ensure that the design of new development will take into account the need to reduce crime and the fear of crime.
- 67. The main access to all apartments is via a door located on the southern side of the development. Whilst not desirable to have an access towards the rear of the building, with restricted natural surveillance, there is activity in the immediate area due to the properties along Dorset Close and also the fact that the car park for the proposal is located in this area. This arrangement was also approved under 04735/18.
- 68. To increase levels of security in this area, a condition is recommended requiring details of external lighting to be provided and implemented on site. The car parking area will be overlooked by habitable rooms within the development as well as neighbouring windows and is therefore considered to receive an appropriate level of passive surveillance. Details of fencing and landscaping to be provided on site will be secured by recommended conditions. This is consistent with previous approvals for the site.
- 69. Subject to the abovementioned conditions, it is considered that the proposal is in accordance with Policy S1 of Core Strategy.

Impact on the environment

70. Core Strategy policy CG2 seeks to ensure that new residential development proposals of 5 or more residential units are built to (a) achieve a Level 3 of the Code for Sustainable Homes, (b) reduce carbon dioxide emissions from the dwellings and (c) a reduction in surface water run-off from the development.

Drainage

- 71. The application site is not located within a critical drainage area or Flood Zones 2 or 3. Policy CG2 states, amongst other things, that proposals for 5 or more residential units should aim for a minimum reduction in surface water runoff rates of 50% for brownfield sites.
- 72. A Flood Risk and Drainage Strategy prepared by Walker Design has been submitted with the

Template: DC/OfficerRpt Page 10 of 19

application. United Utilities have commented on the application and have recommended a condition requiring a full surface water drainage scheme to be implemented on site. A condition is recommended and an informative has been attached for the applicant's attention in this regard when it comes to preparing the drainage scheme.

73. It is considered that with the imposition of conditions that the development would accord with policy CG2 of the adopted Core Strategy.

Contaminated Land

- 74. The site was formerly used as a garage and therefore is potentially contaminated land. Accordingly, a Contamination Report prepared by Argyll Environmental was submitted with the application.
- 75. Council's Environmental Health (Pollution Control) unit has assessed the report and have found that it is unsatisfactory. The report assessed the risk from the current use of the site and not for the proposed redevelopment. They note that a preliminary risk assessment needs to assess the contamination risks associated with the proposed redevelopment. Under previous approvals for the site, it was accepted that this could be secured by condition. Therefore, a condition is recommended to ensure that a suitable assessment and any necessary remediation is carried out prior to the commencement of development on site.

Sustainable Construction

76. The application has not been supported by a Sustainability Report and the applicant's submission makes no reference to incorporating decentralised, renewable or low carbon energy sources to reduce CO2 emissions of predicated regulated and unregulated energy use by 10%. Given that this is a requirement for developments of 5 or more residential units, an appropriate condition is recommended requiring these elements to be incorporated into the proposed building.

Biodiversity

- 77. The NPPF encourages net gains for biodiversity to be sought through planning policies and decisions.
- 78. The existing site has little biodiversity value, comprising of a vacant brownfield site with only the ground floor slab of the former garage buildings that occupied the site remaining. No significant vegetation or potential fauna habitats are in situ on the site.
- 79. The proposal includes landscaped areas throughout the site, including a substantial communal open space for future residents. This provides an opportunity for planting to be provided on site, with details to be secured by recommended conditions. The implementation of new planting on site will enhance the biodiversity value of the site, consistent with the objectives of the NPPF.
- 80. Furthermore, it is noted that Greater Manchester Ecology Unit commented on the previous approval (04735/18) and noted that Japanese knotweed appears to be present on the site. It is not clear whether this has been cleared from the site since the previous approval. Therefore, a previous condition requiring the applicant to agree an appropriate method for the eradication, control and avoidance measures, prior to any earthworks is also recommended under this application.
- 81. Subject to the necessary planning conditions it is considered that the proposal would comply with the relevant environmental provisions of Policy CG2.

