

**Planning Applications Report**

**Planning Committee**

**15 December 2016**

**Bolton  
Council**

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

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

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

The following abbreviations are used within this report: -

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](http://www.bolton.gov.uk/planapps)

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# Application number 97143/16



Development & Regeneration Dept  
Development Management Section

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# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97143/16**

**Type of Application: Full Planning Application**  
**Registration Date: 05/08/2016**  
**Decision Due By: 03/11/2016**  
**Responsible Officer: Alex Allen**

**Location: LAND OFF GREENLAND ROAD, FARNWORTH**

**Proposal: ERECTION OF 15NO. RESIDENTIAL DWELLINGS COMPRISING  
OF 11 HOUSES AND 4 APARTMENTS TOGETHER WITH  
ASSOCIATED WORKS INCLUDING PARKING AND LANDSCAPING**

**Ward: Harper Green**

**Applicant: Cornell Group**  
**Agent : Brewster Bye Architects**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

The proposal is for an 15 no. dwelling residential development consisting of 11no houses and 4no flats, with associated private gardens and driveways. A new adopted shared surface court is proposed with access from Greenland Road and access to all driveways, parking spaces and dwelling entrances will be taken from this court. All units are to be socially rented housing by Bolton at Home based on an assessment of need and demand in the area for this type of housing.

### **Site Characteristics**

The site comprises an existing single storey club building with curtilage parking and delivery areas.

The site is virtually level in the centre of the site where the tarmac area currently sits, however, towards the North-West there is significant banking which amounts to a 4m rise in level, whilst along the southern edge of the site the land falls away by around 3m down to Doe Hey Brook. The site has an area of approximately 0.46Ha. The site's Eastern boundary is Greenland Road and it is accessed directly from this road. The road would have once given access towards the Hospital, however, concrete bollards have blocked access south of the site. The northern and southern boundaries are lined with trees, with the Southern boundary being more densely wooded with the addition of the brook. Beyond the treeline to the North lies Glenside Drive, a single sided residential street made up of bungalows whose architectural character is red brick with pan tile roofing and white PVC windows. The tree line serves as a visual screen between Glenside Drive and the site. The western boundary is defined by a fence, beyond which is open grassland.

The southern boundary of the site is formed by Doe Hey Brook and there are several trees adjacent to the brook that fall within the site. Elsewhere the remainder of the site is generally grassed.

The site is bounded by a landscape belt to the north of 15 metres plus wide within which there are a number of trees which provide a buffer between the site and bungalows on the northern side of Glenside Drive.

## **Policy**

National Planning Policy Framework

Core Strategy policies:- P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, RA1 Inner Bolton, IPC1 Infrastructure and Planning Contributions and Appendix 3 Car Parking Standards.

Supplementary Planning Documents (i) General Design Principles, (ii) Accessibility, Transport and Safety and (iii) Infrastructure and Planning Contributions.

## **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 and adjoining uses;
- \* impact on wildlife
- \* impact on trees;
- \* impact on highway safety;
- \* impact on drainage/land stability;
- \* impact on sustainability; and
- \* impact on existing infrastructure.

## **Principle of residential development**

Guidance contained within the National Planning Policy Framework seeks to encourage new well-designed residential development to meet housing requirements. Councils should aim to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Core Strategy Strategic Objectives 14, 15 and 16 and policy SC1 seek to provide housing which meets the needs of everybody and the growth in the number of households. Core Strategy policy SC1 seeks to ensure a total of 694 dwellings are completed per annum in the Borough with a concentration of new build on previously developed sites (80%). Up to 20% of new build is to be provided on Greenfield land as part of the Transforming Estates programme.

Core Strategy policy RA1 states that "the Council and its partners will make efficient use of land in Inner Bolton, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach. This policy also seeks to ensure that development conserves and enhances the distinctive character of the existing physical and natural environment.

Whilst parts of the former Conservative Club site have naturally regenerated the site can still be defined as previously developed within the urban area. The principle of residential development in this location is therefore considered to be appropriate and to comply with policy.

#### Impact on character and appearance of the area.

Guidance contained within the NPPF and Core Strategy policies CG3 and OA3 seeks to ensure that new development proposals are compatible with the surrounding area in terms of scale, massing, grain, form, architecture, landscape treatment.

The Conservative Club was demolished some years ago with some of the site reverting to an unmanaged overgrown appearance. The site itself is largely hidden away from direct views from the closest residential properties on Glenside Drive to the north by a band of established trees. Whilst these trees remain unprotected by a tree preservation order they provide a natural screen to the site.

Due to the need to ensure the site is viable from the applicant's perspective the development needs to provide the type of accommodation proposed. The proposal would regenerate a previously developed site. Due to the proximity of the trees along the northern boundary of the site and the requirements for level changes a large proportion of these trees would need to be removed. However, there is scope to replace these trees with additional planting closer to Glenside Drive.

It is considered that due to the level differences, i.e. the development site would be lower than properties on Glenside Drive and with additional replacement tree and shrub planting in between the impact of the proposal on residents would be limited.

Whilst there is a wildlife corridor adjacent to the development site, i.e. the Doe Hey Brook corridor it is considered that the development would not restrict the free movement of wildlife through the corridor and would retain a soft edge along the southern boundary of the site.

The proposal would change the character of the site and its edge due to the introduction of a new built form together with the removal of existing trees and vegetation. However, it is considered that over time that the site would again blend into the adjoining landscaped area. It is considered that any harm would be temporary / short lived and that the proposal would on balance be acceptable.

#### Impact on the living conditions of existing/future residents and adjoining uses

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.

The proposal would abut open space to the west and south with an additional area of informal amenity space located to the east separated by Minerva Road. The closest active use are properties to the north on Glenside Drive. These properties are bungalows and set back some distance from the development site. Therefore, in terms of issues of privacy and scale the proposal is wholly compliant with Core Strategy policy CG4.

Concern has been raised by residents in terms of a loss of view and over the behaviour of potential tenants within the proposed new homes. Whilst the loss of a view is not a material planning

consideration, it is noted above that due to the loss of some trees within the existing site, the views enjoyed by existing residents would change. However, appropriate replacement planting will be conditioned.

The proposal would comply with policy.

#### Impact on the wildlife

Core Strategy policy CG1 seeks to ensure that the Council and its partners will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development

Whilst the site is not specifically allocated or designated in respect of nature conservation within the Allocations Plan, a wildlife corridor is located adjacent to the site, primarily the route of Doe Hey Brook.

The Environment Agency initially objected to the proposal, specifically the siting of the proposed apartment block within 8 metres of the river bank top of Doe Hey Brook, this is primarily to enable the Environment Agency unrestricted access to the river corridor for maintenance purposes, but also to protect the ecology/biodiversity of the area.

Discussions have been ongoing between the applicant and the Environment Agency to ensure the river corridor is respected and the proposed apartment block is far enough away from the bank top to enable the Environment Agency unrestricted access to Doe Hey Brook.

The majority of the new dwellings would be sited away from the Doe Hey Brook and related wildlife corridor.

