

Planning Applications Report

**Planning Committee
25th June 2020**

**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: -

| | |
|------|--|
| CS | The adopted Core Strategy 2011 |
| AP | The adopted Allocations Plan 2014 |
| NPPF | National Planning Policy Framework |
| NPPG | National Planning Policy Guidance |
| PCPN | A Bolton Council Planning Control Policy Note |
| PPG | Department of Communities and Local Government Planning Policy Guidance Note |
| MPG | Department of Communities and Local Government Minerals Planning Guidance Note |
| SPG | Bolton Council Supplementary Planning Guidance |
| SPD | Bolton Council Supplementary Planning Document |
| PPS | Department of Communities and Local Government Planning Policy Statement |
| TPO | Tree Preservation Order |
| EA | Environment Agency |
| SBI | Site of Biological Importance |
| SSSI | Site of Special Scientific Interest |
| GMEU | The Greater Manchester Ecology Unit |

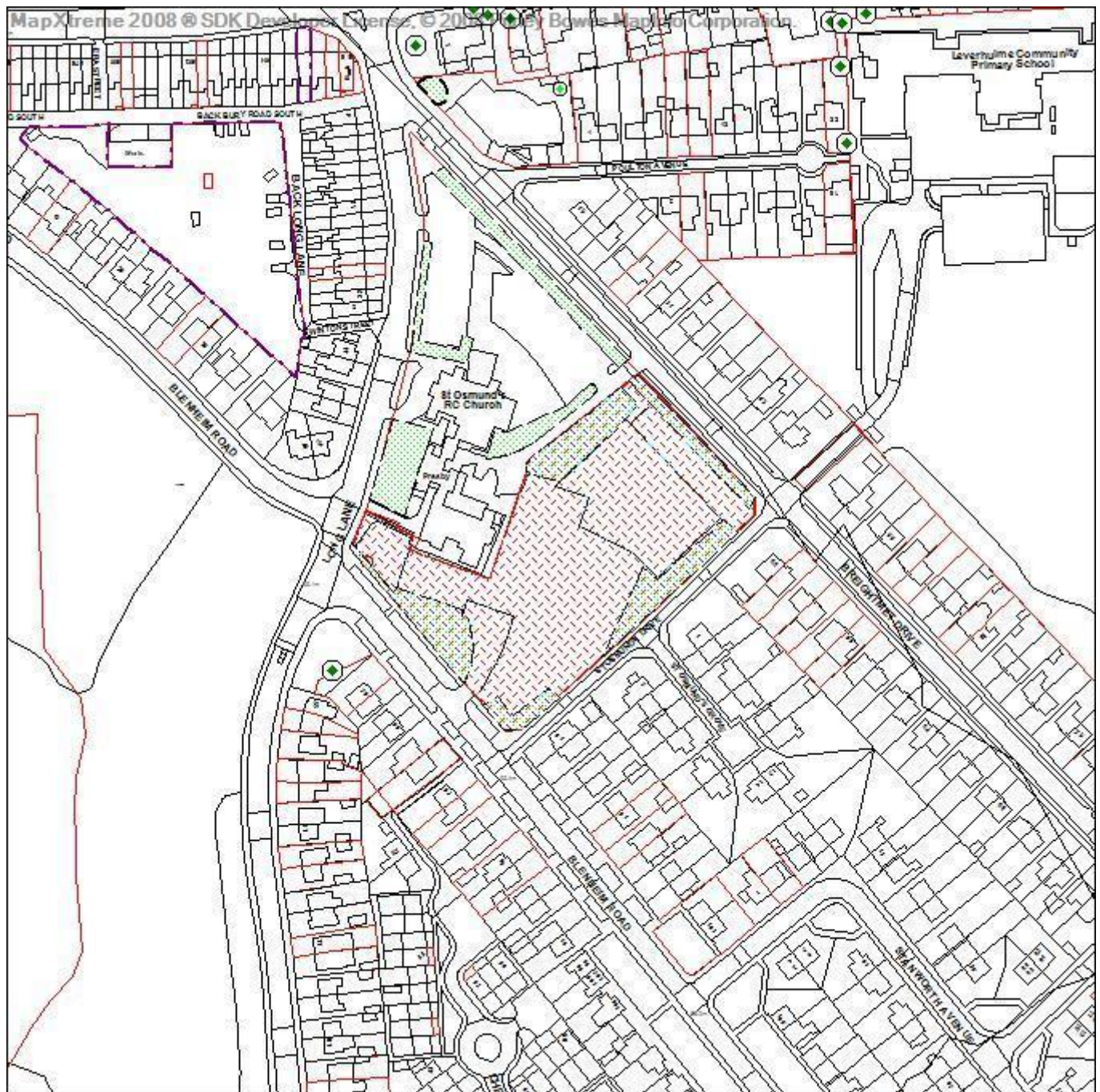
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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Application number
07786/20



Directorate of Place
Development Management Section

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

Bolton
Council

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Date of Meeting: 23/04/2020

Application Reference: 07786/20

Type of Application: Full Planning Application

Registration Date: 06/02/2020

Decision Due By: 06/05/2020

Responsible Officer: Helen Williams

Location: LAND BOUND BY BLENHEIM ROAD, ST OSMUNDS DRIVE AND BRIGHTMET DRIVE

Proposal: ERECTION OF 40NO. RESIDENTIAL DWELLINGS COMPRISING 16NO. TWO AND THREE BED HOUSES, 24NO. ONE AND TWO BED APARTMENTS TOGETHER WITH ACCESS FROM BLENHEIM ROAD, LANDSCAPING AND OTHER ASSOCIATED WORKS

Ward: Breightmet

Applicant: Bellmac Developments

Agent : Euan Kellie Property Solutions

Officers Report

Recommendation: Approve subject to conditions

Executive summary

- * The application site is allocated as Housing Land within the Council's Allocations Plan (site ref. 41SC) with a yield of 41 dwellings.
- * The proposed 40 dwellings would comprise 24 apartments in a three storey building, and 16 two storey houses (2 and 3 bed, 10 semis and 6 terraced/town houses).
- * A previous application (for 52 dwellings) on the application site was refused by the Council in April 2008 and subsequently dismissed by the Planning Inspectorate in January 2009 (see Planning History section).
- * The Inspector for the 2009 dismissal dismissed the appeal solely on design grounds (see paras. 29-32).
- * It is considered that the proposed layout, scale and appearance of the development is compatible with the character and appearance of the surrounding area, and that the applicant has sufficiently addressed the Inspector's criticisms of the previous appeal scheme (see para. 33-37).
- * The trees along the boundaries with Blenheim Road, St Osmunds Drive, Breightmet Drive and St Osmund's RC Church are protected by a Tree Preservation Order. Some tree loss is necessary to accommodate the proposed development, however these are Category C trees and the Council's Tree Officers have raised no objection. Replacement tree planting is proposed and this would be secured via a planning condition (see paras. 38-43).
- * The Council's Highways Engineers have raised no concern regarding highway safety or the proposed level of parking within the development. In January 2009 the Planning Inspector found no substantive evidence that the residential development of the site would either harm highway safety or the local road network (see paras. 44-50).
- * All interface distances between the proposed dwellings and existing neighbouring houses far

exceed the Council's minimum interface standards. It is considered for the reasons discussed within paras. 51-58 that the proposed development would not unduly harm the amenity of neighbouring or future residents.

- * The applicant has demonstrated through the submission of a viability assessment that the proposed development is unable to support any Section 106 contributions. The Council's viability consultants have confirmed that the findings of the assessment are correct.
- * Members are therefore recommended to approve this application without a Section 106 Agreement, but subject to a number of planning conditions.

Proposal

1. Permission is sought for a total of 40 dwellings on this former primary school site. Of these 40 dwellings, 24 are proposed as apartments (18x 1 bed and 6x 2 bed apartments) and the other 16 are to be houses (5x 2 bed and 11x 3 bed). 10 of the houses are to be semi-detached properties and the other 6 are proposed as terraced/town houses. Three house types are proposed.
2. The houses and apartment building are proposed around a central internal road, which is to be accessed off Blenheim Road to the south. The cul-de-sac would be terminated by the proposed three storey apartment building, which is proposed to be sited on the area formerly occupied by the school playground. 24 car parking spaces for the apartments (100% provision) are proposed in a car park to the front of the building and outdoor amenity space is proposed to the sides of the apartment building.
3. All houses are proposed at two storeys in height and are to be constructed from red brick. All but plots 12 to 14 would directly face onto the internal road. Plots 12 to 14 would be accessed off and face a private side road. Each dwelling would have parking provision for two vehicles (by way of a driveway, either to their front or side) and a private rear garden.
4. An open/landscaped area is proposed at the western corner of the site, at the junction of Blenheim Road with Long Lane.

Site Characteristics

5. The application site measures 0.9 hectares and is the site of the former St. Osmund's RC Primary School. The site has been vacant since 2008, when the school building/s were demolished. The site is therefore a brownfield site (previously developed land), located within an existing residential and urban area.
6. The site is allocated within Bolton's Development Plan (the Allocations Plan) as a Housing Site (ref. 41SC), with an estimated yield of 41 dwellings.
7. The site rises quite steeply to the north east, so that Brightmet Drive at the top end of the site is approximately 10 metres higher than Blenheim Road to the bottom of the site.
8. The former large hard-surfaced playground is still visible within the northern part of the site and this occupies about a third of the site. This plateaued area is approximately 4 metres lower than neighbouring Brightmet Drive and is separated from the road by a steep grassed embankment.
9. The 36 trees along the boundaries with Blenheim Road, St Osmunds Drive, Brightmet Drive and St Osmund's RC Church are protected by a Tree Preservation Order (The Bolton (St Osmunds) Tree Preservation Order 2007).
10. The application site is bound by Blenheim Road to the south west, St Osmunds Drive to the south

east and Brightmet Drive to the north east. St. Osmund's RC Church and its presbytery adjoin the site to the west.

11. The area surrounding the application site is predominantly residential in nature and is characterised by two storey semi-detached dwellings.

Policy

The Development Plan

12. Core Strategy: H1.2 Health Contributions; A1.4 Education Contributions; P5 Accessibility and Transport; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; RA3 Brightmet; IPC1 Infrastructure and Planning Contributions.

13. Allocation Plan: Appendix 4 Allocated Housing Land

Other material considerations

14. National Planning Policy Framework (NPPF)
15. Supplementary Planning Documents (SPDs): General Design Principles; Accessibility, Transport and Road Safety; Affordable Housing; Infrastructure and Planning Contributions.
16. Emerging Greater Manchester Spatial Framework

Analysis

17. 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.

18. The main impacts of the proposal are:-

- * principle of residential development on the application site
- * impact on the character and appearance of the area
- * impact on trees
- * impact on the highway
- * impact on the amenity of neighbouring and future residents
- * impact on biodiversity
- * impact on drainage
- * impact on local infrastructure

Principle of Residential Development on the Application Site

19. Policy RA3.1 of the Core Strategy specifically concerns development in Brightmet and states that the Council will develop new housing throughout the area on a combination of brownfield sites and on a limited number of greenfield sites in existing housing areas.
20. The application site is allocated as Housing Land within the Council's Allocations Plan (allocations site ref. 41SC - St. Osmunds Primary).

21. As stated above, Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with policies in the development plan, unless material considerations indicate otherwise. The Allocations Plan along with the Core Strategy and Greater Manchester Joint Mineral and Waste Plans form Bolton's development plan. As dwellings are being proposed on a site allocated for housing there is no conflict with the development plan in this respect. The principle of housing on the application site has indeed already been established by the site being allocated.
22. The proposed development would also provide housing on a site within the existing urban area of Brightmet, compliant with Policy RA3.1 of the Core Strategy.
23. The Allocations Plan (at appendix 4) identifies the application site as being able to accommodate 41 dwellings (its yield). 40 dwellings are being proposed within this development, therefore this number is considered to be justifiable.
24. Notwithstanding the housing allocation, the application site is considered to be in a highly sustainable location, being within walking distance of local amenities (including shops, services, public houses, local primary schools and Longsight Park). The site is also within walking distance of bus stops on Long Lane and Bury Road.
25. The principle of housing on the application site is therefore fully compliant with Bolton Council's development plan policies.
26. In accordance with planning law, this planning application should therefore be approved unless other material considerations indicate otherwise. These considerations are now considered below within this analysis.

Impact on the Character and Appearance of the Area

27. Policy CG3 of the Core Strategy states that the Council will [amongst other things] 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 RA3 of the Core Strategy specifically refers to development in Brightmet and states [amongst other things] that the Council will require development to introduce increased levels of high quality, distinctive design that will enhance the local area.
28. Section 12 of the NPPF seeks to achieve well-designed places. It states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
29. A previous planning application for the residential development of the application site was refused by the Council in April 2008 and then dismissed at appeal in January 2009 (application ref. 79428/08). This refused application sought permission for the erection of 52 dwellings, comprising 24 apartments in two three storey buildings, 17 two and a half storey houses and 11 two storey houses. The proposal for 52 dwellings was dismissed at appeal solely on the grounds of its perceived harm on the character and appearance of the area.
30. Within their appeal decision, the Planning Inspector asserted [at paragraph 3], *"There is no disagreement that the appeal site is suitable for residential development. However I have come*

to the conclusion that the submitted scheme has significant deficiencies in terms of urban design. A virtually straight cul-de-sac would constitute the main access into the development. This would be flanked on its south-eastern side by two semi-detached dwellings and two terraces each of five units. The three gaps between the houses and the terraces would be extremely narrow. Although there would be a degree of architectural interest because of the roof treatment of the terraces, overall, this would, in my view, result in an impression of an overlong, unrelieved facade."

31. When considering the two proposed three storey apartment buildings at the end of the proposed cul-de-sac, the Inspector stated [at paragraph 4], *"Development in the area around the site is predominantly two storeys in height and is only relieved by the nearby Romanesque-style St Osmund Church. It seems to me that, whilst a higher building could be acceptable, the two blocks, because of their joint bulk and repetitive fenestration, would appear bland and monolithic. They would be clearly seen not only from within the cul-de-sac but also from Blenheim Road."*
32. The previous refused scheme (application 79428/08) is attached to this report, for Members' information.
33. The residential scheme now before Members again proposes a cul-de-sac off Blenheim Road, down the centre of the site, with a three storey building comprising 24 apartments being sited at the terminus of the internal road. The development however differs from the development dismissed at appeal over 10 years ago in the following ways:
 - * Fewer houses are now proposed and they are all now proposed at two storeys in height. Whereas the 2008 scheme proposed 28 houses (17 at two and a half storeys and 11 at two storeys), this latest proposal is for just 16 two storey houses.
 - * The western corner of the site, at the junction of Blenheim Road with Long Lane, is now to remain undeveloped and is proposed as an open/landscaped communal area.
 - * The access road into the development is no longer proposed to be straight [paragraph 3 of the Inspector's decision]. Not only do the proposed curves in the road provide for a more interesting layout for the houses on the lower part of the site, they also help restrict the view of the front facade of the apartment building from Blenheim Road [paragraph 4 of the Inspector's decision] as plots 4 and 5 would be sited almost centrally in front of the building (when viewed from the entrance to the development) and plots 8-9 and 15-16 would block views of each end of the apartment building.
 - * The houses along the south eastern side of the internal road are not proposed in a long continual row [paragraph 3 of the Inspector's decision]. The town houses at plots 12-14 are proposed to turn in to face a small private road, at a right angle to the main access road, which creates large gaps between plots 10-11 and 15-16.
 - * Only one apartment building is now proposed. The width of this building is much less than the combined width of the previously proposed two buildings; the reduction in width has been achieved by increasing the depth of the building. There are also larger areas of communal outdoor space for the apartments on either side of the building.
 - * Coupled with the reduced width of the apartment development, the applicant has sought to address the Inspector's criticism about the "bland and monolithic" facades by designing a more contemporary looking building than previously proposed and by breaking up the bulk of the building with the use of contrasting red and blue brick and cladded feature surrounds (around the Juliet balcony windows). The applicant has further amended the design of the apartment building, following discussions with officers, by introducing gabled features at the second floor level, to help further break up the bulk of the building.

34. The overall design of the buildings and the proposed predominant use of red brick is considered to be compatible with the character and appearance of the surrounding area. Whilst the existing built development in the area is mostly two storey in height, it must be noted that the Inspector found a "higher building could be acceptable" [paragraph 4 of the decision notice]. In this instance it is considered that the scale of the proposed three storey apartment building would be acceptable, given its reduced width and as the area of the site where it is proposed to be located is approximately 4 metres lower than the adjacent Brightmet Drive: therefore the apartment building would only have its first and second floors above road level when viewed from Brightmet Drive.
35. Neighbouring residents have raised concern about the proposed density of the development (that the proposal represents an overdevelopment of the site). The proposed development would have a density of 44 dwellings per hectare (40 dwellings on a 0.9 hectare site). Policy SC1.5 of the Core Strategy states that the Council will ensure that new housing has a density of at least 30 dwellings per hectare, and achieve higher densities where possible taking into account local character. Section 11 of the NPPF seeks to make effective use of land and paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. More importantly, the Allocations Plan (at appendix 4) identifies the application site as being able to accommodate 41 dwellings (its yield), therefore the proposed density is considered to be consistent with the Council's vision for the site.
36. The Council's Landscape Officers have recommended that further tree planting is proposed within the development, particularly within the communal open space at the western corner of the site. A landscaping scheme is therefore suggested as a planning condition.
37. It is considered that the layout, scale, amount and design of the proposed development would be compatible with the character and appearance of the area and the applicant has sufficiently addressed the concerns raised by the Planning Inspector regarding a previous development on the site. It is therefore considered, subject to conditions requiring further information regarding materials, boundary treatment and landscaping, that the proposed development would comply with Policies CG3 and RA3 of the Core Strategy.

Impact on Trees

38. 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.
39. The 36 trees along the boundaries with Blenheim Road, St Osmunds Drive, Brightmet Drive and St Osmund's RC Church are protected by a Tree Preservation Order (The Bolton (St Osmunds) Tree Preservation Order 2007).
40. A Tree Survey and Arboricultural Impact Assessment have been submitted with the application. The proposed development would require the removal of three individual trees, three groups of trees and one partial group of the trees. The Council's Tree Officers have however confirmed that all of these trees are Category C trees and therefore they do not object to their loss. Seven individual trees and one group of trees all within Category U will also need to be removed, but this is owing to their condition rather than the proposed development.
41. The applicant is proposing additional tree planting within the development to mitigate for the loss of the existing trees. The Council's Tree Officer is supportive of this but recommends that the

Council's Landscape Officers offer further advice. Landscape Officers recommend further planting, in addition to what is being initially proposed, and a landscaping scheme for the whole development is therefore suggested by condition.

42. Conditions are also suggested to ensure that the retained trees are surrounded by protective fencing prior to and during the construction phase, and that an arboricultural method statement in relation to certain areas of the site is submitted prior to commencement.
43. It is therefore considered, subject to the suggested conditions, that the proposed development would not lead to the unacceptable loss of trees, compliant with Policy CG1.2 of the Core Strategy.

Impact on the Highway

44. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different transport types, servicing arrangements and parking. Policy S1.2 states that the Council will promote road safety in the design of new development.
45. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
46. A Transport Statement has been submitted to support the application. The Council's Highways Engineers consider this to be robust and that it indicates that the level of traffic impact associated with the proposed development would be negligible and should be accommodated with little detriment to the operational capacity of the surrounding highway network. Engineers also raise no concern about highway safety in the area.
47. Engineers also comment that the layout of the development appears to be to adoptable standards.
48. With regards to parking, 24 car parking spaces are proposed for the apartments (100% provision) in a car park to the front of the building and each proposed dwelling would have parking provision for two vehicles (by way of a driveway, either to their front or side) (200% provision). The maximum parking standards within appendix 3 of the Core Strategy requires a maximum of 62 parking spaces within the development based on the number of bedrooms proposed: the proposed development proposes 56 spaces. The Council's parking standards are however maximum standards and therefore the proposed level of parking is compliant with the standards. The Council's Highways Engineers have not raised an objection to the proposed level of parking within the development, commenting that the site is in a sustainable location.
49. One of the reasons the Council refused application 79428/08 for the proposed 52 dwellings was because Members considered that the proposed access was sub-standard in highways terms to meet the additional demands of the traffic generated by the development and that the development would result in congestion and conflict with traffic manoeuvres, particularly close to the junction of Long Lane and Blenheim Road. However the Planning Inspector for the subsequent appeal found that there was no substantive evidence to support this reason for refusal and considered that the proposed access and parking arrangements were acceptable, subject to conditions.
50. It is considered that the proposed development would not jeopardise highway safety in the area nor would detrimentally affect the capacity of the local highway network. Subject to the

conditions suggested by the Council's Highways Engineers, it is considered that the proposed development would comply with Policies P5 and S1.2 of the Core Strategy.

Impact on the Amenity of Neighbouring and Future Residents

51. 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 Council's recommended minimum interface distances between dwellings.
52. The interface distance between the sides of the houses proposed at plots 1 and 10 and the fronts of the houses on Blenheim Road would be 32.8 metres and 39.1 metres respectively. This far exceeds the Council's minimum interface distance of 13.5 metres in this situation.
53. The interface distance between the rear of the apartment building and the front of the houses on Brightmet Drive would be around 39 metres. Although the apartment building would be three storeys in height, as it is set below the level of Brightmet Drive by approximately 4 metres it would have a similar relationship to the houses on Brightmet Drive as a two storey building would have, which would require a minimum interface distance of 21 metres. The distance between the proposed apartment building and the neighbouring houses on Brightmet Drive therefore far exceed the minimum requirement in this scenario.
54. The houses to the south west of the application site side on to the site and contain no main windows.
55. It is therefore considered that the proposed siting and scale of the development would not unduly harm the amenity of neighbouring residents by reason of overlooking, privacy or loss of light.
56. The Council's Pollution Control Officers have recommended that a construction management plan condition be imposed on any permission, to protect the amenity of neighbouring residents during the construction period of the development.
57. In terms of the amenity of future residents of the development, the interface distances between the dwellings within the development are compliant with the Council's recommended minimum standards, each house would have its own ample sized private rear garden, and the apartments would have an adequately sized and accessible communal lawn area around the building. It is therefore considered that the amenity of the future residents of the development would not be compromised by the layout of the proposal.
58. It is therefore considered that the proposed siting, scale and design of the development would be fully compliant with Policy CG4 of the Core Strategy.

Impact on Biodiversity

59. Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats.
60. The development's impact on trees has been addressed above in a separate section.
61. An Extended Phase I Habitat Report has been submitted with the application. Greater Manchester

Ecology Unit (GMEU) has commented that this report is acceptable and agree with its conclusion that the site does not support critical habitats for species and that they are not a constraint in the determination of this planning application.

62. GMEU has commented that the proposed landscape scheme as submitted does not detail how the recommendations within the habit report would be achieved. A landscape condition is therefore recommended to be attached to any approval of this development, along with a boundary treatment condition specifically requiring hedgehog holes within fencing.
63. It is considered, subject to the recommended conditions, that the proposed development would help safeguard and enhance the biodiversity of the site, compliant with Policy CG1.2 of the Core Strategy.

Impact on Drainage

64. Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk. Policy CG2.2 states that the Council will ensure that all proposals for 5 or more residential units demonstrate the sustainable management of surface water run-off from developments. On brownfield sites [such as this application site] the rate of run-off should be 50% less than conditions before development.
65. The application site is within Flood Zone 1, the zone least at risk from flooding.
66. The applicant has stated that they are unable to utilise SuDS within the development as the site contains areas of made ground and has a high clay content, therefore restricting infiltration. There are also no nearby watercourses to discharge into. The applicant is therefore proposing to discharge the surface water from the development into existing drains.
67. The applicant is proposing two attenuation tanks within the development, which will result in the development having a surface water run-off rate 50% less than the existing conditions.
68. It is therefore considered, subject to a standard surface water drainage condition being applied, that the proposed development would comply with Policy CG1.5 of the Core Strategy.

