

Planning Applications Report

Planning Committee

03 July 2014

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

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

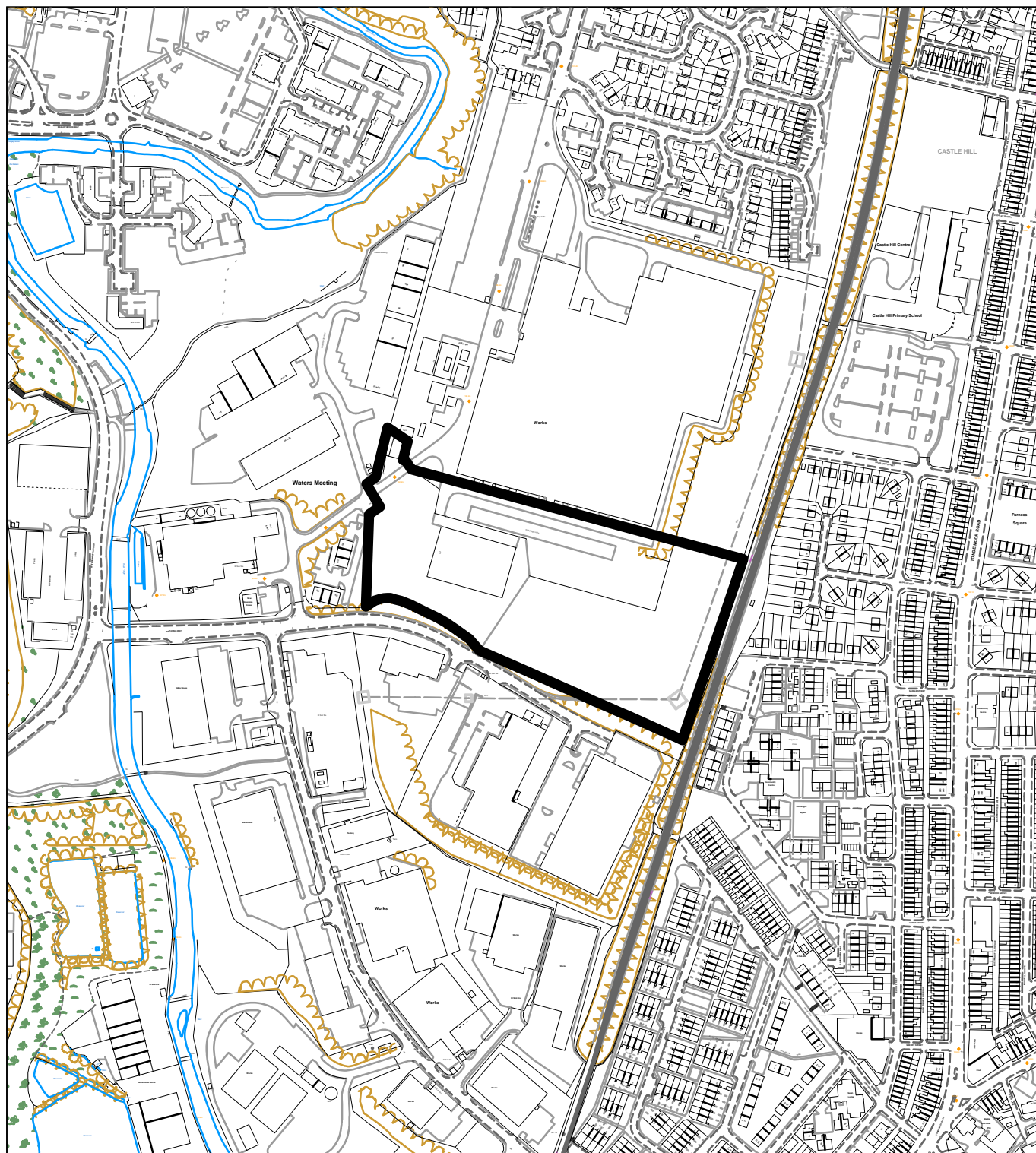
www.bolton.gov.uk/planapps

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Application No.

91080/13



Development and Regeneration Department
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**Bolton
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Date of Meeting: 03/07/2014

Application Reference: 91080/13

Type of Application: Outline Planning Permission
Registration Date: 29/11/2013
Decision Due By: 27/02/2014
Responsible Officer: Jodie Turton

Location: LAND NORTH OF BRITANNIA WAY, BOLTON

Proposal: OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR THE ERECTION OF EMPLOYMENT UNITS (CLASS B1/B2/B8) AND ASSOCIATED WORKS

Ward: Crompton

Applicant: Bellway Homes Ltd and B&E Boys Ltd
Agent : Turley Associates

Officers Report

Recommendation: Delegate the decision to the Director

Proposal

This is an outline application for the erection of employment units. It is intended that the future use of the site will be for any combination of uses falling into the following use classes, as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended): B1 (business), B2 (general industrial) and B8 (storage and distribution). The application is for all matters to be reserved, therefore although an indicative layout has been submitted, this is for the purpose of determining the suitability of the site for the proposed use and does not provide a definitive layout.

Access to the site will be from the existing private access from Britannia Way, the employment site will form an extension to the business park, and will thus benefit from the existing secure access.

Site Characteristics

The application site forms part of an existing, larger employment site. Britannia Way runs along the southern boundary of the site, separated from the site itself by steep banking. To the east of the site is a railway, with residential properties beyond. To the west is an existing business park and to the north is the remainder of the existing employment site, which is subject of a separate planning application for residential development (91081/13).

The site itself is approximately 4.6 ha and is roughly rectangular in shape. A single industrial unit occupies the site, this is in active B8 use and has a floor area of approximately 3,000 sq metres.

To the east of the site is a public footpath and a line of electricity pylons.

Policy

National Planning Policy Framework (2012): 1. Building a strong, competitive economy; 4. Promoting sustainable transport; 7. Requiring good design; 10. Meeting the challenge of climate change, flooding and coastal change; 11. Conserving and enhancing the natural environment.

Planning Practice Guidance (2014)

Core Strategy Policies: P1 Employment Sites; P5 Accessibility; S1 Safe Bolton; CG1 Flood Risk; CG2 Sustainable Construction; CG3 Built Environment; CG4 Compatible Uses; RA1 Inner Bolton; IPC1 Infrastructure Requirements.

Submitted Allocations Plan: P6AP Mixed Use Development.

PCPN1 Health, Well Being and Quality of Life
PCPN2 Space Around Dwellings
PCPN10 Planning Out Crime

SPD Accessibility, Transport and Safety

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the provision of employment land
- * impact on the highway
- * impact on the character of the area
- * impact on adjacent uses and residential amenity
- * impact on the natural environment

Impact on the Provision of Employment Land

Section 1 of the NPPF is focused on building a strong, competitive economy. The Government is committed to securing economic growth in order to create jobs and prosperity and building on the country's inherent strengths. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Significant weight should be placed on the need to support economic growth through the planning system.

Core Strategy policy P1 seeks to safeguard existing employment sites where they are compatible with residential amenity and contribute to the sustainability of communities in

which they are situated.

Policy P6AP of the Submitted Allocations Plan states that the Council and its partners require proposals for sites within mixed use areas to be brought forward within the context of achieving a balanced mix of housing and employment uses over the whole area. This should achieve a comprehensive and viable development, appropriate mitigation and ensure the timely provision of infrastructure amongst other things.

The application site is an existing employment site, which is allocated for employment in the UDP proposals map and is also allocated for employment use in the Submitted Allocations Plan. The site is within an established employment area, forming part of The Valley, which is one of the principal industrial/employment areas in the borough of Bolton.

Retaining the employment use of this site is considered to present a valuable asset to Bolton's employment land offer. The application site currently forms part of a much larger employment site, which although in its entirety is allocated for employment use in the UDP, the Submitted Allocations Plan proposal is for a mixed use site, which supports the current planning proposals to develop the northern two thirds of the site for residential use and to retain the southern section of the site for employment. In response to the release of the northern section of the site for housing development, the Council considers it necessary to protect the employment use of the site area subject of the employment application. This will be achieved through a Section 106 Agreement to exclusively retain the site for employment use for a period of 5 years. In addition, the S.106 will also make provision for the active marketing of the site for the 5 year period to ensure that every opportunity is given to develop and take forward the employment provision.

The proposal is considered to comply with local and national policy objectives in terms of employment provision.

Impact on the Highway and Accessibility

Section 4 of the NPPF recognises the important role of transport policies in facilitating sustainable development and contributing to wider sustainability and health objectives.

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

A Transport Assessment was submitted with the application, this has been assessed by the Council's Highway Engineers and also independently by Transport for Greater Manchester (TfGM).

Access to the employment site will be from an existing private, gated access off Britannia Way. This access is in the ownership of the applicant and provides secure access to an existing business park. Within the site, infrastructure improvements will be required to modify and extend the access road to provide adequate access to the redeveloped employment site. Plans have been submitted to indicate the works proposed and these works will be secured via S.106 to be carried out within 18 months of the date of the planning permission, as part of the applicant's commitment to take forward the employment development.

The Council's Highway Engineers have identified the requirement for off site highway improvements to mitigate for the increase in traffic from the proposed development at

the junction of Eagley Way and Waters Meeting Road. A sum of £6,300 is required as a contribution to these junction improvements, this will be secured via a S.106 Agreement.

The reserved matters application will provide full details on car parking, however given the size of the site and the indicative layout it is clear that the site has capacity to accommodate sufficient car parking to serve the employment/industrial units.

It should also be noted that a public footpath (Bolton 505) runs along the southern and eastern perimeters of the site. Any future development must ensure that the footpath is protected or that a legal order is entered into to alter the line of the footpath if necessary.

The proposal complies with policy on highway grounds.

Impact on the Character of the Area

Core Strategy policy CG3 seeks to ensure that development proposals contribute to good urban design, conserve and enhance local distinctiveness and have regard to the overall built character and landscape quality of the area. Furthermore, development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.

This is an outline application with all matters reserved therefore details of design do not form part of the application submission and will be considered in detail at the reserved matters stage. Despite this, it is clear from the nature of the application proposal, the existing building on site and the indicative layout provided that large scale industrial buildings will form the basis of the development. The site falls within an existing employment area, where there are a range of industrial and business units of varying scales, massing and design. The topography of the site and surrounding area will result in the application site being on a higher level than the adjoining industrial area, however given the existing industrial nature of the site it is evident that it will relate well to, and sit comfortably alongside, the industrial/business environment.

The proposal complies with Core Strategy policy CG3.

Impact on the Adjacent Uses and Residential Amenity

Core Strategy policy CG4 seeks to ensure that development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution.

The current status of the site and the surrounding landuses is industrial in nature, however in conjunction with this application a residential development scheme is being considered by the Local Authority for the northern section of the site (90181/13). The plans indicate that a landscape buffer will run along the northern boundary of the site between the residential and employment schemes. This will ensure that the industrial development is visually screened from future residential properties. A condition will also be implemented to ensure that there is a minimum distance of 21 metres between the rear of residential properties and the industrial units to protect future residential amenity and privacy.

The proposal is considered to comply with Core Strategy policy CG4.

Impact on the Natural Environment

Section 10 of the NPPF recognises the important role of planning in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and

providing resilience to the impacts of climate change and supporting the delivery of renewable low carbon and associated infrastructure. Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, water supply and demand considerations. Section 11 of the NPPF seeks to ensure that the planning system contributes to and enhances the natural and local environment.

Core Strategy policy CG1 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity and improving the quality and interconnectivity of wildlife corridors and habitats. The risk of flooding in Bolton and other areas downstream should also be reduced by minimising surface water run-off from new development.

A flood risk assessment has been provided with the application submission and a commitment has been made by the applicant to install a Sustainable Urban Drainage System (SUDS) at the site. Further information is required by the Environment Agency with regard to the rate of surface water run off and flood risk, however this will be secured via condition to be submitted with the reserved matters application.

The submitted ecological study identifies that the site has limited possibilities for roosting bats, although there are areas of habitat for potential nesting birds. It is therefore recommended that adequate provision is made in the future development to compensate for any loss of nesting opportunities and the landscape plan should incorporate areas of native tree and shrub planting.

Conclusion

The application site is within an existing employment area and is a designated protected employment site in the UDP and the submitted Allocations Plan. Modifications to the submitted Allocations Plan propose the mixed use allocation of the site in order to release the northern section of the site (subject of an application for residential development) for residential use. The proposed retention and development of the application site for employment/industrial use is therefore acceptable in policy terms and the development of the site is strongly supported. The proposal is considered to comply with policy and is therefore recommended for approval.

Representation and Consultation Annex

Representations

Letters:- none received.

Consultations

Advice was sought from the following consultees: Highway Engineers, Pollution Control, Greater Manchester Ecology Unit, Greater Manchester Police, Environment Agency, Public Rights of Way Officers, Greenspace, United Utilities.

Planning History

None relevant/recent

Recommendation: Delegate the decision to the Director

Recommended Conditions and/or Reasons

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

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

Reason

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

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

Reason

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

3. The reserved matters application shall include detailed plans showing the vehicular access arrangements from Britannia Way.

Reason

In the interests of highway safety.

4. The reserved matters application shall include the following details:
 1. Provision of biodiversity enhancements such as bat and bird boxes.
 2. A sustainability statement, which addresses the requirements of Core Strategy policy CG2.2.
 3. Details of the Sustainable Urban Drainage System.
 4. Levels details, showing existing and proposed levels within the site and on adjoining land, including spot heights, cross sections and finished floor levels.

The information shall be submitted to, and approved in writing, by the Local Planning Authority before any development begins and the development shall be carried out in accordance with the approved details.

Reason

To ensure that the site meets with sustainability and biodiversity criteria.

5. No development approved by this planning permission shall be commenced until a scheme for the 50% reduction in surface water discharge from existing levels has been submitted to and approved in writing by the local planning authority.

Reason

To prevent and/or reduce the risk of flooding.

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

Reason

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


7. A minimum distance of 21 metres must be achieved between the industrial/employment buildings hereby approved and the rear of the residential properties forming the residential scheme (91081/13) to the north of the application site.

Reason

To safeguard residential amenity.

- 1) **NOTES:**
- 2) All blocks/footprints to be checked by the Client
- 3) All boundaries to be checked against title by the Client
- 4) For details of external works, retaining walls, highway surfacing etc refer to Engineers details
- 5) For details of landscaping proposals etc refer to separate specialist drawing
- 6) Unless otherwise stated, all hard landscaping to be planted with grass
- 7) Layout submitted to Planners and Highways comments
- 8) Road arrangements are indicative - refer to house type drawings for accurate details

Rev	Date	Revision	By	MP
A	04-06-13	MINOR AMENDMENTS		




Bellway

BELLWAY HOMES

BOLTON CROMPTON WAY

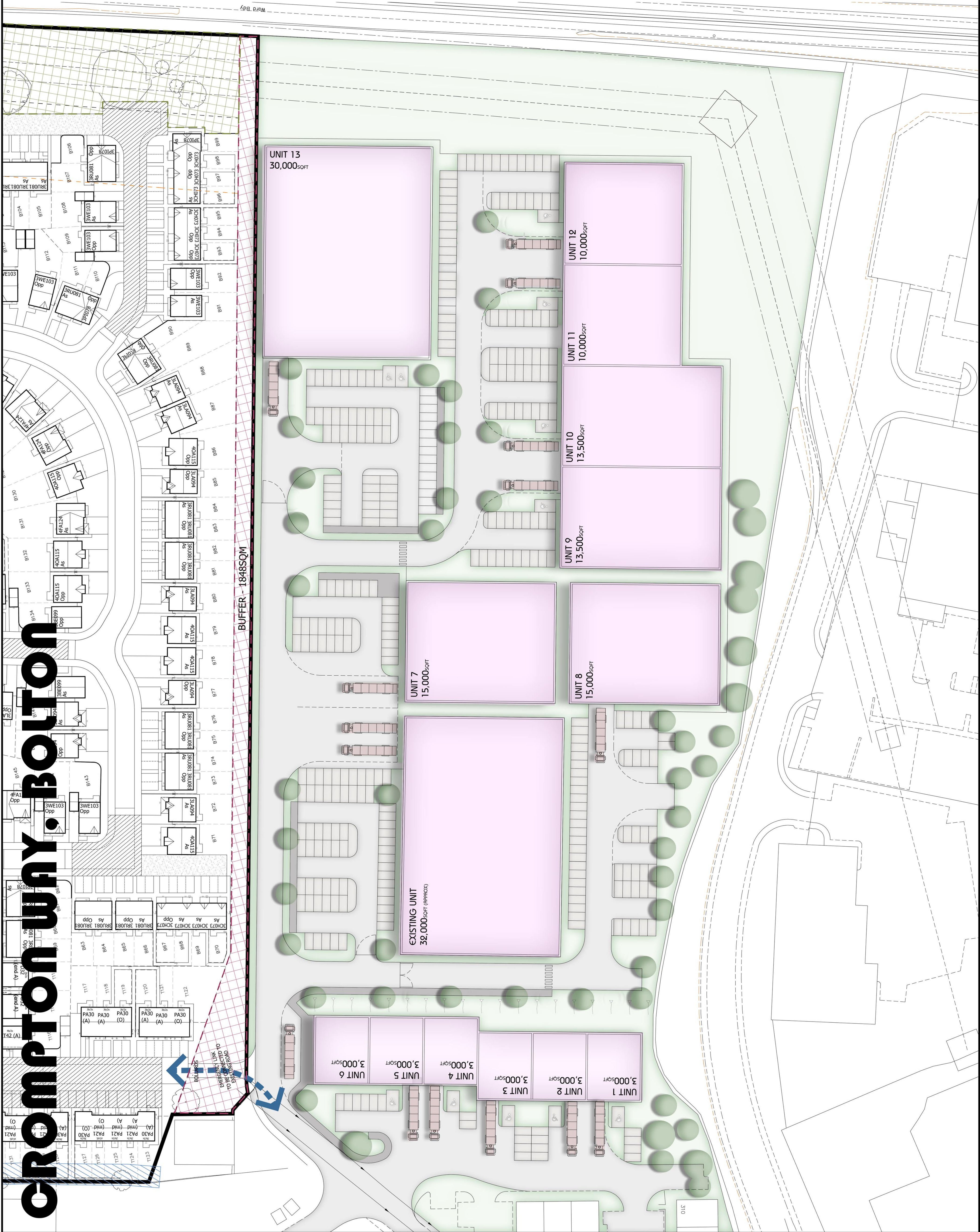
DRAFT FEASIBILITY STUDY (EMPLOYMENT LAND)

Date	22-05-13	Drawn	MP
Scale	1:500 @ A1	Dwg No	BWL219/02
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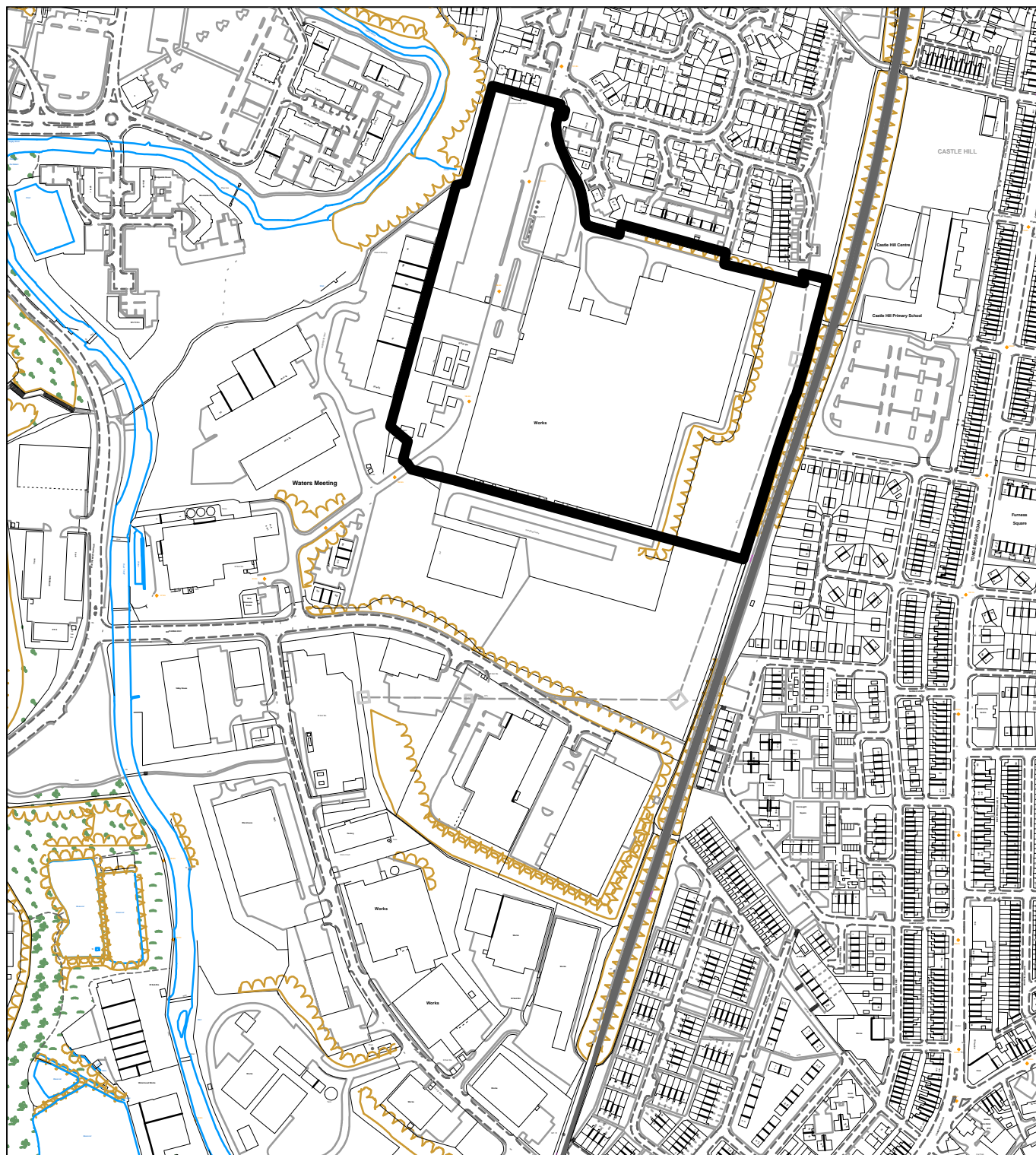
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Application No.

91081/13



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Date of Meeting: 03/07/2014

Application Reference: 91081/13

Type of Application: Full Planning Application
Registration Date: 29/11/2013
Decision Due By: 27/02/2014
Responsible Officer: Jodie Turton

Location: LAND SOUTH OF CROMPTON WAY, BOLTON.

Proposal: DEMOLITION OF EXISTING BUILDINGS; ERECTION OF 308 NO. DETACHED, SEMI-DETACHED AND MEWS STYLE DWELLINGS, TOGETHER WITH SITE PROFILING, HARD AND SOFT LANDSCAPE AND ASSOCIATED WORKS.

Ward: Crompton

Applicant: Bellway Homes Ltd, Taylor Wimpey Manchester and B&E Boys Ltd c/o agent
Agent : Turley Associates

Officers Report

Recommendation: Delegate the decision to the Director

Proposal

The application proposes a large residential development of 308 houses on an industrial site to the south of Crompton Way. A variety of house types are proposed, ranging from smaller terrace properties, semi-detached properties and larger detached dwellings. The site will be accessed via Sandleigh Drive, off Crompton Way to the north. Two areas of public open space are proposed, a smaller area to the west of the main access road, which will incorporate children's play equipment. A larger area of open space will run along the eastern boundary of the site, which is an area of undevelopable land due to the line of electricity pylons which run along the length of this.

Car parking will be provided for each individual dwelling, with some properties incorporating garages.

The residential development will form an extension to the recent residential development to the north, also accessed from Sandleigh Drive. Due to the number of dwellings being accessed from Sandleigh Drive, the development will form a large cul-de-sac off Crompton Way, a gated emergency access route will therefore be provided to the south of the site, which can be used by emergency services.

A Section 106 Agreement is attached to the application.

Site Characteristics

This is a large industrial site, measuring approximately 9 hectares. The site is dominated by a large specialist foundry industrial building which has fallen into disrepair over recent years.

The site until recently has been in operation, occupied by the manufacturer PMT, as well as other smaller scale businesses occupying areas of the building and site. PMT went into administration in October 2013 and the building is now vacant.

The site forms two thirds of an existing employment site, the southern section of the site is to be retained for industrial use and is the subject of a separate application (91080/13).

To the north of the site is an existing residential development of 218 dwellings, comprising a mixture of dwellings and apartments. The east of the site is abutted by a railway embankment and railway line beyond. A line of electricity pylons runs along the east of the site. To the south is the remainder of the industrial site and beyond this The Valley industrial area. To the west, are treed areas, the land drops away and beyond this are industrial units.

Policy

National Planning Policy Framework (2012): 4. Promoting sustainable transport; 6. Delivering a wide choice of high quality homes; 7. Requiring good design; 8. Promoting healthy communities; 11. Conserving the natural environment.

Core Strategy Policies: 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; RA1 Inner Bolton; IPC1 Infrastructure Contribution.

SPD Accessibility, Transport and Road Safety
PCPN2 Space Around Dwellings
PCPN10 Planning Out Crime

Submitted Allocations Plan

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on employment land provision
- * impact on housing provision
- * impact on the character and appearance of the area and designing out crime
- * impact on the highway
- * impact on residential amenity
- * impact on the natural environment and public open space
- * impact on sustainable construction

* planning obligations

Impact on Employment Land Provision

Section 1 of the NPPF outlines the Government's commitment to securing economic growth in order to create jobs and prosperity. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Despite this, the Government recognises that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Core Strategy policy P1 seeks to safeguard existing employment sites where they are compatible with residential amenity and contribute to the sustainability of communities in which they are situated. Where they are not compatible, mixed uses will be encouraged to retain an element of employment.

The UDP proposals map identifies the application site as a designated protected employment site. The submitted Allocations Plan, which went before the Inspector in April 2014, shows the site as an employment allocation, however the applicant has made a representation to have the site allocated for residential use and the Council has supported this. The Inspector was therefore provided with information to alter the allocation to a mixed use site, with the northern two thirds of the site to be allocated for residential use and the southern third of the site to remain in employment allocation. This alteration to the submitted Allocations Plan has been included as a Main Modification (MM4), which:

- Adds the site at Crompton Way/Bolton Point site as a mixed use allocation and removes it as protected employment land.
- adds Crompton Way/Bolton Point to the list of mixed use areas in Allocations Plan policy P6AP
- Makes the appropriate changes on the policies map and other consequential changes to the plan text.

These Main Modifications were published for consultation for a six week period starting 16th June and ending on 25th July 2014.

Policy P6AP of the submitted Allocation Plan makes provision for mixed use residential and employment sites such as this one. The policy requires proposals for sites within mixed use areas to be brought forward in the context of achieving a balanced mix of employment and housing uses over the whole area. This should achieve a comprehensive and viable development, appropriate mitigation and ensure the timely provision of infrastructure, services, open spaces and other facilities in a coordinated way. Development in these areas will be guided by the following principles in order to ensure they are economically, socially and environmentally suitable:

- Neighbouring uses should be compatible.
- Opportunities for employment should be maximised.
- Impact on the highway network must be acceptable.
- Development must be well served by public transport, and make effective provision for cycling and walking.
- Potential for sustainable energy sources must be maximised.

- Provision of open space will be required to meet the appropriate council standards for residential development.

The supporting evidence provided by the applicant detailed the unsuitability of the premises for employment use, the redundant nature of the existing industrial units given the occupying company PMT Italia having recently gone into administration, and the lack of demand for the type and size of industrial unit.

Although the submitted Allocations Plan has not been formally adopted it is a significant material consideration in the consideration of the current application. Furthermore, given the housing need in the borough it is understood that the support from the site owner (BE Boys Ltd) and from the Council via Planning Strategy in their representations to the Inspector gives considerably more weight to the residential use of the site.

Impact on Housing Provision

Section 6 of the NPPF indicates the Government's commitment to significantly boost the supply of housing. Local Authorities should seek to ensure the delivery of a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Where there is identified need for affordable housing, this should be provided on site. Housing applications should be considered in the context of a presumption in favour of sustainable development.

Core Strategy policy SC1 identifies that the borough requires a provision of 694 dwellings per annum between 2008 and 2026. At least 80% of housing development should be on previously developed land, at a density of at least 30 dwellings per hectare.

It is clear from the local authorities position detailed in the section above that the development of the site for residential use is acceptable in policy terms. This is a previously developed site, which abuts a recent residential development. The site sits comfortably between the Tonge Moor Road centre and Astley Bridge, providing local services, whilst being within 2 miles of Bolton town centre. There is a health centre nearby on Crompton Way and a train station. The site is therefore considered to be a sustainable location.

The delivery of 308 houses on this site will contribute to the local authority's requirement to deliver a 5 year supply of housing and the development is therefore considered important in policy terms.

Impact on the Character and Appearance of the Area and Designing Out Crime

Section 7 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Developments should function well and contribute to the overall quality of the area; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of use (including incorporation of green and other public space as part of the development. Development should respond to local character, create a safe and accessible environment where crime and disorder, and fear of crime, not undermine quality of life or community cohesion; and be visually attractive as a result of good architecture and appropriate landscaping.

Core Strategy policy CG3 seeks to ensure that development proposals contribute to good urban design, conserve and enhance local distinctiveness and have regard to the overall built character and landscape quality of the area. Furthermore, development should be

compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Core Strategy policy S1 seeks to ensure that development takes into account the need to reduce crime and the fear of crime. This is supported by guidance contained in PCPN10.

The application proposes 308 houses, providing a mix of two, three and four bedroom properties, comprising of smaller terrace units and larger detached properties. The layout of the estate has been strongly influenced by the Manual for Streets approach, as well as taking design influences from the modern residential scheme to the north of the site (Sandleigh) and the more traditional schemes to the north and east. The development will share the same access from Crompton Way as the existing Sandleigh development, which will be the only access into the site, essentially forming a large cul-de-sac. Internally, the site will then be divided up into separate smaller cul-de-sacs. The layout aims to provide continuity of active street frontages and the enclosure of space by development in order to define private and public areas. Buildings have been arranged to create active frontages and natural surveillance. The aim of the layout is to create distinct character areas, with buildings designed to form landmarks, gateways and focal points, in order to provide visual interest across the development.

During the application process some problem areas have been identified with regard to crime and ensuring that the design and layout of the development reduces vulnerability for future residents. The properties which back onto the southern boundary of the site will abut a landscaped strip separating the neighbouring future employment site, a condition has been included to ensure that boundary treatments are a minimum of 2.0 metres in height to ensure that the rear gardens are secure. Furthermore, the conditioned landscape scheme will be required to include species which will deter people from using this area. In addition, the development incorporates two areas of terraced properties, in the south eastern and south western corners of the site. In order to avoid bin storage at the front of the properties pathways have been incorporated to provide rear access to the gardens. While it is acknowledged that bin storage to the front is not ideal, well designed bin storage is considered to present a much more preferable option to introducing paths to the rear gardens, which will undermine future security and safety of residents. The applicant has been unwilling to address this issue despite Greater Manchester Police clearly advising against the use of these. A condition has been added to require the pathways to be gated with appropriate high level secure gates to alleviate this issue.

A house type pack has been provided with the application submission, this details a large range of designs and styles of houses. The house designs use brick and render with slate style roofs. The designs follow the standard, modern housing estate design, with some properties incorporating integral garages and others detached garages. The housing estate will be viewed largely in relation to the Bellway development to the north (Sandleigh Drive) and the proposed development will be in keeping with the character of this in terms of design and layout.

Overall, the development is considered to comply with policy in terms of design and layout and thus complies with Core Strategy policy CG3. The mitigation measures required via condition will address the deficiencies in safety and security and therefore the proposal is considered to, on balance, comply with Core Strategy policy S1.

Impact on the Highway

Section 4 of the NPPF seeks to promote sustainable transport. Planning decisions should take into account the opportunities for sustainable transport modes, safe and suitable

access to the site for all people, and improvements within the transport network that cost effectively limit the significant impacts of the development. Developments should create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Core Strategy policy P5 states that the Council will ensure that developments take into account accessibility by different types of transport, prioritising pedestrians, cyclists, public transport users over other motorised vehicles and developments should be designed to be accessible by public transport. Parking standards are contained in Appendix 3, for residential developments the maximum parking standards are 2 spaces per 2 to 3 bedroom dwelling and 3 spaces for 4 bedroom dwellings.

Link Road

During the pre-application and application process discussions were held, with Highways Engineers and the applicant, about the Council's desire to have a new highway through the site: a local distributor route, which would take pressure off the congested strategic road network at Blackburn Road and Tonge Moor Road. Highways noted that the existing industrial access road which has already had a significant length adopted in terms of Sandleigh Drive could form the distributor route. To the south of the site a short link would be required to link into Britannia Way, although again the existing industrial access road whilst not as direct would still offer the opportunity to deliver a route through the site. The applicant did not take these comments on board and designed a cul-de-sac arrangement with the site served solely off Sandleigh Drive. Highways continued to pursue the provision to protect the line with support from the Executive Cabinet Member which culminated in meetings with the applicant where agreement could not be reached. Given the current site viability, the level of available evidence, and the timescales for pursuing a protected line, there are clear risks to achieving the regeneration of the site in a timely manner, and of being able to support a requirement for the distributor route through the planning appeal process. Highways has agreed not to pursue the provision of a protected line through the site as part of the planning application, although they remain concerned that this will result in the loss of one potential solution to ease congestion on the heavily congested Blackburn Road and Tonge Moor Road corridors. Not only will this development put more pressure on over capacity junctions but will have the potential to limit any future development in the area with no realistic alternative opportunities to tackle local congestion on the strategic network north of the town centre.

Transport Assessment

Highways commissioned Transport for Greater Manchester (TfGM) to review the transport assessment submitted as part of the planning application. TfGM agreed with the traffic flow and distribution data included in the transport assessment, although expressed concern with the emphasis placed on the trip generation associated with the existing lawful use of the site. TfGM considered that the site had not been generating significant traffic for some time and that assessment of development impacts should be against current flows with appropriate growth. TfGM provided evidence of the Transport for London policy approach to off-setting of existing lawful use and that after a significant period of the premises being partially or fully dormant the lawful use is deemed redundant and a fresh planning application is required. The Beloit-Walmsley factory has been winding down since 2001 and has had small scale use for many years. Highways have argued that both the reduced use and unique nature of the operations in the building should restrict the off-setting of the lawful use approach, as this would result in an over-estimation of the existing impact and in turn an underestimation of the net impact of the proposed development. Whilst the transport consultant agreed to remove

the off-setting associated with the B2 lawful use they continue to apply this approach to the B1 and B8 elements resulting in a theoretical improvement to the highway network without any off-site highway improvements. Whilst agreement on the approach to the transport assessment has not been reached, the applicant has proposed to contribute £40,000 for MOVA at the Tonge Moor Road/Crompton Way Junction and a contribution of £14,000 towards a scheme at the Blackburn Road/Crompton Way junction. In addition, the applicant has agreed to pay £16,000 for a traffic calming scheme on Sandleigh Drive.

Internal Layout

Highways have expressed concerns about the restricted alignment of the S-bend at the entrance to the site in terms of the potential for on street parking and the difficulty for refuse vehicles to access the site. The transport consultant explained that this was at the applicant's request as a form of traffic calming. The radii are 15 metre centre line and are therefore in accordance with the Council's guidelines. The number of drives accessing the road at this location may also reduce the potential for on street parking, although Highways is concerned that a future Traffic Regulation Order may be required if parking and access becomes an issue and recommend it is a condition of approval.

The internal layout of the site has been strongly based around the Manual for Streets guidance, which is considered a good practice guide to creating environments which are not focused on the motor vehicle, but provide for pedestrians, cyclists and public transport also. Within the site some of the road widths do not meet the minimum requirement set out in the Council's Roads for Adoption criteria for shared surfaces, despite this however discussions have led officers to understand the rationale for this and consider the road layout to be of good design; this might prompt a review of the Council's own guidelines.

One of the internal layout design features is the length of some of the cul-de-sacs. Council policy states that a cul-de-sac can be no longer than 250 metres. Manual for Streets does move away from numbers driven criteria and suggests that providing the design has been agreed with the fire services then longer cul-de-sacs are acceptable. The applicant has consulted the fire service and is proposing sprinkler systems where the houses are beyond the 250 metre distance. The fire services have approved the layout of the scheme.

The Council's Roads for Adoption recommends a maximum of 5 dwellings can be served off a private road. The applicant in certain instances is proposing up to 7 dwellings. The applicant has demonstrated that the criteria can be achieved through extending the adopted section of highway, however from a design perspective and supported by Manual for Streets a more relaxed approach may result in a better design.

An emergency access will be provided for emergency service vehicles to the south west of the site utilising the existing Walmsleys industrial access road. The applicant has agreement with the land owner to use the access for this purpose.

Parking

On average a provision of 1.5 spaces per dwelling had been provided, however this does not include garage spaces. This parking provision is considered to be acceptable in policy terms. The applicant proposes to use parking courts in certain locations that are wide enough to operate safely and provide sufficient space to turn a vehicle in.

Impact on Residential Amenity

Core Strategy policy CG4 seeks to ensure that development is compatible with

surrounding land uses and occupiers, protecting amenity, privacy, safety and security, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution. The guidance contained in PCPN2 seeks to ensure that adequate standards of privacy and light, as well as garden sizes are achieved in new developments to ensure appropriate levels of privacy and amenity are retained.

The application site is on a slightly lower level than the existing residential development to the north, there is also an existing landscape buffer between the existing residential site and the application site. Furthermore, the orientation of existing and proposed properties will ensure that there is no detrimental impact on privacy and residential amenity and the interface distances meet policy requirements detailed in PCPN2.

In general, the majority of the residential estate proposed meets the interface distances as detailed in PCPN2, however there are certain points where there is a shortfall. The applicant has provided a supporting document "Interface Analysis" where they have provided justification for this and further details in the Design and Access Statement. The design rationale of the development is to provide a hierarchy of streets, focal points and character areas, dual frontage houses have been utilised at junctions to provide natural surveillance and active street frontages, however these inevitably results in a higher ratio of principal elevations. The design rationale for the site layout strongly adheres to the Manual for Streets approach and given this is a nationally recognised guidance document, the application of this to the current scheme is considered acceptable.

Due to the industrial nature of the application site there are potential contamination issues. In order to protect future residents from any impact from ground contamination relevant studies have been submitted with the application submission in line with Core Strategy policy CG4. Pollution Control colleagues are satisfied with the information submitted and have recommended relevant conditions which will be attached to the planning permission to ensure the safe development of the site.

Impact on the Natural Environment and Public Open Space

Section 11 of the NPPF recognises the important role of the planning system in contributing to and enhancing the natural and local environment. It recognises the importance of developing brownfield sites and mitigating against contamination. Local planning authorities should aim to conserve and enhance biodiversity.

Core Strategy policy CG1 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats.

Given the industrial nature of the site there are very few trees and areas of natural habitation on the site. A small cluster of trees towards the western boundary of the site is to be retained and incorporated into the public open space provision. It is intended that the retention of the trees will enhance the character and appearance of the residential development, whilst providing interest to the public open space and opportunities for wildlife. Bat and ecology surveys have been submitted with the application, although the site is not a rich wildlife area, there are opportunities for bird and bat activity. A condition is recommended in line with the recommendations of the surveys for the development to incorporate appropriate bird nesting boxes and bat bricks to maximise the potential for the site to attract wildlife in the future.

Two areas of public open space are proposed, one along the eastern boundary of the site, which due to the electricity pylons will have limitations on use. The second area is

to be to the west of the site, close to the site entrance. This area will accommodate play equipment to be provided by the developer, the requirement and delivery of this will be built into the S.106 Agreement. The delivery and long term maintenance of the open space and play equipment is to be managed by the developer and a condition has been included to ensure this.

Impact on Sustainable Construction

Core Strategy policy CG2 seeks to ensure that development proposals contribute to the delivery of sustainable development.

Core Strategy policy CG2(2a) requires residential properties to achieve Level 3 Code for Sustainable Homes. No information has been provided with regard to this, therefore a condition has been implemented to ensure that the applicant adheres to this requirement.

Core Strategy policy CG2(2b) requires developments to incorporate appropriate decentralised, renewable or low carbon energy sources to reduce the CO2 emissions of predicted regulated and unregulated energy use by at least 10%. It acknowledges that the most appropriate technology for the site and surrounding area should be used. The applicant has raised concerns about the inclusion of renewable energy technologies on a housing site as they represent a long-term maintenance liability for future residents and in previous schemes have been found to be unmaintained in the longer term and therefore not providing the required environmental benefits. This is not therefore the preferred solution for achieving a reduction in carbon emissions on residential developments. Instead, an alternative approach to achieve the same objective of reducing carbon emissions through the building fabric is suggested. This has the advantage of achieving a carbon reduction over the lifetime of the development without the associated liabilities associated with renewable energy technologies.

The applicant has provided information on the inclusion of a Sustainable Urban Drainage System (SUDS) and a commitment to reduce surface water run off by 50% in line with the requirements of policy CG2(2c).

Planning Obligations

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.

The calculated commuted sums in line with council policy have been calculated as follows:

Affordable Housing	£3,242,991
Public Open Space	£291,000
Health	£68,992
Education	£341,643
Public Art	£190,918
Highways	£90,000 (including £20k contingency)
TOTAL	£4,225,544

Due to the abnormal and development costs of this former industrial site, the applicant has provided a viability assessment with the application which states that the development will not stand the amount of planning obligations required by council policy. The amount put forward by the applicant is £1.29 million. The viability report has been assessed independently by the District Valuers and they have verified that planning

obligations of the amount detailed above would render the development unviable, however the development could stand planning obligations of **£2,582,000**.

The applicant will be providing on site public open space, which will include a children's play area, which will be retained and maintained by the developer and will have no council responsibility. The applicant has costed the provision of public open space, including play equipment at £383,000 and this will be taken off the planning obligation amount accordingly. In addition, the essential highway works are to be provided via a S.278 Agreement, at a cost of £90,000. Taking these amounts off the planning obligation the remaining amount available for affordable housing, health, education and public art is £2,109,000, and this will be divided proportionally as follows:

Affordable Housing	£1,771,560
Health	£42,180
Education	£189,810
Public Art	£105,450
TOTAL	2,109,000
<i>Public Open Space</i>	<i>£383,000</i>
<i>Highways</i>	<i>£90,000</i>
TOTAL	2,582,000

Council policy favours the delivery of affordable housing on site. The figure detailed above would translate to 24 affordable rent properties on site, or 21 affordable rent and 7 shared ownership units.

The S.106 amount put forward by the applicant at £1.29 million is significantly below the District Valuers findings of £2.582 million. At the time of writing the report, the applicant has not formally commented on the findings of the District Valuer and comments will be reported to Members on the Schedule of Supplementary Information.

Conclusion

The application submission has been submitted in conjunction with the employment proposal on the land to the south of the application site (91080/13). Together the applications form a mixed use development, bringing forward a residential scheme on the northern section and an employment development to the south. This mixed use scheme complies with policy P6AP of the submitted Allocations Plan, which is a material consideration in the assessment of this application. The details of the application submission in terms of design, layout, highways, sustainable construction and landscaping are all addressed in detail in the main body of the report and considered to be acceptable in policy terms.

The full planning obligation amount is not achievable for this development due to the industrial nature of the site and the associated remediation and development costs. The applicant's viability assessment asserts that a figure of £1.29 million is available for planning obligations, however the District Valuer has undertaken an independent assessment of this and has concluded that £2.582 million should be available. Members therefore need to take into consideration in their decision whether they believe the benefits of the proposed residential development of the site to outweigh the loss in S.106 monies.

Representation and Consultation Annex

Representations

Letters:- one letter of comment has been submitted asking whether children's play equipment will be included in the development.

Consultations

Advice was sought from the following consultees: Pollution Control, Highway Engineers, Landscape, Drainage Team, Greenspace, Economic Strategy, Transport for Greater Manchester, Environment Agency, GMEU, Greater Manchester Police, Peak and Northern Footpaths, Public Rights of Way Officer, Strategic Housing, Education (Asset Management), Corporate Property, District Valuer.

Planning History

Outline planning permission approved in 2003 for the erection of B1, B2 and B8 units (66201/03)

Reserved matters approval in 2004 for details of design, appearance and landscaping for industrial units (68576/04)

Recommendation: Delegate the decision to the Director

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to commencement of development, other than demolition and remediation, a scheme for the phasing of the development shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason
To facilitate the phased development.
3. Prior to the commencement of development of each phase (other than demolition and remediation) samples of the materials to be used for the external walls, including details of the colour scheme for external render, and roofs in that phase, shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.
4. No development or stripping of soil shall be started until:
 1. The trees and hedgerows within or overhanging the site which are to be retained have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
 2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).

3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.

Reason

To protect the health and appearance of the tree(s).

5. The development hereby approved/permitted shall secure a minimum 10% reduction in energy use through a 'building fabric first' approach (enhanced insulation or construction technologies) when compared to the Target Emission Rate set by Part L1a of the Building Regulations 2006. A report confirming the achievement of specified design fabric shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of development. The development shall be implemented in accordance with the approved details.

Reason

In the interests of tackling climate change.

6. Other than demolition or remediation, no development shall take place until a scheme of landscape management, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented as approved in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To ensure the effective long term landscape management of the site.

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

Reason

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

8. No development shall take place until details of a the sustainable drainage scheme consistent with that described within the Flood Risk Assessment (Rev. 2.0 January 2014) have been submitted to, and approved by, the Local Planning Authority. The submitted information shall include details of the implementation, maintenance and management of approved scheme and the scheme shall be implemented in full and thereafter retained, managed and maintained in accordance with the approved details. Those details shall include:

- 1) A timetable for its implementation, and
- 2) A management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason

To ensure the site provides satisfactory means of surface water drainage.

9. Other than demolition no development shall commence until an investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with

Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property or the environment;
- (iii) an appraisal of remedial options and proposal for a preferred option.

Reason

To ensure the development is safe for use.

10. Prior to the commencement of development (other than the demolition and remediation of the site) full details of the following highway works shall be submitted to and approved in writing by the Local Planning Authority:

- 1. Installation of MOVA at Tonge Moor Road/Crompton Way Junction.
- 2. Installation of traffic calming scheme at Sandleigh Drive as indicated on the submitted plan (Potential Highway Improvements to Sandleigh Drive to Facilitate Residential Development; Plan/001; 07/04/2014).
- 3. Moving traffic order for 20mph zone from Sandleigh Drive into the development.

None of the development shall be brought into use unless and until all developer obligations as set out in that scheme are fulfilled.

Reason

In the interests of highway safety.

11. Other than demolition and remediation, the development hereby permitted shall not be commenced until such time as a scheme to limit the surface water run-off generated by the proposed development to a rate of 570l/s has been submitted to, and approved in writing by, the local planning authority. The scheme shall confirm existing and proposed receptors and retain excess volumes of run-off on site up to the 1 in 100yr event including 30% increase for climate change.

Reason

To reduce the risk of flooding by ensuring the satisfactory storage of/ disposal of surface water from the site.

12. Other than demolition and remediation works, no development shall take place until a scheme for:

- 1. The provision of bird nesting boxes;
- 2. The use of bat bricks in new buildings; and
- 3. Installation of artificial bat roost boxes in suitable locations on potential flight lines.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and retained thereafter.

Reason

To ensure appropriate wildlife provision/protection.

13. Prior to a phase of development being first occupied, or brought into use, details of the gates to the pathways providing access to the rear of the terrace properties within that phase of development 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 safety and security is achieved.

14. Notwithstanding the submitted plans, the boundary treatment to the rear gardens of plots B91 to B99 and B70 to B89 (as shown on approved plan reference: Draft Planning Layout; BHWL219/01, revision H; 02-05-14), shall be a minimum of 2.0 metres in height, details of which to be submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the plots listed and retained thereafter.

Reason

To ensure adequate standards of safety and security are achieved.

15. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted to, 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.

16. Prior to the occupation of the dwelling house(s) hereby permitted provision shall be made for the parking or garaging of (a) motor vehicle(s) adjacent to each of the dwelling houses 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 1995 (or any Order amending or replacing that Order) other than (a) garage(s), no extensions, porches, outbuildings, sheds, greenhouses, oil tanks shall be erected within that area.

Reason

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

17. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the drawing ref: BHWL219/AHP; dated 02-04-14 .

Reason

In the interests of highway safety.

18. Prior to the commencement of development of any phase of development hereby approved, a scheme detailing how parts of the site within that phase of development 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.

19. Prior to each phase of the development first being brought into use/occupied a plan showing the position of the approved boundary treatments shall be submitted to, and approved in writing by, the Local Planning Authority. The screen fence(s)/wall(s) shall be erected fully in accordance with the approved plans and the design details contained on the following drawing references and retained thereafter:

1. **1800mm High Piers with Low Level Wall and Timber Infill Panel; BH/WL/SD/FD049; dated 14.05.13.**
2. **900mm 2 no. post and 2 no. rail fence (100mm post); BH/WL/SD/FD003; dated July 2006.**
3. **1.8m closed boarded fence; BH/WL/SD/FD001; dated July 2006.**
4. **External Screening Details - Fence 7, Revision A; 12.03.13.**

Reason

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

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

Reason

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

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no extensions, outbuildings (other than those expressly authorised by this permission) shall be constructed on the following plots (as shown on approved plan Draft Planning Layout; BHWL219/01, revision H; dated 02-05-14): T114 to T124; T127 to T137; B65 to B68; B93 to B105; B116 to B125; T47 to T56; T44, T45; T23 to T42.

Reason

The plot size is limited and any extension would result in an unsatisfactory scheme.

22. The development hereby approved shall be carried out in accordance with the recommendations of the submitted Ecological Assessment (Ascerta Consulting Ltd), in that:
 - Vegetation clearance and demolition works shall be undertaken outside of the bird breeding season.
 - Native tree and shrub planting must be included in the landscape plan.
 - External lighting shall be erected, directed and shielded so as to avoid overspill into nearby vegetation and nearby residential properties.

Reason

To protect biodiversity.

