

Planning Applications Report

Planning Committee

24 September 2015

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

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

www.bolton.gov.uk/planapps

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TPO: Proposed Tree Preservation Order, 26 Lostock Junction Lane No. 2

Application number
93929/15



**Development & Regeneration Dept
Development Management Section**

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

Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 93929/15

Type of Application: Full Planning Application
Registration Date: 16/04/2015
Decision Due By: 10/06/2015
Responsible Officer: Jeanette Isherwood

Location: LAND ADJACENT THE ROWANS, BOLTON

Proposal: ERECTION OF DETACHED DWELLING

Ward: Heaton and Lostock

Applicant: Mr Kelly
Agent : Neil Pike Architects

Officers Report

Recommendation: Approve subject to conditions

Background

The application was deferred at the Committee Meeting of 27th August for a site visit.

Proposal

Permission is sought for the erection of a four storey, detached house on a previously undeveloped site (greenfield site). The property will front on to The Rowans with the rear elevation facing Markland Hill Lane. Three parking spaces will be provided to the front accessed off The Rowans.

Access into The Rowans is off Markland Hill, at the north eastern corner of the site.

Site Characteristics

The application site is a vacant plot, sited on a cul-de-sac of six houses on The Rowans. Two of the properties are sited to the north of The Rowans occupying elevated positions due to the ground slope. The four remaining properties are sited to the south of the development all fronting onto a central turning area to the centre of the site. Previously the plot was a small wooded area that has since been cleared of diseased trees. However a small number of trees bound the plot, mainly to the rear abutting Markland Hill. The site is subject to a Tree Preservation Order Bolton (Heaton) 1960.

There is a distinct ground difference evident with the ground sloping from the northern entrance, down towards the small cul-de-sac. This particular plot occupies an elevated position on the eastern side of The Rowans with the remaining properties on a lower level to the west of the site.

To the south is a detached property sited at 388 Chorley New Road. The ground falls steeply towards this property.

The area surrounding the site is wholly residential and is characterised by a variety of house designs and ages, ranging from large detached dwellings to rows of terraced housing. The application site is

within the Chorley New Road Conservation Area.

Policy

National Planning Policy Framework (NPPF)

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

SPD Accessibility, Transport and Safety
SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on urban regeneration
- * impact on the character and appearance of the conservation area
- * impact on the amenity of neighbouring residents
- * impact on trees
- * impact on the highway
- * other matters

Impact on Urban Regeneration

The NPPF encourages the effective use of land by reusing land that has been previously developed (brownfield land) and states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Policy SC1.2 of the Core Strategy states that at least 80% of housing development will be on previously developed land. Policy OA4.1 refers specifically to development in West Bolton and states that the Council will concentrate sites for new housing within the existing urban area.

Although the application site is a greenfield site, it is considered that the application adheres to policy in that it proposes a dwelling within an existing urban area and as the proposal will retain the established plot sizes and character of the area, conserving the character of the existing physical environment. The proposal therefore constitutes an infill development site within the urban area.

The application site is also considered to be in a highly sustainable location, close to local shops and schools.

It is therefore considered that the principle of developing the site for residential development is

acceptable and compliant with Policies SC1.2 and OA4.1 of the Core Strategy.

Impact on the Character and Appearance of the Conservation Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall 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 CG3.4 seeks to conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings. Policy OA4 states that the Council will conserve and enhance the character of the existing physical environment and ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings.

The application site is located within the Chorley New Road Conservation Area, which is characterised in the main by large detached dwellings in large wooded plots.

Objections have been received with regard to the overall appearance of the property with the concerns being as follows:-

- * The proposal represents an overdevelopment of the site.
- * The height of the building will give it an overdominant appearance in the cul-de-sac.
- * The proposal is not in-keeping with the surrounding properties.

The proposed development is, in effect, considered to be a four storey building. However the second floor is contained within the roof space served by two small dormers to the rear elevation. The lower ground floor makes use of the existing ground slope, utilising the difference in levels to lessen the property's appearance on entering The Rowans.

The existing four properties in the cul-de-sac are all of similar design although some have been extended to give a more individual appearance. The proposal introduces features that mirror some aspects of this original design with an integral garage and pike roof detail. The plot size is ample and the proposal is thought to sit well within it avoiding a cramped design.

The immediate vicinity is characterised by varying house types and therefore the design of this dwelling is considered to be compatible with the mixed character of the area.

Notwithstanding the objections, it is considered that the proposed development would conserve the character and landscape quality of the area and would be compatible with the built character of the surrounding area, compliant with Policies CG3 and OA4 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution. SPD General Design Principles sets out the minimum distances required between dwellings to ensure privacy and make sure that new development relates well to surrounding properties.

Objections have been received from neighbouring residents with regard loss of privacy due to overlooking. However, the proposed dwelling is sited such that it exceeds the minimum interface standards contained within the SPD (over 13.5 metres where the side of the proposed dwellings face the front elevations of neighbouring houses and over 21 metres where the proposed dwelling "fronts" the neighbouring houses).

It is considered that the proposed development would not unduly harm the amenity of any neighbouring resident and is therefore compliant with Policy CG4 of the Core Strategy.

Impact on Trees

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

A significant number of trees protected by Tree Preservation Order Bolton (Heaton) 1960 bound the application site to the east.

Following advice from the Council's Tree Officers the proposal has been moved further into the site, away from the canopies of the protected trees to the rear and now gives sufficient clearance for the Tree Officers to consider the proposal to be acceptable.

Additional tree planting is proposed within the development, and this is to be secured via a condition.

It is considered that the proposed development will not result in the unacceptable loss of trees, compliant with Policy CG1.2 of the Core Strategy.

Impact on the Highway

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, parking and the transport needs of people with disabilities. Policy S1.2 states that the Council will promote road safety in the design of new development.

Residents have raised objection with regard to inadequate parking provision being provided and possible additional wear and tear on the road.

Access into the development is taken from Markland Hill, with the access road being a private road.

The application proposes three parking spaces to the front, complying with the parking standards contained within Appendix 3 of Bolton's Core Strategy.

The Council's Highways Engineers have commented that The Rowans is a private road so there are no highway implications. The applicant is providing adequate parking provision within the site curtilage in order to support the level of development proposed. They raise no objection to the proposal subject to conditions (as listed below).

It is considered that the proposed development will not jeopardise highway safety and provides sufficient on-site parking, compliant with Policies P5 and S1.2 of the Core Strategy.

Other Matters

Objections have been received outlining that Japanese Knotweed may be present on the site.

It is therefore considered suitable to add a condition to the approval, that if discovered, a scheme to eradicate it shall be submitted and approved by the Local Planning Authority.

Conclusion

For the reasons discussed above it is considered that the proposed residential development complies with policy, in that it would assist in urban regeneration, would be compatible with the character and

appearance of the conservation area, would not unduly harm the amenity of neighbouring residents, would not lead to the unacceptable loss of trees and would not jeopardise highway safety.

Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- Three letters of objections received with their concerns being addressed within the main body of this report.

Consultations

Advice was sought from the following consultees: Tree Officers, Highways Engineers, Pollution Control Officers, Greater Manchester Police's Architectural Liaison Officers, Strategic Development, Economic Strategy.

Planning History

Application 93458/15 for the erection of a detached dwelling over four floors was withdrawn by the applicant in March 2015.

The felling of 3 beech trees and 1 sycamore was approved in October 2014 (92714/14).

Application 23579/84 for the erection of a detached bungalow and double garage was refused in September 1984.

Application 17900/81 for a detached bungalow with integral garage was refused in December 1981.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development is safe for use and to comply with Core Strategy policy CG4.

3. Prior to commencement of development investigative works shall be carried out to confirm the presence of Japanese Knotweed, details of which shall be submitted to, and approved in writing by the Local Planning Authority. Should the presence of Japanese knotweed be confirmed on the site development shall not commence until a scheme for its eradication has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for its implementation. The scheme shall be carried out as approved. Should there be a delay of more than

one year between the approval of the scheme and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority.

Reason

To ensure the safe development of the site and eradication of an invasive species and to comply with Core Strategy policy CG1.

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

Reason

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

5. 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 and to comply with Core Strategy policies CG3 and CG4.

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

1. The trees within or overhanging the site which are subject of a Tree Preservation Order (TPO) have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).
3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.

Reason

To protect the health and appearance of the tree(s) and to comply with Core Strategy policy CG1.

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

Reason

To ensure the safe development of the site and favourable retention of trees and to comply with Core Strategy policy CG1.

8. Before the approved/permitted development is first brought into use no less than 3 car parking spaces with minimum dimensions of 2.4 metres by 5.5 metres shall be provided within the curtilage

of the site, in accordance with Drawing Ref: PL K684/01 Rev B approved by the Local Planning Authority. 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 Core Strategy policy P5.

9. Prior to the development hereby approved being first occupied or brought into use, a scheme detailing how parts of the site to be used by vehicles are to be laid out, constructed, surfaced, drained and lit shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter made available for the use of vehicles at all times the development is in use.

Reason

To encourage drivers to make use of the parking and circulation area(s) provided and to comply with Core Strategy policy P5.

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

Proposed Lower Ground and Second Floor - PL K684/04 Rev B - Dated 08/07/15 - Scanned 17/07/15

Proposed Ground Floor - K684/02 - Dated 11/1/14 - Scanned 01/04/15

Proposed First Floor - K684/03 - Dated 11/12/14 - Scanned 01/04/15

Proposed Front and Side Elevation - K684/05 - Dated 11/12/14 - Scanned 01/04/15

Proposed Rear and Side Elevation - K684/06 Rev A - Dated 08/07/15 - Scanned 14/07/15

Proposed Site Plan - PL K684/01 Rev B - Dated 08/07/15 - Scanned 17/07/15

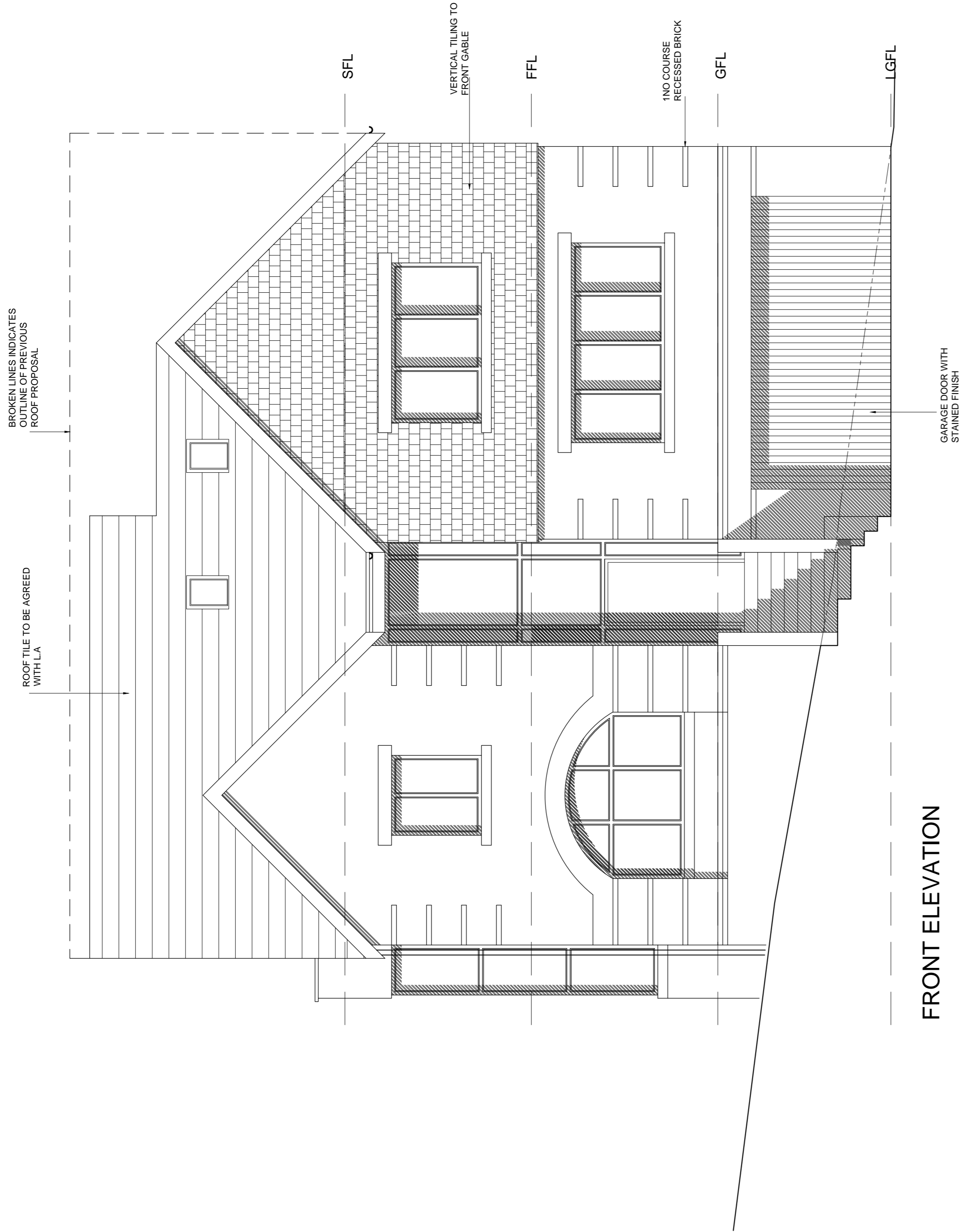
Reason

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

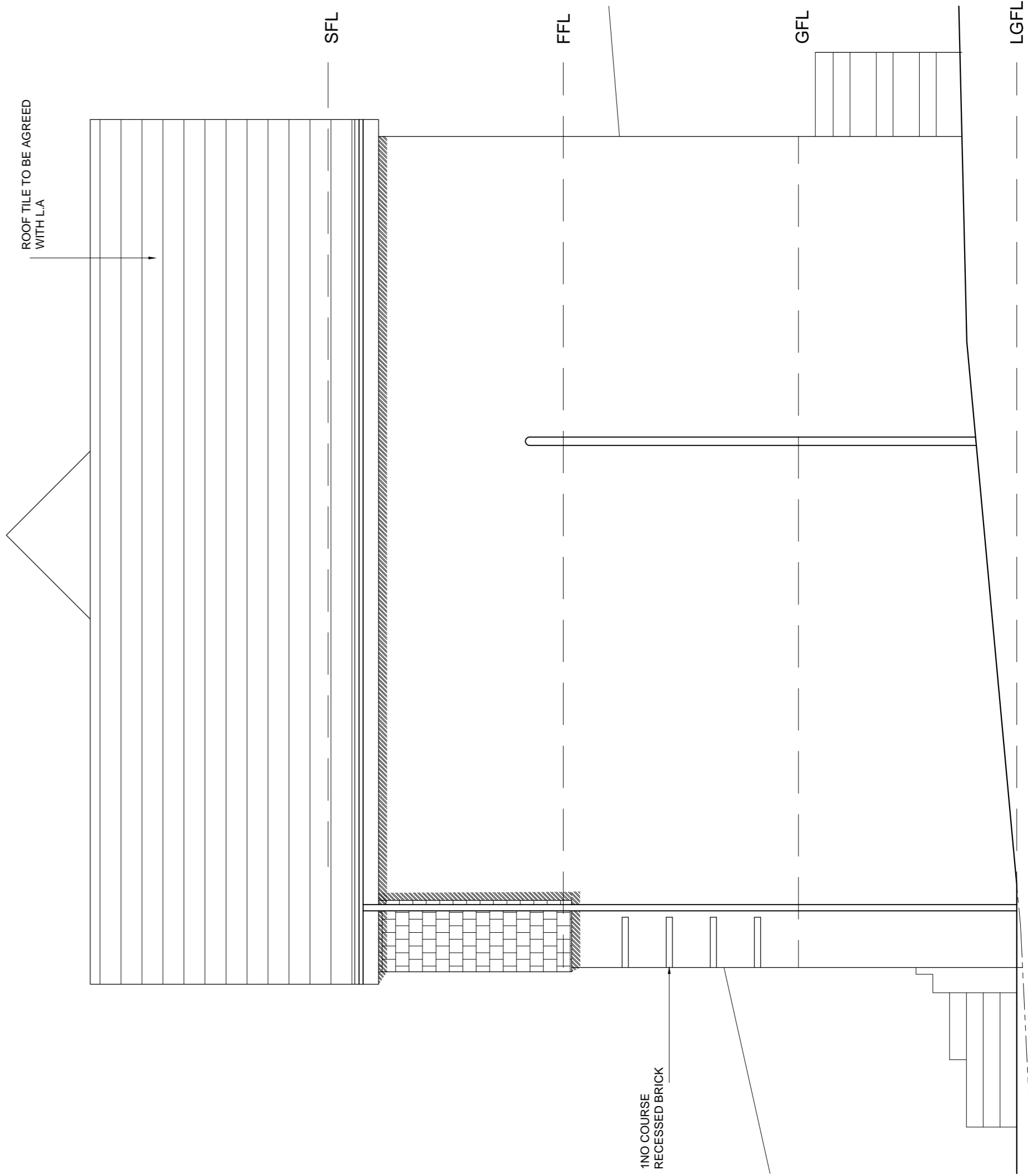
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, fences, gates, walls, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed.

Reason

To safeguard the character and appearance of the dwelling/land and to comply with Core Strategy policy CG3.

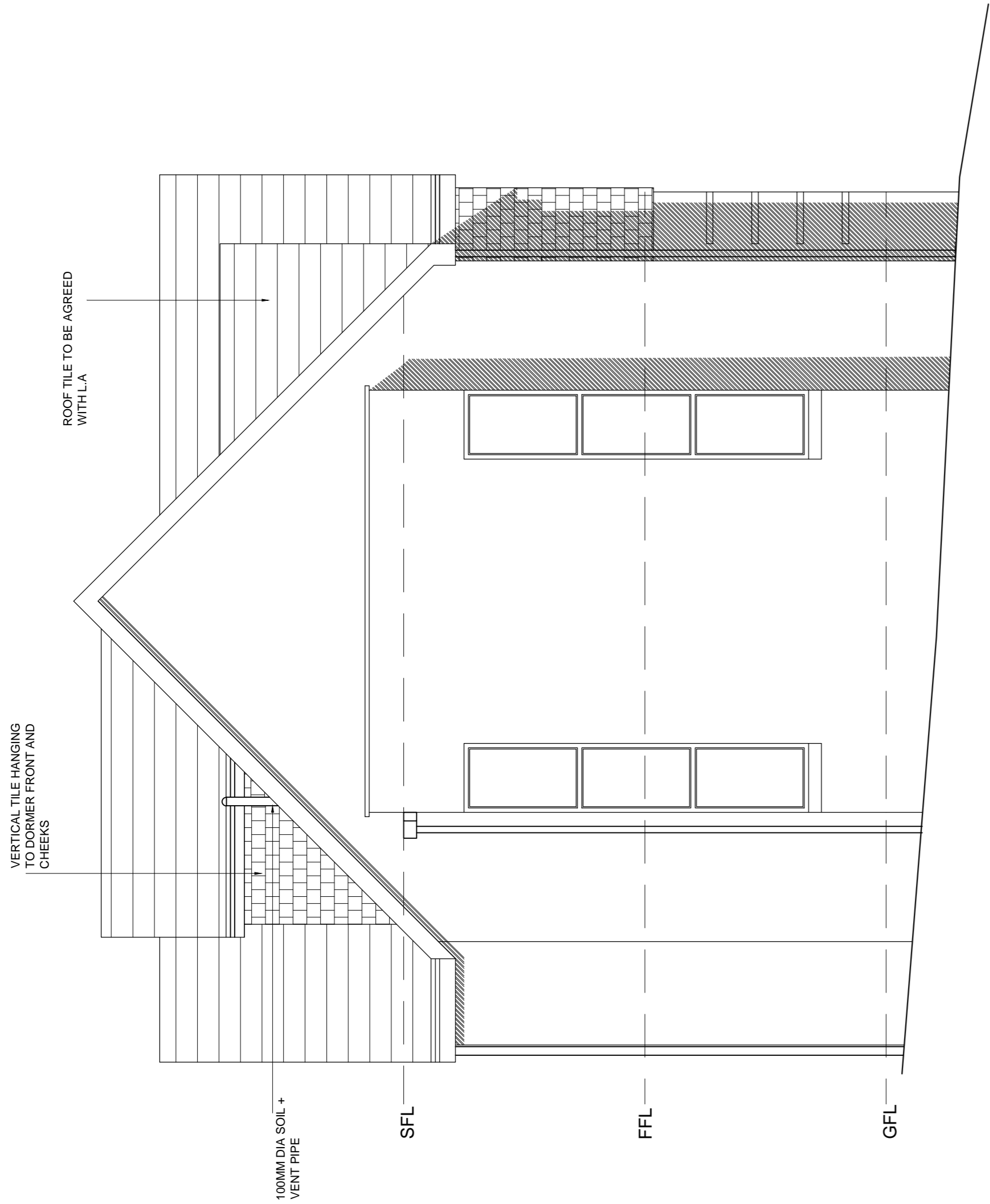


FRONT ELEVATION



SIDE ELEVATION

NOTE: NOTES ON DRAWINGS OVERRIDE THE ABOVE SUPPLEMENTARY BUILDING REGULATION NOTES		REV	DESCRIPTION
PROPOSED FRONT AND SIDE ELEVATION			
PROPOSED DWELLING AT LAND AT THE ROWANS, MARKLAND HILL, BOLTON, BL1 5BN			
CLIENT:	KELLY		
DWG NO:	K684/05		
SCALE:	1/50 @ A1		
DRAWN BY:	R.S.P.		
DATE:	11/12/14		
REV:		MICHIGAN HOUSE, 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR TEL: 01204 392233 FAX: 01204 528505 WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK	
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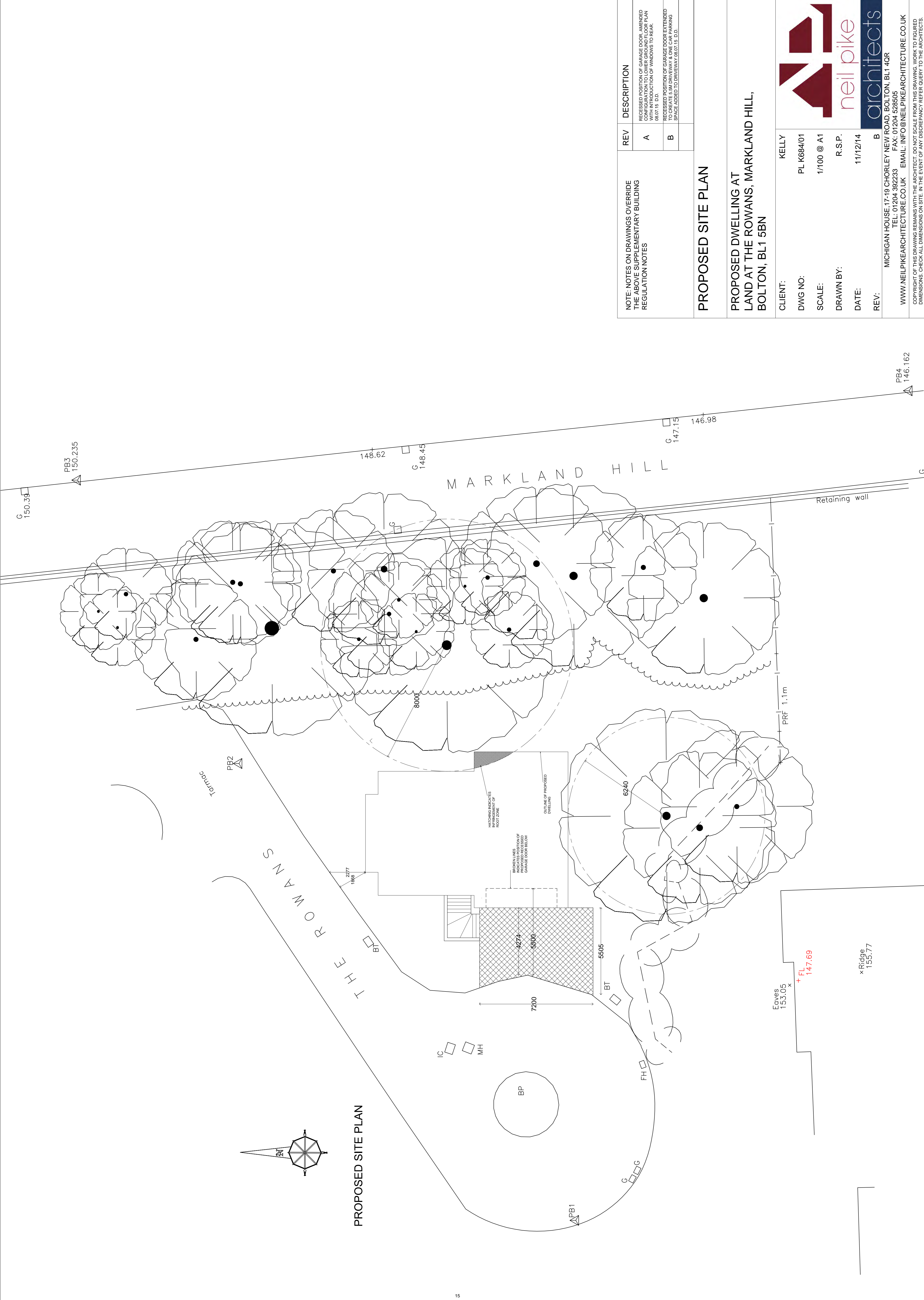


LGFL
SIDE ELEVATION



REAR ELEVATION

NOTE: NOTES ON DRAWINGS OVERRIDE THE ABOVE SUPPLEMENTARY BUILDING REGULATION NOTES	REV	DESCRIPTION
	A	REGESSED POSTION OF GARAGE DOOR. AMENDED CONFIGURATION TO LOWER GROUND FLOOR PLAN WITH INTRODUCTION OF WINDOWS TO REAR. 08.07.19 D.D.
PROPOSED REAR AND SIDE ELEVATION		
PROPOSED DWELLING AT LAND AT THE ROWANS, MARKLAND HILL, BOLTON, BL1 5BN		
CLIENT:	KELLY	
DWG NO:	K684/06	
SCALE:	1/50 @ A1	
DRAWN BY:	R.S.P.	
DATE:	11/12/14	
REV:	A	
MICHIGAN HOUSE 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR TEL: 01204 392233 FAX: 01204 528505 WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK		
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Application number 94148/15



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Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 94148/15

Type of Application: Full Planning Application
Registration Date: 08/05/2015
Decision Due By: 06/08/2015
Responsible Officer: Martin Mansell

**Location: LAND AT MOOR LANE/HANOVER STREET/GARSDIE STREET,
BOLTON BL1 4TG**

**Proposal: ERECTION OF 294 NO. APARTMENTS, COMPRISING 150 NO. 2
BED 3 PERSON APARTMENTS, 102 NO. 1 BED 2 PERSON
APARTMENTS, 42 NO. 1 BED 2 PERSON STUDIOS AND THE
RE-DESIGN OF PART IMPLEMENTED PLANNING APPROVAL
74966/06**

Ward: Halliwell

Applicant: PHD1 Developments
Agent : Condry & Lofthouse Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Members may recall the grant of a planning consent in 2006 for new apartments at land bounded by Moor Lane, Hanover Street and Garside Street, land formerly known as "Kay Works" but now often referred to as "Westpoint". The 2006 consent granted permission for the construction of 289 apartments (72 x 1 bed & 217 x 2 bed) and of these apartments, 40 units have been constructed forming the 7-storey block known as "Westpoint View", operated as affordable housing by Great Places Housing Group. An important consideration is that the development of these units means that the 2006 approval has commenced, has therefore not expired and remains capable of continuing to be implemented to this day.

The application before Committee seeks consent for a development that would have an identical footprint, building envelope, elevational design and materials to that which was approved in 2006, but additionally seeks to vary the numbers and types of residential units, in the following way:-

2006 Consent

217 2 bed apartments
72 1 bed apartments

Total: 289 apartments (40 constructed)
232 parking spaces

Current Proposal

150 2 bed apartments
102 1 bed apartments
42 "studio" apartments
Total: 294 apartments
88 parking spaces

The alterations would be achieved by changing the approved internal parking spaces to form

residential accommodation instead and by removing courtyard amenity space and using this as car parking instead.

The Applicant has shown how a pedestrian link between Moor Lane and Spa Road / Queens Park via Garside Street can be achieved, seeking to encourage pedestrians to make use of this link via a change in hardstanding and lining the route with trees and gabion blocks.

No contributions are currently proposed towards S106 considerations, though this issue is covered below.

Site Characteristics

The site is an irregularly shaped parcel of land close to the north west boundary of Bolton town centre and bounded by Moor Lane, Hanover Street and Garside Street. The land contained industrial buildings for many years but has been completely cleared with the 40 apartments of Westpoint View recently constructed immediately to the north, overlooking Spa Road and White Lion Brow. St. Paul's Church is a listed building and important landmark which provides a focus to the western end of Deansgate and has been converted to apartments. The wider setting is determined by the edge of town centre location with some small commercial operations and to the south beyond Gas Street are the residential flat developments of Paderborn Court and Jubilee House. To the north east, the apartments of Marsden House provide a further large scale residential setting. Moor Lane Bus Station lies to the south west but will be vacated in coming years once the Interchange is completed.

The sites lies within the TC5 area of Bolton town centre, but has strong links to the TC10 Urban Village area due to the construction of the Westpoint View apartments facing this area.

Policy

National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities, protecting green belt land, meeting the challenge of climate change, flood and coastal change, conserving and enhancing the natural environment

Core Strategy Objectives

SO1 Access to Health, Sport, Recreation and Food, Walking and Cycling, SO2 Access to Education, SO3 Economic Opportunities of Bolton Town Centre, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO10 Climate Change, SO12 Biodiversity, SO13 Flood Risk, SO14 Inclusive Housing, SO15 Sustainably Located Housing, SO16 Community Cohesion and Access

Core Strategy Policies

P5 Transport, S1 Crime and Road Safety, CG1 Biodiversity, Open Space, Flood Risk and Climate Change, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses SC1 Housing Targets, TC5 Cultural Quarter, TC10 Urban Village, TC11 Design in Bolton Town Centre IPC1 Infrastructure Contributions

Supplementary Planning Documents

Building Bolton, Sustainable Design and Construction

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on housing provision
- * impact on Bolton town centre
- * impact on the road network and pedestrian permeability
- * impact on nearby uses

Impact on the Character and Appearance of the Area

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

The National Planning Policy Framework recognises the role of the planning system in creating a high quality built environment and notes that well-designed buildings and places can improve the lives of people and communities. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including replacing poor design with better design. The Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. 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. Planning decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings. Core Strategy Policy CG3 seeks to ensure that development proposals display innovative, sustainable design that contributes to good urban design, respects and enhances local distinctiveness, and has regard to the overall built character and landscape quality of the area. Proposals should also be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment including hard and soft landscaping and boundary treatment. Historical associations should be retained where possible. The Council will also seek to conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings; ensure development is designed in an inclusive manner which is accessible and legible to all, regardless of age, gender, background or disability; encourage the incorporation of design measures into new developments that allow adaptation and resilience to the impacts of climate change and extreme weather events and also to reduce the threat of fuel poverty, through the careful selection of aspect, layout and massing, and by making buildings increasingly energy efficient; maintain and respect the landscape character of the surrounding countryside and its distinctiveness. Any soft landscaping and landscape enhancement schemes should enhance biodiversity and be compatible with the nearby landscape character types identified by the Landscape Character Assessment.

Core Strategy Policy TC11 relates specifically to development in Bolton Town Centre and states that the council and its partners will protect, strengthen and enhance the distinctive townscape qualities of Bolton town centre. Development should conserve and enhance the special nature of the conservation areas and listed buildings; ensure that development along the gateways to the town centre enhances the townscape through the use of high quality design and improved street frontages and pedestrian permeability; ensure streets are designed in accordance with the Public Realm Implementation Framework to achieve a high standard of design which exhibits safety, consistency and accessibility, particularly for pedestrians, cyclists and users of public transport; require development to respect and enhance existing vistas - new architectural 'set pieces' will be supported where the design is of exemplary quality; have regard to the existing hierarchy of built forms as indicated in the Building Bolton SPD; make efficient and effective use of land in the town centre due to the existing levels of high density development, ensuring that development provides adequate amenity space and privacy, or attractive public areas, where appropriate for the site.