Whilst the proposed apartment block and its curtilage are not the full 8 metres away from the bank top of Doe Hey Brook, the Environment Agency asked for a retaining wall structure to be sited further away than originally sought/intended. The applicant has provided amended plans which now meet with the approval of the Environment Agency.

The proposal would remove existing trees within the site. It is considered that the replanting of trees adjacent to the site would be acceptable to offset this loss.

The Council's Wildlife Liaison Officer has commented that the proposal would result in the potential removal of an orchid colony within the south east corner of the site. They recommend that the colony is either protected as part of the development or further mitigation is required to offset its loss. Clarification is being sought from the applicant as to which option would be possible under the proposed scheme. Further information will be provided at the Committee meeting regarding this matter.

Therefore, subject to the implementation of the approved plans it is considered that the ecological value of the wider area would be respected to ensure compliance with Core Strategy policy CG1.

#### Impact on trees.

Whilst on the previous scheme it was considered that the main trees within the site will be adequately protected by virtue of the imposition of a condition preventing development within a 5 metre wide zone as measured north from the existing line of the stream/brook.

The Council's Trees and Woodland Officer has commented as follows:

*"In conclusion, with the constraints on the southern side of the site (Doe Hey Brook, access road width and property driveways) and the fact that a number of the trees have already grown over the sewer pipe and gas pipe easements, it would appear that if the Council are to approve the scheme that the removal of the trees, as indicated, would be required. As stated above, this would require a substantial tree planting and screening scheme to be conditioned to reduce the impact created by the development and the loss of trees."*

It is noted that if the development is to come forward, given the constraints, there are a number of compromises which are required and the loss of trees is the main impact. In weighing up the need for housing and other material considerations, it is however considered that subject to replacement tree planting occurring the proposal would be acceptable.

#### Impact on highway safety.

Core Strategy policies P5 and S1 and the maximum car parking standards provided in Appendix 3 of the Core Strategy seek to provide adequate off-road car parking and to promote road safety in the design of new development.

The proposal would create a new improved access, whilst enhancing the surface of Minerva Road in this location with adequate visibility splays and radii. The proposal would provide 14 x 1 bedroomed properties together with 1 x 3 bedroomed dwelling. The one bedroomed properties would have 1 parking space provided whilst the 3 bedroomed property would have 2 car parking spaces provided.

This level of car parking would meet the Council's maximum car parking standards as outlined within Appendix 3 of the Core Strategy.

The proposal would create a modest increase in traffic using Greenland Road and the other adjoining roads which is unlikely to result in any harm to highway safety.

The proposal would comply with Core Strategy policies P5 and S1.

#### Impact on drainage/land stability

Core Strategy policy CG4 seeks to ensure that development proposals do not cause detrimental impacts upon water, ground or air quality. In addition, where proposals may be affected by contamination or ground instability, appropriate surveys should be provided.

Subject to the usual planning condition relating to the provision of a remediation strategy and subsequent validation upon completion of the development it is considered that the development could be safely developed from a construction and end user perspective. It is also noted that the Council's Drainage team have requested further information. It is considered that these requirements are conditional upon any approval and the details approved prior to the commencement of development.

The proposal would comply with Core Strategy policies CG4 and CG1.

#### Impact on sustainability

Core Strategy policy CG2 seeks to ensure that new development contributes to the delivery of sustainable development by way of ensuring new dwellings are (i) constructed to sustainable construction standards (Code for Sustainable Homes), (ii) incorporate reductions in CO2 emissions either by way of a fabric first approach or by the use of renewable energy sources within developments and (iii) for previously developed sites - reduce surface water run-off by 50%.

Item (i) has been superceded by the requirements of the Building Regulations system. It is envisaged that the later two items would be secured using appropriately worded conditions for the proposed development.

Subject to compliance with the two conditions it is considered that the proposal would comply with policy.

#### Impact on existing infrastructure

Policies H1, A1 and IPC1 and guidance contained within the Infrastructure and Planning Contributions SPD all seek to ensure that the existing and proposed infrastructure has the capacity to absorb the proposed development. This includes potential requirements ranging from affordable housing, public open space, public art, and an off site contribution for education provision.

As the proposal would be for social housing it would be exempt from the provision of any s.106 contributions.

The proposal would comply with policy.

#### **Value Added to the Development**

The applicant has amended the scheme to meet the requirements of the Environment Agency.

#### **Local finance considerations**

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

New Homes Bonus for the 15 no. proposed dwellings – this is not a material planning consideration.

#### **Conclusion**

The proposed development is, as stated previously, consistent with both local and national policy as it is for the redevelopment of a brownfield site for housing. The site is within the urban area and within easy walking distance of major transport routes along Bradford Road and Green Lane and is considered to be entirely acceptable in principle. The overall design whilst representing good urban design would require a compromise in the loss of existing trees from the site, particularly in the north west corner of the site. It is considered however that subject to replacement tree planting adjacent to the site the tree loss would be mitigated.

Therefore on balance the proposal is recommended for approval subject to conditions.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** a total of four objection letters have been received raising the following concerns:

- This is a lovely peaceful green area of Great Lever which will be lost/affected by the proposal;
- Nice views currently which would be restricted by the proposed development - ***loss of view is not a material planning consideration;***
- The development would be out of character with the area;
- Increased noise pollution and traffic congestion;
- Query whether there is sufficient parking for the properties;
- The road/pavement is used as a route for children to go to School - potential road safety issues if the number of cars using the site increases;
- Set precedent for further housing development on greenfield land - ***each development is assessed on it's merits and would not set a precedent for further development elsewhere;***
- Don't want social housing in the neighbourhood. There are currently problems with young adults in the late evening from the Flower Pot estate. The increase in social housing will attract unwanted characters to this area. ***Subject to management of the development and tenants the proposal would be unlikely to result in any increase in anti social behaviour. The proposal will occupy an unmanaged site bringing further natural surveillance to the area where it currently does not exist;***
- Impact on wildlife e.g. roe deer, foxes, bird life. Better to enhance the area for use by wildlife

*A number of questions have also been asked:*

Will the Bishops Road/Greenland Road junction be widened resulting in some trees being cut down?

***It is not envisaged that this junction would be removed as it is not required to facilitate the proposed development.***

Will Greenland Road be reopened? - ***the road would remain closed.***

**Petitions:-** no petitions received.

**Elected Members:-** no comments received.

### **Consultations**

Advice was sought from the following consultees: Environment Agency, Trees and Woodland Officer, United Utilities, National Grid, Health and Safety Executive, Design for Security (GMP), Drainage/Flood risk team, Landscape Architects, Wildlife Liaison Officer.

### **Planning History**

An outline planning application was submitted in March 2004 (Ref: 67198/04) for the demolition of the existing Conservative Club and residential development. The application was subsequently withdrawn in June 2004.

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

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

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

Reason

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

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

Reason

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

3. 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.

4. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources or the reduction in CO2 emissions would need to be derived using an enhanced fabric first approach. 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. 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.

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

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

Reason

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

6. No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except

privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the LPA.

Reason

To preserve and protect Wildlife and Wildlife habitats. [Amend if EA state differently]

7. Prior to the commencement of the development:-

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

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

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

Reason

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

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

Reason

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

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

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

Reason

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

10. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Greenland Road shall be constructed in accordance with the drawing ref 386 59 (02) 001 Rev. J

Reason

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

11. 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.