Conclusion

82. This site has remained undeveloped for several years and has fallen into a dilapidated state following the demolition of the previous garage buildings. Two full consents have been approved, in 2016 and 2019 respectively, and have not been pursued. The proposed development seeks to provide a viable development that appropriately responds to the characteristics and constraints of the site, using a scale, form and design that is similar to those previously accepted by Council.

Template: DC/OfficerRpt Page 11 of 19

- 83. The proposal will provide much needed housing in a sustainable location in Bolton. The development will not impact detrimentally on highways safety and given the sustainable location provides sufficient parking provision, with enhancements to the surrounding roads secured by condition. The development will not unduly impact on residential amenity and the scheme is well designed and makes sufficient provision for communal amenity space, thus providing a satisfactory quality of accommodation for future occupants. Furthermore, the proposal will have acceptable environmental impacts.
- 84. Overall, the development is considered to comply with relevant policies detailed above and, when applying the 'tilted balance' no material harm is identified that would significantly and demonstrably outweigh the benefits of the proposal. The application is therefore recommended for approval subject to conditions.

Template: DC/OfficerRpt Page 12 of 19

Representation and Consultation Annex

Representations

Letters:- Eight (8) letters of objection (from 6 unique addresses) have been received, raising the following issues:

- Overlooking of neighbouring properties
- Overshadowing impacts
- Three storeys is too high
- Design is poor quality
- Development out of keeping with existing houses
- Access to the development is unsuitable
- Car parking is inadequate
- Concerns with parking on the street
- Overdevelopment of the site
- Impacts on access for refuse collection
- Japanese Knotweed has not been cleared from the site
- No trees proposed on the site
- Noise and disturbance
- Previous development was better designed

Officer Comment - These matters have been addressed within the above report.

Devaluation of property

Officer Comment - This is not a material planning consideration.

Concerns about type of residents that are being catered for by the development

Officer Comment – There is no indication that the proposed use, being residential (Class C3) would give rise to increased levels of crime and anti-social behaviour in the locality.

Impact on right of way to double garage at No.3 Dorset Close

Officer Comment – There is no defined right of way mapped on or through the application site. Access between private land is a civil matter between landowners and not a material planning consideration.

Petitions:- None received.

Elected Members:- The application has been called-in for determination of the Planning Committee by Councillor Nadeem Ayub on the following grounds:

Overlooking of neighbouring properties.

Officer Comment - This matter is addressed within the above report.

Consultations

Advice was sought from the following consultees: Drainage, Pollution Control, Highways, Economic Strategy, Strategic Development, Greater Manchester Police, Greenspace Management, Commissioning Services, Children's and Adult Services, Strategic Housing, Bolton at Home, Greater Manchester Ecology Unit.

Planning History

94453/15 - Demolition of garages and erection of 7no apartments together with associated parking and landscaping – Approved subject to conditions in August 2016.

Template: DC/OfficerRpt Page 13 of 19

04735/18 - Demolition of existing derelict garage colony and erection of 2/3 storey building comprising 8no. Self-contained residential apartments (3 one bed and 5 two bed) together with associated works to include landscaping and parking – Approved subject to conditions in June 2019.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

Subject to the following conditions, which have been imposed for the reasons stated:-

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.

Prior to any earthworks a scheme for the eradication and/or control and/or avoidance measures of Japanese knotweed have been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for its implementation. The scheme shall be carried out as approved. Should there be a delay of more than one year between the approval of the scheme and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority.

Reason

To ensure the safe development of the site and eradication of an invasive species - Japanese knotweed in accordance with Policy CG2 of Bolton Council's Core Strategy and the National Planning Policy Framework

Reason for pre-commencement condition

To ensure that any necessary mitigation measures concerning the eradication and/or control and/or avoidance measures Japanese knotweed are implemented at the appropriate time as it could affect how construction works are planned and carried out.

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 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.