Impact on Local Infrastructure

69. Core Strategy Policy IPC1 states that the Council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or mitigate the impact of that development. 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.
70. Core Strategy Policies H1.2 and A1.4 seek to ensure appropriate health and education contributions (respectively) through developments. Policy SC1.3 states that on previously developed land 15% of total provision should be affordable, with 75% for social rent and 25% for intermediate housing. SPDs Infrastructure and Planning Contributions and Affordable Housing provide policy guidance on the Council's required planning obligations.
71. The proposed development of 40 dwellings would generate the following required planning contributions:

- * Affordable housing - 6 dwellings, 5 for social rent and 1 for intermediate/shared ownership (equating to £369,534);
 - * Education - a total of £142,303: £72,668 towards primary education and £69,635 towards secondary education;
 - * Public open space/play space - £34,760 towards play facilities in the Brightmet ward.
72. The applicant has however submitted a viability assessment with their application, which concludes that the proposed residential development is unable to support any Section 106 contribution, based mainly on the abnormal costs associated with the site (significant level changes, drainage and contamination) and the low value of properties in the area. The assessment claims that with the required planning contributions the development would make a loss (the applicant states -6.42%, whilst the Council's viability consultee believes it would be -9.68%), and without any contributions it would make a profit of less than the benchmark return of 18% of GDV (the applicant states 3.85%, and the Council's consultee states 5.57%).
73. The Core Strategy states that Policy IPC1 is applicable unless it can be demonstrated by the applicant that the scheme would not be viable if contributions are sought or offered.
74. The Council's viability consultants, Arcadis, have reviewed the submitted viability assessment and agree that the proposed development is unable to support any contributions.

Other matters

75. It is acknowledged that the Council is not able to demonstrate a 5-year supply of deliverable housing sites. This represents a housing shortfall. In this circumstance paragraph 11 of the NPPF indicates that the policies that are most important for determining the application should be regarded as out-of-date and that there is a 'tilted balance' in favour of granting permission. It is found in this case that there is no harm that would significantly and demonstrably outweigh the tilted balance in favour of granting permission.

Local finance considerations

76. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The following is considered to be a local financial consideration in this case:
77. New Homes Bonus for the 40 proposed dwellings – this is not a material planning consideration.

Conclusion

78. The application site is allocated as Housing Land within the Council's development plan (within the Allocations Plan) and therefore the principle of residential development on the site has already been established.
79. For the reasons discussed above it is considered that the proposed development would be compatible with the character and appearance of the area, would not result in the unacceptable loss of trees from the site, would not jeopardise highway safety or harm the capacity of the local highway network, would not unduly harm the amenity of neighbouring residents or the future residents of the development, would safeguard biodiversity, and would be adequately drained. The applicant has demonstrated that the proposed development would be unviable if any planning contributions were sought, and the findings of their viability assessment has been confirmed by the Council's viability consultants. It is therefore considered that the proposed development fully complies with the Council's development plan policies.

80. Members are therefore recommended to approve this application, subject to the recommended conditions.

Representation and Consultation Annex

Representations

Letters:- 7 letters of objection have been received, which raise the following concerns:

- * The apartments are not in keeping with the area and will have a negative visual impact;
- * Overdevelopment of the site/too many dwellings are being proposed;
- * Increase in traffic;
- * Insufficient parking provision within the development/impact on parking in the area;
- * Pedestrian safety (especially for school children) owing to the increase in traffic and on-street parking;
- * Problems accessing neighbouring driveways during rush hour;
- * Loss of privacy and overlooking into neighbouring properties;
- * Loss of light to neighbouring houses;
- * Loss of trees;
- * Object to the properties all being for rent (*officer comment: it is the applicant's intention for all properties to be for rent. This is a commercial decision that the applicant has made*);
- * Concerns about the types of tenant (*officer comment: not a material planning consideration*);
- * Devaluation of neighbouring houses (*officer comment: not a material planning consideration*).

One letter of comment has been received, which raises the following:

- * There is an inspection chamber with a manhole cover on the site, which needs to be accessible (*officer comment: the applicant has stated that they are aware of the locations of every manhole cover within the site. They will trace the network of these at the detailed design stage, to determine what they support and what is connected to them*);
- * The upper car park for the church cannot be used for additional parking for residents (*officer comment: it is considered that adequate parking provision is proposed within the development and that the scheme is not reliant on residents and/or visitors having to park outside the development. Any unauthorised parking within the church's car park would be a private matter for the church as landowner*).

Points without officer comment are addressed within the analysis of this report.

Consultations

Advice was sought from the following consultees: Highways Engineers, Conservation and Design Officer, Tree Officers, Landscape Officers, Greenspace Officers, Pollution Control Officers, Drainage Officers, Bolton Community Homes, Education Officers, Economic Strategy Officers, Corporate Property, Housing and Public Health, the Council's Viability Consultees (Arcadis), Greater Manchester Ecology Unit, Greater Manchester Police, Bolton Clinical Commissioning Group, Primary Care NHS Bolton and United Utilities.

Planning History

Planning application 79428/08 for the erection of 52 dwellings comprising 24 apartments and 28 houses was refused at Planning Committee in April 2008 for the following three reasons:

1. *The proposed development would be contrary to Policies N7 and N8 of Bolton's Unitary Development Plan in that it would result in the unacceptable loss of trees from the site, to the detriment of the character, appearance and amenity of the application site and the area in which it is set.*
2. *The access to the site is sub-standard in highways terms to meet the additional demands of traffic*

generated by the development and would result in an increase in congestion in the locality and conflict with traffic manoeuvres, particularly close to the junction of Long Lane and Blenheim Road to the detriment of highway safety and the proposal is therefore contrary to Policy A5 of Bolton's Unitary Development Plan.

3. The proposal represents an over development of the site by reason of the scale, density, massing, height and design of units, in particular the inclusion of the apartment blocks and fails to contribute to good urban design to the detriment of the character of the site, its surroundings and the living conditions of neighbouring occupiers and is thus contrary to Policies D1 and D2 of Bolton's Unitary Development Plan and Planning Control Policy Note No.2 "Space Around Dwellings".

The refusal was subsequently appeal and was dismissed by the Planning Inspectorate in January 2009, but only on the grounds of the harm to the character and appearance of the area (reason for refusal 3).

Application 78719/07 for the erection of 54 dwellings comprising 2 and 2.5 storey houses and 2x 3 storey apartment buildings was withdrawn by the applicant in June 2008.

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. **Surface water drainage**

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

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

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

Reason

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

Reason for pre-commencement condition:

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

3. **Construction Management Plan**

Prior to the commencement of development, including demolition, ground works or vegetation clearance a Construction Management Plan (CMP) shall be submitted to and approved in writing by the local planning authority. The CMP shall include the following details:

- a) Hours of construction and deliveries;
- b) Details of the precautions to guard against the deposit of mud and substances on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances prior to entering the highway;
- c) Dust suppression measures;
- d) Noise emission suppression measures;
- e) Construction routes in and around the site;
- f) Compound locations together with details of the storage facilities for any plant and materials including off-site consolidation if appropriate, the siting of any site huts and other temporary structures, including site hoardings and details of the proposed security arrangements for the site;
- g) Parking of vehicles associated with construction, deliveries, site personnel, operatives and visitors;
- h) Sheeting over of construction vehicles.

Development of each phase or plot shall be carried out in accordance with the approved CMP.

Reason

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

Reason for Pre-Commencement Condition: The site is close to residential properties and therefore considered to be sensitive to potential disturbances during the construction process and these need to be kept to a minimum to minimise any impact on the sensitive neighbouring uses.

4. **Tree protection fencing**

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

- 1. The trees within or overhanging the site which are to be retained/or are subject of a Tree Preservation Order (TPO) have been surrounded by fences of the type and in the locations are shown on the approved Tree Protection Plan (TPP) ref. BTC 1650 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).

Reason

To protect the health and appearance of the tree(s) and in order to comply with Bolton's Core Strategy policies CG1 and CG3

Reason for Pre-Commencement Condition: Tree protection measures must be implemented prior to the commencement of works to protect the health and appearance of the tree(s) during the construction phase.

5. **Arboricultural Method Statement**

Prior to the commencement of development of any works on site, the developer shall submit an arboricultural method statement detailing how the following 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. The specified areas/issues are:

- * Confirmation that there will be no level alterations within the root protection zones of the retained trees;
- * Details of boundary treatments foundations and hand dig method statements within the root protection zones of retained trees;
- * Confirmation that electricity and gas utilities are to be outside of any of the root protection zones of retained trees.

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 in order to comply with Bolton's Core Strategy policies CG1 and CG3

Reason for Pre-Commencement Condition: Tree protection measures must be implemented prior to the commencement of works to protect the health and appearance of the tree(s) during the construction phase.

6. **Materials**

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

Reason

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

7. **Landscape scheme**

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

Reason

To reflect and soften the setting of the development within the landscape and in order to comply with Core Strategy policies CG1 and CG3.

8. **Boundary treatment**

Prior to the development being first occupied or brought into use, details (including a brick or masonry specification and colour scheme) of the treatment to all boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority. Fencing should include hedgehog holes (measuring about 130mm by 130mm). The approved scheme shall be implemented in full prior to first occupation and retained thereafter.

Reason

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

9. **Vehicle access**

Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Blenheim Road shall be constructed to a minimum width of 5.5 metres with 5.0 metres radii to the access and 2no. 2.0 metres wide footway(s) in accordance with the drawing ref. 105 Rev 4; "Site Plan Proposed"; revision dated 18/03/20.

Reason

In the interests of highway safety and in order to comply with Bolton's Core Strategy policies S1, P5

and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

10. **Roads, footways and footpaths**

No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with drawing ref: 105 Rev 4.

Reason

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

11. **Parking areas**

Prior to the occupation of the dwellings hereby permitted provision shall be made for the parking or garaging of (a) motor vehicle(s) adjacent to each of the dwellings in the area identified for that purpose on the approved plan. Those areas shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order) other than (a) garage(s), no extensions, porches, outbuildings, sheds, greenhouses, oil tanks, wind turbines or satellite antennae shall be erected within that area.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and in order to comply with Bolton's Core Strategy policies S1, P5 and Appendix 3.

12. **Areas to be used by vehicles**

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

Reason

To encourage drivers to make use of the parking and circulation area(s) provided and in order to comply with Core Strategy policies S1 and P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

13. **Review of TROs**

Prior to first occupation of development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult, advertise, promote and implement Traffic Regulation Orders to implement a 20 mph speed limit within the development and to promote parking restrictions at the access with Blenheim Road and the turning head within the development.

Reason

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

14. **Land contamination**

The development hereby approved shall be carried out in full accordance with the following approved Preliminary Risk Assessment: St Osmunds Drive and Breightmet Drive Bolton, dated 17/12/2019 (ref: GF6499690 by Renaissance).

Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this shall

be submitted to and approved in writing by the Local Planning Authority.

Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

Reason

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

15. **Soil testing methodology**

No soil or soil forming materials shall be brought to the site until a testing methodology including testing schedules, sampling frequencies, allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information has been submitted to and approved in writing by the Local Planning Authority. The approved testing methodology shall be implemented in full during the importation of soil or soil forming material.

Prior to the development being first brought into use or occupied a verification report including soil descriptions, laboratory certificates and photographs shall submitted to and approved in writing by the Local Planning Authority.

Reason

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

16. **Approved plans**

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

105 Rev 4; "Site Plan Proposed"; revision dated 18/03/20
115; "Type 1 - 3B5P House Plans/Elevations 84m2"; received/scanned 7th Feb 2020
120; "Type 2 - 3B5P House Plans/Elevations 83m2"; received/scanned 7th Feb 2020
125; "Type 3 - 2B4P House Plans/Elevations 76m2"; received/scanned 7th Feb 2020
130 Rev A; "Apartment Block Plans"; revision dated 10/03/20
131 Rev A; "Apartment Block Elevations"; revision dated 10/03/20

Reason

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

| Schedule of Accommodation | | | |
|---------------------------|------|-----|--|
| 1-bed Apartment | 45m² | 18x | |
| 2-bed Apartment | 68m² | 6x | |
| 2-bed House | 76m² | 5x | |
| 3-bed House | 83m² | 11x | |
| Total: | | 40x | |

| Car Parking Provision | | |
|-----------------------|------|--|
| Apartments | 100% | |
| Houses | 200% | |

| | | | |
|-----|----------|-----|--|
| 4 | 18/03/20 | MA | Apartment block updated in line with design managers comments. |
| 3 | 06/02/20 | MA | Street Name 'St Osmunds Drive' corrected. |
| 2 | 17/12/19 | MA | Plot 1-3, 10 and 11 repositioned to ensure plots 10 and 11 are outside of RPA. |
| 1 | 10/12/19 | MA | Red line updated to include road junction. |
| Rev | Date | Int | Description |

bntp
ARCHITECTS

RIBA
Chartered Practice

Client: **Bellmac Developments**
Project: **St. Osmund's School, Bolton**

Description: **Site Plan Proposed**

| | | | |
|-------------------|--------------|-------------|-------------|
| Purpose of Issue: | | | |
| Planning | | | |
| Drawn By: | Checked By: | Date: | Scale @ A2: |
| MA | MA | 03/11/18 | |
| Job No: | Status Code: | Drawing No: | Rev: |
| 3514 | S4 | 105 | 4 |



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1 : 500



Street View

1 : 1



2 Street View

1 : 1



Street View

1 : 1

btp
ARCHITECTS

RIBA
Chartered Practice

Client:
Bellmac Developments

Job No:
3514

Scale @ A3:
1 : 1

Project:
St. Osmund's School, Bolton

| | | | | | | |
|-----------------|-----------|-------------|----------|--------------|-------------|------|
| Description: | Drawn By: | Checked By: | Date: | Status Code: | Drawing No: | Rev: |
| 3D Street Views | KD | MA | 12/23/19 | S4 | 113 | 1 |

Purpose of Issue:
Planning

File Identifier:
SO-BTP-00-3D-DR-A-3514_113.1

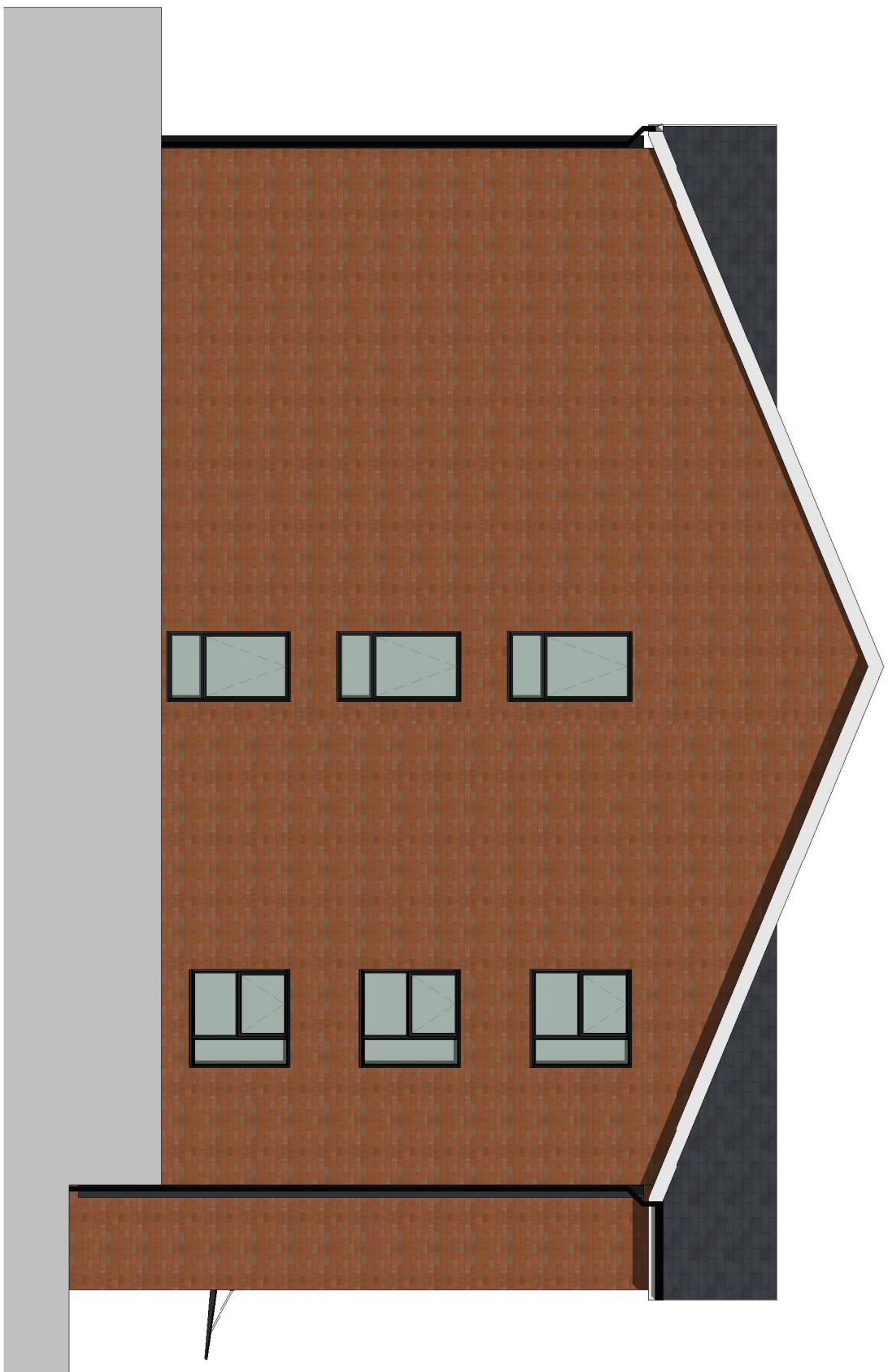
| 1 | 18/03/20 | MA | Apartment block updated in line with design |
|-----|----------|-----|---|
| Rev | Date | Int | Description |



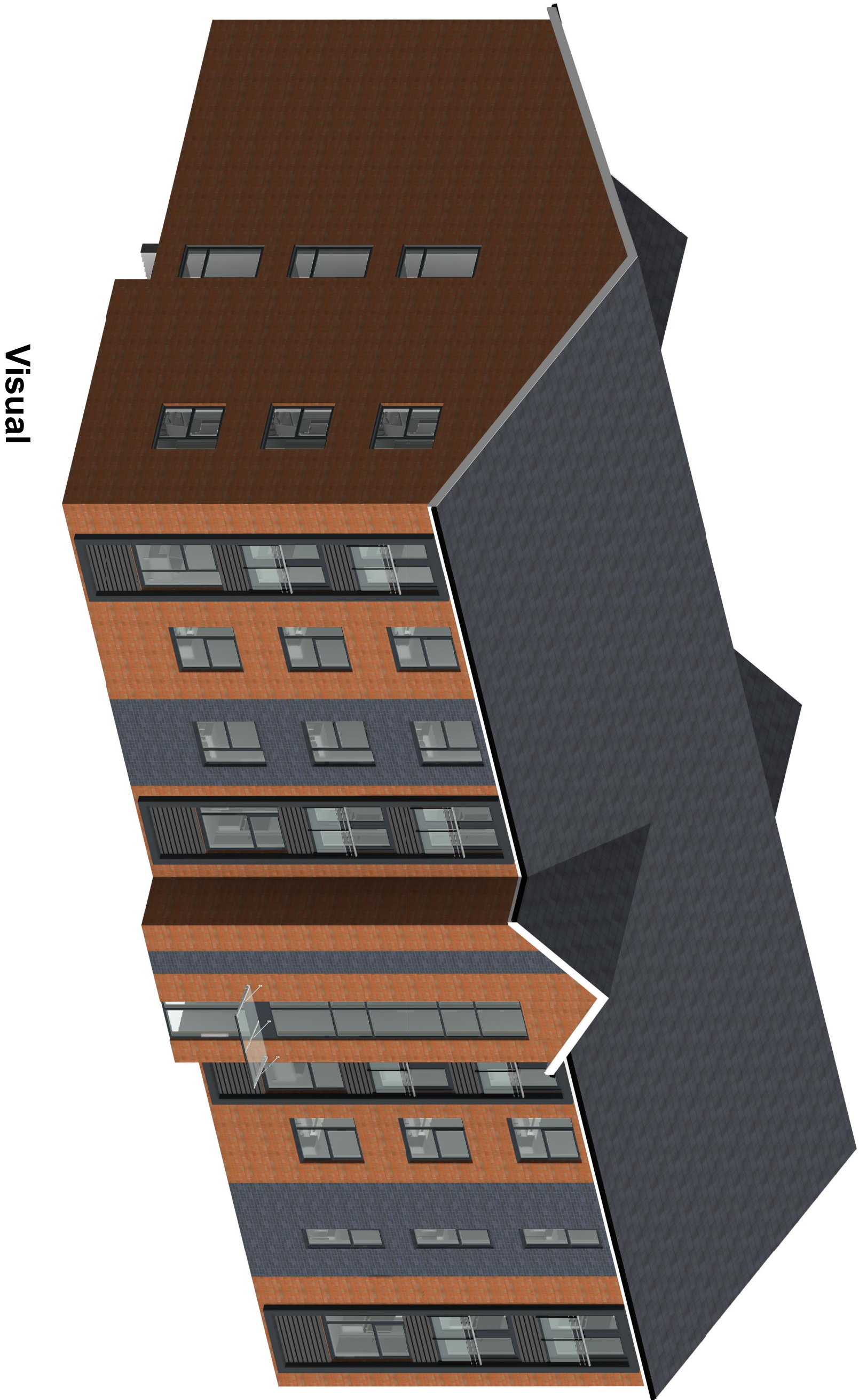
Front Elevation
1 : 100



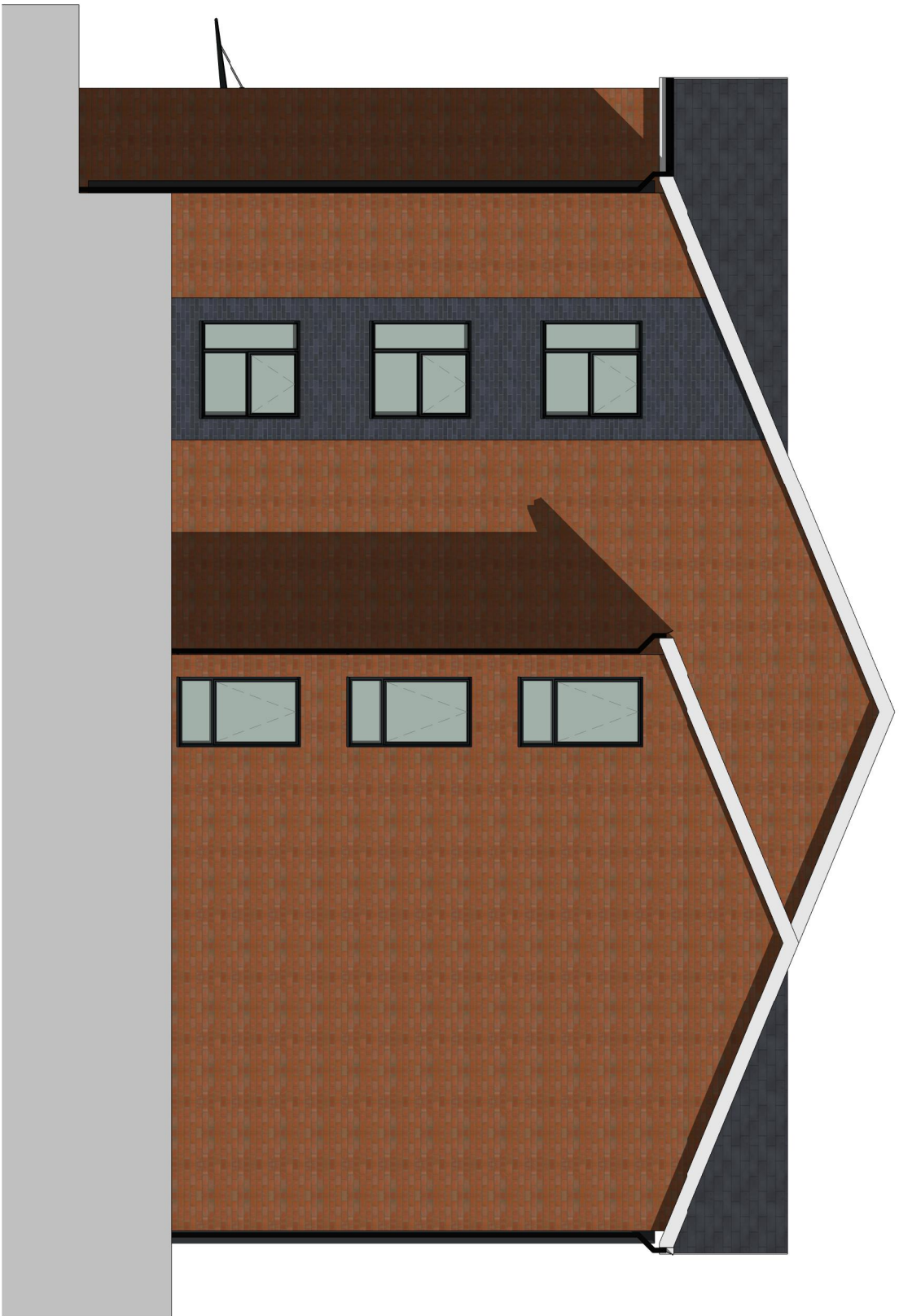
Rear Elevation
1 : 100



Gable Elevation
1 : 100



Visual



Gable Elevation 2
1 : 100

| Rev | Date | Int | Description |
|-----|----------|-----|--|
| A | 10.03.20 | MA | Apartment Block updated in line with design officer's discussions. |