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

Reason

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, hardstandings, fences, gates, walls, soil stacks, waste pipes (other than rainwater pipes), meter boxes, central heating or biomass heating flues, solar PV, solar thermal, wind turbines, satellite dish(s), TV or radio antenna, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed.

Reason

To safeguard the character and appearance of the dwelling/land and or the plot size is limited and any extension would result in an unsatisfactory scheme.

14. 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: [ ]\*\* .

Reason

In the interests of highway safety.

15. No vegetation clearance or demolition of buildings should 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.

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

**Drawing No. 386 59 (02) 001 Rev. J - Proposed Site Layout, dated Dec 2015;**  
**Drawing No. 386 59 (02) 201 # House type A, dated June 2016;**  
**Drawing No. 386 59 (02) 202 # House type B, dated June 2016;**  
**Drawing No. 386 59 (02) 203 # Flat type C, dated June 2016;**  
**Drawing No. 386 59 (02) 211 # Street Elevations, dated July 2016;**  
**Drawing No. 15188-C-900 Rev. E - Proposed Schematic Design, dated 28.07.16;**  
**Drawing No. 15188-C-901 Rev. A - Proposed Access, Visibility, and Tracking plan dated 01.06.16;**  
**Drawing No. 15188-C-902 - Proposed Site Sections, dated 28.07.16;**  
**Drawing No. 15188-C-903 Rev. A - Proposed Cross Section, dated 02.11.16;**  
**sss-6564 Rev. A - Existing levels / topographical, dated 29.01.16.**

Reason

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



Accommodation Schedule

10no. Type A 2B/4P houses @ 67.2m<sup>2</sup>  
1no. Type B 3B/5P house @ 82.2m<sup>2</sup>  
4no. Type C 2B/3P flats @ 58.2m<sup>2</sup> (ground), 63.9m<sup>2</sup> (first)

Total 15no. Dwellings (57no. Persons)

Car Parking:

10no. houses - 1no. space  
4no. flats - 1no. space  
1no. house - 2no spaces

Site Area 0.47Ha (1.17Ac) approx.

Site Density 31.91 Dwellings/Ha  
(121 persons/Ha)



Key

- Site boundary
- Planting - See Landscape Architect's Drawings.
- New tree (species TBC).
- Existing tree/ bush retained.
- Existing tree/bush removed.
- New dwelling
- Domestic refuse bin storage (general & recycling), Hit & miss timber fence enclosure in front gardens.

REV: J DATE: 29/07/16 DRAWN: MWB/CHECKED: SUIT ENGINEER'S DRAWINGS

REV: H DATE: 25/07/16 DRAWN: MWB/CHECKED: KWB AMENDED TO COORDINATE WITH LANDSCAPE SCHEME. GATES TO REAR GARDENS OF PLOTS 1-10 MOVED BACK AWAY FROM HALLWAY WINDOWS.

REV: G DATE: 19/07/16 DRAWN: MWB/CHECKED: KWB SITE BOUNDARY AMENDED TO SUIT TITLE PLAN. LAYOUT AMENDED TO REFLECT ENGINEER & LANDSCAPE ARCHITECT'S PROPOSALS

REV: F DATE: 03/06/16 DRAWN: MWB/CHECKED: KWB TYPE B PLAN AMENDED. LANDSCAPING DETAILS/TREE DEMOLITIONS ADDED.

REV: E DATE: 27/04/16 DRAWN: MWB/CHECKED: KWB KERB LINES TO SITE ENTRANCE/ENTRANCE ROAD REVISED.

REV: D DATE: 26/04/16 DRAWN: MWB/CHECKED: KWB 3B/5P HOUSE REINSTATED. EASEMENTS ADJUSTED

REV: C DATE: 25/04/16 DRAWN: MWB/CHECKED: KWB LAYOUT RECONFIGURED TO ALLOW FOR BANKING EASEMENT

REV: B DATE: 08/04/16 DRAWN: MWB/CHECKED: KWB LAYOUT AMENDED TO SUIT ENGINEER'S DRAWINGS AND PLANNER'S/HIGHWAYS COMMENTS.

REV: A DATE: 14/01/16 DRAWN: MWB/CHECKED: KWB LAYOUT AMENDED TO ACHIEVE +2 UNITS ON SITE

REVISIONS

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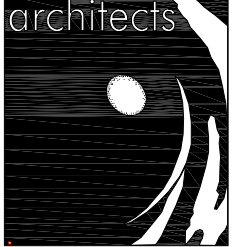


Proposed Residential Development at  
GREENLAND ROAD, BOLTON

PROPOSED SITE LAYOUT

Drawn: MWB Scale: 1:200 @ A1  
Date: DEC 15 Checked: KWB

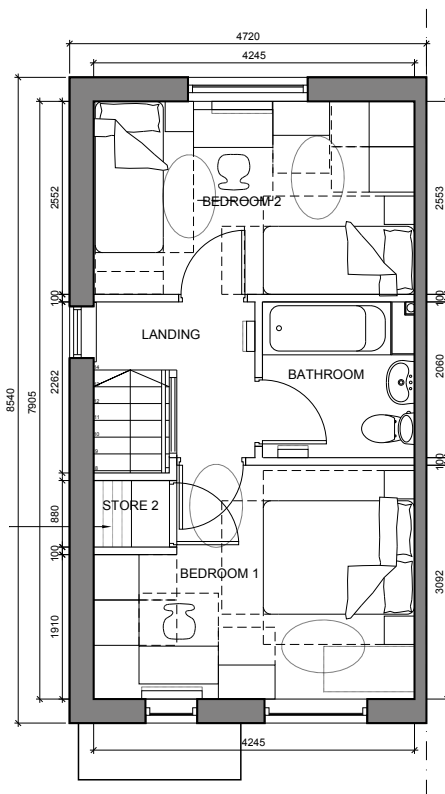
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0113 2754000  
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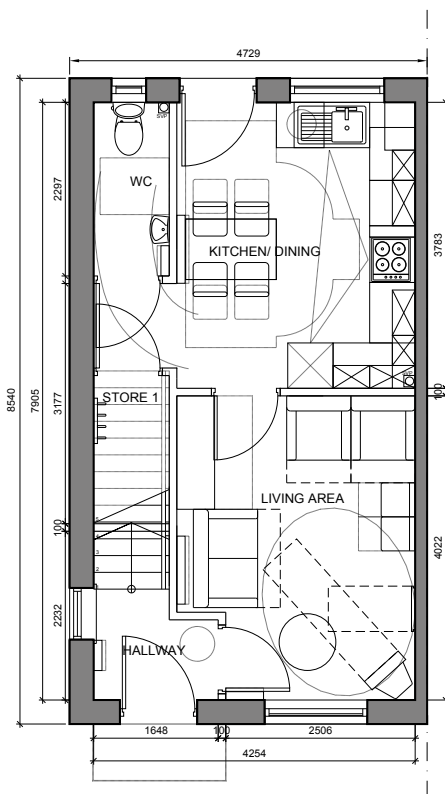
Dwg No: 386/59(02)001 J