4 Upon the first installation the windows of all habitable rooms shall be acoustically double glazed in accordance with details in the approved Noise Assessment by AEC, ref P3828/R1/MR, dated 8 April 2019 and retained thereafter. Alternative means of ventilation,

Template: DC/OfficerRpt Page 14 of 19

which must be sound attenuated, shall also be provided as detailed in the above mentioned approved noise assessment.

Before the first occupation of the development hereby approved, the Site Completion Report shall be submitted to and approved in writing by the Local Planning Authority and validate that all works undertaken on site were completed in accordance with those agreed by the Local Planning Authority. All mitigation measures shall thereafter be retained.

Reason

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

- Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority:
 - i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority
 - ii) Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration. Provision of a comprehensive site investigation and risk assessment examining identified potential pollutant linkages in the Preliminary Risk Assessment should be presented and approved by the Local Planning Authority
 - iii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation
 - iv) During the period of construction, should any additional and unforeseen contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate remediation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed remediation measures
 - v) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its

intended end use shall be approved in writing by the Local Planning Authority.

Reason

In the interests of public safety in accordance with Core Strategy policy CG4 and the National Planning Policy Framework

Reason for pre-commencement condition

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

Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

Template: DC/OfficerRpt Page 15 of 19

Reason

To ensure foul water from the site is adequately drained in accordance with policies CG1.5 and CG2.2 of Bolton's Core Strategy and the National Planning Policy Framework

Reason for pre-commencement condition

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

- Prior to the commencement of the development, surface water drainage works shall 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 submitted to and approved in writing with the Local Planning Authority, 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:
 - i) 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.
 - iii) Include a timetable for its implementation, and
 - iii) 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 a satisfactory method of surface water disposal to reduce the risk of flooding elsewhere and to ensure pollution prevention in accordance with policies CG1.5 and CG2.2 of Bolton's Core Strategy and seeks to provide betterment in terms of water quality and surface water discharge rates and meets requirements set out in the following documents: NPPF

Water Framework Directive and the NW River Basin Management Plan

The national Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015)

Reason for pre-commencement condition:

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

- Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, boundary treatments (including details of balcony guards), planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.
 - i) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within 18 months of first occupation of the development hereby permitted, whichever is the later.
 - ii) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.

Template: DC/OfficerRpt Page 16 of 19

Reason

To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policies CG1 and CG3 of Bolton Council's Core Strategy the National Planning Policy Framework.

Prior to the commencement of any above ground an energy assessment of the approved development shall be submitted to the Local Planning Authority. The submission shall include a scheme which details how either (i) renewable energy technology or (ii) an alternative scheme e.g. enhanced insulation shall reduce CO2 emissions of predicted energy use of the development by at least 10% and include a timetable for how this is to be acheived. The approved scheme shall be installed in accordance with the approved timetable and retained and maintained in perpetuity thereafter unless agreed by the Local Planning Authority.

Reason

In the interests of tackling climate change and to comply with Core Strategy policy CG2 and the National Planning Policy Framework

Reason for pre-commencement condition:

The solution for the energy supply of the development to be secured from decentralised and renewable or low-carbon energy sources must be understood prior to works commencing on site as it could affect how construction works are planned and carried out.

- Notwithstanding the approved plans and prior to the commencement of development full details of the highway works at:
 - i) Back Balmoral Street along the site frontage comprising improving it to adoptable standards
 - ii) Dorset Close along the site frontage comprising of widening to 6m and improvement to adoptable standards
 - iii) Dorset Close from Balmoral Road (up to and including Back Balmoral Road) comprising of improvements up to adoptable standards

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 policies S1 and P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'. Reason for pre-commencement condition

To ensure that any necessary mitigation measures concerning the safety and operations of adjacent roads are implemented at the appropriate time.

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.

Template: DC/OfficerRpt Page 17 of 19

Reason

To safeguard the visual appearance and or character of the area and in order to comply with Core Strategy policies CG3 and CG4.