Client:
Bellmac Developments

Project:
St Osmund's School, Bolton

Description:
Apartment Block Elevations

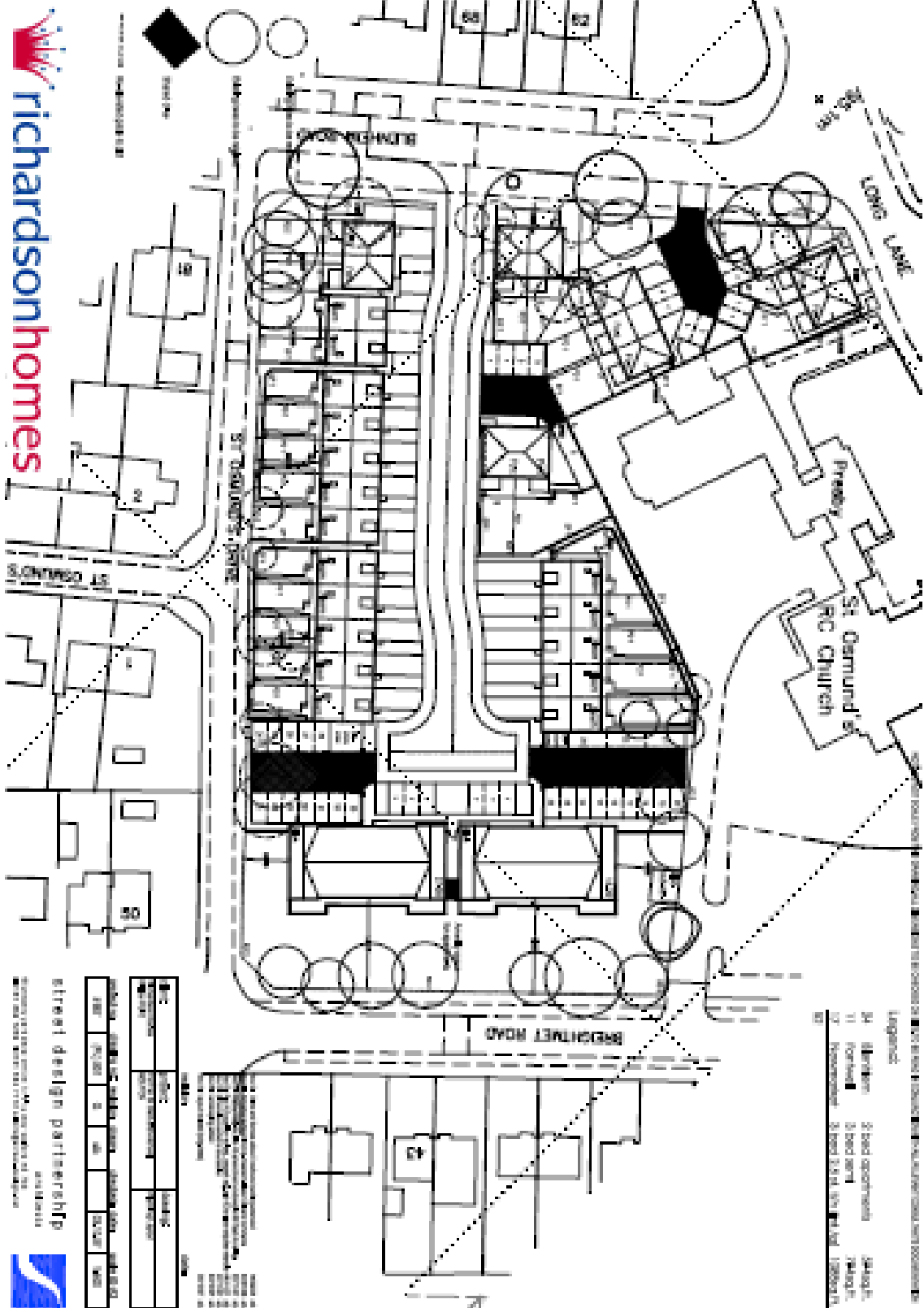
Purpose of Issue:

| Planning | | | |
|-----------|--------------|-------------|-------------|
| Drawn By: | Checked By: | Date: | Scale @ A1: |
| MA | MA | 08/23/19 | 1 : 100 |
| Job No: | Status Code: | Drawing No: | Rev: |
| 3514 | S4 | 131 | A |

File Identifier:
SO-BTP-07-ZZ-DR-A-3514_131

Elisabeth House, 486 Didsbury Road, Heston Mersy, Stockport, SK4 3BS
t 0161 443 1121 e info@bellmacgroup.co.uk w www.btparchitect.co.uk

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Application number 07237/19



Directorate of Place
Development Management Section

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

Bolton Council

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Date of Meeting:

Application Reference: 07237/19

Type of Application: Full Planning Application
Registration Date: 20/11/2019
Decision Due By: 18/02/2020
Responsible Officer: Martin Mansell

Location: LAND SOUTH OF MANCHESTER ROAD BOLTON BL3 2NU

Proposal: ERECTION OF VEHICLE SHOWROOM (SUI GENERIS) WITH ASSOCIATED PARKING AND INFRASTRUCTURE.

Ward: Great Lever

Applicant: Monte Blackburn Ltd
Agent : PWA Planning

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- Consent is sought to erect a vehicle showroom with ancillary servicing uses and with cars displayed around the site.
- A landscaping scheme is proposed to soften the appearance of the site when viewed from Kearsley Drive and, to some degree, mitigate the harm caused by the loss of the trees which were subject to a condition requiring them to be protected during the demolition of the office block that was previously located within the site.
- Bearing in mind the previous use of the site and the existing character of the Manchester Road area, the development is considered to be acceptable.

Proposal

1. Consent is sought to erect a vehicle showroom with ancillary servicing uses and with cars displayed around the site.
2. The proposed showroom and servicing unit would occupy the southern portion of the wider former United Utilities / Serco site, and would be accessed off Manchester Road to the north of the car sales building via a new access consented under permission reference 06268/19. The floorspace of the main building would be 1402 square metres with a mezzanine of 383 square metres. There would also be a valet/repair unit close to the railway line which has a floorspace of 240 square metres and would be used ancillary to the main use as a car dealership. A waste store, bin/refuse store and storage for redundant materials including tyres and parts would be located immediately to the rear of the main building within a contained area.
3. The building would be 7.8 metres high with a flat roof with extensive glazing to the front and the front parts of the side elevation with cladding to the rear of this.

4. Proposed hours of operation of the car sales and servicing are:-

Monday to Saturday: 07.30 – 20.00

Sunday: 10.00 - 18.00

(Though the servicing element would be likely to operate more limited hours)

5. The Applicant considers that activities outside of typical daytime hours are likely to be limited. This is expanded upon in the "living conditions" section below, along with lighting. Car parking / vehicle display spaces would be provided to all sides of the proposed development, surrounding the main building.
6. A total of 165 vehicle spaces are proposed, the majority of which would be used for displaying cars for sale although plans show 16 car parking spaces for customers (including one disabled parking space and one parent / child space) with staff able to use the extensive vehicle storage / parking area to the rear.
7. A landscaping scheme is proposed which includes the retention of the existing dwarf wall along the boundary with Kearsley Drive together with the planting of 13 trees together with an evergreen hedge which, once established, would be maintained to a height of 1.5 metres.
8. The site benefits from a recent consent granted to the same applicant in 2018. This consent, reference number 02582/17, was for the demolition of all buildings on the site and the erection of four commercial units including a drive through restaurant, petrol station, drive through café and a gym with landscaping, parking and altered access off Manchester Road. Application ref: 02582/17 related to a larger site - essentially the entire former United Utilities / Serco site. Whilst the demolition element of this approval has clearly been implemented, the redevelopment element has not been implemented – it was, in fact, superseded by the Committee's grant of planning consents 06267/19 (six industrial units) and 06268/19 (petrol filling station and drive-thru restaurant).
9. Approval ref: 02582/17 showed no development for the rectangle of land to the south, adjacent to Kearsley Drive – this application essentially fills in the blank area shown on the plans for that application.

Site Characteristics

10. The application site is L-shaped and extends to 1.1 hectares. It previously contained a large office building with rooftop parking; however, the demolition of all buildings on the site was granted by approval ref: 02582/17 and the site has now been cleared. The site as a whole is bounded by the B6536 / Manchester Road to the north-east, a railway line to the southwest, with residential properties to the north (Bradford Avenue) and south (Kearsley Drive). The site is accessed from Manchester Road.
11. The wider surrounding area is characterised by a mix of commercial, business, retail (with a particular presence of car showrooms, car hire companies and furniture showrooms) and residential uses. Beyond the railway to the south, there are further residential properties together with the site of the former Beehive Mill, recently demolished with residential development currently underway there.
12. The site lies on a main transport corridor which is well served by sustainable transport modes. It formerly contained a number of trees, particularly on the southern and eastern boundaries; however these have been recently removed by the landowner. It has no allocation in the

development plan, other than the area-based policy, RA1 Inner Bolton.

Policy

13. Core Strategy Objectives SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO10 Climate Change, SO12 Biodiversity, SO13 Flood Risk
14. Core Strategy Policies P2 Retail, 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, RA1 Inner Bolton
15. National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, requiring good design, promoting healthy communities, meeting the challenge of climate change, flood and coastal change, conserving and enhancing the natural environment
16. Supplementary Planning Documents: General Design Principles, Sustainable Design and Construction, Accessibility, Transport and Road Safety

Analysis

17. 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.

18. The main impacts of the proposal are:-

- * the principle of the development
- * impact on the character and appearance of the area
- * impact on the road network
- * impact on the living conditions enjoyed at nearby residential properties
- * impact on economic development and employment
- * impact on flood risk and drainage
- * impact of coal legacy issues
- * impact on ecology
- * impact on crime reduction
- * impact on sustainability

The Principle of the Development

19. The site has no allocation within the adopted Development Plan (other than the area-based policy, RA1 Inner Bolton) and must be therefore considered on its merits.
20. The application proposes the erection of 2,020 square metres of non-residential floorspace in the former of a car showroom with ancillary servicing. Taken together with the 3,310 square metres of floorspace approved by application references 06267/19 and 06268/19 this equates to a total of 5,150 square metres of new development. The approval of application ref: 02582/17 resulted in the demolition of 11,107 sq m of non-residential floorspace, meaning that the development approved and now proposed is around one half of the previous floorspace - much of this reduction results from the fact that much larger buildings across the site, now demolished, would

be replaced with smaller separate buildings with the remaining land shown as parking, access and vehicle display. Therefore, even when the approved development of the wider side is taken into account, all the approved and proposed development at the site result in a significant reduction in floorspace in comparison to that which existed at the site for many decades. The development of this site is considered to be a less intensive use of land than existed previously.

21. The site is on a main transport corridor (Manchester Road) which is well served by sustainable transport modes. Whilst there are residential properties to the north (Bradford Avenue and Mayfield Avenue), to the south (Kearsley Drive and Woodlands Place) together with Ramswell Close to the west across the railway line, the character of the area is actually quite mixed. For example, whilst residential properties do exist in the section of Manchester Road between Green Lane and Raikes Lane, this land use is actually very much in the minority, with no residential properties whatsoever on the eastern side of Manchester Road within the vicinity. Several large car dealerships exist on Manchester Road, including the large Vauxhall dealership on the eastern side of Manchester Road, opposite the entrance to Bradford Avenue. Large buildings surrounded by extensive areas of parking or vehicle display are common in this area.
22. Given the sustainable and accessible location, the history of use for non-residential purposes together with the generally non-residential character of the surrounding area, the significant reduction in floorspace in comparison to the existing situation and the lack of a specific land use allocation, the principle of the development is considered to be acceptable, subject to the consideration of the issues below.

Impact on the Character and Appearance of the Area

23. 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.
24. The Core Strategy notes that Inner Bolton contains a wide range of different land uses, but the area is characterised by concentrations of older private sector terrace housing, a high proportion of local authority owned housing and a large numbers of former textile mills. Policy RA1 relates specifically to Inner Bolton and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment; ensure that development has particular regard to massing and materials used, due to the predominance of red brick, slate-roofed, two-storied terraced housing; respect and strengthen the traditional grid-iron

pattern and the street-scaping of existing housing and mills where it is compatible with good urban design; make efficient use of land in inner Bolton due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach; ensure that development takes opportunities to improve upon the existing low levels of green infrastructure and soft landscaping in inner Bolton, using native plant species where appropriate.

25. Officers consider that Core Strategy policies CG3 and RA1 are consistent with the NPPF and can be given substantial weight in the consideration of design matters.
26. The now demolished office building lacked local distinctiveness – it was essentially a flat-roofed brick building around two-storeys in height. The proposed building is not locally distinctive though it is considered to be consistent with the character of similar large buildings on Manchester Road. It is considered that this part of Manchester Road lacks a consistent character, though what character there is - car sales, bulky goods sales, industrial buildings and storage - is considered to be reflected in the proposed design.
27. The impact on the character and appearance of the area is considered to be acceptable.
28. It is noted that a large number of trees have been lost from the site due to the necessary removals to implement the previously approved development. Many of these were Category B, C & U trees; however, the most prominent of these groups were immediately to the south of the existing access - Officers sought to explore whether those trees could be retained; however it was clear that the access had to be amended to deliver the extension to the existing right-turn pocket to facilitate safe access for vehicles. Other locations for access were considered but the existence of accesses on the other side of Manchester Road rendered them unsuitable.
29. In the determination of application ref: 02582/17 it was considered that any conflict between tree retention and highway safety should be resolved in favour of highway safety and the free flow of traffic, given the importance of Manchester Road in the strategic route network and it was accepted that these trees could be removed, on the basis that other trees would be retained.
30. It is true to say that more trees were removed from the site than was originally proposed by application ref: 02582/17 - some trees were shown to be retained and protected by fencing during the development. These trees have been removed, though it was not considered to be necessary to protect them via a TPO nor were they considered to be essential in terms of making the development approved under reference 02582/17 acceptable.
31. The proposed landscaping scheme is in its seventh revision and has benefited from the advice of the Council's Landscape Regeneration Officers. Together with the constraint of the landowner and showroom operator wishing to maximise the potential of the available land, the site is also constrained by the existence of a United Utilities surface water drain (shown in yellow on plan ref: 3877.04 rev G) that runs along the periphery of three sides of the application site, including underneath the area adjacent to Kearsley Drive, underneath where the trees were formerly located. United Utilities have published guidance on what they will and will not accept in terms of new planting in the vicinity of their assets - in particular species selection to avoid damage by roots - and the proposed new landscaping scheme has been designed with this in mind.
32. The trees that were subject to the tree protection measures condition were felled in the afternoon of 23rd May 2019. Local residents quickly expressed vociferous concerns over the significant harm that the loss of the trees has had on their enjoyment of the locality and have continued to do so since. Residents considered the trees to form a much appreciated oasis near

the very busy Manchester Road which provided a screen to the building and was a haven for birds and squirrels. Officers immediately put the developer on notice that replacement landscaping along Kearsley Drive would be absolutely key to their support of any scheme on this part of the wider site.

33. The Applicant notes that the site previously contained several large tree species along Kearsley Drive located within a sewer easement but considers it to be unclear why these trees were allowed to grow within the easement in direct conflict with United Utilities guidelines for planting near to pipelines trees. In their view, the trees had not been managed properly and several had particularly vigorous growth habits and extensive potentially damaging root systems. They state that they removed the trees as they were both risking damage and objections from United Utilities and they conflicted with the proposed new car dealership. They wish Members to note that a replacement scheme has been proposed which retains the existing dwarf wall topped with a mix of trees, hedging and shrubs.
34. It is fair to say that the Council's Greenspace Officers are not all comfortable that the additional trees were removed from the site despite a condition that required them to be physically protected whilst the demolition of Meridian House took place. Manchester Road forms one of the major routes into Bolton town centre and for many years the Council has sought to improve this route via improved greening where possible. Policy RA1 reflects this, stating that the Council will "ensure that development takes opportunities to improve upon the existing low levels of green infrastructure and soft landscaping in inner Bolton, using native plant species where appropriate". This policy recognises the existing low levels of green infrastructure in the area, thereby placing value on the retention of existing trees and landscaping where possible and seeking to improve this. That said, Officers do accept that – within the constraints of the development as proposed and taking into account the presence of the United Utilities asset underneath the proposed landscaping - the landscaping scheme is the best that can be achieved within those limitations.
35. Officers therefore conclude that the impact on the character and appearance of the area is acceptable.

Impact on the Road Network

36. Paragraph 111 of the NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a Transport Statement or Transport Assessment so that the likely impacts of the proposal can be assessed. Paragraph 108 states that plans and decisions should take account of whether:
- appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
 - safe and suitable access to the site can be achieved for all users; and
 - any significant impact from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
37. 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 (in accordance with the parking standards set out in Appendix 3), and the requirement for a Transport Assessment and Travel Plan with major trip generating developments. Policy S1.2 states that the Council will promote road safety in the design of new development.

38. 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 has also adopted the Accessibility, Transport and Road Safety SPD which notes that the provision of a safe, high quality transport network is vital to the economic prosperity of the borough and the ability of residents to safely access potential new jobs being created together with health, education, community facilities and housing. The SPD also seeks to ensure that the use of transport does not adversely affect the climate and therefore requires new development to reduce the need to travel by car, and encourage people who live, work and visit to walk, cycle and use public transport.
39. The Council's Highway Engineers note that the principle of mixed-use development on the wider site was approved under applications 02582/17, 06267/19 and 06268/19. Transport and highways issues in terms of traffic impact from this quantum of development were agreed under these consents along with the amended access point from the site onto Manchester Road. This access point falls within the red edge of this application site and therefore it is necessary that these improvements are conditioned again under this consent along with other relevant highway conditions.
40. The applicant has submitted a Transport Assessment (TA) in order to substantiate the proposed development from a transport and highways perspective. This document has been reviewed by the Local Highway Authority as part of the planning application process and they are happy with the content and rationale used in the development of the TA. The document provides a robust assessment of the development's impact on the local highway network and gives an indication of the site's accessibility to sustainable transport provision. According to the TA, the proposal will have a marginal increase on the level of traffic volumes at that location once the extant use-class of the site and the existing trips on the network that will use the facilities are subtracted from the data but can be accommodated without detriment to the operational capacity of the surrounding highway network. Acting on this information the potential residual cumulative impact of development on the local highway network could not be classed as severe and together with the site's sustainable location it is considered to comply with the requirements of paragraphs 108 and 109 of the NPPF.
41. The applicant is proposing a new vehicle access from Manchester Road which according to the information submitted within the TA and the additional tracking analysis appears sufficient to accommodate the quantum of development proposed and the maximum size of service vehicle that will visit the site. This access will utilise the existing hatched safety area on Manchester Road by allowing an extension to the existing right-turn pocket to facilitate safe access for vehicles. This work will need to be designed and undertaken by the Local Highway Authority under legal agreement (S278 Highways Act 1980). These works will need to include the closure of the existing primary access point onto Manchester Road and the formation of a new footway at that location. The internal road layout within the site will remain as private to be maintained by the landowner.
42. The number of parking spaces proposed appears to be compliant with the Council's maximum parking standards for the level of use-classes proposed for the site and it is noted that the site is accessible to sustainable transport provision.
43. The proposal has been robustly assessed by the Council's Highway Engineers and found to be acceptable in terms of its impact on the road network.

44. The proposed development is therefore not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and above the existing situation. The proposal is therefore considered to comply with Core Strategy Policies SO9, P5 and S1 and the Accessibility, Transport and Road Safety SPD.

Impact on the Living Conditions Enjoyed at Nearby Residential Properties

45. Paragraph 180 of the National Planning Policy Framework states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
46. 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.
47. Officers are clear that the impact on the living conditions of the residents of Kearsley Drive needs to be properly considered. As well as the impact caused by the removal of the trees and the insufficient landscaping scheme initially proposed, local residents have raised significant concerns over the potential for intrusive lighting, the impact on privacy, on their outlook and by noise.

Lighting

48. A detailed lighting scheme has been very recently submitted but it has not been possible to have this considered by our technical consultees. That said, lighting is often a matter that is resolved via a condition and that is the intention in this instance. Officers are confident that a lighting scheme can be carefully designed with attention given to location, direction and spill shields. It is highly likely that the proposed lighting scheme does demonstrate this - the scheme appears to have been designed for an E3 Environmental zone (suburban) to ensure as little obtrusive light as possible. The light trespass onto Kearsley Avenue appears to be well within the parameters that the standard requires and the vertical calculations produced for the houses shows that it would be only 1,649 Candelas (the limit is 10,000 Candelas). The limit for upward light in those standards is 5%, the proposed design appears generates 0% upward light.
49. Nevertheless, it is clear from the objections that lighting is a significant concern for local residents. It is highly likely that the proposed scheme fully demonstrates the acceptability of the proposal from a lighting perspective but Officers take the view that they would prefer that Members were entirely confident that the lighting scheme had been fully assessed by technical colleagues and the best way of achieving this is not to approve the detailed lighting scheme at this time but to reserve its consideration to a condition.
50. Officers also note that, given existing background light levels on Manchester Road, the light requirements of the site need not be excessive and it should not be necessary for the operator to illuminate the site outside of trading hours. A condition would also make this clear.

Outlook, Interfaces and Privacy

51. Clearly the view from the residential properties of Kearsley Drive has already changed significantly due to the demolition of Meridian House and the removal of the trees, contrary to a planning condition on approval ref: 02582/17. Nevertheless, Officers are satisfied that as proposed the development will not have an unacceptable impact on the living conditions of local residents.