FOR DETAILS OF PROPOSED LANDSCAPING SEE LANDSCAPE ARCHITECT'S DRAWINGS  
FOR DETAILS OF PROPOSED LEVELS INCLUDING FINISHED FLOOR LEVELS AND SPOT HEIGHTS SEE ENGINEER'S DRAWINGS





FIRST FLOOR PLAN



GROUND FLOOR PLAN



Front elevation



Rear elevation



Side elevation

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**CORNELL**  
GROUP

Proposed Residential  
Development at

GREENLAND ROAD, BOLTON

**HOUSE TYPE A**  
**2 BED 4 PERSON**  
**67.2m<sup>2</sup>**

Drawn: MWB  
Date: JUNE 2016

Scale: 1:100 @ A3  
Checked: KWB

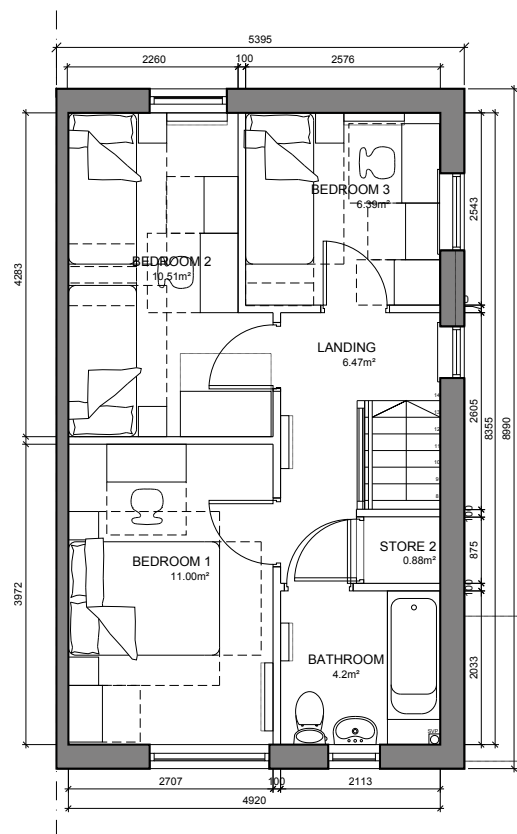
**brewsterbye** architects

5 NORTH HILL ROAD  
HEADINGLEY  
LEEDS  
LS6 2EN

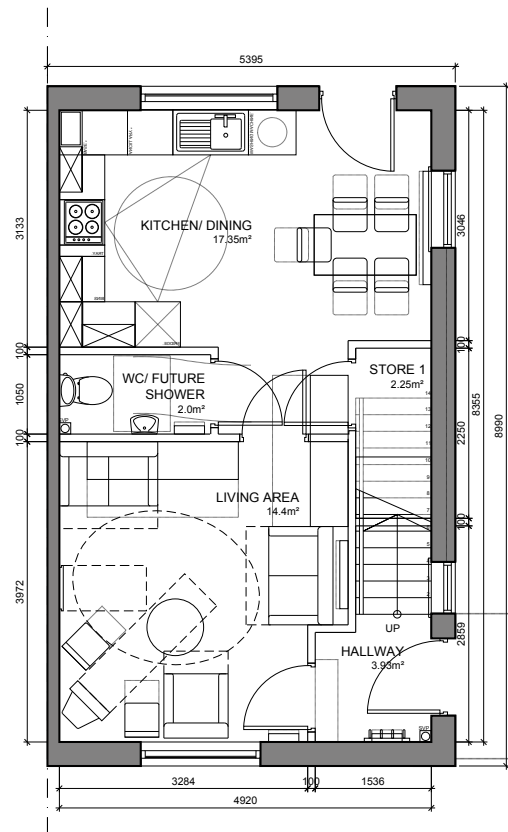
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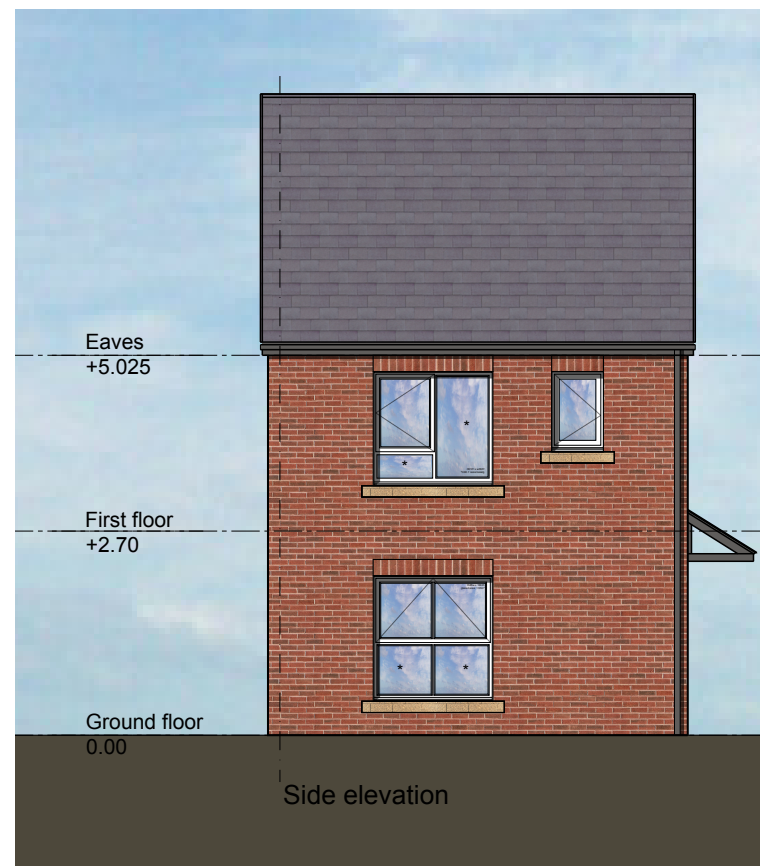
Dwg No: 386/59(02)201 #