Reason for pre-commencement condition

Any changes to land level and finished floor levels must be understood prior to works commencing on site as it could affect how construction works are planned and carried out.

Before the development hereby approved is first occupied or brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting/floodlighting. The lighting shall be designed to an illumination value of 5 lux at the nearest residential property. The beam angle of any lights directed towards any potential observer should be kept below 70 degrees. Spill shields should also be fitted. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution and in order to comply with Bolton's Core Strategy policies CG3 and CG4

Before the approved development is first brought into use no less than 4 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be marked out provided within the curtilage of the site, in accordance with Drawing Ref: 141_PLN_L_01 Rev D (Proposed Site Plan). Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

Before the development is first brought into use ior first occupied a detailed scheme shall be submitted to and approved by the Local Planning Authority showing the design, location and size of a facility to store refuse and waste materials. The approved scheme shall be implemented in full before the first occupation of the apartments hereby approved and retained thereafter.

Reason

To ensure satisfactory provision is made for the storage of waste materials in order to comply with Bolton's Core Strategy policy CG3

Before the development hereby approved is first occupied or brought into use details of on-site cycle parking storage to be provided within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented in full before the development hereby approved is first occupied or brought into use and retained thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists and in order to comply with Bolton's Core Strategy policies S1, P5 and Supplementary Planning Document "Accessibility, Transport and Road Safety".

Prior to the development hereby approved being first occupied or brought into use, a scheme Page 18 of 19

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 policies S1 and P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

No dwelling shall be occupied until the access roads, footways and footpaths leading thereto have been constructed and completed in accordance with a scheme which shall be submitted and improved in writing by the Local Planning Authority prior to the commencement of development.

Reason

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

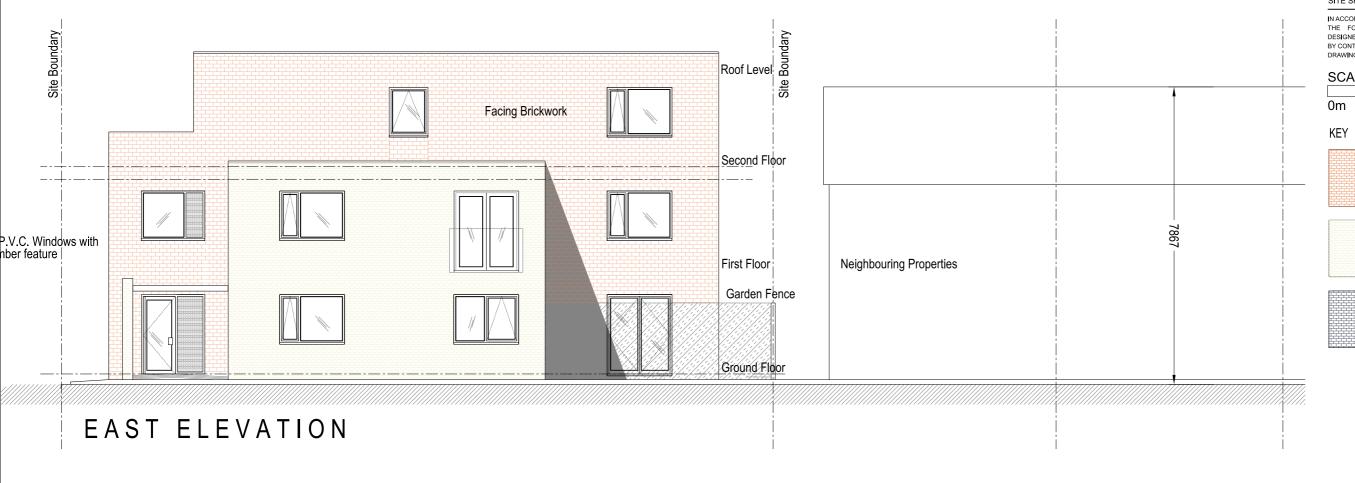
- 19 The development hereby permitted shall be carried out in complete accordance with the following approved plans/documents:
 - Location Plan, drawing no. 1434.P.10
 - Proposed Site Plan, drawing no. 141_PLN_L_01 Rev D, dated 01/12/2022
 - Proposed Plans 1 of 2, drawing no. 141_PLN_P_01 Rev B, dated 01/12/2022
 - Proposed Plans 2 of 2, drawing no. 141_PLN_L_02 Rev B, dated 01/12/2022
 - Proposed Elevations 1 of 2, drawing no. 141 PLN E 01 Rev C, dated 13/12/2022
 - Proposed Elevations 2 of 2, drawing no. 141 PLN E 02 Rev C, dated 01/12/2022