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

1. **Draft Planning Layout; BHWL219/01 Rev: H; dated 02-05-14.**
2. **Adopted Highways Plan; BHWL219/AHP; dated 02-04-14.**
3. **1800mm High Piers with Low Level Wall and Timber Infill Panel; BH/WL/SD/FD049; dated 14-05-13.**
4. **900mm 2 no. post and 2 no. rail fence (100mm post); BH/WL/SD/FD003; dated July 2006.**
5. **1.8m closed boarded fence; BH/WL/SD/FD001; dated July 2006.**
6. **External Screening Details - Fence 7, Revision A; dated 12-03-13.**
7. **Proposed Finished Floor Levels; 001 Revision P3; dated March 2013.**
8. **Topographical Survey; 0992/Topo; dated 22-02-13.**
9. **Proposed Garage - Single Detached; BN/NW/SG/001, Revision A; dated 16-02-10.**
10. **Proposed Garage - Twin Detached; BN/NW/TG/001, Revision A; dated 16-02-10.**
11. **House Type Pack, November 2013.**
12. **Tree Pit Detail; LDS269-04; dated October 2013.**

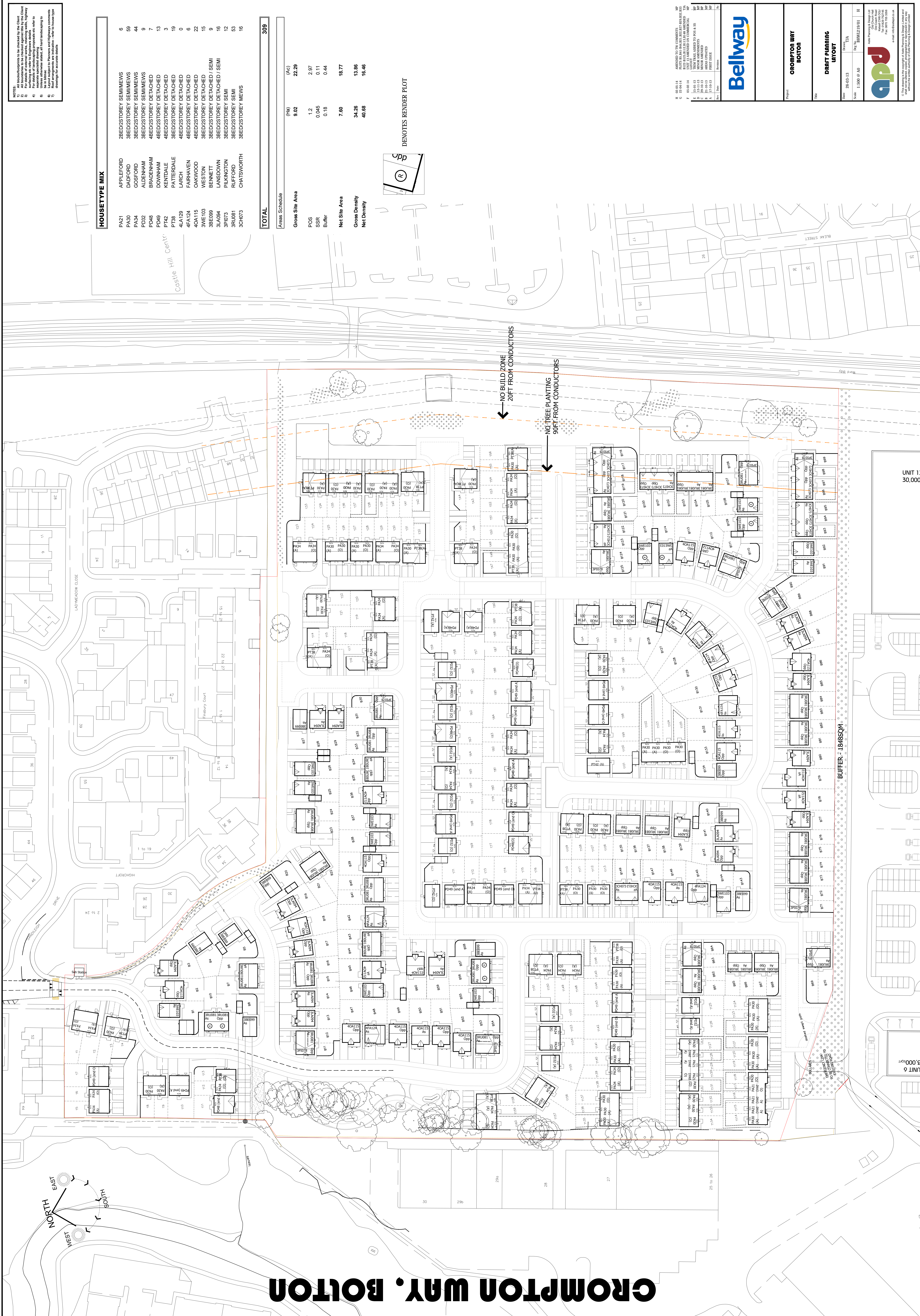
Reason

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

23. The dwellings hereby approved shall achieve a Code Level 3, or points equivalent to Code Level 3, in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate can be demonstrated for it certifying that Code Level 3, or points equivalent to Code Level 3, can be achieved.

Reason

To reduce the impact on climate change and to improve the sustainability of the site.

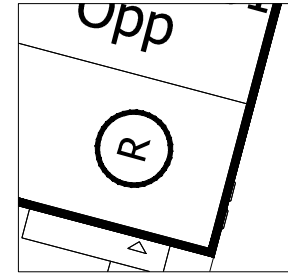


HOUSETYPE MIX

PA21	APPLEFORD	2BED2STOREY SEMI/MS	5
PA20	DADFORD	3BED2STOREY SEMI/MS	6
PA34	GOSFORD	3BED2STOREY SEMI/MS	9
PD32	ALDENHAM	3BED2STOREY SEMI/MS	4
PD48	BRADENHAM	4BED2STOREY DETACHED	7
PD49	DONNHAM	4BED2STOREY DETACHED	13
PD42	KENDAL	4BED2STOREY DETACHED	3
PD38	PARTHALLA	3BED2STOREY DETACHED	19
LA129	LARCH	3BED2STOREY DETACHED	0
LA115	FAIRHAVEN	4BED2STOREY DETACHED	6
LA114	RAYWOOD	4BED2STOREY DETACHED	22
3WE103	WESTON	3BED2STOREY DETACHED	15
3BE189	BENNETT	3BED2STOREY DETACHED / SEMI	9
3LA3084	LANSDOWN	3BED2STOREY DETACHED / SEMI	10
3P0703	PILKINGTON	3BED2STOREY SEMI	12
3R0811	RUFFORD	3BED2STOREY SEMI	13
3CH073	CHATS WORTH	3BED2STOREY MEWS	56

TOTAL		309
Areas Schedule		
	(Ha)	(Ac)
Gross Site Area	9.02	22.29
POS	1.2	2.97
SSR	0.045	0.11
Buffer	0.18	0.44
Net Site Area	7.60	18.77
Gross Density	34.26	13.86
Net Density	40.88	16.46

DENOTES RENDER PLOT



H	02-05-14	AMENDED TO TW COMMENTS	MP
		PILOTS 851-914,821,822,823,469,832,833	
F	02-04-14	B112-8123,811,812,813,814,815,816,817,818,819,820,821,822,823,824,825,826,827,828,829,830,831,832,833,834,835,836,837,838,839,840,841,842,843,844,845,846,847,848,849,850,851,852,853,854,855,856,857,858,859,860,861,862,863,864,865,866,867,868,869,870,871,872,873,874,875,876,877,878,879,880,881,882,883,884,885,886,887,888,889,890,891,892,893,894,895,896,897,898,899,900,901,902,903,904,905,906,907,908,909,910,911,912,913,914,915,916,917,918,919,920,921,922,923,924,925,926,927,928,929,930,931,932,933,934,935,936,937,938,939,940,941,942,943,944,945,946,947,948,949,950,951,952,953,954,955,956,957,958,959,960,961,962,963,964,965,966,967,968,969,970,971,972,973,974,975,976,977,978,979,980,981,982,983,984,985,986,987,988,989,990,991,992,993,994,995,996,997,998,999,1000	MP
F	05-02-14	AMENDED ON COMMERCIAL LAYOUT	MP
E	15-01-13	TRIM TRAIL ADDED TO POS & SS	MP
D	13-11-13	MINOR AMENDMENTS	MP
C	29-10-13	MINOR AMENDED	MP
B	29-10-13	AREAS UPDATED	MP
A	17-10-13	FIRST ISSUE	MP
Rev	Date	Revisions	By



**CROMPTON WAY
BOLTON**

DRAFT PLANNING LAYOUT

Date	26-03-13	Drawn	TJA
Scale	1:500 @ A0	Dwg No	BHWJ219/01
			H



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Date of Meeting: 03/07/2014

Application Reference: 91273/14

Type of Application: Full Planning Application

Registration Date: 06/01/2014

Decision Due By: 02/03/2014

**Responsible
Officer:**

**Location: THE BARN, RINGLEY ROAD WEST, STONECLOUGH,
RADCLIFFE, BOLTON, MANCHESTER, M26 1DY**

Proposal: CONVERSION OF STABLE BUILDING TO PART
RESIDENTIAL/PART STABLING; ASSOCIATED WORKS
INCLUDING NEW WINDOWS.

Ward: Kearsley

Applicant: Mrs RUSSELL

Agent : ML Planning Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

This application seeks to convert this existing building and create a live / work unit for an equestrian business.

A residential area with a footprint of 126 sq metres is proposed, consisting of a living room, kitchen diner, lounge, three bedrooms, a utility room and a bathroom.

An extension to the existing stable block with a footprint of 171 sq metres is proposed.

The work space will provide a covered yard area, 5 livery stables and an office. An adjacent block of 8 stables will remain bringing the total to 13. There is external space to provide a domestic garden and adjacent grazing land associated with the keeping and exercising of horses.

A new access track is proposed, taken off the existing access road.

Site Characteristic

The site is located within the Green Belt and is surrounded by farmland. At present the site comprises former stables/agricultural building which are used for the stabling of horses.

The site lies adjacent to an existing development of barn conversions, located off Ringley Road, Radcliffe. The site is accessed via a private un-adopted lane.

In addition there are also a large number of trees and hedgerows which bound the site and screen it from the main road.

Policy

National Planning Policy Framework 2012

Bolton Core Strategy: CG1, CG3, CG4, S1, OA5 and Appendix 3.

Saved Unitary Development Plan policies: G1, G2, G3.

Planning Control Policy Note 2: *Space Around Dwellings*

Planning Control Policy Note 15: *The Conversion of Traditional Buildings in the Countryside*

Planning Control Policy Note 28: *Equestrian Developments*

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area / Green Belt
- * impact on residential amenity
- * impact on the highway
- * impact on Ecology

Impact on the character and appearance of the area / Green Belt

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.

Saved UDP policy G3 allows for the conversion of existing buildings within the Green Belt so long as the proposal does not have a materially greater impact than the present use on the openness of the Green Belt.

The NPPF sets out the Governments objective towards development in the green belt. Para. 89 refers to the construction of new buildings as being inappropriate forms of development in the Green Belt, except for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

PCPN15 advises that the simple appearance of the building must be retained and fussy design details avoided. External walls must be retained with their original appearance as far as possible keeping large areas of solid wall and utilising a few randomly spread and

irregularly sized small windows.

The building proposed for conversion is a large agricultural building currently used for the stabling of horses. The building is not considered to be of any significant architectural merit but is typical of the design of large agricultural buildings sited within countryside locations. The applicant has proposed little changes to the external elevations, utilising and enlarging existing window openings. The most significant change to the external appearance would be the introduction of cedar cladding. It is considered that the proposed cladding would serve to improve the appearance of the building whilst not changing its rural appearance.

The proposal involves the creation of a new access track. The access to the building crosses two residential curtilages. It is proposed to install a new access track along the existing field boundary. The access would enter the field at an existing field gateway. The access track would not unduly harm the character and appearance of the area/Green Belt given its small scale and the existence of similar accesses nearby.

Overall, the proposed conversion of the building to residential is considered to be acceptable by virtue of the small scale of changes proposed. The appearance of the building would remain as agricultural/rural and would not unduly affect the appearance nor the openness of the Green Belt.

Structural Test

A structural appraisal report has been submitted with the application and concludes that "the buildings are generally of 'reasonable structural condition considering their age and nature of construction. At present, the structures are stable; however, subject to historic movement and levels of deterioration, we are of the opinion that in their present condition, the medium to long term structural integrity of the buildings cannot be categorically guaranteed". Remediation measures are proposed but these do not involve re-building.

It is considered that the principle of conversion is acceptable, in accordance with saved UDP policy R3.

Impact on residential amenity

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.

PCPN28 advises that "where possible stables should be sited at least 30 metres from dwellings to avoid impacts on residential amenity from smells, noise and nuisance. However, dwellings directly related to, or part of, the application site, for example a farmhouse, may be excluded from this standard".

The nearest, non-associated, residential dwelling is located approximately 23 metres away, being Heaps Cottage. Although this falls short of the recommended 30 metres separation distance, given that the stables would be located within a large building and that there are existing stables within this building, Officers consider that the extension to the existing stable block is acceptable.

The proposed residential element of the proposal would be directly adjacent to the stable use and within close proximity. On this basis, it is considered that a condition should be imposed to ensure that only the applicant and their family live within the dwelling.

Impact on the highway

Policy S1 of the Bolton Core Strategy seeks to ensure that road safety is taken into account in the design of new development.

Adequate parking provision is allocated within the site and Bolton Council's Highway Engineers have raised no objection to the proposal. In order to protect the character and appearance of this rural site, Officers consider it appropriate to impose a condition that requires a full landscaping scheme to be submitted for the parking area. This would ensure that any vehicles would not detract visually from the rural setting.

The proposal complies with policy S1 of the Bolton Core Strategy and Appendix 3.

Impact on Biodiversity

Core Strategy policy CG1 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity.

An ecology survey has been submitted in support of the application. The ecological survey confirms that whilst bats and great crested newts have been recorded in the local area, there was no conclusive evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected by site development.

Furthermore, in relation to vegetation, to be cleared, the report confirms that this has a low ecological significance in the local area. The protection of trees on the site boundary and landscaping will promote structural diversity in both the canopy and at ground level and will encourage a wider variety of wildlife to use the site than already occurs.

The Greenspace section has been consulted and has raised no objections subject to the attachment of a condition restricting the clearance of vegetation or the development of buildings between the bird breeding season of March to August (inclusive).

Conclusion

For the reasons discussed above it is considered that the proposed development would not unduly harm the character and appearance of the area nor would it impact upon the openness of the Green Belt. The proposal complies with policies and Members are therefore recommended to approve this application subject to conditions.

Representation and Consultation Annex

Representations

Letters: - 1 letter of objection has been received from 340 Ringley Road West.

Objections:

- Proposal is contrary to Green Belt policy;
- Will set an undesirable precedent;
- There are many similar barns and stables in the area and this may stimulate others to convert;
- A barn conversion adjacent to this dwelling has just appeared on the market, the asking price is in the region of a million pounds. (Officer's note: This is not a material planning consideration)

Response:

Paragraph 90 of the NPPF provides details of a number of forms of development which are not considered to be inappropriate development provided they preserve the openness of the green belt and do not conflict with the purposes of including land in Green Belt. These include the re-use of buildings provided that the buildings are of permanent and substantial construction.

The applicant has proposed little changes to the external elevations, utilising and enlarging existing window openings. The most significant change to the external appearance would be the introduction of cedar cladding. It is considered that the proposed cladding would serve to improve the appearance of the building whilst not changing its rural appearance.

Given the small scale of changes proposed changes it is considered that the proposed conversion of the building to residential is acceptable. The appearance of the building would remain as agricultural/rural and therefore would not unduly affect the appearance or the openness of the Green Belt.

The proposals therefore comply with the guidance set out within the NPPF which states that re-use of buildings is acceptable within the Green Belt, provided that the buildings are of permanent and substantial construction.

Consultations

Advice was sought from the following consultees:

Highways- No objections

Greenspace Section- No objection subject to the attachment of a condition restricting the clearance of vegetation or the redevelopment of the buildings during the breeding bird season of March to August (inclusive).

Planning History

90669/13 – Conversion of stable building to part residential/part stabling and creation of first floor together with changes to the external elevations; including new windows.

Withdrawn

75012/06 - Demolition of store and erection of detached building. Approved with conditions.

51135/97 - Continued use of land as an exercise area for horses by the removal of top

soil and laying stone chippings and the erection of ranch style fencing 1.2m high.
Approved with conditions.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The residential unit and stables hereby approved shall be used solely for the private/personal use of the applicant and their family.

Reason

In the view of the personal circumstances of the applicant and in the light of the assurances given as to how the development applied for will be carried out.
3. There shall be no site clearance during the main bird breeding season (March to August inclusive) unless nesting birds have been shown to be absent.

Reason

The site has the potential to support breeding birds. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds whilst they are breeding.
4. Prior to the commencement of the development hereby approved, samples and details of the materials for the External Elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out using the approved materials, unless agreed otherwise in writing by the Local Planning Authority.

Reason

To ensure the development fits in visually with the existing building and the area.
5. The development hereby permitted shall be carried out in accordance with drawing numbers:

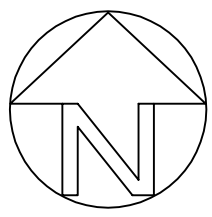
LF/SR/2807
LF/SR/2808

Reason

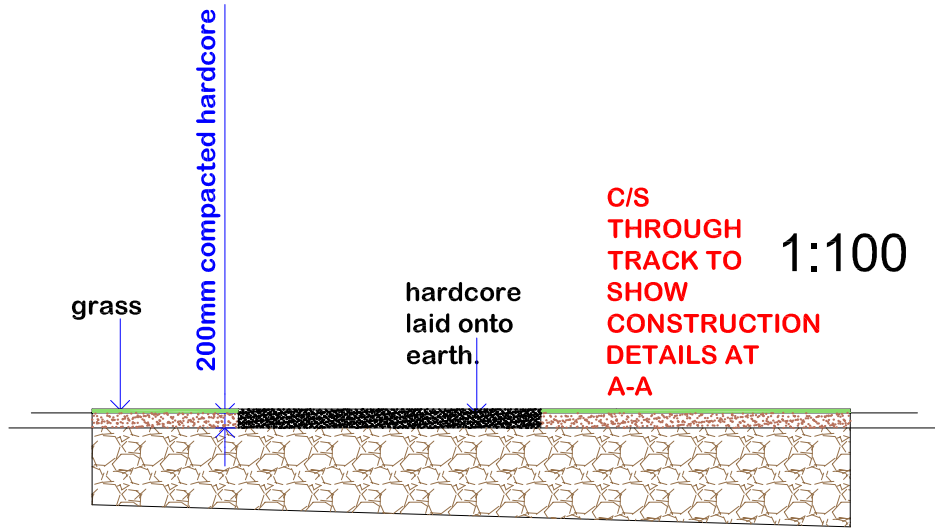
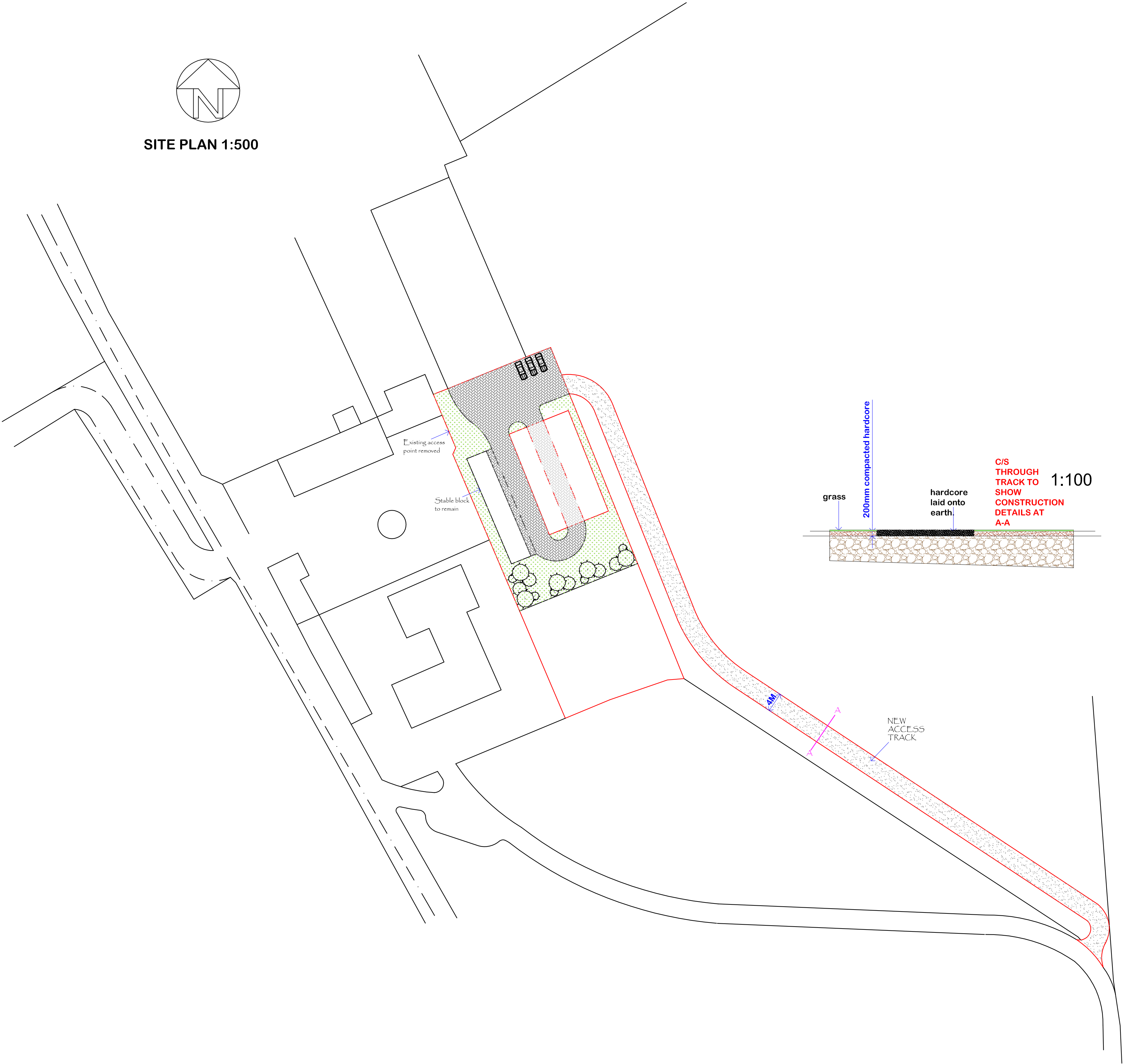
For the avoidance of doubt and in the interests of proper planning
6. Trees and shrubs shall be planted on the site, including around the car parking area, in accordance with a landscape scheme to be submitted and approved in writing by the Local Planning Authority prior to the development being first 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.

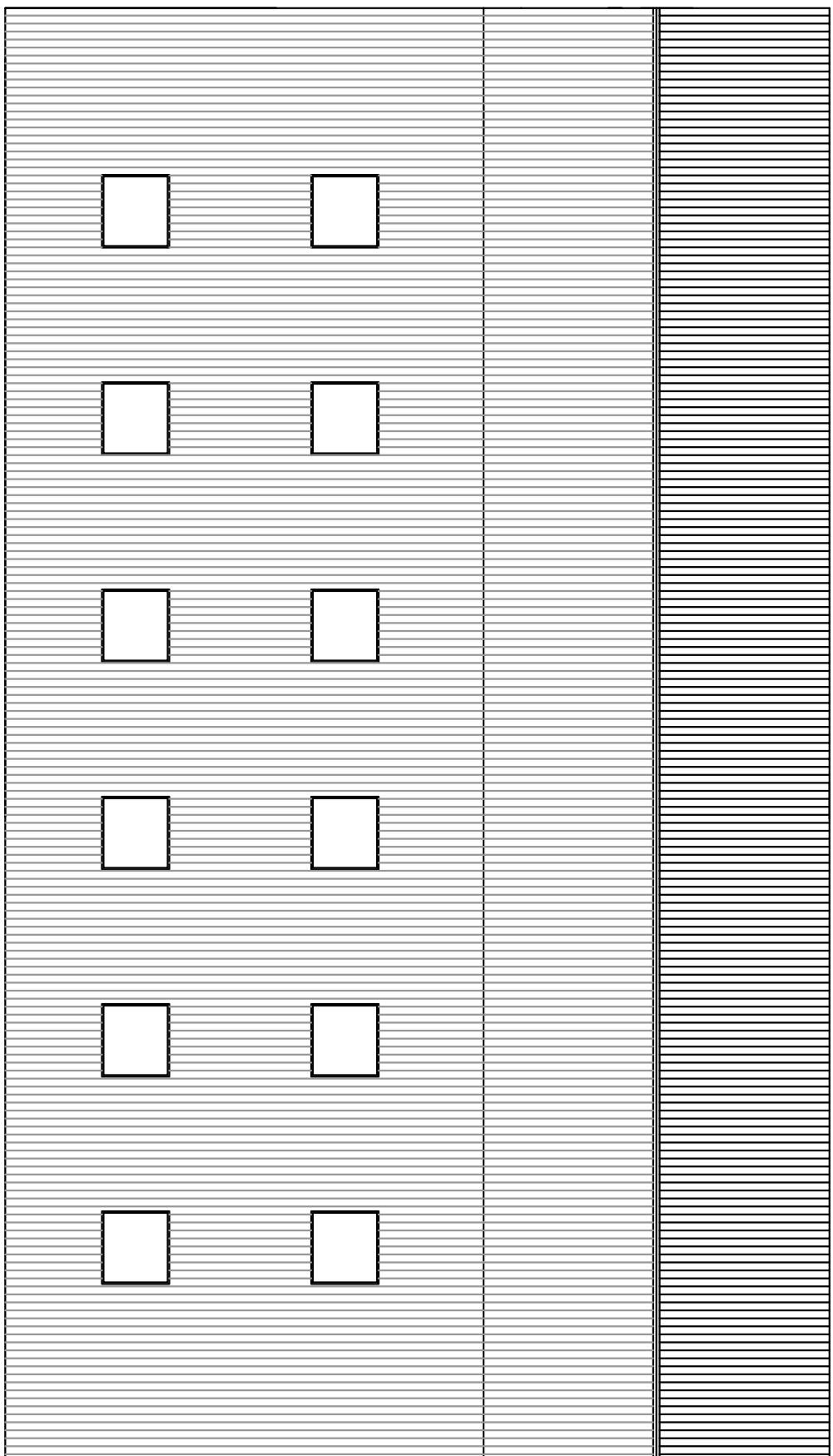
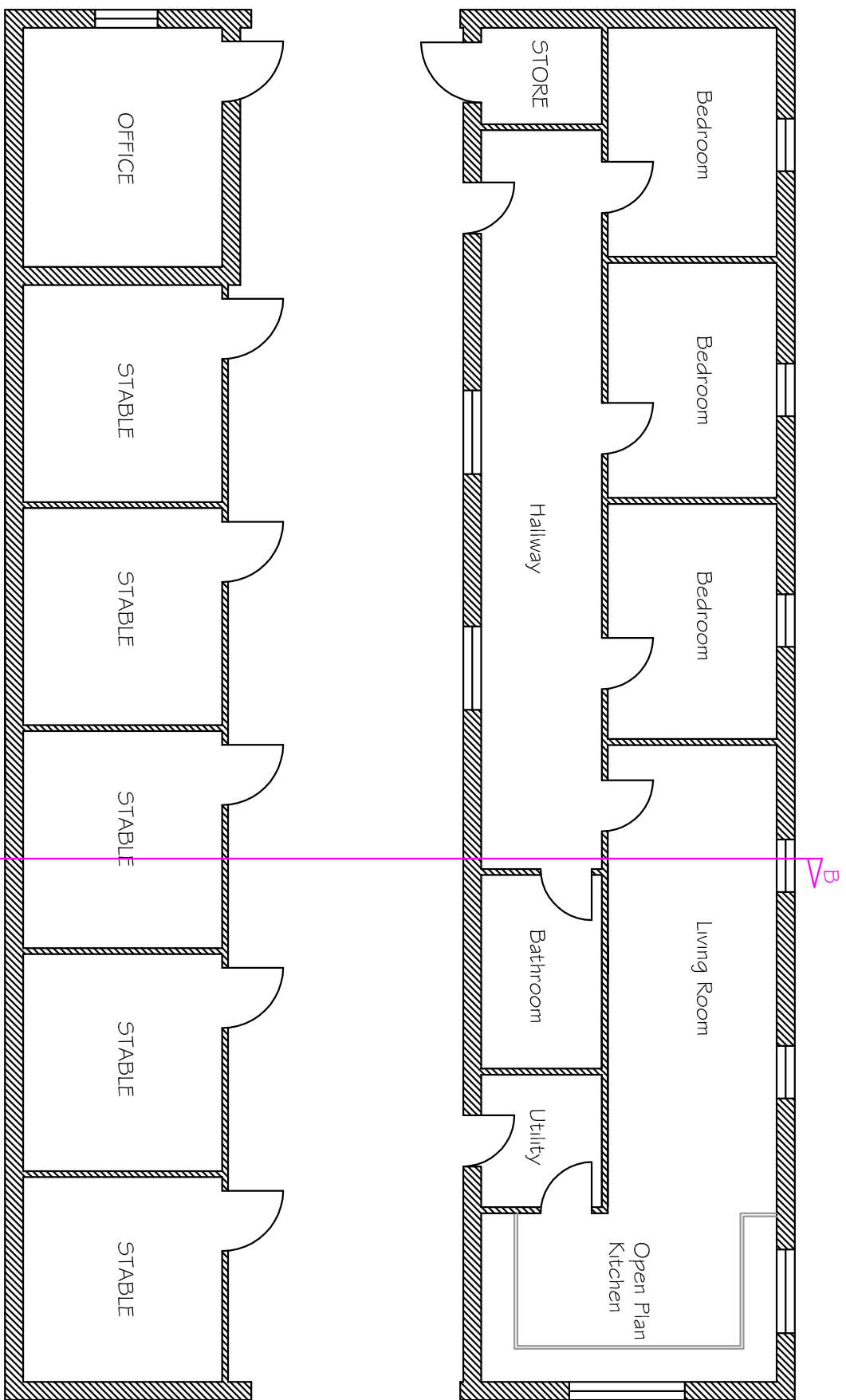


SITE PLAN 1:500



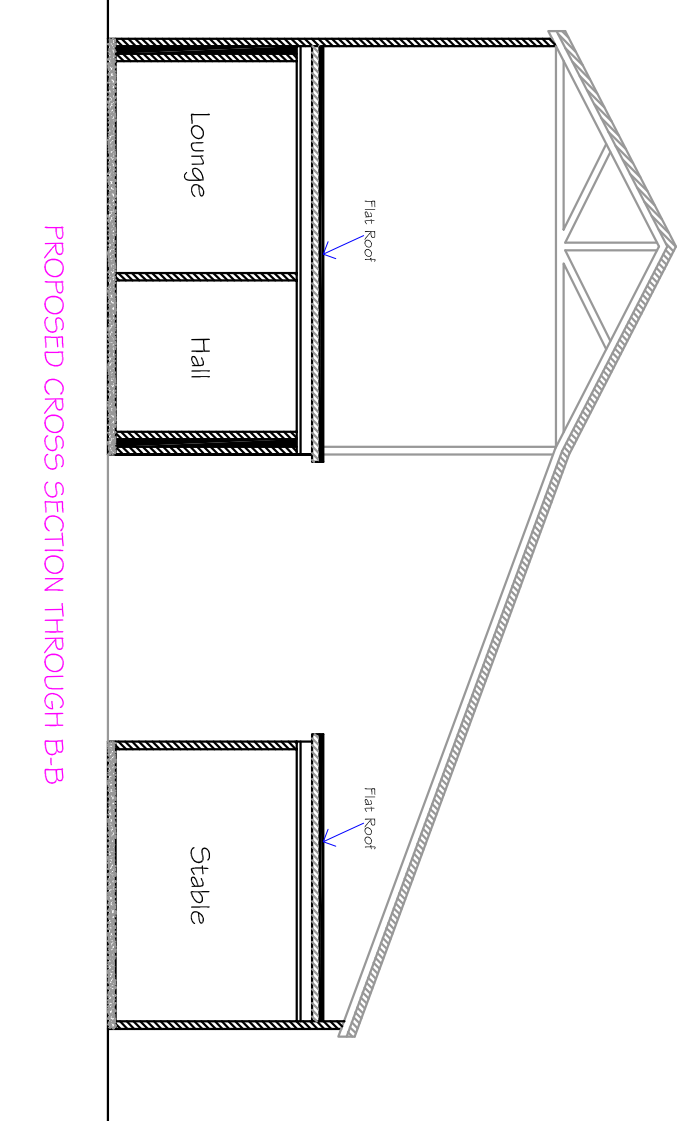
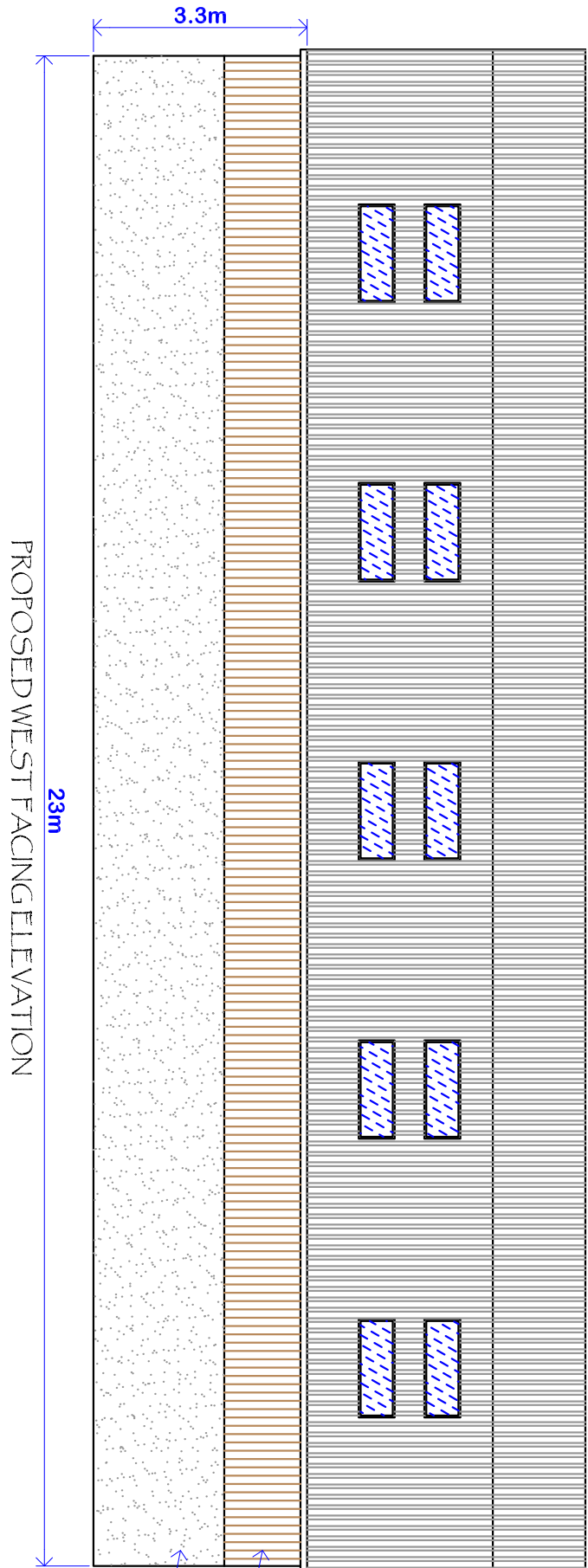
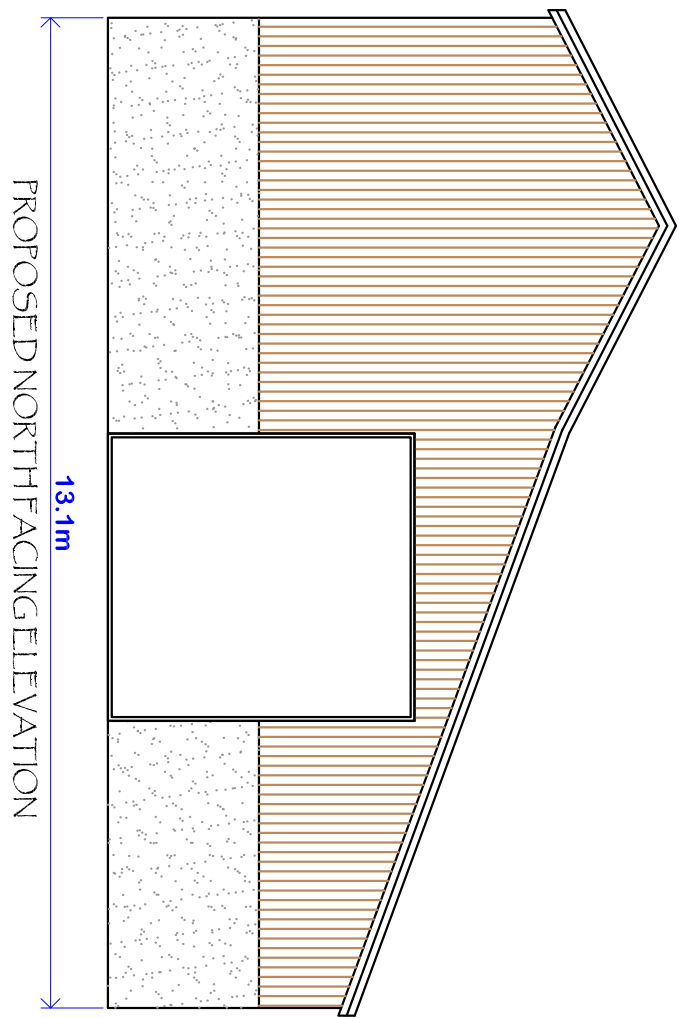
DRAWN BY:  ML Planning Ltd 5 Bobbin Mill Cottages, Stubbins Lane, Cloughton-on-Brock, Preston. PR3 0PL Telephone 01995 640135 Mobile 07813 296 287 e-mail: mel@mlplanning.co.uk	CLIENT: SARAH RUSSEL	DATE: 06 JAN 2014
	PROJECT : CONVERSION OF EXISTING BUILDING INTO 1No LIVE / WORK UNIT	DWG NO. LF/SR/2808
	LOCATION: The Barn Ringley Road West Radcliffe Manchester, Lancashire M26 1DY	SCALE: 1:500
		A1 SITE PLAN

AS PROPOSED

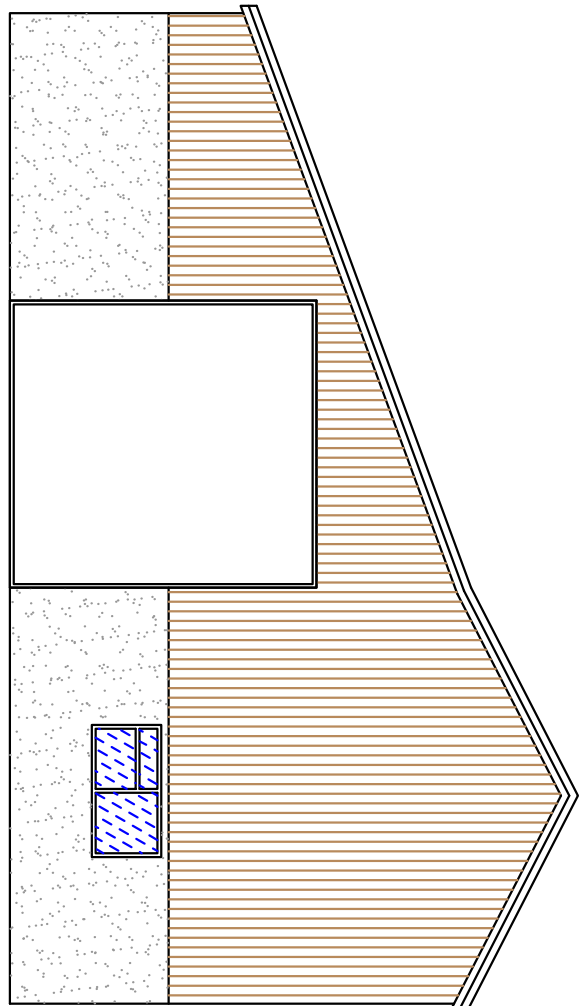
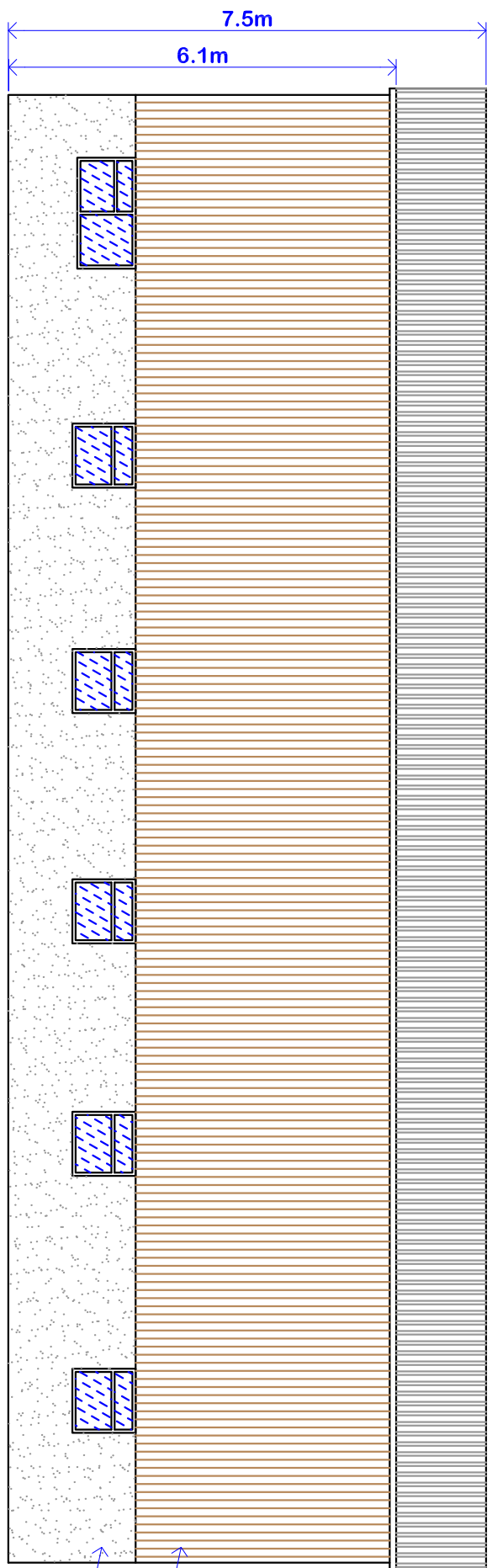


PROPOSED ROOF PLAN

PROPOSED GROUND FLOOR PLAN



PROPOSED CROSS SECTION THROUGH B-B



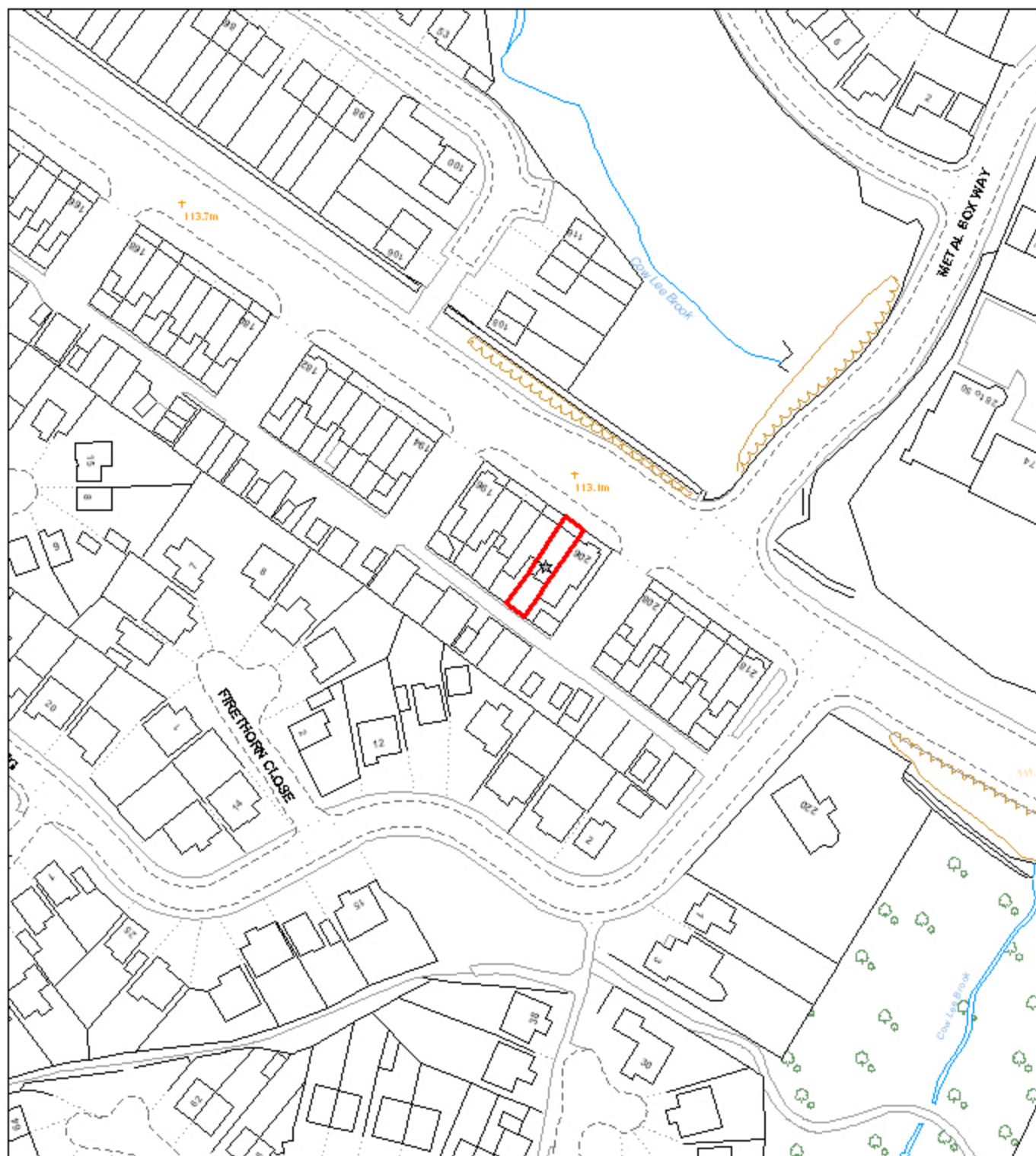
PROPOSED EAST FACING ELEVATION

PROPOSED SOUTH FACING ELEVATION

DRAWN BY: Planning 212	CLIENT: SARAH RUSSEL	DATE: 06 JAN 2014
PROJECT: CONVERSION OF EXISTING BUILDING INTO TWO LIVE / WORK UNIT	DWG NO: LFSR/2807	SCALE: 1:100
LOCATION: 5 Bobbin Mill Cottages, Stubbins Lane, Claydon-on-Brook, Preston, PR3 0PL Telephone: 01995 640135 Mobile: 07813 296 287 e-mail: mel@mpplanning.co.uk	EXISTING PLANS	

Application No.

91399/14



**Development and Regeneration Department
Planning Control Section**

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

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Date of Meeting: 03/07/2014

Application Reference: 91399/14

Type of Application: Full Planning Application
Registration Date: 29/01/2014
Decision Due By: 25/03/2014
Responsible Officer: Simon Coles

Location: 204 MANCHESTER ROAD, WESTHOUGHTON, BOLTON, BL5 3LA

Proposal: ERECTION OF PART SINGLE/PART TWO STOREY EXTENSION AT REAR.

Ward: Westhoughton North

Applicant: Mr M Morris
Agent : Mr R Potter

Officers Report

Recommendation: Refuse

Background

The application was deferred from the 05 June Planning Committee pending an advanced site visit.

Proposal

The application proposes the erection of a part two storey/part single storey extension at rear to provide a kitchen and W.C. at ground floor level and a bedroom and bathroom at first floor level.

The two storey element will project from the existing two storey outrigger by approximately 3.3 metres bringing it flush with the rear of number 206 Manchester Road. The single storey projects a further 2.8 metres and is sited along the boundary with number 206 Manchester Road. This extension is 1.4 metres wide. An existing store sited to the rear boundary is to be demolished.

Site Characteristics

This is a terraced property with an existing two storey outrigger that projects 3 metres. There is a detached store to the rear boundary.

The property at number 202 Manchester Road has a two storey outrigger (the same length as the application property) with a single storey kitchen extension at rear. There is also a detached store to the rear boundary. There is a principal window at first floor level which serves a main bedroom and a window at ground floor level that serves a through lounge.

The property at number 206 Manchester Road has a two storey outrigger at the rear that is set out further than number 204 by about 3.3 metres. The property has a cantor levered structure sited to the boundary with number 204 and has a store to the rear

boundary.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses and OA3 Westhoughton.

SPD House Extensions and PCPN2 Space Around Dwellings

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the adjoining neighbours
- * impact on the character and appearance of the property and the surrounding area

Impact on the adjoining neighbours

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the Council's minimum interface standards between dwellings.

Impact on number 202 Manchester Road

The two storey element proposed projects approximately 3.3 metres bringing it in-line with the rear of number 206. Number 202 has windows at ground floor and first floor level which serve a through lounge and a main bedroom. Both these windows are set within the infill closest to the boundary with the application property.

SPD House Extensions states that rear single or two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be considered acceptable. Single storey extensions longer than 4 metres may be acceptable if the space remaining at the end of the yard would be unusable or if the impact on the neighbour would be limited by screening – for example, where there is an existing extension which the proposal would abut in the adjacent dwelling.

However, by taking into account the existing two storey outrigger which projects approximately 3.1 metres, a further 3.3 metres would provide a two storey extension with a projection of approximately 6.4 metres that would provide an over dominant effect on the neighbouring residents at number 202 Manchester Road, impinging on the first floor main bedroom window to a degree which would represent an unacceptable impact on the outlook and living conditions of the residents at this property. Furthermore, given the orientation of the properties the proposal would cause loss of light to this main room window.

Impact on number 206 Manchester Road

The proposed two storey extension would tie in with the existing two storey outrigger at this property and due to the a lean-to shed it is considered that the further single storey projection would not have a detrimental impact on the living conditions of the residents at this property.

Further to the above, it is considered that the proposal is not acceptable due to the detrimental impact on the living conditions of the residents at 202 Manchester Road by way of loss of light and outlook and therefore does not comply with Policy CG4.

Impact on the character and appearance of the property and the surrounding area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA3 of the Core Strategy relates specifically to developments in Westhoughton and states that the Council will conserve and enhance the character of the existing physical environment

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

Within this row of terraced properties the end two, namely numbers 196 and 206 Manchester Road benefit from larger two storey outriggers. The mid terrace properties all have smaller two storey outriggers at similar lengths, with some having added further single storey extensions.

In this case the scale, massing and architectural design of the extension is not considered to be in-keeping with the existing property and the surrounding area.

Other matters

Prior to the June Planning Committee the applicant provided a photo of an example of extensions that have been approved at 37 and 39 Gilnow Road. It is the Agents view that the impact on the windows in the original rear elevation of the neighbouring property at number 202 Manchester Road would be similar.

It is noted by Officer's that extensions such as those shown in the submitted photo are evident in the borough, however each application is judge on its own merits and the planning officers comments as detailed within this report still stand.

Conclusion

The proposal is not consistent with the guidelines contained in SPD - House Extensions

(2012) by reason of the unacceptable impact the first floor extension would have on the outlook and living conditions of the neighbouring residents at number 202 Manchester Road. Similarly the proposal is not consistent with Bolton's Core Strategy (2011) by reason of its scale and massing.

Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters:- Two letters of objections have been received with the following concerns: -

- extension is the size of a small house;
- disturbance and probable damage of brickwork, foundations and roof to objectors property;
- loss of light to kitchen window from single storey element; (*Officer's comments: a kitchen is not treated as a main room window and therefore any impact would not be considered material*)
- loss of natural light into lounge window from two storey element.

Town Council:- Westthoughton Town Council requested that the application be determined by the Planning Committee.

Elected Members:- Councillor Peacock has requested that the application be determined by the Planning Committee.

Consultations

Advice was sought from the following consultees: None.

Planning History

None.

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at 202 Manchester Road and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

Application No.

91535/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
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11

Date of Meeting: 03/07/2014

Application Reference: 91535/14

Type of Application: Full Planning Application
Registration Date: 26/02/2014
Decision Due By: 22/04/2014
Responsible Officer: Jeanette Isherwood

Location: 5 ELLONBY RISE, LOSTOCK, BOLTON, BL6 4NR

Proposal: FORMATION OF ROOF TERRACE FROM EXISTING FLAT ROOF AND RETENTION OF AIR SOURCE HEAT PUMP

Ward: Westhoughton North

Applicant: Mrs Joy Roscoe
Agent : ASC Designs Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the erection of a 1.8 metre obscure glazed panel at first floor level to enclose part of the flat roof of the existing extension for conversion into a small balcony area. The balcony will measure 2 metres in length and 3 metres in width.

The application also proposes the retention of a large air source heat pump to the side elevation.

Site Characteristics

This is a 3 storey detached dwelling sited within a small private gated development. At the head of the entrance to the site is a double garage located at right angles to the main dwelling. Immediately to the side is a mature Horse Chestnut tree which is protected by the Bolton (Tempest Road no.4) Tree Preservation Order 2000.