FIRST FLOOR PLAN



GROUND FLOOR PLAN



Side elevation



Rear elevation



Front elevation

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**CORNELL**  
GROUP

**Proposed Residential  
Development at**

GREENLAND ROAD, BOLTON

**HOUSE TYPE B  
3 BED 5 PERSON  
82.2m²**

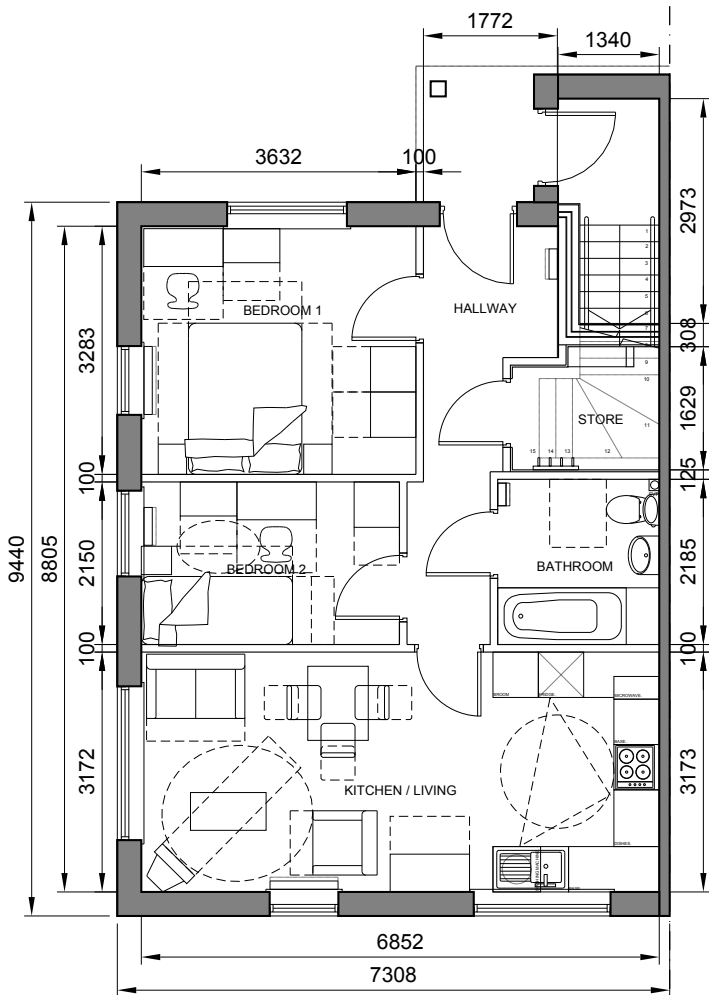
Drawn: MWB  
Date: JUNE 2016

Scale: 1:100 @ A3  
Checked: KWB

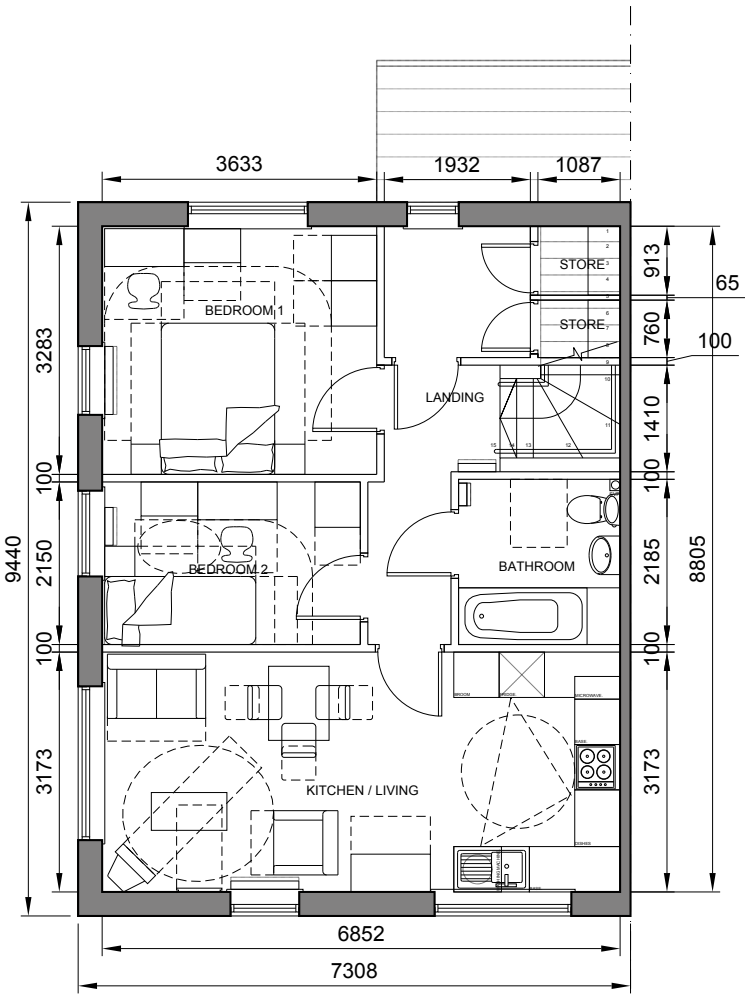
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**Dwg No: 386/59(02)202 #**



GROUND FLOOR PLAN  
2B/3P FLAT  
58.2 m²



FIRST FLOOR PLAN  
2B/3P FLAT  
63.9 m²



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CORNELL  
GROUP

Proposed Residential  
Development at  
GREENLAND ROAD, BOLTON

FLAT TYPE C  
2 BED 3 PERSON

Drawn: MWB  
Date: JUNE 2016  
Scale: 1:100 @ A3  
Checked: KWB

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Dwg No: 386/59(02)203 #





Street Elevation A



Street Elevation C-C



Site Section B-B



Site Section D-D



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Proposed Residential  
Development at  
GREENLAND ROAD, BOLTON

STREET ELEVATIONS

Drawn: MWB  
Date: JULY 2016  
Scale: 1:200 @ A2  
Checked: KWB

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Dwg No: 386/59(02)211 #



# Application number 97199/16



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97199/16**

**Type of Application: Full Planning Application**

**Registration Date: 10/08/2016**

**Decision Due By: 08/11/2016**

**Responsible  
Officer: Alex Allen**

**Location: LAND AT, BLINDSILL ROAD, FARNWORTH, BOLTON**

**Proposal: ERECTION OF 77 DWELLINGS, (19 X 2 BED, 50 X 3BED, 8 X4  
BED) WITH ASSOCIATED ROADS AND SEWERS.**

**Ward: Farnworth**

**Applicant: Gleeson Homes**

**Agent :**

## **Officers Report**

**Recommendation: Delegate the decision to the Director**

### **Proposal**

The applicant proposes the erection of 77 new homes with the retention of three areas of informal public open space within the development. The development would provide a mix of house types, including , 19 two bedroomed semi detached properties, 37 three bedroomed semi detached properties, 13 three bedroomed detached properties and 8 four bedroomed detached properties. All new dwellings would be two storey.

The sole vehicular access to the site would be from Macdonald Avenue to the south whilst an emergency access point would be located to the west from Ramsay Avenue (between No's 77 and 83). This would also ensure that access points to existing properties would also be retained. Additional existing pedestrian points off Ramsay Avenue (between No's 33 and 35), Gorton Street and off George Street (between No's 42 and 44) would be enhanced.

The scheme has been designed to ensure that the new area of public open space are overlooked by the proposed new properties.

### **Site Characteristics**

The site comprises of an area of open space and former skate park which is approximately 2.5 hectares in area. The land is mainly used as informal open space by members of the public. The site is enclosed and bound to all sides by the rear gardens of existing dwellings located along Macdonald Avenue, Gorton Street, Ramsay Avenue and George Street.

There are a number of established informal access points into the site from George Street, Gorton Street, Macdonald Avenue and Ramsay Avenue. The existing site is undulating with the site sloping generally to the south/Macdonald Avenue.



## **Policy**

### **National Planning Policy Framework**

Core Strategy policies:- P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing and RA2 Farnworth.

General Design Principles SPD, Accessibility, Transport and Safety SPD and Infrastructure and Planning Contributions SPD (July 2016).