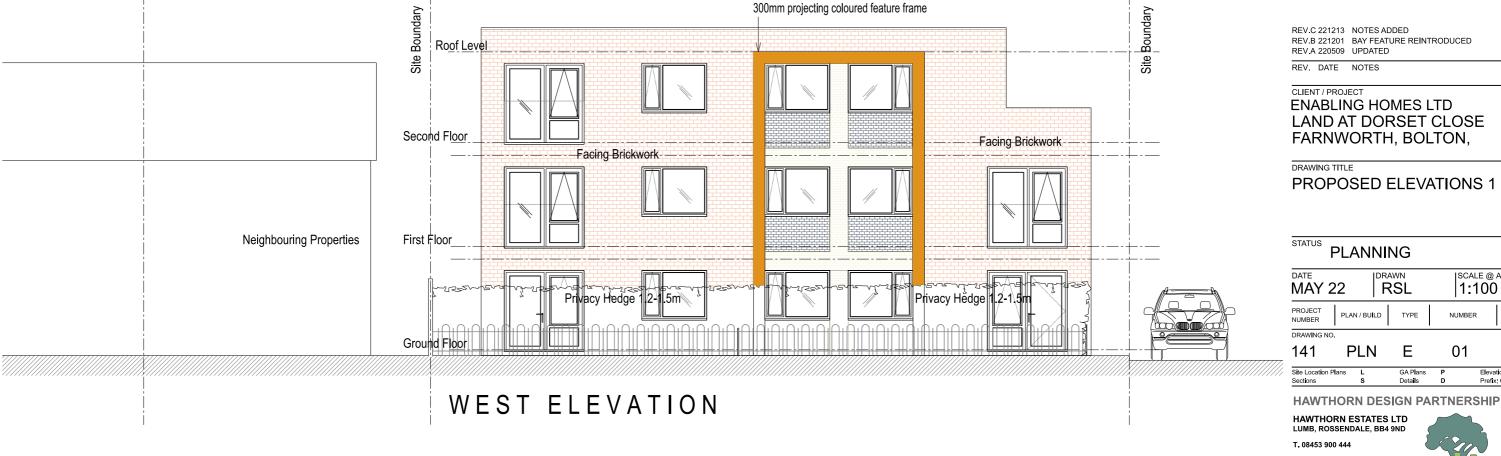
Reason

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

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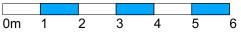




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SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS





CREAM BRICK



REV.C 221213 NOTES ADDED
REV.B 221201 BAY FEATURE REINTRODUCED

LAND AT DORSET CLOSE FARNWORTH, BOLTON,

PROPOSED ELEVATIONS 1 OF 2

RSL

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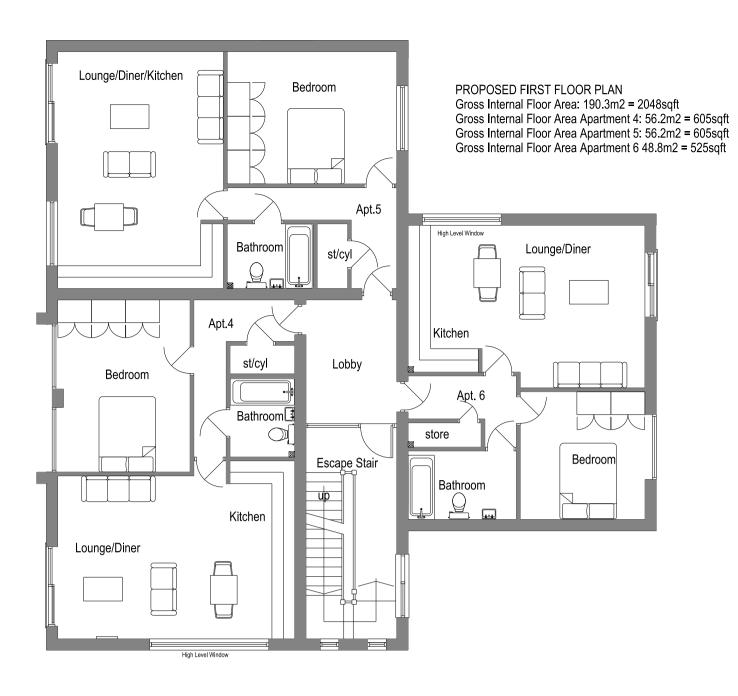
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Elevations E Prefix; Colour C



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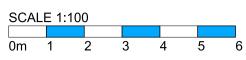
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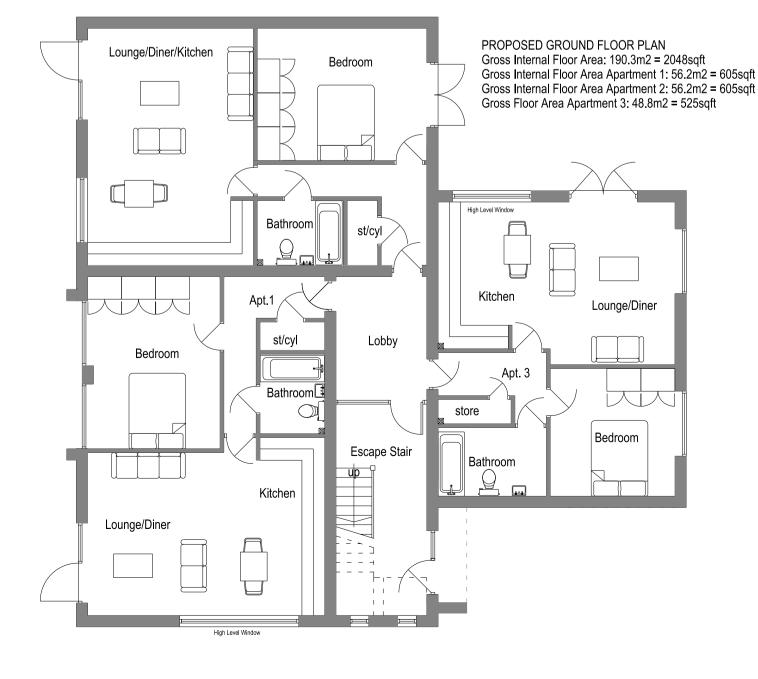


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BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS





 REV.B 221201
 FEATURE BAY ADDED
 RSL

 REV. 220509
 PLAN UPDATED
 RSL

 REV. DATE
 NOTES
 INIT.

CLIENT / PROJECT

ENABLING HOMES LTD LAND AT DORSET CLOSE FARNWORTH, BOLTON,

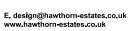
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PROPOSED PLANS 1 OF 2