To the rear is a single storey extension full width of the property. Half of this extension has a lantern roof whilst the other half has a flat roof. The property is not overlooked to the rear and faces open ground.

The adjacent property at 3 is also a 3 storey detached dwelling with the rear garden bounded by a close board 1.5 metre high fence. This property has large principal patio doors approximately 2 metres from the boundary. These doors open on to a small private patio area.

Policy

National Planning Policy Framework 2012

Bolton's Core Strategy: - CG4 – Compatible Uses

Planning Control Policy Note:- No. 2 Space around Dwellings.

Supplementary Planning Guidance - House Extensions (2012)

Analysis

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

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

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

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

The main impact of the proposal is:-

* impact on the adjacent property at No.3

Impact on the adjacent property at No. 3 Ellonby Rise

Core Strategy policy CG4 seeks to ensure new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy and security. In addition, guidance contained within Supplementary Planning Document - House Extensions (2012) states that because they are generally open, balconies have a greater impact on the privacy and amenity of neighbouring properties, as when used they give greater opportunities for views into gardens and rooms of adjacent dwellings. In such cases balconies are likely to be unacceptable. In order to counter this, it may be possible for an applicant to provide for a suitable screen barrier along the perimeter of the balcony adjacent to a neighbouring dwelling to maintain their privacy. Such details would be controlled by the imposition of planning conditions for their installation and retention.

The original plans detailed the enclosing of the whole roof terrace to a length of 5 metres along the party boundary. The enclosure being 1.8 metres to the sides, reducing to 1.1 metres along the front of the terrace. However this has now been amended.

The proposal has been reduced to retain a balcony area 2 metres in length including the erection of 1.8 metre high obscure glazed panels to fully enclose it. The reduced balcony to the rear is now thought to be of an acceptable size, with good screening to protect the privacy of the adjacent property's rear garden patio area. A condition will be added to the approval to ensure that there will be no access from the balcony on to the remainder of the flat roof, restricting its use as a large roof terrace.

The location of the large air source heat pump has been changed with the pump now positioned behind the existing party boundary fence. Pollution control have given their recommendations to ensure the pump has minimal impact on the adjacent property and a relevant condition can be attached to the approval.

Bolton's Core Strategy (2011) policies CG4 requires new development to be compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.

In this case the impact on the amenity and privacy of the adjacent neighbours has been reduced by this amended scheme.

Conclusion

The proposal complies with Core Strategy policies CG3 and CG4 and is consistent with the guidelines contained in SPD - House Extensions (2012).

For the reasons given above the proposal is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- one objection received from 3 Ellonby Rise with their concerns being:-

- Loss of light, privacy and amenity; and
- Disturbance from the retention of the air source heat pump.

Consultations

None sought

Planning History

Planning permission was granted in 2008 for the erection of an extension to the detached garage (Ref: 80317/08) whilst permission was granted in 2007 for the erection of a conservatory (Ref: 78925/07 and 65931/07).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. The development hereby permitted shall be completed before the expiration of 56 days from the date of this permission.

Reason

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

2. Before the first occupation of the balcony the glazed panels shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

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

3. The air conditioning unit should give a rating level, as defined in BS4142:1997, 5dB below the night time LAF90 (5 min) or the daytime LAF90 (1 hour) whichever is the most appropriate, as measured 4 metres from the nearest residential property. The monitoring information and the acoustic calculations together with the proposed specifications of the air conditioning unit and any sound attenuation should be submitted to and approved by the Local Planning Authority in writing prior to the development first being brought into use.

Reason

To minimise the impact of noise on the general and residential amenity.

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

Amended drawings received on 17/06/14 and referenced 0.01B detailing the reduction in length of the terrace to 2 metres.

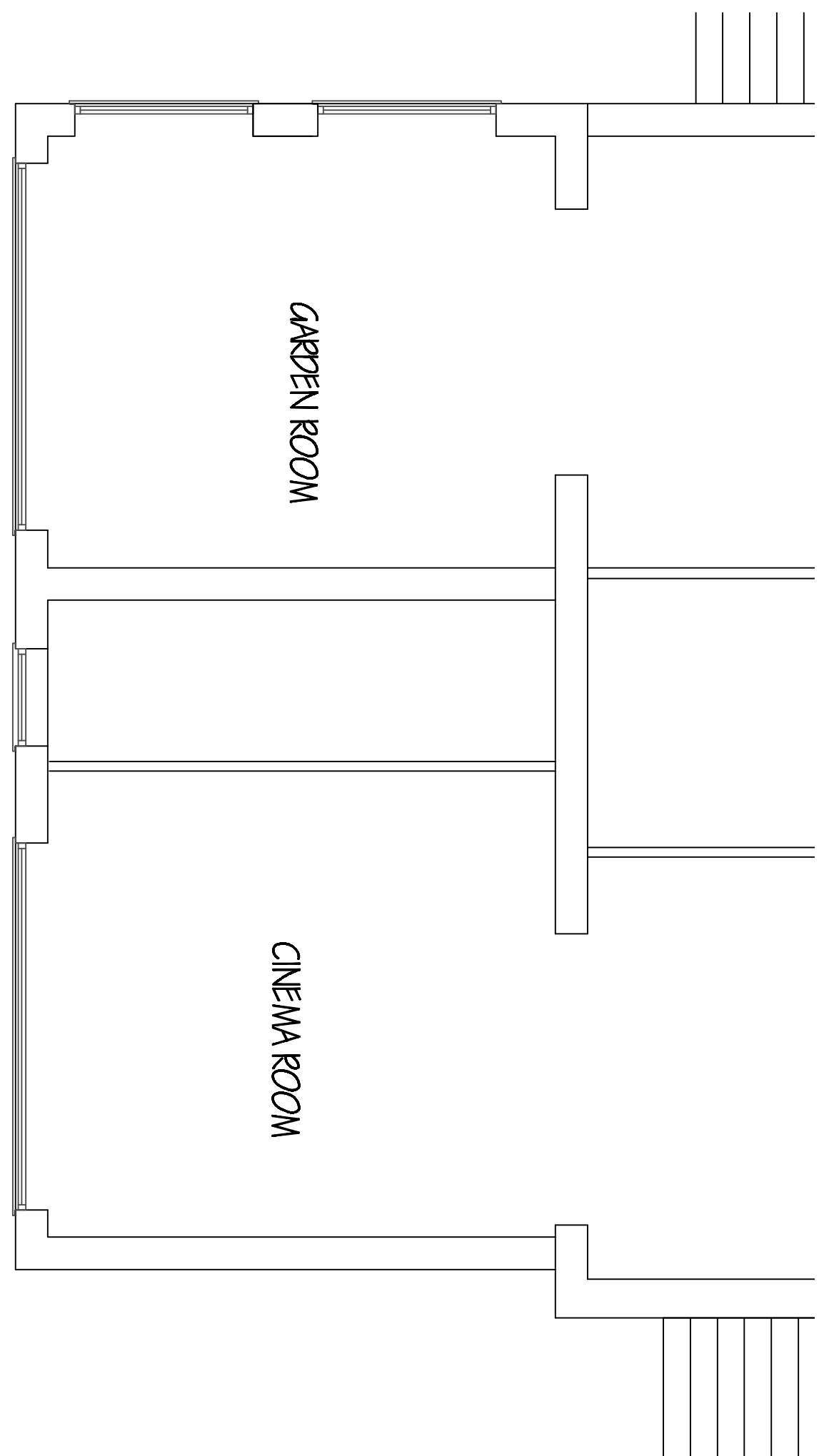
Reason

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

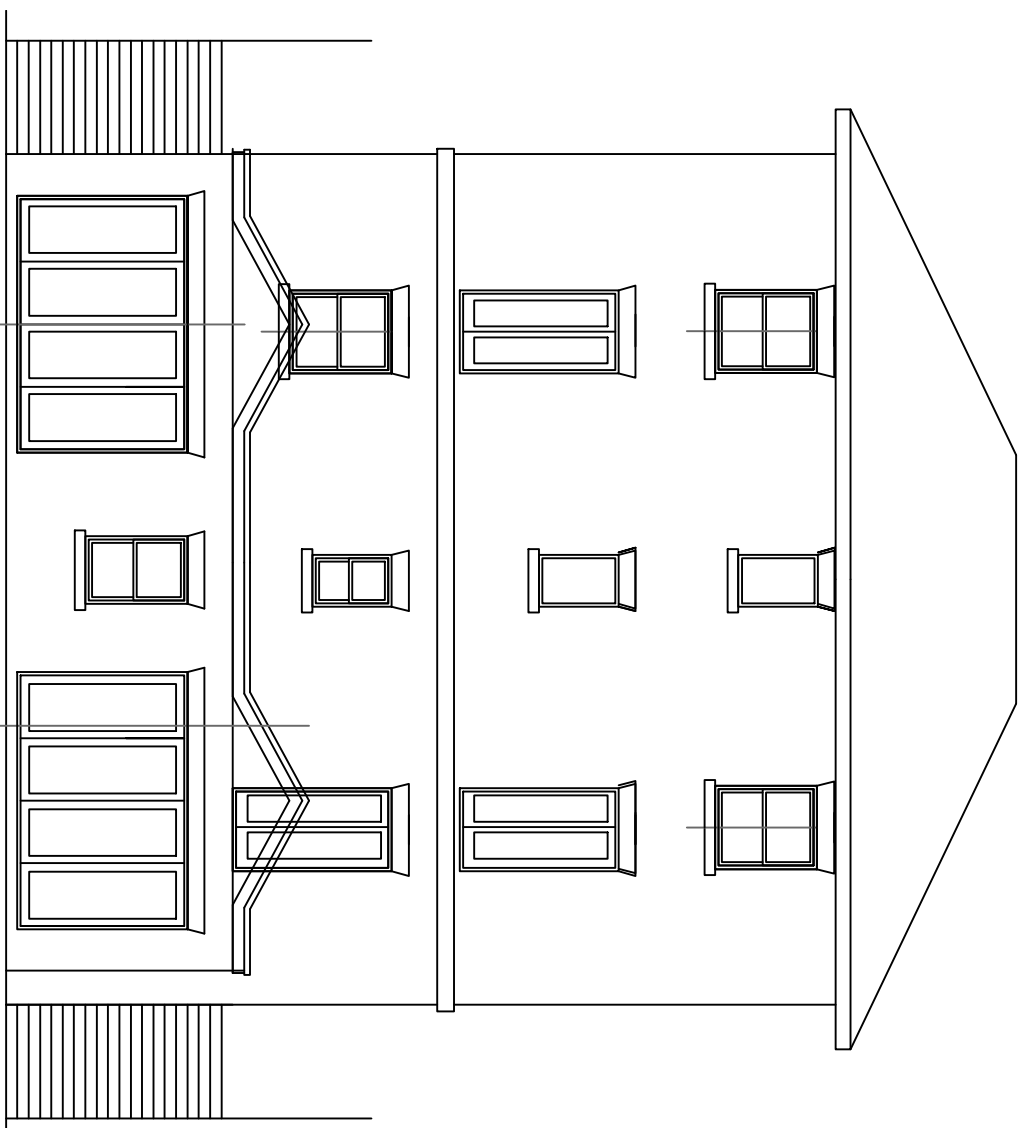
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no means of entry on to the remaining flat roofed area shall be constructed from the balcony, nor shall this area be used as an additional roof terrace.

Reason

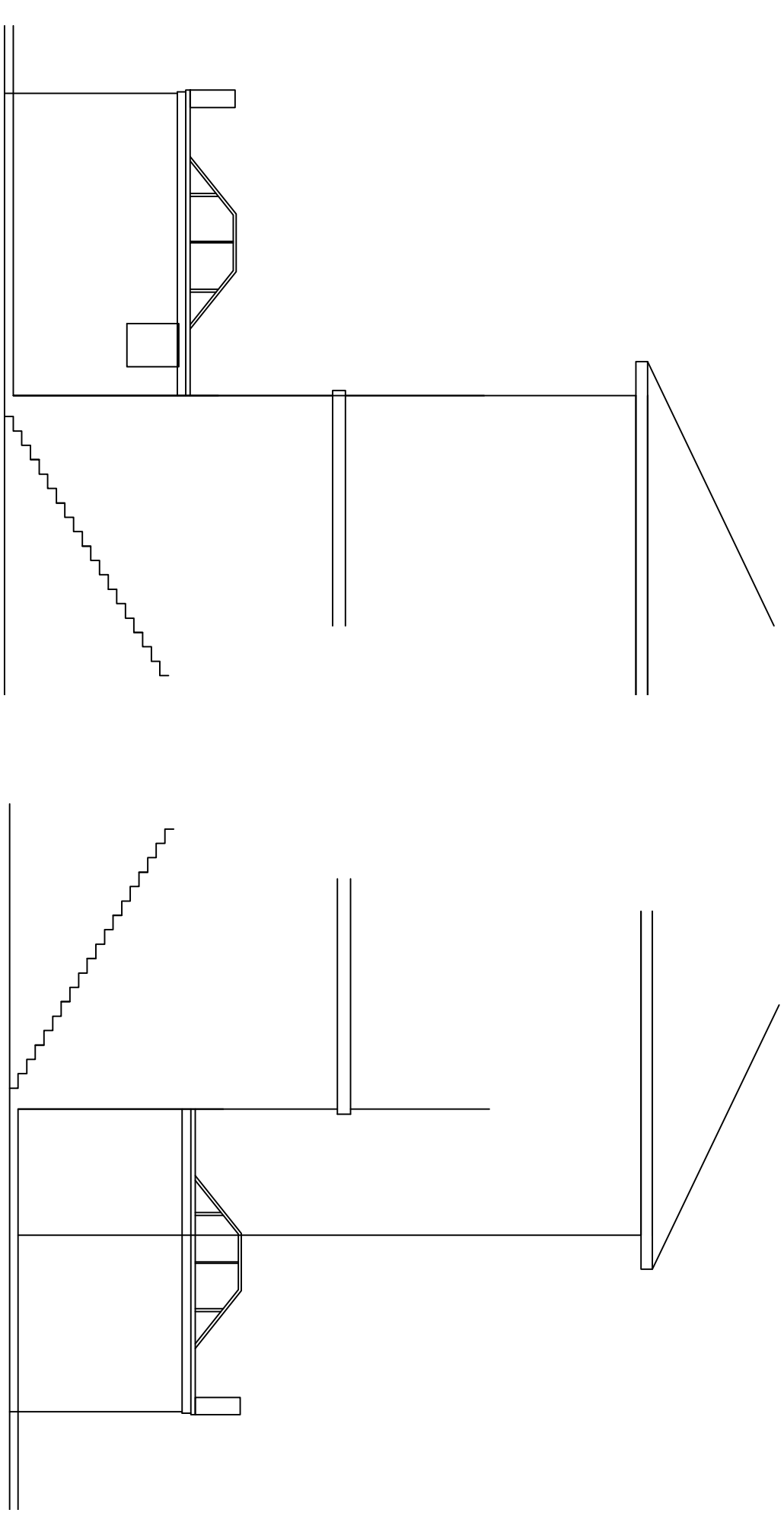
To safeguard the character and appearance of the dwelling and the privacy of the adjoining neighbours.



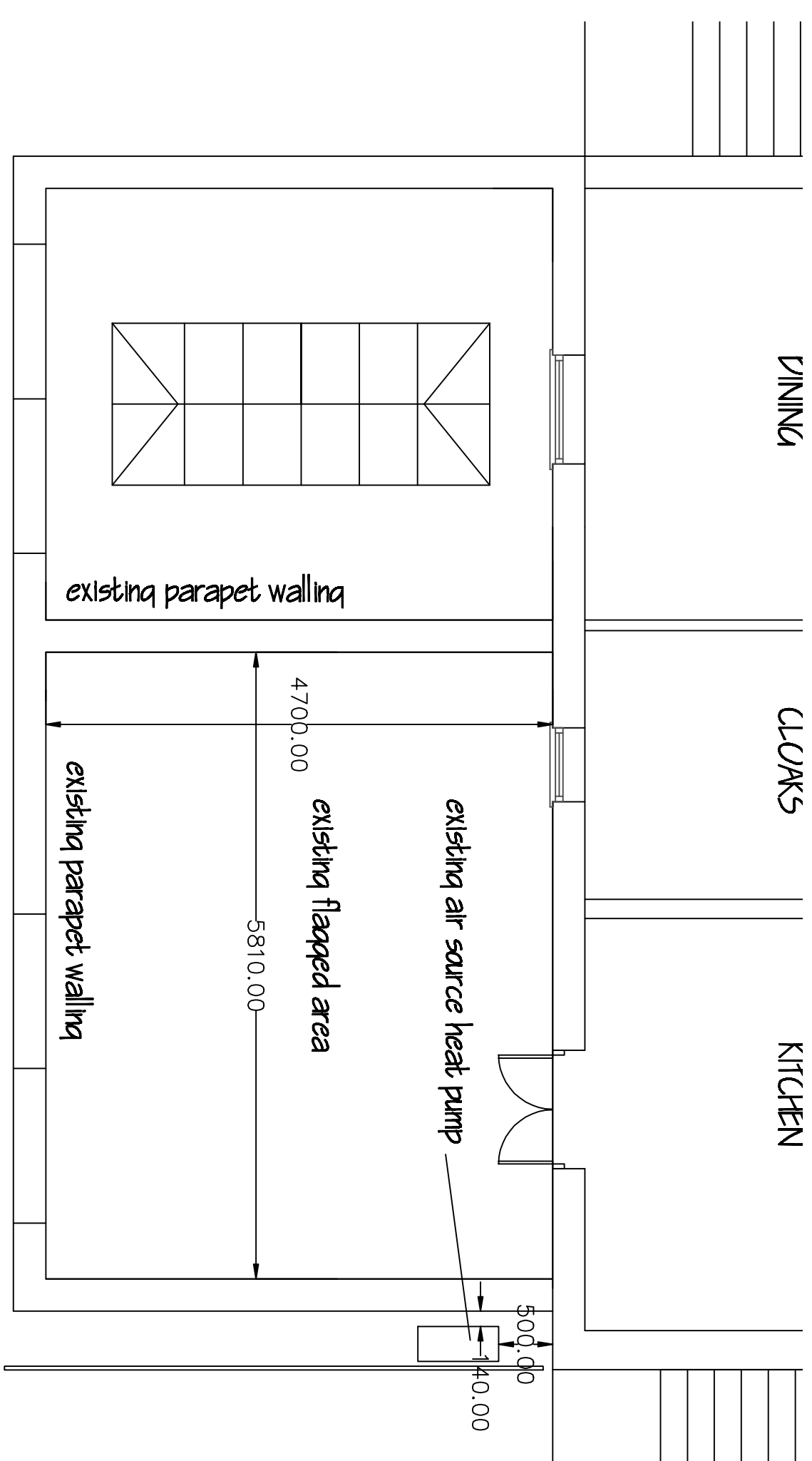
PART LOWER GROUND FLOOR PLAN AS EXISTING



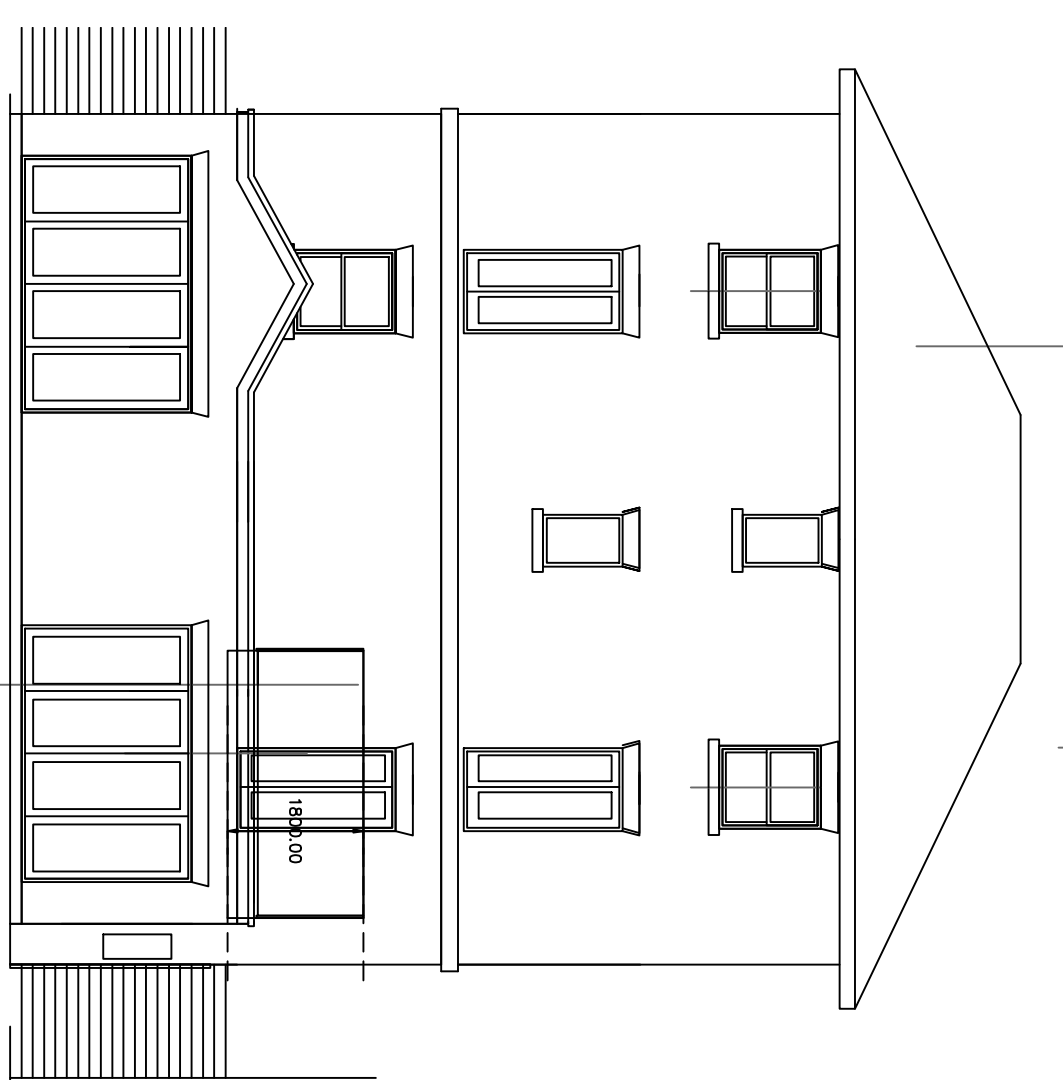
REAR ELEVATION AS EXISTING



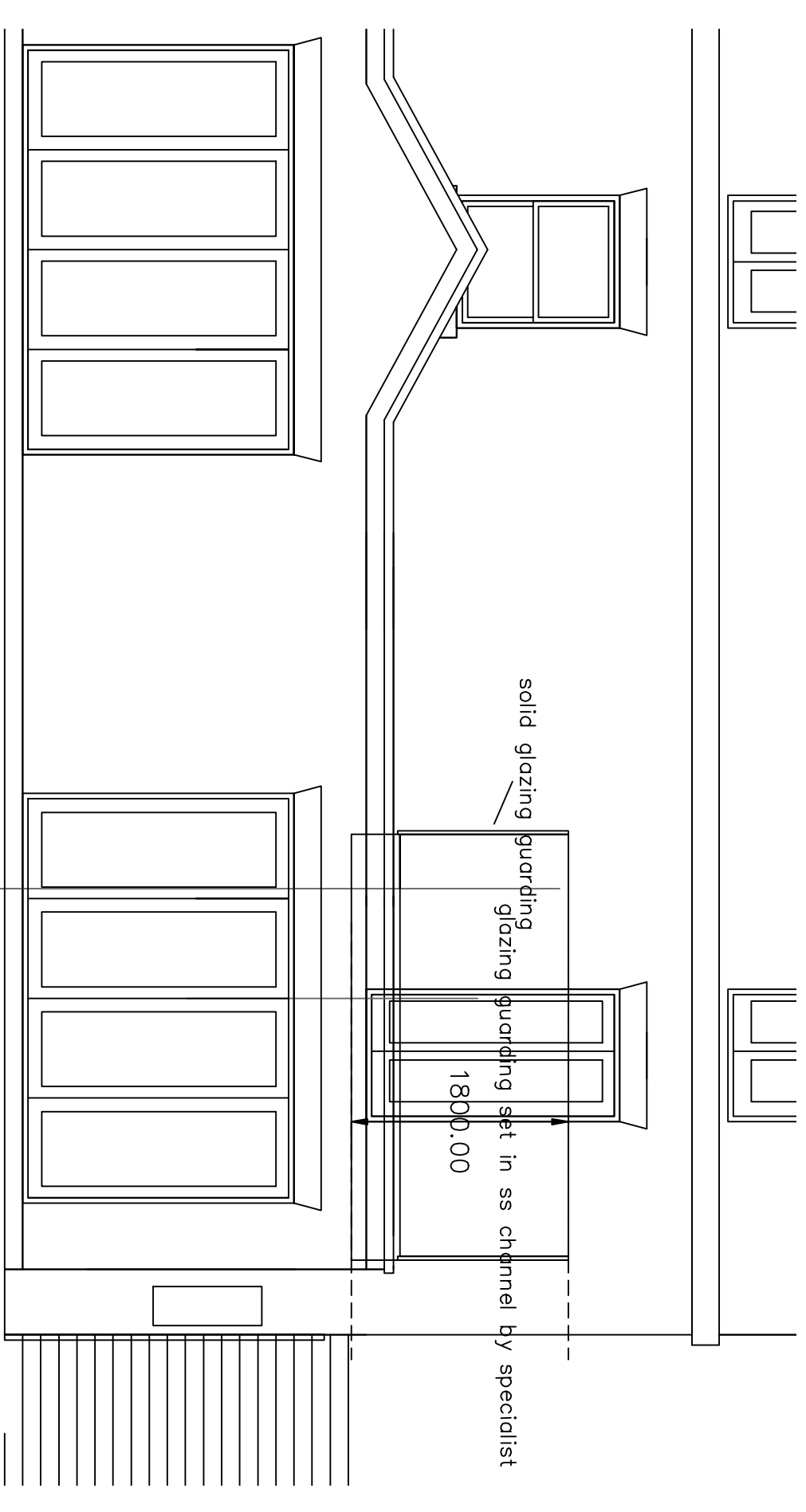
PART SIDE ELEVATION AS EXISTING PART SIDE ELEVATION AS EXISTING



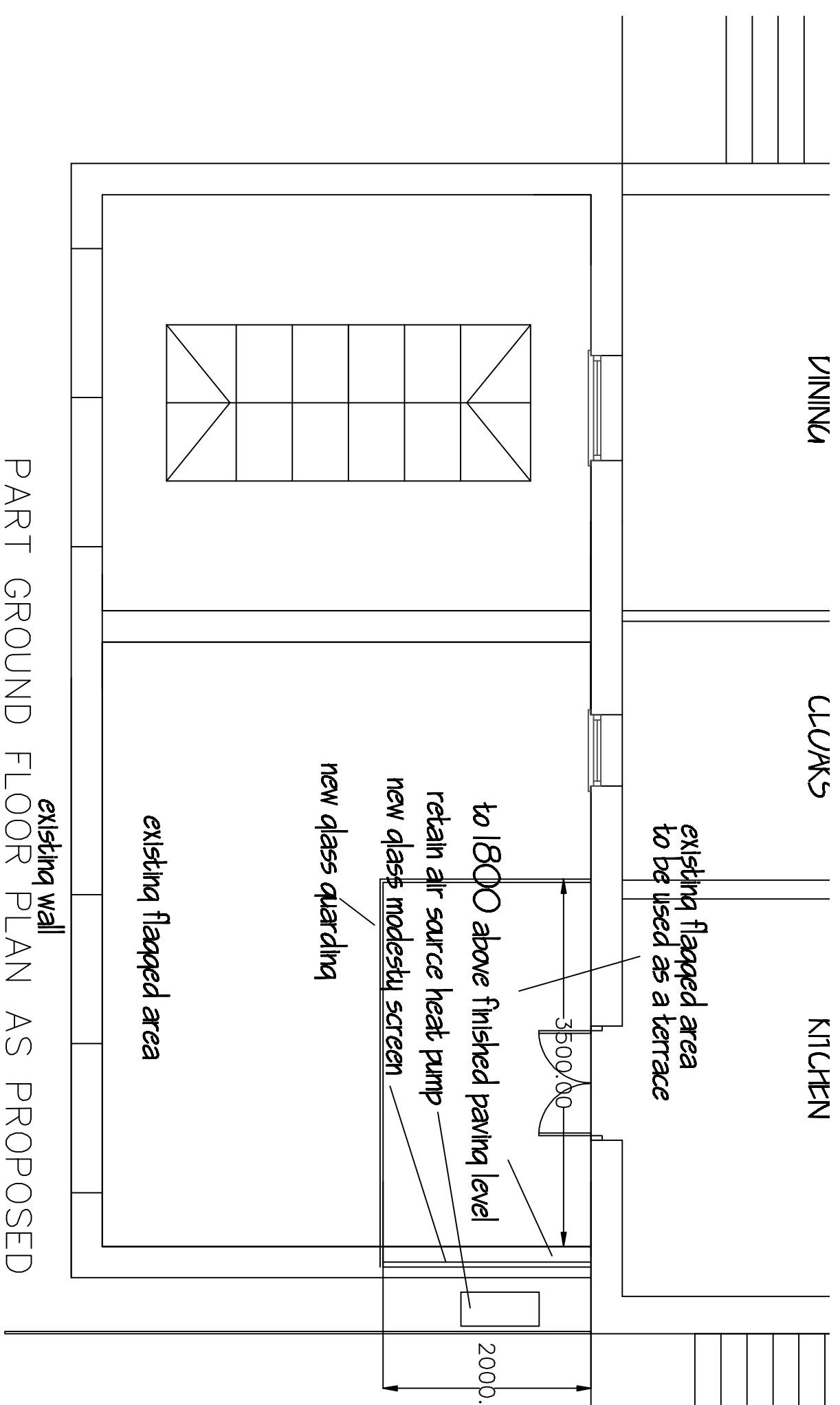
PART GROUND FLOOR PLAN AS EXISTING



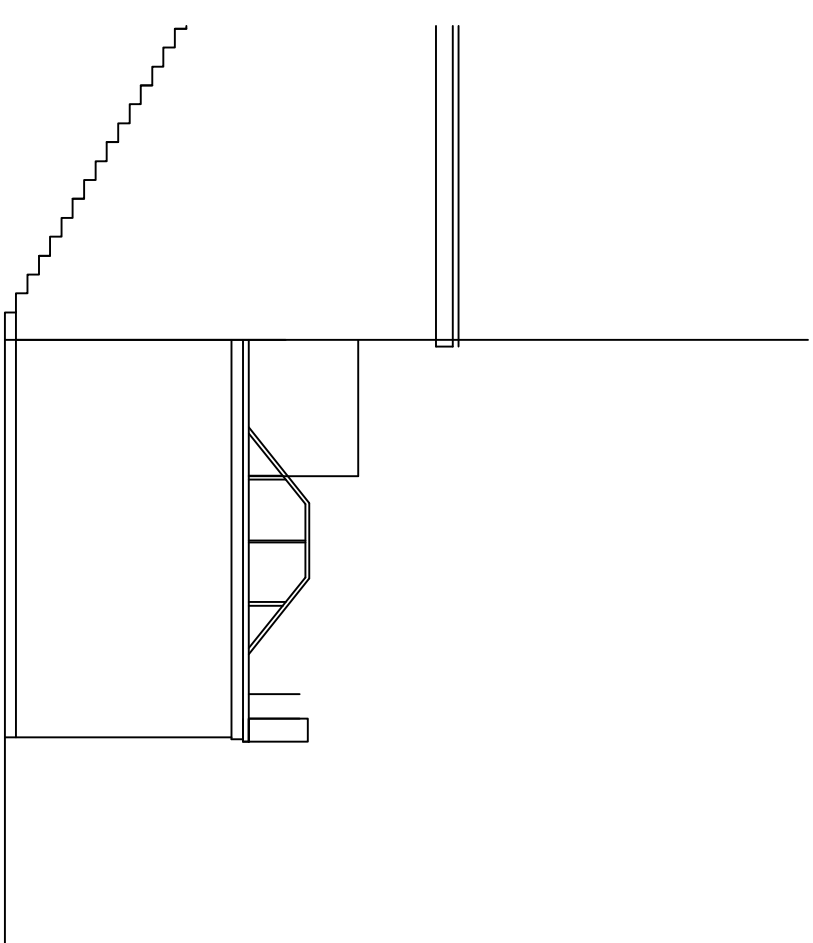
REAR ELEVATION AS PROPOSED



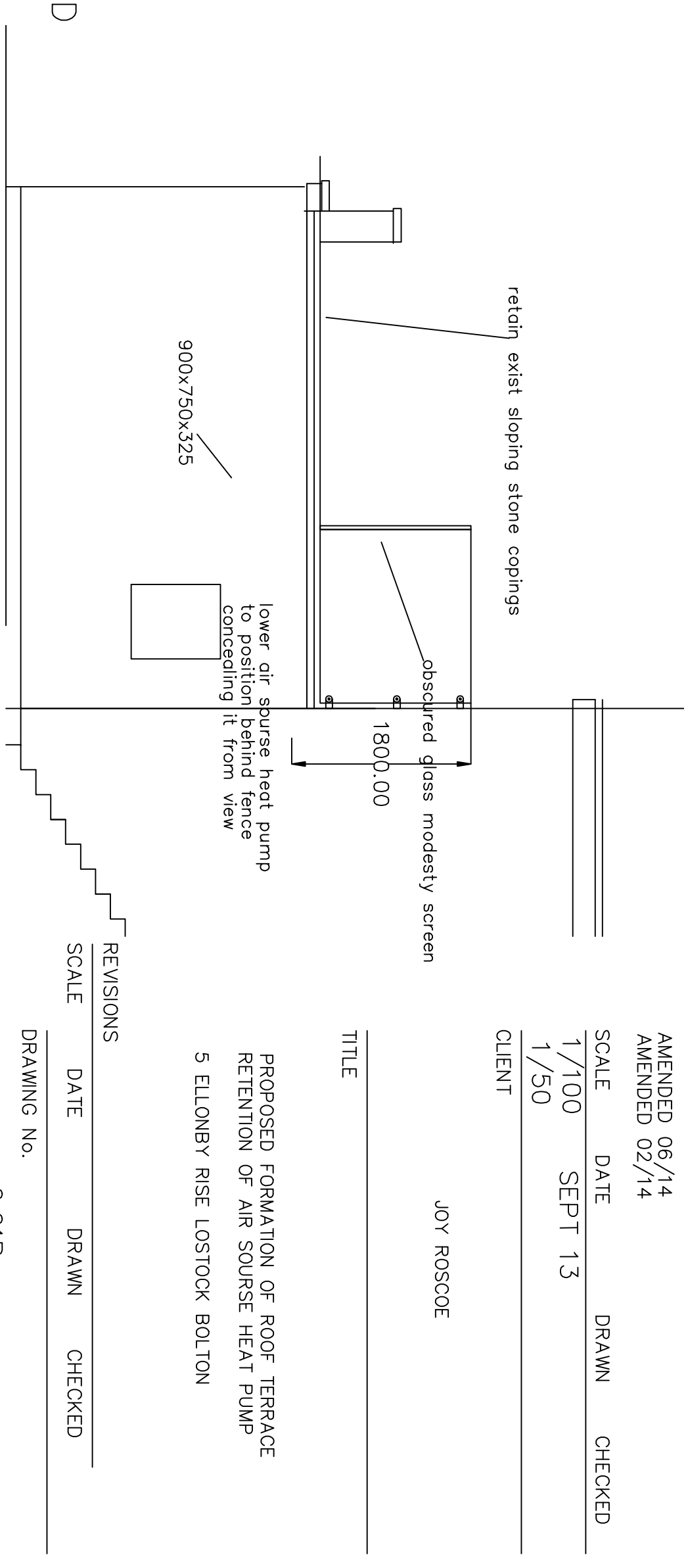
PART REAR ELEVATION AS PROPOSED



PART GROUND FLOOR PLAN AS PROPOSED



PART SIDE ELEVATION AS PROPOSED



PART SIDE ELEVATION AS PROPOSED

AMENDED 06/14	
AMENDED 02/14	
SCALE	DATE
1/100	SEPT 13
1/50	
CLIENT	DRAWN
	CHECKED

TITLE

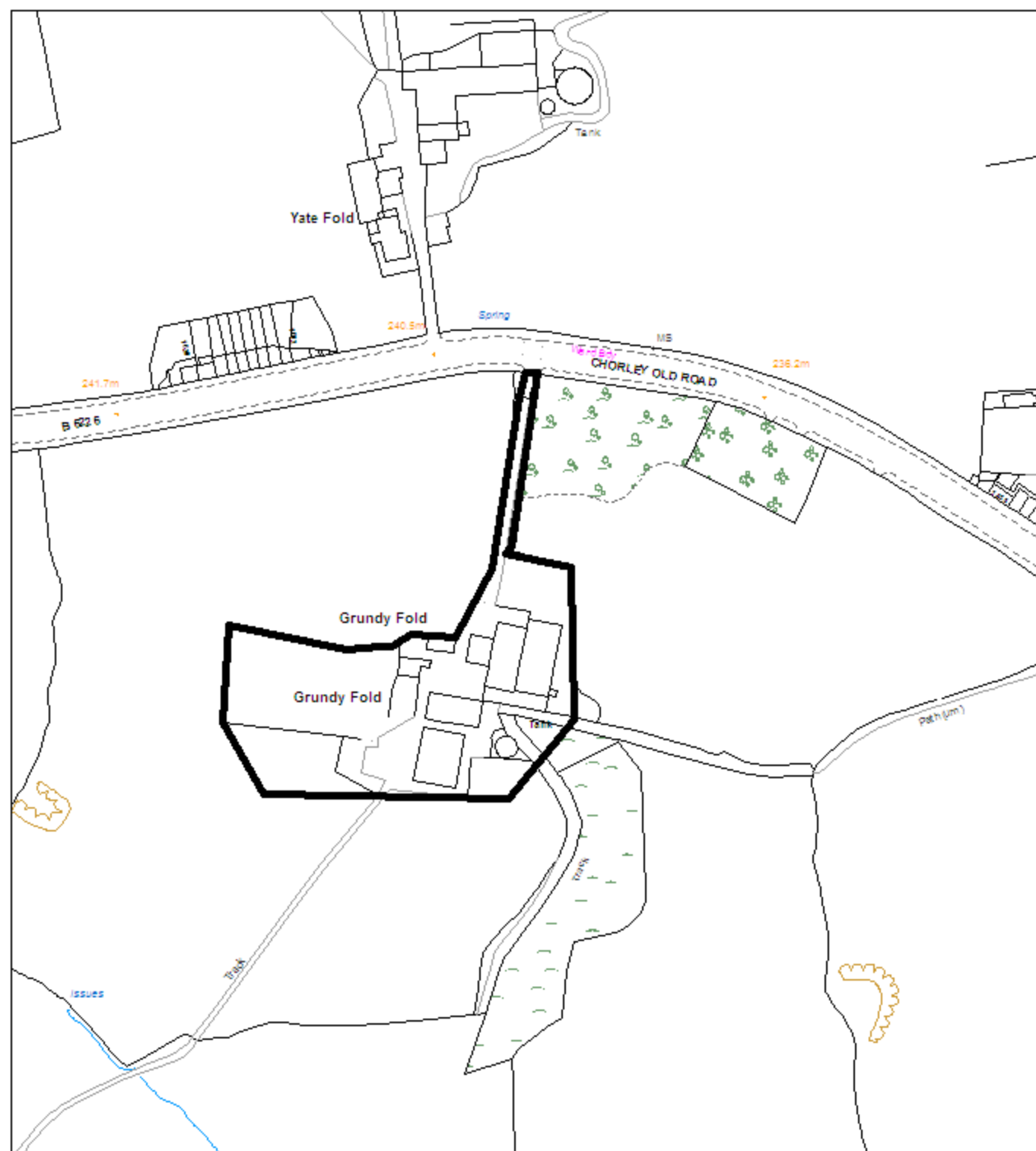
PROPOSED FORMATION OF ROOF TERRACE
RETENTION OF AIR SOURCE HEAT PUMP
5 ELLONBY RISE LOSTOCK BOLTON

REVISIONS			
SCALE	DATE	DRAWN	CHECKED

DRAWING No. 0.01B

Application No.

91673/14



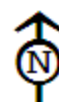
Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
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**Bolton
Council**

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Date of Meeting: 03/07/2014

Application Reference: 91673/14

Type of Application: Full Planning Application
Registration Date: 25/03/2014
Decision Due By: 19/05/2014
Responsible Officer: Helen Williams

Location: GRUNDY FOLD FARM, CHORLEY OLD ROAD, HORWICH, BOLTON, BL6 6QA

Proposal: EXTENSION OF EXISTING FARMHOUSE ALONG WITH DEMOLITION OF EXISTING OUTBUILDINGS AND ERECTION OF 4NO. DWELLINGS

Ward: Heaton and Lostock

Applicant: Mr Pendlebury
Agent : Neil Pike Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for the extension of the existing farmhouse, the demolition of all other buildings within the farmstead, and the erection of four dwellings.

The four proposed dwellings will replace the existing agricultural and storage buildings on site and each are proposed to be large, detached, "two and a half storey" (second floor accommodation being provided within the roofspace) dwellings. The four dwellings are individually designed but follow the same design principles. All four new dwellings will be stone built with slate roofs, have gabled parapets and stone mullioned windows on the front elevation and extensive glazed rear elevations in a more modern vernacular.

The existing farmhouse will be substantially extended and again will follow the same design principles as the four new dwellings, but more modestly.

The four new dwellings and the existing farmhouse will be sited around a cul-de-sac/courtyard within the existing developed area of the site. Access will be as existing from Chorley Old Road. Detached garages are also proposed for each dwelling.

The original siting of the four new houses has been amended during the application process, so that they are now sited more compactly around the proposed courtyard. The garden curtilages for plots 1 and 4 and the existing farmhouse have also been reduced in size.

The application is presented before Committee as the proposal is a departure from the development plan (new housing in the Green Belt). An approval would not need to be

referred to the Secretary of State as the total proposed footprint of the new buildings falls below 1,000 sq. metres.

Site Characteristics

The application site comprises the farmhouse to Grundy Fold Farm, three large metal clad buildings (two to the north east of the site are used for the storage of caravans), one large stone built barn central to the site, two brick and breeze block built buildings at the entrance of the farm, and numerous small temporary buildings and structures. Access to the site is from Chorley Old Road (B6226) to the north.

The site is located within Green Belt and is surrounded by fields. The site is at a lower ground level than Chorley Old Road. The application site is relatively flat but the land to the south, east and west slope quite steeply to the south.

The application site is relatively isolated, though highly visible from the surrounding area.

The tracks and path adjacent the site are not designated public rights of way.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1.1 Rural Biodiversity; CG1.5 Flooding; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA4 West Bolton.

Saved UDP Policies: G1, G2 Green Belt.

PCPN2 Space Around Dwellings; PCPN10 Planning Out Crime.
SPD Accessibility, Transport and Safety.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the purposes and visual amenities of the Green Belt
- * impact on the character and appearance of the area
- * impact on highways
- * impact on biodiversity

Impact on the Purposes and Visual Amenities of the Green Belt

National Green Belt policy is contained within section 9 of the National Planning Policy

Framework (NPPF). It states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 87 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The NPPF advises that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

Paragraph 89 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt. However, exceptions to this are [amongst other things] limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Saved UDP Policy G1 echoes the purposes of Green Belt policy prescribed within the NPPF. Policy G2 states that the Council will not permit inappropriate development in the Green Belt and lists exceptions to this: these exceptions reflect former Green Belt policy within the now superseded PPG2. Policy G2 goes on to state that, in all cases, development should not prejudice the purposes and visual amenities of the Green Belt by reason of its scale, design and siting.

The application site is a previously developed site (brownfield land) within the Green Belt. The site comprises the farmhouse to Grundy Fold Farm, three large metal clad buildings, one large stone built barn central to the site, two brick and breeze block built buildings at the entrance of the farm, and numerous small temporary buildings and structures. The site is in continuing use, but mostly for caravan storage and the applicant's landscaping business (rather than a working farm).

It is considered that paragraph 89 of the NPPF is relevant to the application proposal, as the proposed erection of four new dwellings would constitute the redevelopment of a previously developed site within the Green Belt. The appropriateness of the proposed development therefore depends on whether the proposed four houses (plus the proposed extension to the existing farmhouse) would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the previous development.

Residential development is, by virtue of its definition, inappropriate development in the Green Belt. The farm however appears to no longer be a working farm (an appropriate use within Green Belt), but instead mainly used for caravan storage (within two large metal clad buildings), for the applicant's landscaping business and as the applicant's home (the farmhouse). The storage of caravans is not an appropriate use within the Green Belt and this occupies a significant area of the site. The proposal therefore in effect replaces an inappropriate use with another inappropriate use.

However, it is not considered that the proposed residential use of the site would have a materially greater impact on the purposes of the Green Belt than the current authorised use.

The applicant has detailed within their submission the gross floor areas and volumes of the permanent buildings on the application site (the farmhouse, the three metal clad

buildings, the brick and breeze block buildings and the stone barn). The smaller buildings and structures have not been included in the calculations. It has been calculated that the existing buildings have a gross floor area of 1,857.88 sq. metres and a gross volume of 11,885.06 cubic metres. The proposed four dwellings, the extended farmhouse and the proposed garages will have a gross floor area of 998 sq. metres and a gross volume of 9,784.52 cubic metres. The floor area of the proposed development is therefore just less than half the existing floor area of the existing buildings (a reduction of 46%) and an 18% reduction in the gross volume. The built development within the site will therefore be reduced as a result of the proposed development (a condition to remove permitted development rights for the dwellings, to restrict the future built footprint of the development, is suggested).

The proposed dwellings have been sensitively sited within the development, following the existing pattern of buildings they are to replace and creating a hamlet form of development, whereby the dwellings will surround a central courtyard. The dwelling at plot 4 extends the existing built form, but this is compensated for by the loss of the largest metal shed to the south of the site (which will be replaced with garden space).

The curtilages to each of the five dwellings is relatively generous, however these are kept within the limit of the application site (brownfield land). It is also suggested that conditions are added to any approval to restrict the size of the approved curtilages, remove permitted development rights for these areas and to approve details of boundary treatments (so that the site retains an open feel).

For these reasons it is considered that the proposed four dwellings and the proposed extension of the farmhouse would not have a materially greater impact on the openness of the Green Belt in this particular location or on the purposes of including land within Green Belt, than the previous use. It is therefore considered that the proposed development complies with Green Belt policy contained within the NPPF and the aims of saved UDP Policies G1 and G2.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, 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, and will maintain and respect the landscape character of the surrounding countryside and its distinctiveness. Policy OA4 states that the Council will conserve and enhance the character of the existing physical environment, ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings, and ensure that development respects the large amounts of open space and lower density development in West Bolton.

It is considered that the proposed siting and design of the development constitutes good urban design. As stated above the four new dwellings are proposed to be sited, along with the extended farmhouse, compactly around a central courtyard. The dwellings and their detached garages are to be sited in a non-uniform manner, reflective of a rural hamlet or farmstead. Having the dwellings immediately fronting the courtyard (without front gardens) also adds to this feel.

The four proposed new dwellings will be stone built with slate roofs. Despite the dwellings being individually designed they will all have front elevations comprising gabled parapets, arched entrances and stone mullioned windows. Plot 2 and 3 will also have large glazed

arched entrances intended to appear as former barn doors. The extended farmhouse will also reflect the design of the new dwellings, but more modestly. The fronts of the five dwellings will face onto the proposed courtyard, presenting a traditional rural vernacular when viewing the development from the north and within the site. The rear of all five houses will however be extensively glazed, in a more contemporary design, to allow future residents to both enjoy the views over the surrounding fields and the site's southern aspect. It is not considered that the proposed glazing would compromise the character of the development however, given the splayed siting and visual separation of the dwellings when viewed from the south and east.

Permitted development rights are proposed to be removed from each property, to restrict their scale and also their appearance.

It is considered therefore that the proposed development complies with Policies CG3 and OA4 of the Core Strategy.

Impact on Highways

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

The existing access into the site is proposed to be retained and used as the access for the proposed development. The Council's Highways Engineers have requested that the visibility splays at the junction of the access with Chorley Old Road be improved to increase visibility (particularly as Chorley Old Road has a speed limit of 60mph). This is therefore proposed to be conditioned.

A garage is proposed for each dwelling and there is sufficient circulation/driveway space to the front of each of these garages. It is therefore considered that adequate parking is provided.

It is therefore considered that the proposed development complies with Policies P5 and S1.2 of the Core Strategy.

Impact on Biodiversity

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

A bat survey has been submitted with the planning application as the farm buildings are proposed to be demolished. The Council's Wildlife Liaison Officers have advised that the recommendations of the bat survey be followed.

The Wildlife Liaison Officers have also commented that active swallow nests have been found in several of the farm buildings and therefore request that no demolition or major works are undertaken during the bird nesting season.

It is therefore considered, subject to conditions, that the proposal would not harm rural biodiversity, compliant with Policy CG1.1 of the Core Strategy.

Other considerations

The applicant has stated within their submission that the farm has been experiencing economic difficulties over recent years and they have endeavoured to remedy this, to an

extent, by leasing some of the buildings on site for storage purposes. This however has produced limited income and therefore the applicant has decided that there is now no future for the farm as it is.

Conclusion

It is considered, for the reasons discussed above, that the proposed development would not have a materially greater impact on the purposes and visual amenities of the Green Belt than the current use and buildings on the site, would be of good urban design, would not jeopardise highway safety, and would safeguard biodiversity in the area. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

None received.

Consultations

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers, Wildlife Liaison Officers, Strategic Development Unit, Corporate Property Officers, Greater Manchester Police's Architectural Liaison Officers and Greater Manchester Fire and Rescue.

Planning History

Extensions and alterations to the existing farmhouse and replacement garaging were approved in April 2013 (89512/13).

Permission was granted in October 2011 for the installation of solar photovoltaic panels to the roof of the silage ban (86807/11).

An application for prior notification for the erection of a single span agricultural building to provide fodder/machinery storage and livestock housing was approved in August 2011 (86643/11). This building has not been constructed.

Permission was granted in April 2008 for the change of use of two agricultural buildings to caravan storage (79402/08).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. No demolition of buildings shall take place between the months of March and August inclusive.

Reason

The site has the potential to support breeding birds. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds whilst they are breeding.

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

Reason

To ensure the development is safe for use.

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

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

Reason

To ensure the site provides satisfactory means of surface water drainage.

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

Reason

To safeguard the visual appearance and or character of the area.

6. Prior to the commencement of development samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.

7. Prior to the commencement of development a detailed specification for all doors and windows hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first occupied and retained thereafter.

Reason

To ensure the development reflects local distinctiveness.

8. No development shall be commenced unless and until full details of the external appearance of the garages to the farmhouse, plot 1 and plot 4 have been submitted to and approved in writing by the local planning authority. The garages to these plots shall be constructed in accordance with the approved details.

Reason

Plans for the garages at the farmhouse and plots 1 and 4 were not submitted with the application.

9. Prior to the commencement of development details for alternative on-site bat accommodation shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall

be implemented in full prior to completion of development and retained thereafter.

Reason

To ensure the favourable status of protected species.

10. Prior to the development hereby approved/permited being first brought into use a visibility splay measuring 2.4 metres by 215 metres shall be provided at the junction of the access with Chorley Old Road, and subsequently remain free of all obstructions between the height of 0.5 metres and 2 metres (as measured above carriageway level).

Reason

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

11. Prior to the development hereby approved 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.

12. 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.

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

Reason

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

14. The mullions, cills and heads to the windows and external doors of the development shall be in natural reclaimed stone of a colour and texture to match to those of the proposed building.

Reason

To ensure the development safeguards the visual appearance of the buildings.