## **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 highway safety;
- \* impact on the adjoining uses / users;
- \* impact on ecology / biodiversity;
- \* impact on surface water run-off / site drainage / flooding; and
- \* impact on land stability;
- \* impact on existing infrastructure.

### **Principle of residential development**

National policy on residential development is contained in the National Planning Policy Framework. Paragraph 47 states Local Planning Authorities should ensure a sufficient 5 year housing land supply, in the context of the presumption in favour of sustainable development. In addition, paragraphs 50 and 53 seek to provide a mix of housing reflecting local demand with Council's setting out policies to resist the inappropriate development of residential gardens where this would result in harm to the local area.

Policies outlined in Bolton's Core Strategy sets out clearly the approach which needs to be taken. Core Strategy policy SC1 seeks to prioritise the use of previously developed land whilst making an allowance for some greenfield development, predominantly as part of the Transforming Estate Programme.

In addition, the Core Strategy Allocations Plan identifies sites which are considered to be appropriate for housing use. These allocations sought to provide sufficient housing land to meet the Council's Housing Land requirement between 2012 and 2026. Whilst at an early stage Members will be aware that a consultation draft of the Greater Manchester Spatial Framework seeks to create a strategic

plan for the conurbation of Greater Manchester. Part of this strategy will be to provide sufficient housing in Greater Manchester between 2015 to 2035. This Strategy includes new sites either on land within the Green Belt or on Other Protected Open Land. It is noted that as a baseline the requirements include land already allocated for housing, predominantly in the urban area.

In the context of the application site, it is noted that the site is allocated for residential development and as such is considered to be appropriate for housing. Due to the size of the site it is clear that it has the potential to provide housing in the short term i.e. within 5 years of commencement.

The proposal will have a positive impact in housing provision terms. It is considered that the application complies with Core Strategy policy SC1.

#### Impact on the character and appearance of the area

Core Strategy Policy CG3 seek to ensure that the design, landscaping and context of new residential developments, reflect their surroundings and make a contribution to good urban design.

The character of the wider area is one of semi detached two storey residential properties. Century Mill to the east located on George Street provides a local land mark.

Whilst the site is currently greenfield, it is surrounded on all sides by residential development. The informal routes into the existing area of open space would be retained.

The proposed house types, including the proposed materials, would be similar to those properties which adjoin the site. Whilst the majority of the existing open space would be removed by the proposed development it is noted that the development would retain open space within the development with soft edges/areas of open space retained off Ramsay Avenue to the west and Gorton Street in the eastern corner of the site.

Whilst the character of the site would change it is considered that given the site's allocation for residential development the proposal would be acceptable and that the retention of some green space within the overall development would soften the impact of the proposed development.

It is considered that the proposal would comply with policy.

#### Impact on highway safety

Core Strategy policies P5 and S1 states that the Council will permit those developments that have taken into account provision for pedestrians and cyclists; road design, layout and construction; vehicle servicing and access arrangements; car, cycle and motor-cycle parking; and access to, and by, public transport. Development proposals should not adversely affect the safety of highway users, including pedestrians, as well as the safe and efficient circulation of vehicles.

The Council's Highways Engineers have confirmed that the proposed layout provides sufficient parking provision to support the level of development. The residential layout also complies with the Council's standards for adoption.

Subject to the conditions recommended by the Council's Highways Engineers, it is considered that the proposal complies with policy.

#### Impact on the adjoining uses / users

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses by way of privacy, amenity and security. In addition, guidance contained within the House Extension SPD provides advice on interface distances to ensure adequate privacy

between existing and new developments.

In terms of the interface distances outlined within the General Design Principles SPD, the proposals would meet the recommended interface distances.

The proposal has been sensitively designed to maintain the living conditions of existing residents and complies with policy.

#### Impact on ecology / biodiversity

Core Strategy policy CG1.2 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows.

The Council's Trees and Woodland Officer states that the proposal would remove nearly all of the existing trees on the site, particularly on the northern, eastern and central area. Whilst the trees are categorised as being B2 in quality i.e. trees of moderate quality and value as they are in large numbers their collective value is greater. The Council's TWO also recognises that some of the trees have been damaged by anti social behaviour.

Within the retained areas of public open space it is considered that the proposal has the potential to provide sufficient replacement tree planting within the site to offset the loss of existing trees. The Council's TWO has recommended that larger trees be planted where appropriate. It is considered that this would be conditional upon any approval.

A number of local residents have raised the potential presence of Great Crested Newts and bats within the site. The presence of Great Crested Newts is extremely unlikely due to the lack of any potential breeding ponds within 250/500 metres of the application site.

With regard to bat roosts within the existing trees, the applicant has submitted a Habitat Survey as part of the original application submission. This document states that the site was surveyed as to the presence of roosting bats. No features of bat roost potential were found within the site. The report does conclude that the site has potential for foraging and commuting bats. The report concludes that after development once landscaping on the site and the retained open space establishes itself this will increase the opportunity for additional food sources for bats to be developed.

Officers from the Greater Manchester Ecology Unit have commented that the site is of limited ecological value. They comment that the site does support trees and scrub which may be used by nesting birds. Therefore, based on GMEU comments it is recommended that conditions be placed on any permission which restrict the removal of vegetation from the site to outside the bird breeding season, together with the removal of Japanese knotweed from the site and the submission of biodiversity enhancement measures.

It is considered that the submission of biodiversity enhancement measures could potentially include bat and bird boxes attached to the proposed new dwellings.

It is considered that the proposal would over time compensate for the initial loss of trees and biodiversity value from the site once the new landscaping of the site/area becomes established.

#### Impact on land drainage / surface water run - off and flooding

Core Strategy policy CG1.5 seeks to ensure that new development proposals reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed concentrating new development in areas of lowest

flood risk. In addition, Core Strategy policy CG2.2 (b) seeks to demonstrate sustainable management of surface water run-off from developments.

The Council's Drainage officers have commented that the applicant has not provided all the required information to enable full assessment of the proposal.

Officers would note that whilst the above pieces of information are important, they are not critical to whether the development is acceptable. The applicant has submitted a Flood Risk Assessment which is considered to be satisfactory. It is not considered appropriate to request the additional information prior to determination.

It is considered that the proposal would comply with Core Strategy policy CG1 and CG2.

#### Impact on land stability

Core Strategy policy CG4 seeks to ensure that new development proposals on land affected by ground instability must include an assessment of the extent of the issues and any possible risks. Development will only be permitted where the land is, or is made suitable for the proposed use.

It is noted that the Coal Authority require further information from the applicant to ensure the development could be safely developed. As part of the submission the applicant has provided a Phase 1 which recommends a more intrusive survey of the site.

It is considered that the proposal could be satisfactorily built out subject to an adequate remediation / development strategy for the site. This would need to be submitted prior to commencement of development and would be conditioned upon approval from Members.

The proposal complies with Core Strategy policy CG4.

#### Impact on existing infrastructure

Policies H1, A1 and IPC1 and guidance contained within the Infrastructure and Planning Contributions SPD all seek to ensure that the existing and proposed infrastructure has the capacity to absorb the proposed development. This includes potential requirements ranging from affordable housing, public open space, public art, and an off site contribution for education provision.