This is a substantial development, covering a prominent site highly visible from the north west of the town centre and beyond and covering an area of 0.74 hectares. A total of 294 units are proposed which together with the 40 already constructed would result in 336 apartments at this site with buildings typically seven storeys in height but rising to 12 storeys in the middle of the site and on the corner feature and close to the junction of Garside Street and New Holder Street. The proposed development is identical to the 2006 consent in terms of footprint, building envelope, elevational design and materials - the changes for which approval is sought relate solely to the number and mix of units, to the internal configuration and the provision of external car parking space. As such, the design of the building benefits from a planning permission which is capable of being implemented at any time, subject to the discharge of relevant conditions. Nevertheless, the design is still considered to be compliant with policy - it would be consistent with the 40 units at Westpoint View and is considered to represent a reasonable town centre development. It is also noted that the Council's Urban Design Officer commented on the 2006 proposal, advising:-

"Redevelopment of the site will make a positive contribution to the locality and landmark buildings of the style and height proposed will provide a focus for the area without detracting from such other important buildings as St Paul's Church. The building will use brick, stone and glass to ensure a balance of solid and void which adds interest to the streetscene and creates a lightweight

appearance to the upper storeys. Whilst the relationship with some adjacent properties will be stark due to the height difference, this is not necessarily a negative factor. The building will not affect the outlook or operating conditions of any of the neighbouring uses and could act as a catalyst for similar developments in the future. Indeed Council Planning Officers have been having detailed discussions with adjacent landowners with regard to similar redevelopment and regeneration opportunities which would compliment and enhance the current submitted scheme. Subject to conditions with regard to materials and window/door details, the proposal is considered to constitute good urban design complying with the relevant national advice and local policies".

The loss of the internal landscaped areas and use for surface parking is regrettable; however, the landscaped areas would have had very little public impact due to their location within the site. The Applicant states that the use of previously internal car parking spaces for residential accommodation (and therefore the use of the landscaped areas for surface parking) is necessary to make the development viable. As the site has remained only partially developed since 2006, Planning Officers give significant weight to this point - that changes to the approved form are necessary to encourage and facilitate the development.

The appearance of the development benefits from an existing and implementable consent and is in any case considered to be acceptable in policy terms.

Impact on Housing Provision

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

The Core Strategy plans for an average of 694 additional dwellings per annum between 2008 and 2026, an overall total of 12,492 dwellings. This is above the minimum level specified in the approved Regional Spatial Strategy and reflects the factual evidence from the Housing Market Assessments and the Sustainable Community Strategy aim of creating housing that meets Bolton's needs. The location of new housing will reflect the overall spatial option of concentrating development in Bolton town centre, renewal areas and at Horwich Loco Works.

Policies SO14, SO15 and SO16 of Bolton's Core Strategy are strategic objectives within the "Strong and Confident Bolton" theme and seek to provide housing that meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households, focus new housing in the existing urban area, especially in Bolton town centre, council-owned housing areas and in mixed-use developments on existing older industrial sites and to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities. Policy SC1 of Bolton's Core Strategy states that the council and its partners will identify a range of housing sites for additional provision of 694 dwellings per annum between 2008 and 2026. At least 80% of housing development will be on previously developed land.

The former industrial buildings have been cleared from the site and it therefore represents previously developed land. The Core Strategy's objective of focusing approximately 20% of all new housing in

Bolton town centre is considered to be likely to deliver other benefits in terms of town centre activity and viability. It is also noted that the use of this land for housing is one of the objectives of Policy TC5 which states that the Council will ensure that redevelopment and re-use of older industrial buildings and cleared areas on the west side of Moor Lane incorporates new housing uses. As has already been noted, the site benefits from an existing and implementable consent for 249 residential units - the current proposal seeks to increase this by 45 to 294. Whilst the proposed amendments to the approved scheme would alter the mix of two bedroom and one bedroom units, and also introduce some "studio" apartments lacking a separate bedroom, Officers note that at least 50% of the units would be two-bedroomed.

The principle of housing development is capable of implementation and is in any case a key objective of Policy TC5 of the Core Strategy. The mix of housing types is considered to be acceptable and it is considered that this number of units will make a considerable and positive contribution to housing provision.

Impact on Bolton Town Centre

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

The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for retailing, leisure, cultural and civic activities. Good urban design is recognised as being essential for producing attractive, high-quality, sustainable places in which people will want to live, work and relax. It is of particular importance for creating a successful and flourishing town centre. It is important to ensure that development is well-designed and compatible with the surrounding area to ensure the economic, social and environmental benefits of major regeneration projects and smaller development proposals are realised. The Core Strategy also notes that the approach of concentrating investment and development in the town centre and other central areas will ensure that resources are being directed towards those areas with the highest crime rates, to try and reduce them.

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.

Whilst the site is located somewhat on the periphery of the town centre, it does benefit from good links to the core of the town centre via Deansgate, the Le Mans Crescent arches and Ashburner Street. As with existing nearby residential development - White Lion Brown, Westpoint View, Marsden House and Paderborn Court - it is considered likely that residents would make significant use of town centre facilities and therefore contribute beneficially to economic activity and viability.

The proposal is considered to have a significant and positive impact on Bolton town centre.

Impact on the Road Network and Pedestrian Permeability

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

people with disabilities. Policy S1 seeks to promote road safety.

The Council's Highway Engineers consider that the applicant has submitted a robust Transport Statement in order to substantiate the reduction in off-road parking spaces proposed in relation to the consented application for the site, and also the change in the potential traffic profile associated with the proposal. The statement demonstrates that the development is highly accessible in terms of sustainable modes of transportation and it is noted that the applicant is proposing an electric car share scheme for residents which will potentially go some way to reducing the onus on car parking provision. The proximity of the site to the Bolton town centre core, and its numerous car parking facilities, will provide for any potential over-spill if required. For these reasons, Highway Engineers do not object on highways grounds to the amendments proposed. Conditions are recommended covering the closure of redundant access points, the provision of the parking spaces proposed, the relocation of street lights and footway resurfacing. The Applicant will also need to make a financial contribution to cover improvements to the Spa Road/Garside Street and Spa Road/New Holder Street junction together with funding new and amended traffic regulation orders in the area.

Improved pedestrian permeability is a key objective of the Core Strategy, especially in Bolton town centre and at the request of Planning Officers the Applicant has amended the plan to show a pedestrian route through the site, running from Moor Lane opposite the existing footway at the rear of the Courts and discharging on Garside Street opposite Bolton Lads and Girls Club. Through the site, a change in the hardstanding and the introduction of 1m high stone filled gabion blocks, sapling trees and possibly pedestrian level lights is intended to lead pedestrians out onto Garside Street, to continue on to Queens Park. Sections of the route over the site would be shared with the cars in the car park, but the change in hardstanding is intended to slow cars down.

Officers have considered this element and do not believe that it would be attractive to pedestrians. The route is not a direct or straight route, crosses a car park and requires pedestrians to pass through a relatively narrow gap between two seven storey buildings. The Applicant has been encouraged to propose a financial contribution towards public realm improvements in the immediate vicinity of the site (generally adjacent to the eastern and northern boundaries) in order to encourage pedestrian links between the town centre, the site and Queens Park. Progress on this will be reported at the meeting.

The reduction in car parking spaces has been accepted by the Council's Highway Engineers due to the accessibility of the site and is considered to contribute to sustainable development. Conditions will be imposed to deliver the necessary highway improvements within the area as with the previous approval. The pedestrian link through the site would be an added benefit over and above the 2006 consent, but is not considered to meet the Council's aspirations to improve the linkages between the town centre and Queens Park.

Subject to improvements to the public realm in the vicinity of the site, the impact on the road network and pedestrian permeability is considered to be acceptable.

Impact on Nearby Uses

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

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

considered appropriate for this area, given the general mix of typical town centre and residential uses. The layout and window positions are as approved by the implementable consent in 2006.

By way of using land previously given over to amenity space as surface parking instead, the development would be substandard in terms of amenity space. However, Officers note the town centre location (where amenity space is often substandard) and also the proximity to Queens Park, particular if access is encouraged to Queens Park via improvements to the public realm. It is not thought that living conditions would suffer as a result of a lack of on-site amenity space.

The proposal is considered to comply with Policy CG4 of Bolton's Core Strategy

Other Issues

Policy IPC1 of Bolton's Core Strategy states that the council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or to mitigate the impact of that development. In doing so, the council will ensure that a scheme is made acceptable in planning terms and achieves the objectives of sustainable development. In determining planning applications the council will apply a threshold of 15 dwellings in assessing whether planning contributions will be required from proposed housing developments. For new residential development specific contributions will be sought for affordable housing, open space provision and maintenance, health and well-being, education and community facilities. For all types of development, including housing, contributions will be sought for additional types of infrastructure necessary to remedy site-specific deficiencies that arise from development or any other mitigation or compensatory measures required. These may include, where relevant, off-site access and transport of all types including public transport, cycling and walking. Within Bolton town centre it is anticipated that the council will primarily seek contributions to secure high quality improvements to the public realm. These policies are applicable unless it can be demonstrated by the applicant that the scheme would not be viable if contributions were sought or offered.

The proposed development is unusual in that the affordable housing element of the 2006 consent was satisfied by the construction of the 40 units at Westpoint View - without the remainder of the site being completed. Policy IPC1 makes it clear that, within the town centre, contributions will mainly be sought for improvements to the public realm. Rather than seek to achieve contributions for housing, education or health on the 45 unit uplift, Officers instead recommend that public realm improvements seeking to encourage better linkages between the town centre and Queens Park are imposed.

Conditions are recommended covering improvements to the Spa Road/Garside Street and Spa Road/New Holder Street junction together with funding new and amended traffic regulation orders in the area in order to address site-specific deficiencies that would arise from the development.

Conclusion

This development was originally granted consent in 2006 and, by virtue of the construction of the 40 units at Westpoint View, remains capable of being completed in terms of planning law. The differences between the approved and proposed development involve no changes to the site layout or the scale and appearance of the buildings but instead seek to vary the number and mix of dwelling types and use land previously intended to be amenity as parking spaces. The principle and design of the proposal are both considered to be acceptable in any case.

The development does not, in its current form, meet with the Council's aspirations for improving links between the town centre and Queens Park and it is difficult to see how this could be achieved without significant changes to the building footprint and site layout. However, Officers are seeking a

contribution to improvements to the public realm and progress will be reported on this at the meeting.

The proposal will make a significant contribution to the Council's housing targets, is entirely in accordance one of the key objectives of Core Strategy Policy TC5 and it is therefore recommended that Members delegate the decision to the Director to allow a financial contribution to be pursued.

Representation and Consultation Annex

Representations

Letters:- two general representations have been received from a local business and a nearby resident:-

- will the area from what was formerly known as Stanley Street North be an access point for the proposed flats? My warehouse/business is located on this street which requires access by vans, trucks and articulated lorries for deliveries and collections. (Officer's note - sole vehicular access would be from Garside Street)
- the use of Garside Street for parking, access and shortcuts is already at its limit
- the junction with Spa Road/Chorley Street is particularly precarious where accidents or near misses are already frequent. An increase of traffic for the number of proposed residence in the new build is sure to make this worse
- children from the nearby Bolton Lads & Girls club cross where 3 busy town centre junctions meet, compounded by vehicles having difficulty navigating a poorly designed layout is already at breaking point. This is made worse when parents stop on all corners to drop off their children to attend Bolton Lads & Girls club creating further congestion and even more obstacles for vehicles
- consideration should be given to the impact of increased local traffic due to the development and how the junction can be improved

Both representations make it clear that no objection is raised to the proposal and is it considered that the highways issues raised are addressed in the response and recommended conditions of the Council's Highway Engineers. It is also noted that the proposal benefits from an existing and implementable consent for a greater number of vehicles.

There are no other representations or objections - the application appears at Planning Committee due to its scale and impact on how the town centre functions.

Consultations

Advice was sought from the following consultees: Highway Engineers,

Planning History

Consent was granted in 2006 for 289 apartments (74966/06). This consent is still valid due to the construction of 40 of the units and forms the basis for the siting and external design of the current proposal.

Consent was granted in 2004 for 219 apartments and 60,000sq ft of office space (69846/04)

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. The development hereby permitted shall be begun before the expiration of 3 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 development shall commence unless and until a scheme to protect the sewers crossing the site

and their easements has been submitted to and approved by the Local Planning Authority. Such a scheme as approved shall be implemented in full prior to first occupation of any of the development or in accordance with the approved phasing plan and retained thereafter.

Reason

To safeguard local sewers.

3. 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.

4. No development shall commence unless and until a fire and evacuation safety scheme comprising ground levels details and a minimum 2 metres clearance to the Bolton Little Theatre has been submitted to and approved by the Local Planning Authority and such scheme as approved shall be implemented in full as part of the approved development prior to first occupation, or in accordance with an approved phasing plan, and retained thereafter.

Reason

To ensure the development does not compromise the safe emergency evacuation of Bolton Little Theatre.

5. Unless otherwise agreed in writing by the Local Planning Authority, no development shall be commenced unless and until full details of the highway works at Garside Street comprising removal of Parking Orders, One-Way Order, and provision of a turning head have been submitted to and approved by the Local Planning Authority, and none of the development shall be brought into use until such details as approved are implemented in full. Such works to be retained thereafter.

Reason

In the interests of highway safety.

6. No development shall be commenced unless and until full details of the highway works at the New Holder Street/Spa Road junction comprising kerb build outs, pedestrian islands, a right turn lane and associated highway works have been submitted to and approved by the Local Planning Authority, and none of the development shall be brought into use until such details as approved are implemented in full. Such works to be retained thereafter.

Reason

In the interests of highway safety and reducing traffic speed.

7. No development shall be commenced unless and until full details of the highway works at Garside Street comprising creation of one-way traffic away from White Lion Brow/Spa Road junction and associated highway works have been submitted to and approved by the Local Planning Authority, and none of the development shall be brought into use until such details as approved are implemented in full. Such works to be retained thereafter.

Reason

In the interests of highway safety.

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

Development shall not commence until any remediation scheme required as a result of the investigation has been prepared, approved in writing by the Local Planning Authority, and implemented as approved. The scheme shall include provision for verifying that the remediation objectives (verification report) have been met and for any subsequent monitoring and maintenance in accordance with Model Procedures for the Management of Land Contamination (CLR 11), details of which should be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use or first occupied.

Reason

To ensure the development is safe for use.

9. Unless otherwise agreed in writing with the Local Planning Authority, a 2 metres high acoustic fence/wall shall be erected along the western boundary of the site adjacent to Unit A2 in accordance with detailed designs including its colour and location which shall be submitted to and approved by the Local Planning Authority before any of the apartments within Building A2 have been occupied. The acoustic fence/wall shall be erected before any of the apartments within Building A2 have been occupied, and retained thereafter.

Reason

To ensure adequate standards of privacy are obtained and to safeguard the visual appearance of the area.

10. Prior to the occupation of any of the residential units hereby approved provision shall be made for on-site security comprising car park barrier controls and accessed controlled doors within the development in accordance with details which will have been submitted to and approved in advance by the Local Planning Authority. Such provision that is made shall be retained in full thereafter.

Reason

In the interests of security.

11. Notwithstanding the approved plans, prior to the occupation of any of the residential units hereby approved provision shall be made for not less than 6% of the total car parking spaces to be laid out and reserved at all times for use by drivers with disabilities in accordance with details which will have been submitted to and approved in advance by the Local Planning Authority. Such provision that is made shall be retained in full thereafter.

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.

12. Prior to the occupation of any of the residential units hereby approved provision shall be made for disabled people to gain access including level or ramped access in accordance with details which will have been submitted to and approved in advance by the Local Planning Authority. Such provision that is made shall be retained in full thereafter.

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.

13. Prior to the occupation of any of the units a scheme for the installation of roost tubes (Schwengler design 750/6) shall be submitted to and approved by the Local Planning Authority and such scheme as approved shall be implemented as part of the development and be fully operational prior to first occupation of any of the development to which the roost tubes relate.

Reason

To safeguard protected species and their habitat and provide new habitat where required.

14. The development hereby approved/permitted shall not be brought into use unless and until the existing vehicular access onto Moor Lane has been closed to vehicles, and the existing highway made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Moor Lane, other than as shown on the approved plan.

Reason

In the interests of highway safety.

15. Before the occupation of any of the units details of the provision to be made for cycle parking within the site (to include both short stay and long stay) shall be submitted to and approved by the Local Planning Authority. Such details as are approved shall be implemented in full before the development hereby approved is first brought into use, or in accordance with an approved phasing plan and the respective allocation for each building and retained thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists.

16. The development hereby approved/permitted shall not be brought into use unless and until that part of the site to be used by vehicles has been laid out, drained and surfaced in accordance with details to be submitted to and approved by the Local Planning Authority or in accordance with an approved phasing plan and the respective allocation for each building and 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 areas provided.

17. The development hereby approved/permitted shall not be brought into use unless and until a visibility splay measuring 3.5 metres by 90 metres is provided at the junction of the car park access with Garside Street in accordance with a plan to be submitted to the Local Planning Authority for approval. The approved visibility splay shall be subsequently maintained free of all obstructions between the height of 1 metres and 2 metres (as measured above carriageway level) at all times the development is in use.

Reason

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

18. The residential development hereby approved/permitted shall not be brought into use unless and until not less than 88 car parking spaces have been marked out and provided within the curtilage of the site, in accordance with the approved/submitted details, or in accordance with an approved phasing plan and respective allocations for each building. 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.

19. The residential development hereby approved/permitted shall not be brought into use until the means of vehicular access from Garside Street has been constructed and laid out entirely in accordance with details which will have been submitted to and approved by the Local Planning Authority.

Reason

In the interests of highway safety.

20. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted to and approved by the Local Planning Authority prior to the first occupation of any of the approved residential units. Such scheme shall be carried out within 6 months of the occupation of any of the units - any trees and shrubs that die or are removed within five years of planting shall be replaced in the next planting season with others of similar size and species.

Reason

To soften the development proposed and to enhance and improve the setting of the development within the landscape of the surrounding locality.

21. Prior to the occupation of any of the residential units hereby approved a 'hard' landscape scheme showing all external hard surfaces, paving, footways shall be submitted to and approved by the Local Planning Authority. Such details as are approved shall be implemented in full prior to first occupation of any of the units and retained thereafter.

Reason

To ensure the external works enhance and improve the setting of the development within the landscape of the surrounding locality.

22. Prior to the occupation of any of the residential units hereby approved, details of the treatment to all boundaries shall be submitted to and approved by the Local Planning Authority. Such details as are approved shall be implemented in full prior to first occupation of any of the units and retained thereafter and no other means of enclosure shall be implemented at the site without the written consent of the Local Planning Authority.

Reason

To ensure adequate standards of privacy are obtained and to enhance the setting of the development within the character of the locality.

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

Reason

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

24. Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting. 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.

25. The doors, windows and external surfaces of all buildings hereby permitted shall be of the same colour, materials, texture, size and design as of those of the existing building (A1, Westpoint View) and shall be retained thereafter.

Reason

To ensure the development visually matches the existing nearby building.

26. No works comprising excavation, groundworks, foundations or any construction of the development hereby approved/permitted shall take place between 19:00 and 08:00.

Reason

To safeguard the activities of Bolton Little Theatre and the living conditions of adjacent residents with particular regard to noise and/or disturbance.

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

06-084- 11 rev D
06-084-160 rev C
06-084-161 rev C
06-084-162 rev C
06-084-163 rev C
06-084-164 rev C
06-084-170 rev C
06-084-171 rev C
06-084-172 rev C
06-084-173 rev C
06-084-174 rev C

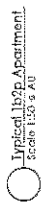
Reason

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

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

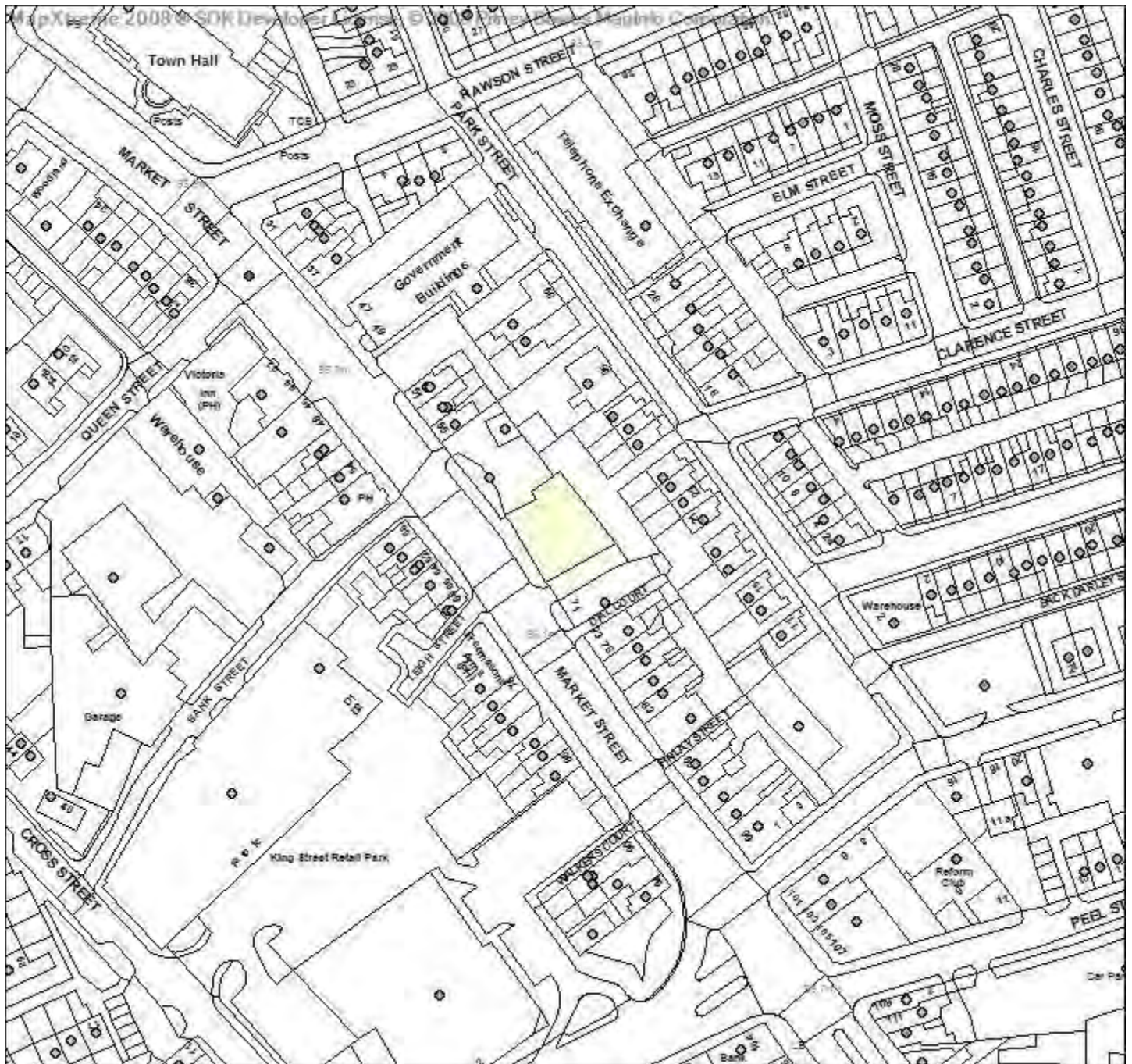
Reason

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





Application number 94159/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 94159/15

Type of Application: Full Planning Application

Registration Date: 13/05/2015

Decision Due By: 07/07/2015

**Responsible
Officer: Paul Bridge**

Location: 65-67 MARKET STREET, FARNWORTH, BOLTON, BL4 7NS

Proposal: CHANGE OF USE FROM SHOP PREMISES (CLASS A1) TO
PUBLIC HOUSE (CLASS A4) AT GROUND FLOOR AND
RESTAURANT (CLASS A3) AT FIRST FLOOR

Ward: Farnworth

Applicant: Polly Properties

Agent : Harry Jackson Surveyors Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning Permission is sought for the change of use from shop premises (class A1) to public house (class A4) at ground floor and restaurant (class A3) at first floor. The premises were historically the Rose and Crown Public House before it was latterly converted in three A1 retail premises. The proposal would potentially employ 4 full time staff and 12 part time staff. No hours of opening have been provided.

Access to the ground floor would be via the existing front entrance, whilst access to the first floor restaurant would be via the existing enclosed staircase located on the side elevation.

Parking would be available for four vehicles.

Site Characteristics

The application relates large detached building on the southern side of Market Street. The property is located within Farnworth Town Centre and as such it is bordered by a mixtures of uses. To the rear of the site is an area of hardstanding/access road, beyond which are the residential dwellings along Park Street. The property is currently vacant, with the exception of the corner retail unit.

Policy

National Planning Policy Framework

Core Strategy CG3 The Built Environment, CG4 Compatible Uses, P5 Accessibility, S1 Safe, RA2 Farnworth.

Supplementary Planning Document - The Location of Restaurants, Cafe, Public Houses, Bars and Hot

Food Takeaways in Urban Areas.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of the change of use;
- * impact on the character and appearance of the area;
- * impact on adjoining land uses / occupiers;
- * impact on highway safety.

Principle of the change of use

The authorised use of the property is for A1 retail units. The applicant has not provided any evidence in the planning application to demonstrate that there is no demand for the retail premise or that an alternative is acceptable. The application site is located within Farnworth Town Centre which is a mixed use area and which has a substantial amount of individual retail floor space/units. As the site is located with Farnworth Town Centre, it is served well by public transport.

Given the small scale loss of retail space and the historical use of the premises as a Public House and the substantial A1 retail spaces/units provided within Farnworth Town Centre, it is considered that this change of use is wholly appropriate and would be compatible with neighbouring land uses and the loss of these retail units would not be detrimental to the local area. In addition the change of use would ensure that the premise is occupied which in turn will have a positive impact on economic development in accordance with the NPPF.

It is not considered that the proposed change of use would have an adverse impact upon the vitality and viability of Farnworth Town Centre. Furthermore a positive recommendation would not prejudice further A1 uses occupying the building. The proposal is therefore acceptable in principle.

Impact on the character and appearance of the area

Core Strategy policies CG3 and RA2.15 seek to ensure that new development proposals conserve and enhance the character of the existing physical environment.

No external alterations are proposed. As such no issues are raised in relation to the character and appearance of the area or the existing building and will ensure that large building in a prominent location within a local town centre is occupied. There would be sufficient space located within the site to provide for adequate bin storage.

In order to facilitate the proposed restaurant and eliminate odours it would be necessary to install a fume extraction system. The applicant has not submitted any elevational drawings that show how

the fume extraction system would be installed, however, based on the submitted floor plan this is likely to be on the side elevation. Given the flues limited visibility within the street scene and subject to the attachment of a condition requiring full details of the system to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, it is considered that a fume extraction system can be installed that would be acceptable in visual terms whilst also ensuring appropriate fume extraction.

Consequently the proposal does not raise any issues with regard to visual amenity and is in accordance with policies CG3 and RA2.

Impact on surrounding land uses/Residential Amenity

Core Strategy policy CG4 seeks to ensure development is compatible with surrounding land uses and guidance contained within the SPD concerns the location of restaurants, cafes and hot food takeaways.

Paragraph 10 of the SPD details that within groups of shops applications for restaurants, cafes, etc. will normally be approved, subject to limitations on the hours of use if there is residential accommodation within 50 metres of the property (0900 to 2330 hrs Sunday to Thursday and 0900 to 2400 hrs Friday to Saturday). Where residential use is adjacent to the site new A3, A4 or A5 uses will not be acceptable.

These policies have the objective of ensuring that hot food takeaways do not adversely affect the level of residential amenity neighbouring occupants can reasonably expect to enjoy by virtue of increased noise, disturbance, smells and odours, litter etc.

There are a number of residential dwellings to the rear of the site along Park Street. These dwellings are separated by a distance of approximately 8m, a hardstanding and brick wall approximately 3m in height.

With regard to fumes and odours the proposal includes the installation of a fume extraction system, advances in technology have resulted in a situation where a modern fume extraction system that is capable of eliminating almost all fumes associated with the cooking process can be installed into almost any building. Subject to the attachment of a condition requiring full details of the fume extraction system to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, it is considered that the proposed change of use of the first floor to a restaurant will not result in neighbouring residents experiencing a reduction in amenity by virtue of smells and odours.

With regard to noise and disturbance the site is located on Market Street, a main road that is busy both during the day and in the evening. There a number of other Public Houses and other hot food takeaways/restaurants located within the Town Centre and consequently, it considered that there is already late night activity within the immediate area due to the sites location with Farnworth Town Centre. Having regard to this and the fact that the residential properties located to the rear of the application site are also located within close proximity to the Town Centre, it is considered that subject to installing appropriate fume extraction, a restaurant and public house operating between 09:00 and 23:30 Sunday to Thursday and Bank Holidays and between 09:00 and 24:00 Friday to Saturday would not result in neighbouring residents experiencing an unacceptable increase in the levels of noise and disturbance they should reasonably expect to experience.

In addition, the limited parking is provided directly to the front of the premises on Market Street and therefore the residents to the rear along park street would not experience any unacceptable noise from the coming and goings of vehicles.

The proposal is therefore considered acceptable and in accordance with Policy CG4 of the Core Strategy and Hot Food Takeaway SPD.

Impact on highway safety

Core Strategy policy S1 seeks to ensure that new development proposals are not detrimental to highway/pedestrian safety.

Given the sites location on a main road in Farnworth Town Centre the proposed use would have the ability to attract both local patronage and passing trade. There would be no parking provision provided for the exclusive use of patrons/staff, however two spaces are available directly in front of the premises. In addition the site is located within Farnworth town centre which has a number of public car parks with close proximity/walking distance to the site.

Whilst the opening hours of the proposal would generate traffic late into the evening, it must be noted that the historical use of the premises was as a public house; where there were no restrictions for hours of operation for the premises and therefore the both the past and current uses has the potential to generate traffic late into the evening. It is not considered that the proposal would generate a significant amount of additional traffic than that could potentially be generated by the existing retail units and public house which formally occupied the property.

Having regard to this and the accessibility of the site by both public transport and on foot from the neighbouring residential units, the presence of limited on street parking in the vicinity and the proximity of the site to the public car parks within Farnworth Town Centre there are no concerns with the proposal from a highway safety perspective. Highways have been consulted and

Conclusion

The proposal would provide new uses for a largely vacant building, would not have an unacceptable impact on the residential amenity of neighbouring occupiers with sufficient car parking provided within walking distance of the application site. The proposal is compatible with the surrounding area and complies with policy.

The proposal is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- four letters have been received in response to the planning application publicity. Two neither objecting or supporting the application and two who are objecting and who have raised the following concerns:-

- No opening times have been quoted in the application;
- Noise levels from music, beer gardens and vehicles; and
- Anti-social behaviour.

The above issues have been addressed in the appraisal.

Petitions:- no petitions received.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: the Council's Highways Engineers, Environmental Health officers and Design for Security officers from Greater Manchester Police.

Planning History

56413/00- Erection of a brick enclosed staircase with roof to side to access first floor. Approved 20.04.2000.

57907/00 – Change of use of vacant land to beer garden/play area. Approved 30.11.2000.

57985/00 – Erection of a first floor kitchen at side/rear. Approved 27.11.2000.

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. Fumes, vapours and odours shall be extracted and ducted from the premises in such a manner as to prevent nuisance to the occupiers of neighbouring properties, in accordance with a scheme (which will include elevational drawings) to be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences. Such a scheme, when approved, shall be implemented prior to the use being commenced and shall be maintained thereafter at all times.

Reason:

To safeguard the amenity of the neighbouring residents

3. The restaurant and public house hereby approved shall only operate between: 09:00 and 23:30 Sunday to Thursday and Bank Holidays and between 09:00 and 24:00 Friday to Saturday.

Reason:

To safeguard the amenity of the neighbouring residents.

4. The rear yard area of the site must only be used by members of staff in relation to the uses hereby approved and shall not be used by visitors or patrons at any time.

Reason:

To safeguard the amenity of the neighbouring residents

5. The rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90,T) by more than -5 dB at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments shall be carried out according to BS 4142:1997 "Rating industrial noise affecting mixed residential and industrial areas". 'T' refers to any 1 hour period between 07.00hrs and 23.00hrs and any 5 minute period between 23.00hrs and 07.00hrs.