15. The dormer fronts and cheeks shall be clad in materials similar to the existing roof.

Reason

To ensure the development safeguards the visual appearance of the building.

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

Reason

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

17. The curtilages of the approved properties are being treated for planning purposes as those defined on the approved drawing ref: K621/01.

Reason

For the avoidance of doubt as to what is permitted.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, hardstandings, fences, gates, walls, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed.

Reason

To safeguard the character and appearance of the dwellings and as the application site is located within Green Belt.

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

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking within the development.

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

K621/01 Rev. B; "Proposed Site Plan"; dated 17.06.14
K621/02; "Plot 1 - Proposed Ground Floor Plan"; received 28.05.14
K621/03; "Plot 1 - Proposed First Floor Plan"; received 28.05.14
K621/04; "Plot 1 - Proposed Second Floor Plan"; received 28.05.14
K621/5; Plot 1 - North and East Elevations; received 28.05.14
K621/6 Plot 1 - South and West Elevations; received 28.05.14
K621/07; "Plot 2 - Proposed Ground Floor Plan"; received 28.05.14
K621/08; "Plot 2 - Proposed First Floor Plan"; received 28.05.14
K621/09; "Plot 2 - Proposed Second Floor Plan"; received 28.05.14
K621/10; Plot 2 - North and West Elevations; received 28.05.14
K621/11; Plot 2 - South and East Elevations; received 28.05.14
K621/12; "Plot 3 - Proposed Ground Floor Plan"; received 28.05.14
K621/13; "Plot 3 - Proposed First Floor Plan"; received 28.05.14
K621/07; "Plot 3 - Proposed Second Floor Plan"; received 28.05.14
K621/15; Plot 3 - North and East Elevations; received 28.05.14
K621/16; Plot 3 - South and West Elevations; received 28.05.14
K621/17; "Plot 4 - Proposed Ground Floor Plan"; received 28.05.14
K621/18; "Plot 4 - Proposed First Floor Plan"; received 28.05.14
K621/19; "Plot 4 - Proposed Second Floor Plan"; received 28.05.14
K621/20; Plot 4 - North and West Elevations; received 28.05.14
K621/21; Plot 4 - South and East Elevations; received 28.05.14
K621/22; "Farmhouse - Proposed Ground Floor Plan"; received 28.05.14
K621/23; "Farmhouse - Proposed First Floor Plan"; received 28.05.14
K621/24; "Farmhouse - Proposed Second Floor Plan"; received 28.05.14
K621/25; Farmhouse - North and South Elevations; received 17.06.14


K621/26; Farmhouse - East and West Elevations; received 28.05.14
K621/27; "Proposed Garage/Car Barn Plans and Elevations"; received 28.05.14

Reason

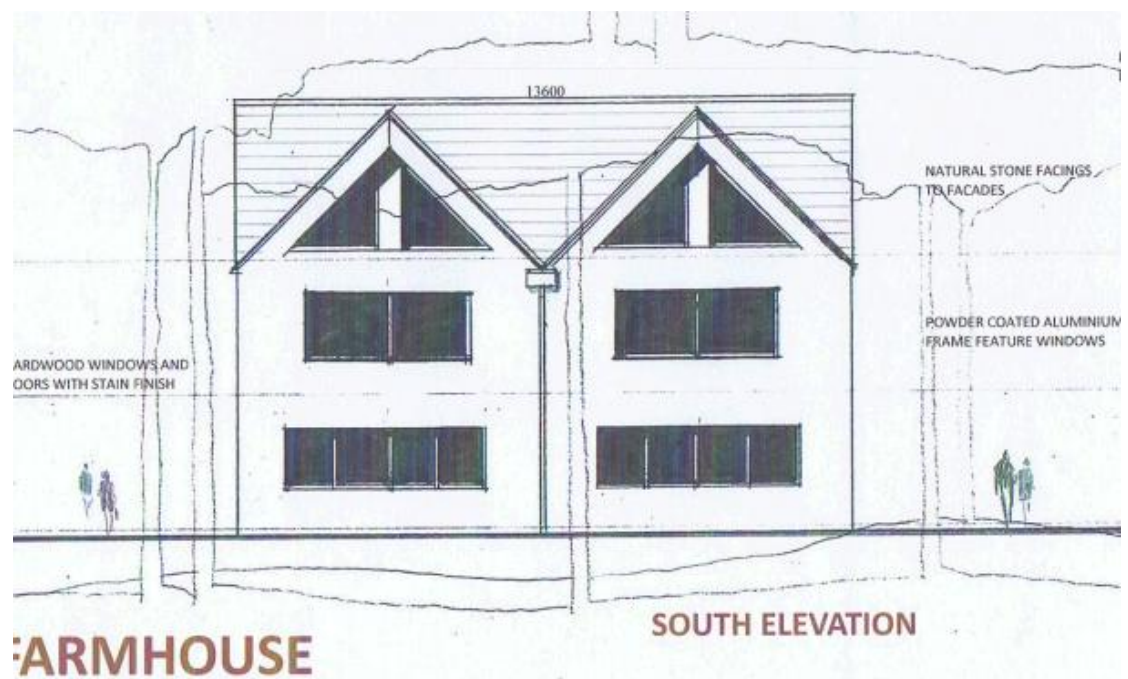
For the avoidance of doubt and in the interests of proper planning.



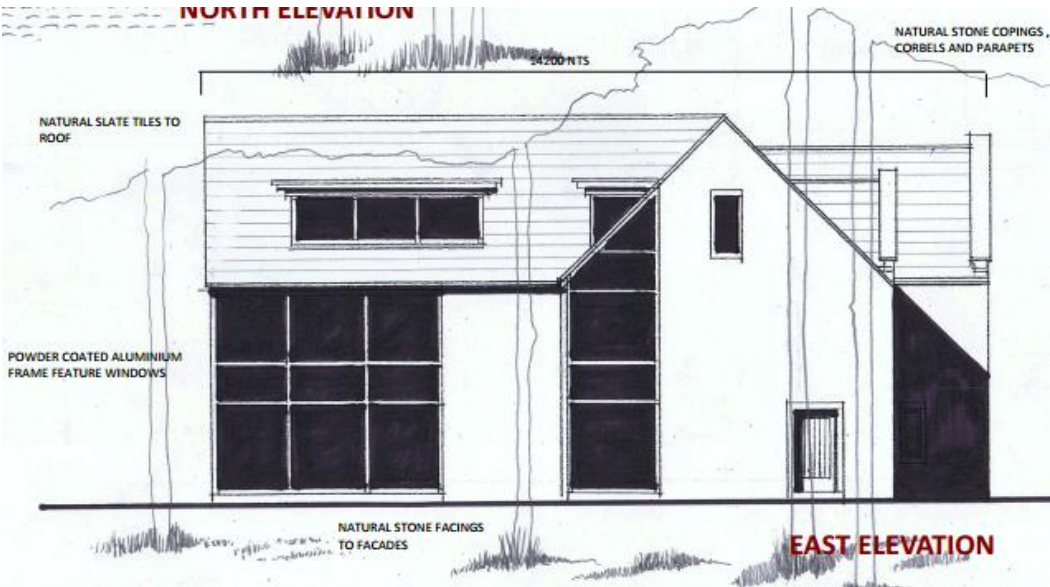
PROPOSED RESIDENTIAL DEVELOPMENT
GRUNDY FOLD FARM,
CHORLEY OLD ROAD,
HORWICH

CLIENT NAME:	PENDLEBURY	 neil pike architects
DWG NO:	K621/01	
SCALE:	1/500	
DRAWN BY:	GF	
DATE:	12.02.14	
REV:	B	
MICHIGAN HOUSE-17-19 CHURLEY NEW ROAD, BOLTON, BL1 4QR		
TEL: 01204 398233 FAX: 01204 328505		
WWW.NEILPIKEARCHITECTURE.CO.UK		EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK
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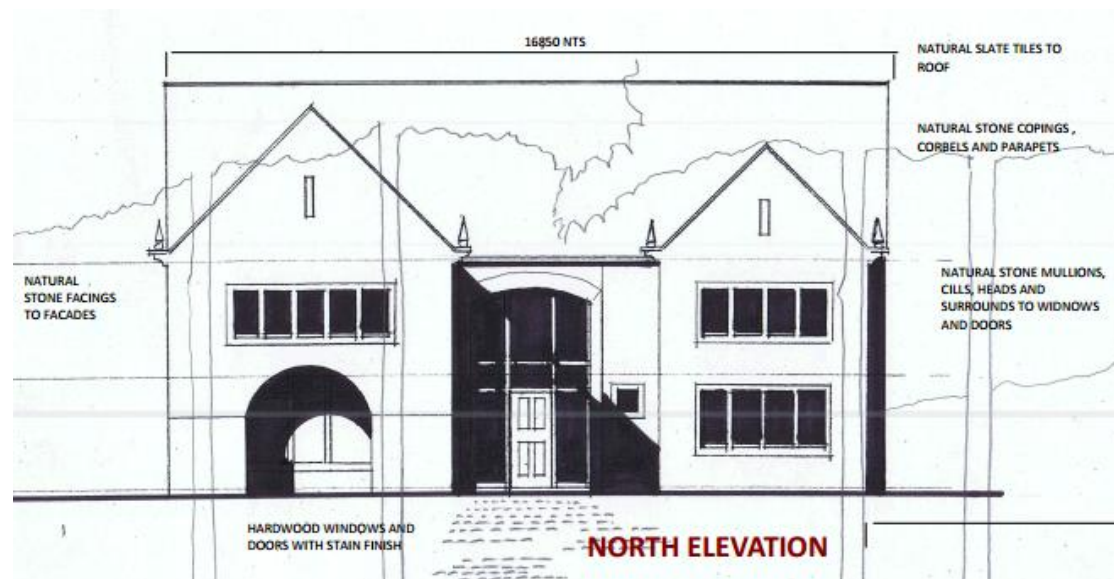
Farmhouse



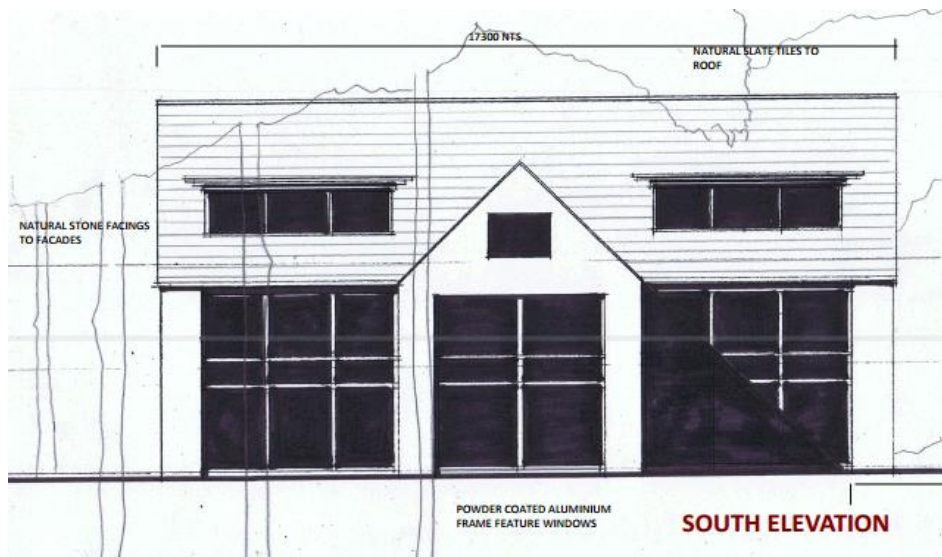
Plot 1



Plot 2



Plot 3

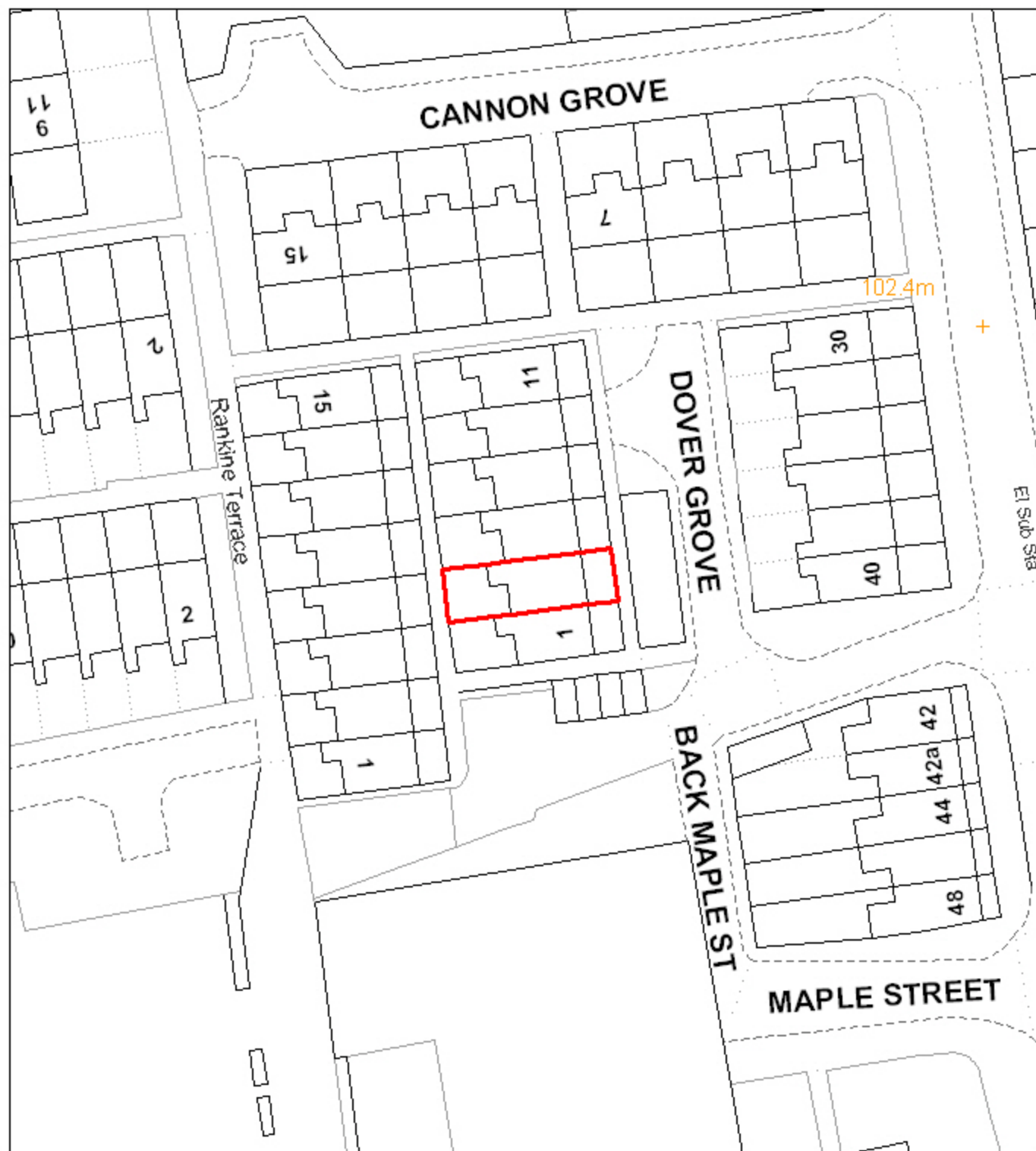


Plot 4



Application No.

91725/14



**Development and Regeneration Department
Planning Control Section**

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

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Date of Meeting: 03/07/2014

Application Reference: 91725/14

Type of Application: Full Planning Application
Registration Date: 25/03/2014
Decision Due By: 19/05/2014
Responsible Officer: Simon Coles

Location: 3 DOVER GROVE, BOLTON, BL3 5AS

**Proposal: ERECTION OF PART TWO STOREY/PART SINGLE STOREY
EXTENSION AT REAR.**

Ward: Rumworth

Applicant: Mrs Yasmin Rahbar
Agent : Mr Stewart Rothwell

Officers Report

Recommendation: Refuse

Background

The application was deferred from consideration at the 05 June meeting to enable an advanced site visit to take place.

Proposal

The application proposes the erection of a single storey extension at rear together with a first floor extension. The single storey element of the extension is 4 metres long with a first floor element that projects 2.5 metres. Both the single storey and first floor are the full width of the property.

An application (90908/13) for a single storey extension with a 4 metre projection was approved at Planning Committee in February 2014.

Site Characteristics

This is a mid terraced modern town house with a paved yard to the rear. The adjoining property at number 1 Dover Grove has a store abutting the party boundary with 3, approximately 2 - 2.5 metres long. The adjoining property at number 5 has no extensions and a principal room window abutting the party boundary at ground and first floor level. To the rear is an access footpath, with the property directly facing the front principal elevations of similar houses on Rankine Terrace.

Policy

National Planning Policy Framework 2012

Bolton's Core Strategy: - CG3 – The Built Environment, CG4 – Compatible Uses and RA1 - Inner Bolton.

Planning Control Policy Note:- No. 2 Space around Dwellings

Supplementary Planning Guidance - House Extensions (2012)

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the adjacent properties
- * impact on the character and appearance of the area

Impact on the adjacent properties

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.

Supplementary Planning Document - House Extensions states rear single or two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be considered acceptable. Single storey extensions longer than 4 metres may be acceptable if the space remaining at the end of the yard would be unusable or if the impact on the neighbour would be limited by screening – for example, where there is an existing extension which the proposal would abut in the adjacent dwelling.

The purpose of the above is to ensure that neighbouring properties are not unduly affected in terms of their living conditions by reason of being overshadowed by any development to a degree where reasonable outlook would be lost.

The Council has taken the view that applications to extend such properties need to be considered more sympathetically. These principles may also be applied to more modern terraced and town houses which, by reason of style and fashion at the time they were built, also offer very limited accommodation to meet growing demands for home owners.

In this case the proposal will be 2.5 metres long at first floor and 4 metres long at single storey and is therefore consistent with these guidelines and is also in line with previous approvals for similar extensions on town houses. However due to the first floor extension being sited to the south of number 5 Dover Grove its impact would be detrimental to the outlook and living conditions of the residents at this property, reducing light to unacceptable levels to the lounge and bedroom windows in the rear elevation.

There is unique siting/orientation of the properties within the immediate area, where the

frontages of the properties on Rankine Terrace face the rear elevations of Dover Grove, and they run in parallel rows with an interface distance of approximately 12 metres.

Supplementary Planning Document - House Extensions provides guidance as to the suitable interface distances. These being: -

- between facing walls on the neighbouring house and the extension (whether single or two storey) which both contain main room windows – 21 metres
- between a neighbouring elevation which contains a main room window and a facing wall of a single storey extension which does not – 9 metres.

The Council will take this guideline distance into account along with other factors such as any difference in levels that might exist between neighbouring properties, the presence of existing extensions to neighbouring properties, and the availability of other screening measures (which may include fencing, walling or planting, or using high level or obscure glazed windows where appropriate).

The interface distance between the first floor extension which contains a main room bedroom window and the front main room window of 7 Rankine Terrace is 9.3 metres. This falls short of the recommended interface distance of 21 metres and, is considered to have a detrimental impact on the living conditions of the occupiers of 7 Rankine Terrace. Similarly, the interface distance between the single storey extension and the front main room window in number 7 Rankine Terraces is 8 metres and falls short of the recommended interface distances, as outlined above.

It is noted that a single storey extension at 4 metres long was approved at Planning Committee in February 2014 and therefore this part of the proposal is considered to be acceptable.

Further to the above, it is considered that the proposal is unacceptable in terms of the size and siting of the first floor element, as it would unduly impact on the outlook and living conditions of the neighbouring residents to an unacceptable degree.

Impact on the character and appearance of the area

The NPPF in paragraph 56 states "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

Bolton's Core Strategy (2011) policies CG3.2 and CG3.3 require proposals to respect and enhance local distinctiveness, and be compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment, including hard/soft landscaping and boundary treatment. Policy RA1 refers specifically to developments in Inner Bolton and ensuring new development proposals are compatible with the area, in terms of massing, materials, street scaping, good urban design.

Supplementary Planning Document - House Extensions states that a well designed extension should be subordinate in relation to the dwelling and should be of a size and scale which is in proportion to the existing house.

In this case the scale of the extension is not considered to be in-keeping with the existing property due to it size, siting and massing and would create an incongruous feature within the street scene.

Conclusion

The proposal is not consistent with the guidelines contained in SPD - House Extensions (2012) by reason of the unacceptable impact the first floor extension would have on the outlook and living conditions of the neighbouring residents. Similarly the proposal is not consistent with Bolton's Core Strategy (2011) by reason of its scale, siting and massing.

Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters:- One letter of objection has been received from a neighbouring resident with their concerns being as follows:-

- Loss of light to the main house and garden;
- High brick elevations appearing dominant when viewed from 5; and
- The two storey element being too close to the properties to the rear.

Officers comments: The above concerns have been addressed within the main body of the report.

Elected Members:- Cllr Adia requested the application be brought before Planning Committee.

Consultations

Advice was sought from the following consultees: None

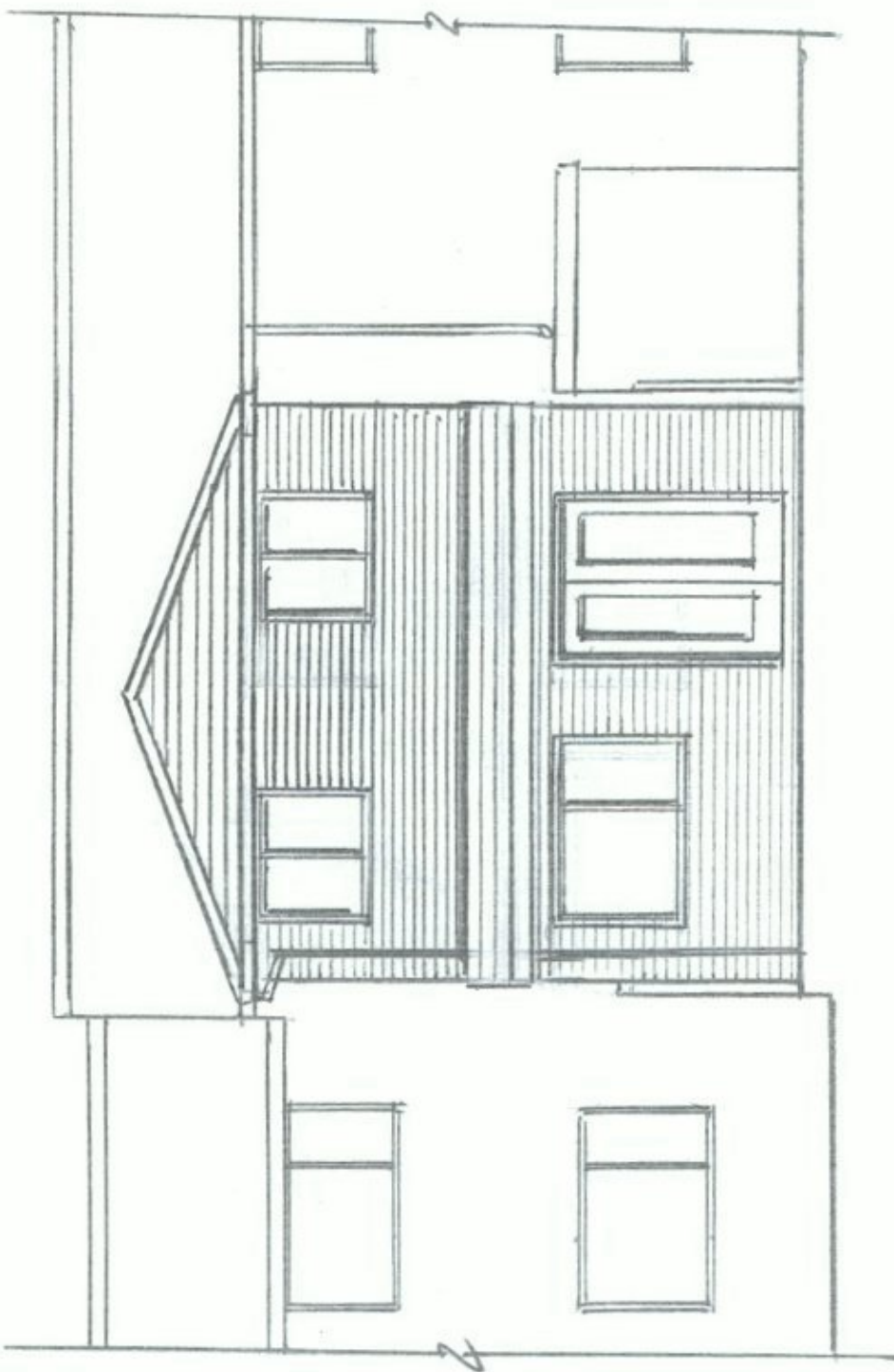
Planning History

90908/13 - Single storey extension at rear - Approved at Planning Committee in February 2014.

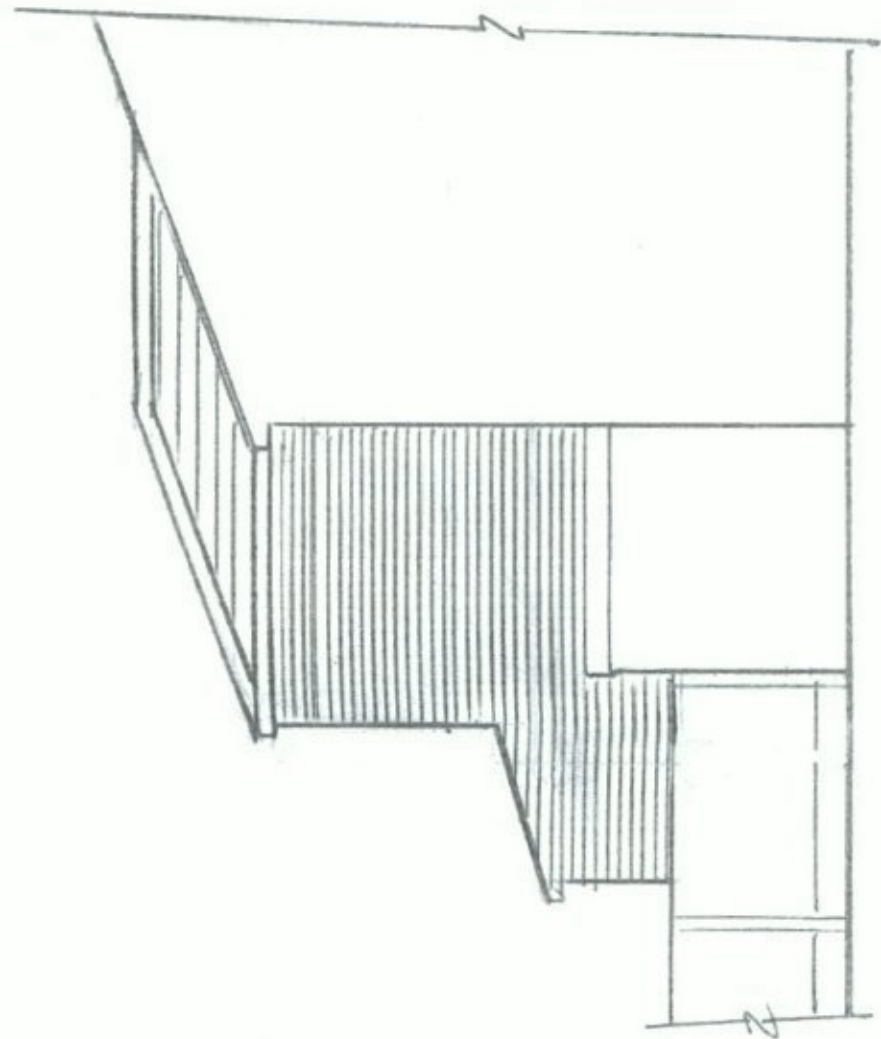
Recommendation: Refuse

Recommended Conditions and/or Reasons

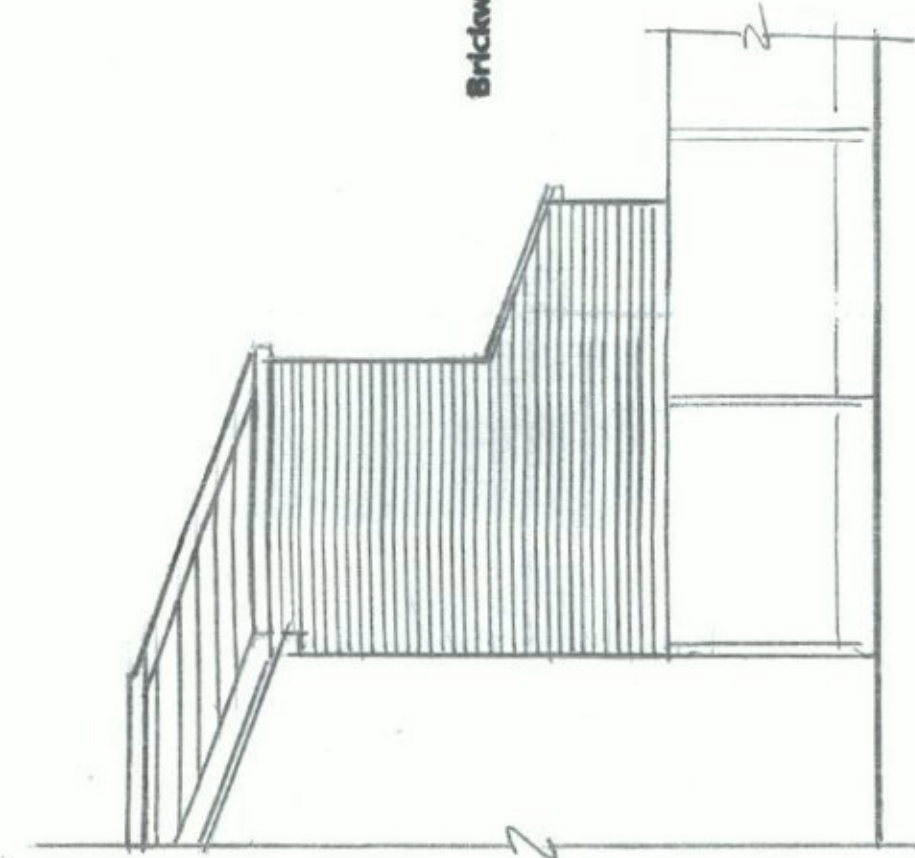
1. The proposed extension, by virtue of its scale and massing, would be detrimental to the character and appearance of the area and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at 5 Dover Grove and 7 Rankine Terrace and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".



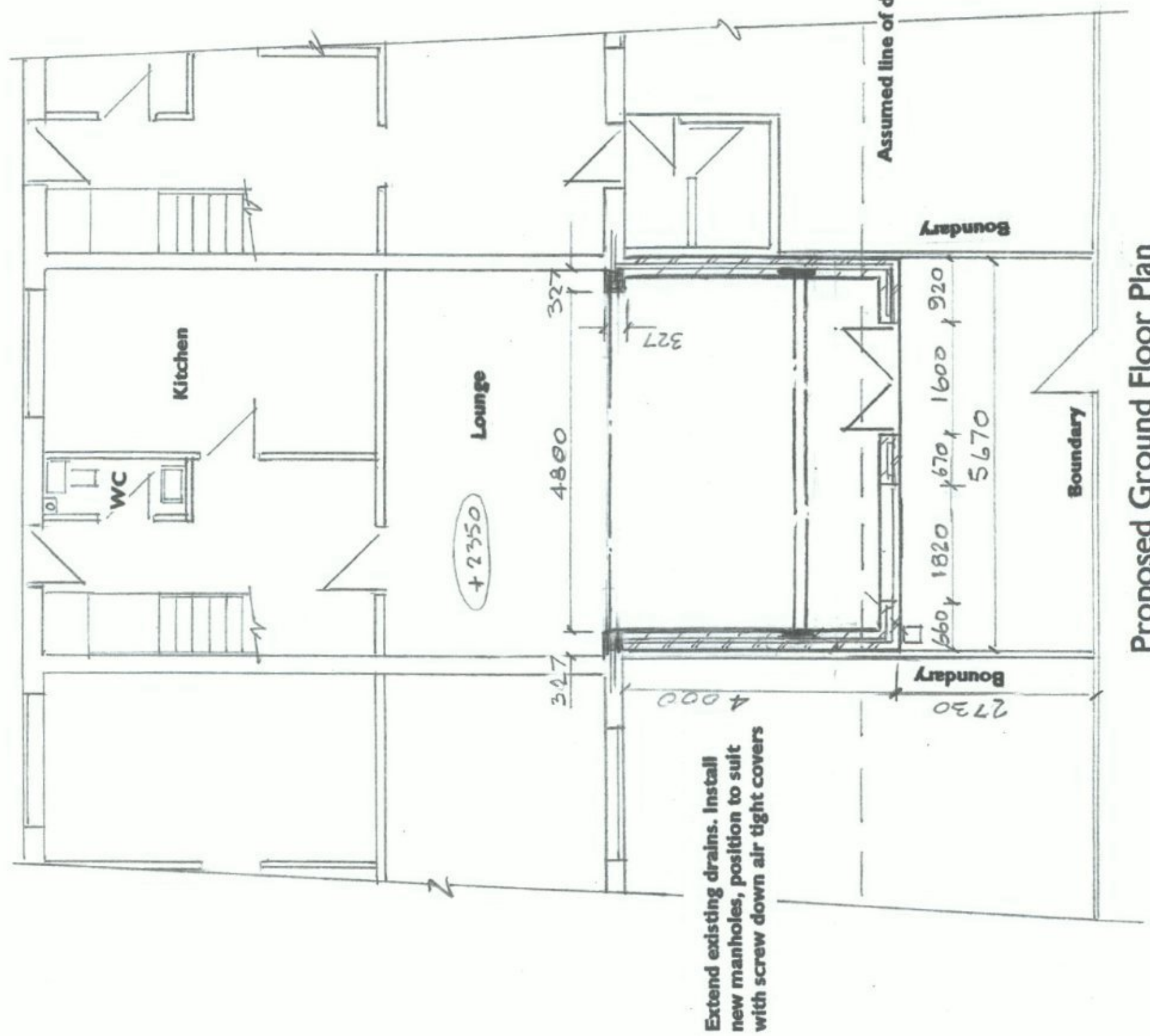
Proposed Rear Elevation



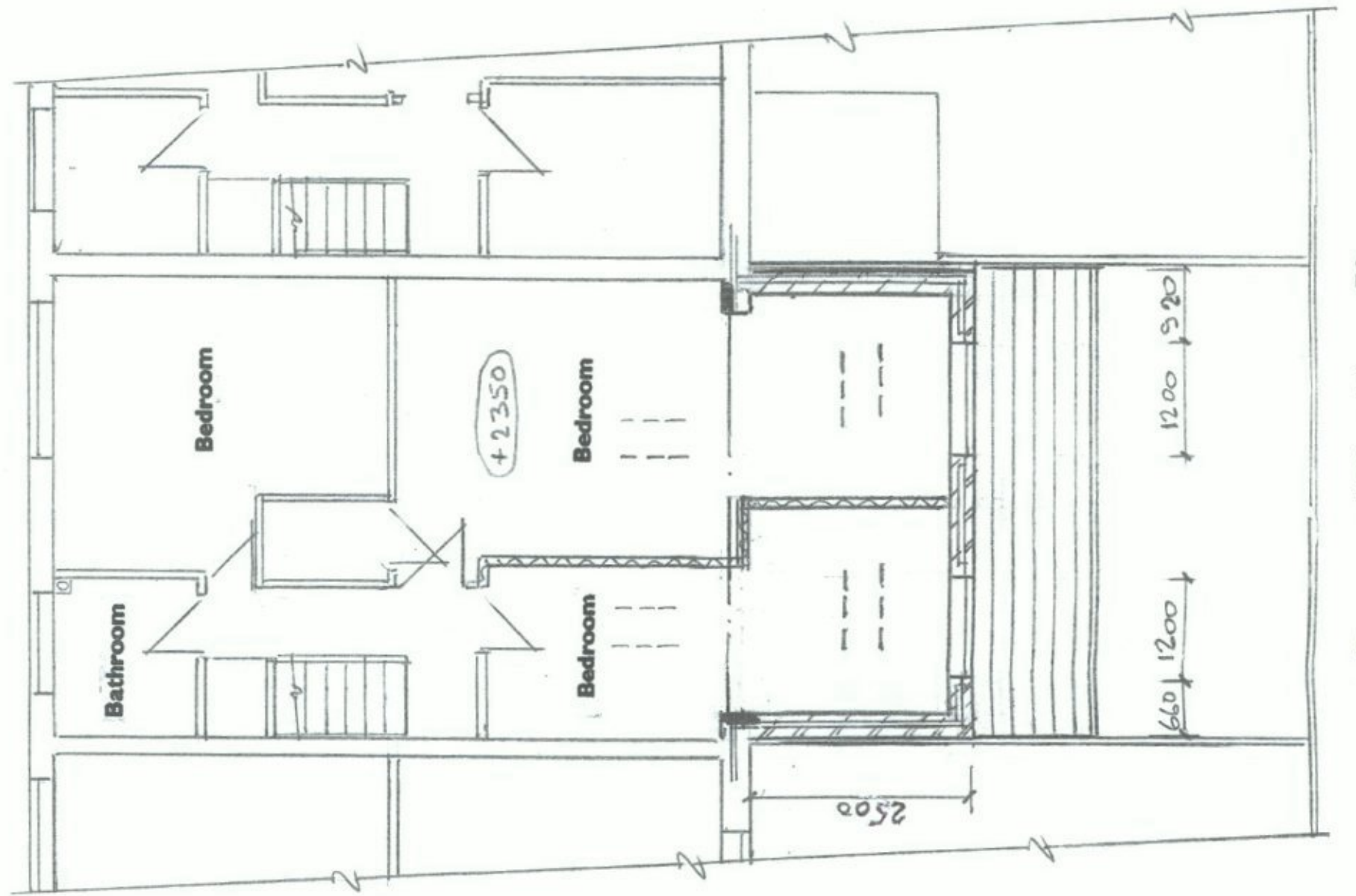
Proposed Side Elevation



Proposed Side Elevation



Proposed Ground Floor Plan



Proposed First Floor Plan

25 MAR 2014
RECEIVED
DEVELOPMENT & REGULATION
SECTION

Ground floor planning permission
Ref 90908/13 Approved 07/02/14

Thompson Designs

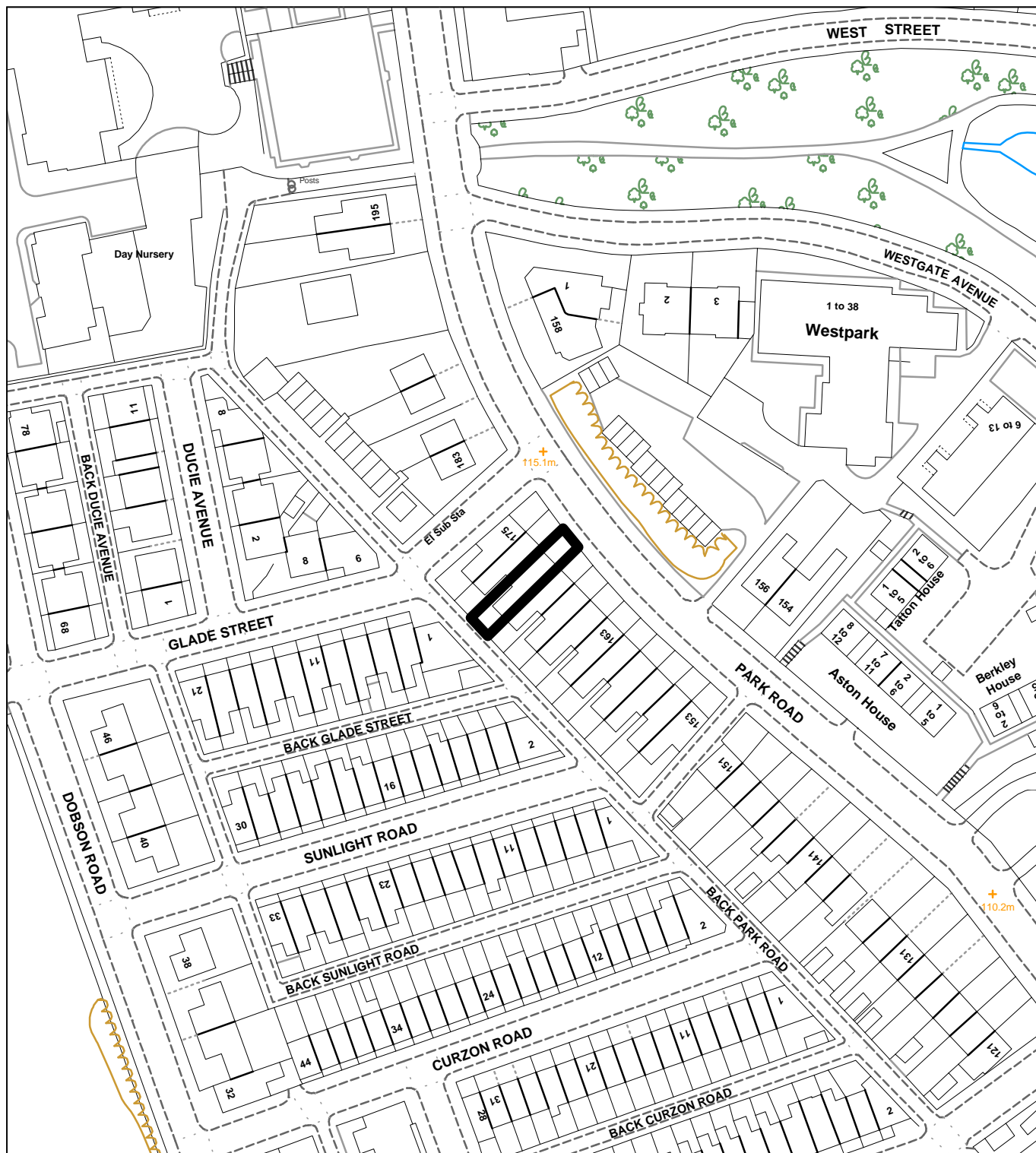
Sheet 2

Proposed Plans & Elevations
3 Dover Grove
Bolton BL3 5AS
Scale 1 : 100 Date July 2013

REV 2

Application No.

91774/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

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11

Date of Meeting: 03/07/2014

Application Reference: 91774/14

Type of Application: Full Planning Application
Registration Date: 02/04/2014
Decision Due By: 27/05/2014
Responsible Officer: Martin Mansell

Location: 171 PARK ROAD, BOLTON, BL1 4RG

Proposal: CHANGE OF USE FROM FAMILY DWELLING (CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION FOR EIGHT PEOPLE

Ward: Halliwell

Applicant: Mr Khan
Agent : NA Design & Construction Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought to change the use of this property from a Class C3 Dwellinghouse to a house in multiple occupancy for a maximum of 8 people.

Members will be aware that the April and October 2010 changes to the Use Class Order and Permitted Development Order created Class C4 with a definition of "houses or flats occupied by between 3 and 6 unrelated individuals who share basic amenities" and then made it permitted development to move from Class C3 to Class C4. In effect, this change in the law means that any ordinary dwellinghouse can be used as a house in multiple occupancy for up to 6 people without the need for the consent of the Local Planning Authority.

However, this proposal is for a house in multiple occupancy for up to eight people - the permitted development right does not apply in this instance and therefore the consent of the Local Planning Authority is needed.

The ground floor accommodation would consist of a lounge, kitchen, utility room, bathroom and dining room, all shared by the occupants. Five bedrooms and a bathroom would be provided at first floor level with a further three in the attic roofspace.

No internal or external works or reconfigurations are required to facilitate the use.

Site Characteristics

The site is part of a terrace of large locally distinctive Victorian houses. A number of these properties are already being used as houses in multiple occupancy or have been subdivided into flats. Some of these conversions date back several decades. The area is predominantly residential in character, consisting mainly of Class C3 dwelling houses.

Queens Park lies opposite, accessed via Seed Street. The area is considered to be within walking distance of Bolton town centre via Gilnow Road and Spa Road and is well-served by buses along Chorley New Road.

Environmental Health Officers responsible for housing standards have visited the site and confirm that the property is currently being occupied as a house in multiple occupancy for 6 people. Eight bedrooms are available, but two are not currently being used as this would be beyond the scope of Class C4.

Policy

National Planning Policy Framework - delivering a wide choice of high quality homes, promoting healthy communities

Core Strategy Objectives - SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO14 Inclusive Housing, SO15 Sustainably Located Housing, SO16 Community Cohesion and Access

Core Strategy Policies- P5 Transport, S1 Crime and Road Safety, CG4 Compatible Uses, SC1 Housing Targets, RA1 Inner Bolton

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on housing provision
- * impact on living conditions
- * impact on the local area

Impact on Housing Provision

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

Bolton's Core Strategy states that the location of new housing will reflect the overall

spatial option of concentrating development in Bolton town centre, renewal areas and at Horwich Loco Works. The Housing Market Assessments have provided an evidence base to inform the required mix of housing types. This shows that there is a requirement to construct more larger houses than has recently been the case, as well as to continue to provide for the increasing proportion of small households.

Policies SO14, SO15 and SO16 of Bolton's Core Strategy are strategic objectives within the "Strong and Confident Bolton" theme and seek to provide housing that meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households, focus new housing in the existing urban area, especially in Bolton town centre, council-owned housing areas and in mixed-use developments on existing older industrial sites and to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities.

It is accepted that this type of housing may not necessarily reflect the aspirations of Bolton's Core Strategy; nevertheless, it is situated in a sustainable location, close to amenities on Gilnow Road, within walking distance of the town centre and well-served by public transport. The fact that it is currently occupied by 6 people (as the Permitted Development Order now allows) and the Applicant is seeking to increase this, demonstrates that there is a need for this type of housing.

It is considered that the proposal makes a positive contribution to housing provision and the strategic objective of seeking to provide housing that meets the needs of everybody.

Impact on Living Conditions

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

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

The property is already being used as a house in multiple occupancy for six persons under the terms of Use Classes Order and the General Permitted Development Order. It is now proposed to increase this to eight - therefore, the issue for the Council is whether the additional two people will have such an impact on the living conditions of the occupants or their neighbours that planning permission should be refused.

Environmental Health Officers responsible for housing standards have visited the site and confirm that the room sizes meet the necessary standards. It is not considered that the layout is too cramped - it is noted that no ground floor bedrooms are proposed.

It is not considered that the proposed use would have any greater impact on the living conditions enjoyed at adjacent properties than those of a large or extended family occupying the property as a single household.

The rear yard measures 37 square metres, sufficient for the storage of bins. The Council's policy on flat conversions states that 18 square metres per flat or bedsit should be provided. However, this is not a proposal for a conversion to flats or bedsits - the proposal is one of multiple occupancy with shared basic facilities. Occupants would have

access to the shared lounge, kitchen and dining room as well as the rear area. The locality is well provided with public open space in the form of Queens Park opposite. It is not considered that the proposed use would have any greater requirements for private amenity space than those of a large or extended family occupying the property as a single household.

The proposed use is not considered to be likely to give rise to land use conflicts over and above the existing lawful use. The proposal is considered to comply with Policy CG4 of Bolton's Core Strategy

Impact on the Local Area

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.

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.

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.

The property is already being used a house in multiple occupancy for six persons under the terms of Use Classes Order and the General Permitted Development Order. It is now proposed to increase this to eight - therefore, the issue for the Council is whether the additional two people will have such an impact on the local area that planning permission should be refused.

It is noted that this particular terrace already contains a number of houses in multiple occupancy or flat/bedsit conversions, some which date back some decades. The application states that the property has been in use as a six-bedroom HMO since March 2009. Officers accept that the area is at risk of having too high a concentration of such uses - it is unfortunate that substantial Victorian terraces such as this lend themselves well to these uses. However, the Government has made it clear that they consider houses in multiple occupancy for up to six people to be very little different to ordinary dwellinghouses - so much so that they have removed them from planning control entirely via the Use Classes Order and the General Permitted Development Order. Any house can now be used as a 6-person HMO and therefore it is not considered that two additional people would have any significant impact over and above the existing situation.

The proposal represents relatively low cost housing for people in need of such and therefore it is considered that car ownership will be low. The site is in a sustainable location, close to amenities on Gilnow Road, within walking distance of the town centre and well-served by public transport.

The local GMP officer has been asked to comment on the proposal - any response will be reported at the meeting.

The impact on the local area is considered to be low.

Conclusion

A change of use from an ordinary house to a house in multiple occupancy for six people is now permitted development and the application property has been used for the purpose for five years. It is not considered that an additional two people would have such a significant an impact on land use planning considerations that the application should be refused. Therefore, the proposal is recommended for approval, subject to a condition limiting to the occupancy to eight people.

Representation and Consultation Annex

Representations

Letters:- none

Elected Members:- Councillor Zaman has requested a Committee determination.