As part of the original submission the applicant provide a viability report which summarised that the development would provide the applicant, Gleeson Homes with a profit margin of some 10%. This has been verified by the Council's surveyor as an accurate assessment of the site. Furthermore, Gleeson Homes business model is such that the properties would be sold at a level which would enable persons renting accommodation in the local area to afford a mortgage for the properties.

However, as with the Gleeson Homes development which is currently underway at Lorne Street (which was also unviable), the company are prepared to provide a contribution of £500 per plot, a total of £38,000 for s. 106 contributions. This money would come from central company funds. Given the loss of public open space it is envisaged that this money should be spent on improvement existing public open space elsewhere within the locality. The Council's Landscape team have recommended the monies are spent on improved play facilities at James Street some 250 metres to the south of this site.

It is considered that the proposal would comply with Core Strategy policy IPC1.

#### **Conclusion**

The proposal represents development which would be in character with the residential character of

the adjoining area. Whilst the proposal would result in the removal of a large proportion of the existing open space there would be some open space retained within the development which would have the ability to be used by new and existing residents. The proposal would respect the living conditions of existing residents together with ensuring the road layout and off road car parking is sufficient not to be detrimental to highway safety.

Subject to the provision of an off site contribution to provide for the improvement of public open space within the local area, and replacement tree planting to offset the proposed tree loss as part of this development it is considered that the proposal would on balance be satisfactory. Officer recommend members delegate the decision to the Director of Place pending signing of the s.106 agreement.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** two objections letters have been received from local residents raising the following concerns:

- the proposal would deprive local residents of the only piece of public land available in the area which is used as a football pitch and skate park.
- loss of mature trees;
- loss of existing access rights over land;
- concerns over mining subsidence - some houses in the area have had to be pulled down due to this issue;
- loss of area for children to play on;
- increase in demand for school places;
- canals run underneath the land/area;
- loss a beautiful place;
- unaffordable housing.

**Petitions:-** one petition has been submitted with a total of 929 signatures stating that there are few green spaces left in the area where children can play. 2 protected species (Great Crested Newts and bats) are known to have inhabited the land, there is a covenant on the land which restricts its use, the land should be retained for community use and a safer place to play for children. Attached to the petition there are also 219 no. comments on the petitions raising similar concerns as those attached to the petition and also the 2 objection letters including the following concerns:

- Properties will be overlooked by new residents;
- construction noise;
- maximise the use empty houses so new houses aren't required;
- better use of the land would be for a youth club;
- no more houses are required;
- increase in traffic volume;
- should use previously developed sites first.

**Elected Members:-** Councillor Ibrahim has requested that the final determination of this application is made by the Planning Committee following a site visit by Members. As a major application the proposal was to be determined by Committee in accordance with the scheme of delegation.

### **Consultations**

Advice was sought from the following consultees: the Coal Authority, the Council's Environmental Health Officers, Trees and Woodland officers, Highways Engineers, Wildlife Liaison Officer, Landscape Architects, Housing Strategy officers, Strategic Development Unit, Economic Strategy, Corporate Property Services, Asset Management/Education officers, the Environment Agency, Design for Security (GMP), Greater Manchester Ecology Unit and the Primary Care Trust.

### **Planning History**

Planning permission was granted in November 2003 for a temporary one year permission for the use of part of the application site as a skate park facility including the erection of a fence (Ref: 65897/03).

Full planning permission was granted for the retention/permanent use of part of the application site as a skate park facility in March 2004 (Ref: 66827/04). Reference was made in the report to the earlier use of the site/wider site for quad biking in the evening and the dumping of stolen cars on the land which are subsequently burnt out.



**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 the commencement of development full details of the highway works at the junction of the site access road with Mac Donald Avenue comprising of a 5.5 metre wide carriageway, 2 x 2 metre wide footways and 5.0 metre radii 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.

3. Prior to the commencement of development full details of the highway works at access onto George Street to accommodate emergency access / pedestrian access 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. Prior to the commencement of development full details of the highway works at Gorton Street.Back Gorton Street and Blindsill Road comprising of stopping up of redundant sections of underadopted highway under s. 247/253 of the Town and Country Planning Act 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.

5. Prior to the commencement of development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders on Gorton Street/Back Gorton Street and to enable the Local Highway Authority to consult , advertise, promote and implement Traffic Regulation Orders to implement a 20 mph speed limit.

Reason

In the interests of highway safety.

6. Prior to the commencement of development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders at the new junction access onto Mac Donald Avenue and the turning provision within the site to enable the Local Highway Authority to consult , advertise, promote and implement Traffic

Regulation Orders to mitigate the likely impact of the development.

Reason

In the interests of highway safety.

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

Reason

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

8. Development shall not commence until a scheme for the eradication of Japanese knotweed has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for implementation. 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. The scheme shall be carried out as approved and retained thereafter.

Reason

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

9. 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.

10. Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall include:
- (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to human health, property or the environment;
  - (iii) an appraisal of remedial options and proposal for a preferred option. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

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

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

Reason

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

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

1. The trees 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).

12. 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 [as part of the reserved matters submissions required by condition (number)] 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.

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

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

Reason

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

14. 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. Garage driveways shall be a minimum of 6 metres long. The (those) area(s) shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order) other than (a) garage(s), no extensions, porches, outbuildings, sheds, greenhouses, oil tanks, wind turbines or satellite antennae shall be erected within that area.

Reason

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

15. 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.

16. Prior to the development hereby approved/permitted being first occupied or brought into use, all Traffic Regulation Orders required by the Local Highway Authority to mitigate the impact of the development / implement a 20mph speed limit shall be implemented in full.

Reason

In the interests of highway safety and in order to comply with Core Strategy policies S1 and P5.

17. 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.

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

Reason

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

19. Before the approved/permitted development is first brought into use car parking spaces metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: GH.212814.101 Rev. A. Such spaces shall be made available for the parking of cars at all times the dwellings are occupied.

Reason

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

20. 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 GH.212814.101 Rev. A Planning Layout.

Reason

In the interests of highway safety.