52. The main dealership building is between 32 and 38 metres away from the frontage of the residential properties on Kearsley Drive, a more generous interface than with the previous building. That said, the previous building had an approximate height similar to a two-storey building with a flat roof – at 7.8 metres the proposed building would be more comparable with a three-storey building with a flat roof. Were the proposed building to be a dwelling the recommended interface between the principal windows of the dwellings on Kearsley Drive would be 16.5 metres (13.5 metres plus an additional 3 metres for an extra storey), which the proposed development comfortably exceeds. That said, it clearly is not a dwelling and the massing and width of the building needs to be taken into account too. Nevertheless, Officers are satisfied that the 32 metres to 38 metres interface, softened and broken up by the proposed landscaping scheme will ensure that the development is acceptable in terms of outlook.
53. Whilst part of the side elevation would be entirely glazed for the entirety of its height – the part of the side elevation closest to the front elevation – this cannot be considered as a principal window as the glazing simply looks on to the void above the showroom area. Glazing at the human scale of the ground floor exceeds the 21 metres recommended interface by some margin. Officers note that the customer car park - the area likely to be the focus of the most comings and goings during a typical day - is located at the front of the dealership main entrance, away from the Kearsley Drive boundary. The area of parking between Kearsley Drive and the dealership building is allocated for used car sales display only. The Applicant states that these vehicles are only moved infrequently by staff. The elevation of the proposed dealership building facing Kearsley Drive has three access doors within in it. Two of these are customer handover bays, where new cars are parked inside the building and handed over to customers in the showroom environment. The third is the car access to the showroom display area. The Applicant states that the handover of new vehicles is a relatively infrequent activity and all occur well with normal opening hours. Changes to the showroom vehicle display is an even more infrequently activity. The doors remain closed except when manoeuvring the vehicles in and out.
54. Bearing in mind the 32 to 38 metre interface between the dwellings, the retention of the boundary wall, the new planting and the fact that activities directly opposite Kearsley Drive are likely to be limited, it is considered that impact on outlook and privacy would be acceptable. Local residents raised concerns over the more intensive uses proposed for the adjacent sites under references 06267/19 and 06268/19 - the new building will screen much of the activities from the residential properties of Kearsley Drive.

Activities Within The Site

55. Officers do not consider car sales operations to be particularly noise-generating activities. Such uses are common on Manchester Road and some operate in close proximity to residential properties, particularly in the area close to Weston Street. The two uses are not considered to be incompatible. That said, some consideration of the servicing / valet elements, deliveries and hours of operation is still necessary.
56. The Applicant wishes Members to be aware that servicing vehicles and deliveries take place off Manchester Road, via the estate road behind the building (in relation to Kearsley Drive). Vehicles use the service access gate on the northern boundary of the site and the building would act as a buffer between this activity and Kearsley Drive. All deliveries are accommodated well within normal hours of opening. The access to the service area is via the service doors in the western elevation, facing the railway. The service area is a clean and controlled environment to allow the technicians to work with all the necessary electronic diagnostics kit safely. Therefore the service area doors tend to stay shut whenever possible to protect that environment from weather and to keep the area clean and safe. The valet building has a purpose-built jet wash area enclosed within it and jet washing is restricted to this area. Car washing elsewhere on site tends to be

restricted to hand washing and finishing to keep the display vehicles in the best show condition. The more intense jet washing and valeting is done within the valet building which would be located well away from Kearsley Drive, backing onto the railway in the eastern corner of the site.

57. The Applicant feels confident that the use can operate without any restriction on hours of operation at all without harming the living conditions of local residents. Officers take the view that this may well be true and note that the majority of car sales and servicing uses on Manchester Road are unlikely to have any planning limitations on their hours of operation. However, Officers are mindful that Members and local residents may wish to have some assurances and control in this regard and have therefore given careful consideration to the hours of operation proposed by the Applicant. These are:-

Car Sales: Monday to Saturday, 0730 to 2000
Sunday, 1000 to 1800

Service Centre: Monday to Friday, 0800 to 1700
Saturday, 0800 to 1200
Sunday: Closed

58. As evidence that activity before 0830 and after 1830 is likely to be very limited, the operator notes that the Volvo dealership at Stockport operates solely during those hours. A degree of flexibility i.e. the ability to operate slightly earlier or later due to operational or business demands would assist in the viability of the business.
59. Officers consider that it is possible that any restriction on hours of operation could potentially be considered to be unnecessary and that once the dealership is operational it could reasonably be demonstrated that this condition could be relaxed or even removed. Nevertheless, Officers recognise that Members and local residents may have concerns in this regard and are recommending that hours of operation be restricted to those listed above and that any future application to relax or remove this condition would be considered on its merits at that time.
60. Taking all the above points into account and bearing in mind the mixed character of the area, the proposal is considered to comply with Policy CG4 of Bolton's Core Strategy.

Impact on Economic Development and Employment

61. The Council has adopted the Sustainable Community Strategy which identifies two main aims - to narrow the gap between the most and the least well off and to ensure economic prosperity. The Core Strategy is consistent with this, seeking a prosperous Bolton by making sure that jobs are provided in accessible locations in a range of different sectors.
62. Policy RA1 relates specifically to Inner Bolton and states that the Council will continue to focus jobs in modern employment areas in The Valley, locate new employment-related development on undeveloped sites in the Valley and surrounding area, regenerate mills and other older industrial premises in the area with a mixture of new build and refurbishment for primarily employment uses, with supporting residential and mixed uses.
63. The National Planning Policy Framework states at paragraph 8 that achieving sustainable development means that the planning system has three overarching objectives, one of which is an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure. Paragraphs 80 to 82 relate specifically to building a

strong competitive economy and state that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

64. The Applicant states that the proposed Volvo dealership is a brand new addition to Bolton and is not a replacement of an existing facility. As a result, the dealership will create a number of new job opportunities for the area, more specifically 13 sales jobs, 18 service jobs, 6 administration jobs and 5 driver and valeting jobs, resulting in 42 new jobs.
65. The Applicant also wishes Members to be aware that the scheme will also generate new jobs during the construction phase. The Applicant has a building contractor appointed (Barnfield Construction Limited) who are ready to start construction works immediately upon the granting of permission and the discharge of any pre-commencement conditions. Barnfield Construction are a north west based building contractor located in Nelson, Lancashire. Whilst work is carried out nationally their core business operates within the North West region. They have a varied supply chain of both suppliers and sub-contractors both of which are largely based in the North West region. Wherever possible they will select sub-contractors from the region, to date they will be utilising a steel fabricator from Leeds, the cladding contractor is Manchester based, the earthworks contractor is Preston based and they are just working now on procuring the Mechanical and Electrical works, which again will certainly be North West based. In terms of supply of materials, they always engage with the local building merchants and concrete suppliers and encourage their sub-contractors to adopt the same principles. In terms of employment they shall actively be looking to employ local labour to carry out the general site operative duties on the site. Due to the methods of construction on this particular project it is unlikely that there will be any apprentice opportunities available. They will keep a detailed record of persons showing interest in employment opportunities and will consider their applications for the project and across the company. The Applicant is therefore of the opinion that this project is able to immediately contribute to the local and regional economy, if approved, and respectfully requests that Members take account of this.
66. Economic Development colleagues previously expressed preference to have seen the retention and occupation of Meridian Court but accepted that there was no real prospect of this happening, given that it had been largely vacant for approximately 10 years. Furthermore, the site does not benefit from any protective allocation for employment. Whilst the loss of Serco was clearly regrettable it is not possible for the town planning system to retain or recreate these jobs. The development is less beneficial in employment terms than at the height of the Serco use; however the impact of the development proposed is clearly beneficial in comparison to the existing situation of little or no jobs at the site.
67. Officers advise that the development has the potential to make a significant a contribution to the local economy and to local employment.

Impact on Flood Risk and Drainage

68. Policy SO13 of Bolton's Core Strategy is a strategic objective and seeks to reduce the likelihood and manage the impacts of flooding in Bolton, and to minimise potential flooding to areas downstream. Policy CG1 states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk. Policy CG2 states that the Council will ensure that new development demonstrates the sustainable management of surface water run-off.

69. The site does not lie within an area of heightened flood risk concern. A surface water drainage system has been proposed for the entire site and the detailed design of this is currently subject to consideration in discharge of condition applications for the previously approved developments at the wider site - 06267/19 (six industrial units) and 06268/19 (petrol filling station and drive-thru restaurant).
70. The Council's policies seek to ensure 50% betterment in flow rates from a newly developed site – in other words, that the rate of water leaving the site should be 50% less than the previous situation. This can be achieved in a number of methods – in “grey” ways including underground rainwater storage where water is held before being discharged at a slower rate than would have previously been the case, and in more “green” ways that mimic the way that rainwater interacts with natural features. The policy is also to seek discharge as high up the drainage hierarchy as is reasonably possible:-
- into the ground via infiltration
 - to a surface water body such as a river, culverted river or other watercourse
 - to a surface water sewer, highway drain, or another drainage system that takes only surface water
 - to a combined sewer that takes both surface water and foul flows
71. United Utilities are dissatisfied with the approach taken for surface water drainage shown in the discharge of condition applications for 06267/19 (six industrial units) and 06268/19 (petrol filling station and drive-thru restaurant). Their concerns can be summarised as being:-
- that the Applicant has not fully considered the positive contribution that infiltration could make to the management of surface water
 - that the Applicant has not fully considered the positive contribution that discharge to a nearby watercourse could make to the management of surface water
 - that, should United Utilities be satisfied that the above options have been fully considered and discounted, that the Applicant has not fully demonstrated a 50% reduction in flow rates
72. Managing surface water in the most sustainable way at the wider site does present some challenges – the development approved and proposed across the site as a whole contains access roads and extensive hard-surfaced parking areas in order to ensure that customers make use of the facilities proposed and – particularly in the case of the vehicle display areas proposed for the car sales use – are fundamental to the operation of the uses themselves. This limits the ability to implement more natural drainage systems such as water features of soft landscaping. Furthermore, the adoption of infiltration as a method of sustainable water management has the potential to undermine the structural integrity of the nearby railway line or to contribute to groundwater pollution.
73. That said, the challenges of providing a sustainable method of surface water drainage at this site are not considered to be insurmountable. A method exists, it is more a question of adopting an approach that goes as far up the drainage hierarchy as is reasonably possible and does not create concerns for bodies such as Network Rail or the Environment Agency.
74. Whilst applications have and continue to be considered on a phased basis across the wider site, the drainage strategy covers the entire site. It is considered to be preferable to adopt the same approach as for the consideration of applications 06267/19 and 06268/19, reserve the matter to a condition and consider the surface water drainage strategy across the whole site rather than looking at this development plot in isolation.

75. Subject to a similar condition to that imposed on approval applications 06267/19 and 06268/19, the impact on flood risk and drainage issues is considered to be acceptable.

Impact of Coal Legacy Issues

76. Core Strategy policy CG4 seeks to ensure that new development proposals on land affected by ground instability must include an assessment of the extent of these issues and any possible risks. Development will only be permitted where the land is or is made suitable for the proposed use. This is consistent with Paragraph 170 of the NPPF which states that planning decisions should seek to remediate and mitigate unstable land where appropriate. Decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land. It also advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and / or landowner.
77. The Coal Authority is a non-departmental public body sponsored by the Department for Business, Energy and Industrial Strategy. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.
78. The Coal Authority records indicate that a thick coal seam outcrops at or close to the surface of the site which may have been worked in the past and historic unrecorded underground coal mining is likely to have taken place beneath the site at shallow depth. However, the part of the site where the development is proposed lies outside of the defined High Risk Area. Therefore the Coal Authority does consider that a Coal Mining Risk Assessment is necessary to support this proposal and do not object to the planning application.
79. The impact of coal legacy issues is therefore considered to be acceptable.

Impact on Ecology

80. Policy SO12 of Bolton's Core Strategy is as strategic policy and states that one objective of the Core Strategy is to protect and enhance Bolton's biodiversity. Policy CG1.2 of Bolton's Core Strategy states that the Council and its partners will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development. Policy RA1 relates specifically to Inner Bolton and states that the Council will ensure that development takes opportunities to improve upon the existing low levels of green infrastructure and soft landscaping in inner Bolton, using native plant species where appropriate.
81. Core Strategy Policy CG1.2 safeguards and enhances biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and inter connectivity of wildlife corridors and habitats.
82. The site has been cleared. The proposed landscaping scheme will make a positive contribution to biodiversity and subject to a condition requiring this to be implemented in full, the impact on ecological issues is considered to be acceptable.

Impact on Crime Reduction

83. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The prevention of crime and the enhancement of community safety are therefore material considerations that a local authority should take into account when exercising its planning functions under Town and Country Planning legislation.

84. The National Planning Policy Framework states that planning decisions should aim to ensure that developments should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
85. Bolton's Core Strategy notes that the town's recorded crime levels are reducing but perception of crime remains high. The Core Strategy's most important direct contribution to reducing crime and the fear of crime is through the design of new development. A contributory factor to improving safety is to create and sustain a sense of place that enables people to identify with their surroundings or locality. This can be achieved through appropriate layout, high quality architecture, good lighting and landscape design. In considering design, the Council takes into account national advice as currently set out in the Government publication "Safer Places – the Planning System and Crime Prevention." Ensuring that the whole of the civic and retail core is safe and attractive for pedestrians will be a priority.
86. Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, reduce crime and the fear of crime, by ensuring that neighbourhoods are attractive and well designed. Policy S1 is part of the "Safe Bolton" Sustainable Community Strategy theme and states that the Council and its partners will ensure that the design of new development takes into account the need to reduce crime and the fear of crime. Policy CG4 of Bolton's Core Strategy seeks to ensure that new development protects, amongst other things, safety and security.
87. A full Crime Impact Statement has not been carried out for this proposal. However, the proposal is relatively simple – a large building set within an extensive area of hardsurfacing. It is not complex in the way that a housing development can have considerable complexity in its layout and - unlike the fragmented ownership and responsibility of a housing scheme - will be managed by Volvo alone. The site is open and benefits from good natural surveillance due to activity levels on Manchester Road and its surrounded by other uses. It is considered to be entirely in the operators interests to ensure that their property and premises are as secure as possible. For these reasons the proportionate response to the consideration of crime reduction at this site is to require by a condition that the Applicant provides further details of how they intend to secure the site in terms of measures such as a CCTV and the security properties of doors and windows.
88. The impact on crime reduction is considered to be acceptable.

Impact on Sustainability

89. The National Planning Policy Framework contains three overarching objectives. One of these objective is an environmental objective which includes using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
90. Policy S10 of Bolton's Core Strategy is a strategic objective and seeks to minimise Bolton's contribution to climate change and mitigate and adapt to its adverse effects. Policy CG1 states that the Council will Work towards minimising energy requirements, improving energy efficiency, lessening the reliance on fossil fuel-based energy and reducing carbon dioxide (CO2) emissions and also maximise the potential for renewable energy development and encourage proposals that contribute towards renewable energy targets.
91. The site lies on a main transport corridor which is well served by sustainable transport modes. This will aid in offering alternative travel modes for employees of the proposed uses. The location is also key for this type of development to be successful offering roadside convenience

facilities. Further details of the Applicant's approach to sustainable development such as energy management would be required by a condition.

Value Added to the Development

92. The proposed landscaping scheme has been significantly enhanced at Officers' request, though it is constrained by the presence of the surface water drain along the boundary and the desire of the landowner and showroom operator to maximise the potential of the available land.

Local finance considerations

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

Conclusion

94. Officers very much regret the removal of the trees and recognise the harm that this has caused to the character and appearance of Kearsley Drive and the residents enjoyment of the locality. That said, it is clear that these trees were in conflict with United Utilities guidance on tree maintenance and could have been removed by them at any time if it was considered that they posed a risk to the underground surface water drains and therefore to flood risk. Officers have sought to achieve the best landscaping scheme possible within the constraints imposed. Concerns raised by local residents over lighting and other impacts have been carefully considered and measures put in place to address these.
95. The development is typical of a major route such as Manchester Road, is located in a sustainably accessible location and will deliver a significant amount of new jobs. It is therefore recommended for approval.

Representation and Consultation Annex

Representations

A total of 79 neighbour consultation letters were sent to nearby properties and whilst this did include some commercial properties who are unlikely to be affected by the proposal, letters were also sent to the residential properties of Manchester Road, Kearsley Drive, Woodlands Place, Bradford Avenue and Ramswell Close where those properties either adjoined or had a direct view of the application site. In particular, neighbour consultation letters were sent to all 14 dwellings on Kearsley Drive and to the two dwellings at its junction with Manchester Road. A site notice was also displayed at the site.

Letters:- representations of objection have been received from three residential properties on Kearsley Drive. The grounds of objection include:-

Since the previous building was demolished and the trees removed without consent residents are now affected by the lighting the much further away car dealership on the other side of Manchester Road. If bright displays are allowed on the new building or lighting within the site this could shine directly into living rooms and bedrooms. Illumination at night would cause light pollution that would affect the quality of sleep. The submitted proposals for lighting relate to the other part of the site, not to the proposed car sales use.

(Officer's note: this addressed above and would be controlled by a condition)

Previously we had a green area between us and the unobtrusive office building in front of us which consisted of grass and mature trees. The building was used during office hours. The mature trees were cut down against planning when it was agreed that they would be staying. Looking at the plans it would appear that the car sales pitch would be right up to the boundary and give no form of green barrier for the neighbours of Kearsley Drive.

(Officer's note: the proposed landscaping is considered extensively in the report above)

There could be an element of criminality being brought to the area as cars are a target of easy pickings

(Officer's note: whilst it is true to say that cars can be a target for criminality, this tends to be crime relating to the contents of parked vehicles rather than the vehicles themselves. Other than a limited number of staff and customer vehicles parked during opening times, the majority of the cars will be empty vehicles displayed for sale. This a car showroom and car display use located on a major road frontage with good natural surveillance due to activity levels on Manchester Road and the open layout of the site. It is not considered that an objection on these grounds can be sustained.)

A petition signed by 15 local residents has been received via Yasmin Qureshi MP, expressing concerns about the way that planning matters have been dealt with by the Council, the piecemeal approach that has been taken by the Applicant and requesting that it is ensured that the site is developed with the interests of the residents of Kearsley Drive in mind.

(Officer's note: the local MP has been provided with a response. Officers have been mindful of the interests of Kearsley Drive and have resisted previous insufficient landscaping schemes but now accept that the proposed scheme is acceptable, within the constraints of the site and the proposed development)

Consultations

Advice was sought from the following consultees: Drainage, Coal Authority, Pollution Control, Trees & Woodlands, Greenspace, Landscape Design, Economic Strategy, Strategic Development, Highways

Planning History

Consent was granted by Planning Committee in October 2019 on the adjacent site for the erection of six industrial units with associated landscaping (06267/19) and the erection of a petrol filling station with ancillary retail store together with drive through restaurant (06268/19).

Consent was granted in 2018 for the demolition of all buildings on the site and the erection of four commercial units including a drive through restaurant, petrol station, drive through café and a gym with landscaping, parking and altered access off Manchester Road (02582/17). The consent was subject to a condition that trees on the site were protected during the demolition of Meridian House. Whilst the redevelopment was not carried out and was superseded by the consent above, Meridian House was demolished, without the trees being protected.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

1. Commencement

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. Surface Water Drainage - pre-commencement

Prior to the commencement of any development other than demolition, a sustainable surface water drainage scheme including the sustainable drainage techniques (rainwater harvesting/rainwater butts, permeable paving and enhanced landscaping features) identified at Paragraph 5.5.7 of the submitted Flood Risk Assessment (prepared by Curtins dated 23 July 2019) under reference 06268/19 and based on an assessment of the hierarchy of drainage options in National Planning Practice Guidance (including evidence of an assessment of site conditions), shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the assessment of the hierarchy of drainage options and site conditions shall include an assessment of (in the following order of priority):

- the potential for infiltration in accordance with BRE 365 as recommended by paragraphs 5.5.5 and 6.3.13 of the submitted flood risk statement; and then
- the option for discharge of surface water to the culverted watercourse within the land owned by the applicant.

If the assessment of site conditions demonstrates that infiltration is not acceptable, any rate of discharge shall at least be in accordance with the limits indicated in Policy CG2 of the Bolton Core Strategy (adopted March 2011).

In considering discharge to the culverted watercourse within the ownership of the applicant and to demonstrate the required reduction in discharge rates, full details and associated evidence of existing drainage connections from the current site shall be submitted to justify the proposed reduction in the rate of surface water discharge. The reduction in the rate of surface water discharge shall have regard to the fact that this permission is for the partial redevelopment of this previously-developed site.

There shall be no surface water connection to the public sewer unless otherwise agreed with the local planning authority in liaison with the sewerage undertaker. The development shall be completed in accordance with the approved details.

Reason:

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF, the NPPG and the Bolton Core Strategy (Adopted March 2011).

3. **Contaminated Land Remediation - pre-commencement**

Prior to the commencement of development:-

- A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, property and/or the wider environment; and
- The details of any proposed remedial works shall be submitted to, and approved in writing by the Local Planning Authority. The approved remedial works shall be incorporated into the development during the course of construction and completed prior to occupation of the development or the development being first brought into use; and

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

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

Reason

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

4. **Review of TROs - prior to above ground works**

Prior to the commencement of any above ground works, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders on the site frontage of Manchester Road (& immediately adjacent to the site if required) to enable the Local Highway Authority to consult, advertise, promote and implement Traffic Regulation Orders to mitigate the likely impact of the development. All Traffic Regulation Orders required by the Local Highway Authority to mitigate the impact of the development shall be implemented in full prior to the development hereby approved/permitted being first occupied or brought into use.

Reason

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

5. **Highway Works - prior to above ground works**

Prior to the commencement of any above ground works full details of the highway works listed below shall be submitted to and approved in writing by the Local Planning Authority. The approved schemes shall be implemented in full prior to the development being first brought into use and retained thereafter.

Highway improvements indicated on Drg No 17.139/019/H approved under reference 06268/19 to facilitate the new primary access point to the site. To include the carriageway/footway/refuge provision indicated as well as radius improvements, formation of new kerblines on Manchester Road, extension to the right-turn pocket provision on Manchester Road, footway resurfacing across the site frontage and the relocation of street-lighting provision. This design work/implementation will need to be undertaken under a legal agreement between the Council and the applicant (S278 Highways Act

1980).

Reason

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

5. Materials - prior to above ground works

Prior to the commencement of any above ground work details of the type and colour of materials to be used for the external walls, doors, windows and roofs shall be agreed with the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

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

6. Sustainable Development - prior to above ground works

At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of tackling climate change in accordance with policy CG2 of Bolton's Core Strategy.

7. Security Measures - prior to above ground works

Prior to the commencement of any above ground works a package of proposed security measures for the site and buildings therein shall be submitted to and approved by the Local Planning Authority. Such measures as are approved shall be implemented in full prior to the development being brought into use and shall be retained in full thereafter.

Reason

In the interests of crime reduction and in accordance with Policies SO9, S1 and CG4 of Bolton's Core Strategy.

8. Car Parking Spaces - pre-occupation

Before the approved development is first brought into use the customer and staff parking spaces shown on plan ref: 2665 L(00) 100 REV P1 shall be marked out and provided within the curtilage of the site. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and in order to comply with Bolton's Core Strategy policies S1, P5 and Appendix 3.

9. Internal Road Layout - pre-occupation

The development shall not be brought into use until the proposed site access roads and pedestrian footway provision within the site as indicated on the submitted site plan 2665 L(00) 100 REV P1 have been constructed and completed in full.

Reason

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

10. Access Closure - pre-occupation

Prior to the development hereby approved/permitted being first occupied or brought into use the existing redundant primary vehicular access onto Manchester Road shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. To include the removal and appropriate re-instatement of the existing splayed kerblines onto Manchester Road. There shall thereafter be no means of vehicular access to or from Manchester Road, other than as shown on Proposed Site Layout drawing no. 17.139/019/G.

Reason

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

11. Landscaping - pre-occupation

The approved scheme landscaping scheme shown on plan ref: 3877.04 REV G shall be implemented in full within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species. The landscaping shall be retained and maintained in accordance with the details shown on the approved landscaping plan.

Reason

To reflect and soften the setting of the development within the landscape and in order to comply with Core Strategy policies CG1 and CG3.