Reason:

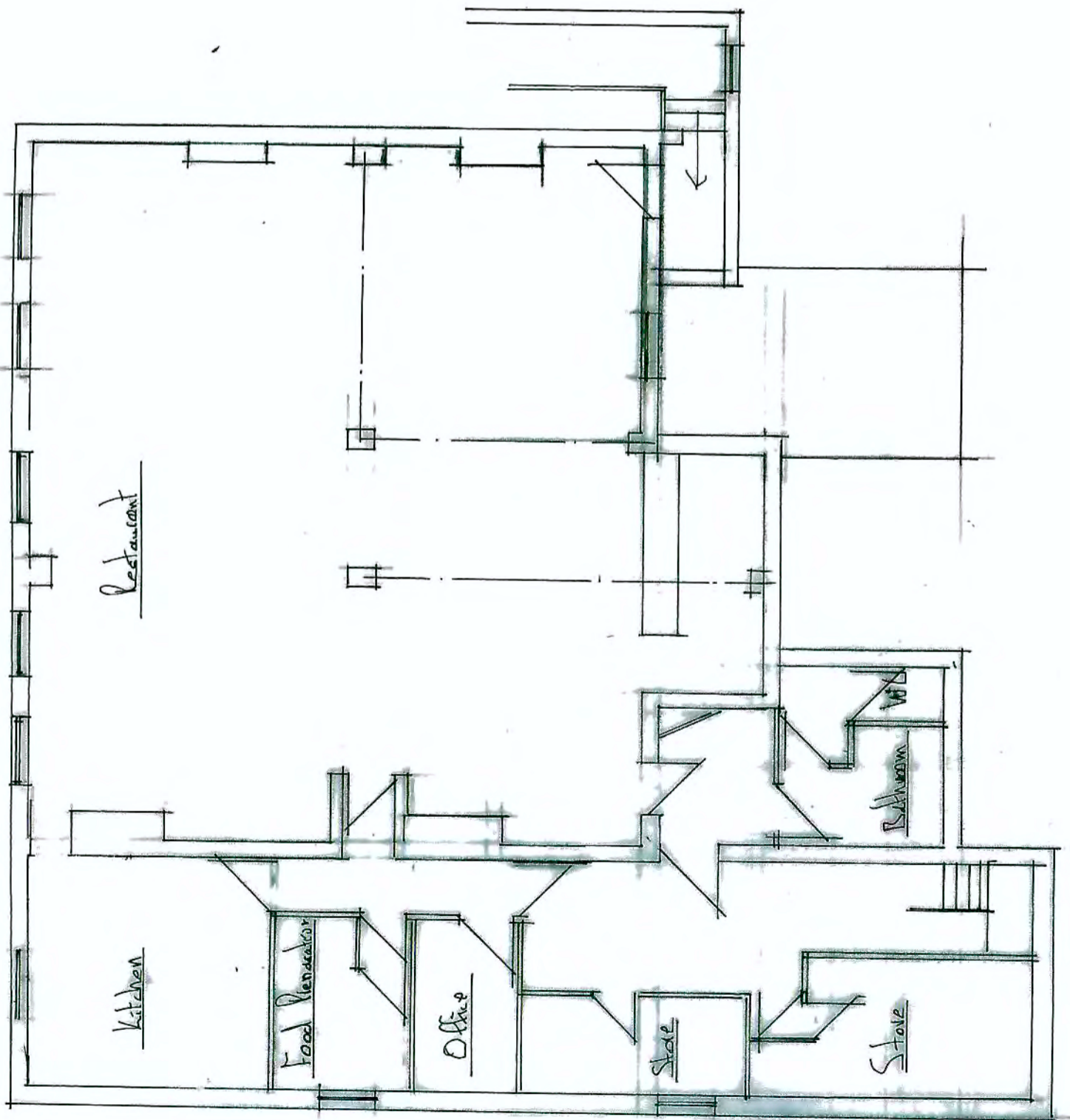
To safeguard the amenity of the neighbouring resident

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

Existing ground floor layout, Existing first floor layout, Proposed ground floor layout and Proposed first floor level.

Reason

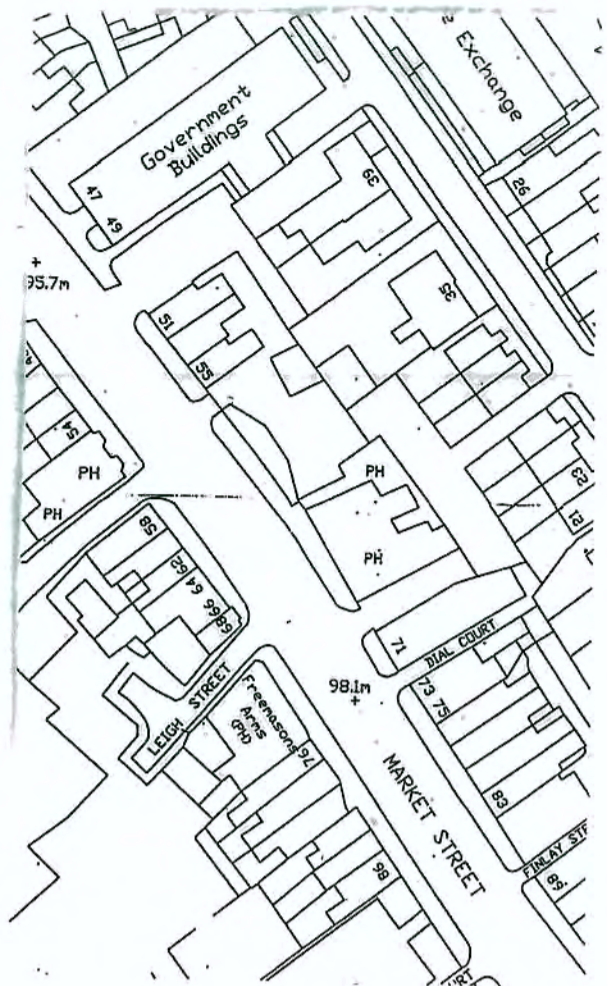
For the avoidance of doubt and in the interests of proper planning.



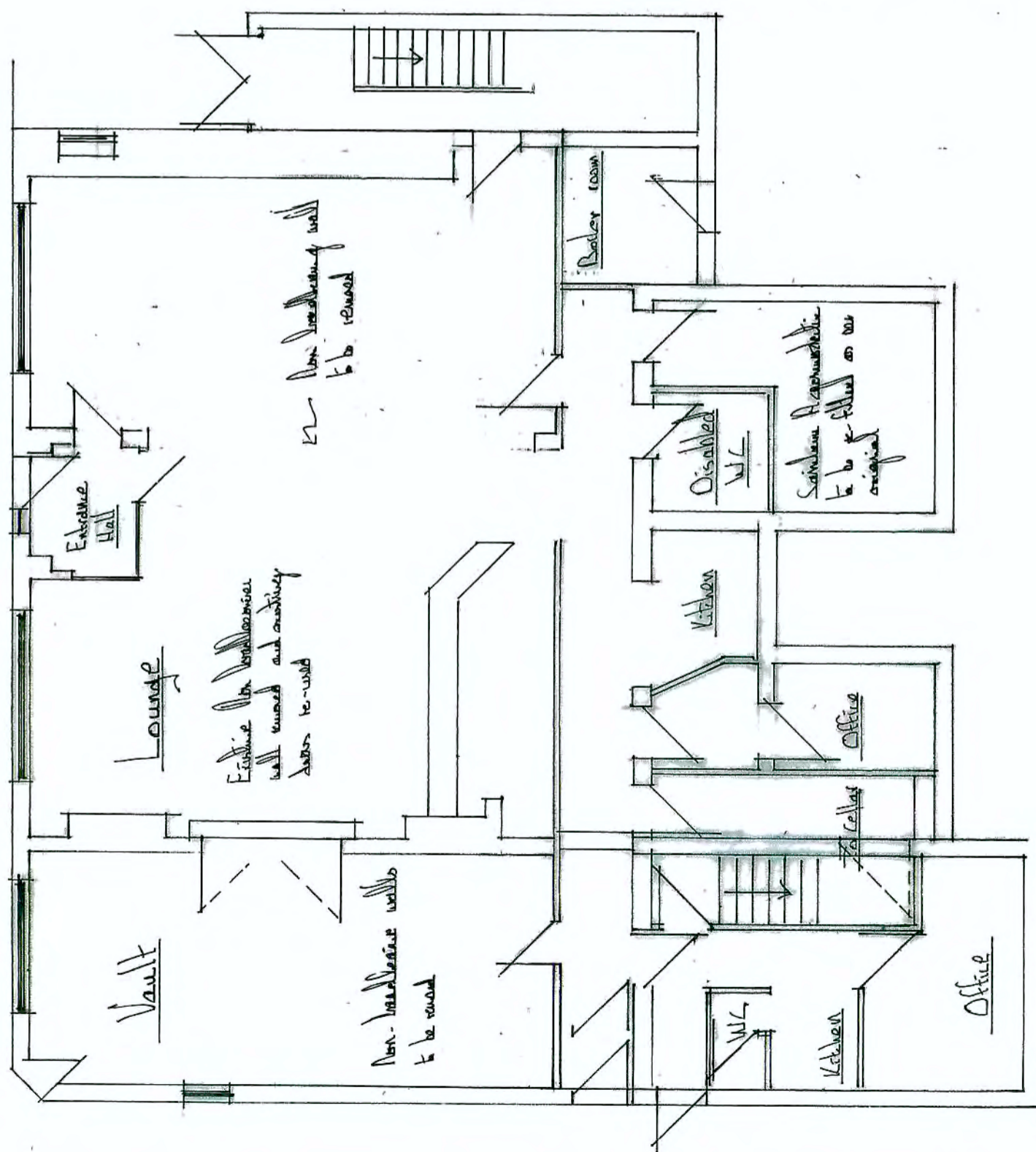
First Floor Layout Scale 1:100

Proposed Change of use from Shop premises
 A1 to Public House A4 on the ground floor and
 A3 restaurant at First Floor at 65 Market Street
 Farnworth N. Bolton for Mr Paul Riley

BOLTON BOROUGH COUNCIL
 DEVELOPMENT & REGULATION
 13 MAY 2015



Scale 1:1250



Ground Floor Layout

Scale 1:100



Scale 1:500

**Application number
94169/15**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 24/09/2015

Application Reference: 94169/15

Type of Application: Full Planning Application
Registration Date: 29/05/2015
Decision Due By: 23/07/2015
Responsible Officer: Paul Bridge

Location: 51 HIGHER SHADY LANE, BROMLEY CROSS, BOLTON, BL7 9AQ

Proposal: CONVERSION OF HOUSE INTO ONE THREE-BEDROOM HOUSE AND ONE TWO-BEDROOM HOUSE INCLUDING ERECTION OF SINGLE STOREY EXTENSION AT REAR AND DETACHED GARAGE

Ward: Bromley Cross

Applicant: Mr D Slater
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the conversion of the house into one three-bedroom house and one two-bedroom house, including the erection of a single storey extension at the rear and a detached garage.

The existing side extension of No.51 Higher Shady Lane would be converted into a single residential dwelling which would incorporate a modest single storey rear extension. A new single storey detached garage (for the use of No.51) would also be constructed at the western end of what is currently the rear garden area of No.51. Access to the garage would be via the existing unadopted road adjacent to No.45 Higher Shady Lane.

There would also be alterations to the existing front elevation of the existing side extension in order to accommodate the proposal. The existing garage door would be replaced with an entrance door and window and a new roof light would be introduced in to the front roof slope. There would also be two window inserted into the side elevation at both ground and first floor.

The existing parking provision within the curtilage for the existing dwelling would be removed in order to accommodate the proposal.

Site Characteristics

The application dwelling is a two storey dwelling located at the end of a small row of four terraced dwellings located in predominantly residential area. The application dwelling has a two storey side extension and has at some point in time extended over the access road to the rear to create an extended garden area for the dwelling. To the rear of the application site is a railway line. The

immediate surrounding area is made up of a mixture of two storey terraced, semi-detached and detached dwellings. The adjacent rows of terraced dwellings at No's 53 to 59 are set back from the application site.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: S1 Safe Bolton; P5 Accessibility, CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton; SC1 Housing.

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of the development
- * impact on character and appearance of the building and the area
- * impact on amenity of neighbouring residents
- * impact on the amenity of future occupiers
- * impact on highway safety and parking

Principle of the Development

The proposal would result in the creation of a new 2 bedroomed end terraced dwelling (in addition to the original dwelling). The large majority of dwellings within the immediate and surrounding area are in the form of houses rather than apartments and are 2 and 3 bed properties providing family housing. It is considered therefore that the proposal would add to the mix of residential units within the locality and would provide additional housing. The principle of the proposal is therefore considered acceptable.

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

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

The garage and single storey rear extension would be located to the rear and would not be visible from within the streetscene and their design is considered acceptable.

The proposal would provide limited alterations to the front elevation of the existing side extension at

ground floor level, which would be visible within the street scene. These would include the removal of the garage door to be replaced with a new front entrance door and window. Given the limited nature of the alterations it is considered that the proposed alterations would not have unacceptable impact on the character of the existing dwelling or the wider surrounding area in accordance with policy CG3 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

The conversion of the extension into a self-contained residential dwelling would not in itself have an unacceptable impact on the amenity of the adjoining and adjacent dwellings.

The single storey rear extension is small in scale and would not project beyond the main rear elevation of the adjacent dwelling at No.53 Higher Shady Lane and would not project beyond a point 3 metres along what would be the new common boundary with No.51 Higher Shady Lane.

The detached garage is small in scale and would have a maximum height of 3.4 metres when viewed from the rear of No.51 Higher Shady Lane. There is a principal habitable room at ground floor level in the rear elevation of No.51 that would directly face the side elevation of the proposed garage. A distance of approximately 8 meters would be maintained and the garage height to the eaves would be approximately 2.3 metres with a hipped roof which slopes upwards and away from No.51. Given the above it is considered that the proposed garage would not have an unacceptable impact on neighbouring dwellings in respect of loss of light or being overbearing.

There would be two non-habitable room windows introduced into the side elevation at both ground and first floor. A condition would be attached to ensure that these windows are obscurely glazed.

There would be no windows introduced into the side elevations of the detached garage.

It is not considered that the proposal would have any significant adverse impact upon the level of residential amenity neighbouring residents can reasonably expect to enjoy in terms of loss of light/overbearing impact or impact on privacy in accordance with policy CG4 of the Core Strategy and the SPD General Design Principles.

Impact on the Amenity of Future Occupiers

New housing development should be required to provide a high quality residential environmental and adequate level of amenity for future occupiers.

The proposal would effectively reduce the size of the existing dwelling at No.51 to its original built size and would also leave an adequately sized amount of amenity space for the future occupiers of No.51, even with the addition of the proposed detached garage to the rear.

In respect of the future occupiers of the proposed new dwelling (No.51a), it is considered that the floor area of this dwelling is adequate to provide the future occupiers with an acceptable size/standard of living space and in addition there would also be an adequately sized private amenity space to the rear.

It is therefore considered that the proposal would provide a satisfactory level of amenity for the present and future occupiers of both No.51 and 51a in accordance with policy CG4 of the Core Strategy.

Impact on Highway Safety and Parking

The proposal would result in one three bedroom and one two bedroom dwellings. Two parking spaces would be provided for the proposed dwelling at No.51a, these would be sited on the driveway to the front and also in the detached garage to the rear.

The existing parking provision within the curtilage of the existing dwelling (No.51) would be removed in order to accommodate the proposal. In order to mitigate this loss a condition has been attached to ensure parking provision is provided within the front garden area of No.51. In addition there are no parking restrictions along this section of Higher Shady Lane. Highways have been consulted and have no objections to the proposal, subject to a number of conditions.

Conclusion

For the reasons discussed above it is considered that the proposed development will not harm the character and appearance of the approved building or the surrounding area and will not unduly harm the amenity of neighbouring residents. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- Three letters have been received, one objecting to the proposal and two commenting on the proposal. They have raised the following issues:-

Concerns about which neighbours were notified of the application – *Officer's comment: The case officer carried out additional neighbour consultation and a site notice was also displayed.*

The construction of the garage would cause access issues to the rear of the dwelling along this section of Higher Shady Lane. – *Officer's comment: The siting of the garage to the rear of No.51 Higher Shady Lane would be located within the existing residential curtilage of No.51 and therefore would not restrict or prevent access to the rear of No.45 to 49.*

Restrictive covenants and deeds - *Officer's comment: Restrictive covenants protect private rights and benefits of the owners or occupiers of the land specified in them. Covenants are privately negotiated and agreed. If a covenant is breached, it would be for those affected to see if enforcement would be possible; through the courts, if necessary. Private rights are quite separate from planning considerations. Planning decisions are taken in the broader public interest, in the light of policies in development plan documents and of any other factor relevant to land-use planning. There is public involvement when plan documents are put forward for adoption, or planning applications made. Accordingly, the existence of a restrictive covenant should not be the basis of a decision about a planning application or appeal.*

Right of Light - *Officer's comment: Consideration to the impact of the development on the light of neighbouring occupiers is detailed within this report. Right to light legislation is not a material planning consideration and is a civil matter.*

The proposal would be aesthetically out of character with neighbouring dwellings - *Officer's comment: this is addressed within the above appraisal.*

Consultations

Advice was sought from the following consultees: Highways.

Planning History

39582/91 – Erection of first floor extension at side of house to form a dormer bedroom and en-suite together with a conservatory to rear – Approved. 07.09.1991

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 first occupation of the use hereby permitted the windows in the side elevation of the dwelling at No.51a and facing No. 53 Higher Shady Lane shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

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

3. Before the approved development is first brought into use no less than 2 car parking spaces with minimum dimensions of 2.5 metres by 5.5 metres shall be provided within the curtilage of No.51 Higher Shady Lane, in accordance with details to be submitted to and approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times.

Reason

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

4. 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.

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

Reason

To ensure the development visually reflects the existing building.

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

Reason

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

7. Notwithstanding the provisions of the Town and Country (General Permitted Development Order) 2015 (or any order and re-enacting that Order with or without modification), no development of the types described in Part 1, Classes A, B, D and E of Schedule 2 of that Order shall be undertaken without the express permission of the Local Planning Authority.

Reason:

To safeguard the amenity of the area

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

Dwg 2 of 10; "Proposed Site Plan"; scanned 13 May 2015

Dwg 5 of 10; "Proposed Ground Floor"; scanned 13 May 2015

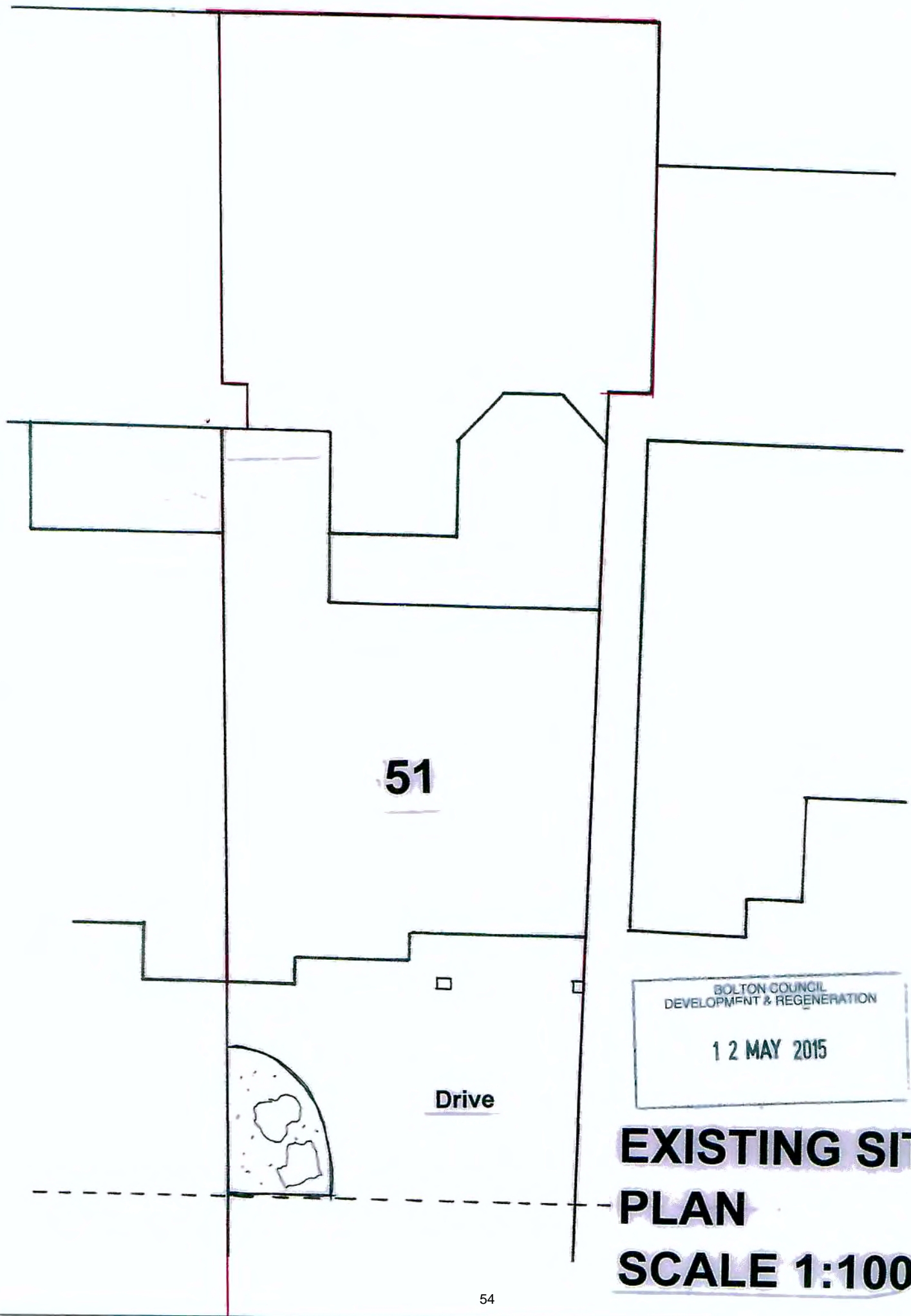
Dwg 6 of 10; "Proposed First Floor"; scanned 13 May 2015

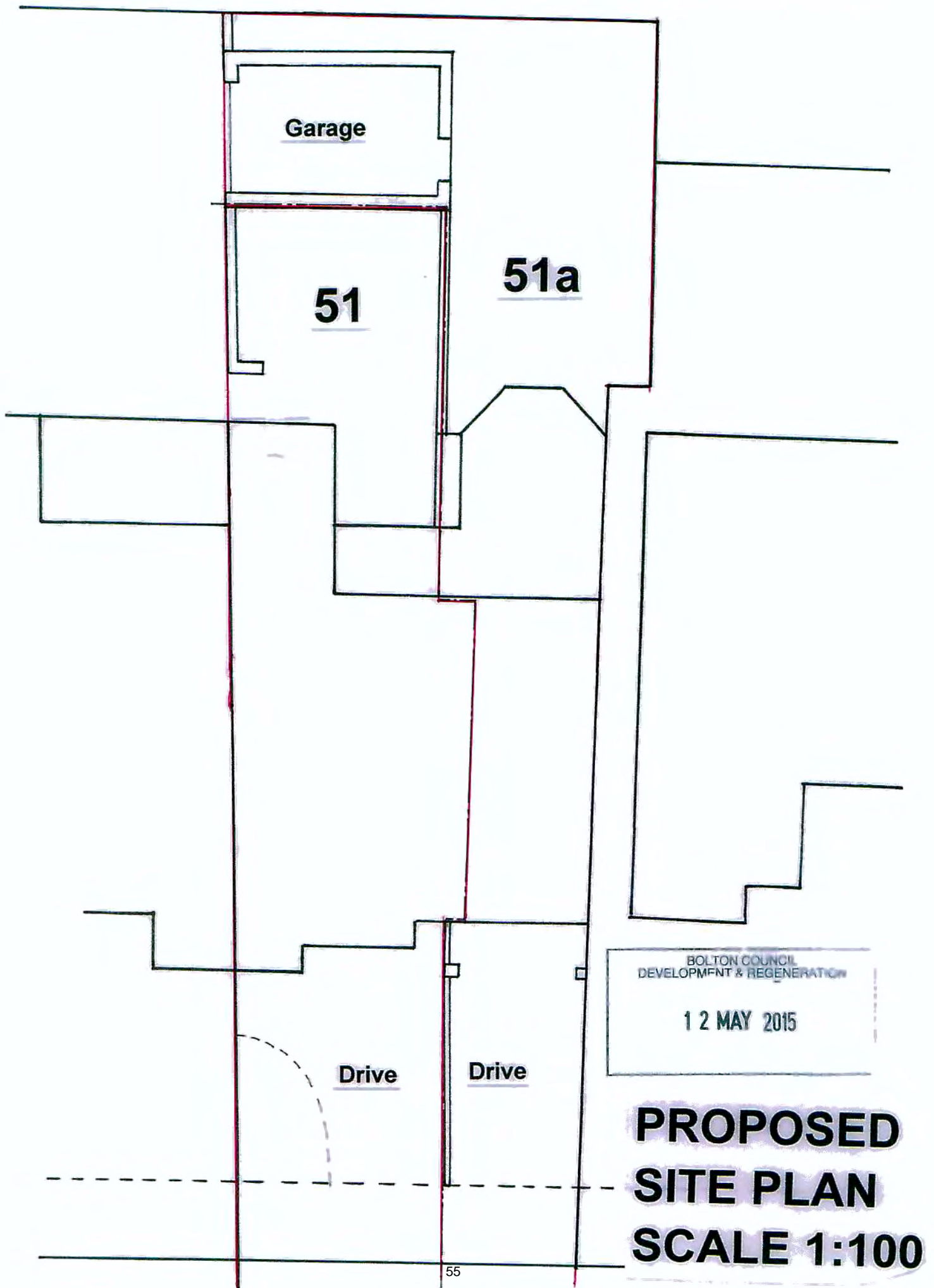
Dwg 9 of 10; "Proposed Front Elevation Proposed Rear Elevation"; scanned 13 May 2015

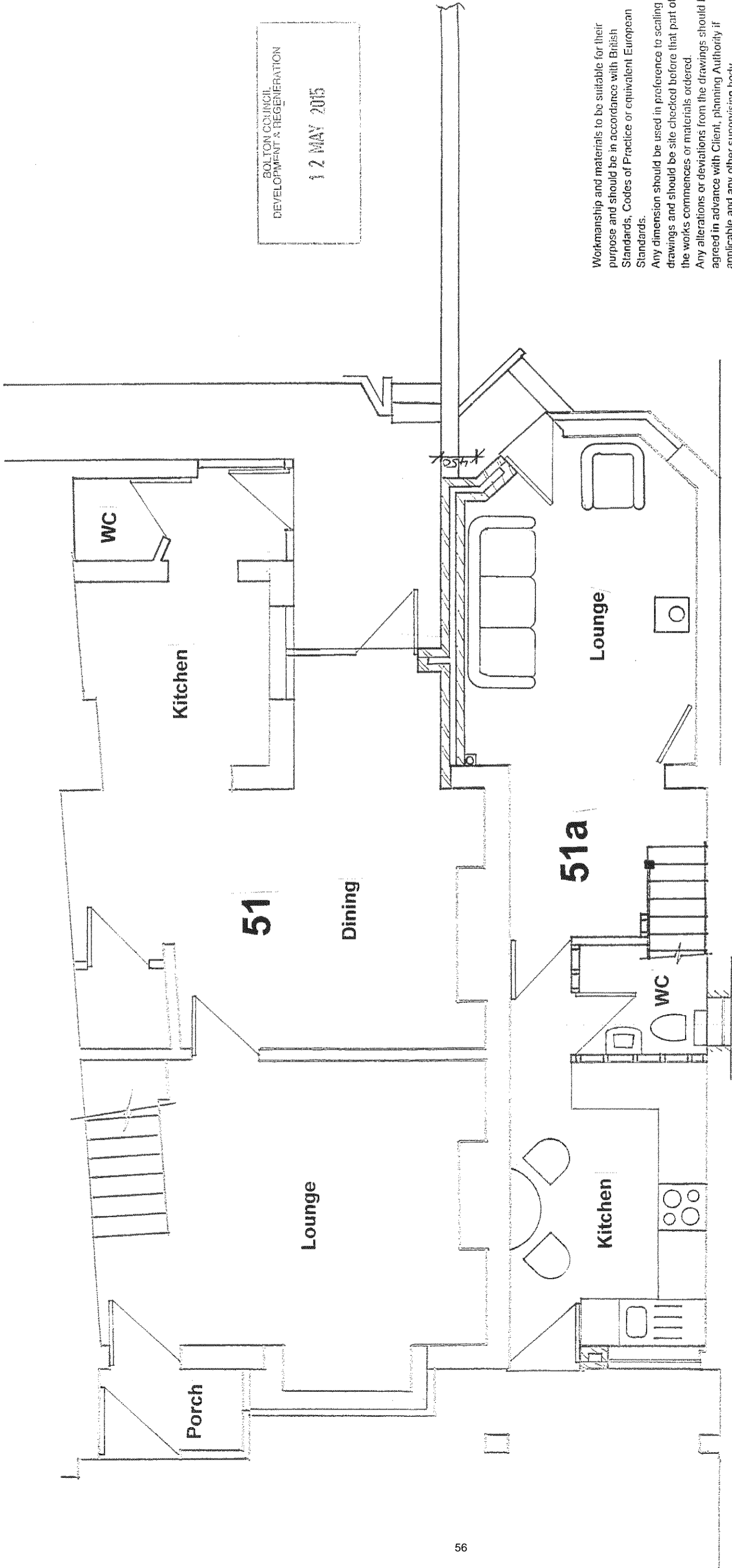
Dwg 10 of 10; "Proposed Detached Garage"; scanned 13 May 2015

Reason

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







BOLTON COUNCIL
DEVELOPMENT & REGENERATION
12 MAY 2015

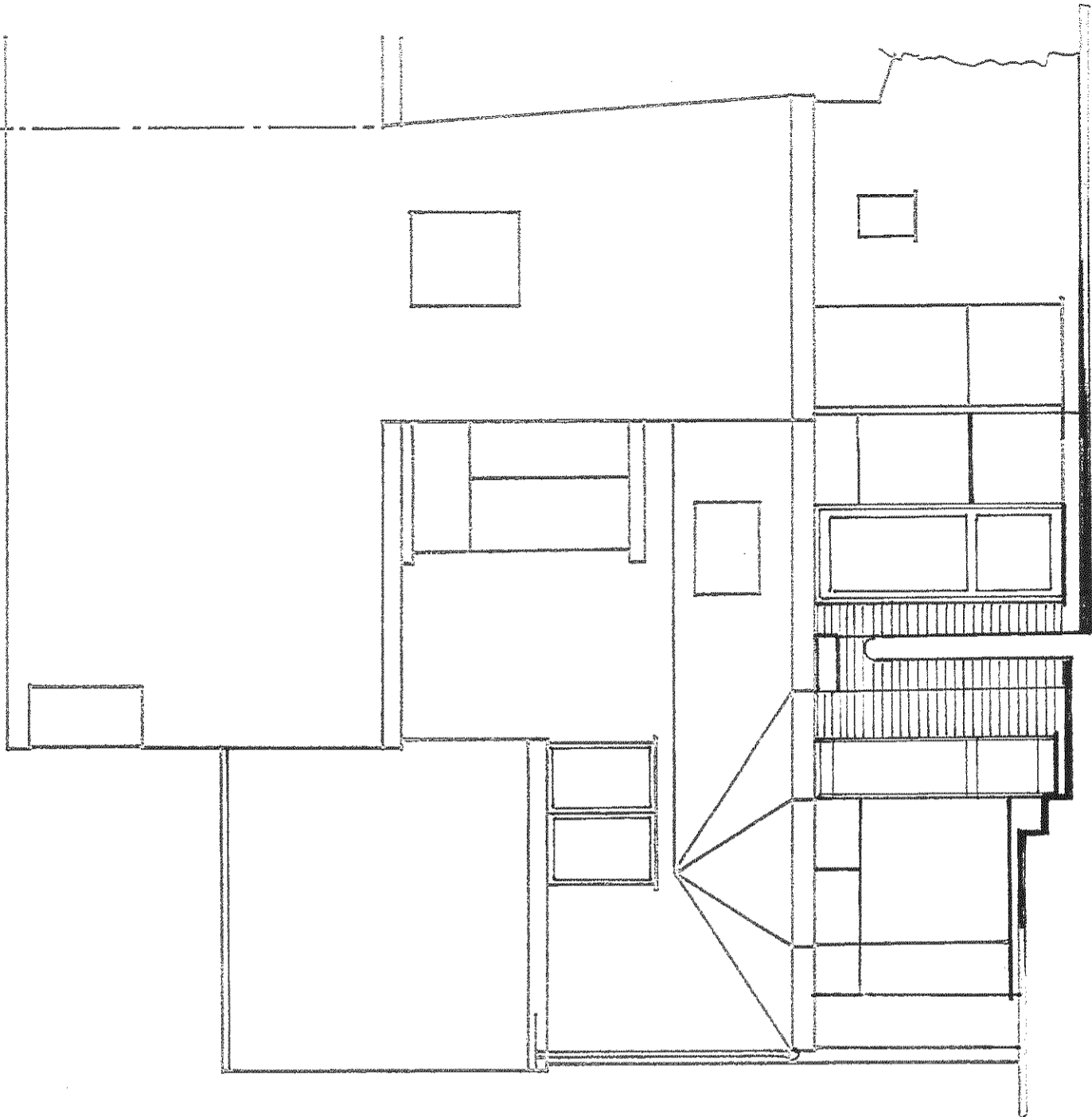
Workmanship and materials to be suitable for their purpose and should be in accordance with British Standards, Codes of Practice or equivalent European Standards.
Any dimension should be used in preference to scaling drawings and should be site checked before that part of the works commences or materials ordered.
Any alterations or deviations from the drawings should be agreed in advance with Client, planning Authority if applicable and any other supervising body.
Permission for development should also be sought off land owner before work commences if site is not freehold.
If the work is subject to The Construction Design and Management (CDM) Regulations the Health and Safety Executive should be notified before work commences.
Where the development is within close proximity of a boundary, the Party Wall Act may apply and written intention should be given to the adjoining owners.
This drawing has been prepared for the purpose of obtaining Planning and/or Building Regulation approval and is not intended as a full working document.
All electrical, heating and plumbing requirements should be agreed with Client before work commences.