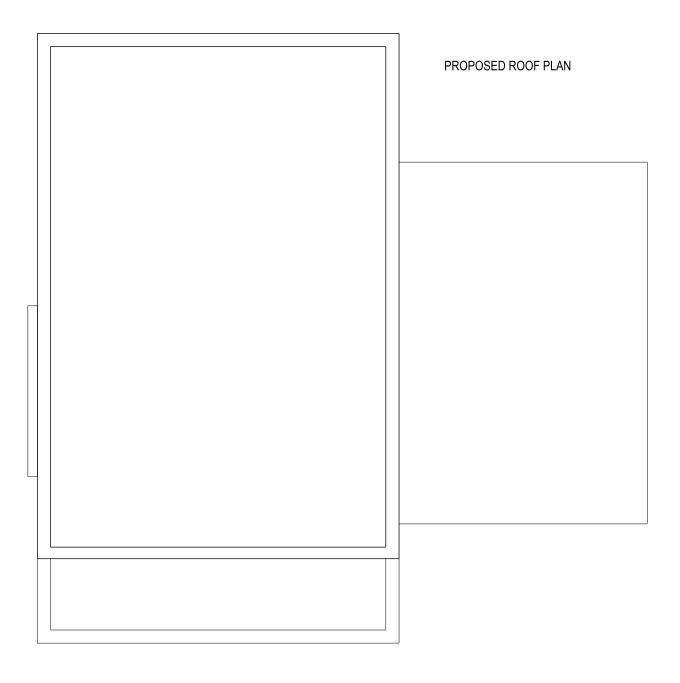
PL	ANNI	NG					
MAY 22	22 RSL			SCALE @ A3 1:100			
PROJECT P	LAN / BUILD	TYPE	NUME	BER	REVISION LETTER		
DRAWING NO.	PLN	Р	01		В		
Site Location Plans Sections	L S	GA P l ans Deta il s	P D	Elevation Prefix; Co	-		

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HAWTHORN ESTATES LTD LUMB, ROSSENDALE, BB4 9ND T. 08453 900 444



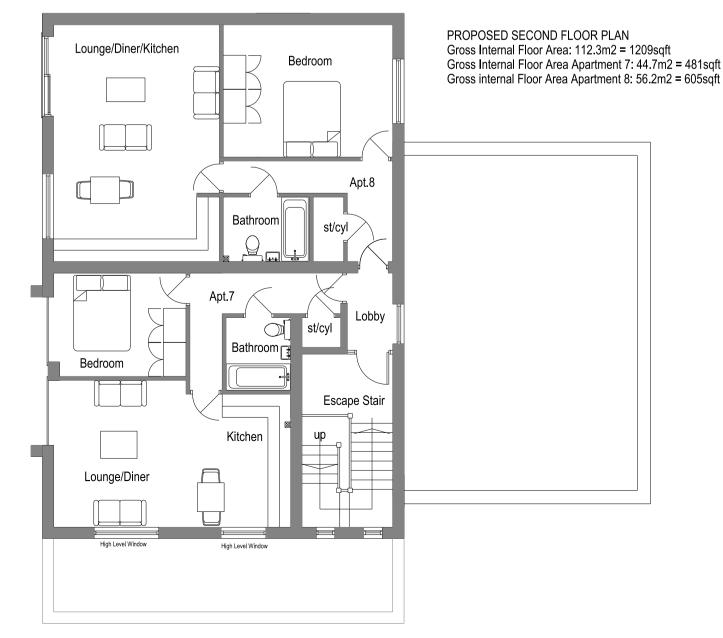




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REV.B 221201 APT 7 INCREASED, FEATURE BAY ADDED RSL REV.A 220509 PLANS UPDATED RSL

REV. DATE NOTES

CLIENT / PROJECT

ENABLING HOMES LTD LAND AT DORSET CLOSE FARNWORTH, BOLTON,

DRAWING TITLE

PROPOSED PLANS 2 OF 2

STATUS	
	PLANNING

DATE MAY 22		RSL		SCALE @ A3 1:100		
PROJECT PI	_AN / BUILD	TYPE	NUMB	ER REVI	SION	
DRAWING NO.						
141	PLN	Р	02	В		
Site Location Plans	L S	GA Plans	P	Elevations Prefix: Colour	E	

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HAWTHORN ESTATES LTD LUMB, ROSSENDALE, BB4 9ND

T. 08453 900 444

E. design@hawthorn-estates.co.uk www.hawthorn-estates.co.uk