12. Boundary Treatments - prior to its installation

Prior to any boundary treatment or other means of enclosure being installed at the site, details of such 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 and in order to comply with policies CG3 and CG4 of Bolton's Core Strategy.

13. Lighting - prior to its installation

No lighting shall be installed at the site unless and until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be designed for an E3 Environmental zone. All lighting shall be switched off outside of the permitted operating hours of the development. No other lighting shall be installed at the site without the written consent of the Local Planning Authority.

Reason

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

to comply with Bolton's Core Strategy policies CG3 and CG4

14. Hours Of Operation

The approved development shall not operate nor shall any deliveries be taken or dispatched from the premises outside of the hours below. No jetwashing of vehicles shall take place within 38 metres of any dwelling on Kearsley Drive.

Car Sales: Monday to Saturday, 0730 to 2000
Sunday, 1000 to 1800

Service Centre: Monday to Friday, 0800 to 1700
Saturday, 0800 to 1200
Sunday: Closed

Reason

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

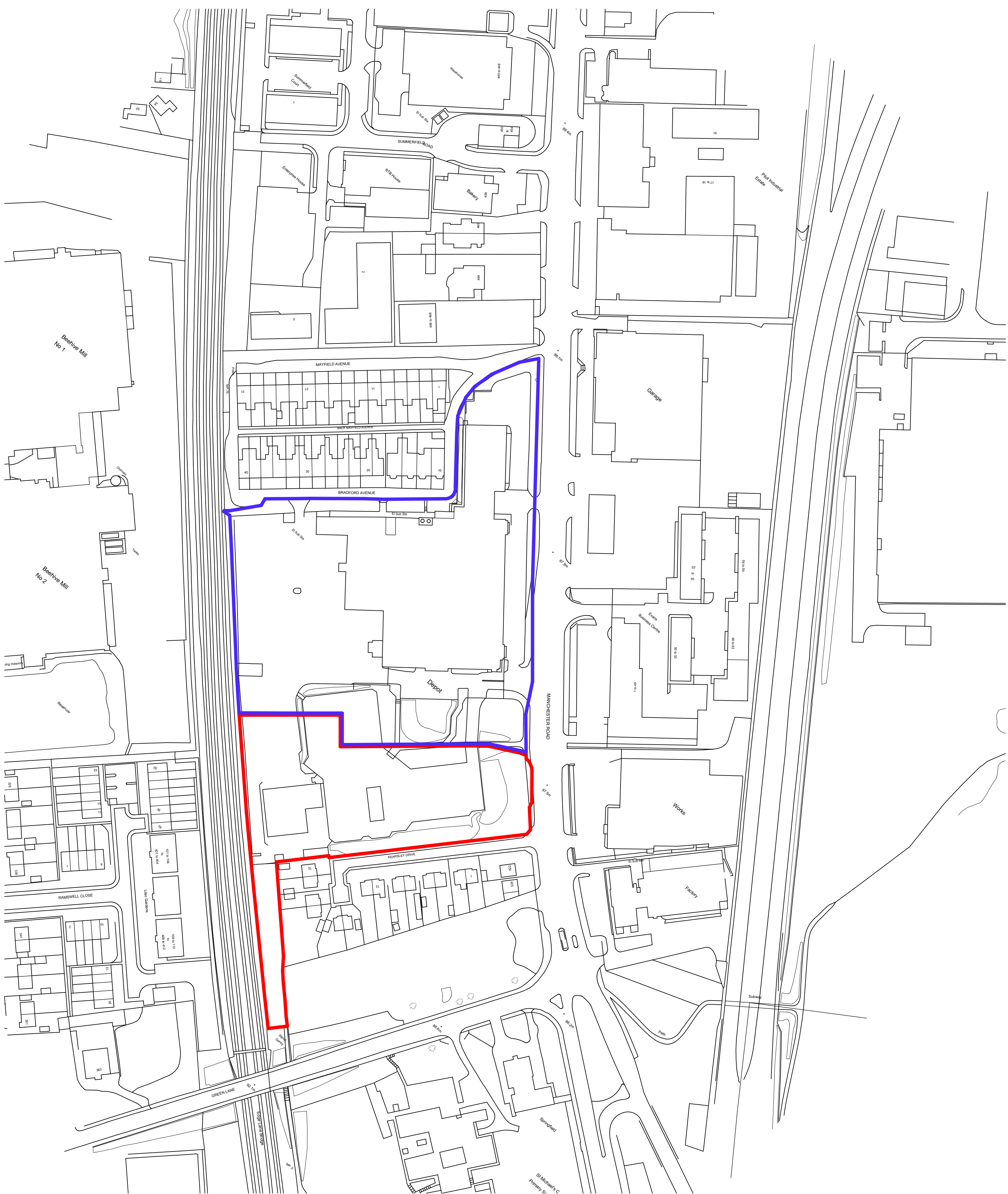
15. Approved Plans

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

3877.04 REV G REVISED PLANTING PLAN
L(00) 100 REV P1 REVISED GENERAL SITE PLAN
L(01) 100 REV P1 GROUND FLOOR
L(01) 101 REV P1 FIRST FLOOR
L(02) 100 REV P1 ELEVATIONS
L(90) 151 VALET BAY

Reason

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



campbelldriverpartnership
architects

client:
monte blackburn ltd

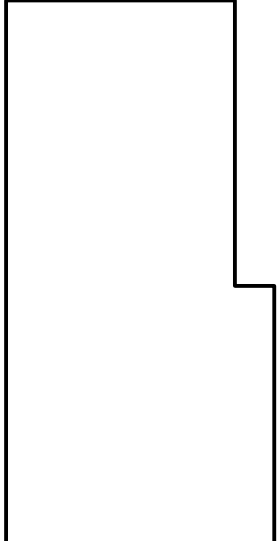
project:
site redevelopment
manchester road bolton

sheet:
location plan - cor dealership

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| loop no: | 17.139 | ring no: | 032 | A |
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scale:
@ A1
campbell driver partnership
blackburn ltd
bolton
t: 01254 297700
email: design@campdriver.co.uk

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01
02
03

Materials

- Composite Micro-rib aluminium cladding panel 1000mm module, vertically laid - H43120A Colour: Silver RAL 9006.
- Recessed cladding - STO Ventex insulated rendered carrier board system - H82711 Colour: Signal White RAL 9003.
- Aluminium framed, double glazed curtain walling system, 1200mm wide module. Clear glazing with insulated fin del frameX to H431111 (10A) External cover caps Colour: Silver RAL 9006.
- Jointless, clear double glazed Shop Window display panel - H117170c
- Entrance portal, metal framed with proprietary ACM laminate Oak effect cladding all by others.
- Aluminium framed, double glazed, bi-folding and sliding vehicle entrance doors. Clear glazing with internal finish Colour: Matt White RAL 9010 External Colour: Silver RAL 9006.
- Electrically operated vertical lift, steel double skin insulated shutter door including clear vision panels - L207777 Colour: Silver RAL 9006.
- Aluminium Framed clear double glazed windows - L207777 Colour: Silver Matt RAL 9006.
- Fire escape door, steel doorset with ppc finish - L207480 Colour: Silver RAL 9006.
- Aluminium louvers with ppc finish - L207650 Colour: Silver RAL 9006.
- Customer entrance, aluminium framed clear double glazed automatic sliding doors with 50% fixed clear glazed side panel - H117135A Colour: Silver RAL 9006.
- Profiled section metal parapet cap flashing as part of cladding system - H43480 Colour: Silver RAL 9006.
- Profiled section metal drip and closure flash as part of cladding system - H43480 Colour: Silver RAL 9006.
- Electrically operated vertical lift, steel double skin insulated shutter door including opaque vision panels - L207615 Colour: Silver RAL 9006.
- Electrically operated steel roller shutter with ppc finish - L207615 Colour: Silver RAL 9006.
- Volvo primary signage as C.I. Note - Curtain walling spandrel panels behind signage - H117110b
- Top hat flashing joint as part of cladding system - H43480 Colour: Silver RAL 9006.

Generally

1. All external and drip metal section flashings to windows and door surrounds as part of cladding system - H43480 Colour: Silver RAL 9006.

Pinch detail around building perimeter T.B.C.

| Rev | Description | Rev | By | CHK | Date |
|-----|--------------------|-----|----|-----|------------|
| 1 | ISSUED FOR EXAMINE | 1 | AW | ETC | 21/05/2020 |

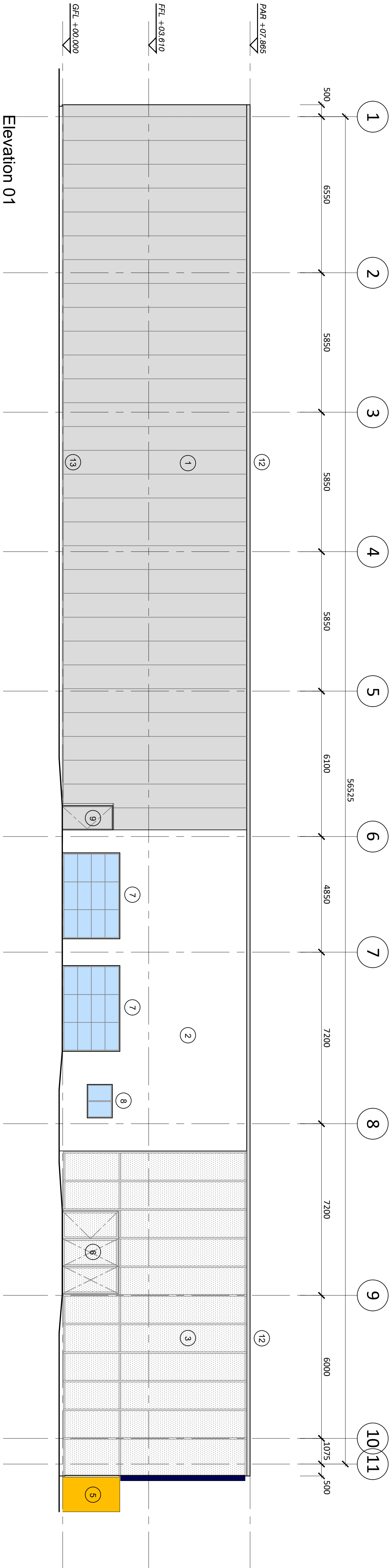
NORTHMILL
B S S O C I E T Y
Architectural Services

Project
Volvo - Manchester Road, Bolton

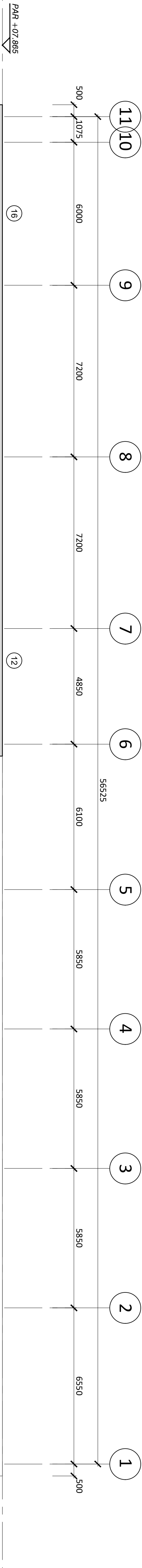
Client
Monte Blackburn Ltd

Drawing
Elevations 01 02 03 04

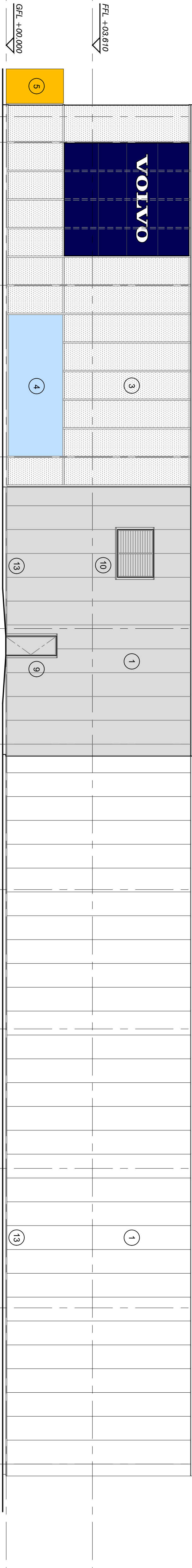
Project No: 3665
Drawn: JW
Checked: CTC
Scale: A1 1/100
Date: 01/05/2020
Status: Planning
Revision: P1



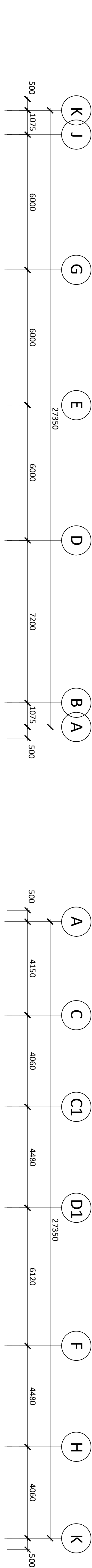
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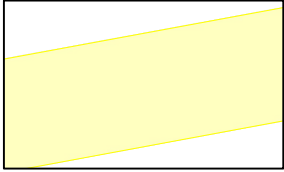
Elevation 02



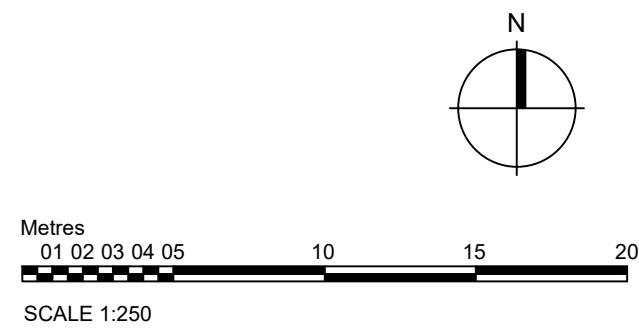
Elevation 03



Elevation 04



6M WIDE UNITED UTILITIES SEWER EASEMENT.
ALL PLANTING WITHIN THIS AREA IS SUBJECT
TO REVIEW BY UNITED UTILITIES.



LEGEND

SOFT LANDSCAPING

- Acer campestre 'Queen Elizabeth' planted as Standards 8-10cm girth
- Prunus cerasifera 'Nigra' planted as Standards 8-10cm girth
- Pyrus calleryana 'Chanticleer' planted as Standards 8-10cm girth
- Betula utilis 'Jacquemontii' planted as multi-stem
- Proposed shrub beds planted 3-5L containers 3-4 per sq.m
- Proposed specimen shrubs planted as 10-15L containers
- Proposed evergreen hedge planted 3L Pot at 4 per lin.m
- Proposed grass areas seeded with a general amenity grass mix (unless otherwise advised by the client)
- Proposed root protection barrier

Plant Schedule

| Trees | | | | | |
|-------------------|----------------------------------|--|-----------|---------|---------|
| Abb | Species | Specification | Height | Girth | Total |
| AcQE | Acer campestre 'Queen Elizabeth' | Standard: 4 brks: 2x: RB: Clear Stem 175-200cm | 250-300cm | 12-14cm | 7 No. |
| B u j | Betula utilis jacquemontii | Multi-Stemmed: Bushy: 2 stems: 2x: RB | 175-200cm | 12-14cm | 3 No. |
| P c 'Ch' | Pyrus calleryana 'Chanticleer' | Standard: 4 brks: 2x: RB: Clear Stem 175-200cm | 250-300cm | 12-14cm | 6 No. |
| Ornamental Hedges | | | | | |
| Abb | Species | Specification | Height | Density | Total |
| P x f 'R R' | Photinia x fraseri 'Red Robin' | Branched: 6 brks: C | 30-40cm | 4/m | 421 No. |
| Shrubs | | | | | |
| Abb | Species | Specification | Pot | Height | Density |
| C ter | Choisya ternata | Bushy: 4 brks: C | 3L | 30-40cm | 3/m² |
| El 'H' | Euonymus fortunei 'Harlequin' | Bushy: 5 brks: C | 3L | 20-30cm | 3/m² |
| H 'M B' | Hebe 'Midsummer Beauty' | Bushy: 5 brks: C | 3L | 30-40cm | 3/m² |
| H r | Hebe rakaisensis | Bushy: 5 brks: C | 3L | 30-40cm | 3/m² |
| H 'Hi' | Hypericum 'Hidcote' | Bushy: 3 brks: C | 3L | 30-40cm | 3/m² |
| L an | Lavandula angustifolia | Bushy: 5 brks: C | 3L | 20-30cm | 3/m² |
| L s p | Lavandula stoechas pedunculata | Bushy: 5 brks: C | 3L | 20-30cm | 3/m² |
| P mu 'M' | Pinus mugo 'Mops' | Bushy: C | 3L | 15-20cm | 4/m² |
| S x c 'K G' | Skimmia x confusa 'Kew Green' | Bushy: 3 brks: C | 3L | 30-40cm | 4/m² |
| Specimens | | | | | |
| Abb | Species | Specification | Pot | Height | Density |
| P F F' | Pieris 'Forest Flame' | Bushy: 3 brks: C | 10-15L | 60-80cm | Counted |
| RBT | Rhododendron 'Blue Tip' | Branched: 5 breaks | 10-15L | 30-40cm | Counted |
| RK | Rhododendron 'Klondyke' | Branched: 5 breaks | 10-15L | 30-40cm | Counted |

Planting Notes

- Tree procurement, planting and management shall be in accordance with BS 8545:2014 Trees: from Nursery to Independence in the landscape- Recommendations. All other plants shall be handled in accordance with 'Plant Handling', the booklet published by the Committee for Plant Supply and Establishment (CPSE). The contractor shall comply with clauses 3 & 4 of the above booklet (obtained from the Horticulture Trades Association, 19 High Street, Theale, Reading, Berks RG7 5H) which refers to the receipt, unloading and temporary storage of plants.
- Plants shall be first class examples of their species or variety, free from all pests and diseases, with good fibrous root systems and materially undamaged (refer to relevant sections of BS3936 Parts 1-4 'Specification of Nursery Stock').
- All planting is to be in general compliance with BS4428: 1989 'Code of Practice for general landscape operations (excluding hard surfaces).'
- Shrub beds to have a min depth of 450mm good quality topsoil, beds should be cultivated prior to planting and be free from weeds or any stones/ rubble material greater than 50mm.
- All trees are to be staked and secured as follows:
i) Multi-stemmed trees are to be secured with underground guy anchor secured into place with min 3no. stakes under the rootball.
ii) Standard trees are to be double staked using short stakes (at 600mm above ground level) and secured with across bar and rubber webbing tie and spacer.
- Any BR Whips or BR stock to be protected with a spiral bound tree-shrub guard and secured into place with a cane. Ensure that areas around the base of shrubs are maintained weed free during the establishment period using a glyphosate based herbicide. BR stock should be notch planted and heeled securely into position.
- Standards and Multi-stemmed trees are to be planted in 900x900x750mm deep tree pits (or large enough to comfortably accommodate the root ball, whichever is the largest).
- For the Standards and Multi-stemmed trees; One number 80 litre bag of tree planting compost (non-peat based) is to be incorporated into each tree pit. Compost must be mixed thoroughly with topsoil.
- The contractor must ascertain for himself/herself the exact location of underground services and maintenance points.
- All areas of ornamental planting are to be mulched to a depth of 50mm with medium grade tree bark.
- Water all plants and trees on the same day of planting and there after as necessary (min once a week in periods of drought) to ensure the establishment of the plants during the 12months defects period.

Planting scheme prepared in line with United Utilities Document
ref 90048 Issue 3.1. Planting scheme subject to review by UU.

REV G : Updated in line with comments received TC 02/06/20
REV F : Updated in line with comments received TC 20/05/20
REV E : Updated in line with latest layout TC 05/05/20
REV D : Updated in line with comments received TC 01/05/20
REV C : UU sewer easement info added
REV B : Proposed ornamental hedge and large shrubs replaced with groundcover shrubs EB 26/02/20
REV A : Existing wall retained, proposed hedgerow, trees in containers and image added EB 17/02/20



DEP LANDSCAPE ARCHITECTURE LTD
2 COMMERCIAL STREET
MANCHESTER, M15 4RQ
T: 0161 2419878
E: info@dep.co.uk
W: www.dep.co.uk

Client
Euro Garages Ltd.

Project
Manchester Road - Car Dealership

Description
Landscape Layout

Status
Planning

Scale
1:250@A1

Drawn
TC (CP)