**PROPOSED
GROUND
FLOOR
SCALE 1:50**

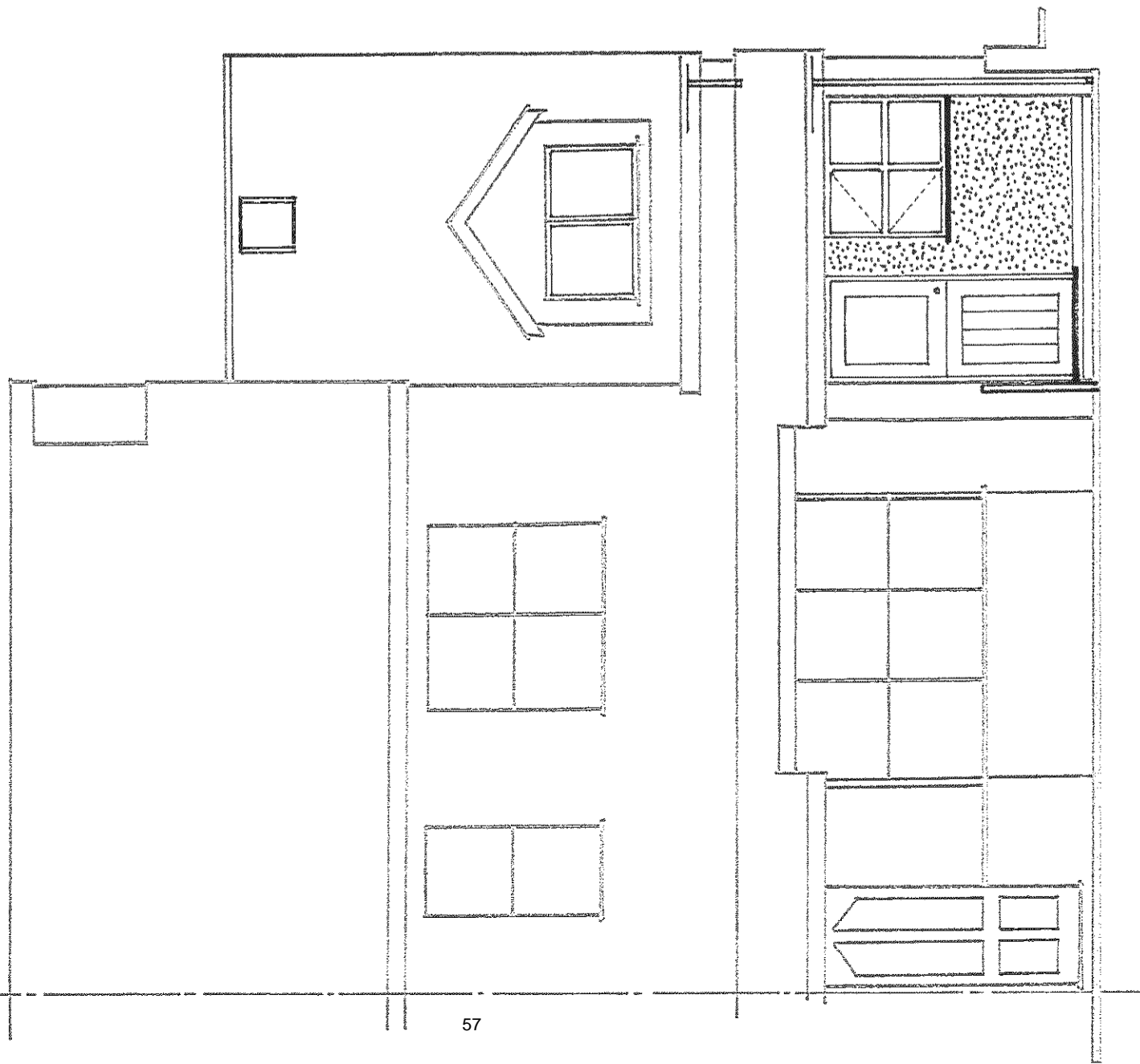
**PROPOSED
REAR
ELEVATION**

BOLTON COUNCIL
DEVELOPMENT & REGENERATION

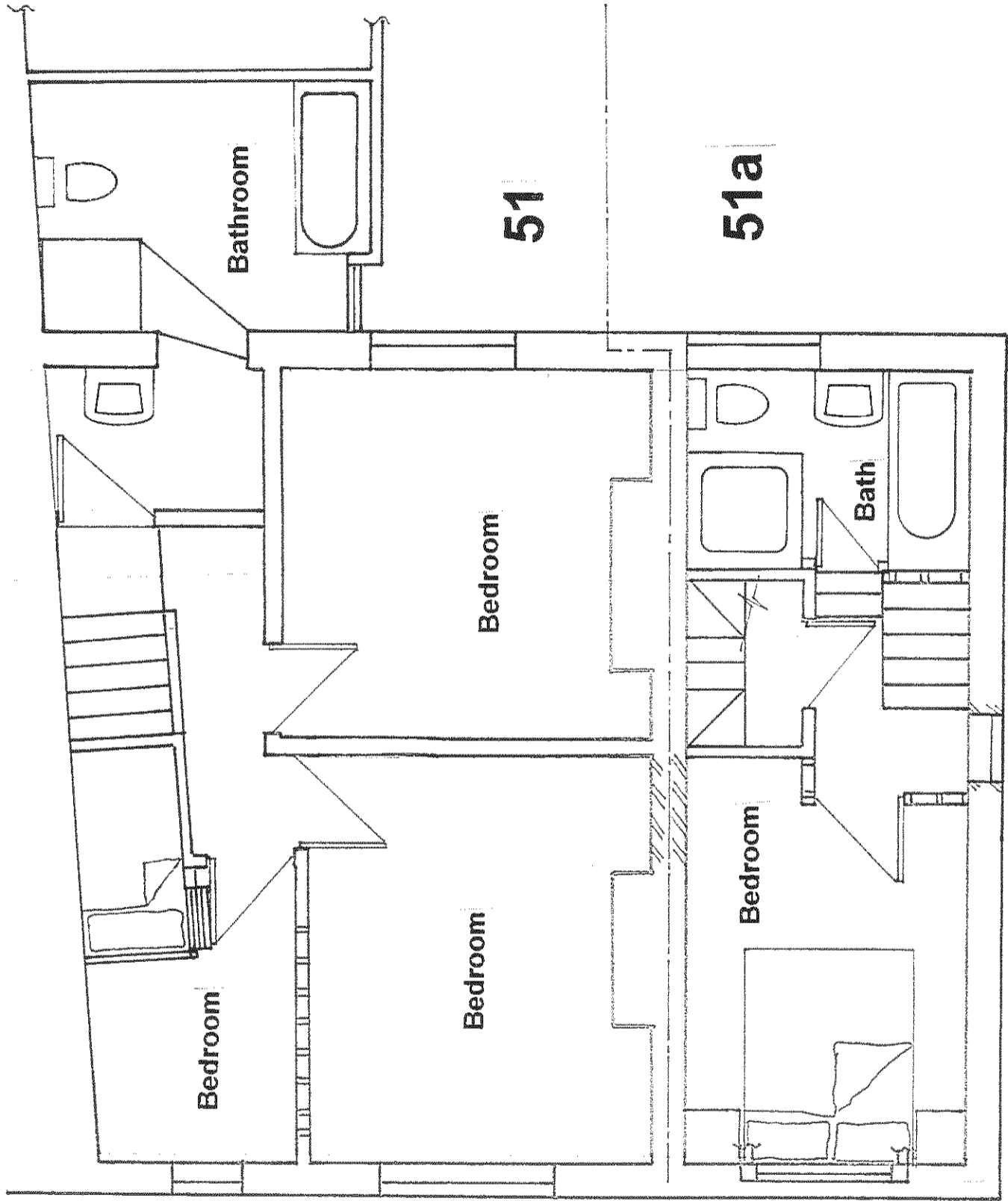
12 MAY 2015



**PROPOSED
FRONT
ELEVATION**

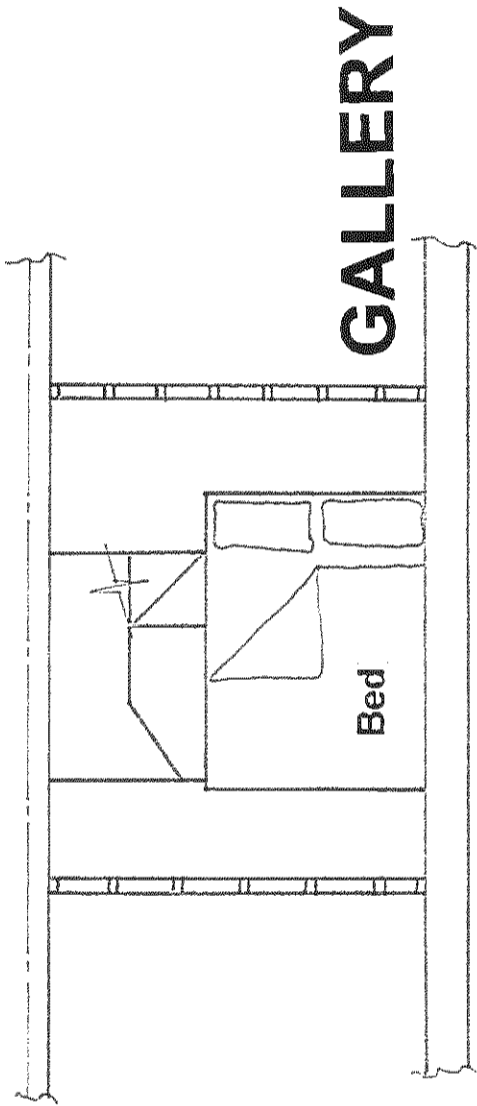


SCALE 1:50



**PROPOSED
FIRST FLOOR**

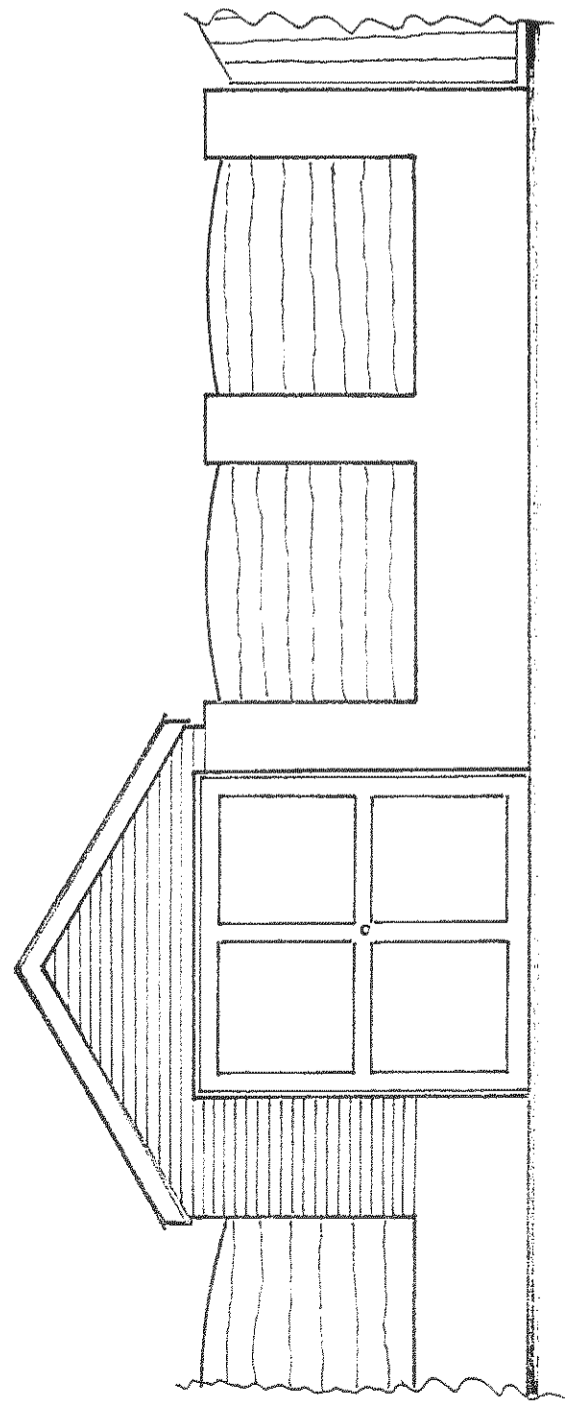
BOLTON COUNCIL
DEVELOPMENT & REGENERATION
12 MAY 2015



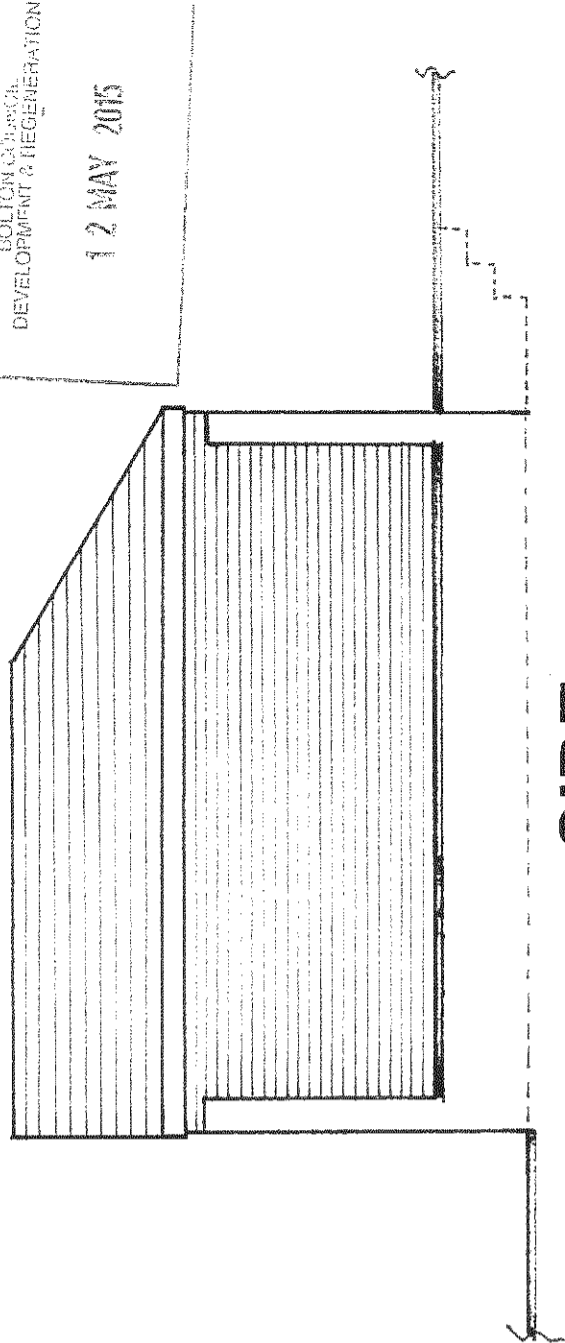
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Dwf 10 of 10

SOLTON CATHOLIC
DEVELOPMENT & REGENERATION
12 MAY 2015



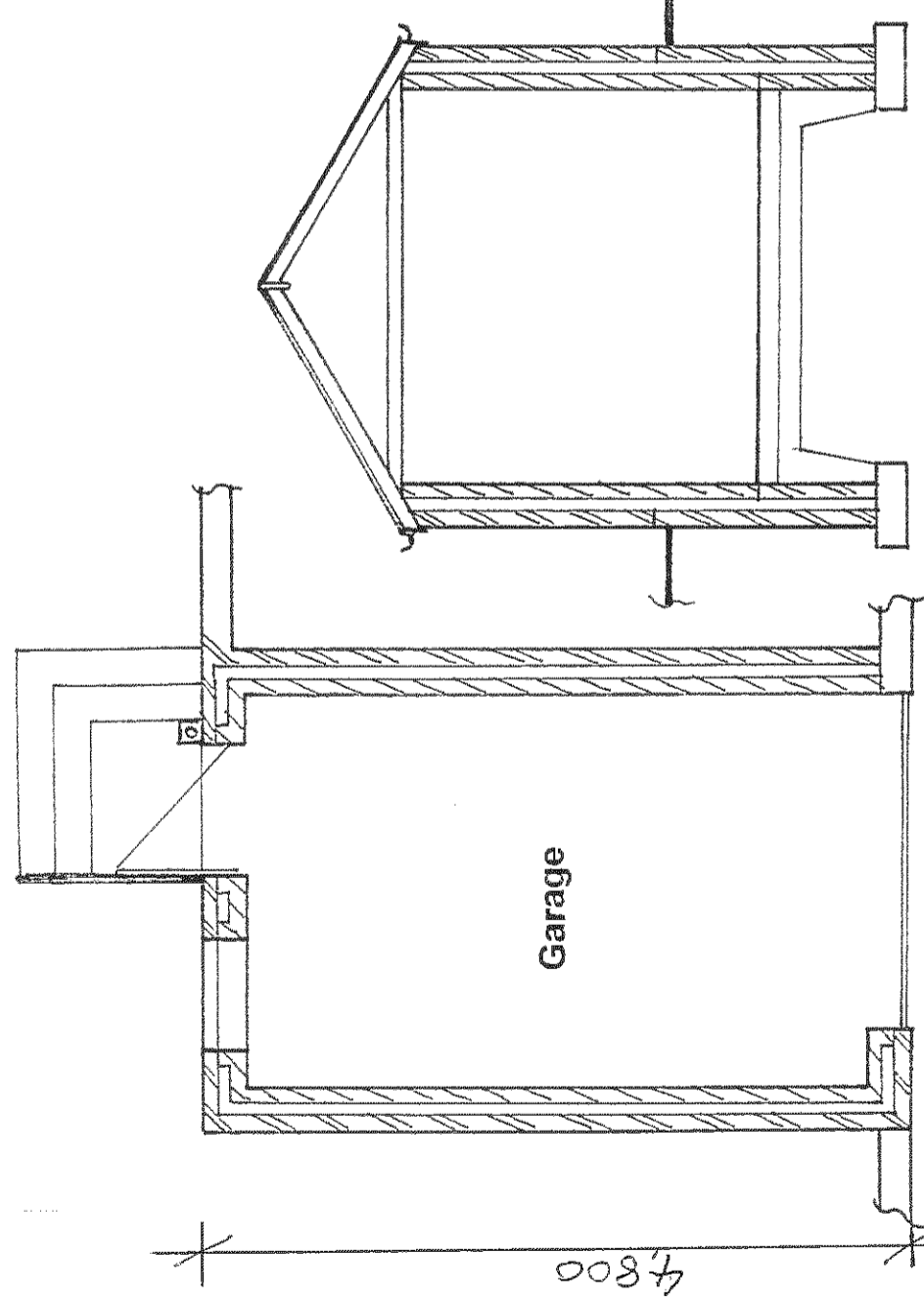
FRONT



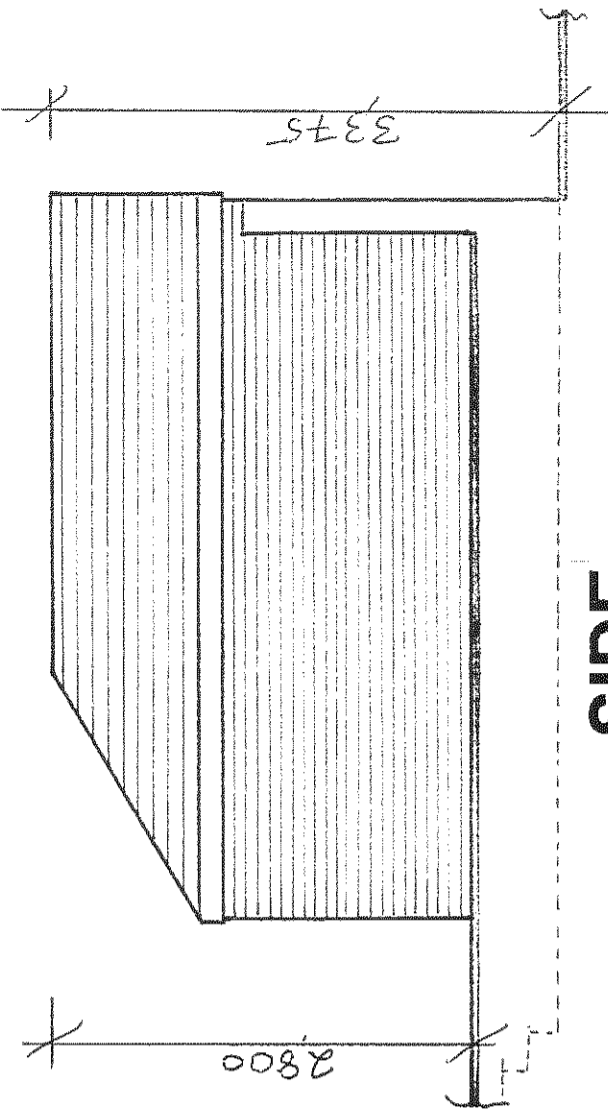
SIDE

**PROPOSED
DETACHED
GARAGE**

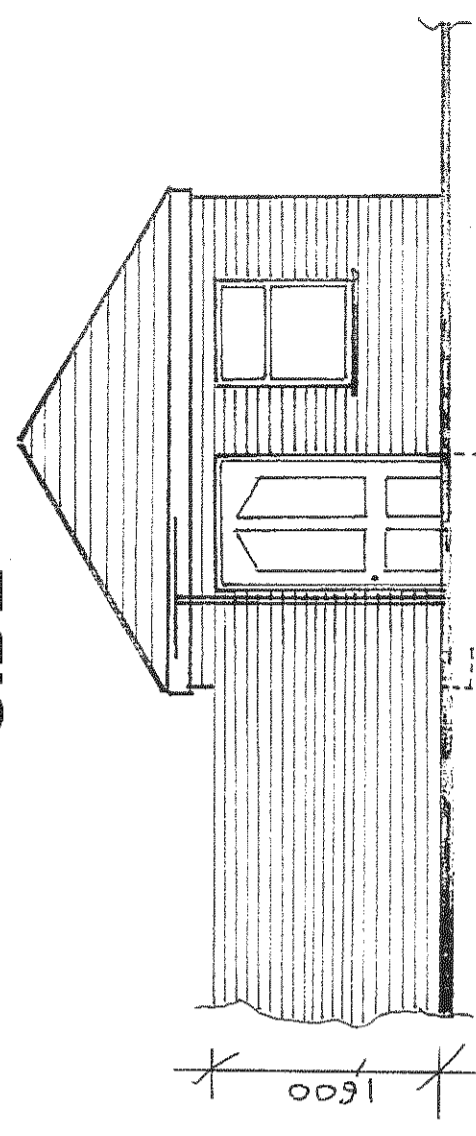
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PLAN



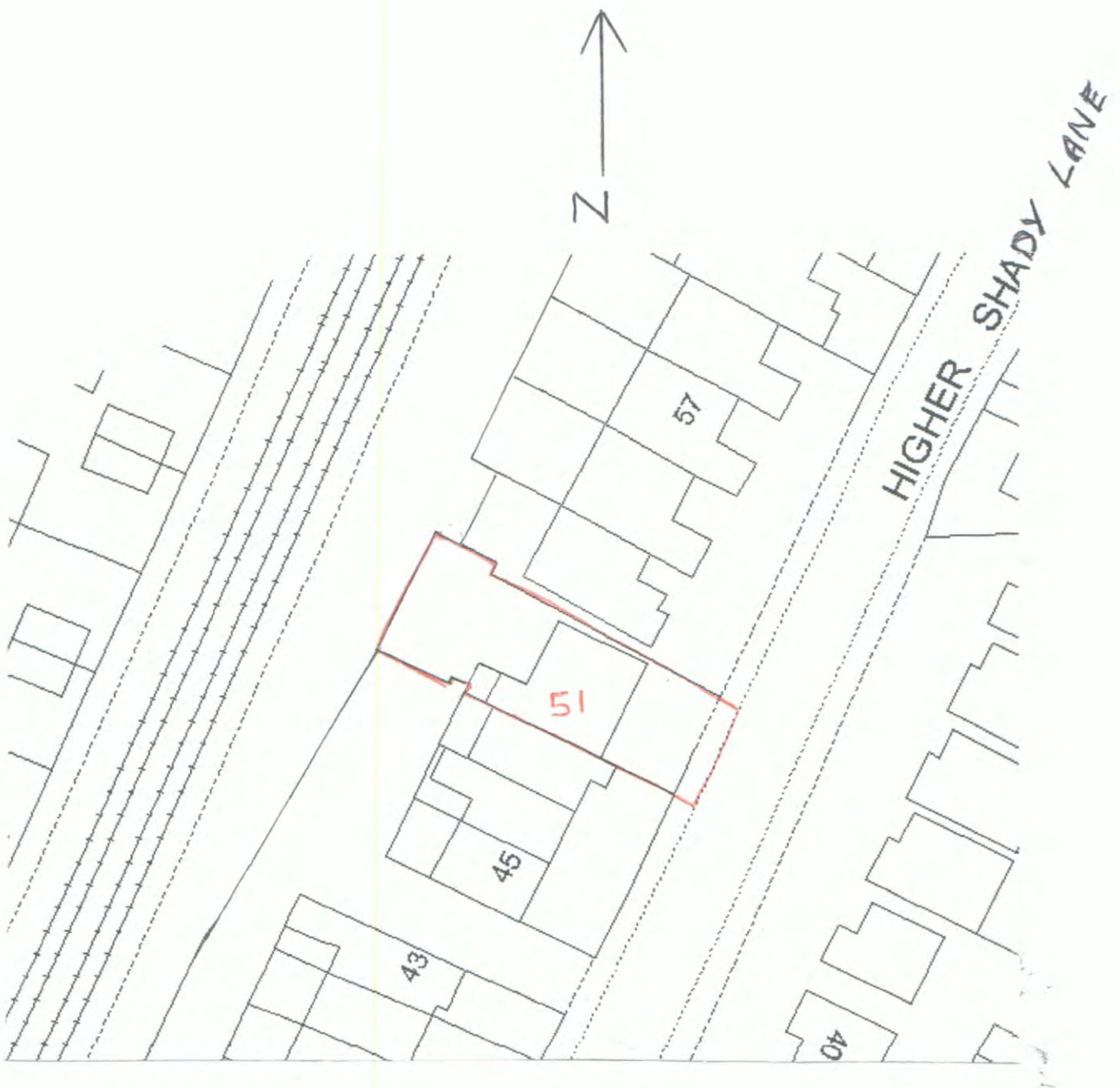
SIDE



REAR

SECTION

SCALE 1:50



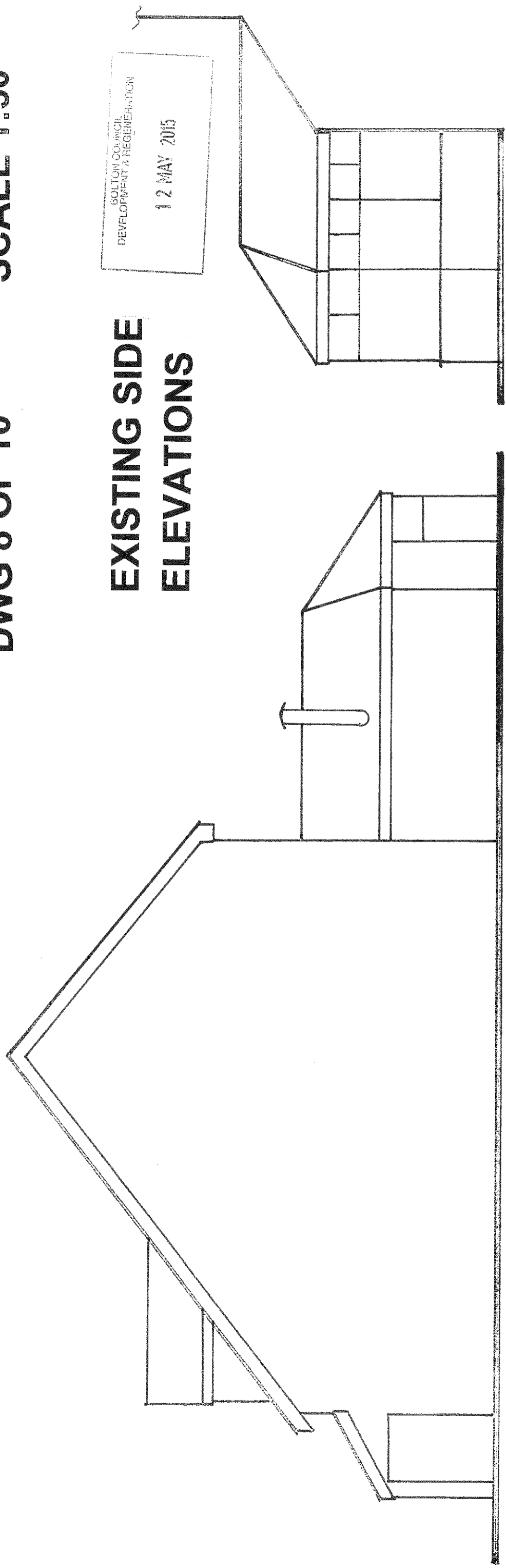
LOCATION

SCALE 1:1250



EXISTING SIDE
ELEVATIONS

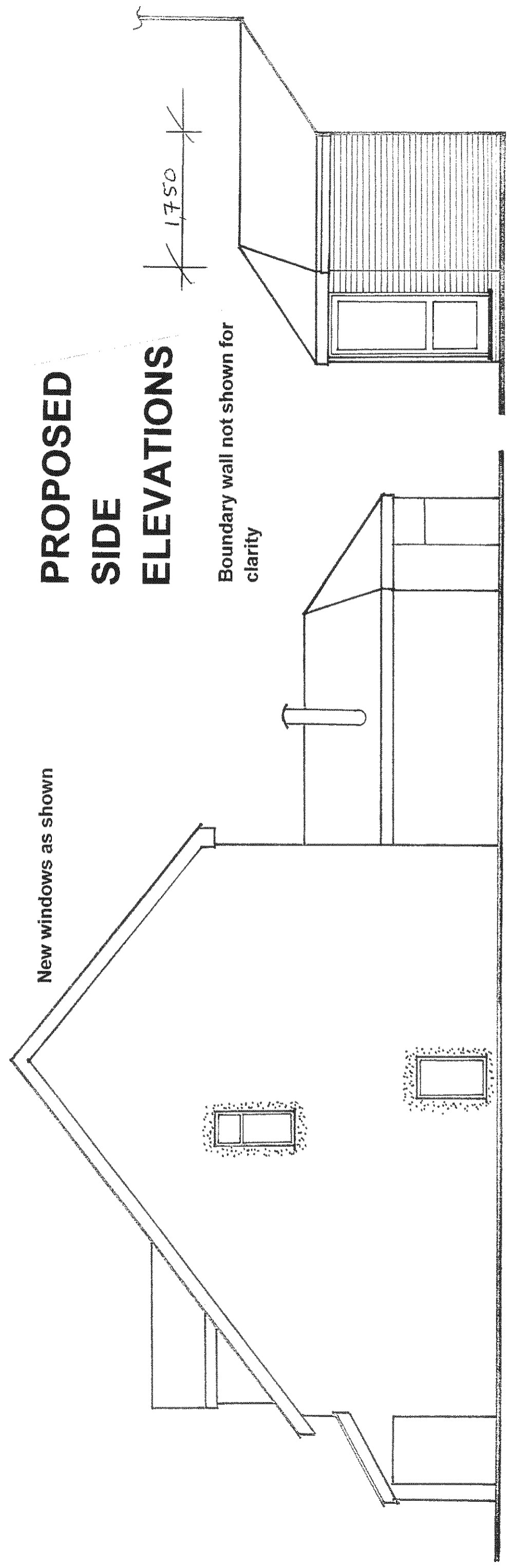
BOLTON COUNCIL
DEVELOPMENT & REGENERATION
12 MAY 2015