Consultations

Advice was sought from the following consultees: Housing Standards, Highways, GM Police, Fire Service

Planning History

Two applications for Certificates of Lawfulness for established use as a house in multiple occupancy were refused in 2002 on the grounds of insufficient information (62661/02 and 63370/02)

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

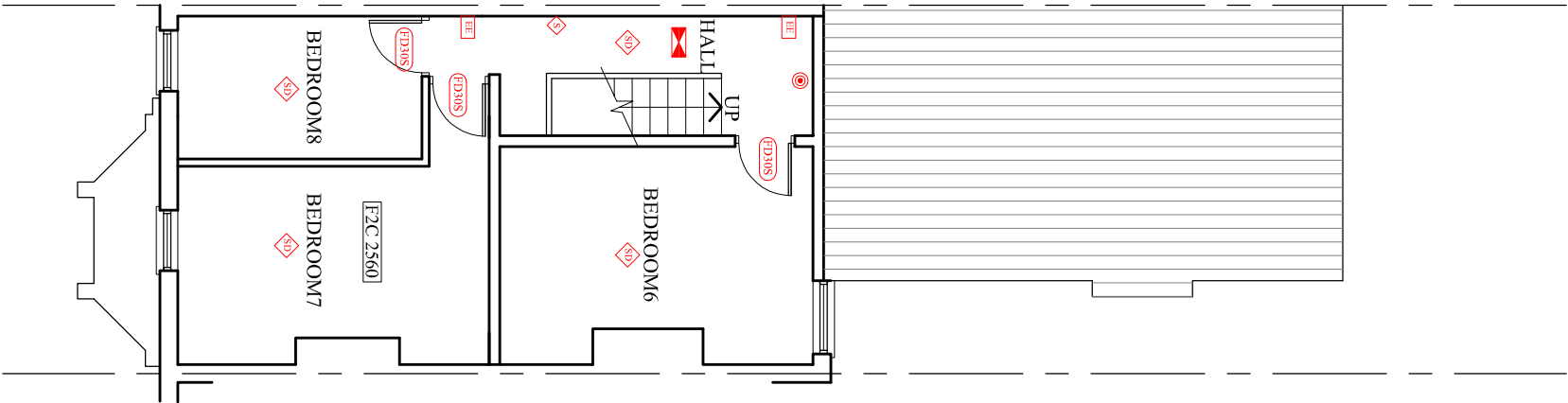
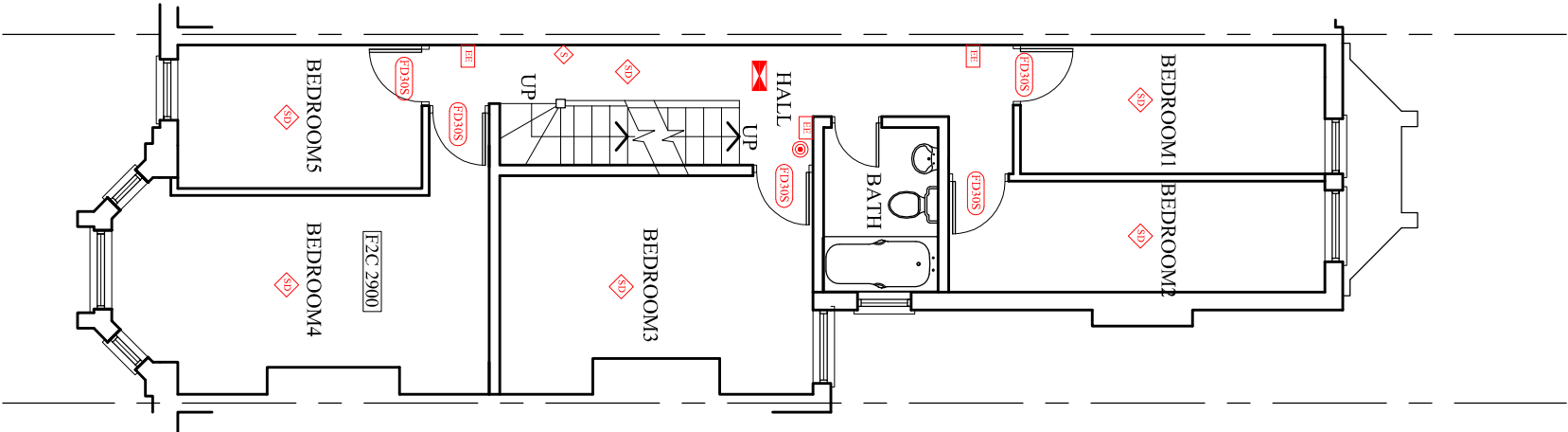
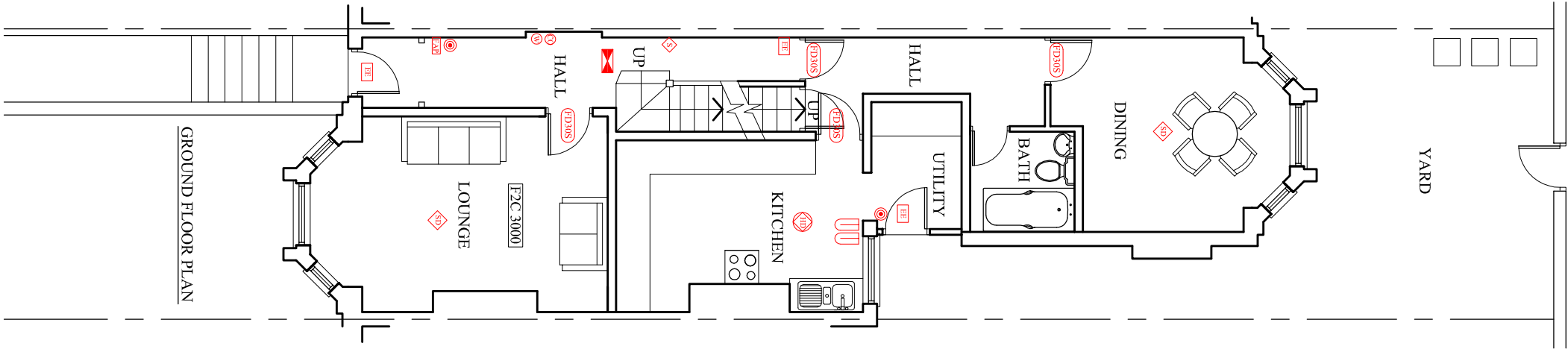
Reason

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

2. The property shall be used for the accommodation of no more than eight persons at any one time.

Reason

To prevent harm to living conditions.



LOCATION PLAN 1:1000

PURPOSE OF ISSUE PLANNING

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Fire Protection Legend	
	Fire Alarm Panel
	Fire Exit Door
	Fire Door, 30 min rating with smoke seals, self closing
	Smoke Detector
	Heat Detector
	Emergency Exit Sign
	Alarm Sounder
	Call Point
	2kg CO2, or 9 litre water Extinguishers
	Fire Blanket

PROJECT

171 Park Road, Bolton,

BL1 4RG

CLIENT

Mr. Aslam

DRAWING TITLE

Floor Plan

JOB No

NA-P01

SCALE

1:100@A3

DATE

Mar 2014

DRAWN

CHECKED BY

NA

-

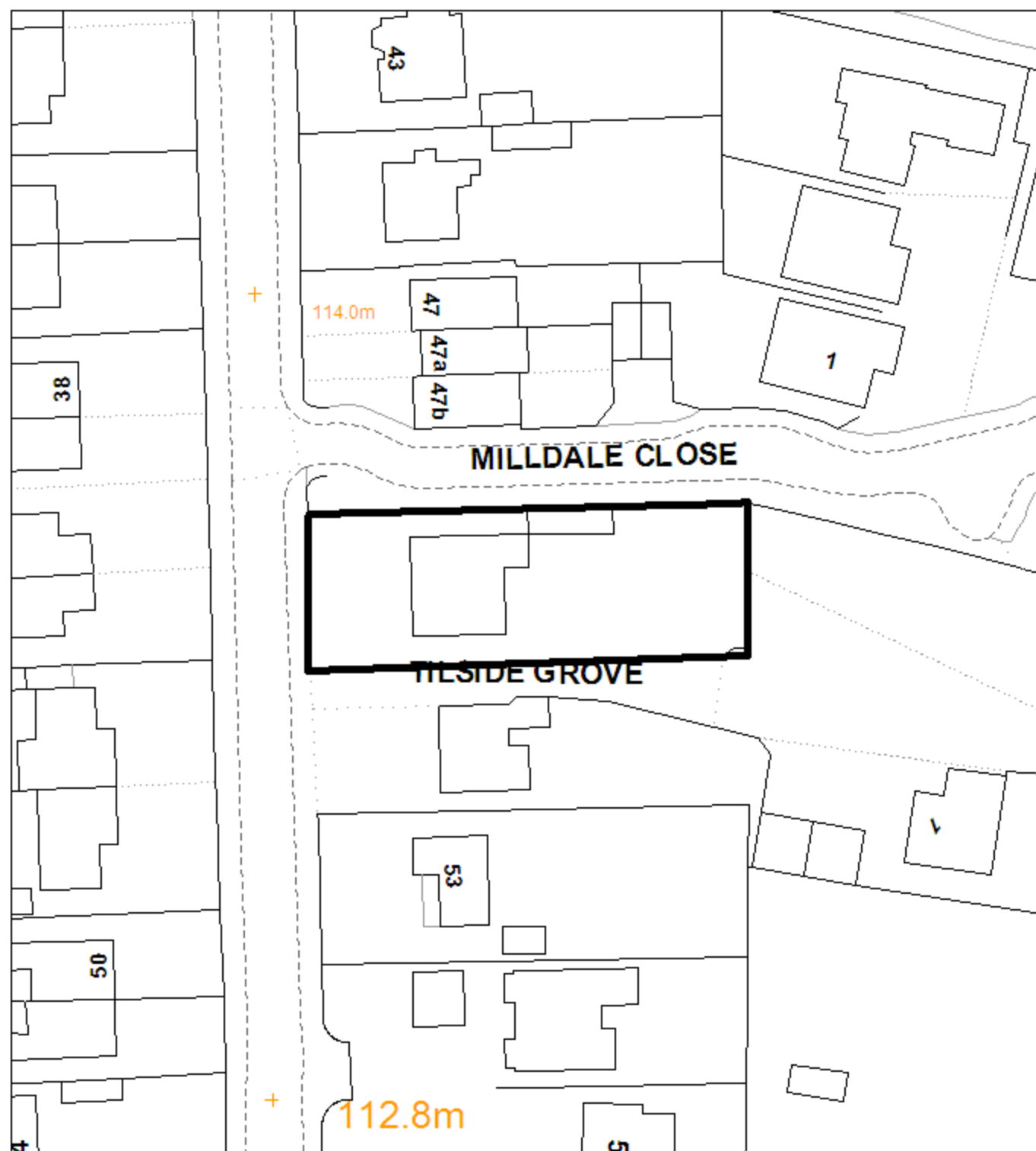
t: 0782 895 3405

e: niamat@hotmail.co.uk

na design

Application No.

91779/14



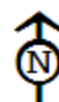
Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
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Date of Meeting: 03/07/2014

Application Reference: 91779/14

Type of Application: Full Planning Application
Registration Date: 31/03/2014
Decision Due By: 25/05/2014
Responsible Officer: Helen Williams

Location: 49 REGENT ROAD, LOSTOCK, BOLTON, BL6 4DG

Proposal: SUBSTITUTION OF HOUSE TYPE

Ward: Heaton and Lostock

Applicant: Dr M Sidda
Agent : Mr A Chapman

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for another substitute house type on the site.

The length of the proposed dwelling (14.5 metres), its height (7.5 metres to the ridge) and its siting are the same as the dwellings previously approved under applications 90548/13 and 86047/11. The width of the proposed dwelling is slightly narrower, being 11.015 metres instead of the approved 11.1 metres.

The main alterations to the dwelling proposed within this application are:

Roof

- * The roof is proposed to be hipped at the front, rear and sides, whereas the roof of the dwellings approved under applications 90548/13 and 86047/11 had gabled front and rear elevations.

Front elevation

- * A two storey, ornamental, gabled, front element has been added between the bay windows. This will project out 0.56 metres from the front elevation, in line with the fronts of the bay windows.
- * The previously approved canopy over the bay windows (under application 90548/13), supported by two pillars at the entrance, has been removed to accommodate the two storey gabled element. The two single storey bay windows have therefore been given their own hipped roofs.
- * The stone heads to the first floor windows have been removed and the gabled frontage has been amended with a hipped roof.

Rear elevation

- * The window arrangement at both ground and first floor levels have been amended to

reflect the internal layout change. Two lengthy patio doors are both at ground floor and an additional window is proposed at first floor.

- * The previously approved Juliet balcony has been removed.
- * Quoins at the corners have been added.

Northern side elevation

- * The roof has been hipped at both the front and the rear.
- * The side of the two storey front element is visible.
- * The banding detail between the ground and first floor has been removed.
- * The window openings proposed are slightly wider than previously approved, but these all still remain as secondary windows.
- * A small rooflight has been added.

Southern side elevation

- * The roof has been hipped at both the front and the rear
- * The side of the two storey front element is visible.
- * The banding detail between the ground and first floor has been removed.
- * The two windows at first floor level have been moved so they are more central to the side elevation.
- * The window openings proposed are slightly wider than previously approved, but these all still remain as secondary windows.
- * The previously approved rooflight has been removed (it is instead proposed on the northern side elevation).

Internal layout

- * The room layouts have been altered and there is no longer a corridor running the length of both the ground and first floors.
- * The roof space is now proposed to be utilised as an additional bedroom, with a proposed rooflight being the only window to this extra room (a rooflight was previously proposed for a study on the first floor within application 90548/14).
- * The dwelling is now proposed as a five bedroom house rather than a 4 bedroom house.

Site Characteristics

The application site comprises the partly demolished dwelling (which was built not in accordance planning permission) and an existing detached garage at the rear. Vehicular access into the site is off Regent Road, to the front of the house.

The application site is located on a residential road within a residential area of the borough. Regent Road is characterised by large dwellings set in sizable plots. The dwellings differ in design, scale and character.

There is a protected Copper Beech tree at the front of the site and branches of a protected Sycamore tree (located on the landscape strip adjacent 49 Regent Road and Milldale Close) overhang the site.

To the north of the site is Milldale Close, which provides vehicular and pedestrian access to eight dwellings. To the south is Tilside Grove, which provides vehicular and pedestrian access to three dwellings.

Policy

National Planning Policy Framework (NPPF)

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

Saved UDP Policies: N8 Protected Trees

PCPN No. 2 - Space Around Dwellings, PCPN No. 7 Trees and House Extensions SPD

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA4 states that the Council will conserve and enhance the character of the existing physical environment and ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings.

Permission was granted in May 2011 for a two storey dwelling on the site (86047/11) and a substitute house types was approved in October 2013 (90548/14). This application seeks permission for a further substitute house type, which will share the same siting, length, width (albeit 0.85 metres narrower) and height as the two previously approved dwellings on the site. The main differences between the newly proposed dwelling and the previously approved dwelling (90548/14) are described above in the "Proposal" section.

The previous two approved dwellings on the application site were considered by the Council to be compatible (in terms of their scale, siting, height and design) with the surrounding area and street scene of Regent Road, given the varied architectural styles of the neighbouring houses.

The design of the latest proposed dwelling is considered to be an improvement from the previous two approved dwellings, which were quite simplistic in their design. The two

storey, ornamental, gabled, front element that is proposed to be added to the centre of the front elevation gives the dwelling some character, which was lacking from the approved dwellings. The change in the roof design, from being gabled at the front and rear to being hipped on all four sides, is also considered to be an improvement to the overall design and in turn reduces the overall massing of the dwelling, making it more compatible with the street scene.

It is considered that the proposed amended dwelling would not have any greater harm on the character and appearance of the street scene and surrounding area than the dwellings previously approved on the site (90548/13 is an extant permission) and that the proposed elevational alterations would actually improve the appearance of the dwelling. It is therefore considered that the proposed development would comply with Policies CG3 and OA4 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. PCPN2 Space Around Dwellings sets out the Council's minimum interface distances between dwellings (these interface distances have been updated within SPD House Extensions).

As with the dwellings approved under applications 86047/11 and 90548/13, the proposed amended dwelling has its main (principal) windows on the front and rear elevations. The minimum interface distances prescribed within PCPN2 are far exceeded between the proposed dwelling and 42 and 44 Regent Road, opposite the site (approximately 34.5 metres).

The windows in both the side elevations of the proposed dwelling have been increased slightly in size, but these are secondary/non-main windows, and therefore do not pose any recognised privacy concerns to neighbouring dwellings in policy guidance terms. The en suite windows at first floor level on the southern side elevation have been moved so that they are more centrally located, but this again is not considered to harm residential amenity; a condition is suggested to ensure that all first floor side windows are obscure glazed.

A rooflight has been introduced to the northern roof plane (it was previously approved on the southern roof plane). This window will serve a bedroom, but as it is sited in the slope of the roof (and therefore at an angle) it is not considered that it would create any overlooking concerns for neighbouring residents.

51 Regent Road has a ground floor kitchen window facing the application site. Kitchen windows are not classed by the Council as being main windows and therefore they are not afforded protection by policy guidance. The new dwelling will be sited forward of 51 Regent Road but it will not impinge upon a 45 degree line taken from the centre of the nearest main windows at number 51. The new dwelling will also not extend as far back into its plot as 51. It is therefore considered that the proposed dwelling would not unduly harm the amenity of this neighbouring property.

47b Regent Road only has its entrance door and two small windows in the side elevation facing the application site. These again are not classed as main windows. The rear elevation of the proposed dwelling will not extend beyond the rear elevation of 47b. It is therefore considered that the proposed dwelling would also not unduly harm the amenity of the residents at 47b Regent Road.

It is therefore considered that the proposed dwelling would not unduly harm the amenity of neighbouring residential properties, compliant with Policy CG4 of the Core Strategy.

Impact on Trees

Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development. Saved UDP Policy N8 refers specifically to protected trees.

There is a protected Copper Beech tree at the front of the site and a protected Sycamore tree is located on the landscape strip adjacent 49 Regent Road and Milldale Close.

The Council's Tree Officer initially had concerns regarding the introduction of the two storey gabled front element and its relationship with the canopy of the Copper Beech tree within the front curtilage of the site. The applicant has amended their plans to show an elevational drawing of the tree in relation to the proposed dwelling, which illustrates that the amended dwelling will not have a significantly greater effect on the tree than the previously approved dwellings.

The applicant has also illustrated on their amended plans the extent of hardstanding at the front of the dwelling that was previously approved under application 90548/14. This allows for cars to be parked away from the root protection zone of the Copper Beech; the Tree Officer raises no objection to this.

It is therefore considered that the proposed amended dwelling will not unduly harm the two adjacent protected trees, compliant with Policy CG1.2 of the Core Strategy and saved UDP Policy N8.

Impact on the Highway

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

The width of the driveway to the northern side of the dwelling is the same as previously approved under applications 90548/13 and 86047/11 (2.87 metres). A fence has however now been erected on the inside of the hedgerow along the northern boundary of the site. Highways Engineers have advised where two sides are obstructed (as they are along the proposed driveway) a minimum width of 2.9 metres is required if the space is to be used as a parking space/parking spaces. The proposed width of the driveway falls just under this minimum by 0.03 metres (3 centimetres). However, the other proposed hard surfaced areas of the site will allow for the parking of at least three vehicles on-site and the existing garage is still proposed to be retained. Appendix 3 of the Core Strategy recommends a maximum of three parking spaces for four plus bedroom properties; the maximum standard is therefore met here/exceeded.

It is considered that the proposal provides sufficient off-street parking and will not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Conclusion

For the reasons discussed above it is considered that the substitute house type would be compatible with the character and appearance of the area, would not unduly harm the amenity of neighbouring residents, would safeguard protected trees, and would not

jeopardise highway safety.

Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- Seven letters of objection have been received, as have two letters of comment. These letters raise the following concerns:

- * The design and size of the dwelling is not in keeping with Regent Road;
- * The proposal will change the street scene of Regent Road forever, due to damage to protected trees and building a huge house on a small plot;
- * The proposed chimney at the side of the dwelling will be particularly prominent (*officer's note: the chimney has been deleted from the scheme*);
- * The proposal fails to take into account the protected tree at the front of the site;
- * The proposed two storey element will damage the tree;
- * The tree has already been damaged during construction works;
- * Lack of parking on site. Cars will park on Regent Road instead, reducing visibility for vehicles coming out of Tilside Grove and Milldale;
- * The width of the driveway to the side of the dwelling is too narrow to be used for parking. The plans do not show where cars are to be parked and the proposed chimney at the side is in the way of the driveway (*officer's note: the plans have been amended to show the areas for parking and the chimney has been deleted from the scheme*);
- * A new fence erected along the proposed driveway reduces the width of the driveway;
- * A rooflight in the northern side elevation and large first floor window have previously been refused (*officer's note: the application was refused on design grounds due to the overall appearance and scale of the dwelling, not on privacy grounds because of the windows*);
- * Overlooking concerns from the rooflight proposed within the roof;
- * There are no dimensions on the plans (*officer's note: dimensions have since been added*);
- * The dimensions on the plan are not accurate (*officer's note: the main dimensions, that being the external dimensions, are considered to be correct. Internal dimensions are not considered to be as important as are not material to any planning decision*);
- * A view of the street scene should be submitted (*officer's note: a street scene plan was requested but was not received. It is considered to be unreasonable to insist one is submitted given that applications 90548/13 and 86047/11 were determined without such a plan*);
- * The application should be refused on the grounds of a lack of information (*officer's note: it is not considered that there is a lack of information*);
- * The bedroom on the second floor is large enough for three rooms (*officer's note: the headroom of about half of the bedroom is restricted by the hipped roof*);
- * Concerns that the application form has not been filled in correctly;
- * Further applications should only be considered once the house has been fully demolished;
- * Worried that the dwelling will not be built in accordance with the plans again;
- * 51 Regent Road have not been able to sell their house (*officer's note: this is not a material planning consideration*);
- * Cost to tax payers due to the numerous applications that have been submitted for the site (*officer's note: this is not a material planning consideration*).

Consultations

Advice was sought from the following consultees: Tree Officers and Highways Engineers.

Planning History

Permission was granted at Planning Committee in May 2011 for the proposed demolition of a bungalow and the erection of a new detached property (86047/11).

A non-material application to approval 86047/11 to enable alterations to windows and the inclusion of architectural features was withdrawn by the applicant in January 2012.

Retrospective planning application 87403/12 for proposed changes to planning approval 86047/11 was refused by Planning Committee in April 2012.

Retrospective planning application 89055/12 for the erection of one detached dwelling was refused by Planning Committee in February 2013.

An appeal against the enforcement notice to demolish the unauthorised dwelling (issued 13th June 2013) was dismissed on 17th April 2013 (the enforcement notice was upheld).

A non-material application to approval 86047/11 to enable the addition of quoins, cills, heads, stone banding and three rooflights and the omission of one window in the gable was withdrawn by the applicant on 23rd August 2013 (90479/13).

Prior notification was given at Planning Committee in September 2013 for the partial demolition of the dwelling built on site without the benefit of planning permission (90477/13).

Permission was granted at Planning Committee in October 2013 for a substitution of house type (90548/13).

Planning history of site prior to the 2011 approval for a new dwelling

Application 83576/10 for a first floor extension of the existing bungalow and a two storey side and rear extension was withdrawn by the applicant.

Application 84324/10 for the erection of a first floor extension to the bungalow together with a two storey extension to the side and rear was refused.

Permission was granted under application 85387/10 for the erection of a part ground and first floor extension to form a two storey dwelling.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.

3. Prior to the commencement of development a detailed specification for all doors and windows hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first occupied and retained thereafter.

Reason

To ensure the development reflects local distinctiveness.

4. The Beech tree at the front of the site and which is subject of a Tree Preservation Order (TPO) shall be surrounded by fencing, as agreed on site with the Council's Tree Officer on 13th September 2013 (in relation to planning approval 86047/11). 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.

Reason

To protect the health and appearance of the tree.

5. Prior to the commencement of development of any works on site, the developer shall provide a method statement detailing how materials shall be delivered to and stored on site during the construction of the dwelling. No development shall take place until the Local Planning Authority has agreed the measures in writing, and these measures shall then be implemented in accordance with the approved details.

Reason

To ensure the safe development of the site and favourable retention of the Copper Beech/Sycamore tree.

6. Before the approved/permitted development is first brought into use provision shall be made for the parking and garaging of motor vehicles adjacent the dwelling house in the area identified for that purposes on the approved plan. Those areas shall thereafter be retained at all times for that purpose.

Reason

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

7. Before the first occupation of the building hereby permitted the en suite windows at first floor level in both side elevations shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed.

Reason

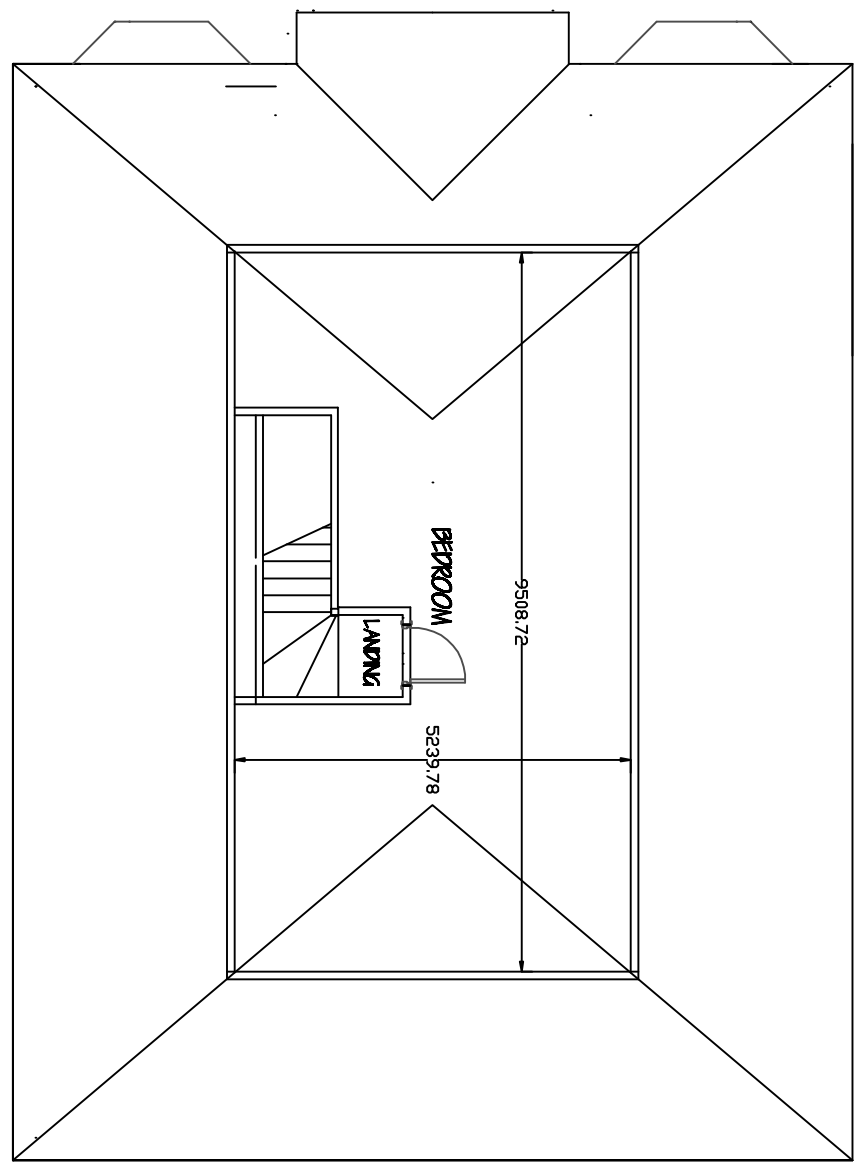
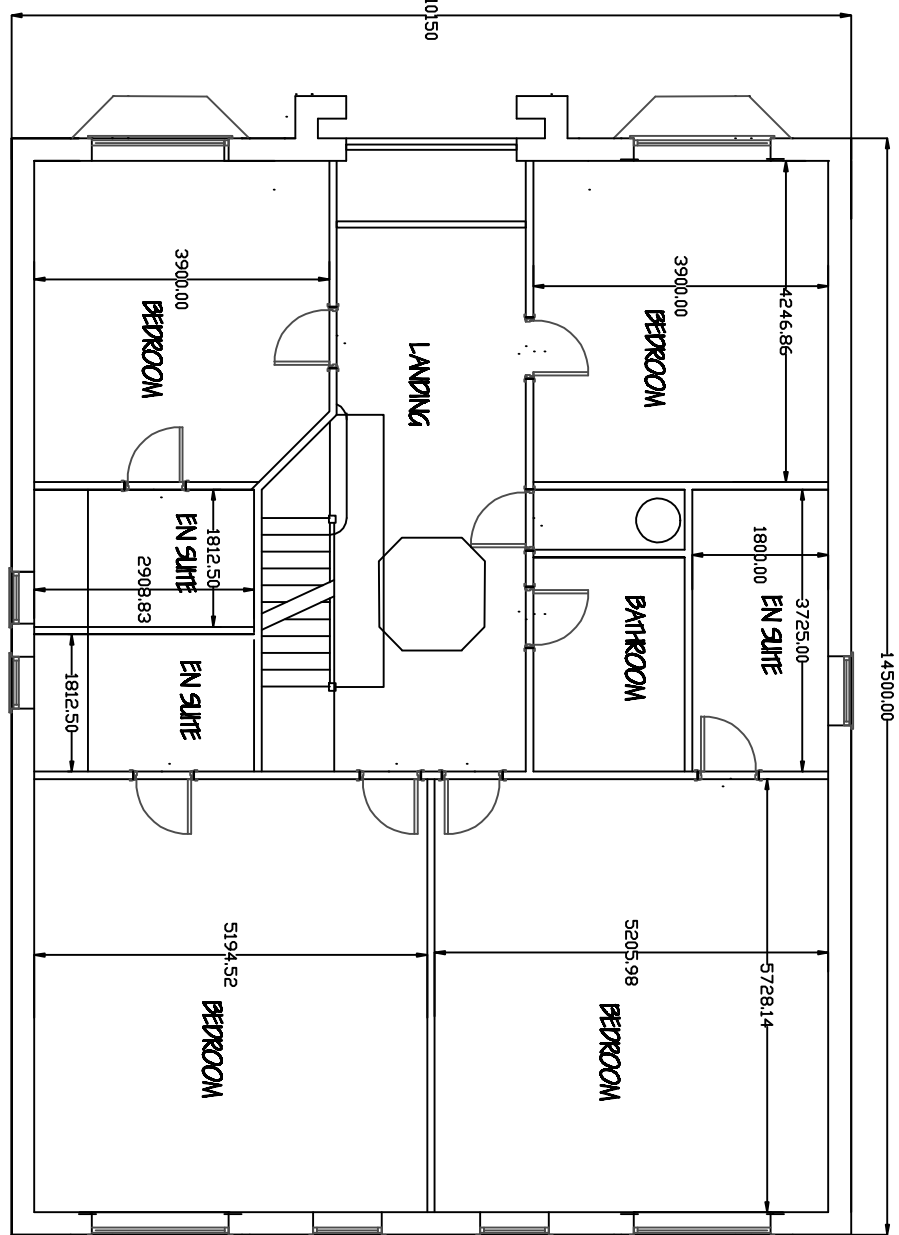
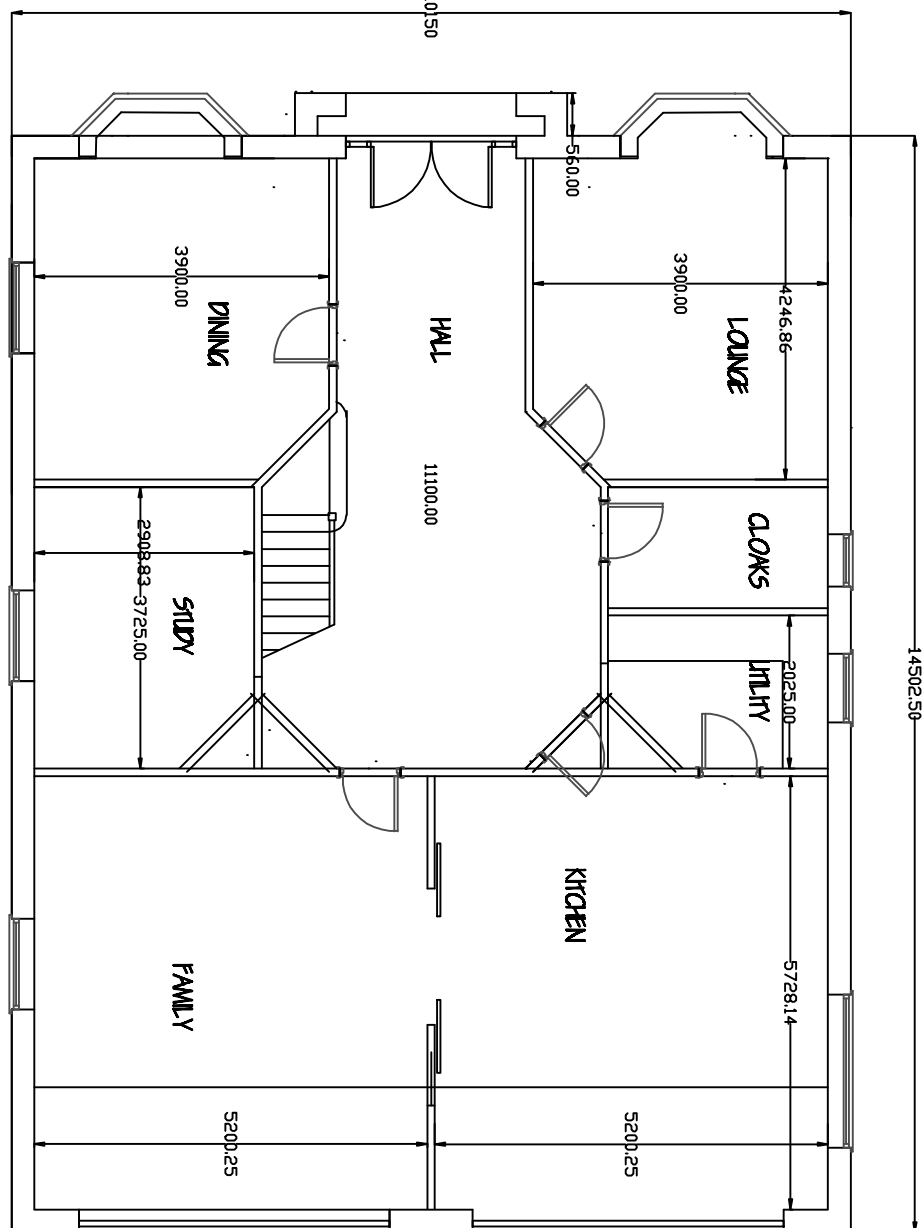
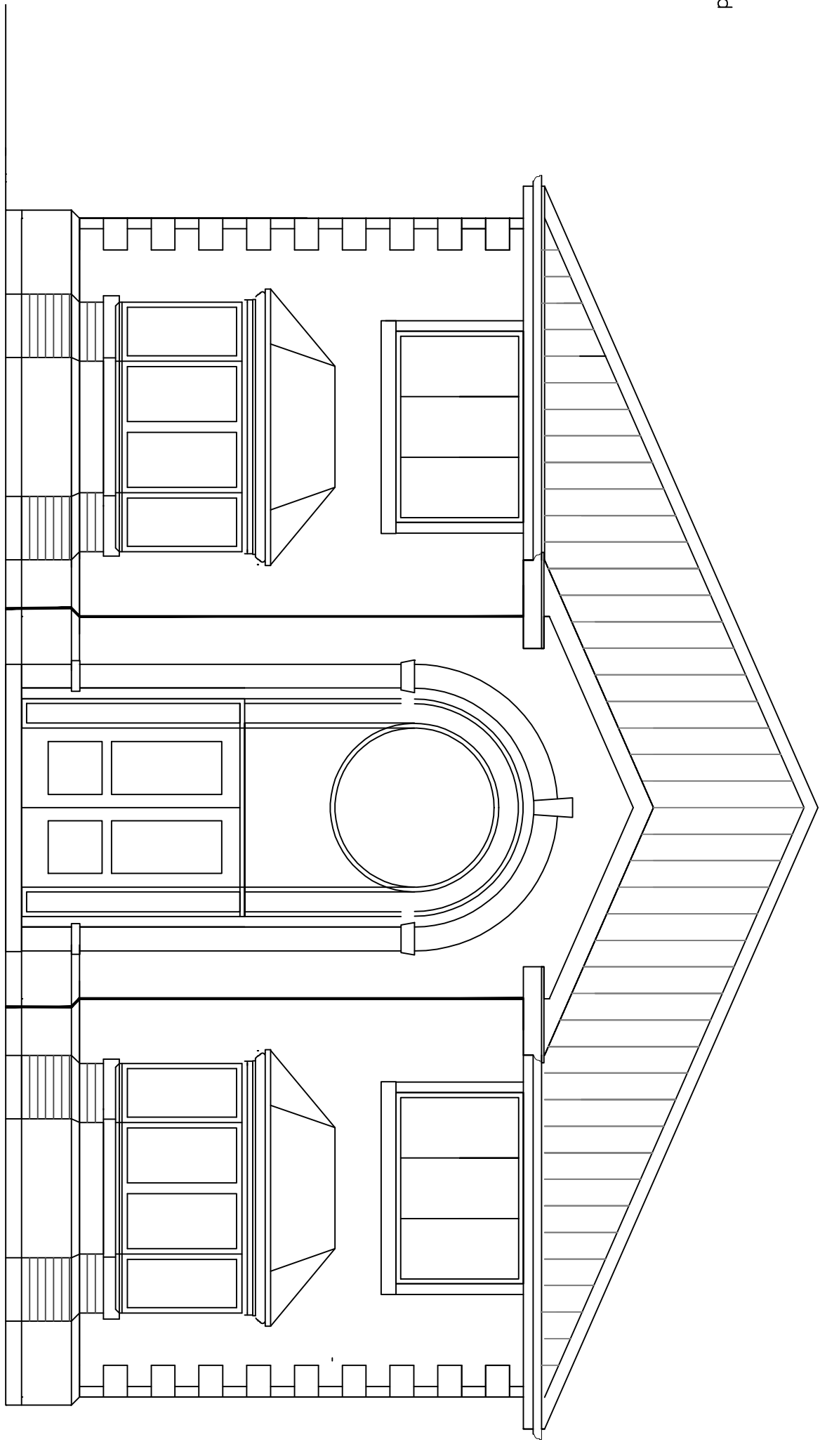
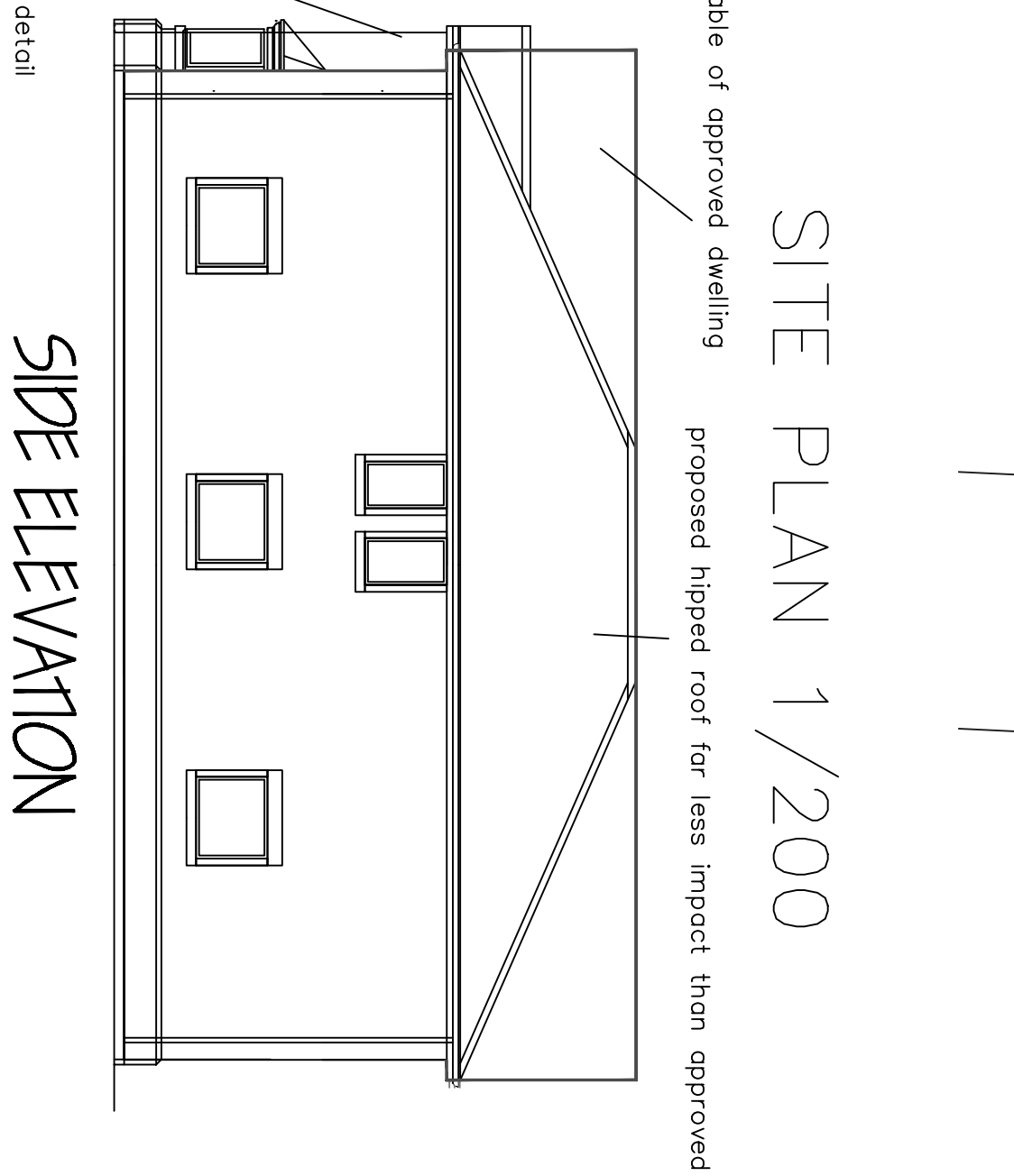
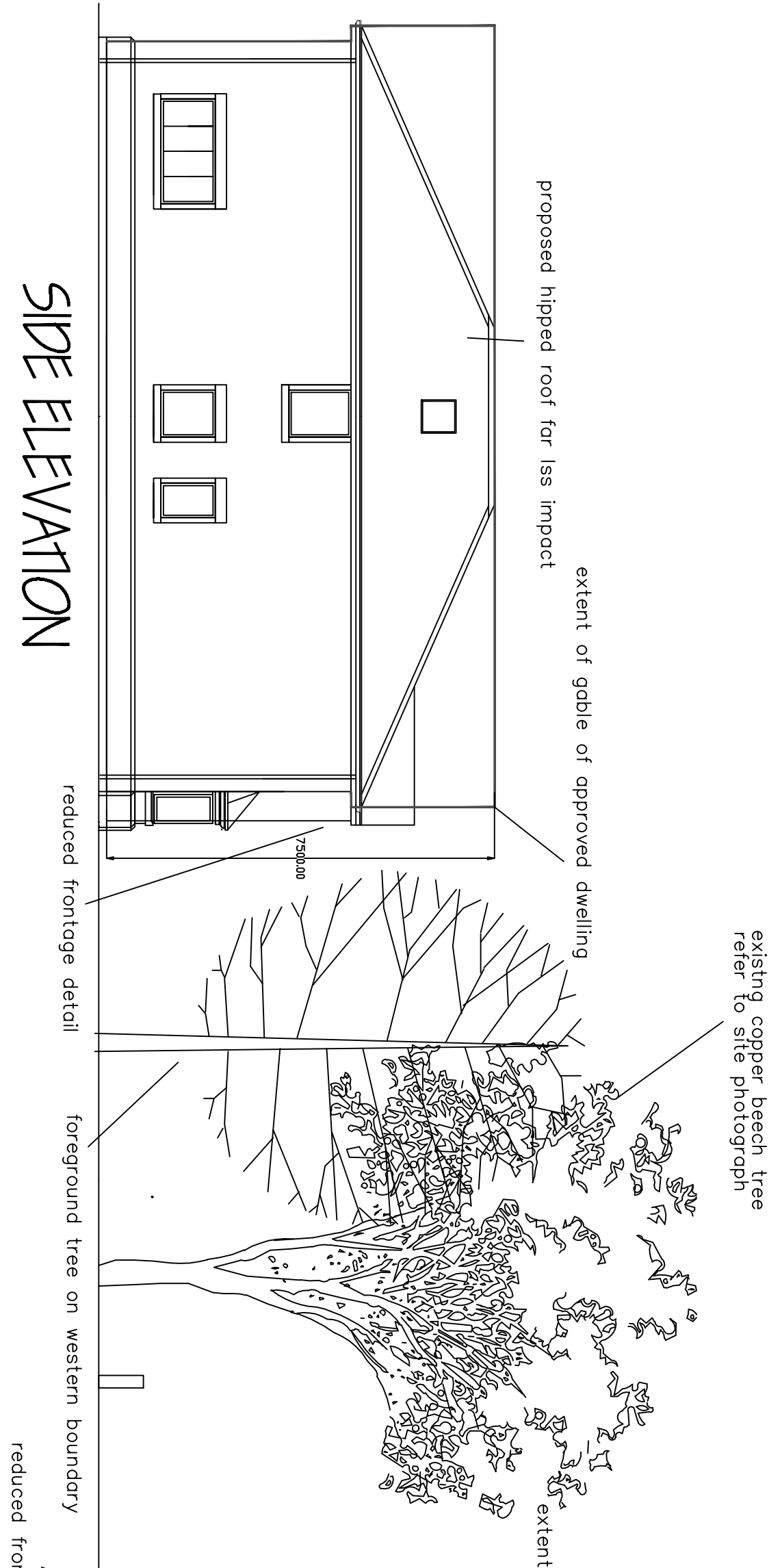
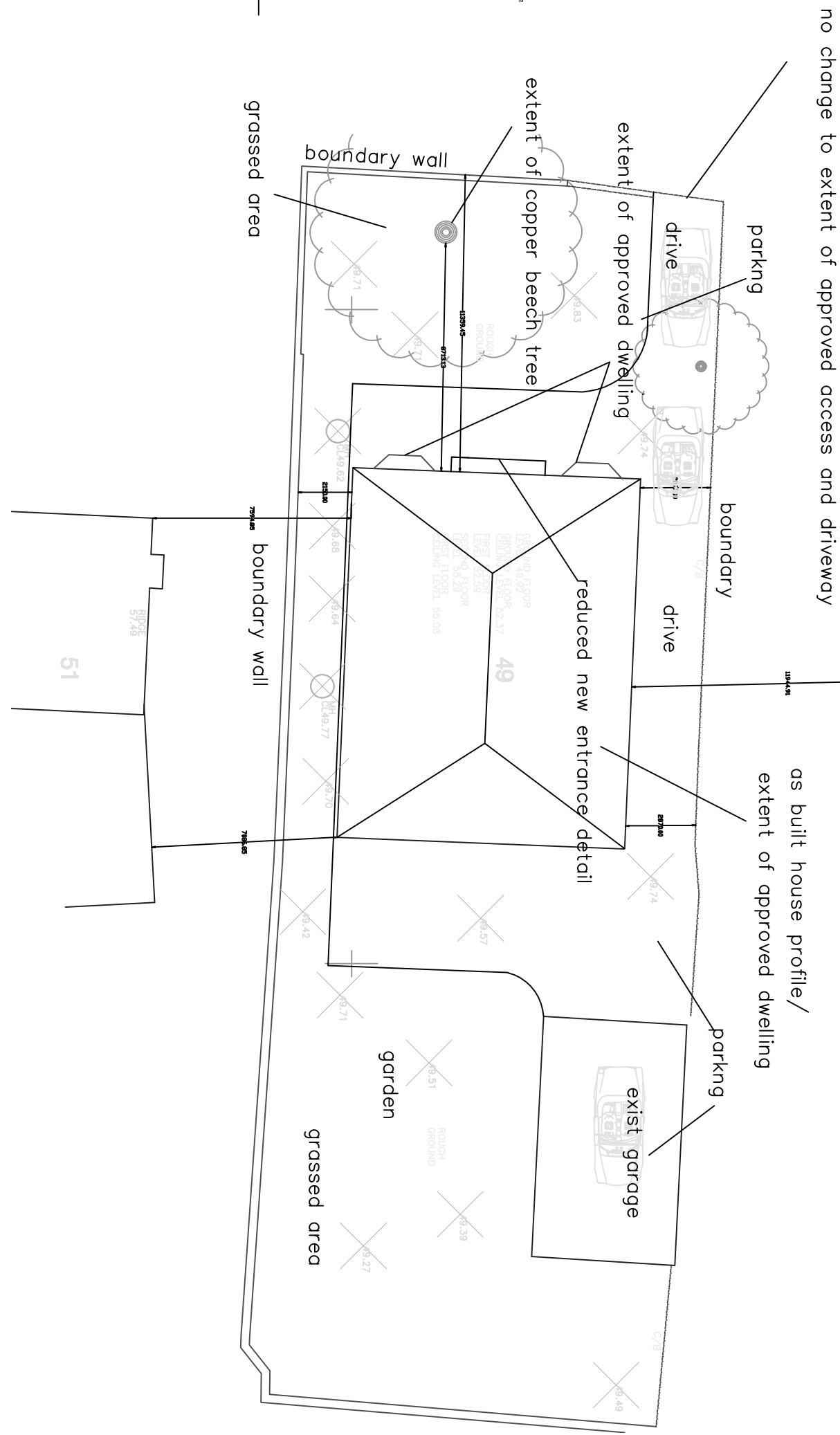
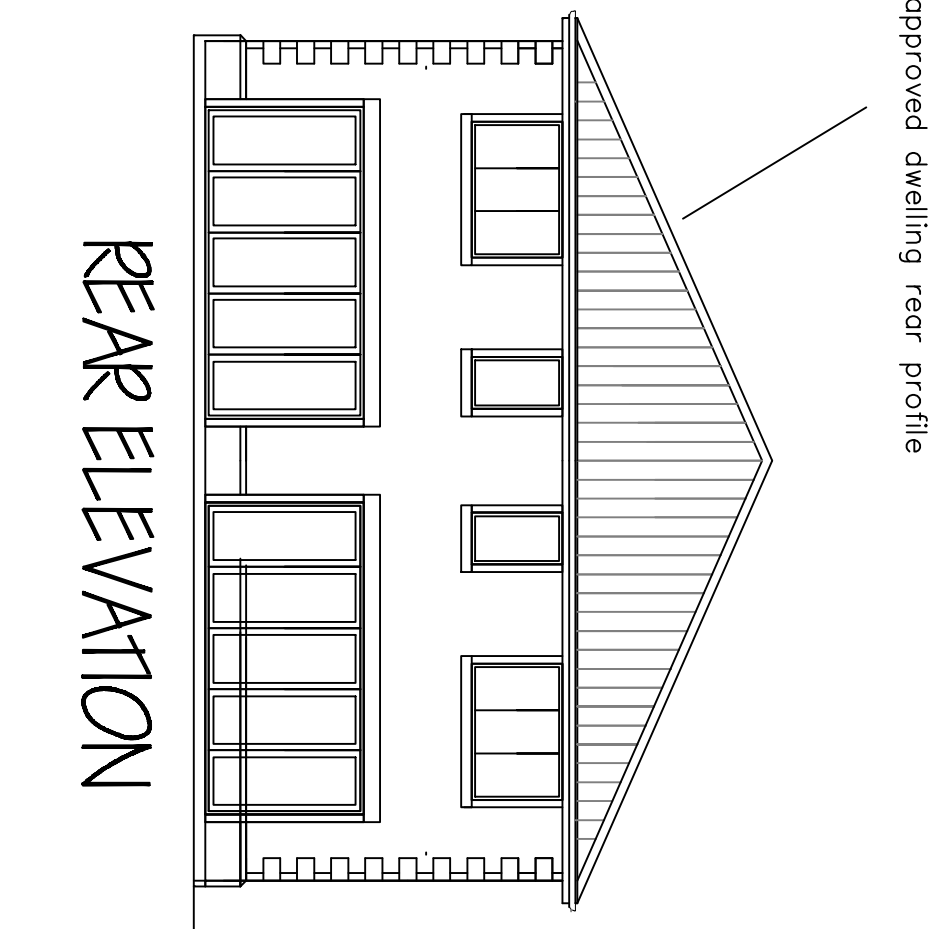
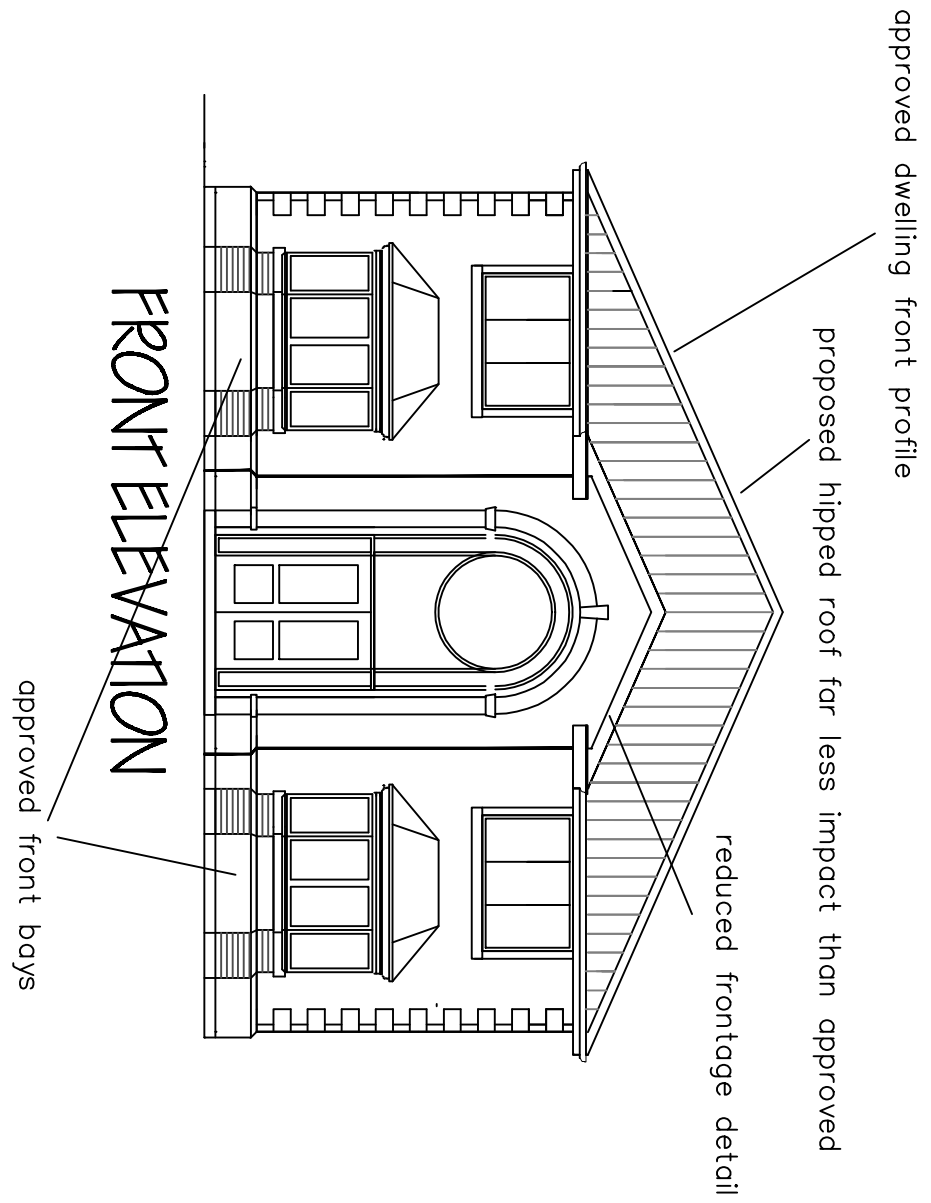
To safeguard the character and appearance of the dwelling, as any extension could result in an unsatisfactory scheme.