Job number
3877

Drawing number
04

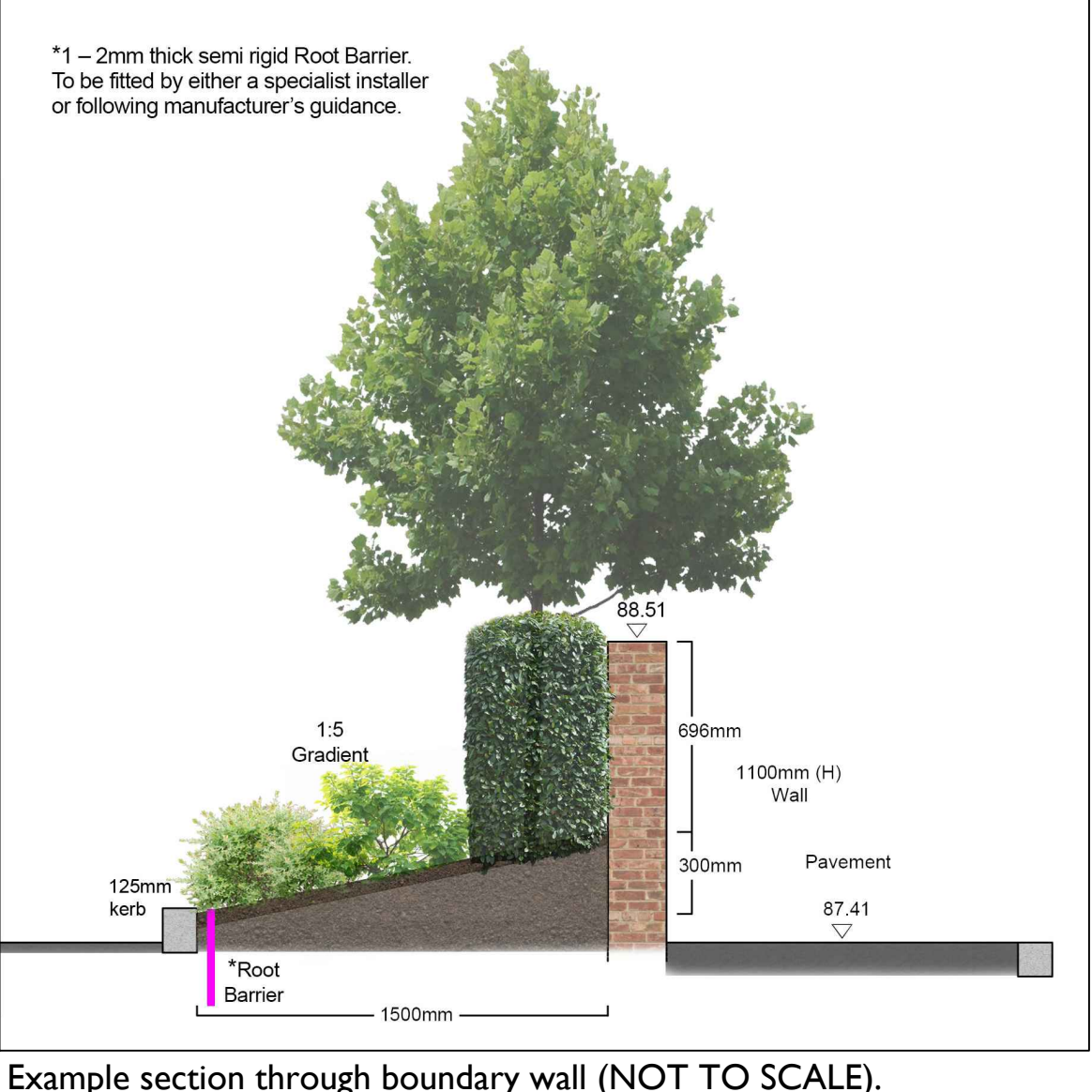
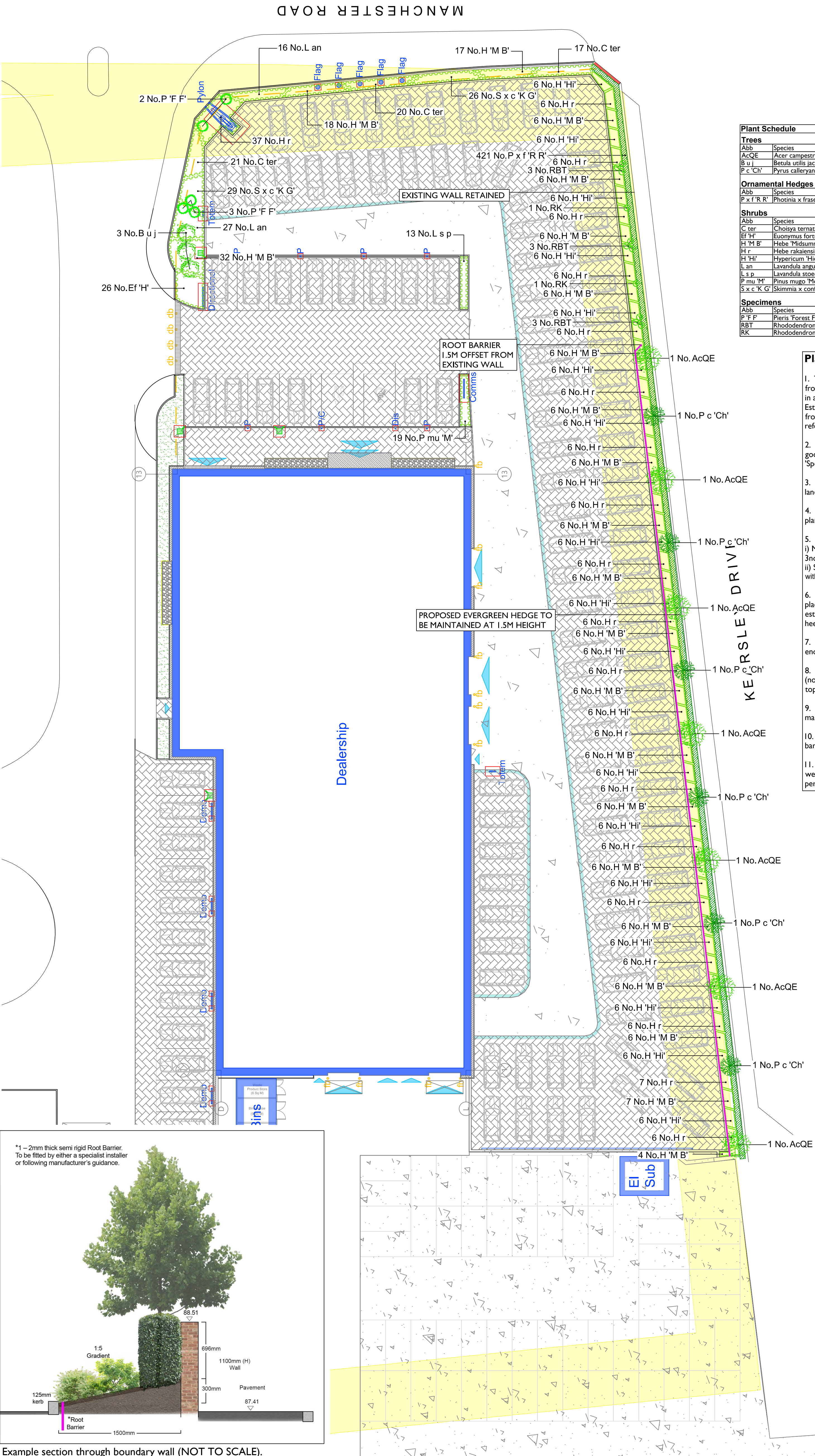
Date
Nov 19

Revision
G

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All levels and dimensions to be checked on site by contractor prior to commencement. Any variations to be reported to the client. This drawing is to be read in conjunction with all others relating to the project and all information derived accordingly; any anomalies to be reported to the client. Use figured dimensions only. Work shown on this drawings to be carried out in accordance with current British Standards and Codes of Practice.

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*1 – 2mm thick semi rigid Root Barrier.
To be fitted by either a specialist installer
or following manufacturer's guidance.



Application number 06551/19



Directorate of Place
Development Management Section

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

Bolton Council

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Date of Meeting: 25/06/2020

Application Reference: 06551/19

Type of Application: Full Planning Application
Registration Date: 19/07/2019
Decision Due By: 12/09/2019
Responsible Officer: Franc Genley

Location: 523 & 525 PLODDER LANE, FARNWORTH, BOLTON, BL4 0LB

Proposal: RETROSPECTIVE CONSENT FOR DEMOLITION OF NO. 523 AND THE MAJORITY OF NO. 525 PLODDER LANE AND THE ERECTION OF A DETACHED TWO STOREY DWELLING WITH PROPOSED EXTERNAL ALTERATIONS TO THE STRUCTURE AS BUILT, TOGETHER WITH HARD SURFACING WITHIN THE CURTILAGE AND INSTALLATION OF NEW GATES.

Ward: Harper Green

Applicant: Mr Ali

Agent : RA Design & Project Management Ltd

Officers Report

Recommendation: Approve subject to conditions

Changes Since December 2019

- Following consideration of the application at Planning Committee in Dec 2019, Members requested that Officers seek a reduction in the proportions of the dormer to closer replicate the previously approved structure;
- Revised plans have been received setting out an intention to alter and reduce the dormer from its built proportions, as well as clarify which windows are to be obscure glazed and fixed closed (see paragraphs 3, 8 and 21);
- Revised plans also set out the intention to install obscure glazing to three of the five first floor windows (para 6);
- When assessed against earlier applications, the impacts of this proposal would be very similar to the previous approval, however changes since the Dec 2019 committee have reduced the impacts of this scheme (see para 37, 42, 46, 48);
- Amongst more standard conditions, specific ones would secure the removal of the Juliet balcony openings and alterations to the dimensions of the dormer (see paras 48, 63), installation of obscure glazing to the rear dormer, provision of supplementary boundary planting and the removal of permitted development rights.

Executive Summary

- Planning permission was granted twice in 2018 for extensions to the pair of houses as they existed, together with amalgamation into one unit;
- Following a complaint, enforcement investigations established that the combined dwelling

- had been built marginally larger than previously approved;
- Following officer negotiations, works ceased and this application was submitted;
- The description of the proposal has altered following investigation into what has been demolished, what has been built and what would be further altered on site;
- On-site measurements have been taken by separately by both the Case and Enforcement Officer. These confirm that the footprint of the structure shown on revised plans accurately relates to what has been built;
- During the lifetime of this application, Officers have secured the deletion from plans of the Juliet balcony and the single storey side and rear extensions that were proposed upon submission;
- 15 no. local households and a passing commuter have objected to the proposed retention of the house, including the changes proposed as part of this application. The main planning concerns are loss of privacy, overdevelopment of the site, size of the dwelling, and allegations of circumvention of the planning system;
- The proposal is approximately 0.62m wider, 0.53m deeper and 0.50m higher than the previously approved extensions to form an enlarged, merged, two-storey house;
- When assessed against adopted policy, the scheme as proposed for retention complies with the wording of the policies;
- Where there are differences, mitigations are considered capable of addressing the issues identified; and
- A balanced updated assessment is made, and approval is recommended subject to a series of conditions to address amenity concerns.

Proposal

1. Retrospective permission is sought for the demolition of nos. 523-525 Plodder Lane and the erection of a detached two storey dwelling; 0.62m wider, 0.53m deeper and 0.50m higher than the previously approved detached two storey house. There are changes to dimensions of the bays and central gable projections the front elevation, with changes to the position, size and number of windows within each of the remaining three elevations. The proposals will result in a seven bedroomed dwelling (one bedroom in the roof space) with six off road parking spaces to the front. Previously the dwelling was approved with five bedrooms. The site level has been excavated and the height measurements above have been taken from marked ground level on drawings, not the below ground level of the building exposed on site.
2. The dwelling for which retrospective permission is sought measures 18.36m wide on plan (18.35m on site), 11.45m deep (on plan and on site), 5.5m high ground-to-eaves (8.93m high ground to ridge). The relative dimensions of the previous approval (ref 03579/18) comprised 17.77m wide, 10.93m deep, 5.4m high ground-to-eaves and 8.43m high ground to ridge. The frontage of the house is approximately 0.06m closer to the back edge of the footpath than previously approved. The rear of the property is 0.53m closer to the rear boundary than previously approved. Other elements built differently from the approved plans.

Rear dormer

3. The flat roofed 'dormer' to the rear roof face as built measures 9.17m wide, projects 4.66m out from the roof slope at a height of 2.65m, is set 0.23m below the ridge and up 1.26m from the eaves. As previously approved on plans it was to measure 9.17m wide, project 4.2m from the roof slope at a height of 2.25m, set 0.4m below the ridge of the property, and set back 1m from the eaves. A revised plan was received in January 2020, proposing to modify the dormer as follows. The rear facing window elevation of the dormer would be pushed back 0.58m into the new roof, away from the Tig Fold Road houses. Remembering

that the height of the main roof has increased by approximately 0.5m (already detailed in para 1 above), and the dormer was built larger than previously approved within this higher roof, the additional 0.58m set-in now proposed would result in a dormer (when modified) that projects out 4.28m from the roof slope, rather than 4.2m as previously approved or 4.66m as built. Once modified, the dormer set back from the eaves would be 1.5m. The dormer would be set down 0.2m from the main finished ridge, rather than 0.23m as approved. However, the main ridge height having risen by approximately 0.5m, the set down distance of the dormer is relative only to the new ridge line, not a fixed point in space. After modifications, the dormer would rise 2.45m high from the roof plane. The width of the dormer would remain 9.17m as previously approved. A further updated plan was submitted in February depicting the outline of the proposed (to be altered) dormer against the outline of the approved dormer. This plan made no changes to the scope of the proposals.

Other elements

4. **Two-storey front gable with entrance door** as built measures: 1.6m deep, 4.25m wide, and 7.37m high (to ridge). It was previously approved as follows: 1.5m deep, 5.95m wide, and 7.9m high (to ridge). Thus, it is 0.53m lower than approved, 1.70m narrower than approved but 0.1m deeper. The windows and doors within the bays differ slightly in style to the previously approved units with three-pane units proposed to replace wider two pane units. A small tiled roof is proposed over the porch doors.
5. **Bay windows** now each measure 0.8m deep and 3.63m wide. They were previously approved as 0.99m deep and 3.66m wide. Thus, they are each 0.19m shallower than previously approved, but 0.03m wider. The windows within the bays differ slightly in style to the previously approved units in that they are narrower, with brickwork pillars. The flat roof to each bay is now omitted with a small hipped roof over each now proposed, merging back into the main roof.
6. **Rear fenestration:** To the rear elevation an additional floor to ceiling window is proposed to light the central hallway, in the centre of the rear elevation. All other ground floor windows and doors are as previously approved. At first floor, five window units are proposed in place of the approved three. Although the number of openings has increased, the cumulative length of these openings has been reduced from 5.77m to 4.40m. The internal layout has altered in that where a single 2.2m wide window lit each of the two rear bedrooms, these same rooms are now lit by way of 2no. 0.76m wide windows in each room in the rear elevation. The central window was approved at width of 1.37m but is now proposed for retention at 1.35m. Revised plans submitted in January 2020 annotate these windows to include obscure glazing to the central window (a bathroom), and the outer window closest to each end of the building (up to a height of 1.6m from finished floor level). The 0.76m wide bedroom windows either side of the main bathroom window would not be obscured.
7. **Flank fenestration:** Due to internal reconfigurations to provide six bedrooms on the first floor an additional clear window has been introduced to the central part of each flank elevation at first floor. The two obscure-glazed first floor bathroom windows previously approved in each elevation have been relocated from approved central position to the forward and rear portions of the each elevations. There are no ground floor windows in either elevation.
8. **Other fenestration:** A series of external alterations are proposed to the as-built dormer structure to remove the taller Juliet balcony window openings in the rear roof structure and

insert smaller window openings. The applicant has agreed to install obscured glazing (level 5 obscurity) to the rear windows in the loft extension and limit any opening parts to being 1.6m above finished floor level. Revised annotated plans have been submitted in January 2020 depicting this. Clear glazed roof lights are proposed in the main front and side roof elevations.

9. **Other changes:** Hard surfacing is proposed to the frontage and parts of the rear of the new dwelling to facilitate car parking and patio areas. Access will be taken along both existing driveways from Plodder Lane. A new pedestrian gate is proposed to the front of the property, though design details have not been provided at this stage.
10. The reference to the single storey side and rear extensions have been deleted from the description as these elements are no longer proposed. The applicant has confirmed their intention to retain the trees on site

Site Characteristics

11. The site originally comprised of a pair of semi-detached dwellings fronting on to Plodder Lane, Farnworth. Each dwelling had its own dropped kerb crossover.
12. In 2018 permission was granted for conversion of the 2no. dwellings into a single dwelling together with the erection of two-storey extensions to the front, side and rear and a rear dormer (02628/18). Permission was again granted in 2018 (03579/18) for the same description, but this time included the distinction '(amendment to 02628/18)' and proposed a larger dwelling and dormer extension.
13. The original pair of houses measured 12.4m in width. The first planning permission drawings secured a new width of 15.2m, with the second planning application obtaining permission for a 17.8m wide extended dwelling. This current proposal seeks to regularise the as-built proportions of the 18.45m wide structure.
14. To the rear, on a slightly lower ground level, are 1950s style houses on Tig Fold Lane with gardens abutting the rear boundary of the site. Along this boundary, within the application site sit a row of well-established evergreen conifers which provide screening between the properties. The Tig Fold houses typically contain a bedroom and a bathroom to the rear of the first floor.
15. A low wall provides the front boundary with a fence approximately 1.8m high to the side and rear. Plodder Lane is composed of pairs and terraces of houses dating from the 1920s to the late 1940s with street frontages encompassing mock-Tudor gables over two storey front bays, single-storey front bays, with a mix of hipped ridged roofs and catslide roofs to side elevations. Most gardens incorporate car parking and soft landscaping to the frontage.
16. A public footpath runs parallel to what was the side elevation of no. 523.

Policy

The Development Plan

Core Strategy: CG3 The Built Environment, CG4 Compatible Uses, RA2 Farnworth, SC1 Housing, P5 Transport and Accessibility, S1 Safe Bolton and Appendix 3 Parking Standards.

Other material considerations

SPD Accessibility, Transport and Road Safety
SPD General Design Principles

Analysis

17. 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.
18. The main impacts of the proposal are:-
- context of previous planning approvals and ongoing enforcement investigation
 - impact on the character and appearance of the area
 - impact on residential amenity
 - impact on parking and highway safety

Context of the Previous Two Planning Approvals and the Enforcement Investigation

19. The proposal was originally submitted as an amendment to the approved planning permission 03579/18, to address the findings of an enforcement investigation that established the building was not being built in accordance with approved plans. Following consultation with neighbours and a site visit it became clear that the dimensions of the house as partially constructed were still not accurately shown on the drawings submitted with this current application. Concurrent to an officer request to submit accurate revised plans, officers began to negotiate with the applicant to delete the unbuilt aspects of the proposal from proposed plans.
20. Revised plans were received in October 2019 reflecting the structure as built, with no rear or side extensions proposed. Some changes are proposed to the windows in the rear dormer and front elevation as per the details earlier in this report. A revised description of development was also agreed with the applicant to reflect the demolition that had occurred. The revised description and plans were then subject to 21 days of consultation with neighbours.
21. Although some of the objections received relate to the earlier permutations of this application, it is the revised drawing no. RAD/1733/19/5/Rev D that this application proposes. The rear and side extensions are no longer proposed and have not been assessed.
22. Partial demolition has indeed taken place, but previously approved plans made clear the extent of works proposed. It is clear from those approved plans that the extent of elevational changes proposed at the time would completely eradicate the original front elevations of both houses.
23. If granted, the permission will establish a new dwelling, with its own curtilage. Although partial demolition has taken place, no.525's two-storey flank wall (facing no.527) and foundations have been incorporated into the build. It is therefore fair to conclude that the structure partially retains some of the original building and although a new dwelling would be the result, the proposal shares significant similarities with the previously approved principle of amalgamating two distinct dwellings and plots into one enlarged structure

housing a Class C3 single family dwellinghouse. Even if the Council were not to consider this to be the case, the area is residential and the principle of a new dwelling is compliant with Local Policy.

24. Alongside the current visual appearance of the site, a majority of the objecting households have expressed opinions (amongst other objections relating to privacy etc) that the development should be refused on grounds that the applicant has attempted to circumvent the planning process. The Planning Act 1990 (as amended) does not prohibit building work without consent. Instead, it states that structures become immune from enforcement action if four years pass uninterrupted by any investigation by a local planning authority. So, the action of building is not a reason to take enforcement action. Furthermore, the applicant stopped when asked by the Enforcement team without need for formal action. Then, when it was established there were discrepancies between approval and construction this application was submitted, seeking to regularise the matter.
25. If this planning application is approved, the enforcement breach will cease. If the proposal is refused, then the Council will have to consider the expediency and merits of taking specific enforcement action against the structure. This aspect will form part of the planning assessment in the conclusion.

Impact on the Character and Appearance of the Area

26. Paragraph 124 of the NPPF highlights that good design is a key aspect of sustainable development and is indivisible from good planning. Furthermore, it states that 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.
27. 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.
28. Policy RA2 of the Core Strategy relates specifically to developments in Farnworth and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment, will respect and strengthen the traditional grid-iron pattern and the street-scaping of existing houses where it is compatible with good urban design, and will require development to provide adequate privacy and amenity space.
29. The previous planning applications secured permission for two storey side extensions to 523 and a thickening of no.525's flank wall facing no.527. The previous proposal also secured permission for alterations to the front elevation of the enlarged house by way of revised quoining, window position and size, bay alterations, and significantly, removal of the separate doorways and the introduction of a central two storey bay with entrance doors.
30. The current proposals seek to secure retrospective permission for this 0.62m wider, 0.50m higher and 0.53m deeper house when compared to the dimensions of the previously approved planning application. The side elevations of the property would still maintain over 1m from the shared boundary with property no. 527 and these spaces would mitigate against any potential terracing effect. There are other properties in the area that have large two storey side extensions (eg. no.535 Plodder Lane). Compared to the previous scheme, the 0.63m increase in width is marginal and would not make the extension appear as an incongruous feature within this wider setting.

31. Neighbours consider that the original dwellings have been demolished. The applicant has submitted photographic evidence demonstrating that that parts of the original building survive in the western flank and front corner wall of no.535; and that half the building sits on the foundations of no.535. Regardless of the degree of demolition, the reality is that the previous planning applications have established permission for a single unified dwelling on this site, with extensions of proportions very similar to the one that now stands there.
32. Unlike the exposed brick and render dwelling approved via the first planning application, the second application established permission for the extended (unified) dwelling to feature brickwork and stone quoining to frontage corners. Whilst the second planning application secured permission for the forward gable projection, the then proposed mock Regency windows to the front elevation were removed and a pair of two-storey bay windows were approved. Some objection letters confuse previously superseded plans on earlier applications with what was actually granted planning permission on the approved plans listed on the decision notices.
33. In 2018 the Council gave planning permission for extensions and alterations that fundamentally changed the appearance of the frontage of the house, as well as its proportions. The central two-storey gable projection has been approved 0.53m higher and 1.70m wider than currently proposed. Bays have been approved in the same position but 0.19m deeper and 0.03m narrower than currently proposed. The revised gable projection is now smaller and of a size comparable with the two bays so that the frontage is now more balanced with more vertical emphasis, rather than the previous approval whose frontage now appears more squat and horizontal. When compared side by side to the two earlier approvals, the current proposal is considered by the Council's Design and Conservation Officer to possess a more balanced arrangement of architectural features than the previous schemes and is clearly distinguishable as a domestic house.
34. Notwithstanding this positive, the proportions of the house are such that it is almost one third wider than the cumulative frontage width of the original pair of houses. It is true that the pair of houses could have been independently extended with Council SPD compliant two storey-side extensions, and that the cumulative frontage length of the extended pair would have matched that of the house as built. While such a form of extension is typical to 1930s semi-detached housing stock, this stretch of Plodder Lane hosts no immediate examples. There are some single storey side extensions but no two-storey ones. This could of course change if acceptable planning applications are approved. The Council has not previously imposed Article 4 restrictions on local development nor considered the area worth of protection via means such as conservation area designation.
35. Whilst it is acknowledged that the proposed structure for retention would have a character and street appearance markedly different from other plots, it remains a material consideration that the Council has previously approved, on this site, extensions proportionate to the current proposals.
36. The predominant features on the rows of semi-detached houses both adjacent and opposite the application site are bay windows to both ground and or both ground and first floor level. A smaller number of dwellings share an apex mock-Tudor gable. The design of the street elevation has altered slightly since the previous permission and the window proportions within the bays and the forward gable projection now more accurately mimic the proportions of 1930s and 40s architecture of the street. The stone quoining is not a feature of the street but has been previously approved on this site. When compared with what was

permitted by way of application 03579/18, the Council's Conservation and Urban Design Officer is in agreement with officers that although revisions to the street elevations of the dwelling represent minor changes, they comprise positive improvements on the earlier designs sufficient for the Council to support the proposal on appearance grounds.

37. Whilst it was acknowledged that the roof 'extension' as built is large, and that the main roof is 0.5m higher than approved, the visual appearance of the main ridged roof over the house is maintained with hip ends. The proposed dormer is sited to the rear roof plane and therefore will have no impact on the street scene. Both the roof design (to accommodate the roof extension) and the rear roof extension have been previously approved via the planning process to very similar proportions and dimensions. The roof design will remain similar to other properties in the area that have built two storey side extensions. The rooflights would be in keeping with other examples of these features in the local area.
38. Following consideration by committee in December 2019, the applicant has followed member suggestions and sought to reduce the depth of the dormer, by pushing the facing elevation of the dormer 0.58m further away from the Tig Fold Road elevations, and shortening its overall depth and maintaining the 9.17m width previously approved. The visual impact of the additional 0.4m height of the dormer (when compared to the previous approval) is offset by the proportionate increase in overall roof height (0.5m) and width (0.63m), within which it appears proportionate. Whilst on a 2D plan the 0.4m and 0.5m increases in height appear obvious, when viewed from any distance, and particularly at 1.6m eye height (from the ground) from neighbouring gardens and public vantage points, the increases are marginal in their visual impact.
39. The surfacing of some of the front garden to what was no.525 is acceptable, as is the new pedestrian gate in the centre of the property. Both of these proposals mimic features already evident on neighbouring properties.
40. The building remains unfinished, clad in scaffolding with the building works paused for several months. The scaffolding itself currently contributes to how visible the house is in the street scene. Once scaffolding is removed and the building finished, the additional 0.63m width is unlikely to be obvious to any onlooker. The design changes to the proportions of the bays and front gable projection, including roof detail and window arrangements would provide a stronger vertical emphasis in the elevation that draws the eye and offsets the additional 0.63m width.
41. It is considered therefore that the design of the existing building, together with the amendments proposed to the roof and front garden are acceptable and would be compatible with the existing design of dwellings in the locality in accordance with national and local policy.