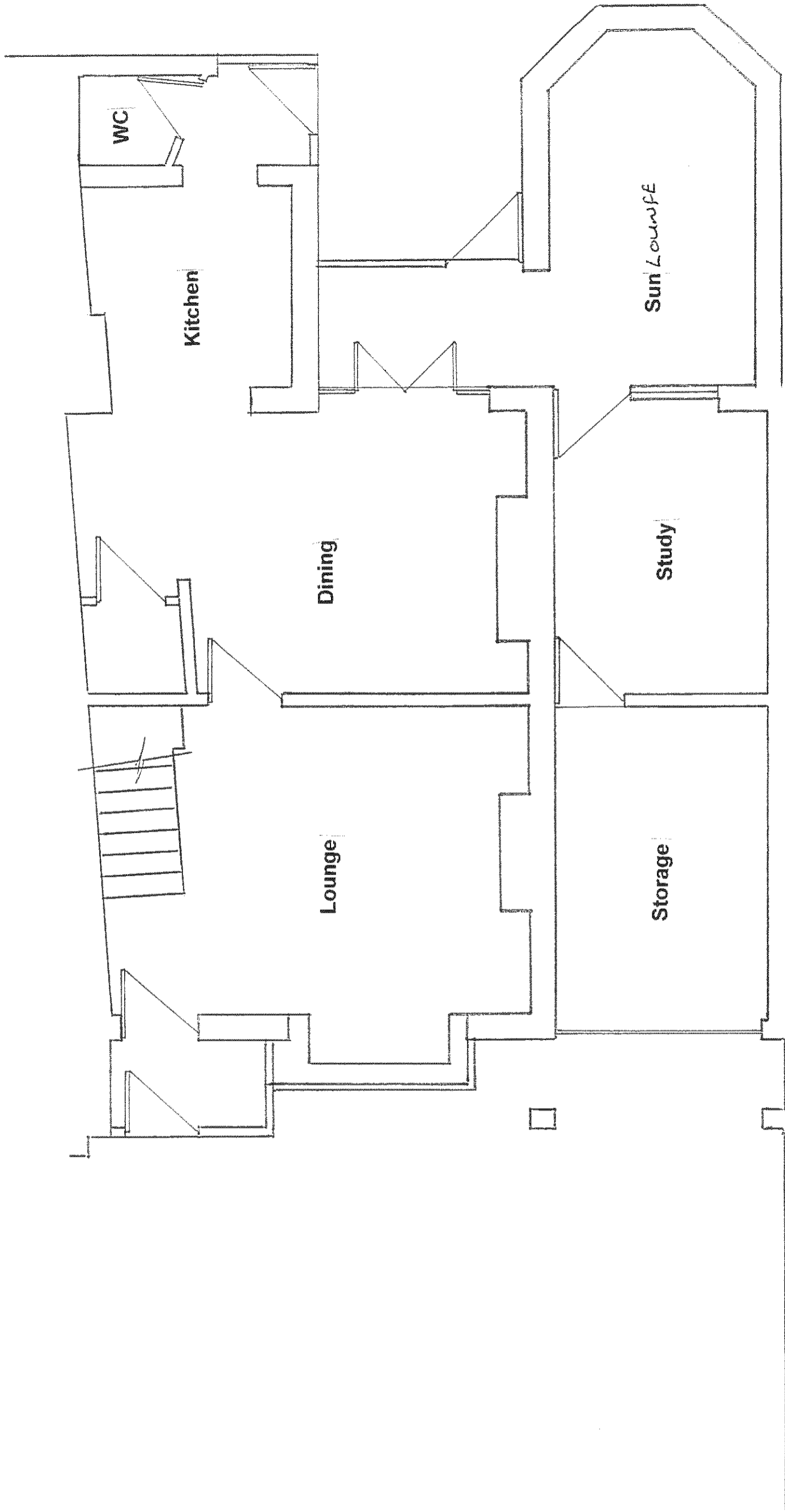


PROPOSED
SIDE
ELEVATIONS

New windows as shown

Boundary wall not shown for
clarity

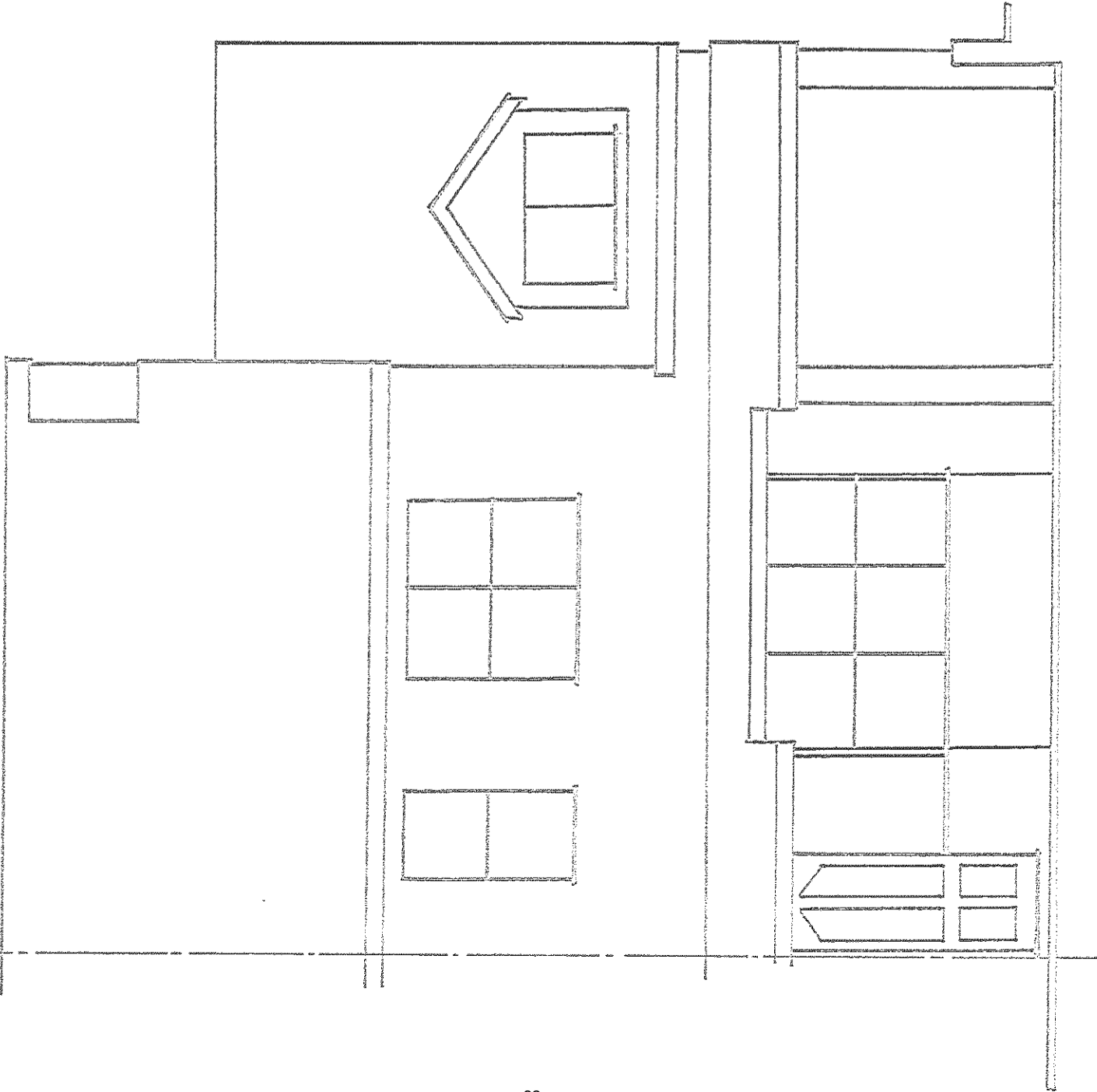




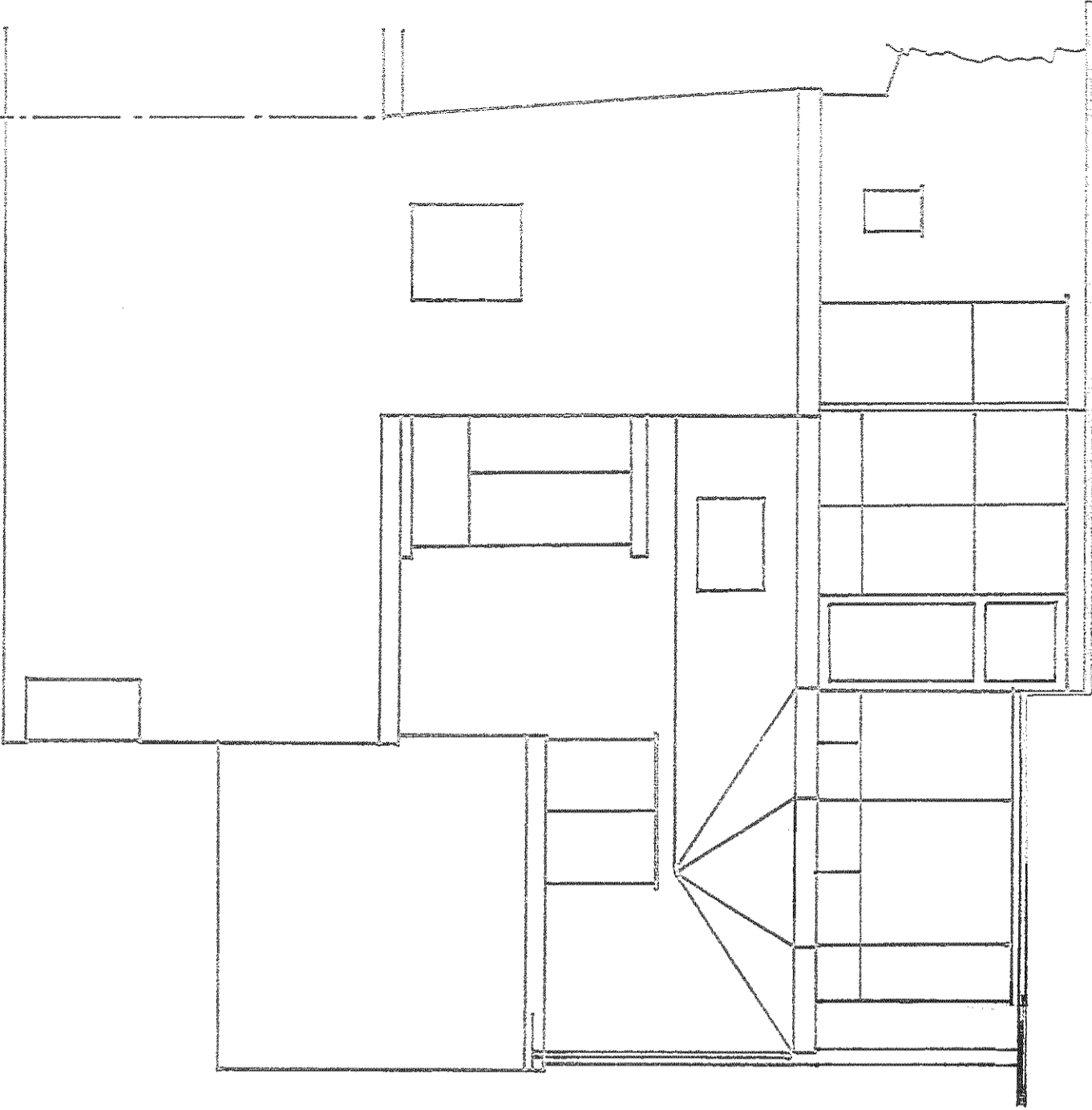
BOLTON COUNCIL
DEVELOPMENT & REGENERATION
12 MAY 2015

**EXISTING
GROUND
FLOOR
LAYOUT
SCALE 1:50**

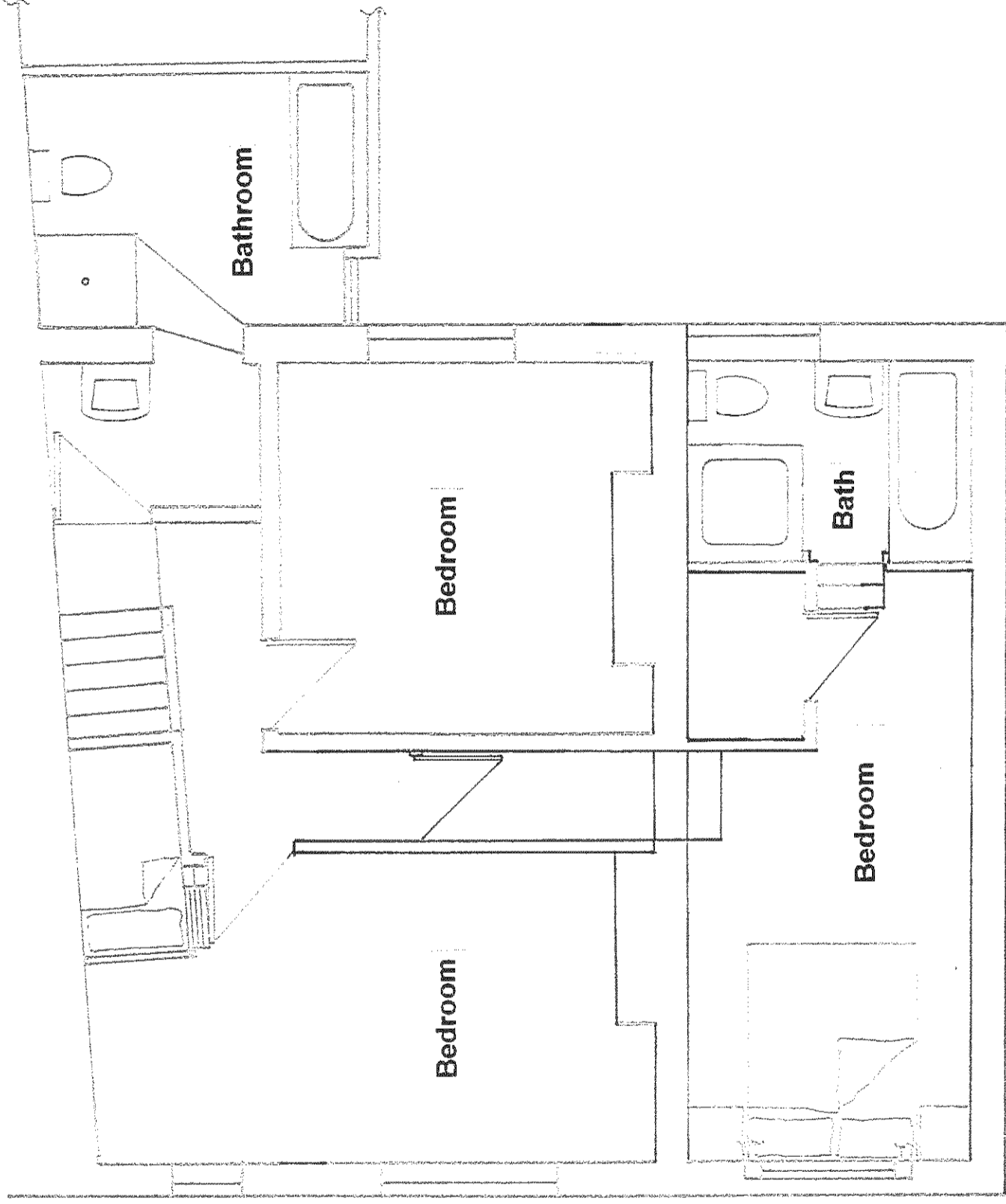
**EXISTING
FRONT
ELEVATION**



**EXISTING
REAR
ELEVATION**



BOLTON COUNCIL
DEVELOPMENT & REGENERATION
12 MAY 2015



**EXISTING
FIRST FLOOR
SCALE 1:50**

BOLTON COUNCIL
DEVELOPMENT & REGENERATION
12 MAY 2015

Application number 94404/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 94404/15

Type of Application: Listed Building Consent

Registration Date: 17/06/2015

Decision Due By: 11/08/2015

Responsible Officer: Jodie Turton

Location: FINISHERS ARMS, 487 CHURCH ROAD, BOLTON, BL1 5RE

Proposal: LISTED BUILDING CONSENT FOR THE REMOVAL OF INTERNAL WALL, CREATION OF NEW OPENING, OPENING UP OF TWO FIREPLACES, REPLACING FIXED SEATING, RE-SITING OF BAR SERVERY AND GENERAL INTERNAL ALTERATIONS

Ward: Smithills

Applicant: Punch Taverns Ltd

Agent : Millson Associates Ltd

Officers Report

Recommendation: Approve subject to conditions

Background

An application for listed building consent was refused by Members in December 2014 for internal alterations to this Grade II listed public house (92863/14). The proposals have been significantly altered and reduced since this time and the current application presents a more sympathetic proposal.

Proposal

The application proposes internal structural and non-structural alterations to this Grade II listed building. The alterations comprise of:

Front Side Room:

1. Formation of opening in wall between the front and rear side rooms – 1.0 metre in width, full height.
2. Removal of door and frame; install new repositioned – providing altered access arrangement to first floor residential accommodation.
3. Removal of stud partition wall.
4. Removal of existing fixed seating.
5. Insertion of back to back fixed seating.
6. Open up fireplace and create real fire.

Rear Side Room:

7. Open through fireplace and install gas basket.

Main Room/Bar Area:

8. Creation of new bar area to the rear wall of the main bar area, and associated back fitting.
9. Removal of existing bar.
10. Create small scale opening in existing wall (to create bar hatch).
11. Block up existing window (to rear wall elevation).
12. Create raised platform for entertainment purposes (in the position of the existing bar).
13. Replace window to front elevation in clear toughened glass.

Site Characteristics

The Finishers Arms is a Grade II listed public house. The building is an end terrace property, which has historically been knocked through with the adjoining terrace cottage to form a larger public house building.

Policy

National Planning Policy Framework (2012): 7. Requiring good design; 12. Conserving and enhancing the historic environment.

National Planning Practice Guidance (March 2014)

Core Strategy Objectives: SO11 Built Heritage

Core Strategy Policies: CG3 Built Environment; OA5 West Bolton.

SPD 'General Design Principles'

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and integrity of the listed building

Impact on the Character and Integrity of the Listed Building

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

Section 66 of the Act places a general duty on Local Planning Authorities that in considering whether to grant planning permission for development which affects a listed building or its setting, the authority shall have special regard to the desirability of preserving the building or its setting or any

features of special architectural or historic interest which it possesses.

Section 12 of the National Planning Policy Framework (2012) is concerned with the conservation and enhancement of the historic environment. The guidance requires local authorities to have a positive strategy for the conservation and enjoyment of the historic environment. Paragraph 131 is concerned with determining planning applications, stating that local authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities, including economic viability; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Para 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The Planning Practice Guidance (March 2014) is a material consideration in the determination of a planning application. In terms of the issue of the impact on heritage assets, the guidance reiterates the NPPF but goes on to add that conservation is an active process of maintenance and managing change and that generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. It is recognised that putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

The current proposal differs quite considerably from the previously submitted application. Many of the structural alterations previously proposed, which were objected to by the Council's Conservation Advisor have been omitted from the current scheme and a more sympathetic refurbishment is proposed.

The structural elements of the development consist of the removal of a stud partition wall, which was inserted to provide a corridor and access to the stairs to the first floor residential accommodation. The removal of the wall will allow for the enlargement of the front side room and the access to the first floor will be set back towards the side wall. An opening will be formed (1.0 metre in width) in the wall between the two side rooms. This will allow for fluidity of movement between the side rooms and increase natural light in the rear room, however the minor nature of the opening will ensure that the integrity of the original built form will be retained. The Council's Conservation Advisor previously stated that, *"the C19th internal walls form part of the historic fabric of the listed building and the surviving plan form is of high significance, illustrating the development and expansion of the pub into the adjacent property. They are key elements in defining the special interest of the pub interior."* It is considered that the proposed development will largely retain the plan form of the building and will thus retain the special interest of the pub interior in this respect.

An area of fixed seating in the front side room is to be removed; the Council's Conservation Advisor whilst not previously objecting to this element, did question the acceptability of this depending on the impact of the removal of seating on the original wall behind. This has been discussed with the

agent and they have confirmed that any impact on the wall will be minimal and they will ensure that the wall is made good using materials to match the existing (an amended plan is being submitted to clarify these details).

The bricking up of the window to the rear elevation is required to facilitate the re-siting of the bar. Whilst natural light will be lost, the works are necessary to facilitate the internal works. The window area will be obscured by the bar paraphernalia and externally the window is not visible from outside of the site due to the rear extension. Although it is acknowledged that the loss of the window will have some detrimental impact on the integrity of the built form, it is considered that the benefits of the development and the viable future of the public house outweigh the harm caused by this alteration.

The remainder of the alterations proposed are either minor in nature, or will present a positive improvement to the interior of the pub.

Conclusion

The continued viable use of the building as a public house is acknowledged to be a valuable asset to the local community. The proposed internal alterations have been significantly reduced from those previously proposed and refused. The benefit of the proposed alterations and refurbishment to the public house are considered to outweigh the minor impact on the heritage asset. On this basis, the application is considered to comply with policy and is therefore recommended for approval.

Representation and Consultation Annex

Representations

Letters:- one letter of objection has been received from a nearby resident, raising the following concerns (*planning officer comments shown in italics*):

- The removal of internal walls will take away the charm and character of this Grade II listed building (*the only wall to be removed is a modern partition wall and the removal of this will reinstate the room proportion to its original form*).
- The original layout should be retained for future generations and kept as individual rooms (*the individual rooms are being retained with a minor opening being introduced between the front and rear side rooms*).
- Too many pubs have lost their charm and attraction by making such alterations.

The objector also made further comments about the entertainment use of the pub and the impact of noise and disturbance to neighbouring residents. However, this application is for listed building consent and does not have any bearing or control over the use of the public house.

Consultations

Advice was sought from the following consultees: Historic England.

Planning History

Listed building consent was refused at committee in December 2014 for internal alterations to the public house (92863/14).

Planning permission and listed building consent were granted in February 2015 for the erection of signage (93298/14 and 93465/15).

Planning permission and listed building consent were granted in January 2005 for the installation of signage and floodlights (69598/04 and 69599/04).

Listed building consent for the installation of hanging baskets and trough planters and the alteration to the door surround was granted in November 1996 (49409/96).

Planning permission and listed building consent were granted in April 1993 for the installation of flood lighting and signage (42759/93 and 42760/93).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. No work subject of this consent shall be commenced until a minimum of 14 days notice in writing has been given to the Local Planning Authority.

Reason

To enable the Local Planning Authority to inspect the approved works and ensure the character and appearance of the listed building are not detrimentally affected.

3. Prior to the commencement of development the details (samples if required) of the type and colour of materials to be used for the external wall (where the window to the rear elevation is to be blocked up), shall be submitted to and approved by the Local Planning Authority. The materials shall match the existing rear elevation in terms of type, size, colour and texture. The approved materials shall be implemented in full and retained thereafter.

Reason

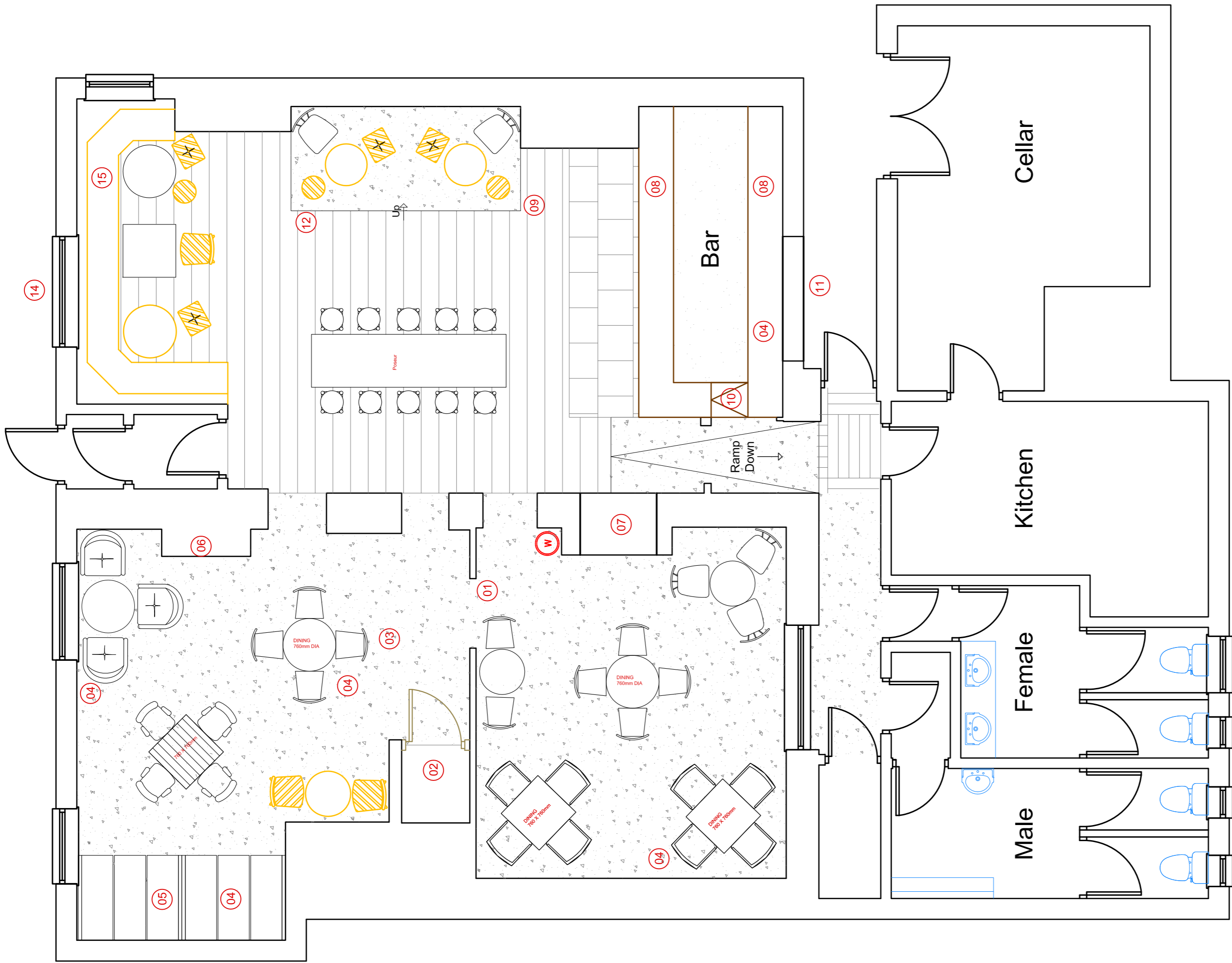
To ensure the development reflects local distinctiveness and in order to comply with Core Strategy policy CG3.

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

Drawing no. 1906 - 2.02, Rev B - Proposed Ground Floor Plan Option 2, dated 24.02.15 (received and scanned to LPA system 30th June 2015).

Reason

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

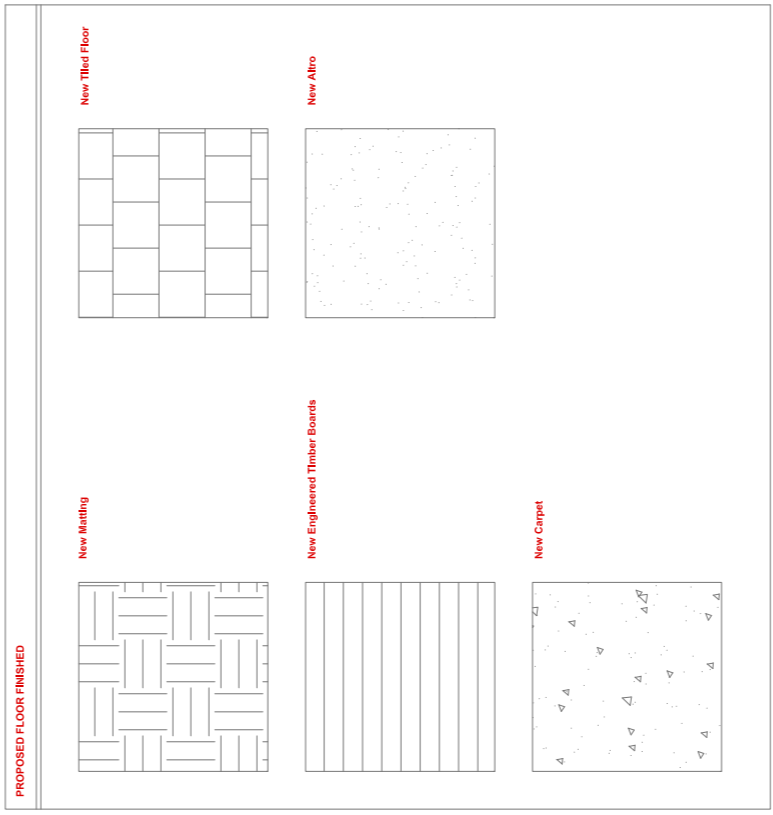


SCHEMATIC NOTES

1. Form opening in wall 1M wide, full height.
2. Remove door and frame: install new repositioned.
3. Remove stud partition.
4. Remove existing fixed seating.
5. Back to back booth seating.
6. Open up fireplace and create a real fire.
7. Open through fireplace and install gas basket.
8. New bar and backfitting.
9. Remove existing bar.
10. Create opening in existing wall.
11. Block up existing window.
12. Create raised area for entertainment.
13. Omitted REV A.
14. Replace window in clear toughened glass.

REVISION A

15. Revover existing fixed seating



All levels and dimensions must be checked on site by contractor prior to commencement of works. Any variations must be reported to Millson Associates Ltd. All information herein is the copyright of Millson Associates Ltd. Copying in full or in part without permission is prohibited. Permission from Millson Associates Ltd.

Proposed Ground Floor Plan

Punch Taverns Ltd		Client	
Date	24.02.15	Status	INFO
Drawn	HD	Checked	JPS
Scale	1:50	Size	A1
Rev	B	Drawing Nr.	1906 - 202
Proposed Ground Floor Plan		Drawing Title	
Option 2		Project Title	
The Finishers, 487 Church Road, Bolton, BL1 5RE		Millson Associates UK North Office: Hyde Park House, Cartwright Street, Hyde, Greater Manchester, M18 7LQ 0161 275 0000 general@millsonassociates.co.uk www.millsonassociates.co.uk	
		Millson Associates	
		Design, Develop, Deliver.	

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

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Date of Meeting: 24/09/2015

Application Reference: 94416/15

Type of Application: Full Planning Application
Registration Date: 07/07/2015
Decision Due By: 31/08/2015
Responsible Officer: Jon Berry

Location: 1510 JUNCTION ROAD WEST, LOSTOCK, BOLTON, BL6 4EG

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

Ward: Heaton and Lostock

Applicant: Mrs Wilkinson
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

The proposal includes the erection of a two storey extension which would project 5.135m from the west side elevation of the property and would be 9.229m long providing an additional living room, an extension to the existing kitchen, a staircase and a WC at ground floor level and at first floor level one additional principal bedroom with an en suite bathroom and extending an existing single bedroom into a double bedroom with an en suite bathroom.

A single storey extension would project 2.258m from the rear elevation of the property and would be 2.758m wide providing a utility room.

Site Characteristics

This is a two bedroomed end pavement terraced property occupying an angular shaped corner plot on the junction of Junction Road West and Heaton Road. Junction Road West slopes upwards to the east. There is a small side and rear garden screened with hedging of approx 2.0m in height. There is no parking within the curtilage of the property. The external finish of the application property is painted brick, the remainder of the terraced row is either render or original brick.

The adjoining property to the east at no. 1508 is a former newsagents and off licence shop which has ceased trading, the two properties are connected by one doorway at each floor level (at the time of writing the report).

Facing the application site to the front is a large detached house occupying a generous plot at no. 1513 Junction Road West.

West of the application site and occupying the opposite corner plot is a hairdressers and beauty salon (Bella Vida) at no. 1514 Junction Road West.

At the rear of the application site is Heaton Road.

The character of the area is predominantly residential of varying age, size and design.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses; OA4 West Bolton.

SPD House Extensions

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

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

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

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

The proposal would extend the property to the west and would be built in line with the front elevation of the property. The extension would follow the line of the angular shaped side plot. The rear elevation at 2.269m would be narrower than the front elevation, the angle being on the north

west corner of the proposal following the line of the host dwelling. There are two narrow windows proposed for the angled section of the side elevation. Other proposed window openings would match the existing.

The single storey element would have a flat roof and there would be a door in the west elevation.

The extended roof pitch would match the existing with ridge and eaves height to match.

The proposed external finish is render. Roof materials are to match the existing.

It is considered that the proposed extension is in proportion and in keeping with the scale and design of the existing property. Therefore it would not negatively affect the visual appearance of the street scene or the character and appearance of the area complying with policy CG3 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking.

It is considered that the proposal would not affect the outlook and living conditions of the residents of the neighbouring properties by virtue of;

- the property at no. 1508 has a previous commercial use and it's future use is presently undetermined, it is in the same ownership as the application property and the rear plot to no. 1508 has been merged with the rear plot of no. 1510 to create two off road parking spaces;
- the narrow windows in the proposed west side elevation are in the angled section which is sited towards the rear of the property and would not directly face another property.

Impact on Parking

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

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

The site plan submitted shows two of road parking spaces at the rear of the application site, sited across the common boundaries of no.s 1510 and 1508. Two off road parking spaces comply with policy SPD House Extensions for a three bedroomed house.

Conclusion

It is considered that the proposal is in keeping with the scale and design of the existing property and would not affect the outlook and living conditions of the residents of neighbouring properties complying with policies P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses; OA4 West Bolton of Bolton's Core Strategy and Supplementary Planning Document House Extensions 2012.

Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- One letter has been received **objecting** to the proposal on the grounds of;

- 1508/1510 Junction Road West could be converted into a 6/7 bedroomed bed and breakfast business which would cause disruption to parking in the immediate vicinity (**Officer Note** - this would require a separate planning application and permission).

One letter has been received with **general questions** including;

- does the application include change of use to a bed and breakfast business?
- will the external materials enhance or contrast with the existing terraced row?
- will the proposed parking area be sufficient for the proposed purpose of the premises?
- how is the screen planting to be achieved?

Petitions:- One petition has been received containing four addresses **objecting** to the proposal on the grounds of;

- disruption to ongoing businesses;
- parking issues on Junction Road West and Heaton Road which is an ongoing concern to residents;
- potential noise disturbance if there was to be a change of use from a newsagents/liquor store to a bed and breakfast business.

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

Consultations

Advice was sought from the following consultees: None.

Planning History

30315/87 ERECTION OF A CARPORT AT REAR OF SHOP/HOUSE - refused

15199/80 INSTALLATION OF A NEW SHOP FRONT - refused

11269/79 DEMOLITION OF EXISTING STORE AND ERECTION OF A SINGLE STOREY REAR EXTENSION AT REAR OF PREMISES TO PROVIDE AN EXTENDED SHOP - approved subject to conditions

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

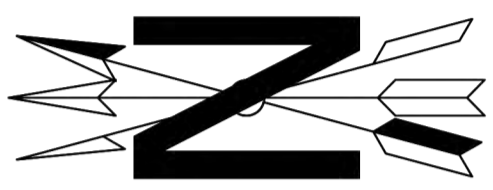
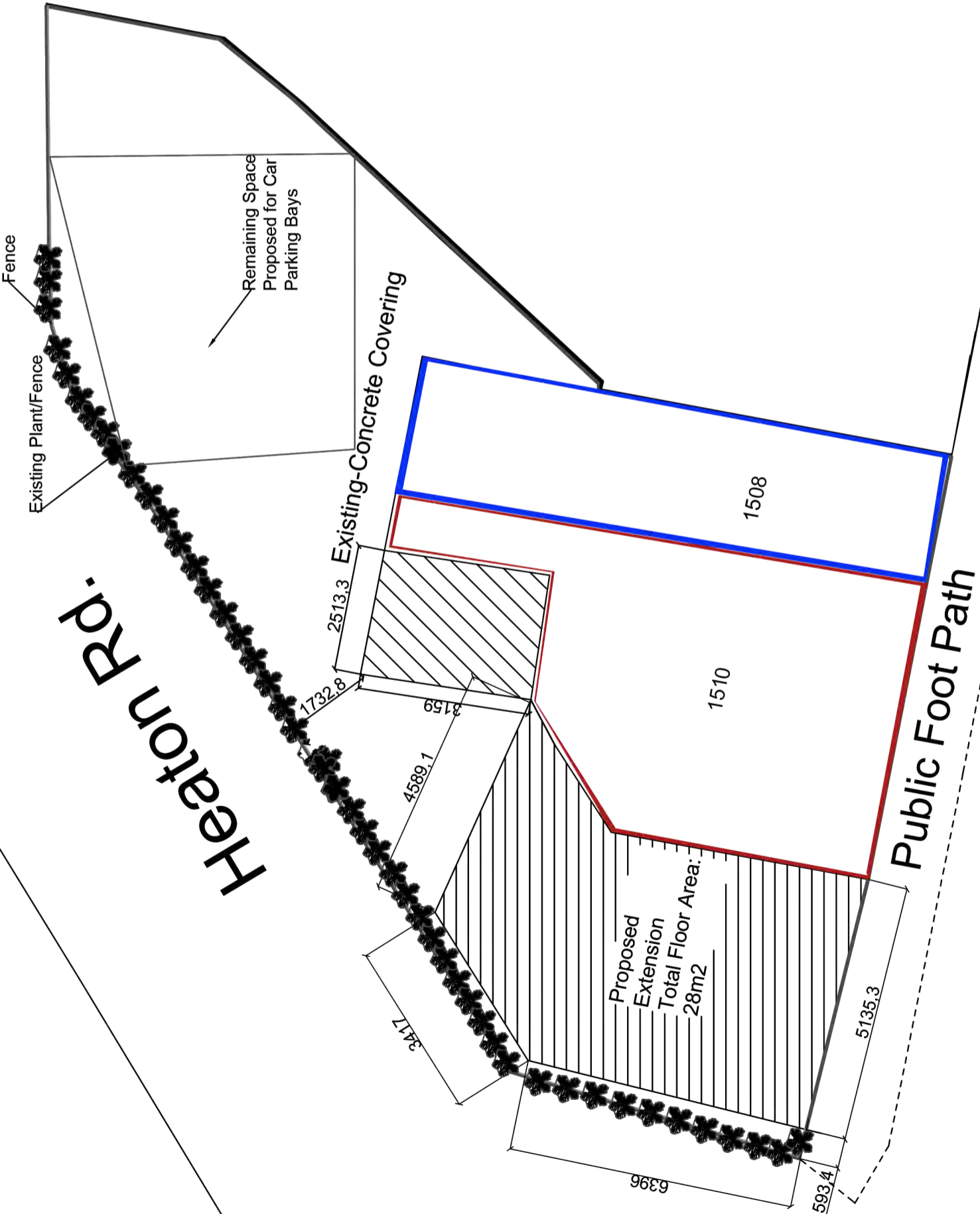
Reason

To ensure the development visually reflects the existing building.

3. The application premises shall only be used as an individual dwelling house falling within Class C3 of the current General Permitted Development Use Classes Order and for no other purposes.

Reason

To safeguard the character of the area.



MISS-CLIENT-CHRISTINE WILKINSON	
SITE-DETAIL: 1510-JUNCTION RD-WEST-LOSTOCK-BOLTON-BL6	
SITE-PLAN	
PROPOSED-HOUSE-EXTENSION WILKINSON	
PROJECT-NUMBER	0001
DATE	07/05/2015
DRAWN-BY	C.W
A101A	
SCALE	1/100



**Application number
94440/15**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 24/09/2015

Application Reference: 94440/15

Type of Application: Full Planning Application

Registration Date: 19/06/2015

Decision Due By: 13/08/2015

**Responsible
Officer: Kara Hamer**

Location: 32 NEW HALL LANE, BOLTON, MANCHESTER, BL1 5LW

**Proposal: ERECTION OF PART SINGLE, PART TWO STOREY EXTENSION
AND DETACHED GARAGE AT REAR**

Ward: Heaton and Lostock

Applicant: Mr Hakim

Agent : M.M. Architectural Design

Officers Report

Recommendation: Approve subject to conditions

Proposal

This application seeks approval for the erection of a part single, part two storey extension which would be sited on the rear elevation of the property. The two storey element would project approx 4.0m and would be approx 5.0m wide providing a kitchen/dining area and utility room at ground floor level and an additional principal bedroom at first floor level. The single storey element would project a further 2.685m providing a ground floor shower room and further extending the kitchen/dining area.

A detached single garage would be sited at the south west corner of the rear plot.

Site Characteristics

This is a three bedroomed semi detached property occupying a generous plot and located on a residential street of evenly spaced and similar sized plots. The property has been extended at the rear with a mono pitched roofed single storey extension which projects approx 3.0m providing a kitchen/dining area. A detached garage is sited on the southern common boundary at the rear. There is a canopy extending between the garage and an out building at no. 30, covering the patio area with a corrugated plastic roof.

The majority of the properties have handed out buildings sited in the rear plots of approx 2.0m x 3.5m (former wash houses).

Facing the application site to the front are a pair of semi detached properties.

The neighbouring property to the south at no. 34 has been extended at the rear with a conservatory.

The adjoining property to the north at no. 30 has the previously handed outbuilding sited on the common boundary.

At the rear of the application site are the rear plots of no's. 31 and 33 Sherbourne Road.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses; OA4 West Bolton.

SPD House Extensions

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

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

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

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

The proposal would be sited adjacent to and in line with the previously handed out building at the adjoining property to the north at no. 30.

Both the two storey and the single storey elements would have dual pitched roofs. The two storey element would be subordinate in height to the main dwelling with eaves to match the existing. There are no windows in the side elevations of the proposed two storey element and two windows in the rear facing elevation at first floor level. The single storey element would have a three panel patio style door in the rear elevation and one small window and there would be one small window in the south facing elevation.

External materials and roofs are to match the existing dwelling.

Whilst the proposal is large and would form a strident feature on the rear elevation of the property the extension would be sited entirely at the rear of the dwelling which would not unduly affect the character and appearance of the street scene and the single storey element would be sited adjacent to and in line with the previously handed out building at the adjoining property to the north at no. 30.

It is considered that the proposed extension is in keeping with the design of the existing property and would not negatively affect the visual appearance of the street scene or the character and appearance of the area thus complying with policy.

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking.

It is considered that the proposal would not affect the outlook and living conditions of the residents of the neighbouring properties by virtue of;

- the proposal would be sited behind a 45 degree line drawn from the ground floor main window of the adjoining property to the north at no. 30, this property has the previously handed out building sited on the common boundary of approx 2.0m in height which affords screening at ground floor level, at first floor level there is a bathroom window close to the common boundary which is not considered to be a main room window;
- the proposal would be sited behind a 45 degree line drawn from the ground floor main window of the neighbouring property to the south at no. 34, this property has been extended across the rear with a large conservatory and fencing of approx 1.8m in height affords partial screening at ground floor level along the common boundary;
- there are no windows in the proposed north side elevation facing the adjoining property at no. 30;
- there is one small ground floor level window and two roof lights above in the proposed south side elevation facing the neighbouring property at no. 34, fencing of approx 1.8m in height affords partial screening to the common boundary;
- there would be no loss of daylight to the neighbouring property to the south at no. 34;
- the adjoining property to the north at no. 30 receives reduced daylight to the rear ground floor

elevation of the dwelling and to a small portion of the rear plot in the morning hours due to the siting of the existing single storey extension at no. 32 and the previously handed out building at no.30, as the sun follows a southern arc setting in the west the rear plot of no. 30 will continue to receive sunlight later in the day;

- the property at the rear at no. 31 Sherbourne Road would have an interface distance of 30m to the rear elevation of the proposed extension.

Impact on Parking

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

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

There is parking provision for three cars on the existing driveway which complies with policy SPD House Extensions.

Conclusion

It is considered that the proposal is in keeping with the scale and design of the existing property and would not affect the outlook and living conditions of the residents of neighbouring properties complying with policies P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses; OA4 West Bolton of Bolton's Core Strategy and Supplementary Planning Document House Extensions 2012.

Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- Six letters have been received from four nearby residents, objecting to the proposal on the grounds of;

- impact on natural light on the rear elevation of no. 32
- out of keeping with the character of the area
- impact on privacy of properties sited at the rear and both neighbouring properties
- reduction in the value of neighbouring properties
- disruption during construction
- future maintenance of neighbouring out-buildings sited on the common boundary

Petitions:-None received

Elected Members:- Councillor Allen has requested that the final determination of this application is made by the Planning Committee.

Consultations

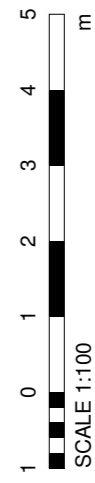
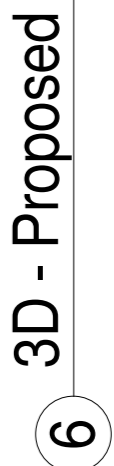
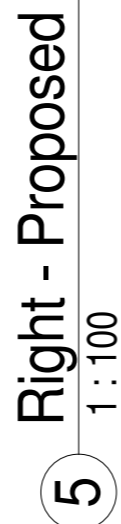
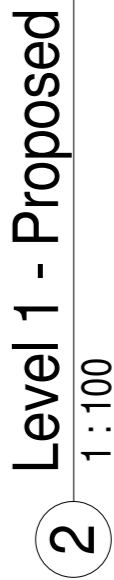
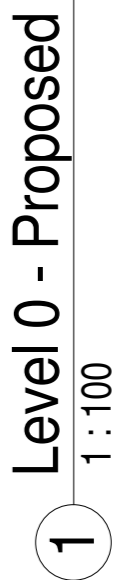
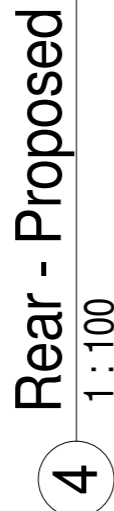
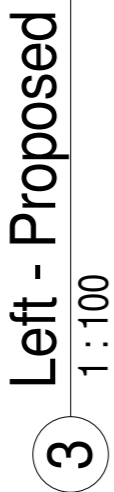
Advice was sought from the following consultees: None.

Planning History

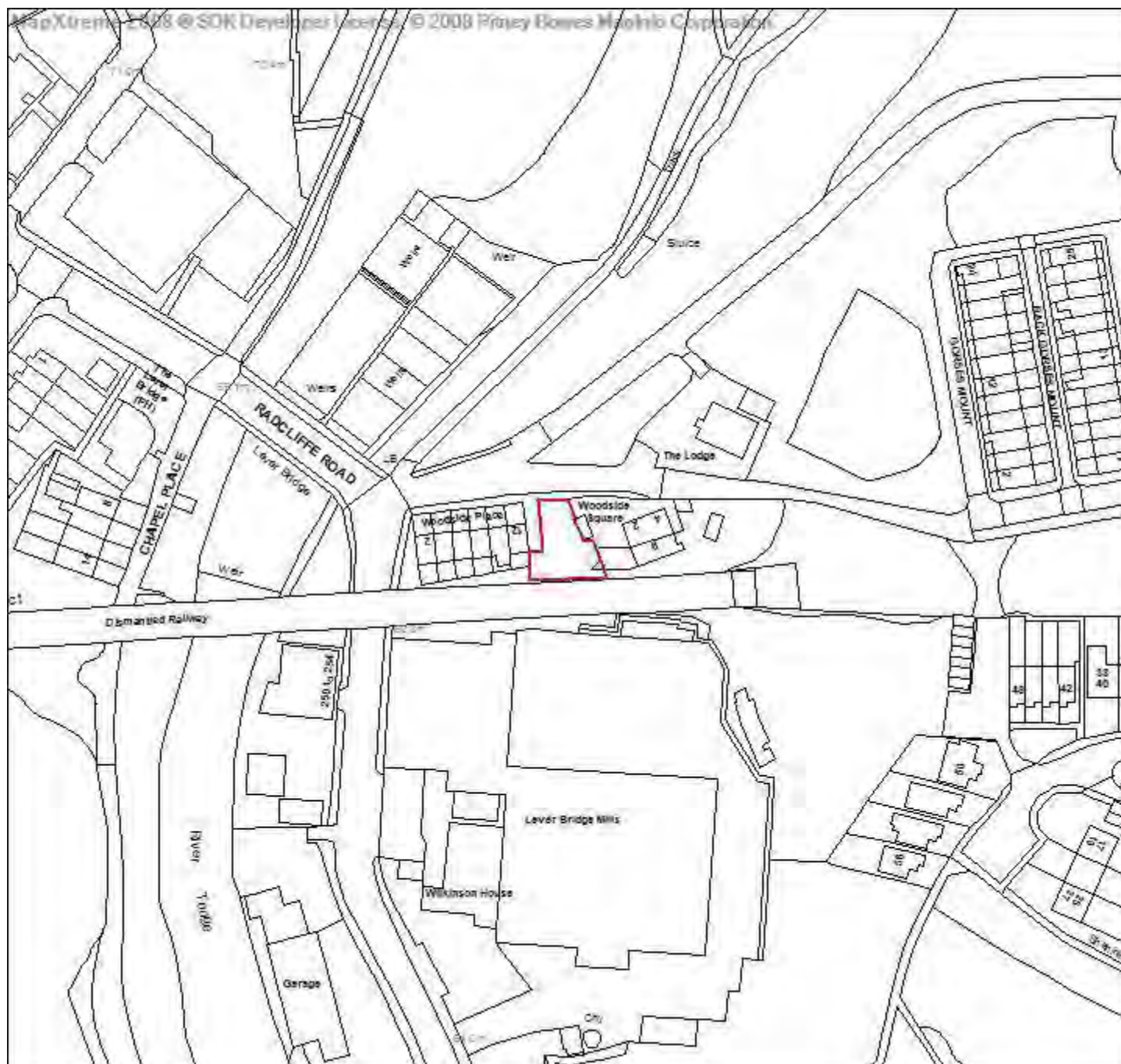
21647/83 Erection of a single storey extension at the rear

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

[illegible]

Application number 94454/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 94454/15

Type of Application: Outline Planning Permission

Registration Date: 23/06/2015

Decision Due By: 17/08/2015

Responsible Officer: Paul Bridge

Location: LAND ADJACENT 12 WOODSIDE PLACE, BOLTON, BL2 1PL

Proposal: OUTLINE APPLICATION FOR THE ERECTION OF ONE DWELLING (ACCESS AND LAYOUT DETAILS ONLY).

Ward: Little Lever and Darcy Lever

Applicant: Hargreaves Hamilton & Company Limited

Agent : Good & Tillotson

Officers Report

Recommendation: Approve subject to conditions

Proposal

Outline permission is sought for the erection of one detached dwelling. All matters are reserved aside from access and layout details.

Whilst scale, appearance and landscaping are all subject to approval at a later stage, to help demonstrate that the principle of the development could be acceptable, the application has been accompanied by a range of supporting documents including an Coal Mining Desk Top Study, Preliminary Risk Assessment (Walkover Survey and Desk Study), Groundsure Environinsight, Walkover Site Photo Survey, Proposed Site Plan and Topographical Plan.

Site Characteristics

The application site comprises of the vacant piece of land adjacent to No.12 Woodside Place, which is located just off Radcliffe Road, Darcy Lever. Woodside Place is small row of terraced residential dwellings with a number of other residential properties to the east. Woodside Place is an unadopted Road. There is a redundant high level railway viaduct located towards the southern boundary.

Policy

National Planning Policy Framework (NPPF): 6. Delivering a Wide Choice of Quality Homes; 7. Requiring Good Design.

Core Strategy policies: CG1 Cleaner and Greener Bolton; CG3 Built Environment; CG4 Compatible Uses; OA6 Little Lever and Kearsley; SC1 Housing; P5 Accessibility; S1 Safe Bolton

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principal of development
- * impact on neighbouring residential amenity and the character of the area
- * impact on the highway/parking
- * impact on flood risk and drainage

Principle of Development

At the heart of national policy within the NPPF is a presumption in favour of sustainable development. The NPPF maintains the importance of supporting sustainable economic development and deliver homes (paragraph 17). The proposed dwelling would be sited on an area of vacant land and would represent 'infill' development within a residential street.

Given the indicative siting of the proposed dwelling, it is considered that it would be appropriate in the surrounding residential context. In addition, the proposal is considered to constitute a sustainable form of development within a sustainable location for the purposes of the NPPF and therefore the principle of the proposed development is considered acceptable.

Impact on Neighbouring Residential Amenity and the Character of the Area

Paragraph 56 of the NPPF highlights that good design is a key aspect of sustainable development and is indivisible from good planning. Permission should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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. Core Strategy policy OA4.6 seeks to respect the large amounts of open space and lower density development in West Bolton.

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.

The proposed dwelling would be sited in between No. 12 Woodside Place and Woodside Square. Whilst a detailed application for the final design and scale of the dwelling would need to be assessed at a later time, given the indicative nature of the development, the proposed layout plan indicates that the dwelling would be sited in a position which would not result in an unacceptable loss of light,

privacy or would be overbearing.

In areas of established residential character, the qualities of traditional buildings and characteristics of the surrounding area should be respected and complemented in any new form of development to reinforce the character of the area. The immediate residential dwellings adjacent to the site along Woodside are similar in respect of building to plot size ratio. The indicative layout of the dwelling would be wholly sympathetic to the character and appearance of the area and also the density of plot sizes within the immediate surrounding area.

The area to the front of the proposed dwelling would accommodate a hardstanding and a small lawn and parking spaces whilst to the rear, there would also be a hardstanding.

Having regard to the above, the proposed development is considered to be physically well related to the layout and density of existing buildings within the surrounding area and would not cause any overriding detriment to the surrounding area. Therefore, the proposed development is considered to be in accordance with policy CG3 of the Core Strategy and guidance contained within the NPPF.

Impact on Highway/Parking

Core Strategy policy S1.2 seeks to promote road safety in the design of new development. Core Strategy policy P5 seeks to ensure that development is accessible by different types of transport, prioritising pedestrians, cyclists and public transport over the motorised vehicle. Appendix 3 provides guidance on parking standards.

There are no highway implications of the proposed development. The site is large enough to accommodate sufficient parking arrangements.

A number of objectors have expressed concerns about damage that could be caused by construction vehicles associated to the proposed development. Given the proposal is for one dwelling, it is considered that the traffic movement during construction phase would be negligible and would not warrant a refusal of the application. In addition, the Council's Highway Engineers have assessed the submission and consider, subject to conditions, it to be acceptable and thus compliant with policies P5 and S1.2 of the Core Strategy.

Impact on Drainage

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.

The application site is not located within a flood risk zone, and therefore not liable for flooding or would increase the risk of flooding elsewhere. Conditions have been attached requesting details of a foul drainage scheme and surface water drainage (SUDS) for the driveways.

It is considered, subject to these conditions, that the proposal complies with Policy CG1.5 of the Core Strategy.

Conclusion

For the reasons discussed above, it is considered that the proposed development would be sited in a sustainable location, would not unduly harm the amenity of future and neighbouring residents, would be compatible with the character and appearance of the area, would not prejudice highway safety and would not result in increased flooding.

It is therefore considered that the proposal complies fully with policy and Member are recommended

to approve this application subject to conditions.

Representation and Consultation Annex

Representations

Letters:- Four objection letters have been received in response raising the following concerns:-

How will access be maintained to the rear of Woodside Place? – *Response, access to rear garden areas can gained through the existing dwelling. This set up is not uncommon at terraced properties. In respect of vehicular access the proposal would be wholly contained within the application site and one cannot rely on entering/passing another's land for access/maintenance purposes.*

Covenants allow access across the application site – *Response, restrictive covenants protect private rights and benefits of the owners or occupiers of the land specified in them. Covenants are privately negotiated and agreed. If a covenant is breached, it would be for those affected to see if enforcement would be possible; through the courts, if necessary. Private rights are quite separate from planning considerations. Planning decisions are taken in the broader public interest, in the light of policies in development plan documents and of any other factor relevant to land-use planning. There is public involvement when plan documents are put forward for adoption, or planning applications made. Accordingly, the existence of a restrictive covenant should not be the basis of a decision about a planning application or appeal.*

Noise and disruption – *Response, with any development there will be an element of noise and general disturbance during the construction phase. Whilst this is a material planning consideration it is not a reason to refuse planning permission as this would be for a temporary period.*

There is Japanese knotweed on site – *Response, there is a legal obligation on developers not to allow the spread of Japanese Knotweed. In addition a condition has been attached requiring the applicants to implement a control programme if it is found to be present on or near the site.*

The proposal would result in bins having to be stored at the front of the terraced dwellings along wood side place. – *Response, the proposal would leave sufficient access for bins to be stored to the rear of the dwellings on Woodside Place.*

Loss of light - *Response, this issue has been addressed in the analysis above.*

Consultations

Advice was sought from the following consultee: Highways Engineers.

Planning History

None Relevant.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

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

Reason

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

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

Reason

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

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

Reason

To ensure the development is safe for use.

4. Development shall not commence until a scheme for the eradication of Japanese knotweed has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for its implementation. The scheme shall be carried out as approved. Should there be a delay of more than one year between the approval of the scheme and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority.

Reason

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

5. 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.

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

Reason

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

7. Prior to the development hereby approved being first occupied or brought into use, a scheme detailing how parts of the site to be used by vehicles are to be laid out, constructed, surfaced, drained and lit shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter made available for the use of vehicles at all times the development is in use.

Reason

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

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

Drawing no. 03 Proposed Site Plan, dated 24 April 2015

Reason

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

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All dimensions to be checked on site and any discrepancies to be referred to the architect before proceeding.

ALL LEVELS TO BE CHECKED ON SITE.

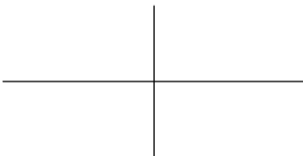
All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect prior to proceeding.

All component sizes and references to be checked prior to ordering of materials.


Positions and designation (i.e. combined, surface water or foul) of existing runs on site are to be checked / confirmed by the building owner. Any additional connections are to be made, are also to be checked as necessary to ensure that they are suitable to accommodate additional capacity and the type of effluent being connected.

All relevant boundary positions to be checked prior to proceeding.

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Rev.	Revision	Inl.	Date
		Good & Tillotson Chartered Architects 2 The Studios, 318 Chorley Old Road, Bolton, BL1 4JU Tel : 01204 497700 Fax : 01204 497776 E-mail : info@goodandtillotson.co.uk Web : www.goodandtillotson.co.uk	
Client : Hargreaves Hamilton Project : Woodside Place Darcy Lever Bolton		RIBA Chartered Practice	
Drawing : Topographical Survey Survey Drawing		Date : 15th April 2015 Drawn : Not by G&T Scale : 1 : 100 @ A1 Drawing Revision :	
Project No. : 1529		Drawing Number : 01	

NOTES :

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All dimensions to be checked on site and any discrepancies to be referred to the architect before proceeding.

ALL LEVELS TO BE CHECKED ON SITE.

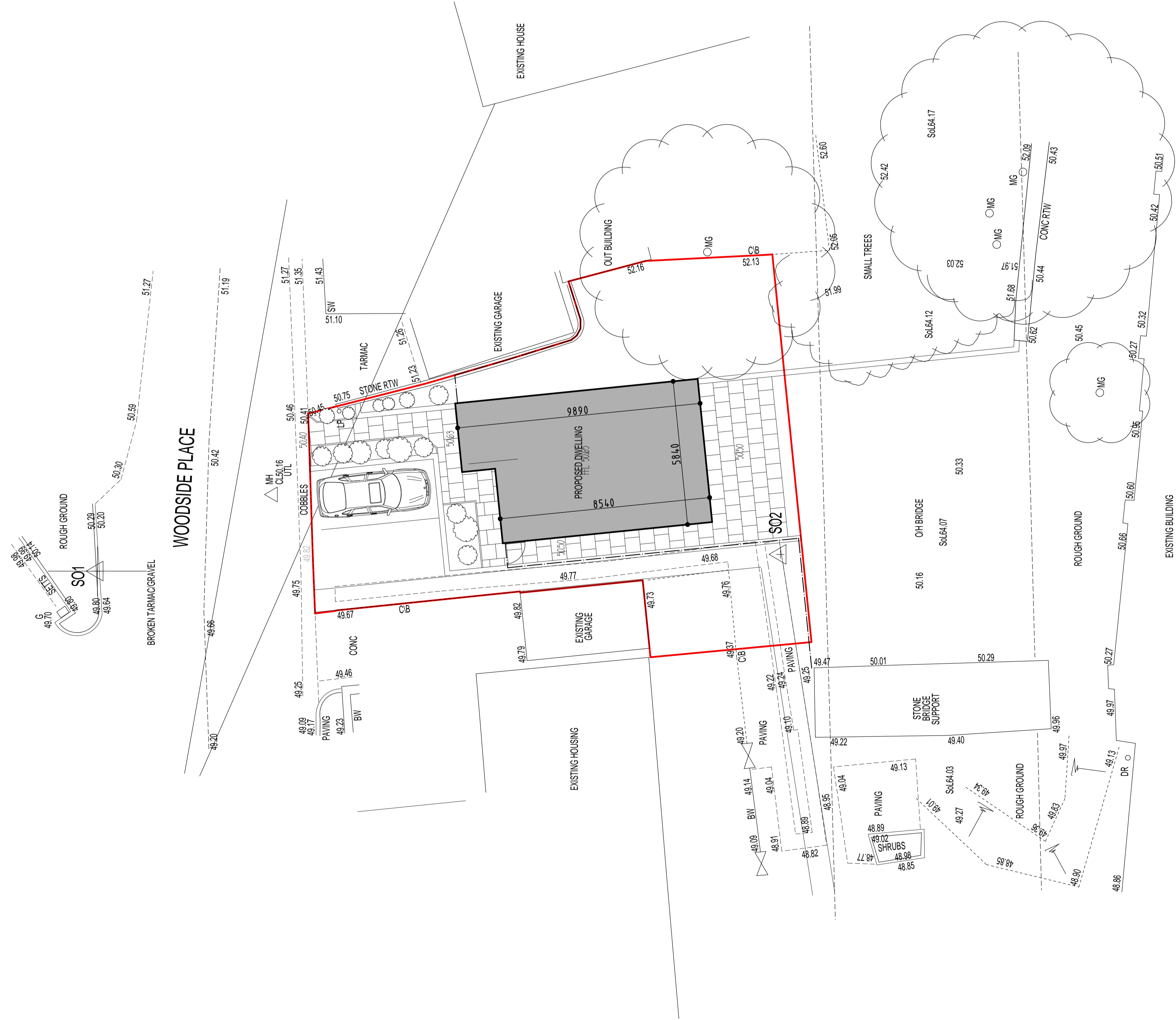
All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect prior to proceeding.

All component sizes and references to be checked prior to ordering of materials.


Positions and designation (i.e. combined, surface water or foul) of drains, to which additional connections are to be made, are also to be checked on site and any discrepancies to be referred to the architect prior to proceeding.

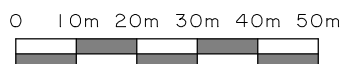
All relevant boundary positions to be checked prior to proceeding.



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Rev.	Revision	Int.	Date
<div><div><div></div><div>g&t</div></div><div><div>Good & Tiltolton Chartered Architects</div><div>2 The Studios, 318 Chorley Old Road, Barnoldswick, BL1 4JU</div><div>Tel : 01204 497700 Fax : 01204 497776 E-mail : info@goodandtiltolton.co.uk Web : www.goodandtiltolton.co.uk</div></div></div>			
Client : Hargreaves Hamilton			
Project : Woodside Place Darcy Lever Botton		RIBA  Chartered Practice	
Drawing : Proposed Site Plan		Date : 24th April 2015	
Planning Drawing		Drawn : Not by G&T	
Project No. :		Scale : 1 : 100 @ A1	
1529		Drawing Number : Drawing Revision :	
		03	



Revision	Inl.	Date	
 	Good & Tillotson Chartered Architects 2 The Studios, 318 Chorley Old Road, Bolton. BL1 4JU Tel : 01204 497700 Fax : 01204 497776 E-mail : info@goodandtilotson.co.uk Web : www.goodandtilotson.co.uk	Client / Project : Woodside Place Darcy Lever Bolton	Drawing : Site Location Plan
		Date : 27th May 2015 Drawn : Not By G&T Scale : 1 : 1250 @ A4	Project No. : 1529 Drawing Number : 04 Drawing Revision :

Application number 94472/15



Development & Regeneration Dept
Development Management Section

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

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Date of Meeting: 24/09/2015

Application Reference: 94472/15

Type of Application: Full Planning Application
Registration Date: 26/06/2015
Decision Due By: 20/08/2015
Responsible Officer: Jeanette Isherwood

Location: LAND ADJ 104 GREENBARN WAY, BLACKROD, & REAR GARDEN 340 MANCHESTER RD, BLACKROD

Proposal: ERECTION OF ONE DETACHED DWELLING

Ward: Horwich and Blackrod

Applicant: Miss Corbet

Agent : Entwistle Design Services

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the erection of one detached property on land adjacent to 104 Greenbarn Way. The plot will further incorporate some additional garden space from the property to the rear at 340 Manchester Road. The proposed dwelling will have 3 off-road parking spaces and an additional integral garage.

The property will accommodate 4 bedrooms over 3 floors, however the external appearance will be that of a two storey dwelling with one of the bedrooms contained within the attic space, albeit slightly higher than similar two storey properties on Greenbarn Way.

The property will have principal bedroom windows to the front and rear at first floor level.

The height to the ridge is 8.414 metres.

Access will be taken from Greenbarn Way. The site will be bounded to the sides and rear by a 1.8 metres post and timber panel fence.

Site Characteristics

The site consists of an area of land adjacent to 104 Greenbarn Way together with part of the rear garden of 340 Manchester Road. The adjacent property to the north at 104 is a single storey detached property, whilst to the south is the rear garden and grassed area to 342 Manchester Road. The property directly to the rear at 340 is a semi-detached dormer bungalow. There is a distinct difference in ground levels with the land sloping down towards the highway, leaving 338 and 340 Manchester Road on a higher level. These two properties have main room windows overlooking the site. To the front is 57 Greenbarn way, a detached two storey property that has been extended to the

side.

The immediate locality consists of detached and semi-detached single and two storey properties, the majority with off road parking and garage space.