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

01F; dated March 14 and received 16th June 2014.

Reason

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



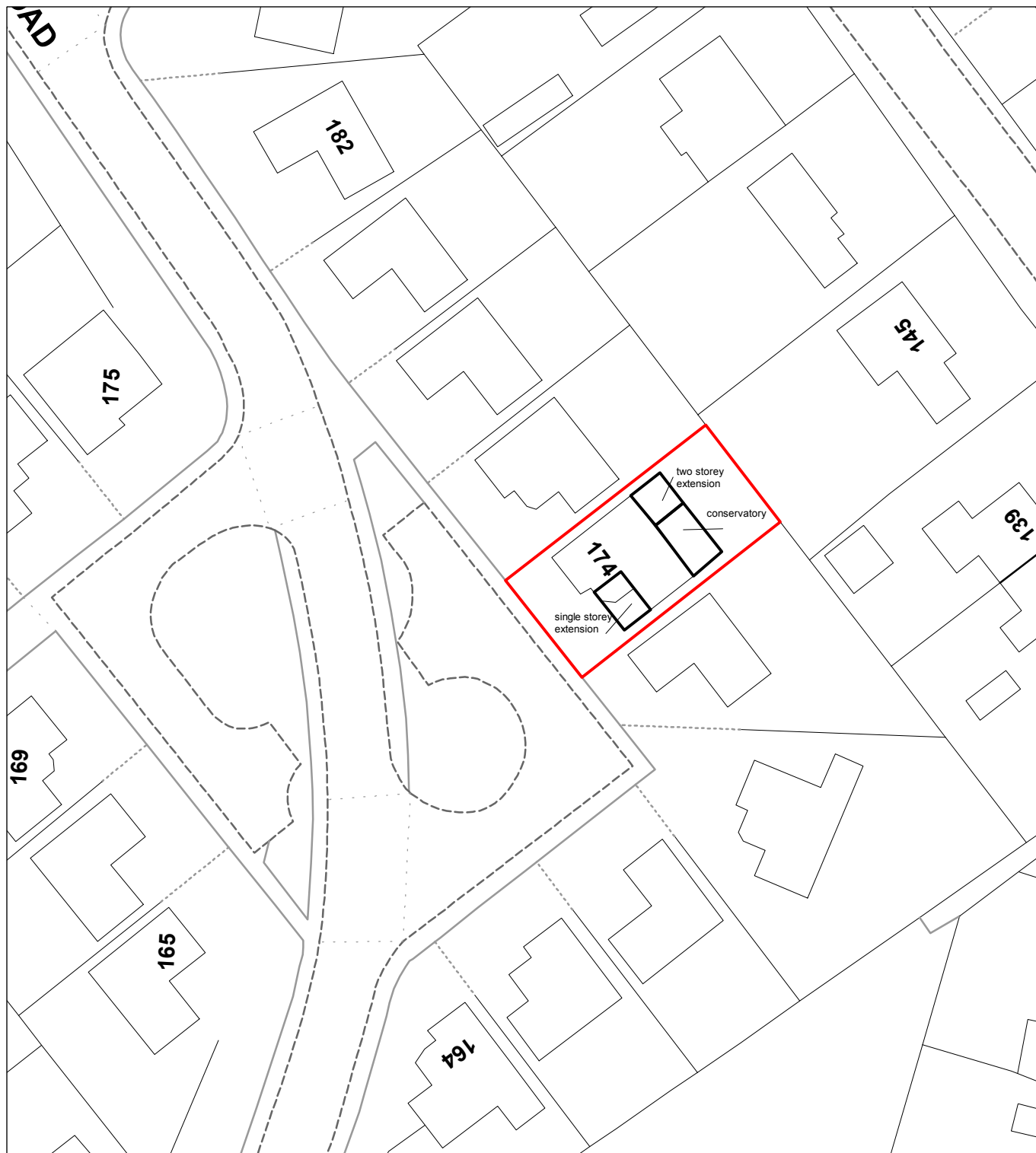
Amended F JUNE 14
Amended D JUNE 14
Amended C JUNE 14
Amended B May 14
Amended A May 14

REVISIONS	DATE	DRAWN	CHECKED
SCALE	1/100	MARCH 14	ASC
CLIENT	1/50		
CLIENT	DOCTOR SIDDA		

PROPOSED DEMOLITION OF EXISTING PART BUILT HOUSE
AND THE ERECTION OF A NEW SUBSTITUTE DWELLING
TO STRICTLY MATCH DIMENSIONALLY THE APPROVED
HOUSE DESIGN AT 49 REGENT ROAD LOSTOCK BOLTON

Application No.

91799/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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11

Date of Meeting: 03/07/2014

Application Reference: 91799/14

Type of Application: Full Planning Application
Registration Date: 16/04/2014
Decision Due By: 10/06/2014
Responsible Officer: Sara Flanagan

Location: 174 ARMADALE ROAD, BOLTON, BL3 4TP

Proposal: ERECTION OF SINGLE STOREY EXTENSION AT FRONT TOGETHER WITH PART TWO STOREY/SINGLE STOREY EXTENSION AND CONSERVATORY AT REAR

Ward: Heaton and Lostock

Applicant: Mr Patel
Agent : Mr Patel

Officers Report

Recommendation: Approve subject to conditions

Proposal

The proposal includes a single storey extension to the front of the property providing a porch and an extension to the existing living room and a two storey rear extension extending the existing kitchen and bedroom above by 4000mm. A conservatory would also be sited to the rear of the property extending from the side of the rear extension across the rest of the rear elevation and extending from the rear elevation by 4000mm.

Site Characteristics

This detached dwelling house has been extended with a first floor extension to the front of the property with properties on either side having the original long slopping roof on the front. The property to the north west, no. 176 Armadale Road, is situated on a lower ground level with no. 172 Armadale Road elevated to the south east. There are gardens to front and rear with a vehicular access road and grassed areas to the south west adjacent to Armadale Road.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: CG3 The Built Environment, CG4 Compatible Uses and OA4 West Bolton.

SPD House Extensions and PCPN2 Space Around Dwellings

Analysis

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

considerations indicate otherwise.

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

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

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

The main impacts of the proposal are:-

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

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

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

Policy OA4 of the Core Strategy states that the Council will conserve and enhance the character of the existing physical environment

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

The proposed extension to the front of the property would extend in line with existing projection of the garage and would have a lean to tiled roof which would match the existing property and be in keeping with the scale and design of the existing building.

The rear extension would have a gabled roof reducing its height and bulk with eaves levels to match the existing property whilst the proposed conservatory would be sited at the rear of the property and would have a pitched roof and dwarf wall.

It is considered that the proposed extensions would be in keeping with the existing property and would not affect the visual appearance of the street scene and the character and appearance of the area.

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the Council's minimum interface standards between dwellings.

The extension to the front of the property would be sited adjacent to the garage of

number 172 Armadale Road to the south east which is sited in an elevated position, by approximately half a storey, and would not therefore affect any main windows, especially as the extension would not extend forward of the neighbours garage door.

The proposed rear extension has been reduced in length with the ground floor extension being deleted and a plan has been submitted showing the two storey element being compliant with the 45 degree policy. It would be sited adjacent to the through lounge window of the property to the north at number 176 Armadale Road which is sited at a slightly lower ground level. The window in the side elevation of the kitchen has been deleted off the plan to ensure privacy and overlooking issues are protected.

The proposed conservatory would be sited adjacent to the kitchen window of the property to the south at number 172 Armadale Road which is elevated by approximately half a storey. The size of the conservatory would allow it to be constructed under permitted development if it was built as a stand alone building.

Therefore it is considered that the proposal as amended would not affect the outlook and living conditions of neighbouring residents and complies with the 45 degree policy which is the test to ensure extension do not unreasonably impact upon the amenities of neighbouring residents.

Conclusion

It is considered that the proposal, as amended, is considered to be in keeping with the scale and design of the existing property and would not affect the outlook and living conditions of the residents of neighbouring properties complying with policies OA4, CG3 and CG4 of Bolton's Core Strategy and guidance contained within Supplementary Planning Document House Extensions 2012.

Members are recommended to grant planning permission for the proposed extensions subject to conditions.

Representation and Consultation Annex

Representations

Letters:- three letters (two from the same address) have been received one referring to a foul water drain **(not a material planning issue)** and the other resident raising the following concerns:

- the proposal was over bearing and overly dominant - **(the scale of the extension has been reduced)**,
- affected natural light to the main living and bedroom and garden;
- both these concerns were exacerbated due to the change in ground levels causing over shadowing due to it being on the south eastern side of the property;
- the extension is considered to look incongruous and not in keeping with the rear building lines of the adjacent properties. This objector sent a further the side window in the proposed kitchen would look over the existing fence **(this window has been subsequently removed)**.

Elected Members:- Councillor Allen has requested that the application be put before members with an advanced site visit.

Planning History

Permission was granted in 1987 for a first floor front extension (29692/87).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

**Drawing No. 01 Rev 03 - Proposed elevations scanned on 19th June 2014
Side elevations and floor plan scanned on 19th June 2014**

Reason

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

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

Reason

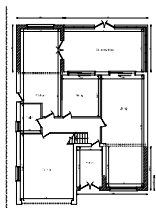
To ensure the development visually reflects the existing building.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no windows or doors shall

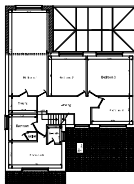
be formed in the north western elevation of the development hereby approved other than those shown on the approved drawings, nor shall those approved windows or doors be enlarged or altered.

Reason

To safeguard the outlook, privacy and living conditions of neighbouring residents.



Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Front Elevation



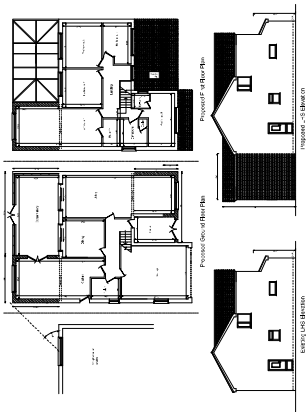
Proposed Rear Elevation



Proposed Side Elevation

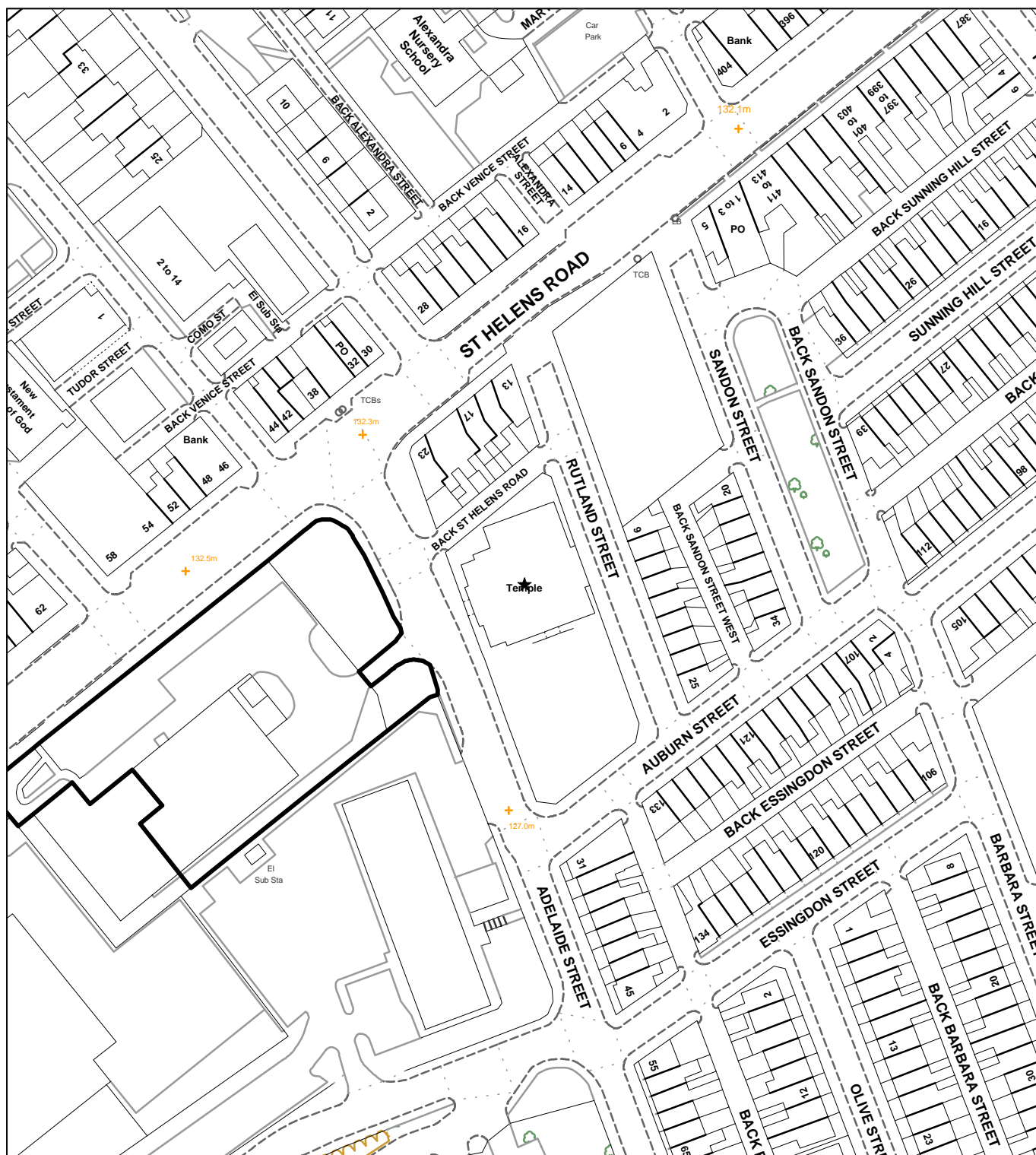
Scale: 1" = 10'

Architect	John Doe
Engineer	John Doe
Surveyor	John Doe
Inspector	John Doe
Owner	John Doe
Date	10/10/2020



Application No.

91862/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

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11

Date of Meeting: 03/07/2014

Application Reference: 91862/14

Type of Application: Full Planning Application
Registration Date: 08/05/2014
Decision Due By: 02/07/2014
Responsible Officer: Jeanette Isherwood

Location: BOLMOOR WORKSHOP, ADELAIDE STREET, BOLTON, BL3 3NY

Proposal: PERMANENT CHANGE OF USE FROM INDUSTRIAL (CLASS B1 AND B2) TO EDUCATIONAL AND COMMUNITY FACILITY (CLASS D1 AND D2) TOGETHER WITH ALTERATIONS TO PROVIDE 2No ADDITIONAL CLASSROOMS AND 4No NEW WINDOWS.

Ward: Rumworth

Applicant: Olive Tree Primary School
Agent : Pozzoni

Officers Report

Recommendation: Approve subject to conditions

Background

Planning permission was granted in 2013 for the temporary change of use of the building into a primary school.

Proposal

The applicant proposes the permanent change of use of the existing Bolmoor Industries office/workshop from B1 and B2 into an educational and Community Facility D1 and D2.

The proposal includes the addition of two classrooms with associated facilities on the existing unoccupied mezzanine level inside the main body of the school.

The proposed external changes would be relatively modest with the addition of 4 No windows to this mezzanine level on the eastern side of the site.

All previously approved minor alterations are to be retained.

There are future plans for the school to be permanently relocated in the local vicinity, but this has yet to be finalised. The applicant intends to continue using the facility as an educational and community facility for the local community and accommodate a nursery and early years educational facility after the school has relocated.

Site Characteristics

The school have been operating out of the Bolmoor Building since September 2013 under a temporary planning approval. The application site relates to a vacant single storey industrial premises which forms part of a larger industrial unit which is currently used by

the Council as their Print Unit. The site is bounded by a perimeter fence with 2 current points on St Helen's Road and Adelaide Street. The access off St Helens Road is a pedestrian access with a ramped and a stepped alternative. The second entrance off Adelaide Street provides a vehicular and pedestrian entrance. It is intended this second entrance will become the main access for the school.

A communal car parking area is provided within the site accessed off Adelaide Street.

The Bolton at Homes offices are located to the south of the application site. The site is located adjacent to the St Helens/Derby Street local centre.

Policy

National Planning Policy Framework

Core Strategy Strategic Objective 5 - Prosperous Bolton, Strategic Objective 9 - Safe Bolton, A1 Achieving, P1 Employment, P5 Accessibility, S1 Safe, CG3 The Built Environment, CG4 Compatible Uses and RA1 Inner Bolton.

Planning Control Policy Notes: No. 10 Planning Out Crime and 21 Highways Considerations.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the protected employment area/principle of education provision/new school;
- * impact on the character and appearance of the area;
- * impact on highway/pedestrian safety;
- * impact on the surrounding land uses.

Impact on the protected employment area

The application site forms part of a protected employment site under the current UDP proposals plan. The wider site is allocated as an area suitable for mixed use development with a balanced mix of employment and housing uses over the whole area. The proposed allocations plan has been approved by the Executive Member but is awaiting formal approval by Full Council and is to be the subject of further consultation with members of the public and interested parties from 01/07/13 until 16/08/13.

Therefore, the current allocation is as a protected employment site. The old UDP policy E5 has been superseded by Core Strategy Policy P1. Policy P1 seeks to safeguard

existing employment sites where they are compatible with residential amenity and contribute to the sustainability of communities in which they are situated.

The proposal would comply with policy.

Impact on the character and appearance of the area

Core Strategy policy CG3 seeks to ensure that new developments are compatible with the property and area to which they relate. The proposal consists of only minor alterations to the external appearance including the addition of windows in the eastern elevation to serve the new classrooms on the mezzanine level. The new windows are of a similar design to those on the existing ground floor level and are therefore considered to be compatible with the existing building and the wider area.

Previous alterations approved under the temporary permission are to be retained.

It is considered that the proposal complies with Core Strategy Policy CG3

Impact on highway/pedestrian safety

Core Strategy policy P5 and S1 seek to ensure that new development proposals provide adequate off road car parking, servicing and access arrangements.

The main access route for the school will be via the Adelaide Street entrance, a dedicated gated pedestrian access has been created for this purpose.

The Council's Highways Engineers have outlined that the Council's maximum parking standards will still be met by increasing the number of classrooms on site. But drew attention to the fact that the school 'keep clear' markings on Adelaide Street were only implemented on a temporary basis.

The applicant will need to fund a full traffic order in order to make these signs/lines permanent. A condition can be added to the approval to address this issue.

The proposal would comply with policies P5 and S1

Impact on the surrounding land uses

Core Strategy policy CG4 seeks to ensure compatibility between uses and users. The existing use within the building is the Council's Print Unit, whilst the application site was historically used for a B2 industrial use. Adjoining the southern boundary is the Bolton at Home offices. It is considered that the proposed use of the building would be compatible with the adjoining two uses and therefore complies with Policy CG4.

Value Added to the Development

The application has been amended to incorporate requirements to ensure highway/pedestrian safety is not compromised and that the proposed use of the building is compatible with the adjoining two uses.

Conclusion

The proposal provides a new primary school in a accessible location to a local catchment population without compromising highway safety or the operations of adjoining uses. The proposal would comply with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters/petitions:- One letter of objection has been received. Their concerns being:-

- Loss of parking;
- Congestion at school dropping off and collecting times;
- Health and Safety issues with parents entering industrial areas; and
- Customer inconvenience due to the lack of parking.

With regards to parking issues Highways Department are in agreement that the site adheres to the Council's maximum parking standards.

Health and Safety issues on industrial sites are considered to be internal administration issues rather than planning issues.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: the Council's Pollution Control, Highways Corporate Property and Children's Services colleagues and Greater Manchester Police.

Planning History

Planning permission was granted for the erection of a GMP factory building, 3 storey office building and new vehicular access and car park.

Temporary planning permission was granted in June 2013 for the use of the property as a primary school for a period of one year (Ref: 89899/13).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason

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

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

4013-106 Revision A
4013-601 Revision A
4013-103 Revision A
4013-102 Revision A

Reason

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

3. The development hereby approved/permitted shall not be brought into use unless and until not less

than 20 car parking spaces have been marked out and provided within the curtilage of the site, in accordance with the approved/submitted details. 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.

4. The approved disabled parking scheme shall retained unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure persons with disabilities are able to use the building(s) pursuant to the provisions of the Chronically Sick and Disabled Persons Act 1970.

5. The approved boundary treatment shall be retained thereafter.

Reason

To enhance the setting of the development within the landscape character of the locality.

6. Such works that form the completed and approved new pedestrian access from Adelaide Street shall be retained.

Reason

In the interests of highway safety.

7. No activities and/or operations shall take place on the site which release odorous emissions to the atmosphere without first submitting a scheme to the Local Planning Authority for approval showing details of the means of extraction and filtration of the odorous emissions and methods to be employed to prevent noise disturbance. The approved scheme shall be implemented in full before such operations and/or activities are first commenced and retained thereafter at all times.

Reason

To safeguard the living conditions of neighbouring residents particularly with regard to the effects of odours.

8. The premises shall not be open to customers except between the hours of 0700 and 1900 Monday to Friday and between the hours of 0800 to 1600 on Saturdays and Sundays.

Reason

To safeguard the amenity and character of the area and to safeguard the living conditions of nearby residents particularly with regard to noise and/or disturbance.

9. Before development commences details of the provision to be made for cycle parking within the site shall be submitted to and approved by the Local Planning Authority. Such details as are approved shall be implemented in full before the development hereby approved is first brought into use and retained thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists.

10. The approved treated roller shutters of an open grille design shall be retained.

Reason

In the interests of reducing crime and the fear of crime and to ensure the roller shutter fits in visually with the existing building and safeguards the character and visual appearance of the locality.

11. Before new plant and machinery are first used on the premises it shall be insulated to prevent emission of noise in accordance with details to be submitted to and approved by the Local Planning Authority. Such insulation details as approved shall be in place at all times the School is in use.

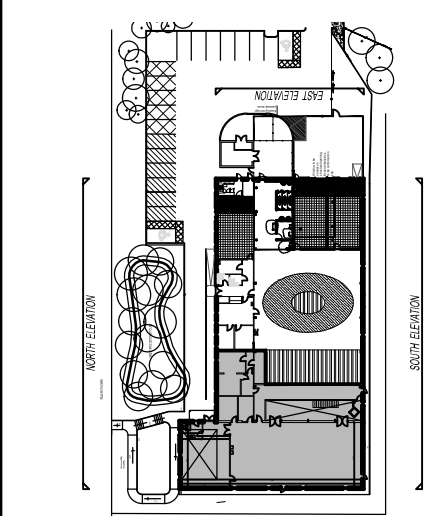
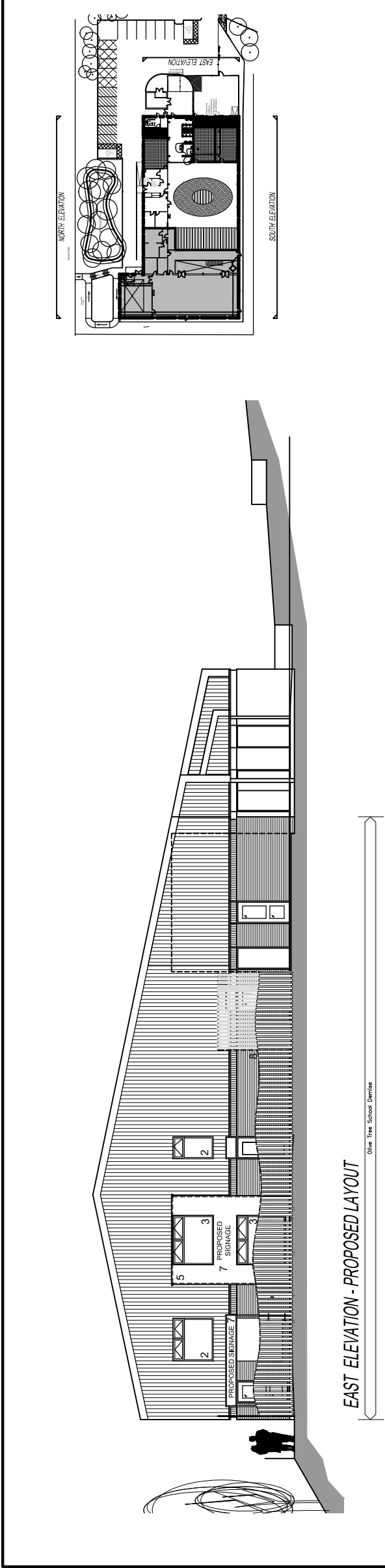
Reason

To safeguard the living conditions of nearby residents particularly with regard to the effects of noise.

12. Prior to the commencement of development the applicant will need to fund a Traffic Regulation Order to retain the school 'keep clear' markings.

Reason

In the interests of highway safety.



Notes

The Contractor is to check all dimensions and conditions on site before commencing. Do not scale from this drawing.

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Scale Bars		TO BE USED ONLY AS GUIDANCE									
1:100	mm	1000	3000	5000	5000	5000	5000	5000	5000	5000	5000
1:200	mm	5000	5000	5000	5000	5000	5000	5000	5000	5000	5000
1:500	M	5	15	25	25	25	25	25	25	25	25
1:1250	M	10	30	50	50	50	50	50	50	50	70

1. New door, fully glazed, in new opening, with new security roller shutter to match existing.
2. New window at level 01 into metal cladding to be aligned with opening below.
3. New window in existing roller shutter door opening. Roller shutter to be retained.
5. Insulated solid panel above glazed door in existing opening.
6. Existing entrance doors to be retained .
7. Proposed new school signage.
8. New fence to play area.
9. Relocated galv. steel palisade fence.

PLANNING ISSUE

A	Issue for comments			27.03.2014
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Rev	Description	By	Date
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The Olive Tree Primary School,
Bolton

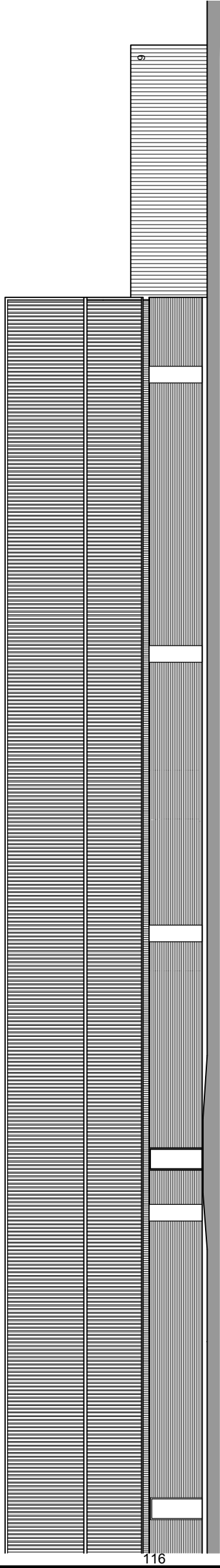
Bolmoor Site
Conversion to Primary School

Proposed Elevations

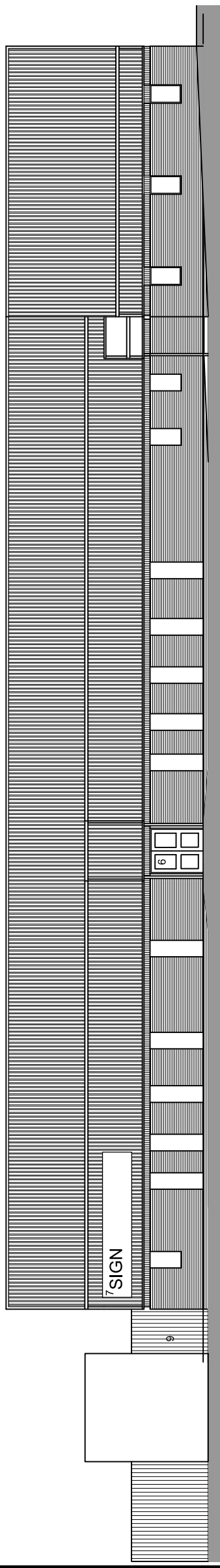
Dwg. No.	4013-106		Rev	A
Date	07/04/14	Scale	1:200	@ A3
3D CoOrd		2D CoOrd	Approved	
Project Status	Planning	Tender	Construction	
	Design	Contract	As Built	



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0202 787 0079 architects@pozzoni.co.uk	0161 928 7848 www.pozzoni.co.uk
Drawings and models powered by	POZZONI BIM using AutoDesk Revit®
Contact us for details	



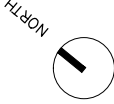
SOUTH ELEVATION



NORTH ELEVATION



PROPOSED ELEVATIONS



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Scale Bars		TO BE USED ONLY AS GUIDANCE									
1:100	mm	0	1000	2000	3000	4000	5000				
1:200	mm	0	500	1000	1500	2000	2500				
1:500	M	0	5	10	15	20	25				
1:1250	M	0	10	20	30	40	50				

KEY

Application Demise

Demise of the Printworks Tenant

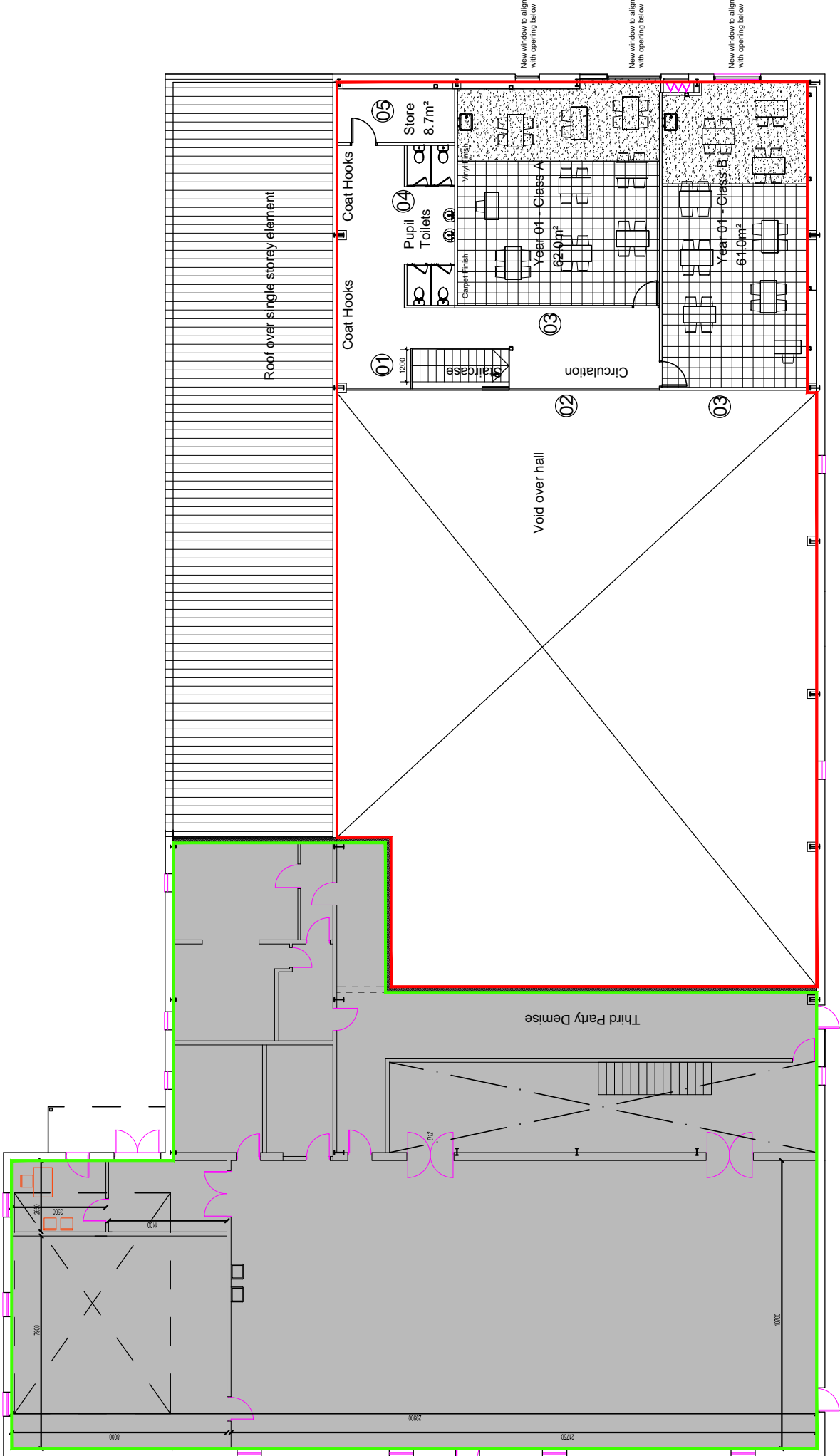
1. New staircase upto Level 01.

2. New 1100 high railings.

3. New full height stud partitioning.

4. New pupil toilets.

5. New store created.



PLANNING ISSUE

A Issue for comments				27.03.2014	
Rev	Description	By	Date		
	The Olive Tree Primary School, Bolton				
	Bolmoor Site Conversion to Primary School				
	Proposed First Floor Layout				
Dwg No.	4013-103	Rev	A		
Date	07/04/14	Scale	1:200	@ A2	
3D Coord		RDB	Approved		
Project Status	Planning	Tender	Construction		
	Design	Contract	As Built		

POZZONI

16 Bowling Green Lane
London
EC1R 0BD

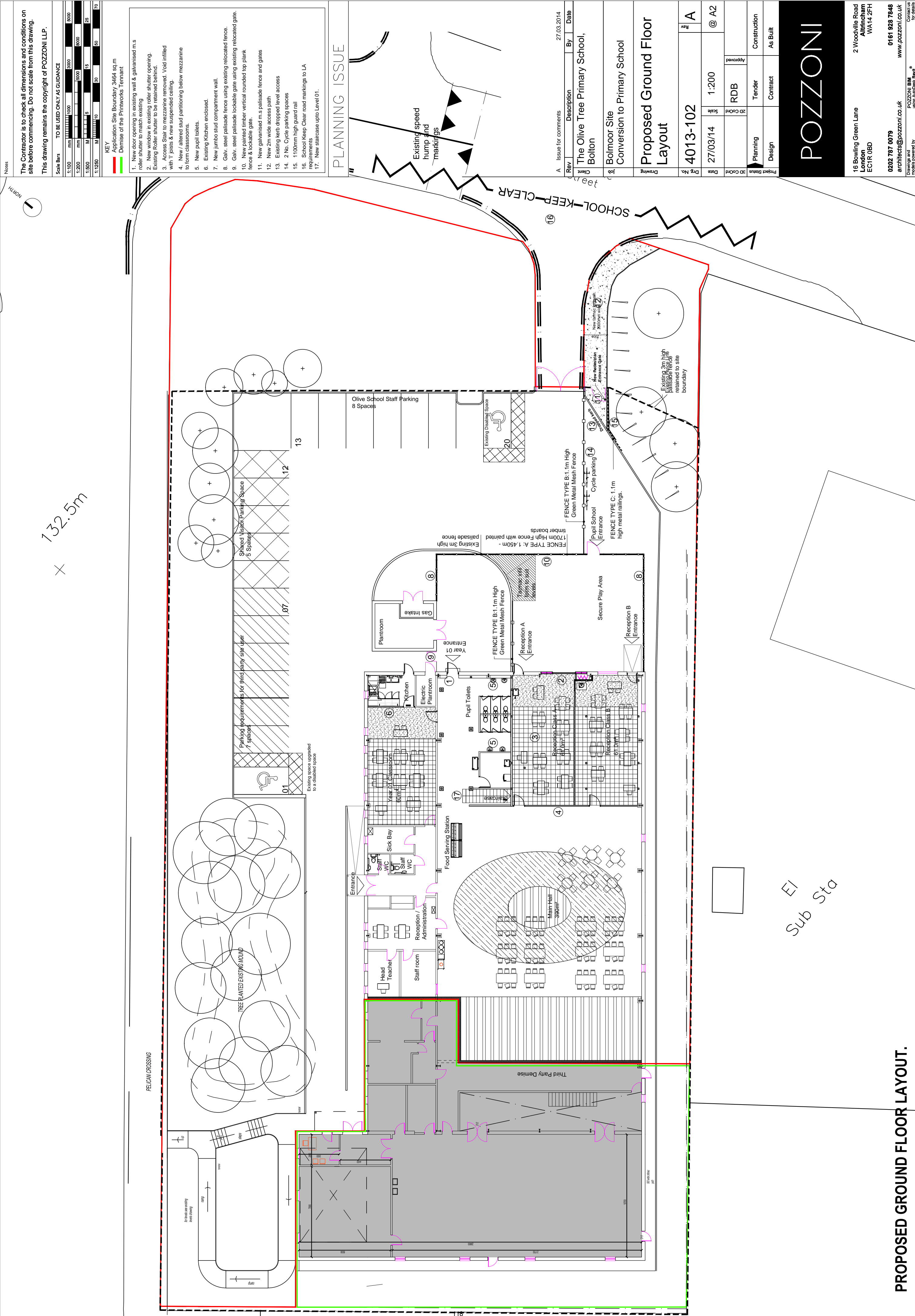
2 Woodville Road
Altrincham
WA14 2FH

0202 787 0079
architects@pozzoni.co.uk

0161 928 7848
www.pozzoni.co.uk

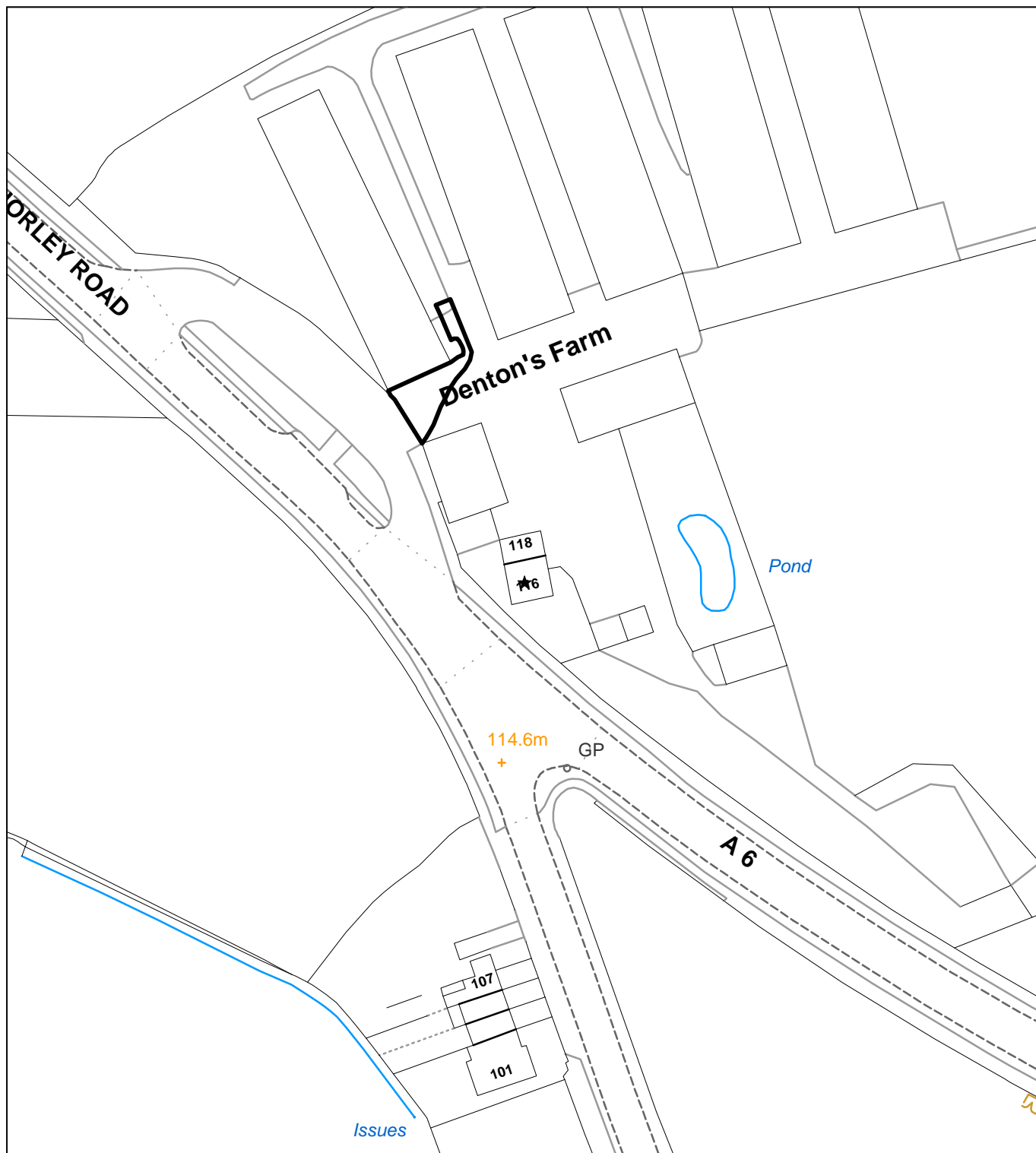
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using AutoCAD® Revit®
models powered by

Contract as
for details



Application No.

91900/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

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11

Date of Meeting: 03/07/2014

Application Reference: 91900/14

Type of Application: Full Planning Application
Registration Date: 01/05/2014
Decision Due By: 25/06/2014
Responsible Officer: Jeanette Isherwood

Location: DENTON FARM, 116 CHORLEY ROAD, BLACKROD, BOLTON, BL6 5JZ

Proposal: ERECTION OF AN AGRICULTURAL BUILDING FOR THE STORAGE OF A BIOMASS HEATING SYSTEM TOGETHER WITH ASSOCIATED PELLET SILO

Ward: Horwich and Blackrod

Applicant: Mr Robinson
Agent : Ian Pick Associates Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant has submitted a planning application for the erection of an agricultural building to house a biomass heating system at Dentons Farm. The proposed development includes the erection of 1 no. biomass building of dimensions 10.364 metres by 3.657 metres, with an eaves height of 3.2 metres and a ridge height of 3.88 metres. The proposed building will be made up of block work walls with a profile sheeting roof. The total output of the unit will be 199KW.

The proposed biomass unit is to be built to the side of a large broiler rearing unit. This broiler rearing unit is to be replaced by a new building.(submitted as a separate application).

The proposal also involves the erection of an additional silo for the storage of wood chip and pellets to fuel the biomass unit. This silo will be 7.42 metres in height and will be sited to the rear of two existing larger silos.

The pellets will be sourced externally and delivered to the farm with expected annual deliveries being 15.

Site Characteristics

The applicants operate an established livestock enterprise from Dentons Farm. The farm operates an existing broiler rearing enterprise extending to 5 poultry buildings.

The application site measures approximately 15 acres and is located within the Green Belt.

The site is accessed off Chorley Road and is screened by a mature hedge.

To the immediate west of the application site, across Chorley Road, is Cherry Tree Public House and the bungalow at 119 Chorley Road. To the south is 118 Chorley Road.

Policy

National Planning Policy Framework

Core Strategy Policies: P1.2 Existing Employment Sites; P3 Sustainable Waste Management; P5 Accessibility and Transport; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.

Saved UDP Policies: G1, G2 Green Belt; O7 Public Rights of Way.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the Green Belt
- * impact on the highway
- * impact on residential amenity

Impact on the Green Belt

Saved UDP Policy G2 states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of new buildings except for:

- (i) agriculture and forestry;
- (ii) essential facilities for outdoor sport and outdoor recreation, for cemeteries and for other uses which preserve the openness of the Green Belt;
- (iii) the limited extension or alteration of existing dwellings or their replacement where the new building is not materially larger than that which it replaces; and
- (iv) development proposals, which accord with policies G4, G5 and G6.

The proposed industrial unit is considered to be an appropriate use within the Green belt as it is generating power for an established agricultural use.

In all cases, development should not prejudice the purposes and visual amenities of the Green Belt by reason of its scale, design and siting.

It is considered that there are several site conditions evident that ensure the development does not have a detrimental impact on the visual amenity of the Green Belt. these are as follows:-

- there is a similar smaller biomass unit on the site that was erected using the sites Permitted Development rights;
- the overall height of the proposed building is lower than the larger existing broiler buildings;
- the building will be well screened set inbetween existing broiler buildings;
- it includes a renewable energy project that has wider benefits;
- the development does not encroach any further into the Green Belt;
- the associated silo is of a smaller scale than existing silos currently on site;

It is considered that the impact of the new unit will be less detrimental on the openness of the Green Belt than the current buildings as its overall height and scale will be much less and well screened by existing buildings.

Furthermore, it is considered that the proposed development would not harm the openness of the Green Belt.

Impact on the Highway

The relevant development plan policies concerning highways issues are now Policies P5 and S1 of the Core Strategy.

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

Access into the development site is proposed as existing, off Chorley Road.

The Applicant stated that the out sourcing of the pellets would lead to 15 extra deliveries a year and as such the additional level of Highways activity is considered to be minimal.

It is therefore considered that the proposal is compliant with Policies P5 and S1 of the Core Strategy.

Impact on Residential Amenity

Boltons Core Strategy Policy CG4 states that the Council will ensure that new development is compatible with the surrounding land uses and occupiers, protecting amenity, privacy, safety and security and that it does not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.

CLG's guidance on new applications for development under the 1999 EIA Regulations requires the LPA to issue a new screening opinion whether EIA is necessary. A new screening opinion has been carried out for this latest application and it has been concluded that an EIA is not required for this proposal.

With regards to any emission and odour disturbances, the emissions from the biomass boiler are filtered. The installation of the boiler requires the agreement of the Environment Agency before it can operate and needs to be approved under IPPC (Integrated Pollution Prevention and Control) The applicant has applied for the IPPC

permit to EA and cannot install the boiler until he holds the permit.

The EA have screened the proposal for IPPC and are processing the permit at the moment.

The Council's Pollution Control Officers have requested a condition to be attached to any approval to regulate any noise disturbance.

It is therefore considered that the proposal complies with Policy CG4 of the Core Strategy.

Conclusion

It is considered that the proposal is in accordance with all relevant policies within the Council's development plan and that there are no material considerations that would indicate that the proposal should not be treated favourably.

Representation and Consultation Annex

Representations

Letters:- two letters of objection have been received from nearby residents. These letters raised the concern that the current units result in offensive odours at certain times of the year and the additional unit would exacerbate the problem.

Blackrod Town Council

Councillors raised several queries in connection with this application. These are:-

- What will be burnt at the plant?
- The location of the actual Biomass building as there was some confusion as to whether another unit was being erected or one of the buildings being used as a poultry unit was to be converted.
- How many lorries would be coming and going to the farm for the purpose of delivery/burning

These questions have been addressed in the above report.

Consultations

Advice was sought from the following consultees: Pollution Control Officers, Public Rights of Way, Ramblers Assoc, Sustainable Development Team, Tree Officer, Landscape Officers, the Environment Agency, National Grid, Open Space Society, Peak and Northern Footpaths

Planning History

91747/14	New poultry unit - current app
89865/13	Prior approval for 2 biomass boilers - PA
47907/95	Sheep shelter - AC
29583/87	2 Broiler Units - A
27005/86	1 Poultry House - AC

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. All the wood fuel brought on to the site shall be deposited, stored and retained within the buildings. There shall be no open storage of wood fuel in the open.

Reason

To safeguard the visual appearance and character of the area.
3. The fixed plant/equipment should be designed to give a rating level, as defined in BS4142:1997, 5dB

below the night time LAF90 (5 min) or the daytime LAF90 (1 hour) whichever is the most appropriate, as measured 4 metres from the nearest residential property. The monitoring information and the acoustic calculations together with the proposed specifications of the fixed plant/equipment] and any sound attenuation proposed should be submitted to and approved by the Local Planning Authority in writing prior to the development first being brought into use.

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area.

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

15608-001
IP/AR/002
IP/AR/003

Reason

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

5. No deliveries of wood pellets shall be taken at the premises outside the following hours:-

08:00 - 18:00 Mondays – Fridays

08:00 - 17:00 Saturdays

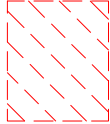
No operations shall take place on Sundays or Bank Holidays.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

DO NOT SCALE FROM THIS DRAWING. IF IN DOUBT, ASK.

Notes:



Hatching Denotes Service / Installation Clearances For The Biomass Boiler.

Design Based On **NO** Plinth Cast Under The Boiler. If Boiler Is Located On Plinth Then Associated sh Bins, Augers And Cyclone Must Be Located On Same Height Plinth.



Flue Riser - Biomass Boiler.