Impact on Residential Amenity

42. 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. Whilst the Council's guidance on minimum interface distances between dwellings and private amenity space standards are contained within SPD General Design Principles.
43. Residential properties surround the site to the front and rear. To the rear are properties on Tig Fold Road with these being on a slightly lower level (approximately 0.3m lower). The SPD General Design Guide Principles sets the interface distances between elevations

containing principal habitable room windows at 21m. The previous planning application accepted two storey rear extensions to the rear of the original house that reduced the interface distance down to 19.8m and 18.75m (the Tig Fold Road houses are at a slight angle). The justification for this was the adopted SPD definition of 'principal' rooms whereby the first-floor rear bedrooms do not qualify as principal rooms as they are not the largest two bedrooms in the house. Although the rear wall of the house has moved back 0.53m (reducing the above figures to 19.26m and 18.22m the design and layout of the property is such that there is only one principal room window to the rear of the property, this being to the lounge on the ground floor.

44. Since the case was discussed at the December committee, the applicant has amended the proposals to include obscure glazing to 3no. of the 5no. first floor windows and accept a condition requiring its retention in perpetuity. With regards for para 6 of this report, the previous approval allowed a cumulative length of glazing amounting to 5.77m in this elevation. At submission this proposal reduced this to 4.40m and amendments on the January 2020 plans now propose to obscure the central window (1.35m) and two of the 4no. 0.76m wide windows (1.52m), leaving only 1.52m of full height clear glazing to the rear. Whilst the Council does not consider this additional modification necessary in isolation, the overriding cumulative impact of reducing the total extent of transparent glazing at first floor from 5.77m to 1.52m would be beneficial to both the occupants of the Tig Fold Houses and the proposed bedrooms, whilst still providing an outlook.
45. Neighbours in the Tig Fold Road houses have expressed concerns about loss of privacy and overlooking into their rear bedroom (qualifies as a main habitable room window) and bathroom from windows in the new house. Similarly, the Council must assess whether the privacy of the new residents will be compromised by the shorter than ideal interface distances to existing habitable room windows.
46. Neighbours have objected strongly to both this application and the fact that the previous ones were approved to start with. However, the manner of assessment has been consistent throughout the run of applications for this site and has had specific regard for the wording of the adopted design SPD (as above) which defines both what a principal habitable room is and when the interface distances of 21m should apply.
47. So, although the interface distance falls 0.53m shorter than the previous planning approval, the SPD policy wording is clear that it does not in this case support a refusal based on an interface distance lower than 21m. Notwithstanding this, the 0.53 reduction in interface distance is adequately mitigated for by way of the natural screening along the rear boundary in the form of landscaping and evergreen conifer trees. The applicant is also willing to supplement this screening with further trees to offset any narrow glimpses that may at times be possible through the dense conifer branches and fronds.
48. In respect of the rear roof level 'extension' (dormer), revised plans (Jan 2020) propose further changes to permit the dormer to be moved back 0.58m from its previously approved position so that it would be placed 1.5m back from the eaves and 1.25m back from the main rear wall. Having regard for the 0.53m reduction to the first floor/first floor interface distance (paragraphs 42-45); the revised dormer position would increase the interface distance between the first floor windows in the Tig Fold houses and the proposed dormer position back to between 20.5m and 19.45m – as per the 03579/18 approval. As built the structure included full height Juliet balcony openings but current plans delete these and reintroduce two sets of three pane windows similar to the approval. The previously approved roof extension contained a single bedroom whose larger dimensions qualified it as

a 'principal room' and necessitating the inclusion of a condition securing obscure glazing. Revised January 2020 plans clearly depict that the dormer windows will be obscure glazed and fixed closed up to 1.6m from finished floor level.

49. The favourable assessment against SPD policy is supported by the presence of the trees. Only a Tree Preservation Order can be used to safeguard trees in perpetuity. However, a TPO is not appropriate here as the species and grade are unremarkable and of a mediocre quality. A normal planning condition cannot secure the retention of the trees, but a satisfactory planting scheme could be required to be augment and enhance the screening to the rear. It would benefit Tig Fold residents and the applicant to select fast growing natural species. It is in no one's interests to remove the trees, and the applicant has annotated their plans with the intention to retain the trees.
50. Conditions are able to secure removal of the Juliet balcony openings, reductions in the dormer, obscured glazing and opening height for the lifetime of the development. With overlooking from the dormer removed from the equation, the visual interruption afforded by the evergreen trees will help offset the limited visual impact of the dormer when viewed from the rear of Tig Fold houses. Subject to the conditions needing implementation on site prior to first occupation the roof 'extension' would satisfy adopted policy.
51. The proposal extends the rear elevation of the house an additional 0.53m, however it will not have a detrimental impact on the adjacent property at no.527 as the two properties are set 5.9m apart and there exists a detached garage with ridged roof over within 527's rear garden beyond the rear living room windows of 527, interrupting the view of the new house.
52. The clear bedroom window in each flank would face the adjacent property. In the case of no. 527 this would look onto a brick wall containing three windows lighting a landing, a bathroom and wc. All three windows are obscured. The clear bedroom window facing no. 521 would sit 13.6m from the facing elevation in that property with a public footpath passing between the two houses. There is an obscure glazed bathroom window in the first floor side elevation of no 521, and a stairway landing window between floors. A tall hedge sits on the boundary. Neither the bedroom, nor the landing comprise principal rooms and the 13m interface distance satisfies the requirements of the Council's SPD.
53. The four rooflights would face the roof slopes of nos.521 and 527, and the same non-principal windows as detailed in the previous paragraph. The rooflights in the front roof slope would face the street and light the bathroom and bedroom. They would be positioned approximately 28.5m from the facing windows in the houses opposite and there would be no harm to neighbouring amenity from any of the rooflights.
54. The previous permission removed the property's Permitted Development (PD) rights for extensions and outbuildings to prevent the addition of extensions without the submission and assessment of a further planning application. Given the limited space left on the site, it would be prudent to attach a similar condition to this permission. However, there would be no need to restrict fencing and means of enclosure beyond what is normally permitted.
55. The proposed development is considered to be compatible with the surrounding residential dwellings and would not result in an unacceptable loss of light. Existing trees offer suitable interruption to short interface distances and no principle habitable room windows are compromised in either the application property or Tig Fold houses to the rear. Obscure glazing and supplementary landscaping conditions are proposed to add extra safeguards to

the existing neighbouring amenity and the development provide adequate internal and external space for the future occupants in accordance with policy CG4 of the Core Strategy.

Impact on Parking and Highway Safety

56. 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.
57. The proposed development would provide space to accommodate six cars within its curtilage in line with Appendix 3 of Bolton's Core Strategy. The new gateway and gates will provide a safe pedestrian entrance to the house, separate from the two existing vehicular access points. Highways and Engineering raise no objections to the proposal and it is considered that the proposed development would be in accordance with policies S1, P5 and Appendix 3 of the Core Strategy.

Landscaping

58. 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 CG3.7 states that the Council will maintain and respect the landscape character of the surrounding countryside and its distinctiveness. any soft landscaping and landscape enhancement scheme should enhance biodiversity and be compatible with the nearby landscape character types identified by the Landscape Character Assessment.
59. Whilst the forecourt of no.523 was previously hard surfaced, the area around no.525 was not and permission is sought in respect of additional hardstanding to accommodate cars on the frontage. To avoid flash run off during rain showers it is considered appropriate to attach a condition requiring porous bound surfaces to be used for the parking areas to the front of the house. Similarly, to help augment the tree screening on site and local biodiversity, a condition should require the implementation of supplementary planting to the rear boundary of the site.
60. Because of the limitations of the plot, all domestic permitted development rights (bar means of enclosure) in respect of the new dwelling are to be removed by condition. This means that any additional paving, decking, outbuildings, extensions and new windows within the plot will be subject to the full planning process.

Value Added to the Development

61. The applicant has deleted proposals for single storey side and rear extensions from plans and also showed a reversion in the 'dormer' to traditional windows rather than Juliet balconies and tall openings. The proportion of first floor rear glazing has been reduced and obscure glazing is proposed to the rear dormer windows sufficiently addressing privacy concerns. Proportions of the bays and front gable feature have been reduced to improve the vertical emphasis and residential identity of the frontage. The accuracy of drawings has been improved, enabling a thorough assessment against earlier approvals.

Expediency of Enforcement Action

62. Although many neighbours state that the building 'towers over' local houses, the distances between the approved dimensions and what is now proposed are small. The proposal now incorporates measures to reduce the impact of first floor windows by reducing their size and introducing obscure glazing where there was previously none. However, regardless of these

benefits the proposal already remains compliant with the Council's adopted planning policies. To refuse the application contrary to what the adopted policies permit, with no demonstrable worsening of amenity impact (when compared to the approved scheme) could leave the Council having to defend the refusal and/or any enforcement action on Appeal. Chartered Royal Town Planning Institute (RTPI) officers operate via a professional code whereby recommendations, decisions and the defence of those decisions must follow adopted policies, material planning considerations and the relevant Acts of Law.

63. Neighbour objections express a desire for the house to be demolished and rebuilt as approved, as an example to others. When making planning decisions the Council must take account of the views of all stakeholders, as well as its own policies and those within the NPPF. In considering the opinions of neighbours, the Council must act reasonably and with consistency in its decision making, in accordance with the law. Planning legislation is clear that enforcement action cannot be taken where planning permission would be granted. In any refusal and enforcement scenario, the only reasonable outcome the Council could expect to achieve with the applicant would be a reversion to the previous approval. However, in visual terms officers consider the previous approval to be visually blander, squat and less appealing; with wider unobscured glazing to the rear first floor bedrooms. Effectively, the current proposal would have sufficient visual and amenity benefits over the previous decision, to logically secure its own approval against policies. The carbon footprint and wasted material resources associated with any demolition and rebuild to a lower visual/amenity grade would also be a material consideration and hard to justify on sustainability grounds. It is the balanced recommendation of officers that it would not be expedient to pursue enforcement action in this case.
64. Refusal and enforcement of course remain an option to Members of the Committee, who are the decision makers in this instance. Whilst members are not bound by the RTPI Charter, if officers are unable to subsequently evidence or defend a reason for refusal or justify enforcement action, a not unsubstantial risk exists that any appeal may be allowed with the Council left to pay the appellant's professional and legal costs.

Local Finance Considerations

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

Conclusion

66. In summary, while the Council shares neighbours' disappointment that the applicant did not seek planning permission prior to the structure being built larger than approved, this factor does not alter the material assessment against planning policy and site constraints that the Council is obliged to make. This report has assessed whether there are any distinct harms, in excess of those previously considered acceptable on the previous permission (caused by the increases in height, depth, width and elevational appearance) that cannot be sufficiently mitigated against by way of condition.
67. The street elevations successfully incorporate references to the period character of houses on the street and would be compatible with the existing design of dwellings in the locality in accordance with local policies RA2 and CG3 and paragraph 124 of the NPPF.
- 68 Subject to conditions to address the matters raised in this report (dormer reductions/changes, obscure/non opening glazing, supplementary tree planting, removal of PD rights), the proposed development would be compatible with the surrounding residential

dwellings and would not result in an unacceptable impacts on neighbouring or future occupant amenity, including privacy, in accordance with policy CG4 of the Core Strategy.

69. The proposed highway, parking and access arrangements would satisfy policies S1, P5 and Appendix 3 of Bolton's Core Strategy. Subject to the further amendments proposed on plan and the application of the conditions suggested in this report, the extensions and structure as built would not compromise the aims and objectives of the relevant policies contained within the Core Strategy and there are no material planning considerations that would justify a refusal of permission. It is recommended that the application be approved.

Representation and Consultation Annex

Representations

Letters:- Objections have been received from 13no. households on Plodder Lane and two households on Tig Fold Road.

Pre January 2020 Amendments

Nine households objected. Many of the objections are repeat submissions of the same objection, updated with additional comments following reconsultation in respect of revised plans deleting the single storey rear and side extensions and the roof balconies. The proposal was re-advertised prior to the December committee to reference the demolition of one of the dwellings to better reflect the findings of the enforcement investigation and accurately reflect the parameters of the retrospective application. The following objections were received:

- Applicants have no regard for their neighbours;
- Concern that neighbours were not consulted on previous applications;
- Plans are inaccurate and do not show accurate distance to what has been built;
- Dimensions of what has been built on site need to be checked;
- Totally out of character with Plodder Lane houses;
- Overbearing, much higher than surrounding dwellings;
- New house as built is less than the legally required 21m distance from rear windows of the Tig Fold houses;
- Significant loss of privacy. First floor and dormer windows look directly into the rear first floor bedroom (childrens' room) on the Tig Fold Road houses, and also rear gardens;
- Concerns that application forms imply trees are to be removed, worsening loss of privacy;
- Natural light has been reduced to rear of no. 527;
- Size of property would accommodate 5no. families with 6-10 children, and will generate unreasonable levels of noise, activity;
- Size of property would accommodate 5no. families will generate car parking needs for 10 cars, with site incapable of hosting, causing overspill onto road and double yellow lines/bus stop;
- Demolition has taken place without consent from the Council;
- Council should take enforcement action to demolish the dwelling and force the applicant to rebuild the original houses and form the extensions only as they were approved on the first application, not the second approval;
- Previous permission removed the property's PD rights to prevent the addition of extensions without the grant of further planning permission; Each bedroom has an ensuite bathroom so safe to assume that the house will be turned into an HMO;
- Font size and selected dimensions on plans are intended to mislead.

Officer comments: Previous application records confirm consultations took place with all properties sharing boundaries with application site. Revised plans correcting dimension errors have been secured and checked on site as accurate by two separate officers. All other matters are addressed in the report.

Post January 2020 Amendments

Revised plans received in January 2020 seek further amendments to the dormer and first floor window arrangements and were subject to reconsultation with neighbours. The February revision of the plan did not make any further changes to the proposal but added a comparison sketch showing the previous approved dormer alongside the now proposed dormer. Seven households submitted new objections, 4no. of which had not previously commented. The objections reiterate some of the above points but also raise the following:

- Plans some panels of rear dormer windows to be clear glazing, giving rise to overlooking;
- Dormer roof already built and sits higher than unfinished roof face ridge;
- Large garden shed to 527 doesn't prevent overlooking from new dwelling of outdoor seating area to rear of 527;
- Dormer will overlook private garden of 529, compromising privacy of children in summertime;
- Number of windows have increased in the upper floors of the rear elevation;
- Future ability to extend the property in any way should be legally removed;
- Size of property would lead to multiple-occupancy use;
- Permission should be refused because the house was built without permission;
- Public opinion on design should outweigh that of planning officers and committee members;
- December Committee report is misleading in its language and conclusion; and
- The fault of the oversized build lies with incompetent neglectful planning staff;
- Website Portal closed a day early on 3rd January, rather than 4th, preventing consultees from responding; and
- Objections to the consideration of this case at any socially distanced/Virtual Planning Committee during the CoVid19 pandemic.

Officer comments: All rear glazing in dormer would be obscured upto a height of 1.6m above finished floor level – this is above an average adult eyeline height and is a standard constraint of such conditions. At first floor, it is an established characteristic of suburbia that first floor windows will typically overlook adjacent gardens at an angle. However, applicant has offered obscure glazing to the rear elevation bedroom window nearest no 527 and this would prevent overlooking of the rear of that garden. The number of windows have increased at first floor level, but the overall length of glazing has reduced compared to the earlier approval (discussed in paras 6, 8 and 42). It is recommended that 'Permitted Development rights' are removed for the new house, but the Local Planning Authority cannot legally prevent future planning applications from being submitted. Multiple occupancy by unrelated individuals may require its own application for change of use. The application is part retrospective for retention with further changes to the dormer roof and window obscuring to be secured by conditions. The proposal has been assessed by the Council's Conservation and Urban Design Officer and a balanced assessment of its design forms only part of the wider assessment of the structure's merits and impacts against adopted policies, the site constraints and the planning history. In accordance with the government's National Planning Policy Framework, a recommendation follows the balanced assessment of all the material planning considerations. In this instance, the decision rests with elected members forming the Planning Committee. Objectors unable to submit comments via the portal have been received via the departmental email account. The planning matters raised by objectors have been addressed in the revised report. Satisfactory plans were received sufficient to return this case before committee members for determination but the consideration of this application has been delayed since the March Lockdown. The legality of staging a Virtual Planning Committee is now enshrined in emergency legislation and Bolton has resolved locally to utilise the government's legislation.

Offensive and inappropriate comments have been received from one neighbour alleging a bias in favour of the applicants on grounds of their ethnicity.

Objections to elements of the scheme no longer proposed

- Juliet balconies completely unacceptable as will worsen already diminished privacy;
- Balcony over single storey rear and side extensions will cause further overlooking at short distances.

Officer comments: Officers have secured the removal of the single storey side and rear extensions from proposed plans. And the applicant has agreed to re-engineer the roof extension to remove the Juliet balcony openings and instate wall and window openings as per proposed plans.

Non Planning objections

- Additional height of proposal will impact on solar panels (opposite) and ability to generate electricity/revenue;
- Applicant has carried out development in this way to circumvent planning system and achieve a new dwelling in place of two houses which would have been refused had it been specifically applied for;
- The original planning applications should not have been approved;
- Building Control applications have been refused in 2018 yet building work continued into 2019. Residents not consulted on Building Regulations applications. Applicant has admitted they don't have the 'foundation certificates'

Officer Comment: The ridge of the house is 0.53m higher than approved, at a distance of over 33m from the roof face with panels. It is not unlawful under the Planning Act 1990 (as amended) to carry out building works without planning permission in place. In any event, works ceased at the involvement of the Enforcement Service, culminating in the assessment of this application to regularise the situation through the correct channels. The previous applications were assessed against the same adopted policies and publicised in the normal way prior to approval. Building Regulations applications are not subject to public consultation, nor part of a planning assessment.

Petitions:- none

Elected Members:- Councillor Susan Haworth wrote to the Council in Nov 2019 asking that if approval is recommended the case be heard by the Planning Committee and the site visited by members before a decision is made. The material planning considerations in this case are listed as follows:

- Around ten homes from Plodder Lane and Tig Fold Road have raised objections
- The objections are separate to the on-going enforcement case.
- Residents consider that this proposal conflicts with Bolton's House Extensions supplementary planning document in respect of dormer windows, street appearance, measurements between properties, amenity and windows.
- At least five homes (28-36 (evens) Tig Fold Road) consider themselves at risk from loss of residential amenity and privacy, and at risk from overlooking and loss of privacy.
- Concerns have been raised that the extensions have resulted in large scale change residents were not expecting with the character and appearance fundamentally altered.

Consultations

Advice was sought from the following consultees: Greenspace Neighbourhood Services; Highways & Engineering; United Utilities; Pollution Control

Planning History

035579/18 - Conversion of two dwellings into single dwelling including erection of two storey extensions to front, side and rear and rear dormer (amendment to 2628/18). Approved July 2018.

02628/18 - Conversion of two dwellings into single dwelling including erection of two storey

extensions to front, side and rear and rear dormer. Approved March 2018.

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

Reason

To reflect and soften the setting of the development within the landscape and in order to comply with Core Strategy policies CG1 and CG3.

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

Reason

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

4. Before the first occupation of the building and roof accommodation hereby permitted the glazing units in both of the window openings in the second floor roof structure facing the rear of nos. 28-34 Tig Fold Road shall be fitted with obscure glazing in accordance with the annotations on the approved plan and with 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 with level 5 obscured glazing in that condition thereafter. No part of either of those two windows, or any replacement unit shall be openable unless that part is above 1.6m in height from the internal finished floor level.

Reason

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

5. Before the first occupation of the building hereby permitted the 2no. glazing units to the first floor rear elevation, each closest to the western and eastern corners of the elevation, and the 1no. central bathroom window, all 3no of which face the rear of nos. 28-34 Tig Fold Road shall be fitted with obscure glazing as indicated on the approved plan and whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure). These 3no. windows shall be permanently retained with level 5 obscured glazing in that condition thereafter. No part of either of those 3no. identified

glazing units or any replacement unit shall be openable unless that part is above 1.6m in height from the internal finished floor level.

Reason

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

6. Before the first commencement of the residential use hereby permitted no less than 6 car parking spaces with minimum dimensions of 2.5m x 6m shall be provided within the curtilage of the site, in accordance with approved drawing Drawing RAD/1733/19/5/Rev D]. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

7. Any additional hardstanding to be laid down to the street frontage of the new dwelling hereby approved shall be formed from a porous bound surface.

Reason

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

8. Foul and surface water shall be drained on separate systems

Reason

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

9. Alterations proposed to the building hereby retrospectively approved shall be constructed using materials of a similar colour, texture and size of those of the existing building, and shall be retained thereafter.

Reason

To ensure the development fits in visually with the existing building and safeguards the character and visual appearance of the locality and in order to comply with Core Strategy policy CG3.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, hardstandings, soil stacks, waste, pipes (other than rainwater pipes), meter boxes, central heating or biomass heating flues, solar PV, solar thermal, wind turbines, satellite dish(s), TV or radio antenna, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed attached to the dwelling or within the curtilage shown on approved drawings without the further explicit grant of of planning permission by way of a separate planning application

Reason

To safeguard the character and appearance of the dwelling and the amenity of neighbours now that the resulting plot size is limited by way of the approved dwellings proportions in accordance with policy CG4 of Bolton's Core Strategy.

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 windows or doors shall be formed in the rear elevation or rear roof elevation (including second floor roof extension) of the development hereby approved other than those shown on the approved drawings, nor shall those approved windows or doors be enlarged or altered.

Reason

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

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

RAD/1733/18/1/RevC (Site Location Plan)

RAD/1733/19/5/Rev D (Proposed Elevations and Plan)

Reason

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

Original Pair of Houses



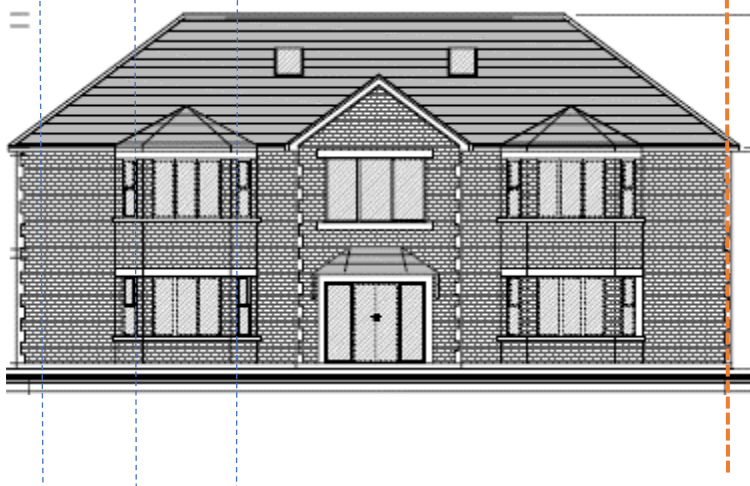
Original Approval



Second Approval



Current Proposal



Do Not Scale from these Drawings. As presented, the above drawings are not to scale, but are in scale with each other.