Policy

National Planning Policy Framework 2012

Core Strategy: CG3 Built Environment, CG4 Compatible Uses, OA1 Area Policy, S1 Safety, P5 Accessibility and Appendix 3 Parking Standards.

SPD - General Design Principles

SPD - Accessibility, Transport and Safety

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

Impact on the Character and Appearance of the Area

Section 7 of the NPPF recognises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Section 6 of 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. Policy CG3 of the Bolton Core Strategy states that the Council expects development proposals to contribute to good urban design, respect and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area. Policy OA1 states that for developments in Horwich and Blackrod the Council will conserve and enhance the character of the existing landscape and physical environment and ensure that development respects street patterns, and the grain and the form of predominant architectural styles.

Greenbarn Way is characterised by a mixture of properties being single and two storey, detached and semi-detached. The proposal respects the current building line on the row and several design characteristics of two storey properties in this area. Although the ground slopes up towards the rear

of the properties on Manchester Road the bulk of the building will be sited on the relatively flat area immediately adjacent to 104. One of the objections received is concerned that the proposal will look 'out of place' with the rest of the properties due to its additional height. However the proposal will be approximately 2 metres higher than surrounding two storey houses and with the immediate vicinity being characterised by single and two storey properties, this additional height is not thought to detrimentally impact on the street scene.

The proposed plot consists of an open area (grass verge) together with a partial element of the rear garden of 340 Manchester. One objection refers to the loss of open space. However the open area to the side of the proposed building and to the rear of 342 will be retained. The development is considered to be a small in-fill development which will result in the loss of a small area of open space. Areas of open space will remain to the side of the development site and also to the opposite side of Greenbarn Way, on balance therefore, the loss of this small area of grass when balanced against the need for housing in the Borough is considered to be acceptable.

The development will result in acceptable sized garden areas for the existing and proposed dwelling and the development of the garden is not considered to have a detrimental impact on the streetscene or the character of the area given the prevailing residential layout.

The proposal is considered to comply with policies CG3 and OA1 of the Bolton Core Strategy.

Impact on Residential Amenity

Policy CG4.1 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.

SPD "General Design Guidance" sets out the Council's recommended minimum interface distances between dwellings. For new two storey buildings a distance of not less than 21 metres shall be maintained between fronts of dwellings where the facing walls contain windows of principal rooms. Where two buildings face each other and where one or both may be over two storeys high a greater distance should be achieved between principal room windows. For each additional storey in each building an additional set back of 3 metres will be required.

The distance to properties to the rear will be 21 metres, in line with this guidance, whilst to the front 28 metres will remain. Whilst concerns have been raised by neighbouring residents with regard to loss of privacy, these distances are considered to be sufficient, allowing for the additional height of the proposal. Therefore it is not considered that the proposed dwelling would unduly impact on the living conditions of the surrounding occupiers.

The proposal is considered to comply with policy CG4 of the Bolton Core Strategy and SPD 'General Design Principles'.

Impact on the Highway

Appendix 3 of the Bolton Core Strategy recommends that three car parking spaces be provided for new dwelling houses that provide four or more bedrooms.

Policy S1 requires road safety be taken into account in the design of new development.

Access to the new property will be taken from Greenbarn Way as with all properties in the immediate vicinity.

Concerns have been raised with regard to an increase in on-street parking, increase in traffic

congestion and safety issues.

Bolton Council's Highway Engineers have stated that the Council's maximum parking standards must be met in full for the property, with three spaces each 2.5m x 5.0m. The plot is large enough to accommodate three spaces with this detail clearly shown on the plan. The proposal also details an additional garage space, leaving four available spaces which is in excess of present guidance and in the main in excess of available spaces at surrounding properties. Therefore the proposal is not thought to present any additional highway issues.

The Highways Department have expressed no concerns with regard to highway safety.

It is therefore considered that the proposal is compliant with policies S1, P5 and Appendix 3 of Bolton's Core Strategy and SPD 'Accessibility, Transport and Safety'.

Impact on Trees

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

There are a number of trees (conifers) adjacent to the site. The Council's Tree and Woodland Officer has stated that the majority of the trees in the adjacent garden are of poor form with non worthy of a Tree Protection Order.

The proposal complies with CG1 of Bolton's Core Strategy

Conclusion

The proposal provides a new dwelling within an existing, sustainable urban area, without unduly affecting highway safety or the amenity of nearby residential occupiers. The proposal is considered to comply with planning policy and guidance. Members are therefore recommended to approve this application, subject to conditions.

Representation and Consultation Annex

Representations

Letters:- Two letters of objection have been received with the concerns addressed in the main body of this report. The main issues raised are:

- Height impact;
- Additional road congestion;
- Loss of green space;
- Increase in on street parking;
- Loss of privacy.

Town Council

The Town Council objected to the proposal due to its siting on green space.

Consultations

Advice was sought from the following consultees: Environmental Health, Highways, Drainage, Trees and Woodlands, Design for security and Corp Property

Planning History

None relevant

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

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

3. Prior to the commencement of development full details of the highway works to facilitate vehicular access to the new driveway from Greenbarn Way 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.

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

Reason

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

5. Before the approved/permitted development is first brought into use no less than 3 car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref - Floor Plans dated April 2015 approved by the Local Planning Authority. 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

6. 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.

7. 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.

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

Proposed Elevations - dated April 2015 and scanned 26/06/2015
Proposed Floor Plans - dated April 2015 and scanned 26/06/2015

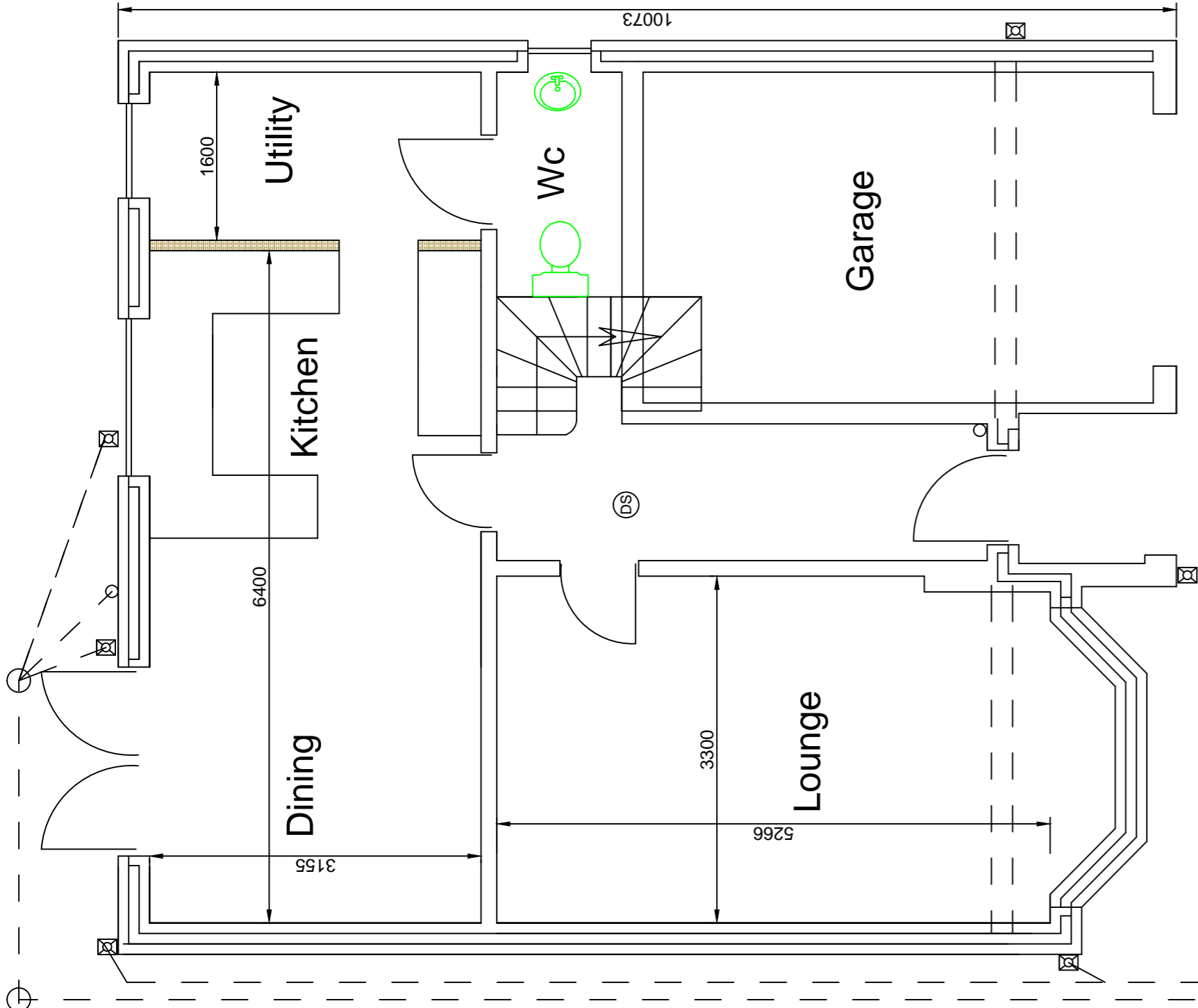
Reason

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

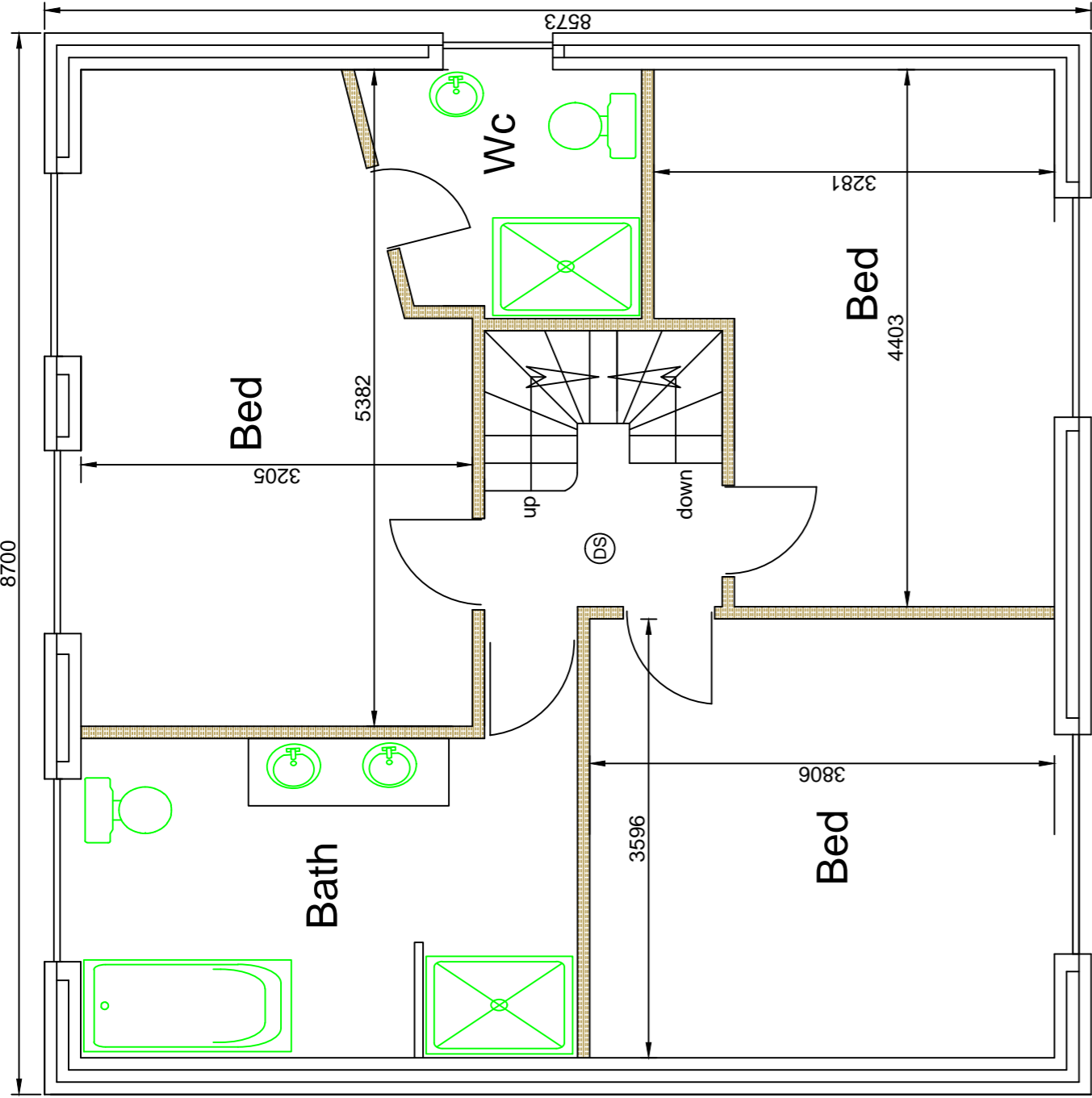
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, fences, gates, walls, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed .

Reason

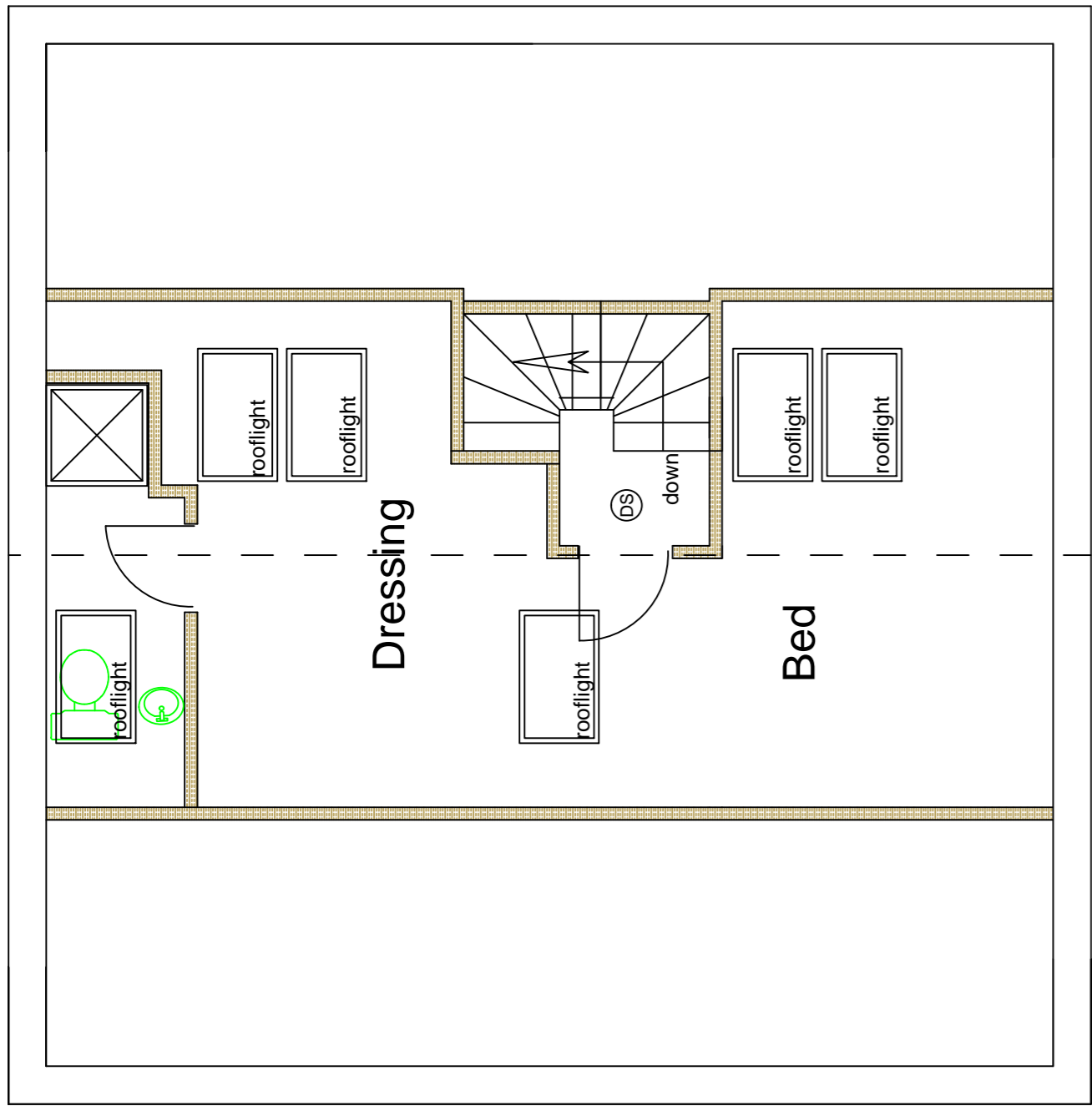
To safeguard the character and appearance of the dwelling/land



PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR



PROPOSED SECOND FLOOR

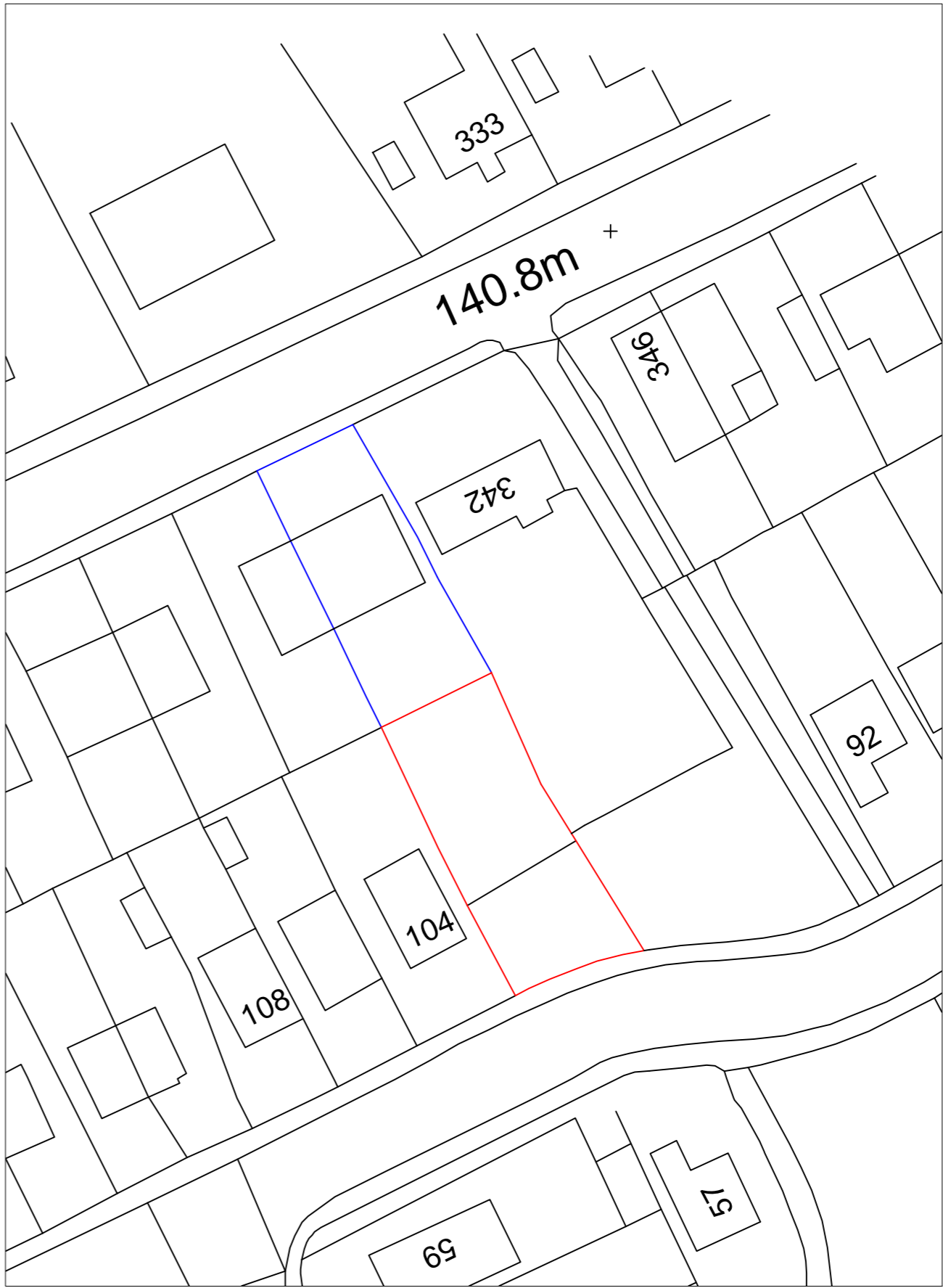
delete as necessary
form new dwelling as shown
provide mechanical ventilation to kitchen giving min 60 litres per second extraction.
fans in kitchens, bathrooms, wc's and utility rooms without windows to have minimum 15 minute overrun, doors to above to have minimum 10mm gap under door.
windows to be double glazed with Pilkington K E glass with min 16mm air gap between glazing. Trickle vents fitted giving min 8000mm2 openers min 25th opening lights.
Windows to be quality C or better
Window and door openings to have draught seals fitted.
All glazing to windows within 800mm of floor & 1.5m in doors & side panels to be fitted with safety glass
stainless steel cavity ties at 750 mm/c horizontal and 450mm/c vertical and to each block course at reveals.
tooth bond walls to existing, cavities to be continuous.
secure roof timbers to wall plates bolted to existing wall.
all new drainage to be 100mm supersleeve laid at 1:40 falls.
drainage passing under extensions to be protected to satisfaction of L.A provide lintol support when passing through walls.
provide cavity tray and lead flashing at junction with roof and house wall.
rainwater via 100mm gutter and 63mm downspout to new/existing gulleys.
vertical and horizontal dpc's to all new openings.
internal stud walls to be 100x50mm or 75x50mm studs with plasterboard both sides having a density of 10kgm2 & infilled with rockwool insulation
existing foundations/lintols to be exposed to determine suitability
insulated catnic lintols over all new openings.
30*5mm mild steel straps secured to trusses/ joists/rattlers and ceiling spars at max 2m/c turned down cavity/wall and built in.
calculations for trusses to be provided by manufacturer prior to erection on site.
trusses to be designed and braced to BS5268 part 3: 1985.
provide glide/vale abutment vent at junction with new roof and house wall, or roof vents as shown.
provide min 12.5mm gap between wall and fascia to ventilate pitched roof space.
provide min 25mm gap between walls and fascias to ventilate flat roofs.
code 5 lead on 25mm thick valley boards.
all new rooms except bathrooms to have escape windows min 450mm wide with gill between 800-1,100 m high area of opening min 0.3m2
40mm waste to bath/sink/shower/bidet 32mm waste to basin all with antovac traps, use 50mm waste if fittings combined
encase rsj's in 12.5mm fireline boards
(DS) provide mains operated smoke detectors linked together as shown. if boiler is to be replaced it must be a type A or type B condensing boiler. And be installed by a CORGI registered installer.
Cavities to be closed with Thermabate cavity closers
1 in 4 light fittings in new rooms to be energy efficient.
Provide TRV's to all new radiators.
No beams to be ordered or work commenced on site until calculations have been checked by building control and a full approval issued.
this drawing is to used only for
planning/building regulation submission not as a "working drawing" if used as such all dimensions to be checked on site by contractor.
all work to be carried out to satisfaction of local authority.
prior to commencement of work on site principal contractor/building owner to produce a method statement with regard to safety of occupiers/ employees during building operations
builder to allow for safe support of existing/new structure during contract.

All electrical work to be carried out to BS7671:2001 and be installed and tested by a competent person. The Local Authority may request a test certificate under the above BS.

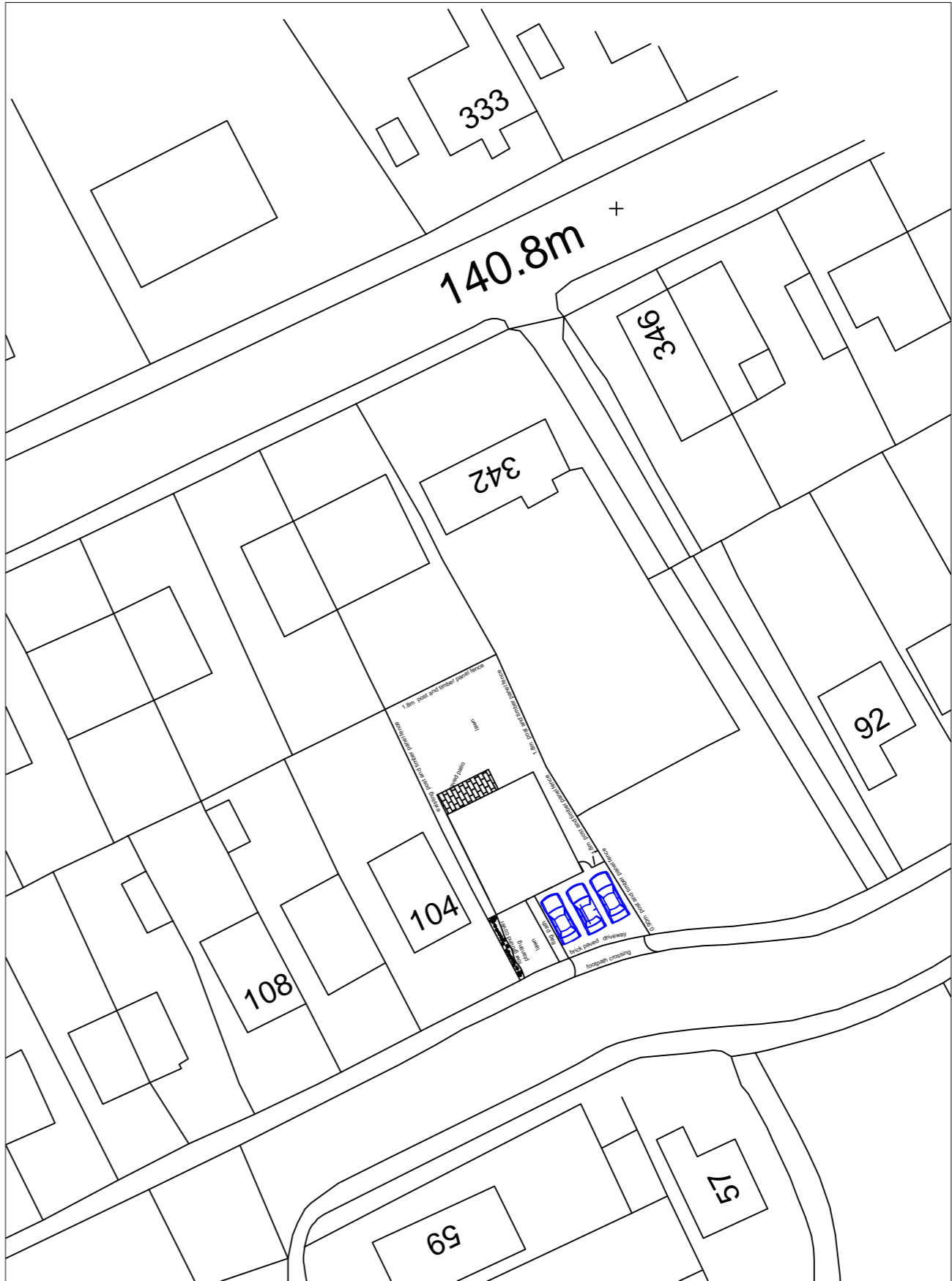
Proposed new dwelling at :

**Greenbarn Way
Blackrod
Bolton
BL6 5TE**

CLIENT:	Miss J Corbet	
DATE:	April 2015	
SCALE:	1:50 & 1:500 & 1:1250	
DWG No:		
L.A:		
AMENDMENTS:		DATE:
ENTWISTLE DESIGN SERVICES		
7 Edgefield Astley Village Chorley PR7 1XH	Tel:01257 274976	E-Mail entwistledesign@aol.com