Free Air Requirement For 1 No. 199 kW

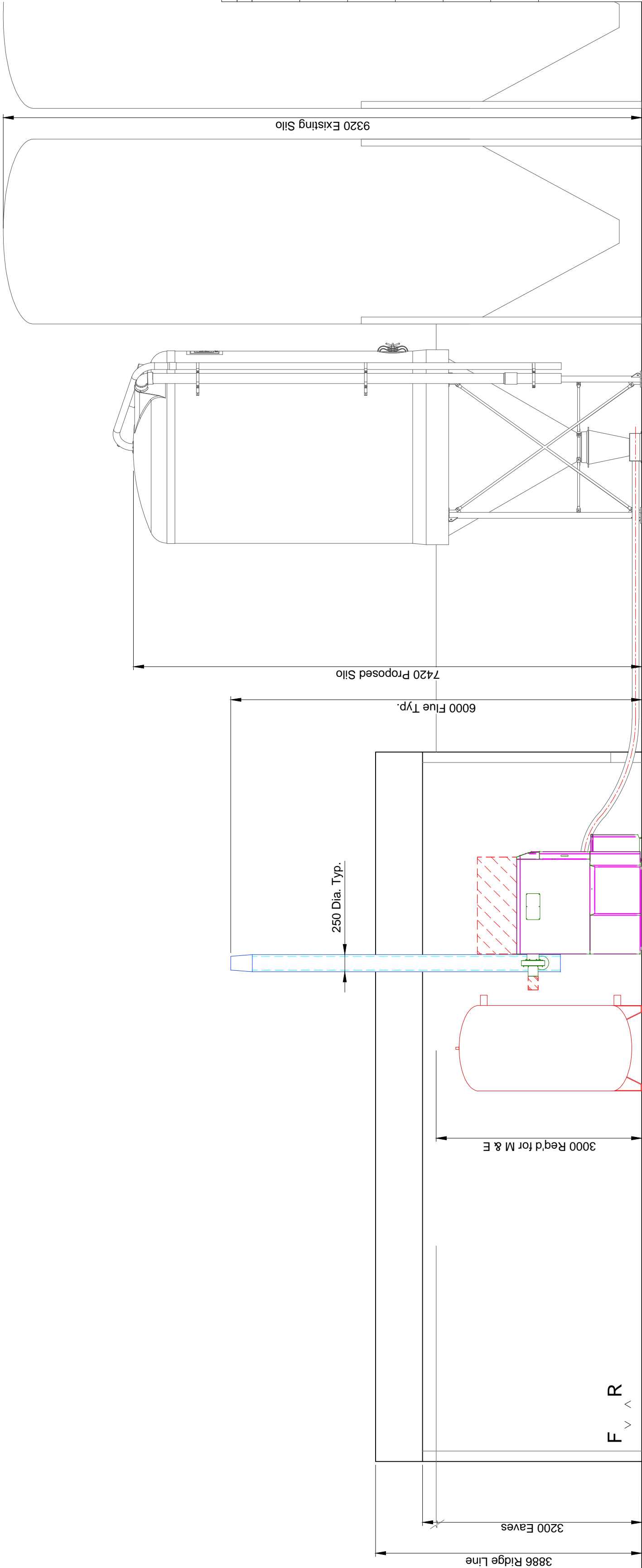
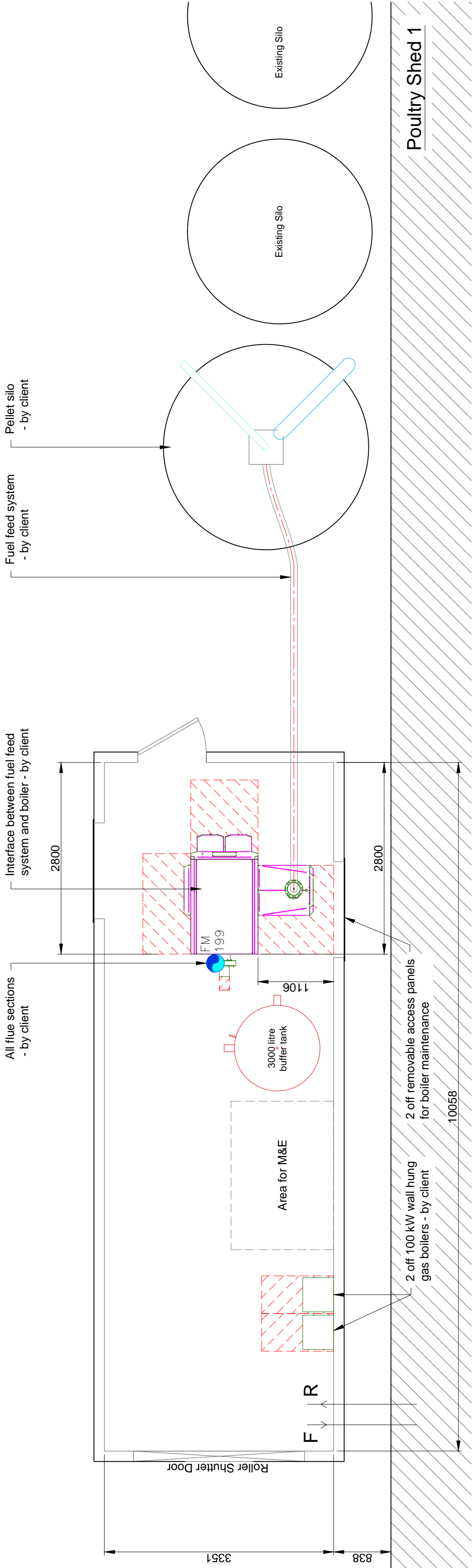
FireMatic:



High Level = 663 cm²

Low Level = 1326 cm²

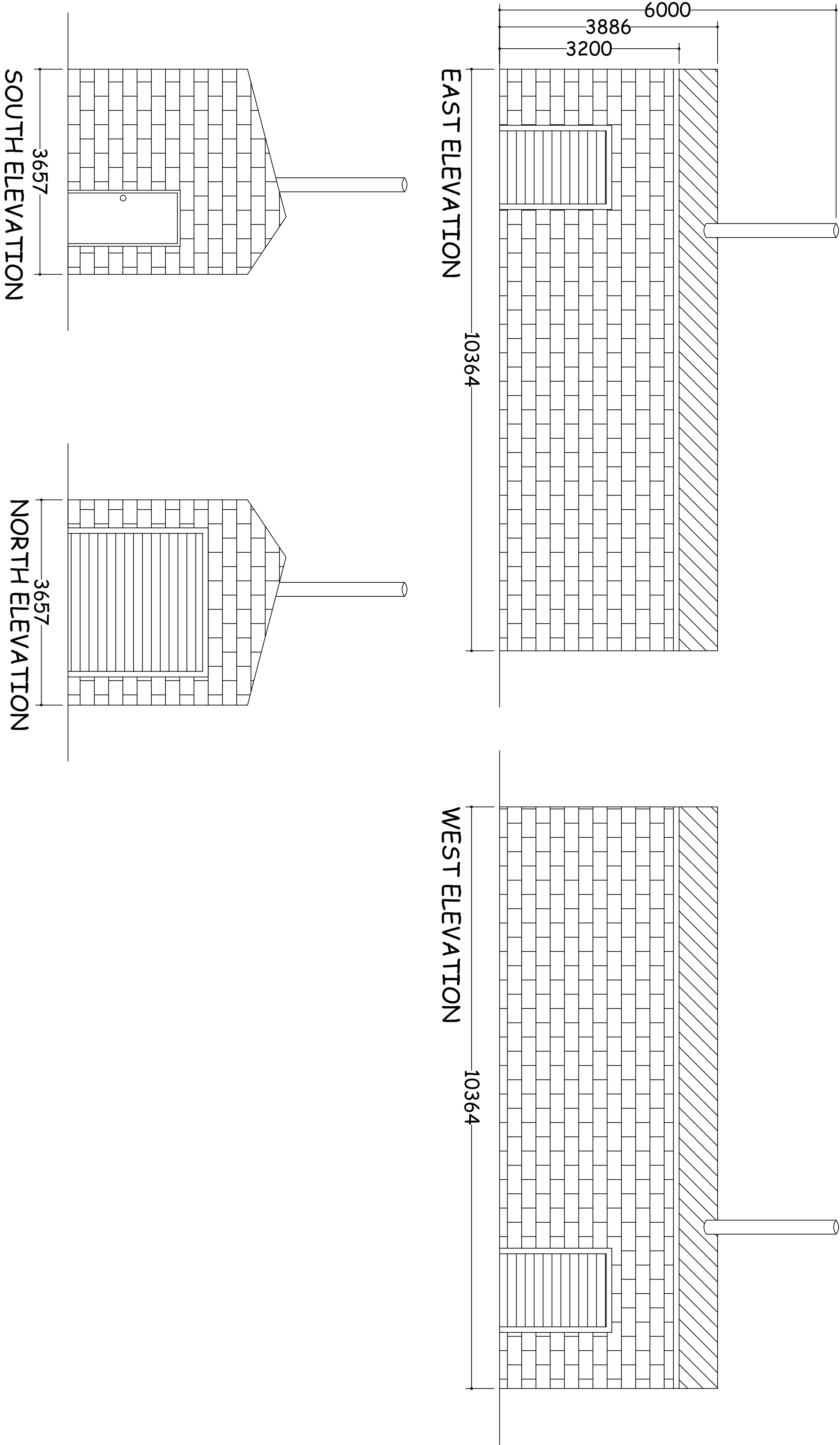
Design, control and installation of fuel feed system is client's responsibility.

Client to ensure adequate access is available for fuel delivery.



A1	For Approval	26.03.14	J.R.	JCP
Issue No.	Description	Date	Design	Chk'd
Consultant				
Client				
Project Name				
Alan Robinson Poultry				
Drawing Name				
Proposed Biomass Plant Layout				
Drawing Number:		Sheet No.		
15608-001		1 / 1		
Scale @ A2:		3rd Angle Projection		
1:50				
				
Rural Energy THE NATURAL CHOICE FOR HEATING				
Myriad CEG Ltd. (Trading as Rural Energy) Unit 21, Burrough Court, Burrough-on-the-Hill, Melton Mowbray, Leicestershire, LE14 2QS				
Tel: +44 (0) 1664 454 989 Fax: +44 (0) 8709 120423 E-mail: info@ruralenergy.co.uk Website: www.ruralenergy.co.uk				

This drawing is to be read in conjunction with the schedule of works



Ian Pick BSc (Hons) MRICS

Llewellyn House
Middle Street
Kilbarn
Driffield
East Yorkshire
YO25 4RL
Tel/Fax (01262) 421807
Mobile 07702814950

CLIENT

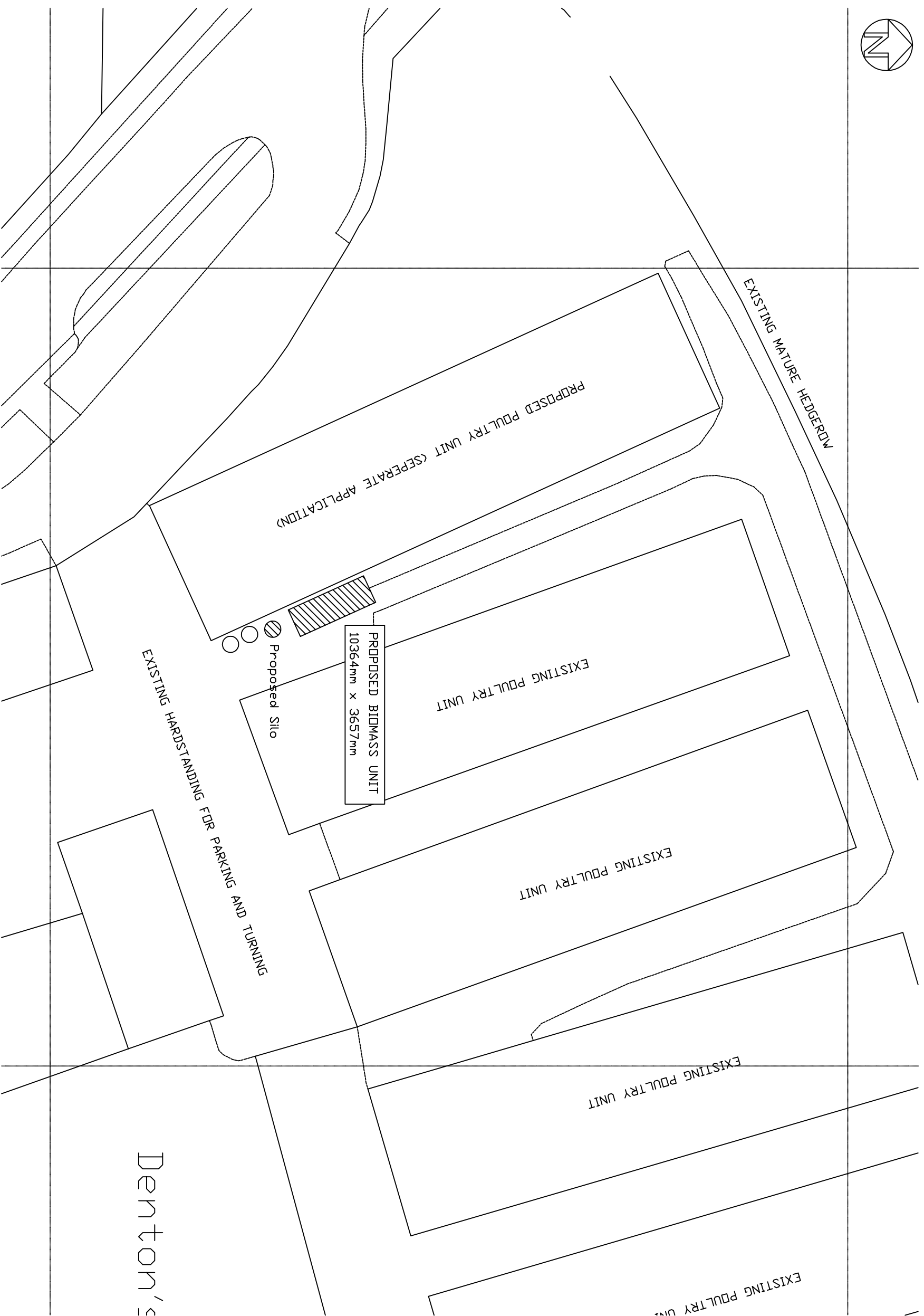
A Robinson
Denton's Farm
Chorley Road
Blackrod
BL6 5JX

JOB TITLE
Proposed Biomass Unit

DWG. TITLE
Elevations

SCALE		DRN
1=50		SH
DATE	ALTERATION	REV
--/--/--		

DWG. NUMBER	DATE	REV
IP/AR/03	April 14	-



The site plan shows the layout of the proposed biomass unit and existing poultry units. The proposed biomass unit is a rectangular structure with a hatched area indicating a specific feature. It is labeled "PROPOSED BIOMASS UNIT 10364mm x 3657mm". The existing poultry units are labeled "EXISTING POULTRY UNIT". The plan also shows "EXISTING MATURE HEDGEROW" and "EXISTING HARDSTANDING FOR PARKING AND TURNING". A north arrow is located in the top right corner.

PROPOSED BIOMASS UNIT
10364mm x 3657mm

EXISTING POULTRY UNIT

EXISTING POULTRY UNIT

EXISTING POULTRY UNIT

EXISTING POULTRY UNIT


EXISTING MATURE HEDGEROW

EXISTING HARDSTANDING FOR PARKING AND TURNING

PROPOSED POULTRY UNIT (SEPERATE APPLICATION)

Proposed Silo

Denton's

 Ian Pick Associates	
Ian Pick BSc (Hons) MRICS	
Llewellyn House Middle Street Kilnham Driffield YO25 4RL Tel/Fax (01262) 421807 Mobile 07702814950	
CLIENT A Robinson Dentons Farm Chorley Road Blackrod BL6 5JZ	
JOB TITLE Proposed Biomass Unit	
DWG. TITLE Proposed Site Plan	
SCALE 1:500	DRN-IP
REVISION	
DWG. NUMBER IP/AR/02	DATE April 14

Application No.

91954/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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11

Date of Meeting: 03/07/2014

Application Reference: 91954/14

Type of Application: Full Planning Application
Registration Date: 07/05/2014
Decision Due By: 05/08/2014
Responsible Officer: Tim Hill

Location: LAND AT BLACKBURN ROAD, CANNING STREET AND JENNABY WALK, BOLTON

Proposal: DEMOLITION OF EXISTING RETAIL UNIT AND GARAGES AND ERECTION OF A MOSQUE AND MADRASAH INCLUDING A MINARET TOWER AND DOME TOGETHER WITH ASSOCIATED CAR PARKING AND LANDSCAPING

Ward: Crompton

Applicant: Bolton Central Islamic Society
Agent : David Cox Architects Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the erection of a large format Islamic centre providing a mosque and madrasah on the former Empire Direct and petrol filling station site on Blackburn Road. The proposed mosque has been designed to provide a landmark building which incorporates a mixture of modern and traditional features. The mosque itself sits in the centre of the built form, with an L-shaped two storey structure to the southern and western boundaries, which wraps around the main mosque structure to form the educational madrasah building. A variety of features are proposed which will serve to enhance this landmark building in the form of: domes; a minaret tower; feature arched window openings, which provide a theme running throughout the building; projecting ornamental entranceways and octagonal bay features. There are three octagonal forms on the north eastern elevation, the central one signifying the main entrance, a secondary entrance (that will be used as a segregated events and womens entrance) that is located nearer to Jennaby Walk. The remaining octagonal form acts as a corner feature that is visible along Blackburn Road in both directions.

The boundary treatment and hard landscaping have been designed to enhance the appearance of the building.

The mosque building has been orientated to have two principal elevations, facing north east and south east.

The mosque will accommodate a main prayer hall and associated rear halls at ground floor, which are expected to accommodate 828 prayer mats, with a further 180 mats at the first floor mezzanine. The madrasah block is expected to accommodate 7 classrooms

at ground floor and 12 classrooms at first floor. In addition the building will provide library, IT, catering and plant room facilities.

It is intended that the mosque will replace the existing Taiyabah mosque on Draycott Street. The new madrasah facility will provide an educational centre for boys, whilst the existing madrasah will be retained for girls.

The development will take up approximately 0.175 hectares of the 0.53 hectare site, thus allowing approximately 66% of the site to be afforded to landscaping and parking facilities.

The proposal includes 67 on-site parking spaces, however in addition the mosque will utilise the Draycott Street car park, which will provide a further 30 spaces. The Draycott Street car park is leased from the Council for use by the mosque on a long term lease.

Site Characteristics

The site is located north of Bolton town centre along Blackburn Road and is bounded by Canning Street to the north and Jennaby Walk to the east.

The proposed site consists of a largely vacant parcel of land approximately 0.53 hectares. Part of the site is occupied by an empty, detached retail unit with adjoining garages which are proposed to be demolished under the proposed scheme.

The site is currently (informally) used as an overspill car park to the existing mosque on Draycott Street. The application submission asserts that the proposed mosque and madrasah will replace the existing facility on Draycott Street.

Blackburn Road is a busy arterial route into Bolton town centre. Opposite the application site are retail units and beyond this residential housing. To the north, west and south west the site is entirely residential in nature, characterised by two storey dwellings in a range of styles and ages. On the corner of Canning Street and Jennaby Walk is a two-storey property that is currently in use as a nursery. To the south east of the site are large, Victorian red brick buildings which front onto Blackburn Road and provide the current mosque facility.

Policy

National Planning Policy Framework (2012): 4. Promoting Sustainable Transport; 7. Requiring Good Design; 8. Promoting Healthy Communities.

Core Strategy policies: P5 Accessibility; S1 Safe Bolton; CG2 Sustainable Construction; CG3 Built Environment; CG4 Compatible Uses; RA1 Inner Bolton; SC2 Cultural and Community Provision; IPC1 Planning Contributions.

PCPN2 Space Around Dwellings
PCPN10 Designing Out Crime

SPD 'Accessibility, Transport and Safety'

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on the provision of community facilities
- * impact on residential amenity
- * impact on parking and the highway

Impact on the Character and Appearance of the Area

Section 7 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments; are visually attractive as a result of good architecture and appropriate landscaping. Planning should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. The NPPF does however recognise that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations.

Core Strategy policy CG3 seeks to ensure that development proposals display innovative, sustainable designs that contribute to good urban design, conserve and enhance local distinctiveness and have regard to the overall built character and landscape quality of the area. Furthermore, development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.

The proposed building has been designed to form a landmark structure within the local area. The basis of the design is to create a bespoke building, which meets the specific needs of the religious community it serves. The orientation of the building and many of the external and internal design features have religious purpose and significance and have contributed to the ornamental appearance of the proposed building.

Due to the very nature of the building it will stand out within the context of the surrounding built environment, however the building is of a high quality design, which incorporates defining architectural features and will serve to enhance the character of the area.

The design, appearance and scale of the building have raised both objection and support amongst local residents in letters of comment received about the application. The focus

of concern is that the building will be an 'eyesore' and out of character with the surrounding area. However, it is acknowledged that a landmark building is proposed, which has been designed to stand out and form a dominant structure in terms of scale, massing and appearance.

The proposed boundary treatment and hard landscaping will serve to further enhance the development and have been designed to contribute to the overall architectural concept of the development. Areas of soft landscaping are also proposed, which will serve to soften the appearance of the building, a landscape scheme will be a condition of planning permission.

As the scheme is over 2500 square metres of floor space, according to Core Strategy Policy IPC1, the development should include the provision of works of art, craft or decoration as part of the proposals. It is proposed that these will be integral to the overall development.

The proposal is considered to comply with Core Strategy policy CG3.

Impact on the Provision of Community Facilities

Section 8 of the NPPF recognises the important role of the planning system in facilitating social interaction and creating healthy, inclusive communities. Planning decisions should aim to achieve places which promote opportunities for meetings between members of the community; safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and safe and accessible developments. Decisions should plan positively for the provision and use of shared space, community facilities, including places of worship, and ensure an integrated approach to considering the location of community facilities and services.

Core Strategy policy SC2 states that the Council and its partners will ensure that local cultural activities and community facilities are located in the neighbourhoods that they serve.

The proposed mosque will provide a replacement facility to the existing mosque on Draycott Street. The applicant has confirmed that the membership of the mosque would not be expected to grow as a result of the new facility and that the pattern of worship would not change. The mosque will provide a local facility, fulfilling a local need, with the congregation living with a 2 mile radius of the application site.

Objections have been raised regarding the 'need' for an additional mosque facility in the local area; however the mosque proposed is a replacement facility which will replace the existing Taiyabah mosque on Draycott Street, furthermore, there is no policy requirement to limit the number of community facilities or religious centres in an area.

The application submission states that a crime impact statement will be carried out in conjunction with the police liaison officer and the development will be carried out in accordance with the recommendations identified within that, and will be seeking to achieve secure by design accreditation. This will be a condition of planning permission.

Impact on Residential Amenity

Core Strategy policy CG4 seeks to ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Development should not generate unacceptable nuisances, odours, noise or pollution. PCPN2 provides guidance on space around dwellings to ensure that adequate levels of

privacy, light and residential amenity are achieved.

The application site was previously in use as a retail site and a petrol filling station, the latter being demolished some time ago. To the north, south and west the site is surrounded by residential properties. To the rear (west) a minimum of 21 metres has been achieved between the new mosque/madrasah building and the residential properties on Jennaby Walk and Allendale Gardens. The proposed building is sited in the southern section of the site and therefore there will be no impact on properties to the north on Canning Street. To the south west of the site are a row of terrace properties on Jennaby Walk, the side elevation of 1 Jennaby Walk will be closest to the proposed building; however this is a blank elevation and the proposal will not therefore have any impact on this elevation. The two storey madrasah building will however extend along the southern boundary of the site and will project significantly beyond the 45 degree angle when taken from the windows in the rear elevation of 1 Jennaby Walk. It is unclear from the plans and site visit whether the windows in the rear elevation are to principal rooms and the applicant has been unable to confirm this. The application building is one house width away from the neighbouring dwelling and is also sited to the north of the dwelling, the proximity and position of the madrasah will not therefore have any impact on loss of daylight or sunlight. It is however considered that given the existing boundary treatment to 1 Jennaby Walk and to the application site a scheme for appropriate boundary treatment at 2.0 metres in height should be secured via condition to safeguard the privacy and amenity of the dwelling. Furthermore, a scheme for the obscure glazing of some first floor windows will be required via condition to ensure that there are no issues of overlooking.

A letter of support has been received from the affected dwelling and having viewed the plans they do not have any concerns about issues of overlooking, although they support the obscure glazing of some first floor windows.

A condition is also recommended for no call to prayer from the mosque in order to protect nearby residents from undue noise and disturbance.

Impact on the Highway

Section 4 of the NPPF recognises the important role of transport policies in facilitating sustainable development. The transport system should be balanced in favour of sustainable transport modes, giving people real choice about how they travel. Developments that generate significant amounts of movement should be supported by a Transport Assessment. Planning decisions should take into consideration the opportunities for sustainable transport modes; safe and suitable access to the site for all people; and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Development that generates significant movement should be located where the need to travel will be minimised and the use of sustainable modes maximised.

Core Strategy policy P5 seeks to ensure that development takes into account accessibility by different types of transport, prioritising pedestrians, cyclists, public transport users over other motorised vehicle users. The design of developments should enable accessibility by public transport. Core Strategy policy S1 states that the Council will promote road safety in the design of new developments. Maximum parking standards are detailed in Appendix 3 of the Core Strategy.

The existing mosque and madrasah buildings on Draycott Street are to be retained, although no formal use has been confirmed the application submission states that the mosque function will be relocated to the new building in its entirety. The existing premises on Draycott Street will still be utilised as part of educational use on the extended site.

The overwhelming concern expressed by local residents is regarding the impact of the proposed Islamic centre on the heavily congested streets, notably Blackburn Road; the shortage of car parking spaces proposed in comparison to the size of the building, as well as the impact on-street parking will have on congestion and pedestrian and highway safety.

A Travel Plan and transport assessment have been submitted with the application proposal. The Travel Plan indicates that 98% of the congregation of the mosque live within a 2 mile radius of the site.

The applicants' Transport Consultant has undertaken a traffic count within the vicinity of the site to demonstrate what potential impact the development will have on the highway network at that location. The count was undertaken to cover the Friday PM peak period (16.30-17.30hrs). Friday would be seen as having the highest level of usage of such a facility and would be classed as the worst case scenario for potential traffic generation. The traffic count undertaken indicates that the existing/proposed mosque will generate 65 vehicles movements onto the highway network at that location during the Friday PM peak period. This figure is obviously reliant on the fact that the new facility is going to cater for the existing congregation only and that the traffic generation is going to be the same as the existing situation. However, it is apparent that the new facility will provide a significantly larger area for D1 use and thus there is a potential for it to generate a lot more traffic onto the highway network in comparison to the existing.

The application proposes the closure of a number of redundant access points to the site and to re-utilise a main access from Blackburn Road as access/egress. The entrance from Canning Street will be used as an egress point only. Council policy indicates that access to development should be taken from the lower category roads where achievable. Taking into account the potential over-intensification of the site and to try and reduce potential road safety implications for accessing/egressing vehicles Highway Engineers recommend that the Blackburn Road access is closed and used as a pedestrian access only and all access and egress would be from Canning Street. This would have the added benefit of allowing the provision of two additional on site parking spaces.

Parking Provision

For the size of the facility proposed Appendix 3 of the Core Strategy makes a maximum parking requirement of over 200 parking spaces. The application proposal includes 67 on site spaces and a further 30 off-site spaces on Draycott Street. It is acknowledged that this is a significant under provision, however these are maximum standards and these numbers would be unachievable given the site constraints.

The Transport Consultant has provided information within the Transport Assessment/Travel Plan in order to substantiate the reduced number of parking spaces available in order to facilitate development. The site is highly accessible by sustainable transport modes. According to the submitted supporting information, 98% of the congregation using the facility live within a 2 mile radius of the proposed development with 55% walking to the existing facility. The site is considered to be highly accessible on foot from the surrounding catchment area. Blackburn Road and Halliwell Road have

frequent bus services with high patronage.

The submitted Travel Plan makes the recommendation to implement a Travel Strategy for the proposed mosque that will help reduce the reliance on car use as a means of travel to the facility. A timescale is indicated in the document to reduce the number of car trips by up to 15% within 3 years. Furthermore, the Travel Plan states that wardens and marshalls will be used to ensure the effectiveness of parking and the safe manoeuvrability of children on foot. Highway Engineers therefore recommend that a mitigation measure to prevent and/or alleviate future parking problems that the Travel Plan is a condition of planning permission if consent is granted.

On balance, given the mitigation measures proposed the proposal is considered acceptable in highway terms.

Conclusion

The proposed development is considered to be a high quality design which will present a large landmark building on Blackburn Road. The very nature of the building will be to stand out and present an attractive and unique structure. The quality of the design concept, the hard and soft landscaping and boundary treatment will serve to achieve this aim and the proposal complies with Core Strategy policy CG3 as well as policy IPC1 in terms of the provision of public art.

Given the congregation of the mosque live within a 2 mile radius of the site, the proposal will provide a local community facility, which is in a sustainable and accessible location, thus complying with Core Strategy policy SC2. It is acknowledged that the proximity of the structure to the neighbouring property at 1 Jennaby Walk will have some implications, however given the orientation of the property, the northern position of the mosque and the proposed mitigation measures, this is considered on balance acceptable.

The main issue regarding the proposal, which is also the primary concern of local residents is that of parking and traffic congestion, however given that 98% of the congregation live within a 2 mile radius of the site and 55% of these walk to the mosque this is considered to be a significant factor in the alleviation of parking and congestion pressures. Furthermore, the submitted Travel Plan which includes measures and commitment to reduce the number of people driving to the mosque. On balance therefore, despite the shortfall in the number of parking spaces the proposal is considered acceptable in planning terms and is therefore recommended for approval.

Representation and Consultation Annex

Representations

Letters:- At the time of writing the report 11 letters of objection have been received raising planning issues and 2 letters of support, however the site notice date runs until 30th June and therefore it is anticipated that further letters will be received. Any additional points raised will be reported to Members on the Schedule of Supplementary Information. Members should be aware that a number of further letters of objection have been received, however these have not been made on planning grounds and the points raised have not therefore been summarised.

The following planning issues have been raised:

- Concern about the lack of parking spaces and the impact that this will have on the already very congested Blackburn Road.
- Users of the existing mosque ignore parking restrictions, concerns about the impact of a new super mosque on parking in the area.
- Impact of traffic generation on the already congested Blackburn Road.
- Concern about the over provision of mosque facilities in Bolton.
- Impact on community cohesion.
- Loss of light to properties on Martindale Gardens due to the height and position of the building.
- Concerns over the construction process and the phasing of this.
- Concern that the existing mosque and madrasah on Draycott Street will remain in use, which will result in a huge intensification of use.
- Increased number of cars would further exacerbate congestion and would be a danger to pedestrians.
- The building is too big and will be an eyesore.
- Members of the existing congregation already have access to the parking spaces on the former Empire Electrical land next to the existing mosque, but most don't use this facility and park on both sides of Blackburn Road opposite the existing mosque, causing severe traffic congestion and near miss situations.
- On-street parking and a disregard to parking restrictions causes a highway and pedestrian hazard.
- The proposed parking spaces will be insufficient and increase highway risks, in light of the proposed capacity of 1000 prayer spaces.
- The proposed mosque will be opposite the retail outlets across the road (PK Foods, Wyndsors shoes etc) which have already a busy footfall and traffic quota.
- There is also another mosque not far from the proposed building, we need to space out these high footfall buildings to keep the road open and flowing for everyone as most travel to these buildings by car.
- Support for the provision of the mosque and the high quality design of the building.
- Adequate parking spaces are proposed.

Other Non Material Planning Matters:

- Noise and disturbance from construction - *this is not a material planning consideration and some noise and disturbance for a limited period of time is to be expected during construction.*
- Waste of money which could be going to doctors surgeries, schools, etc - *the development is being funded privately and is not a Council matter.*

Consultations

Advice was sought from the following consultees: Highway Engineers; Landscape; Pollution Control; Greater Manchester Police; Health and Safety Officers; Education; Bolton Police; Community Safety Officers.

Planning History

- Planning permission was approved in 2009 for the change of use of the former Empire Direct retail warehouse (A1 use) to a non-residential institution D1 use class (83421/09)
- Planning permission was approved in 1989 for the erection of two shop units and car parking (33193/89)
- Planning permission was approved in 1986 for the change of use of retail warehouse to a mosque and community centre (26886/86)

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to commencement of development, other than demolition and remediation, a scheme for the phasing of the development shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason

To facilitate the phased development and to safeguard the character and appearance of the area.
3. Prior to the commencement of development samples of the materials to be used for the external walls and roof shall be submitted to, and approved in writing by, the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.
4. Prior to the commencement of development a detailed specification for all doors and windows hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is brought into use and retained thereafter.

Reason

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

Reason

To safeguard the visual appearance and or character of the area.

6. Prior to commencement of development, a scheme for the obscure glazing and non-opening of windows to the southern elevation of the madrasah building hereby approved, of those windows overlooking Jennaby Walk, shall be submitted to, and approved in writing by, the Local Planning Authority. Before the first occupation of the building hereby permitted the window(s) identified in the approved scheme shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

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

7. Prior to the commencement of development full details of the highway works at the junction of Blackburn Road/Canning Street comprising the implementation of a 6.0 metre radius kerb at the junction. Works to include the formation of new adoptable footway provision at back of the radius kerb. Re-marking of junction markings and implementation of 'Keep Clear' markings on both sides of Blackburn Road at the junction, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

8. Prior to the commencement of development full details of the highway works at Blackburn Road/Canning Street/Jennaby Walk comprising the review of traffic orders shall be submitted to, and approved in writing by, the Local Planning Authority, and none of the development shall be brought into use unless and until all developer obligations as set out in that scheme are fulfilled.

Reason

In the interests of highway safety.

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

Reason

To encourage cycle use and provide adequate facilities for cyclists.

10. Prior to commencement of development a Crime Impact Assessment shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include measures to achieve Secure By Design accreditation.

Reason

To reduce crime and the fear of crime.

11. 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 development. 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.

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

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

Reason

To ensure the site provides satisfactory means of surface water drainage.

13. 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.

14. Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting. The lighting shall be designed to an illumination value of no greater than 5 lux at the nearest residential property. The lighting in the scheme should be erected, directed and shielded so as to avoid nuisance to residential accommodation in close proximity. The approved scheme shall be implemented in full and retained as approved thereafter.

Reason

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

15. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Canning Street shall be constructed to a minimum width of 6.0 metres with 5.0 metres radii and 1 no. 2.0 metres wide footway(s) in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and retained thereafter.

Reason

In the interests of highway safety.

16. Notwithstanding the submitted plans, prior to the development hereby approved/permitted being first occupied or brought into use the existing two vehicular access points onto Blackburn Road shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Blackburn Road.

Reason

In the interests of highway safety.

17. Prior to the development hereby approved/permitted being first occupied or brought into use the existing vehicular access to the redundant petrol filling station site at the junction of Blackburn Road/Canning Street and the existing vehicular access onto Canning Street shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Canning Street, other than as shown on drawing ref: **Site Plan; 1765/D.02A; 10/06/2014** .

Reason

In the interests of highway safety.

18. Before the approved/permitted development is first brought into use no less than 67 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be marked out and provided within the curtilage of the site, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

19. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted to, 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.

20. Prior to the development being first occupied or brought into use, details (including a brick or masonry specification and colour scheme) of the treatment to all boundaries to the site shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a boundary treatment of a minimum of 2.0 metres in height to provide a screen wall/fence between the development site and 1 Jennaby Walk. 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.

21. Development shall not commence until any remediation scheme required as a result of the investigation carried out in accordance with the submitted Phase 1 Desktop Study has been prepared, approved in writing by the Local Planning Authority, and implemented as approved. The scheme shall include provision for verifying that the remediation objectives (verification report) have been met and for any subsequent monitoring and maintenance in accordance with Model Procedures for the Management of Land Contamination (CLR 11), details of which should be submitted to, and approved in writing by, the Local Planning Authority before the development is first brought into use or first occupied.

Reason

To ensure the development is safe for use.

22. Unless otherwise agreed in writing, the development hereby approved shall achieve the "very good" BREEAM rating (or any subsequently adopted set of national sustainable construction standards), details of which shall be submitted to and approved in writing by, the Local Planning Authority. The development shall not be brought into use unless and until a final BREEAM (or equivalent) certificate is provided to the Local Planning Authority.

Reason

To reduce the impact on climate change and to improve the sustainability of the site.

23. The development hereby approved shall be carried out in accordance with the submitted Travel Plan (prepared by VTC, dated 9th June 2014), to include the appointment of a Travel Plan Co-ordinator and the submission of an annual monitoring report to the Local Planning Authority for the first three years following completion of the development.

Reason

In the interests of highway safety and promotion of sustainable transport use.

24. There shall be no externally audible or amplified calls to prayer at any time by way of loudspeakers, amplifiers, bells, tannoy, or other similar public address systems sounded, broadcast or otherwise transmitted from the building or the site or in any other way in association with the approved mosque use.

Reason

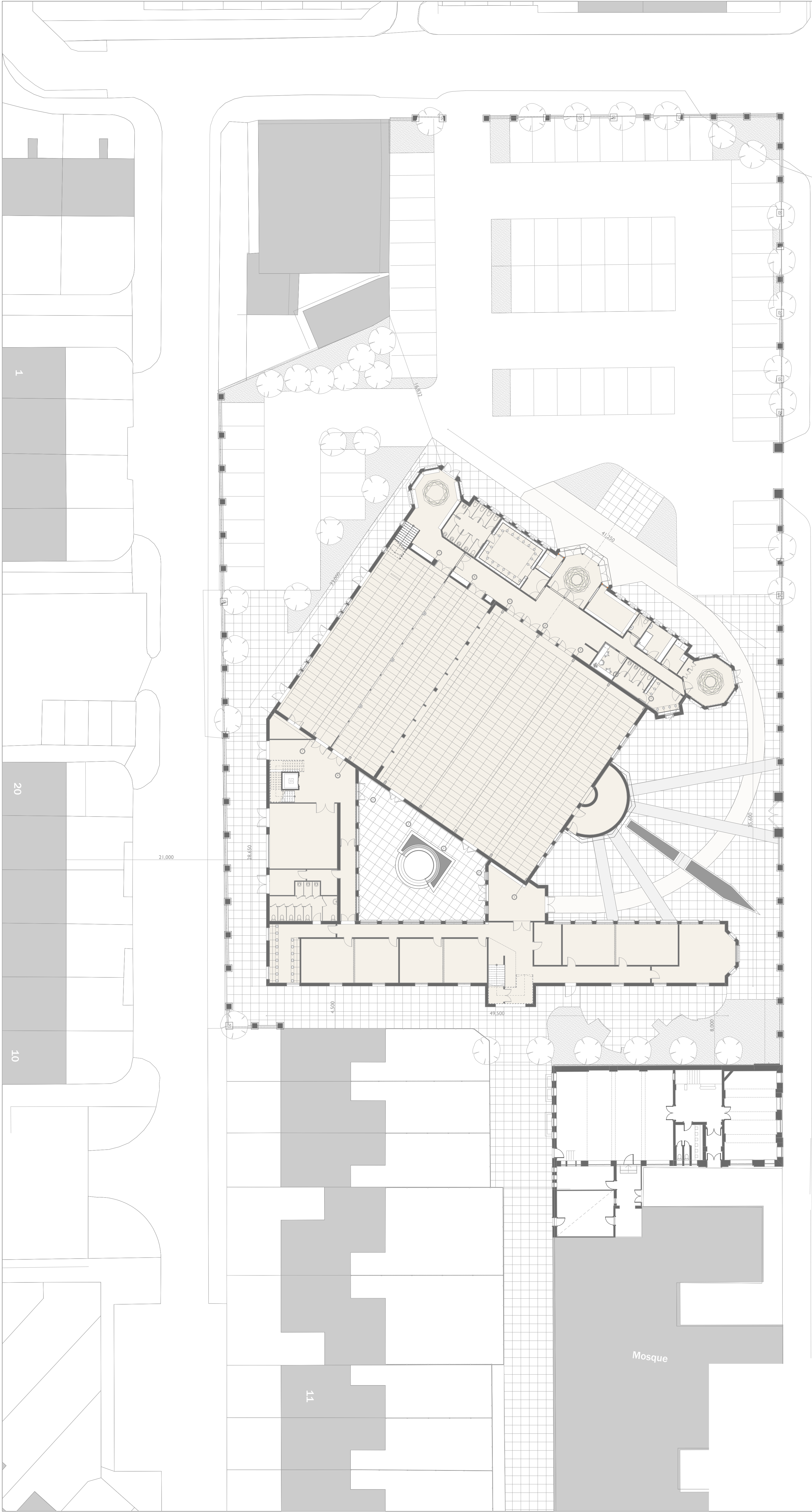
To safeguard the living conditions of nearby residents from noise pollution.

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

- 1. Site Plan; 1765/D.02 A; 10/06/2014**
- 2. Ground Floor Plan; 1765/D.03A; 10/06/2014**
- 3. First Floor Plan; 1765/D.04; 10/06/2014**
- 4. Blackburn Road Elevation; 1765/D.05; 01/05/2014**
- 5. Mosque Side Elevation; 1765/D.06; 01/05/2014**
- 6. Court of Madrasah Elevation; 1765/D.08; 01/05/2014**
- 7. Jennaby Walk Elevation; 1765/D.07; 01/05/2014**
- 8. Madrasah Side Elevation; 1765/D.09; 01/05/2014**
- 9. 3D Views; 1765/D.11; 01/05/2014**
- 10. VTC (Highway and Transportation Consultants) Travel Plan; 9th June 2014**

Reason

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



NOTES

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Taiyabah Islamic Centre

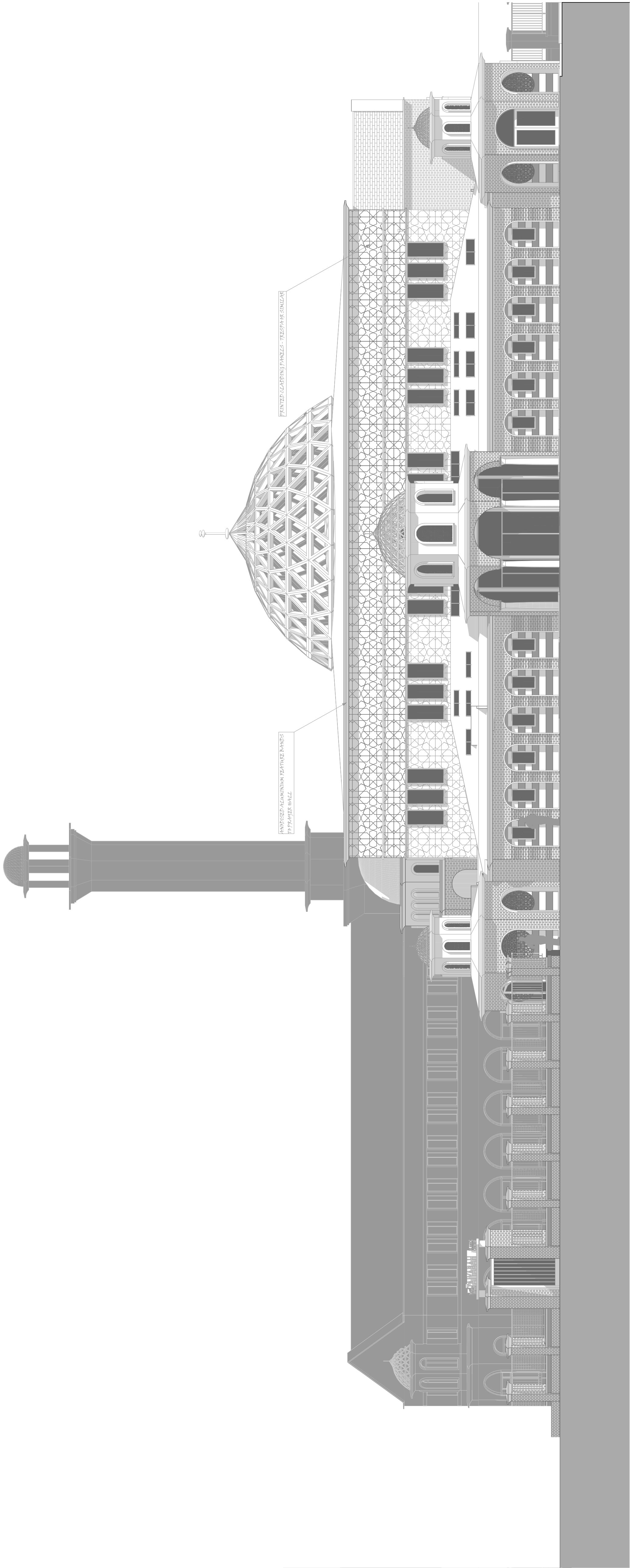
TaiyabahIslamic centre

Site Plan

drawing no. 1765 / D.02
scale 1:200 A1
date 01/05/2014

NOTES

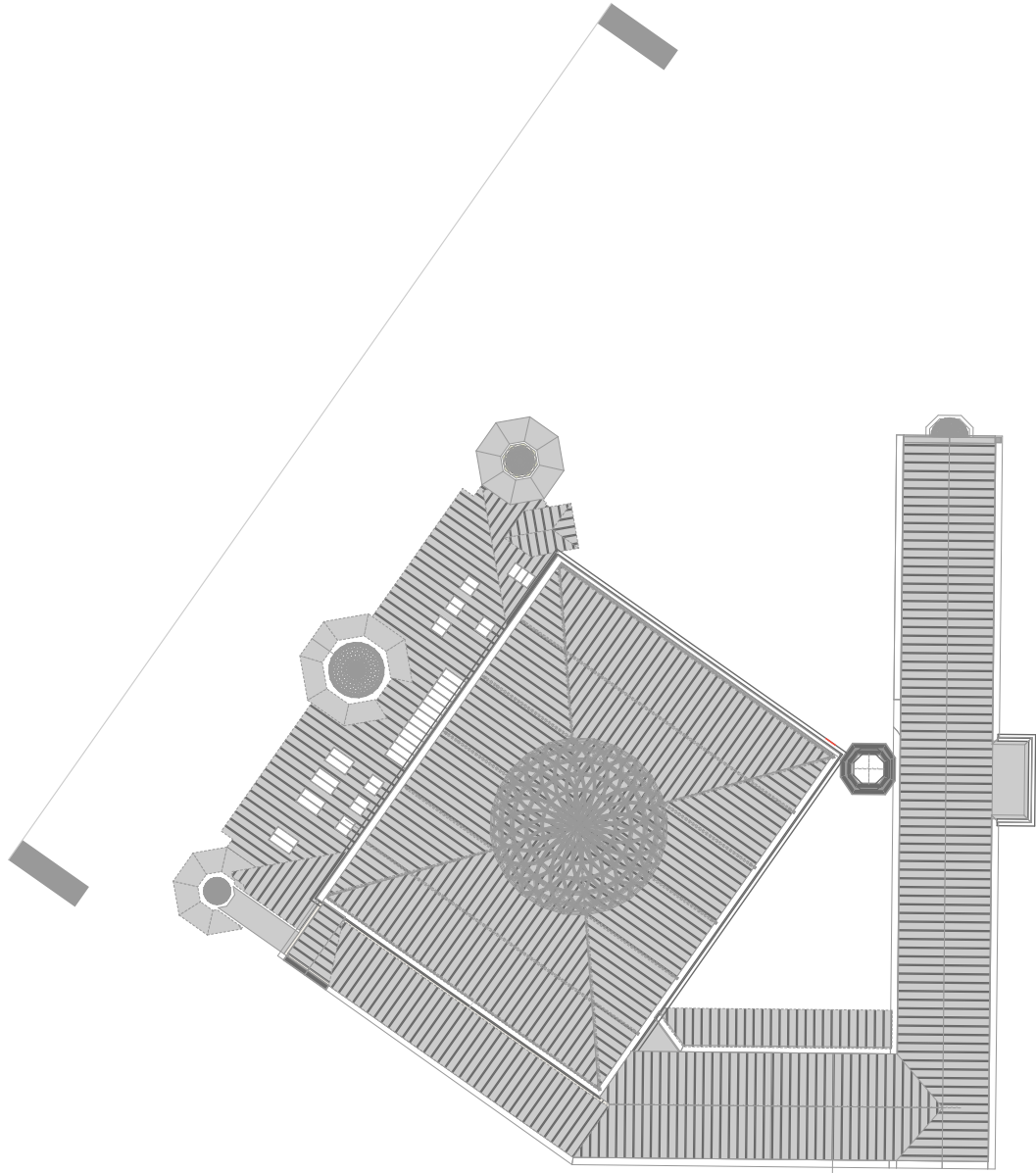
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E-04

Mosque Side Elevation

1:100



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Taiyabah Islamic Centre

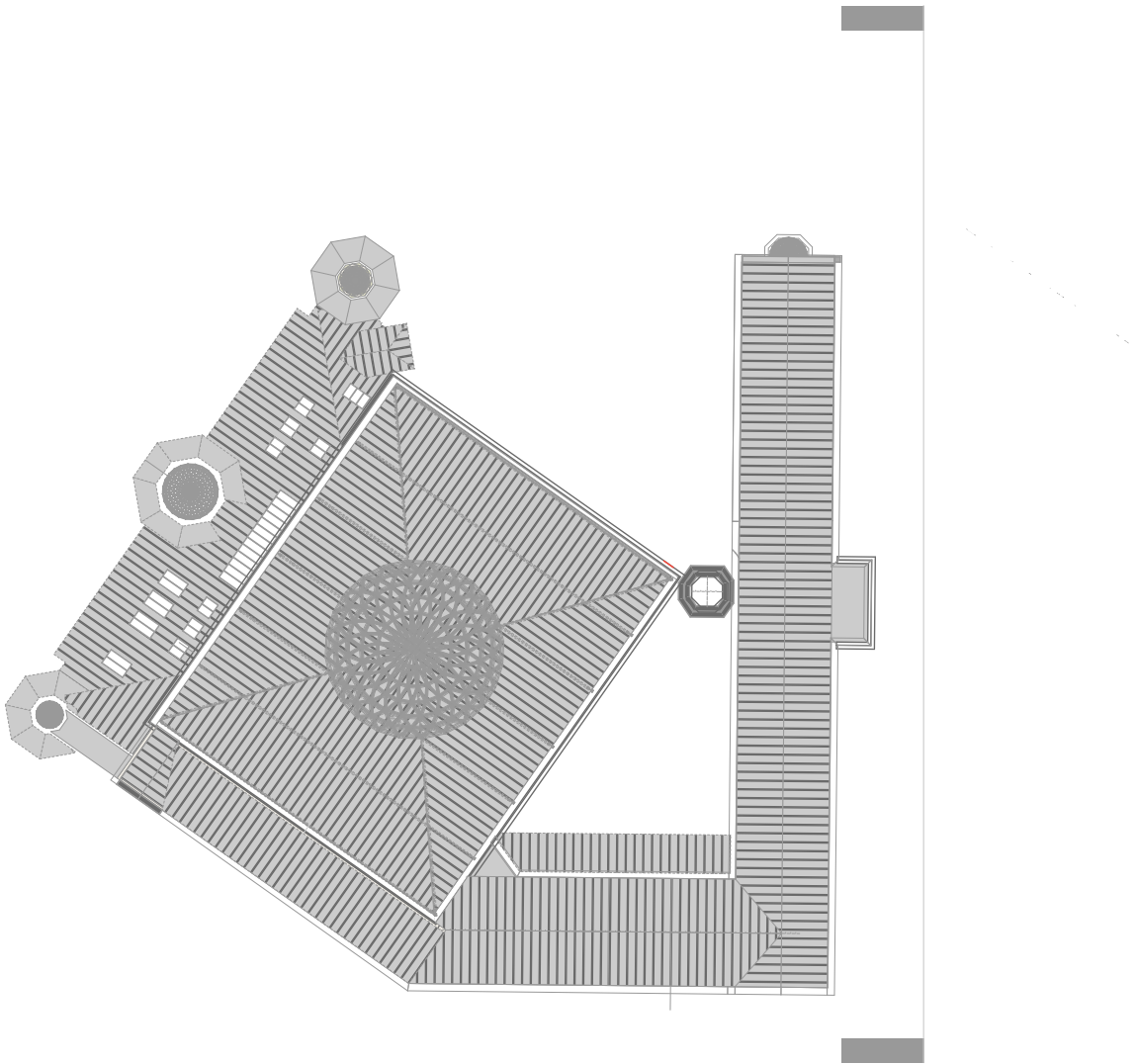
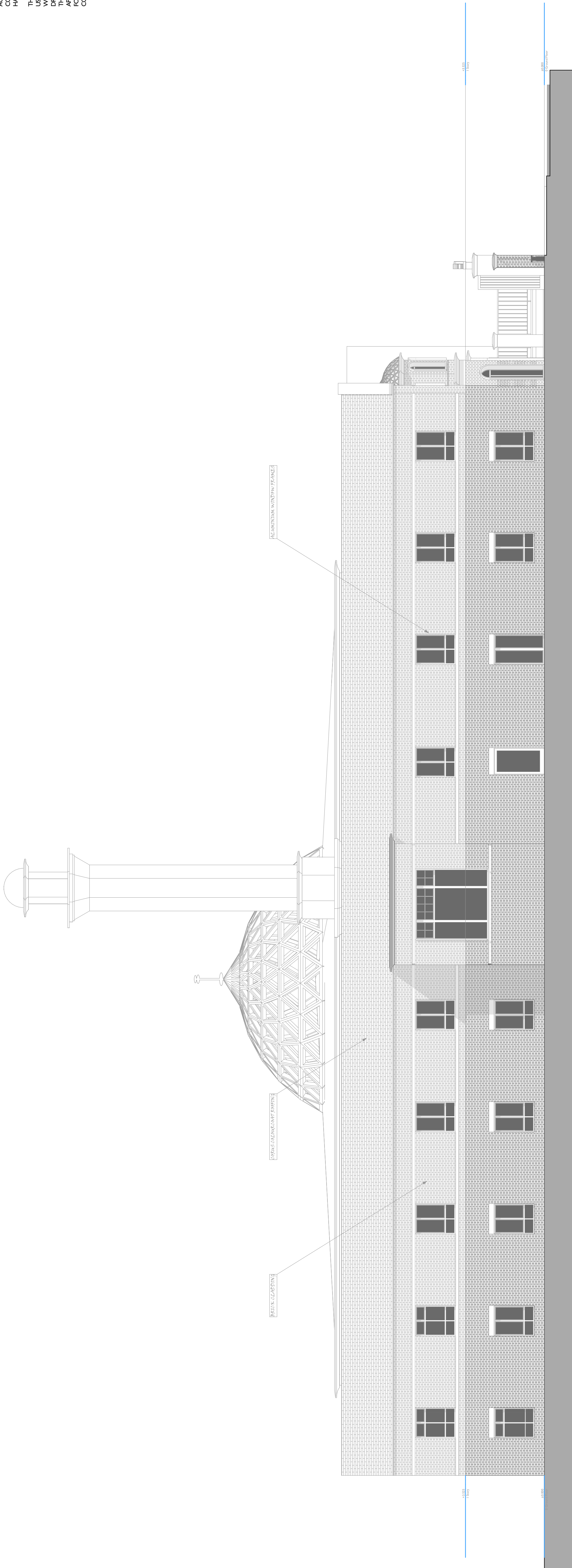
TaiyabahIslamic centre

Mosque Side Elevation

drawing no. 1765 / D.06
scale 1:100, 1:500
date 01/05/2014

NOTES

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Taiyabah Islamic Centre

TaiyabahIslamic centre

Madrasah Side Elevation

drawing no. 1765 / D.09
scale 1:100, 1:500
AI
date 01/05/2014

Application No.