Original Pair of Houses



Original Approval



Second Approval

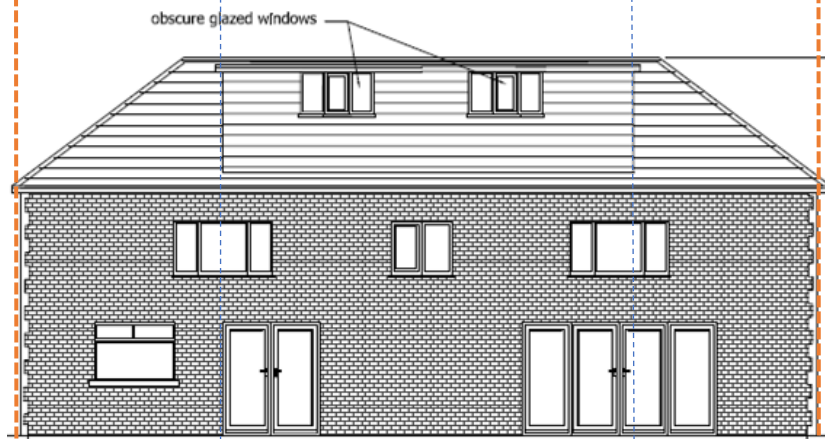


Current Proposal (amended Feb 2020)

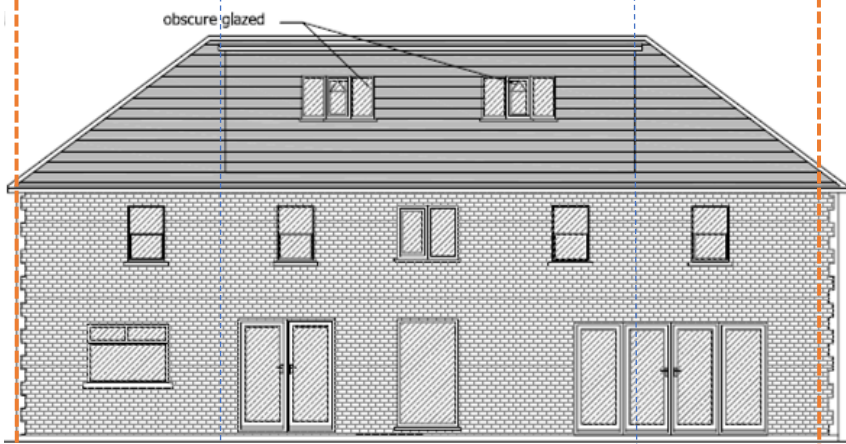


Do Not Scale from these Drawings. As presented, the above drawings are not to scale, but **are** in scale with each other.

Second Approval



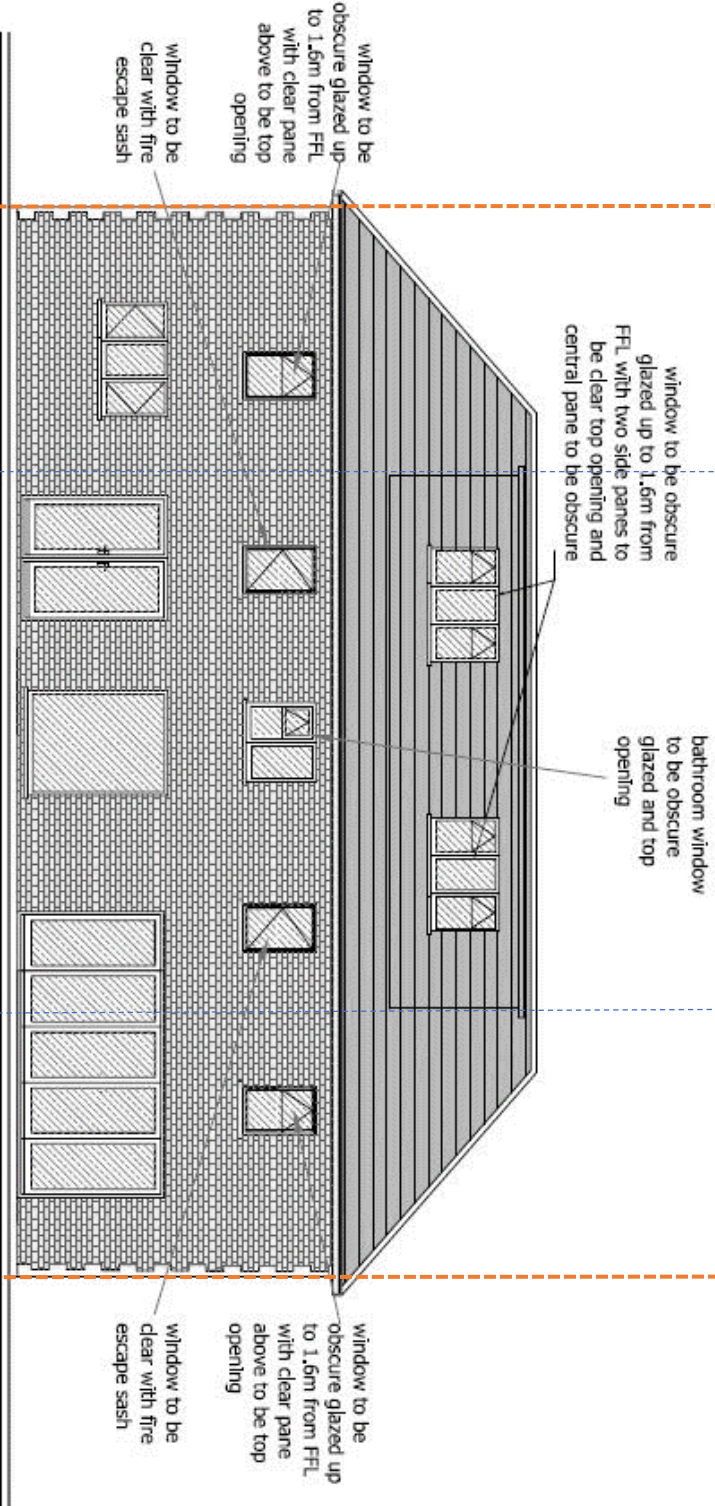
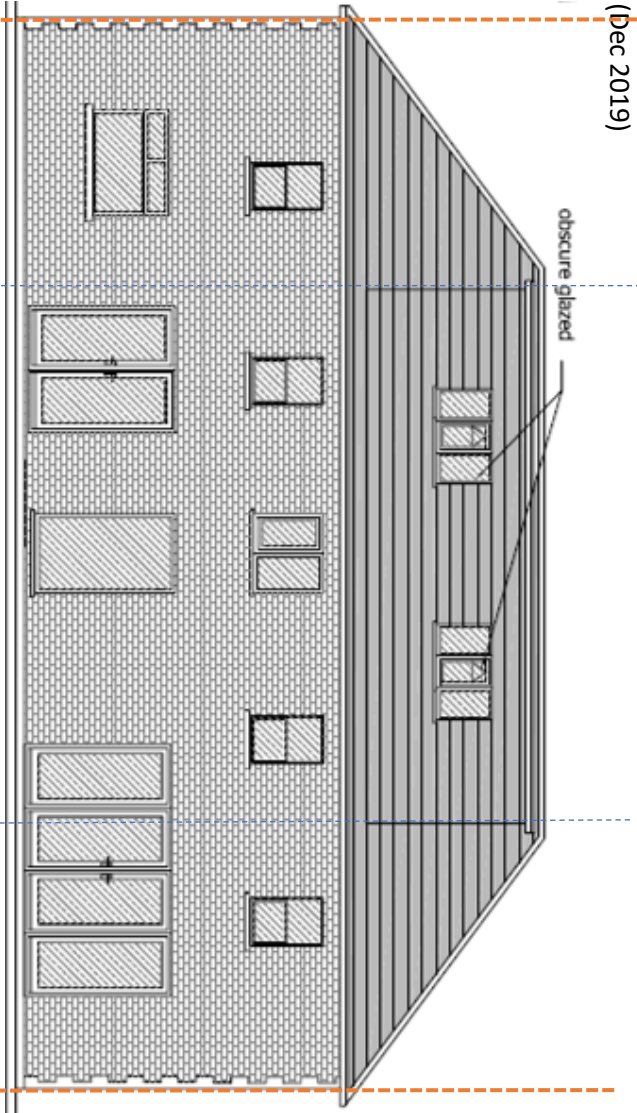
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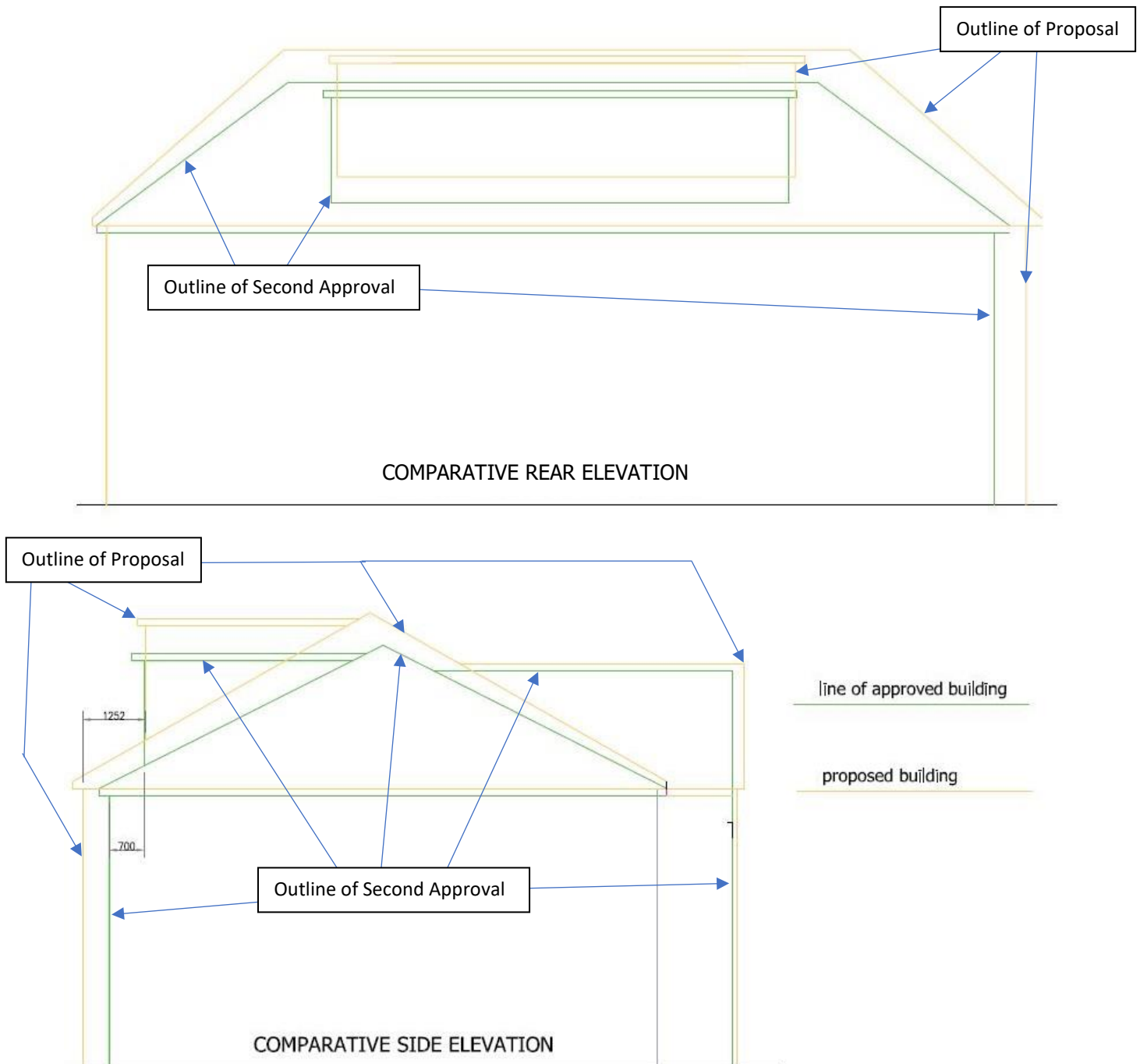


Current Proposal (Feb 2020)



Do Not Scale from these Drawings. As presented, the above drawings are not to scale, but **are** in scale with each other.





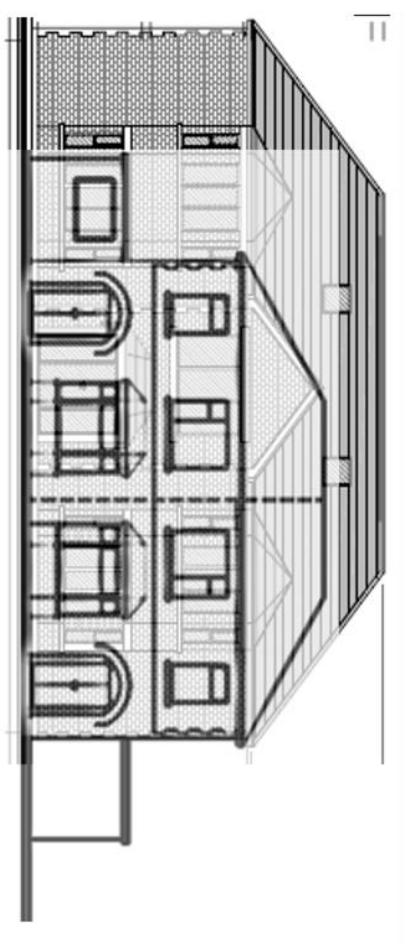
Green represents what was approved via the second permission on site.

Yellow represents what is being applied for as part of this application,
(including the changes also proposed to be carried out to the structure)

[The arrows have been added for the monochrome print version]

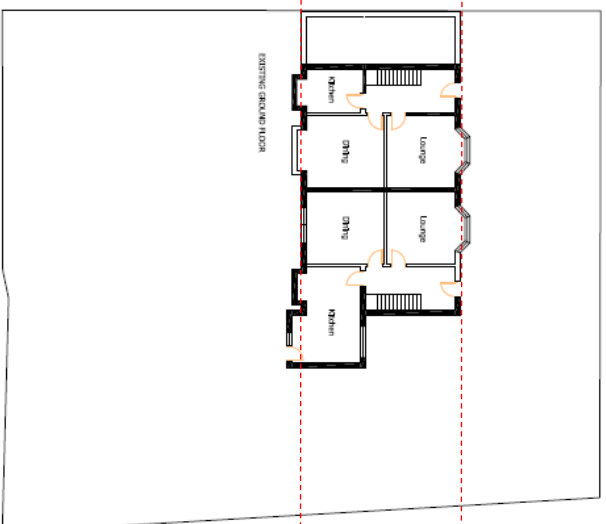
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Original Pair of Houses laid over Current Proposal

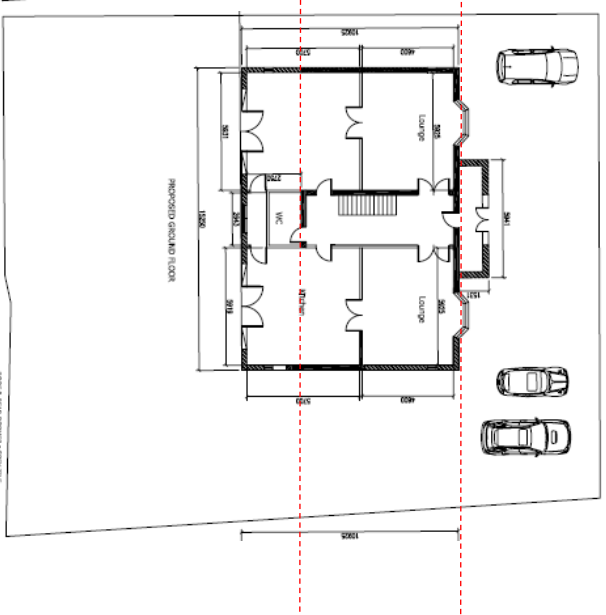


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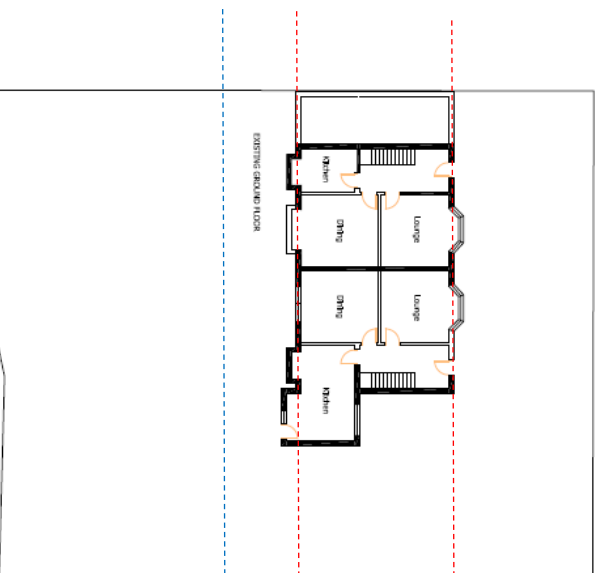
Original Pair of Houses



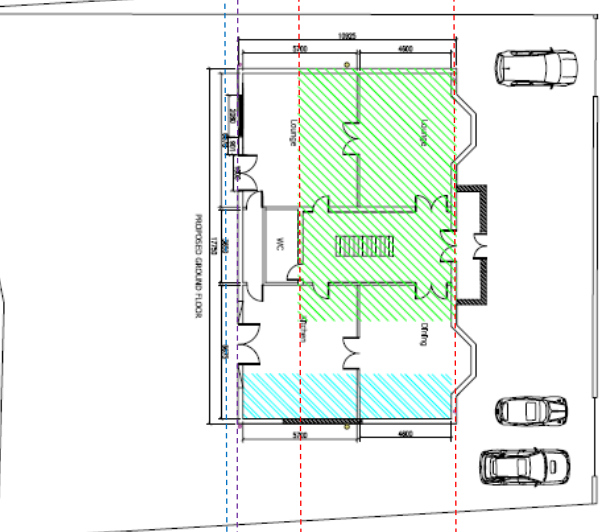
First approval



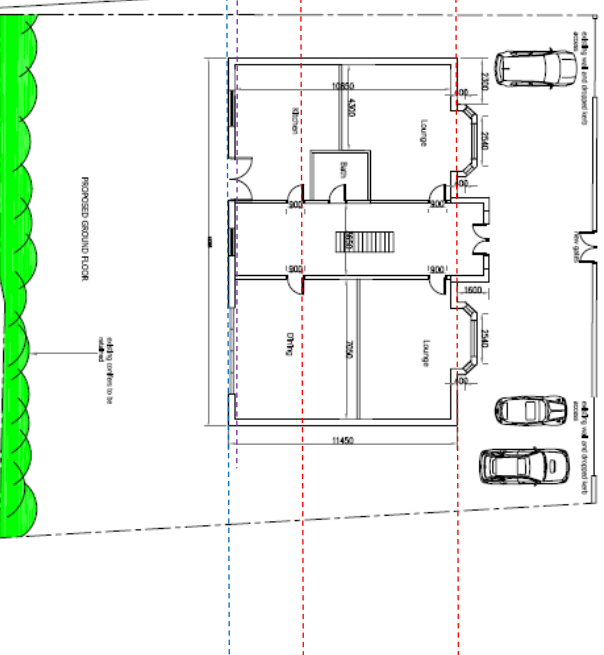
Original Pair of Houses



Second Approval



Current Proposal

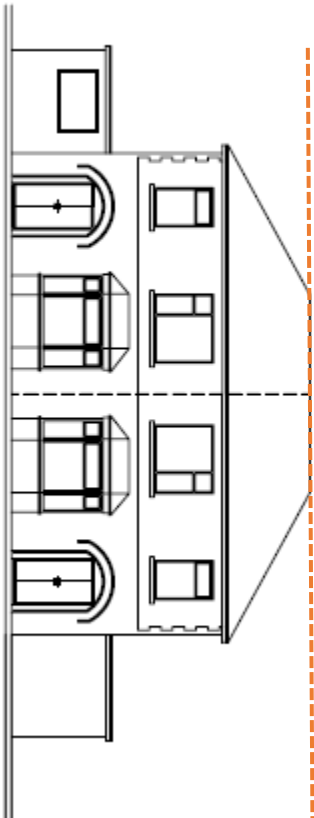


Original Pair of Houses laid over Current Proposal

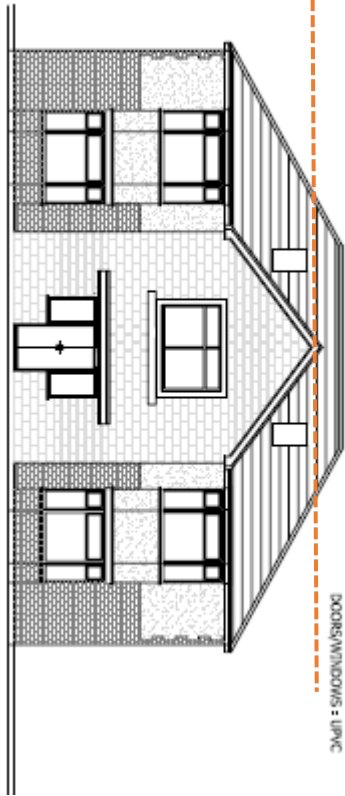


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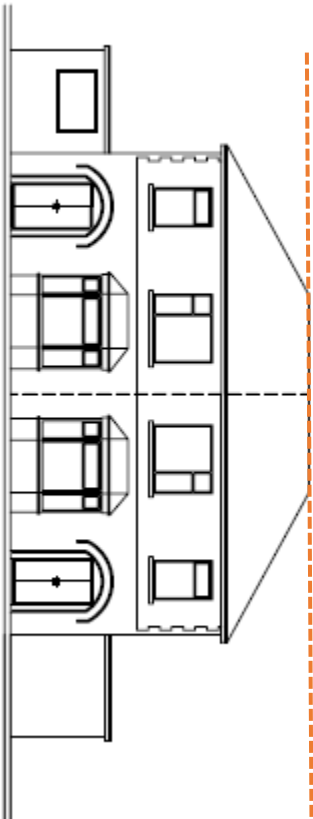
Original Pair of Houses



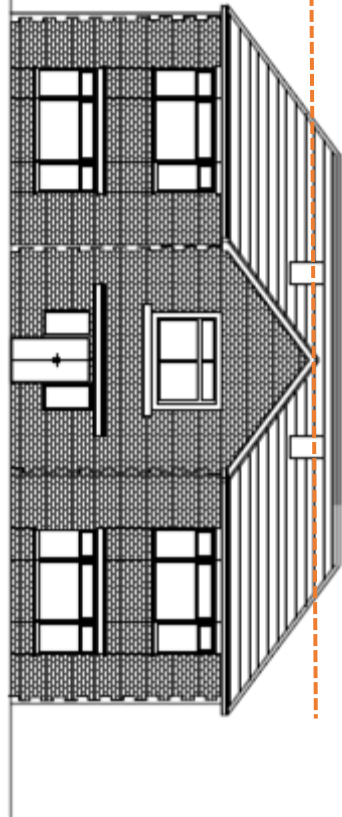
Original Approval



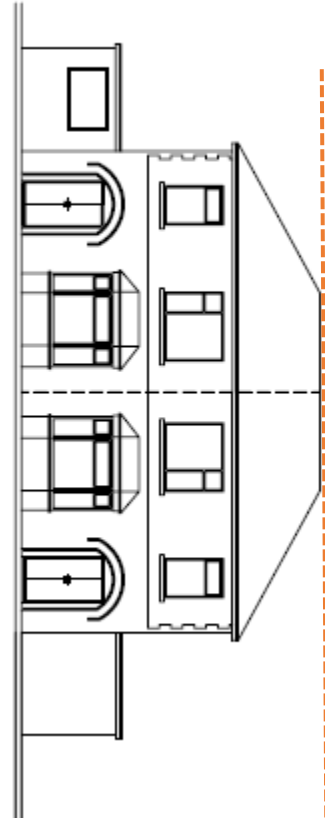
Original Pair of Houses



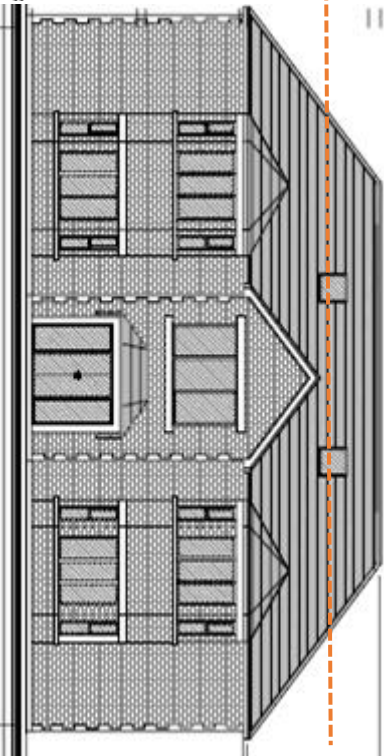
Second Approval



Original Pair of Houses



Current Proposal



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