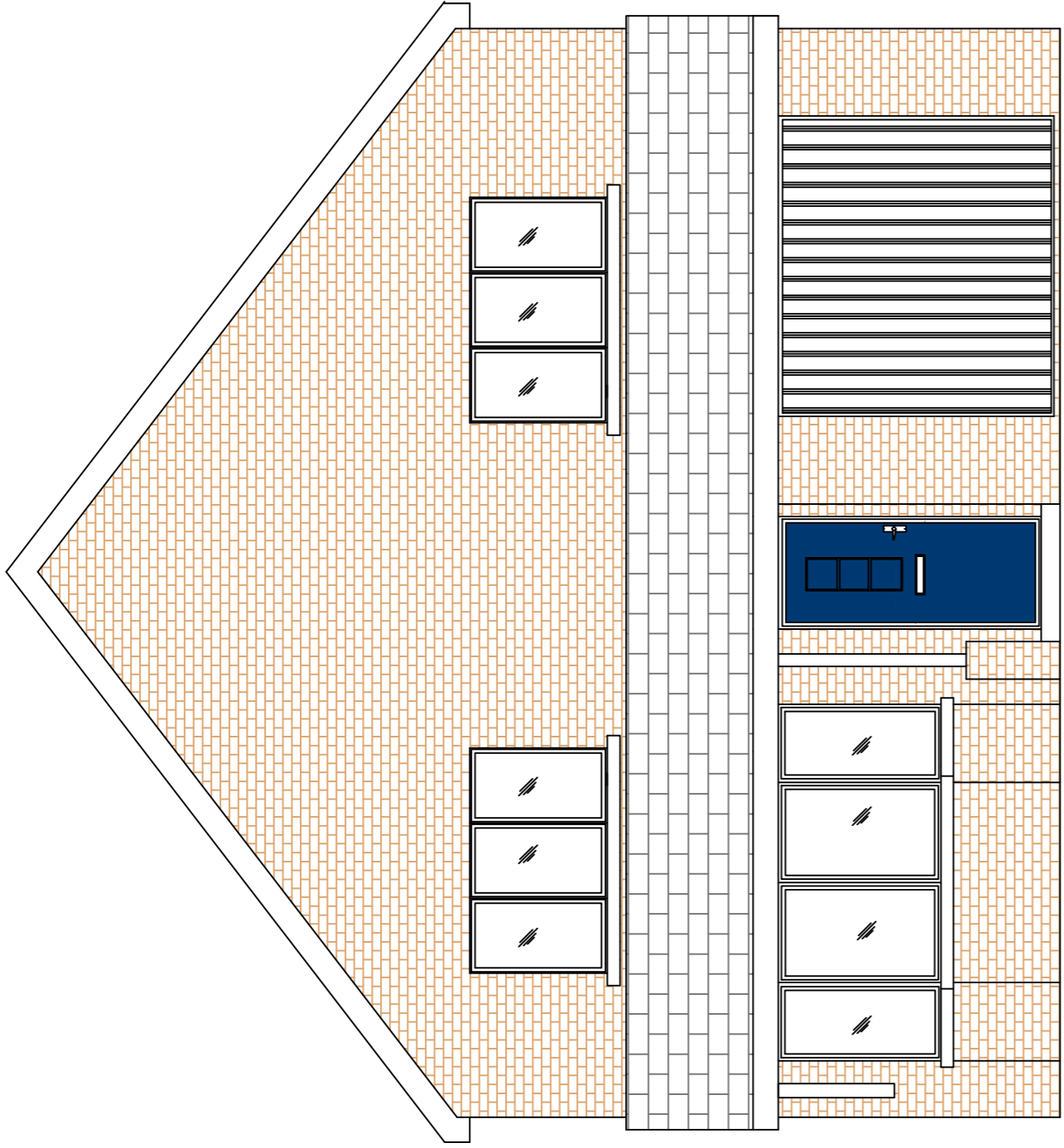
Existing Site Plan



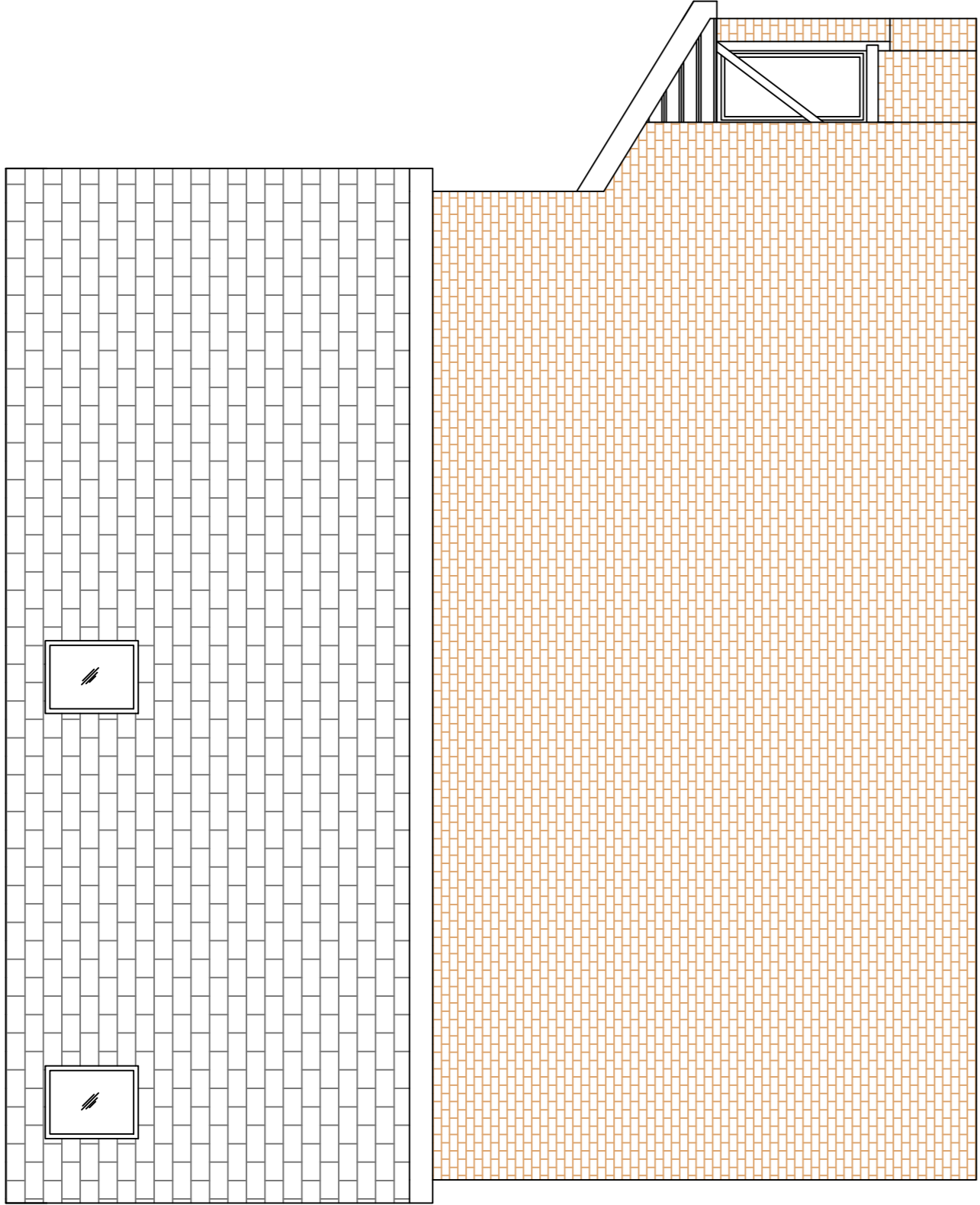
Proposed Site Plan



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PROPOSED FRONT

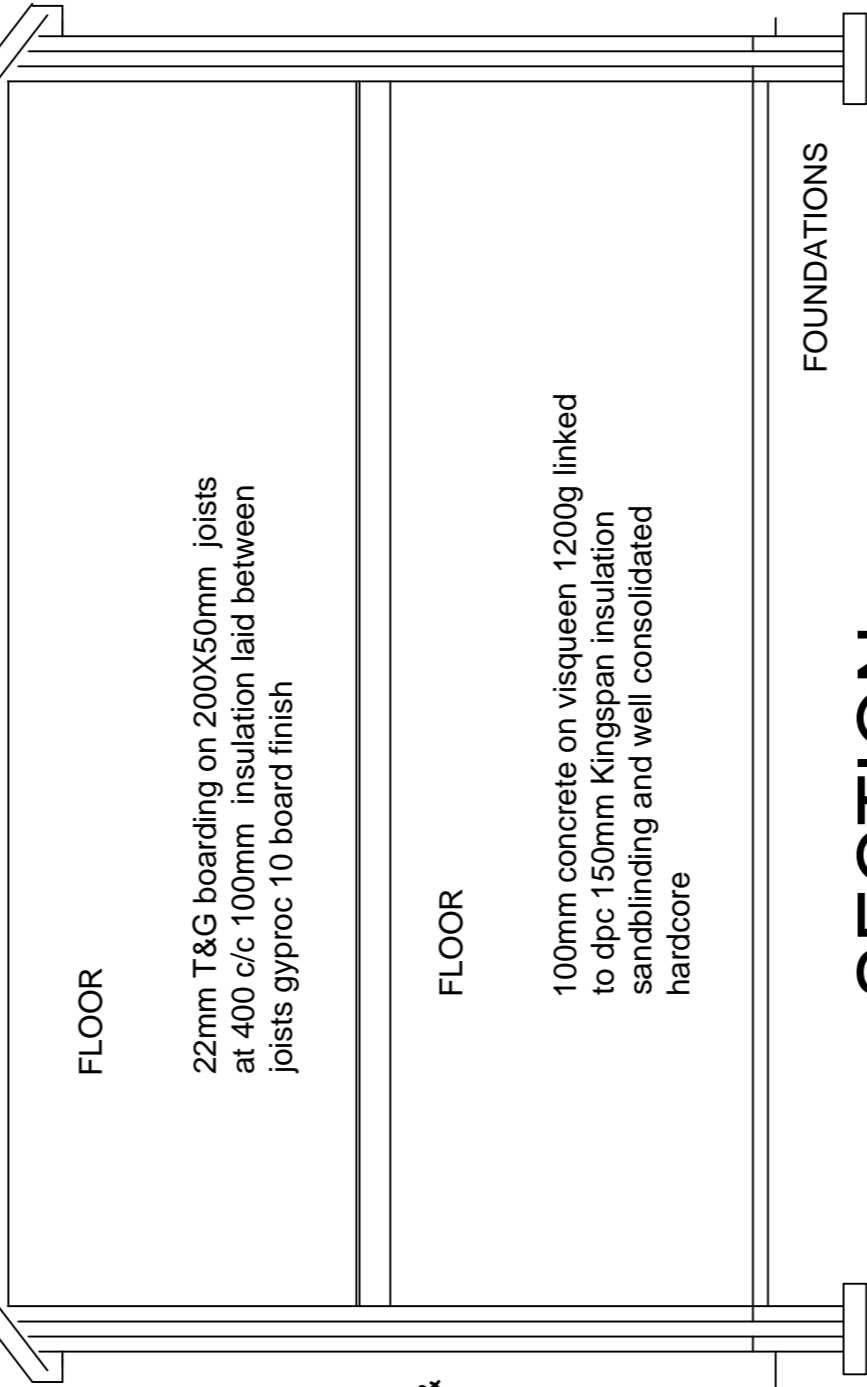


PROPOSED SIDE

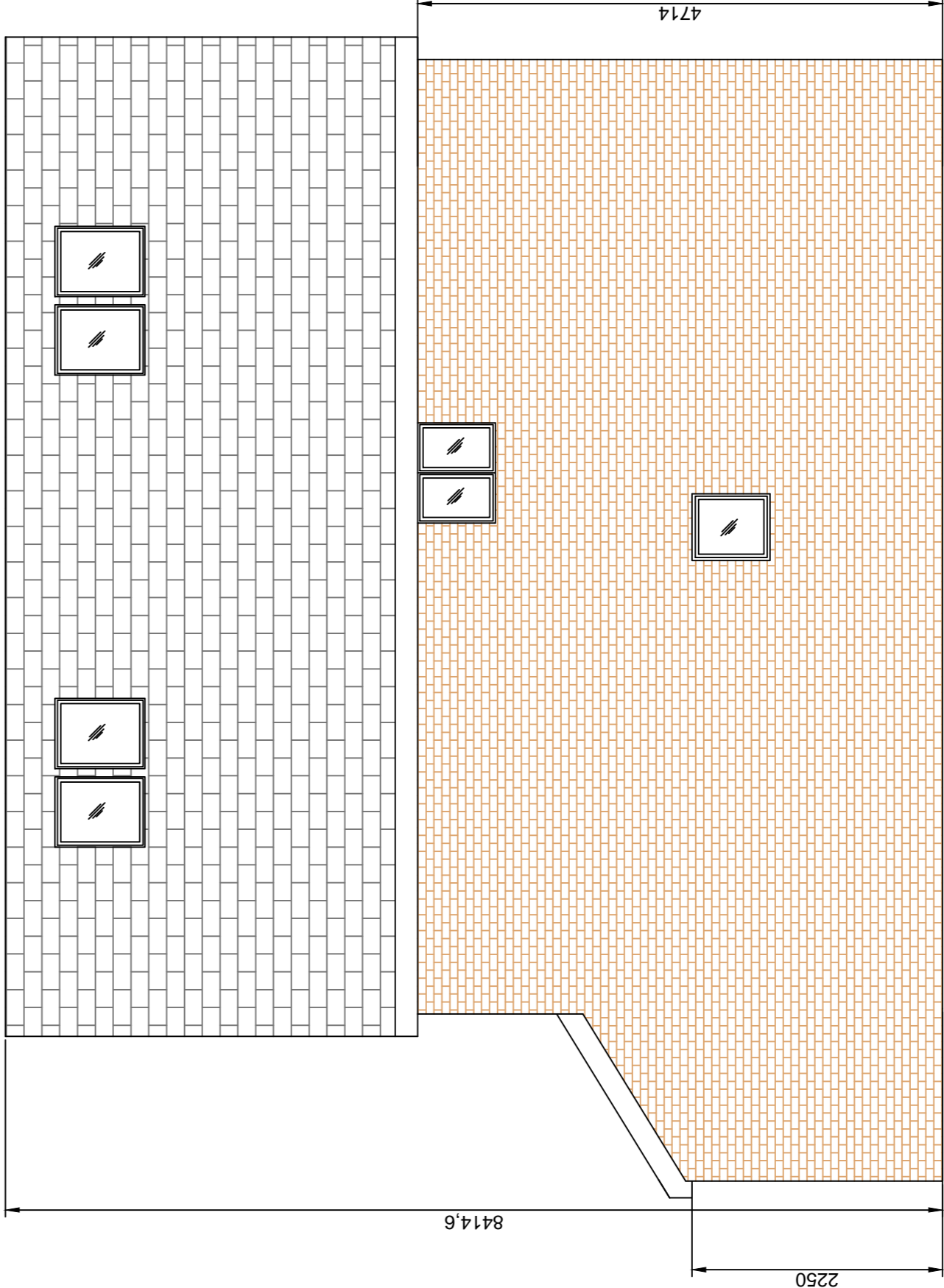
WALLS
Brickwork 100mm drytherm32 100mm
thermalite shield blockwork plasterboard &
skim finish

ROOF

tiles to suit pitch on softwood battens
breathable membrane with min 10mm
drap on room in a roofspace trusses at
600mm c/c vapour barrier plasterboard &
skim finish 450mm insulation to roof voids
100mm Kingspan and Tri Iso super 10+
insulation and counter battens to sloping
ceilings



SECTION

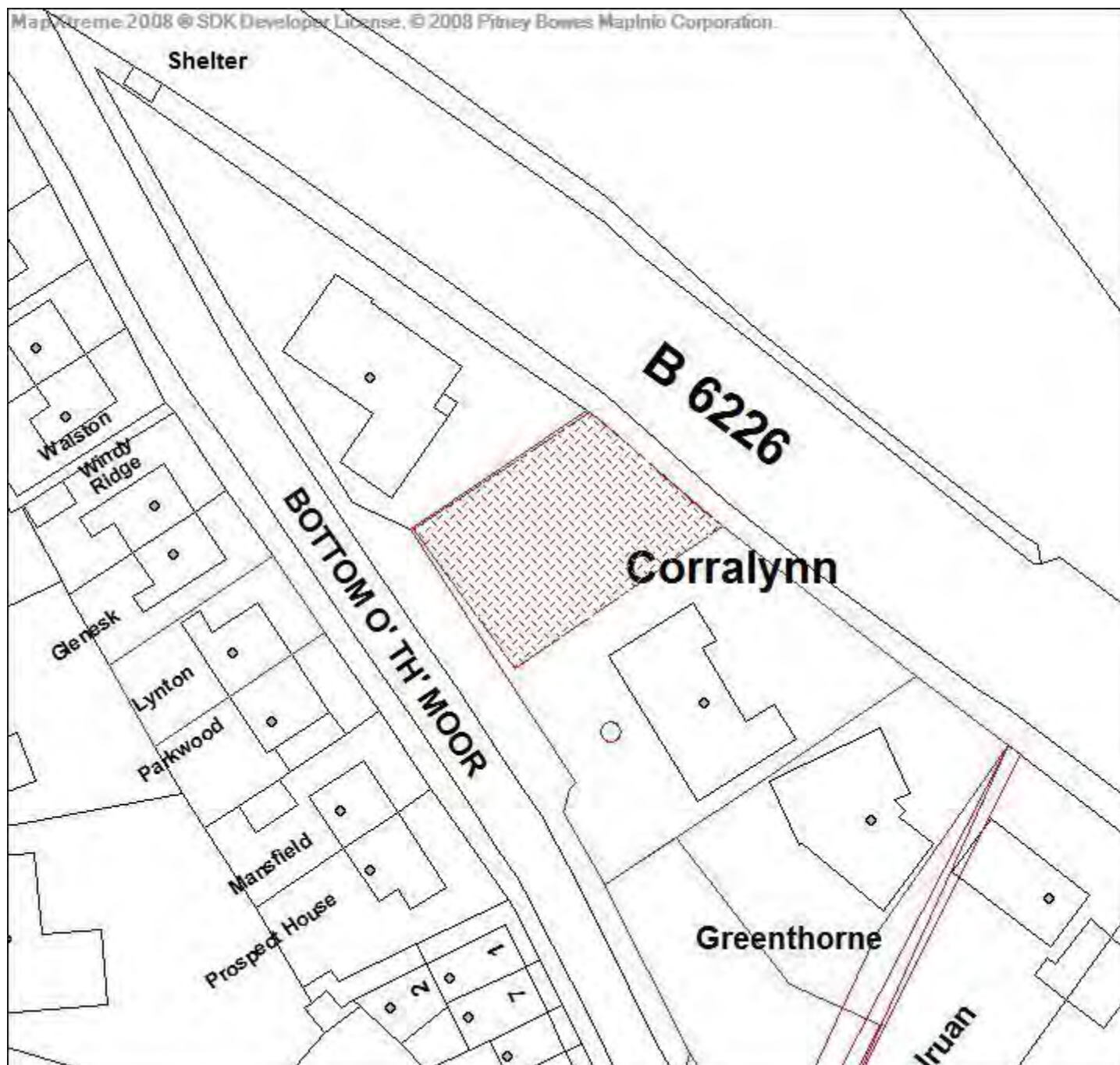


PROPOSED REAR

PROPOSED SIDE

Proposed new dwelling at : Greenbarn Way Blackrod Bolton BL6 5TE		CLIENT:	Miss J Corbet
		DATE:	April 2015
		SCALE:	1:50
		DWG No:	
		L.A:	
		AMENDMENTS:	DATE:
ENTWISTLE DESIGN SERVICES		7 Edgefield Astley Village Chorley PR7 1XH	
		Tel:01257 274976 E-Mail entwistledesign@aol.com	

Application number 94488/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 94488/15

Type of Application: Outline Planning Permission
Registration Date: 08/07/2015
Decision Due By: 01/09/2015
Responsible Officer: Helen Williams

Location: CORRALYNN, CHORLEY OLD ROAD, HORWICH, BOLTON, BL6 6PS

Proposal: OUTLINE APPLICATION FOR THE ERECTION OF A DETACHED DWELLING (ALL MATTERS RESERVED)

Ward: Horwich North East

Applicant: Mr I Green
Agent : Mr A Parkinson

Officers Report

Recommendation: Approve subject to conditions

Background

This application was deferred at the last meeting for a site visit.

The applicant has amended their indicative site plan to also show Beaumont House.

Proposal

Outline permission is sought for the erection of one dwelling in the side garden of the residential property "Corralynn". All matters have been reserved with the application, meaning that only the principle of erecting a dwelling on the application site is being sought by the applicant. Details of siting, scale, appearance, access and landscaping would need to be applied for through a subsequent reserved matters application.

The applicant has submitted indicative plans with their application to show how a dwelling could be accommodated within the site. In this instance the plans show a three bedroom, split level, detached bungalow, which would have parking provision for two vehicles at the front and a garden at the rear. The indicative plans show the vehicular access being taken off Chorley Old Road at the location of an existing dropped kerb.

Site Characteristics

The application site is the side garden to the residential property of Corralynn. The site slopes down relatively steeply from the front of the site (adjacent Chorley Old Road to the east) to the rear of the site (adjacent Bottom O'th' Moor to the west). A previous vehicular access into the side garden off Chorley New Road has been stopped up with the erection of a stone wall and the planting of hedging, however the dropped kerb still remains. The stone wall and hedging continues along the whole frontage of the application site.

Corralynn is a white rendered split level bungalow, which is single storey at the front (facing Chorley Old Road) and two storeys at the rear (facing Bottom O'th' Moor), due to the slope of the site. The dwelling is sited to the south east of the application site.

The neighbouring dwelling to the north west of the application site (Beaumont House) is a large two storey detached dwelling which is set on lower ground than Chorley Old Road (so only the first floor level overlooks the main road).

To the rear of the application site are a row of tall, mature sycamore trees, protected under Bolton (Greenthorne, Chorley Old Road, Horwich) Tree Preservation Order 1988.

The semi-detached dwellings at Lynton and Parkwood, Bottom O'th' Moor front the application site to the south west.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod.

SPD General Design Principles

SPD Accessibility, Transport and Safety

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development on the site
- * impact on the protected trees
- * impact on the highway
- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring residents

Principle of Residential Development on the Site

Paragraph 49 of the National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy OA1.4 of the Core Strategy states that the Council will concentrate sites for new housing in Horwich town centre, at Horwich Loco Works and on other sites within the existing urban area.

It is considered that the application site is located within a sustainable location, being within the urban area and close to local shops, services, schools and Horwich town centre. Bus stops on both sides of Chorley Old Road are within 60 metres of the application site.

The application site is a greenfield site in that it is the side garden to Corralynn. Paragraph 53 of 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 Council does not have a local policy relating specifically to the development of gardens, however Core Strategy Policy CG3 seeks to conserve local distinctiveness and requires development to be compatible with the surrounding area.

It is considered that the proposal would represent infill development (being between two existing dwellings within an established urban area) and a dwelling sited here would be viewed as a continuation of the established urban form of the area, which would not be to the detriment of local distinctiveness or the character and appearance of the area.

It is therefore considered that the proposed residential development of the application site would comply with the principles of the NPPF, with Policy OA1.4 of the Core Strategy, and the objectives of Policy CG3 of the Core Strategy.

Impact on the Protected Trees

Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats.

To the rear of the application site are a row of tall, mature sycamore trees, protected under Bolton (Greenthorne, Chorley Old Road, Horwich) Tree Preservation Order 1988.

The Council's Tree Officers have commented that the indicative plans submitted with the application show the proposed dwelling being sited too close to the protected trees at the rear, which could lead to pressure for their removal in the future. As this plan is only indicative (as the siting and scale of the dwelling is not being applied for within this outline application) Tree Officers have advised that the dwelling should not be sited more than 2 metres closer to the rear boundary of the site than the existing house at Corralynn.

It is possible for a dwelling (possibly smaller in footprint than on the indicative plans) to be sited within the site to achieve the Tree Officers' recommended separation distance between the dwelling and the protected trees, therefore it is considered that a dwelling could be built on site without harming the protected trees, compliant with Policy CG1.2 of the Core Strategy.

An informative is suggested (to be attached to any approval) to make the applicant aware of the Tree Officers' advice at this outline stage.

Impact on the Highway

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

The indicative plans submitted with the application show a proposed vehicular access off Chorley Old Road, at the location where there was a previous access off the main road into Corralynn.

The Council's Highways Engineers have commented that SPD Accessibility, Transport and Safety indicates that access to new development should be taken off the lowest category of road where possible in order to reduce the potential for road safety implications, which in this case would be off Bottom O'th' Moor. Engineers however acknowledge that this is possibly not an option in this instance given the row of protected trees at the rear of the site and the level differences between the carriageway and the application site at the rear. Engineers believe that access to the site from Chorley Old Road would not pose a highway safety concern, given that a precedent has already been set at this location in relation to residential driveways directly accessing onto the main road and as there is no accident record to warrant concern at this location. Visibility from the proposed access would also be in accordance with national requirements.

Engineers have recommended that the new access should be a minimum 3 metres in width and that the existing drop kerb will need to be widened. They have also requested confirmation at reserved matters stage that there would be ample room at the front of the site for a large car to enter and leave the site in forward gear. These recommendations are to be conditioned.

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

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA1 refers specifically to developments 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.

As this is an outline application with all matters reserved, details of the siting, scale and appearance of the dwelling are not being sought. The indicative plans however show a detached, split level bungalow, which is considered to be in character with the area (there are many split level bungalows on this stretch of Chorley New Road given the slope of the land on this side of the main road). Details of the siting, scale and appearance of the dwelling would need to be fully assessed at a reserved matters stage, however it is considered that a dwelling on the application site would be able to be compatible with the character and appearance of the area and would respect the existing street pattern.

The new dwelling would have an adequate sized rear garden, as would the neighbouring dwelling at Corralynn (who would lose their large side garden as a result of the development).

It is therefore considered that the proposed development would be compliant with Policies CG3 and OA1 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Section 3 (1) of SPD General Design Principles sets out recommended interface distances between dwellings.

To give the required protection to the trees at the rear of the application site, the new dwelling

would need to be sited no more than 2 metres closer to Bottom O'th' Moor than the dwelling at Corralynn. This would result in the new dwelling being approximately 24 metres away from the fronts of the houses on Bottom O'th' Moor. The 24 metre interface distance here would comply with the Council's minimum requirement of 21 metres and would also take into account the difference in site levels between the application site and the neighbouring dwellings on Bottom O'th' Moor. It should also be noted that the protected sycamores to the rear provide substantial screening between the site and neighbouring properties, and these would be retained within any development.

Both the adjacent dwellings at Corralynn and Beaumont House are side on to the application site and it is considered that a new dwelling on the site would not unduly harm the amenity of these neighbours.

It is therefore considered that the proposed development would not unduly harm the amenity of neighbouring residents and would comply with Policy CG4 of the Core Strategy.

Conclusion

For the reasons discussed above it is considered that the proposal would represent a sustainable form of development and would not result in the loss of protected trees from the site, would not jeopardise highway safety, would not be to the detriment of the character and appearance of the area, and would not unduly harm the amenity of neighbouring residents. Members are therefore recommended to approve this outline application.

Representation and Consultation Annex

Representations

Letters:- 12 letters of objection has been received (eight from neighbouring residents of Bottom O'th' Moor and two from residents of Horwich), which raise the following concerns:

- * If the trees at the rear are removed this will have an impact on local wildlife and impact on their privacy to the front of their house (*officer's comment: there is no proposal to remove the protected trees at the rear of the site*);
- * If the trees at the rear are to be retained, what damage will be done to the structure of the trees in the construction process? If they become unstable there will be a risk to their house (*officer's comment: the Council's Tree Officers have recommended that sufficient distance be retained between any proposed new dwelling and the protected trees at the rear, to avoid any damage to the trees or any future pressure for felling*);
- * Believe that the protected trees at the rear will be felled to make the most of the southern aspect of the proposed dwelling;
- * Concern there will be damage to the trees through construction, and they may fall over causing damage to neighbouring houses;
- * Without the trees there will be overlooking/unobstructed views to the neighbouring houses on Bottom O'th' Moor;
- * Loss of privacy to neighbours;
- * Loss of natural light to neighbouring properties;
- * Will be overbearing for the residents of Beaumont House;
- * The site is too small for the proposed dwelling;
- * The dwelling looks ugly, will be out of scale and will increase the density of building in the area;
- * Effect on drainage;
- * The proposed access onto Chorley Old Road is not safe;
- * Lack of parking spaces within the site;
- * Effect on local wildlife;
- * Loss of view and reduction in value of neighbouring properties (*officer's comment: these are not material planning considerations*).

Horwich Town Council:- raised an objection to the proposal at their meeting of 20th August, in support of the concerns raised by neighbouring residents.

Elected Members:- Cllr. Richard Silvester has objected to the proposal.

Consultations

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers, Tree Officers and Greater Manchester Police's Architectural Liaison Officers.

Planning History

Permission was granted in June 2010 for the conversion of the loft and the installation of roof lights at Corralynn (83887/10).

The relocation of the vehicular access at the front and the erection of a fence at the rear were approved in May 2003 (64276/03).

Permission was granted in October 1999 for the change of use of the dwelling Corralynn to a bed and breakfast hotel (55502/99).

Pruning of 5 trees (58158/00) and the pruning 15 trees (63947/03) were approved in November

2000 and March 2003 respectively.

Application 59966/01 for the felling of horse chestnut trees and sycamore trees was refused in September 2001.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

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

Reason

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

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

Reason

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

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

Reason

To ensure the development is safe for use and in accordance with Core Strategy policy CG4.

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

Reason

To safeguard the visual appearance and or character of the area. and to comply with Policies CG3 and OA1 of Bolton's Core Strategy.

5. Prior to the commencement of development full details of the highway works at Chorley Old Road comprising the extension and improvement to the VAC (drop kerb) 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 Policies P5 and S1.2 of Bolton's Core Strategy.

6. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Chorley Old Road shall be constructed to a minimum width of 3.0 metres.

Reason

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

7. Before the approved/permitted development is first brought into use no less than 2 car parking spaces with minimum dimensions of 2.5 metres by 5.5 metres shall be provided within the curtilage of the site, details of which are to be submitted to and approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

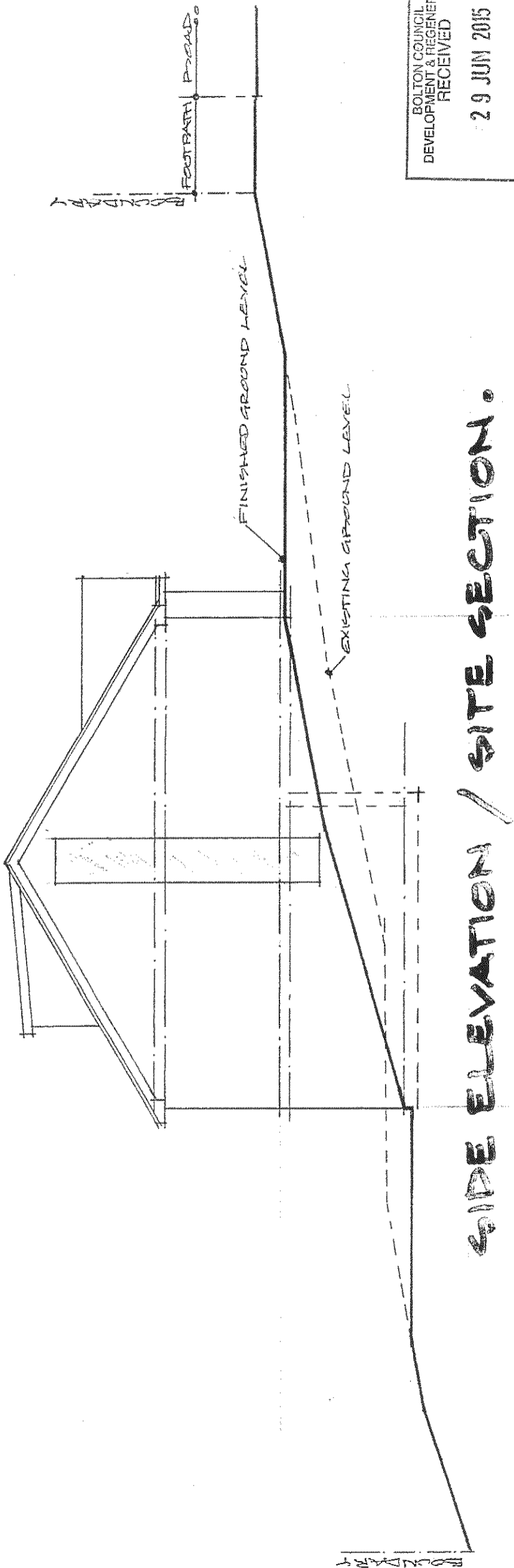
Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and to comply with Policies P5 and S1.2 of Bolton's Core Strategy.

8. Prior to the development hereby approved/permitted being first occupied or brought into use a scheme shall be submitted to and approved in writing by the Local Planning Authority for the parking and turning of vehicles within the curtilage of the site to enable vehicles to enter and leave the site in forward gear. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter and not to be used for any purpose except the parking and turning of vehicles.

Reason

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



SIDE ELEVATION / SITE SECTION.

BOLTON COUNCIL
DEVELOPMENT & REGENERATION
RECEIVED

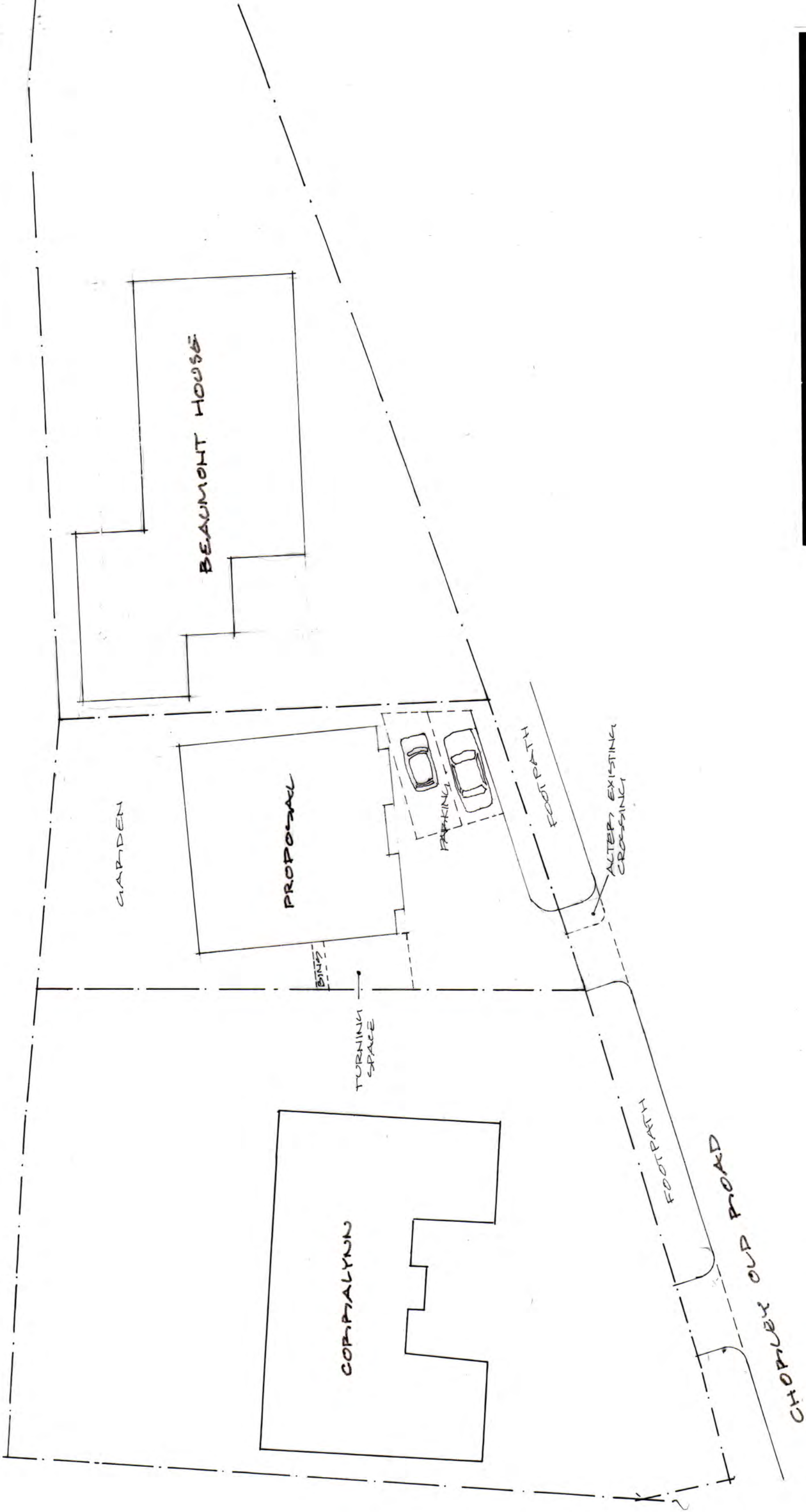
29 JUN 2015

ANTHONY PARKINSON
Architectural And Interior Design Services

280 Palatine Road, Northenden, Manchester, M224FR. Tel 0161 945 8766

Drawn A.D. Parkinson Scale 1:100 Date June 2015 Dwg 04

PROPOSED BUNGALOW (ELEVATION & SECTION)
CORRALYNN
CHORLEY OLD ROAD, HORWICH. BL6 6PS.



SITE PLAN 1:200

ANTHONY PARKINSON

Architectural And Interior Design Services

280 Palatine Road, Northenden, Manchester, M224FR. Tel 0161 945 8766

Drawn	A.D. Parkinson	Scale	1:200	Date	June 2015	Dwg	01A
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PROPOSED BUNGALOW (SITE PLAN)

CORRALYNN

CHORLEY OLD ROAD, HORWICH. BL6 6PS.