91959/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
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**Bolton
Council**

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11

Date of Meeting: 03/07/2014

Application Reference: 91959/14

Type of Application: Full Planning Application
Registration Date: 16/05/2014
Decision Due By: 14/08/2014
Responsible Officer: Alex Allen

Location: EDGES FARM, LEIGH ROAD, WESTHOUGHTON, BOLTON, BL5 2JX

Proposal: DEMOLITION OF EXISTING FARM/OUTBUILDINGS AND THE ERECTION OF THIRTEEN DETACHED HOUSES WITH ACCESS AND LANDSCAPING.

Ward: Westhoughton South

Applicant: Eccleston Homes Limited
Agent : Nathaniel Lichfield & Partners

Officers Report

Recommendation: Delegate the decision to the Director

Proposal

The applicant has submitted a full planning application proposing the demolition of the existing farmhouse and agricultural outbuildings and the provision of 13 detached dwellings. A number of plots would either have detached or integral garages. Vehicular and pedestrian access would be from Hawkridge Close with the existing farm access from Caldwell Street being closed. The applicant has confirmed their acceptance of the provision of a off site contribution of £22,500 to the Council to fund enhancements to the mini roundabout at the junction of Hindley Road and Hartford Road.

Site Characteristics

The application site forms the last remains of Edges Farm whose fields/wider curtilage were subsequently developed for residential development in the early 2000's by Redrow Homes. The site is broadly split into two areas: (i) the now vacant farmhouse and associated hardstanding and ancillary outbuildings (ii) wider curtilage which slopes down to the sheltered accommodation to the south west and rises up to the boundary with Hawkridge Close. The existing farm access point is from Caldwell Street which is itself served from Leigh Road which is located at the heart of the centre of Daisy Hill in Westhoughton.

The boundaries of the site are mature with a brick wall forming the common boundaries with the sheltered housing to the south (Daisyhill Court) and Back Leigh Road to the east with wooden fencing forming the boundary to the north and west. A modern residential estate occupies the land to the north and west located off Hartford Road.

Policy

National Planning Policy Framework

Core Strategy (2011) CG1 Cleaner and Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, P5 Accessibility, S1 Safe, OA3 Westhoughton.

Planning Control Policy Notes:

No. 2 Space About Dwellings, No. 7 Trees: Protection and Planting in New Developments, No. 10 Planning Out Crime, No. 17 Nature Conservation, No. 21 Highway Considerations and No. 27 Housing Developments.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development;
- * impact on the character and appearance of the area;
- * impact on the living conditions of existing/future residents;
- * impact on highway safety;
- * impact on surface water drainage;
- * impact on ecological issues
- * impact on designing out crime;
- * Other issues.

Principle of residential development

National policy on residential development is contained in the National Planning Policy Framework. In order to promote more sustainable patterns of development, additional housing should be existing towns and urban areas. It is important that new housing is located where it is accessible to jobs, shops and services by modes of transport other than the car. The inefficient use of land should be avoided and to this end maximum use should be made of previously developed land. Core Strategy policy SC1 and guidance contained within PCPN 27 Housing are reflective of the contemporary approach to sustainable housing developments and the approach is consistent with that contained in NPPF.

In addition, Core Strategy policy OA3 states that new residential development in Westhoughton should be concentrated in the town centre and on other sites within the urban area. The application site forms part of a now derelict / disused urban farm. The Farm's land has been developed and the buildings/land are a legacy of the Farm's wider curtilage the site is now enclosed by primarily residential development to the north, east, south and west. The site is located in a highly sustainable location.

The principle of residential development on the site has been previously been established when outline permission was granted for the site by Members in 2011. Subsequently the site has been allocated for residential development in the Council's Draft Allocations Plan. The development will contribute to the range of housing types and designs in the Daisy Hill / Westhoughton areas and will not make a significant demand upon the existing infrastructure. It is noted that the scale of development would not require the provision of any s.106 contributions for education, public open space, public health, public art or affordable housing.

The proposed dwellings are considered to be consistent with the existing pattern of development and is in an urban and highly sustainable location. The proposal will have a positive impact in housing provision terms.

The proposal complies with policy.

Impact on the character and appearance of the area

Core Strategy policies CG3 and OA3 seek to ensure that development contributes to good urban design, has regard to the overall built character and landscape quality of the area and requires development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, materials and landscape treatment.

The character of the relatively new residential development to the north and west is dominated by two storey predominantly detached properties located off the cul-de-sac from the main spine road, Hartford Road. The proposed development would be consistent with this pattern of development. The scheme has been the subject of pre application discussions with officers who have provided comments on the urban design of the proposal. This has resulted in a scheme which provides for dwellings which address both Hawkrigge Close and the internal street providing a varied and interesting street scene.

It is considered that the proposal is in character with the area.

Impact on the living conditions of existing/future residents

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible in terms of layout and design, protecting amenity, privacy, safety and security. In addition, guidance contained within PCPN No.2 provides advice on interface distances to ensure adequate privacy between existing and new developments.

The amended proposal would comply with the Council's interface distances from properties adjoining the application site. There are a number of relatively minor shortfall of interface distances within the layout. However, it is considered that these shortfalls are not significant and contribute to creating an urban character which would be sympathetic to an urban setting.

Amended plans have been provided which provide for sufficient distance between the large two storey outrigger at No. 518 Leigh Road and the proposed rear elevation of Plot no. 6. It is noted that the windows located in the first floor rear elevation of Plot 6 are non main windows (i.e. the smallest of the bedrooms) with the main bedrooms located in the front elevation of the new dwelling. It is also noted that the outrigger at No. 518 has an additional window in the side elevation at first floor level which provides an alternative window/outlook.

The proposed garages have also been sited at least 9 metres from properties on Daisyhill Court to the south.

The proposal has been successfully amended to meet the Council's interface guidelines and complies with policy.

Impact on highway safety

Core Strategy policies P5 and S1 seek to ensure that new development proposals provide adequate parking, accessibility whilst promoting road safety in the design. The main concern of local residents has been that increase in traffic from the proposed development would result in further congestion, on street parking, consequent deterioration in highway safety.

The proposed layout would provide for adequate off road parking so as not to result in on street parking on existing roads whilst the volume of traffic from the proposed development is not considered excessive. In addition, the previous permission granted approval for the siting of the vehicular access in an identical position as currently proposed. Hartford Road is a winding road / cul de sac and by its very nature will assist in controlling the speed of vehicles using it. It is not considered that the proposed addition of 13 new properties will have any material impact on the safety of the road or on congestion.

The Council's Highways Engineers have commented that they have no objections to the proposal.

Members may recall that the previous permission on the site required the provision of an off site contribution of £22,500 to enhance the mini roundabout at the junction of Hindley Road and Hartford Road. Whilst the proposal makes provision for 2 fewer dwellings than previously approved, it is considered that the proposal is still likely to result in vehicle movements which are similar. It is therefore considered reasonable to request a contribution of £22,500 for the current proposal to enable the same enhancements to take place.

The applicant has agreed to the provision of this money to enhance the local highway network. The proposal complies with policy.

Impact on surface water drainage

Guidance contained within the NPPF seeks to ensure that flood risk is taken into account to avoid inappropriate development. The Council's Drainage section have commented that the area in which the application is located is susceptible to, and has experienced, flooding from overland surface water flows and sewer surcharge during heavy rainfall flowing from a north westerly direction onto the site.

It is noted that the Environment Agency raise no objection to the proposed development and nor have United Utilities (subject to conditions). In addition, the Council's Drainage section have recommended the following conditions to ensure surface water run-off does not continue/affect the site:

- Preparation of a Flood Risk Assessment which will inform a surface water management plan for the site;
- Proposed scheme which makes provision for a reduction in surface water run-off from the site by 50%;
- Design showing how overland flow surface water flows from off the site are to be

- managed;
- The properties should have a Finished Floor Levels that are a minimum height of 300mm above the adjacent road level.

It is considered, through the imposition of appropriate conditions that the development would enable surface water run-off from the site to be reduced by 50% and thus mitigate existing problems in the locality. It is considered that the development would comply with policy.

Impact on ecological issues

Core Strategy policy CG1 seeks to ensure that proposals should safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows. One local resident has commented that the proposal will result in a loss of wildlife habitat which is currently used by bats.

As part of the application submission, the applicant has conducted an ecological survey of site and the existings buildings located within the application site. The conclusions were that there were no bats present nor any signs of bats were found in any of the buildings. Disused bird nests were previously found throughout the roofspace. The report states that due to the poor condition of the buildings there was negligible or low potential for bat use. The survey was undertaken in May 2014.

The Greater Manchester Ecology Unit have commented that the existing buildings have a low potential for roosting bats and have recommended that no demolition works are undertaken during the bird breeding season and that as a precaution during demolition of the buildings roof coverings should be removed by hand. These matters will be conditioned upon any approval.

In addition to the recommendations of the GMEU the applicant's ecologist has recommended the following ecological enhancements as part of the development including the provision of four starling nest boxes to be located on the proposed new garages and a landscape design which encourages wildlife.

The proposal complies with policy.

Impact on sustainable design and construction

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

Whilst the applicant's submission makes no reference to the provision of these items, given the policy context it is considered appropriate to condition these elements to ensure policy compliance.

Subject to the necessary planning conditions it is considered that the proposal would comply with policy.

Value Added to the Development

The applicant has amended the scheme to ensure the proposal complies with the Council's interface distances and is more sympathetic to the living conditions of existing / future residents.

Conclusion

The proposal would grant planning permission of a potential residential development site located within the urban area of Westhoughton within a highly sustainable location. The applicant has amended the plans to take into consideration the living conditions of adjoining neighbours whilst providing adequate off road car parking spaces to provide off road parking for the potential owners/occupiers. There is scope within the development to offset any habitat loss through provision within the proposed new dwellings.

Members are recommended to delegate the decision to the Director of Development and Regeneration subject to the signing of a S.106 agreement to provide highway improvements.

Representation and Consultation Annex

Representations

Letters:- a total of one objection letter has been received together with one comment letter. The objection letter raises the following issues:

- there is heavy congestion already in Westhoughton - implied that the proposal will make matters worse;
- the proposed access point onto Hawkrigde Close is a road safety concern due to the narrowness of the existing road and it's location on a bend (poor visibility);
- also a concern due to proximity to childrens play area and also children play on the road;
- poor visibility onto Hartford Road;
- neighbouring gardens pool with water when it rains - concerned if the surfaces of the development become non porous where will the rain go?;
- Hartford Road is constructed with the wrong sort of tarmac which is very noisy when vehicles drive over it;
- passing reference to impact on wildlife and noise pollution.

One comment letter was received raising the following issues:

- Cut throughs the site should be discouraged;
- Drainage in Hawkrigde Close is poor - close liaison with United Utilities is encouraged;
- Existing trees adjacent to No. 15 Hawkrigde Close are problematic as they have been left unregulated resulting in loss of light, damage to property - there is scope within the redevelopment of the site to have a new landscaping scheme which is more appropriate to it's setting and neighbours;
- Farm/outbuildings are home to seasonal bat roosts - a re-survey is required.

Petitions:- no petitions received.

Town Council:- raise the following concerns:

- the development would generate additional traffic on Hartford Road;
- access onto Hartford Close is on a bend and the proposal requires the siting of speed bumps;
- the Council should access the safety of the adjacent play area when considering the proposed new development;
- the use of non - porous material within the development to reduce flooding - ***Officer comment - assume the Town Council mean porous.***
- queried whether the proposal would require a s.106 agreement to be signed/provided.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: the Environment Agency, Westhoughton Town Council, the Council's Drainage team, Highways Engineers, Pollution Control officers, Greenspace Management section, Landscape Architects and the Strategic Housing Unit.

Planning History

Outline planning permission was granted in 2011 for the demolition of the existing farm

house and outbuildings and the erection of 15 (no.) dwellings with access and layout considered (ref: 86179/11).

Recommendation: Delegate the decision to the Director

Recommended Conditions and/or Reasons

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

Reason

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

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

**Drawing No. 13-142-0001 Rev J - Proposed site layout, scanned to file 19/06/14;
Drawing No. 13-142 A-001 Rev A - Buckley housetype, scanned to file 19/06/14;
Drawing No. 13-142 A-002 - Buckley (handed), scanned to file 19/06/14;
Drawing No. 13-142 Ha-P-001 Rev A - Haigh house type floor plans, scanned to file 19/06/14;
Drawing No. 13-142 Ha-P-002 Rev A - Haigh house type elevations, scanned to file 19/06/14;
Drawing No. 13-142 Ha-P-003 - Haigh house type floorplans (handed), scanned to file 19/06/14;
Drawing No. 13-142 Ha-P-004 - Haigh house type elevations (handed), scanned to file 19/06/14;
Drawing No. 13-142 Ru-P-03 - Rufford house type floor plans (handed), scanned to file 19/06/14;
Drawing No. 13-142 Ru-P-04 - Rufford house type elevations (handed), scanned to file 19/06/14;
Drawing No. 13/142 - Si-P-001 - Silverdale house type proposed plans, scanned to file 19/06/14;
Drawing No. 13/142 - Si-P-002 Rev A - Silverdale house type elevations, scanned to file 19/06/14;
Drawing No. 13/142 - Si-P-003 - Silverdale house type proposed plans (handed) scanned to file 19/06/14;
Drawing No. 13/142 - Si-P-004 - Silverdale house type elevations (handed) scanned to file 19/06/14;
Drawing No. 13/142 - Wi-P-009A - The Windle (Arts and Crafts, scanned to file 19/06/14;
Drawing No. 13/142 - Wi-P-001 - Whittington house type floor plans, scanned to file 19/06/14;
Drawing No. 13/142 - Wi-P-002 Rev A - Whittington house type elevations, scanned to file 19/06/14;
Drawing No. 13/142 - Wi-P-003 - Whittington house type floor plans (handed), scanned to file 19/06/14;
Drawing No. 13/142 - Wi-P-004 - Whittington house type elevations (handed), scanned to file 19/06/14;
Drawing No. 14/028-G-03 - Proposed single garage, scanned to file 19/06/14;
Drawing No. 13-142 - G-04 Proposed garages (Plot 10 and 11) scanned to file 19/06/14;
Drawing No. 13-142 - G-05 Proposed single garage (eaves to front) scanned to file 19/06/14;**

Reason

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

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

Reason

In the interests of highway safety.

4. The development hereby approved/permitted shall not be brought into use unless and until a visibility splay measuring 2.4 metres by 33 metres is provided at the junction of the proposed new vehicular access with Hawkrigge Close, and subsequently maintained free of all obstructions between the height of 1.05 metres and 2 metres (as measured above carriageway level).

Reason

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

5. The development hereby approved/permitted shall not be brought into use unless and until that part of the site to be used by vehicles has been laid out, drained and surfaced in accordance with details to be submitted to and approved by the Local Planning Authority and shall thereafter be made available for the parking of cars at all times the premises are in use.

Reason

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

6. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed in accordance with the approved plans.

Reason

For avoidance of doubt.

7. Prior to the occupation of the dwelling house(s) hereby permitted provision shall be made for the parking or garaging of (a) motor vehicle(s) adjacent to (the (each of the) dwelling house(s)) in the area identified for that purpose on the approved plan. The (those) area(s) shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or replacing that Order) other than (a) garage(s), no extensions, porches, outbuildings, sheds, greenhouses, oil tanks 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.

9. During the demolition of the building all roof coverings will be removed by hand to check for the presence of bats in line with the recommendations contained within Section 5 of the approved ERAP Ecological Survey and assessment dated June 2014.

Reason

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

10. No vegetation clearance or demolition of buildings should take place during the bird breeding season, between the months of March and July.

Reason

The site has the potential to support breeding birds. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds whilst they are breeding.

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

Reason

To enhance the sustainability of the development and to reduce the reliance on fossil fuels in order to comply with Core Strategy policy CG2.

17. The dwelling(s) shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason

To reduce the impact on climate change and to improve the sustainability of the site

18. Development shall not commence until a further site investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced.

The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property or the environment;
- (iii) an appraisal of remedial options and proposal for a preferred option.

Reason

To ensure the development is safe for use.

19. 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/the approved landscape scheme [drawing reference: **] 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.

20. No development approved by this planning permission shall be commenced until a scheme for the provision of 4 starling nest boxes, including nest type and locations, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to completion of the development hereby approved and retained thereafter.

Reason

To enhance the ecological value of the development.

21. Prior to the commencement of development samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.

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

Reason

To safeguard the visual appearance and or character of the area.

23. Prior to commencement of development, a scheme shall be submitted to and approved by the Local Planning Authority which provides the following:

- Flood Risk Assessment and surface water management plan for the site;
- Design detailing how overland flow surface water flows from / off the site are to be managed;

The submitted management plan will provide details of how the development will result in a reduction of existing surface water run off from the site by at least 50% by the use of a sustainable drainage system.

No building hereby permitted shall be occupied until the approved surface water drainage works / management plan have been implemented on site. The approved scheme shall be retained thereafter.

Where a sustainable drainage scheme is to be provided, the submitted details shall:

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

Reason:

To reduce the risk of contaminating surface water run off and reduce the risk of localised flooding and down stream flooding by ensuring the provision of a satisfactory means of surface water dispersion

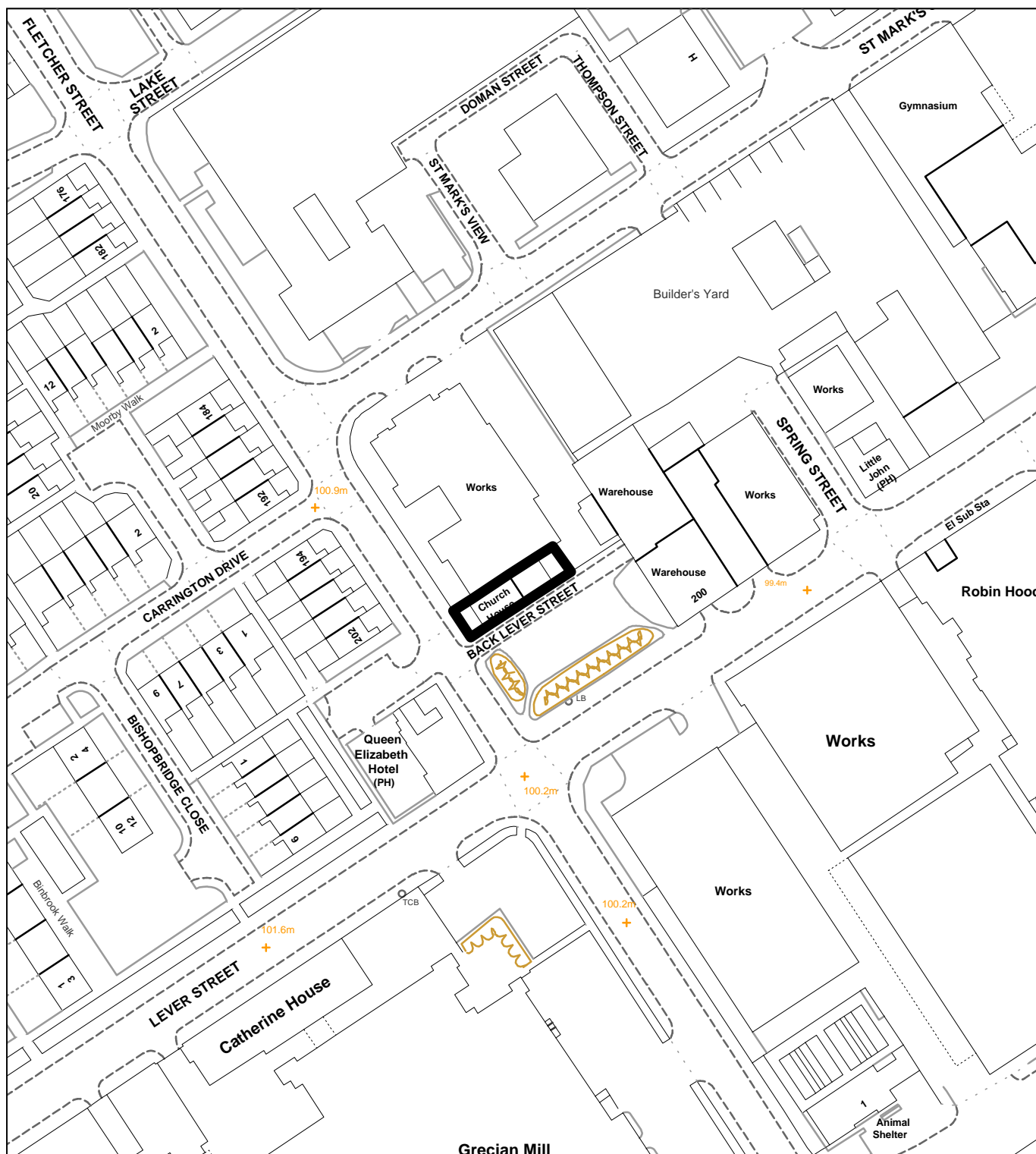


SCHEDULE OF ACCOMMODATION				
KEY	NAME	SIZE	NO.	SQFT
Win	Windle	901	1	901
Buc	Buckley	1259	2	2518
Ru	Rufford	1321	1	1321
Sil	Silverdale	1321	3	3963
Ha	Haigh	1468	2	2936
Hol	Holmeswood	1497	1	1497
Whit	Whittington	1554	3	4662
TOTAL				17798

PLANNING

Application No.

91963/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
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**Bolton
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11

Date of Meeting: 03/07/2014

Application Reference: 91963/14

Type of Application: Full Planning Application
Registration Date: 05/05/2014
Decision Due By: 29/06/2014
Responsible Officer: Martin Mansell

Location: APNA SUPERSTORE, 215 FLETCHER STREET, BOLTON, BL3 6NG

Proposal: REMOVAL OF CONDITION 05 ON APPLICATION 90444/13 TO ALLOW DISPLAY OF RETAIL GOODS AT FRONT OF PROPERTY BETWEEN 9 A.M. AND 6 P.M.

Ward: Great Lever

Applicant: Mr M Ali
Agent : RA Design & Project Management

Officers Report

Recommendation: Refuse

Proposal

Consent is sought to remove a condition preventing the display of goods on the forecourt of these premises. Planning approval 90444/13 granted consent for the change of use of this former dance studio to a retail use. The approval was subject to a condition that stated:-

The front curtilage of the property shall not be used at any time for the storage or display of retail goods.

Reason - to prevent harm to the character and appearance of the area.

The current application originally sought consent to display goods at the front of the site from 8am; however, this has now been amended to be consistent with the approved opening hours of 9am.

An application for a disabled access ramp appears elsewhere on the agenda (ref: 91964/14)

Site Characteristics

The site is part of a single storey building of a locally distinctive appearance reflecting its original construction as St Mark's School. The site is part of one of the Borough's largest allocated Protected Employment sites, one which stretches from Moncrieffe Street in the north east to Weston Street and Rishton Lane in the south. However, the site is located in the very edge of the allocated area - whilst

buildings to the north, east and south are generally in industrial use, to the west the area becomes residential in character including a row of houses and a public house directly opposite.

Policy

National Planning Policy Framework - Building a strong and competitive economy, ensuring the vitality of town centres, requiring good design

Core Strategy Policies - CG3 The Built Environment and RA1 Inner Bolton.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the site and its surrounding area
- * impact on economic development and employment

Impact on the Character and Appearance of the Site and its Surrounding Area

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

The National Planning Policy Framework recognises the role of the planning system in creating a high quality built environment and notes that well-designed buildings and places can improve the lives of people and communities together with replacing poor design with better design.

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 conserve and enhance the heritage significance of heritage assets.

This issue was considered in full during the determination of the change of use application. Planning Officers were concerned about the visual impact of the unrestricted display of goods on the front curtilage and so the Applicant was asked if they intended to do so. The Agent replied to state that they had no intention of doing so, but were aware that planning permission would be needed due to a condition being imposed. However, within two weeks of the store opening, an unauthorised retractable canopy was installed on the front elevation and goods were being stored within the front curtilage. An enforcement complaint was received about these issues and the Applicant complied with

the Council's request to remove the canopy and cease the use of the front curtilage without the need for more formal action.

Officers accept that on some of the Borough's radial routes, where independent retailers dominate over other uses, the display of goods on a front forecourt can add to the vibrancy of the area. However, this is not such an area - there are residential properties opposite and industry on other sides. There are no other Class A1 retail uses within sight. Whilst the retail use has been accepted and approved at this site, it is considered that the unrestricted display of retail goods on the curtilage would lead to a cluttered appearance, to the detriment of the character and appearance of the street scene.

Furthermore, as this property is considered to be a non-designated heritage in an area generally lacking in such, the cluttered appearance will also result in harm to the appearance of the site.

The proposal would be harmful to the character and appearance of the area, contrary to Policy CG3.

Impact on Economic Development and Employment

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should proactively drive and support sustainable economic development to deliver the infrastructure, business and industrial units and thriving local places that the country needs. In the section "Building a Strong, Competitive Economy" it states that significant weight should be placed on the need to support economic growth through the planning system.

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.

Planning Officers are mindful of the benefits of economic development; however, it is considered that this was already taken into account in the decision to grant permission for a retail use outside of the town's main retailing areas and in an area allocated for industrial uses. It is also considered that the use of the front curtilage would have only a limited benefit on economic development and employment.

Conclusion

The proposal would be harmful to the character and appearance of the area and as the use of the front curtilage would have only a limited benefit on economic development and employment, insufficient positive impacts have been found to outweigh this harm.

Officers consider that it was right to impose the condition restricted the display of goods on the front curtilage and so the application is recommended for refusal.

Representation and Consultation Annex

Representations

Letters:- two letters of objection have been received from nearby residents. The grounds of objection are:-

- the owners is opening earlier than their permitted hours (Officers are investigating this issue)
- it will be like an outdoor market selling fruit and veg, with canopies put up all along to protect them
- the owner has displayed no regards to any of the conditions on his approval reference 90444/13
- a canopy was previously installed, disregarding condition 5
- I do not want to live opposite an outdoor market with increased noise and disturbance
- the area already has a serious infestation of rats and any rotting food that may be left will only increase the infestation which is a health and safety issue causing possible pollution and harm to residents
- the old school house has been there for over 150 years and has some historic value
- the applicant has already removed the old stone steps which have been there since the school was built and made a ramp that serves no purpose only for deliveries
- the applicant knew on the original application that he could not change the outlook of the building
- I have been a resident of Fletcher Street for 40 years during this time I have worked on night shifts as a nurse at the local hospital.
- I strongly feel that allowing the forecourt of the shop to display goods will result in added noise and disturbance, both from customers and their vehicles which will impair my ability to sleep during the day as my bedroom faces the proposed site
- I also object to the fact the view from my window would then become that of an outdoor market stall, with customers browsing.

One letter of support has been received from a nearby resident. The grounds of support are:-

- I think it's a really good idea as it encourages people to eat vegetables and fruits because of it being displayed and visible to all
- it's not harming anybody in any way so I do not think anyone with any sense should have a problem with it

Consultations

Advice was sought from the following consultees: none

Planning History

Planning approval 90444/13 granted consent for the change of use of this former dance studio to a retail use.

Recommendation: Refuse

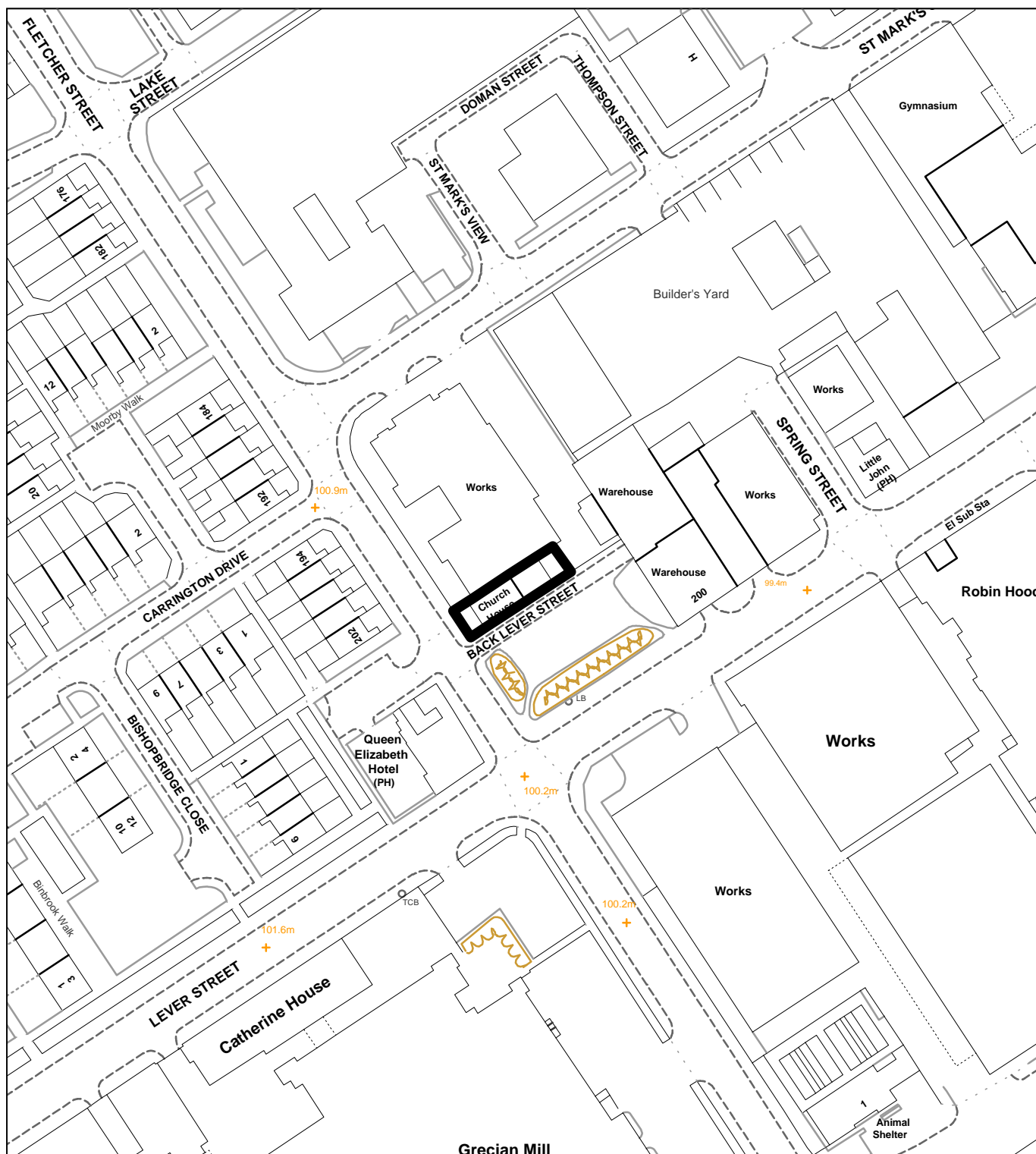
Recommended Conditions and/or Reasons

1. The unrestricted display of retail goods on the curtilage would lead to a cluttered appearance, to the

detriment of the character and appearance of the street scene and contrary to Policy CG3 of Bolton's Core Strategy.

Application No.

91964/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
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Date of Meeting: 03/07/2014

Application Reference: 91964/14

Type of Application: Full Planning Application
Registration Date: 05/05/2014
Decision Due By: 29/06/2014
Responsible Officer: Martin Mansell

Location: APNA SUPERSTORE, 215 FLETCHER STREET, BOLTON, BL3 6NG

Proposal: INSTALLATION OF DISABLED ACCESS RAMP

Ward: Great Lever

Applicant: Apna Foodstore
Agent : RA Design & Project Management

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought to construct a disabled access ramp at the front of the property.

Members are advised that there is no requirement for the ramp under planning or building control to provide level access into the building.

At the time of writing, the Council's Building Control Officers advise that the proposed ramp would not comply with Part M of the Building Regulations (one of the flights is too steep by a considerable degree). The Applicant has been given the opportunity to design a Part M compliant ramp and this will be confirmed or otherwise at the meeting.

An application seeking consent to display goods on the forecourt of the site appears elsewhere on the agenda (91963/13)

Site Characteristics

The site is part of a former school, used until the last year or two as a printers and a dance school. The site as a whole was recently granted planning permission to be used as an Islamic community centre, but the application site benefits from a separate and more recent consent for change of use from dance school to retail. The retail consent has been implemented and the site is now trading as Apna Superstore.

The former school does not benefit from any statutory heritage controls; however, it is of heritage value and contributes to local distinctiveness in an area generally lacking in such.

Approximately six months ago, the original stone steps to the building were removed and an unauthorised concrete ramp was constructed at the front. This ramp does not comply with the requirements of Part M of the building regulations. Planning permission was recently refused for its retention on the grounds of poor appearance and impact on road

safety and an Enforcement Notice has been served for its removal. The impact of this ramp and its proposed replacement are addressed in the road network section below.

Uses in the area are mixed - the site is on the fringe of an allocated employment area so uses to the east are typically industrial and to the west residential. Fletcher Street is not a classified road but it is a bus route, carries a significant amount of traffic to the Great Lever area and is the main route for vehicles leaving and returning to the Weston Street First Bus depot. A condition on the approval for the Weston Street bus depot requires that buses use this route rather than heading into town via Nelson Street / Thynne Street.

Policy

National Planning Policy Framework - requiring good design, promoting healthy communities, conserving and enhancing the historic environment

Core Strategy policies - P5 Transport, S1 Crime and Road Safety, CG3 Design and the Built Environment and RA1 Inner Bolton.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the Character and Appearance of the Area
- * impact on Accessibility
- * impact on the Road Network

Impact on the Character and Appearance of the Area

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

The National Planning Policy Framework recognises the role of the planning system in creating a high quality built environment and notes that well-designed buildings and places can improve the lives of people and communities.

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.

Whilst the building does not lie within a Conservation Area and is not worthy of listing, it clearly has a degree of heritage value in an area generally lacking in such. It makes a positive contribution to local distinctiveness. The original stone steps were removed in order to construct the existing ramp, which has a cheap appearance and is formed from inappropriate materials.

However, Part M compliant ramps are now an accepted feature at many buildings and so the proposed replacement ramp is not considered to harm the character and appearance of the area.

Impact on Accessibility

The National Planning Policy Framework recognises the role of the planning system in creating a high quality built environment and notes that well-designed buildings and places can improve the lives of people and communities. Planning decisions should aim to ensure that developments create safe and accessible environments.

Policy CG3 of Bolton's Core Strategy states that the council will ensure development is designed in an inclusive manner which is accessible and legible to all, regardless of age, gender, background or disability. Policy P5 requires proposals to take into account the transport needs of people with disabilities.

The 2013 application was for change of use from a dance school to a retail use. As both uses were accessible to the public, it was not necessary to impose any requirement for level access under either planning or building regulations. The Council is therefore not insisting on the installation of the replacement ramp. Nevertheless, Officers welcome the Applicant's wish to exceed the requirements for level access at the site, but raise the question as to whether such access would be preferable at the rear servicing the car park and discouraging the use of Fletcher Street for loading and deliveries.

A Part M compliant ramp at this site would make a positive contribution to accessibility.

Impact on the Road Network

Core Strategy 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.

In considering the 2013 application for the change of use to retail, both Planning Officers and Highway Engineers were keen to ensure that provision was made for servicing and deliveries to be taken from the rear. The plans were amended on this basis and were approved as such.

The existing ramp facilitates servicing and deliveries at the front. Whilst parking is not restricted in this location, the site is located close to the junction with Lever Street. The Council's Highway Engineers comment as follows:-

"Fletcher Street is a bus route as well as the route for First Bus vehicles to and from the depot. The Application Site is located close to the junction of Fletcher Street with Lever Street, which has a poor accident record with 2 serious and 5 slight reported personal injury accidents in a recent 5 year period. The junction ranks as the 22nd worst junction record in the borough, which is a cause for concern considering its relatively low status in the road network hierarchy. There is a well-used car park accessed from Back Lever Street, adjacent to the Application Site."

The previous use of the premises as a dance studio did not cause any problems on the highway. The change of use to retail included the provision of rear servicing and it was therefore considered unnecessary to require the Applicant to fund any changes in the existing waiting and loading restrictions on Fletcher Street. However, it has been brought to our attention that the Applicant has been loading and unloading on Fletcher Street. From the photographs that have been submitted [by an objector], it is apparent that the previous access ramp was being used to facilitate deliveries from vehicles parking partly on the footway in Fletcher Street, with some vehicles unloading close to the Lever Street junction.

This servicing practice is detrimental to highway safety and the free flow of traffic for the following reasons:-

- The vehicles are obstructing the footway to the detriment of pedestrian safety.
- The vehicles are causing southbound vehicles on Fletcher Street to cross the centreline on the approach to the Fletcher Street / Lever Street junction.
- The vehicles are obstructing visibility for westbound vehicles on Lever Street, which have to give way at the priority junction with Fletcher Street.
- The vehicles are obstructing visibility for vehicles leaving the adjacent car park via Back Lever Street.

The proposed access ramp is likely to encourage this inappropriate use of the highway. A condition should be imposed to control the use of the ramp but this condition would be difficult to enforce. It is therefore recommended that the Applicant should fund a traffic regulation order to prohibit waiting and loading along the frontage to the premises and up to the junction with Lever Street.

Without this safety measure, planning permission should be refused.

The existing concrete access ramp facilitates and encourages servicing and loading at the front of the site on Fletcher Street and therefore Planning Officers agree that this condition is necessary in order to make the development acceptable in terms of highway safety. Highway Engineers advise that the cost of the Traffic Regulation Order is likely to be in the range of £4,000, inclusive of legal costs and VAT.

However, the Applicant has stated that they are unwilling to accept this condition. They have stated that it is for the Council to address any inappropriate use of the highway in this location - however, in the absence of a Traffic Regulation Order, the Council is unable to prevent people from parking or loading at the front of this property. The Applicant takes the view that the Council should bear the cost of any such order.

Planning Officers and Highway Engineers do not accept this analysis. The unsafe use of the highway results from the retail use of the site and is encouraged by the existing unauthorised ramp. The 2013 retail application initially sought to service the property via a new gate on the southern boundary, accessed via Back Lever Street - however, Highway Engineers took the view that Back Lever Street was too close to the problematic junction of Lever Street and Fletcher Street and so the Applicant was asked to amend the plans to show deliveries at the rear, via St Marks Street. The plans were amended and the 2013 application approved on this basis - however, the Applicant has not complied with this commitment, to the detriment of highway safety.

The existing ramp is used by suppliers and customers and it is likely that the disabled

access ramp would be used in the same way. It is not possible to impose a condition preventing this (it would be difficult to enforce) and so the solution is for parking and loading to be restricted at the front of the site. Officers take the view that this impact is a direct consequence of the Applicant's proposal and therefore - as with the majority of planning proposals - it is for the Applicant to bear the cost of any necessary mitigation.

The Applicant has been encouraged to withdraw the current application, remove the unauthorised ramp and comply with their approval showing deliveries at the rear - whilst also exploring level access at the rear of the site. No justification has been provided as to why deliveries and level access cannot be provided at the rear.

Subject to a condition requiring the Applicant to fund a Traffic Regulation Order at the front of the property, the proposal is considered to comply with policies seeking to promote and ensure highway safety. Without this condition, the replacement access ramp would continue to facilitate inappropriate use of the highway close to a junction with a poor accident record and therefore should be refused.

Conclusion

The existing ramp is considered to be visually harmful and to encourage inappropriate use of the highway, to the detriment of road safety. Enforcement action is underway to seek its removal.

The proposed replacement ramp would deliver benefits in terms of accessibility, but would have the secondary impact of continuing to encourage and facilitate deliveries on Fletcher Street. Therefore, it is necessary for this impact to be mitigated by the Applicant.

Members are recommended to approve the application subject to a condition that the Applicant funds a Traffic Regulation Order to prohibit waiting and loading at the front of the site.

Representation and Consultation Annex

Representations

Two letters of objection have been received from local residents. The grounds of objection are:-

- a ramp has been built but is subject to an enforcement order to be removed within 60 days of the 9th of May
- the applicant is trying another way to keep the ramp
- it has been proven that the ramp was used to facilitate the deliveries and not for disabled people, photos have been provided and more photos can be provided if needed
- highways have suggested the applicant pay for traffic regulations but this will have no impact whatsoever on deliveries being made at the front
- the applicant has showed no attempt to have deliveries made at the rear and at times has come out and helped the delivery driver to unload
- delivery drivers already stop on nearby yellow lines and make deliveries
- the council has already said that the ramp must be removed and the council and enforcement should follow through with the enforcement of removal of this ramp.
- the ramp is of a design and material inconsistent with the local distinctiveness of this building and is harmful to the character and appearance of the site and the area, contrary to Policy CG3 of Bolton's Core Strategy
- the ramp encourages inappropriate use of the highway for servicing and deliveries, detrimental to highway safety and the free flow of traffic, and is therefore contrary to Core Strategy Policies SO9,P5 and S1
- the application should be refused and the old stone steps should be put back

Consultations

Advice was sought from the following consultees: Highway Engineers.

Planning History

Planning permission was refused in February 2013 for the retention of the unauthorised ramp (91175/13). An enforcement notice has been served and comes in to force on Monday 7th July.

Planning permission was granted in October 2013 for change of use to retail, with an approved plan showing deliveries at the rear (90444/13)

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. No development shall commence unless and until the existing unauthorised ramp has been completely removed.

Reason

To protect the character and appearance of the area.

3. Prior to the commencement of development full details of the highway works at Fletcher Street comprising measures to prohibit waiting and loading shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

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

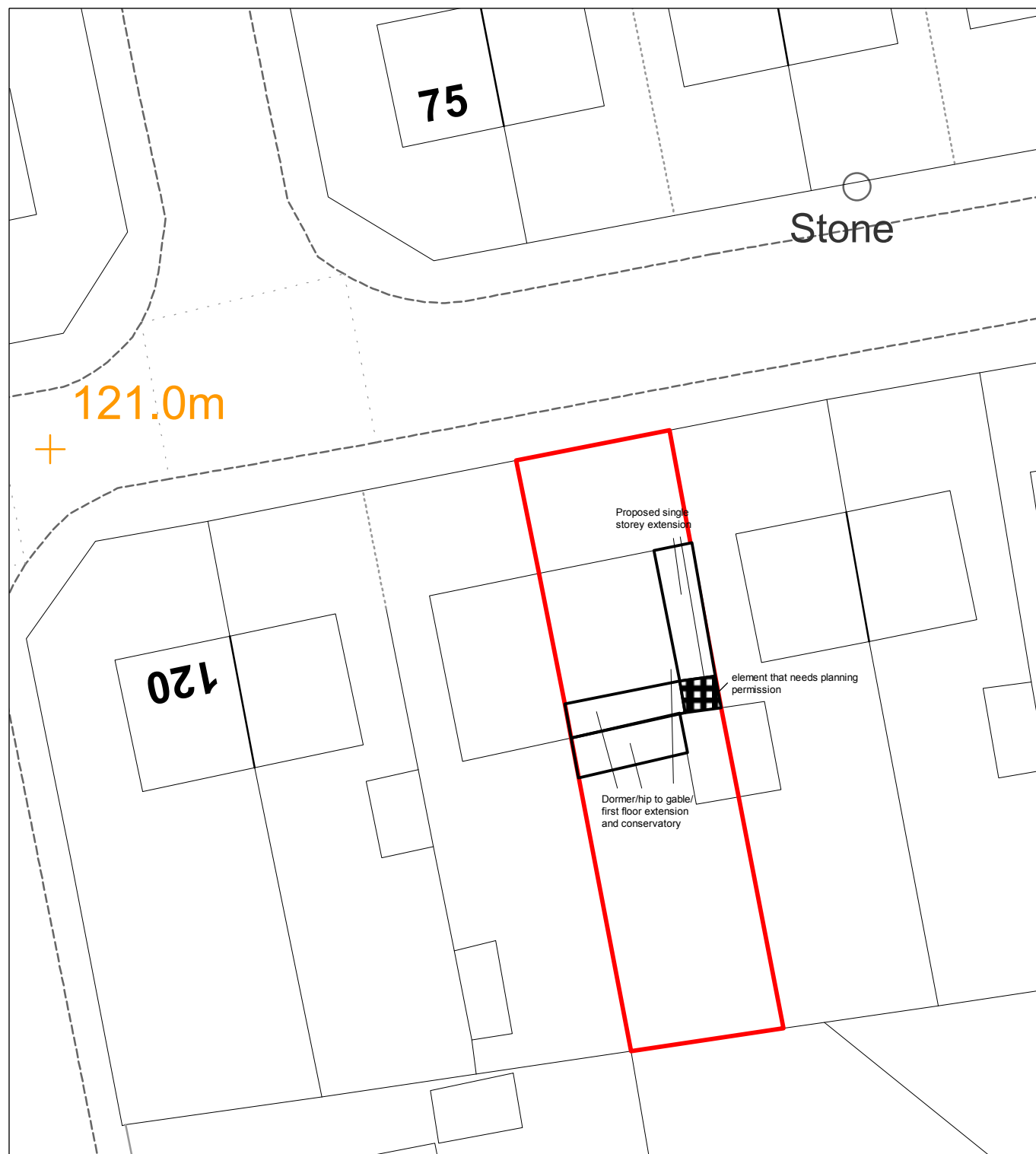
RAD/ 894/13/3 - Proposed disabled ramp - scanned to file 06/05/14

Reason

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

Application No.

92101/14



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

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Date of Meeting: 03/07/2014

Application Reference: 92101/14

Type of Application: Full Planning Application
Registration Date: 29/05/2014
Decision Due By: 23/07/2014
Responsible Officer: Sara Flanagan

Location: 126 ASHWORTH LANE, BOLTON, BL1 8RR

Proposal: ERECTION OF SINGLE STOREY EXTENSION AT SIDE

Ward: Astley Bridge

Applicant: MR PATEL

Agent : Y A ARCHITECTURAL SERVICES

Officers Report

Recommendation: Delegate the decision to the Director

Proposal

The proposal includes a single storey side extension providing a lounge and extension to the existing kitchen. Most of the proposed side extension is permitted development, the portion of the extension which actually needs permission projects 2386mm from the original rear elevation (see attached plans).

Site Characteristics

This semi detached property has been extended at the rear with a two storey extension and a conservatory added to the rear elevation of the extension. A hip to gable extension has been added to the main roof incorporating a rear dormer.

A detached garage close to the boundary with the applicant's property stands in the rear garden of number 128 Ashworth Lane which has a kitchen window and landing window on the side elevation of the property (both non principal) and has a small outrigger on the rear elevation sited close to the existing garage with a bathroom window on the rear elevation adjacent to the proposal.

Policy

National Planning Policy Framework (NPPF)

Core Strategies policies: P5 Accessibility, S1 Safe, CG3 The Built Environment, CG4 Compatible Uses and OA5 North Bolton.

SPD House Extensions and PCPN2 Space Around Dwellings.

Analysis

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

considerations indicate otherwise.

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

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

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

The main impacts of the proposal are:-

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

Impact on the character and appearance of the dwelling and the surrounding area

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

Policy OA5 of the Core Strategy relates specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment.

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

The proposed single storey side extension would extend to the boundary with a pitched roof and run the full length of the side elevation including the rear extension added in the past and would be 2297mm wide. It is considered that when viewed from the front the proposal would be in keeping with the scale and design of the existing property.

A bin store has been provided to the front of the property as they cannot be stored at the rear due to the extension leaving no gap at the side. This is consistent with many bin stores approved throughout the borough. A plan showing the elevations has been submitted.

It is considered that the proposal would be consistent with the general pattern of development visually and therefore is compatible with the character and appearance of the area as many properties have had similar extensions (some two storey at the side).

Impact on the Amenity of Neighbouring Residents

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

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

natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the Council's minimum interface standards between dwellings.

The proposed side extension would be sited adjacent to the kitchen window in the side elevation of the neighbouring property at 128 Ashworth Lane to the west. This property generally is aspected north south (front/rear elevations). The small outrigger on the rear and the existing garage would screen the ground floor portion of the proposal and as the nearest window in the rear elevation at first floor level on this property is a bathroom, it is considered that no principal windows would be affected.

It is considered that the proposal would comply with policy and guidance contained within Supplementary Planning Guidance House Extensions.

Impact on Parking

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

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

Parking for two cars would be available on the driveway which would comply with current parking requirements.

Conclusion

The proposal is considered to be in keeping with the scale and design of the existing property and would not unduly affect the outlook and living conditions of the neighbouring residential properties complying with Core Strategy policies and guidance contained within the House Extension SPD.

To enable the expiry of the neighbour consultation process (by 1/2 day) Members are recommended to delegate the decision to the Director of Development and Regeneration.

Subject to no additional substantially different grounds of objection being submitted in this short period of time, the application would then be determined by the Director.

Representation and Consultation Annex

Representations

Letters:- one letter has been received objecting on the grounds of it being identical to one refused by planning committee in May 2013, and as the property has already been substantially extended this new extension will lead to further over development and one street parking.

The neighbour notification process is due to expire on 03/07/14. Any further representations will be brought to attention of Members by way of the Supplementary Information List.

Officers comments:- The objections received have been addressed within the report.

Elected Members:-Councillor John Walsh has requested that the application be presented to Members with an advanced site visit.

Planning History

A previous application for a first floor rear extension was approved in 2014 (91258/13) with the hip to gable roof, rear dormer and side extension being constructed under permitted development.

Application 89897/13 for a single storey side extension providing a lounge and extension to the existing kitchen together with a first floor rear extension to the existing rear bedroom and en suite although recommended for approval by officers was refused by members in 2013 for the following reasons.

The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and in particular would result in the loss of existing space separation between existing dwellings to the detriment of the street scene. The proposal is thus contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

The proposed extension would, by virtue of its design and siting result in bins being stored at the front of the dwelling to the detriment to the character and appearance of the area, creating a cluttered appearance in the street scene. This would compromise future decisions on similar developments that made no provision for bin storage at the rear of a property. The proposals are thus contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

Planning permission was granted in 2006 for a conservatory (74312/06).

Recommendation: Delegate the decision to the Director

Recommended Conditions and/or Reasons

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

Reason

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

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

1338-PO1A Proposed plans and elevations received and scanned 19th June 2014

Reason

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

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

Reason

To ensure the development visually reflects the existing building.