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

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety and in order to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

22. No vegetation clearance or demolition of buildings should 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.

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

**Drawing No. GH.212814.102 A – Planning Layout, dated 07/16;**  
**Drawing No. 7344/01 – Topographical, dated 01/10/15;**  
**Drawing No. 13/201 02 Rev D – Type 201 Elevations, dated July 2010;**  
**Drawing No. 13/202 02 Rev E – Type 202 Elevations, dated July 2010;**  
**Drawing No. 13/301 02 Rev D – Type 301 Elevations, dated July 2010;**  
**Drawing No. 13/302 02 Rev D – Type 302 Elevations, dated July 2010;**  
**Drawing No. 13/303 02 Rev D – Type 303 Elevations, dated July 2010;**  
**Drawing No. 13/304 02 Rev E – Type 304 Elevations, dated July 2010;**  
**Drawing No. 13/307 02 Rev E – Type 307 Elevations, dated July 2010;**  
**Drawing No. 13/309 02 Rev C – Type 309 Elevations, dated December 2010;**  
**Drawing No. 13/401 02 Rev C – Type 401 Elevations, dated July 2010;**  
**Drawing No. 13/403 02 Rev B – Type 403 Elevations, dated July 2010;**  
**Drawing No. 13/404 02 Rev B – Type 404 Elevations, dated July 2010;**  
**Drawing No. 201/1F – Type 201 Plans and Elevations, dated July 2010;**  
**Drawing No. 202/1F – Type 202 Plans and Elevations, dated July 2010;**  
**Drawing No. 301/1G – Type 301 Plans and Elevations, dated July 2010;**  
**Drawing No. 302/1G – Type 302 Plans and Elevations, dated July 2010;**  
**Drawing No. 303/1E – Type 303 Plans and Elevations, dated July 2010;**  
**Drawing No. 304/1E – Type 304 Plans and Elevations, dated July 2010;**  
**Drawing No. 307/1B – Type 307 Plans and Elevations, dated Sept 2013;**  
**Drawing No. 309/1E – Type 309 Plans and Elevations, dated July 2011;**  
**Drawing No. 401/1G – Type 401 Plans and Elevations, dated July 2010;**  
**Drawing No. 403/1G – Type 403 Plans and Elevations, dated July 2010; and**  
**Drawing No. 404/1F – Type 404 Plans and Elevations, dated October 2010.**

Reason

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



# Planning Layout

Blindsill Road, Farnworth

## Schedule

Site Blindsill Road, Farnworth					
Number	Description	Ref	Name	Area Sq. Ft	Total Sq. Ft
11	2 Bedroom 2 Storey	201	Cork	651	7161
8	2 bed terrace/semi	202	Kerry	671	5368
16	3 Bedroom	301	Tyrone	759	12144
6	3 bed terrace/semi	302	Galway	759	4554
12	3 bed terrace/semi	303	Wicklow	772	9264
3	3 bed terrace/semi	309	Fergus	788	2364
7	3 bed detached	304	Kilkenny	772	5404
6	3 bed detached	307		807	4842
4	4 Bedroom	401	Longford	1066	4264
2	4 bed detached	403	Carlow	1048	2096
2	4 bed detached	404	Cavan	1048	2096
77	Total units on site		Total	59557	



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# Application number 97426/16



Development & Regeneration Dept  
Development Management Section

Town Hall, Bolton, Lancashire, BL1 1RU  
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# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97426/16**

**Type of Application: Local Authority Applications\Development**

**Registration Date: 12/09/2016**

**Decision Due By: 06/11/2016**

**Responsible Officer: Martin Mansell**

**Location: TESCO, 63 MARKET STREET, LITTLE LEVER, BOLTON, BL3 1HH**

**Proposal: CHANGE OF USE FROM VACANT RETAIL (CLASS A1) TO LIBRARY AND OTHER COMMUNITY FACILITIES (CLASS D1)**

**Ward: Little Lever and Darcy Lever**

**Applicant: Mr Mee**  
**Agent :**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Consent is sought to change the use of this vacant Class A1 retail unit to Class D1 (non-residential institution). It is intended that the former supermarket would be fitted out as a library along with other health and community facilities.

### **Site Characteristics**

The property is a single storey purpose-built convenience store (a vacant former Tesco Metro) constructed from brick with a shallow pitched roof. The unit is attached to a smaller retail facility currently operated as a betting shop by Betfred. There is a 69 space customer car park provided to the rear of the unit together with a self-contained secure service yard area. The unit has a total floor space of 728 square metres of which 485 is currently accessible to the public.

The site is situated on Market Street, close to the retail units of Little Lever Village Centre and within the defined boundary of Little Lever Local Town Centre. Nearby uses are typical of a small town centre. Adjacent to the north west is a dental surgery and opposite is a row of small single storey dwellings. The recently development and larger Tesco store is located a short walk away to the north east.

### **Policy**

National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, promoting healthy communities

#### **Core Strategy Objectives**

SO1 Access to Health, SO2 Access to Education, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO16 Community Cohesion and Access

## Core Strategy Policies

H1 Health Facilities, P2 Retail, P5 Transport, S1 Crime and Road Safety, CG4 Compatible Uses, SC2 Cultural and Community Facilities, OA6 Little Lever

### **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 nearby uses
- \* impact on the road network
- \* impact on Little Lever Town Centre
- \* impact on community provision

### **Impact on Nearby Uses**

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

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

The use is considered appropriate for this area, given the town centre context. The proposed use is not considered to be likely to give rise to land use conflicts over and above the existing lawful use as retail. It is noted that no concerns have been received from nearby consulted residential properties - in fact, one local resident has written in support of the proposal on the grounds that the vacant store is attracting anti-social behaviour.

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

### **Impact on the Road Network**

National planning policy for transport is set out in the National Planning Policy Framework (NPPF). The NPPF has retained the PPG13 objective to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. It goes on to state that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things,

improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety. The Council has also adopted the Accessibility, Transport and Road Safety SPD which seeks to encourage sustainable modes of transport by locating new development in accessible locations.

The proposed use is not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and above the existing lawful use as retail. It is also noted that the Council's Highway Engineers do not raise objection, advising that there appears to be ample off-road parking provision within the site to support the level of D1 use proposed and noting that the site is also located within a town centre area and is highly accessible to sustainable transport modes.

The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1 and the Accessibility, Transport and Road Safety SPD.

#### Impact on Little Lever Town Centre

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

The Core Strategy notes that Little Lever town centre fulfills a crucial role in that part of the borough. Policy OA6 relates specifically to Little Lever and states that the Council would permit expansion for additional convenience retail floor space and this has been achieved by the development of the larger Tesco unit nearby. National and local planning policies recognise that town centres generally benefit from a mix of uses and therefore it is not considered that the loss of this unit for retail purposes would harm the availability of convenience retail in Little Lever.

The occupancy of this vacant unit is considered to be of benefit to Little Lever Town Centre.

#### Impact on Community Provision

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 take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

It goes on to state that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. Planning policies and decisions, in turn, should aim to achieve places which promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity; 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, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

"Healthy" is one of the six themes of Bolton's Sustainable Community Strategy, the other five being Achieving, Prosperous, Safe, Cleaner & Greener and Strong & Confident. Policy SO1 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, maximise access to health facilities. Policy H1 states that the Council and its partners will support the development of new health facilities in accessible town centre locations, and in renewal areas.



Policy SO14 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, provide housing that meets the needs of everybody. Policy SO16 seeks to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities. Policy SC2 of the Core Strategy states that the Council will ensure that community facilities are located in the neighbourhoods that they serve.

It is understood that the current library, built in 1940, is substandard considering the number of visitors and the demand it attracts consequently it is very difficult to operate a modern, accessible library offer from the present site which also has no on site car parking. The space available at the new location would allow flexibility of layout to give enhanced facilities and to allow the library service to develop a partnership model with other local organisations. This would promote the volunteer offer leading to community led services with the library acting as a hub and enabler for local initiatives. By working closely with residents and local partners such as health providers the new facility and services it provides will be tailored to local needs and has the potential to provide better accommodation for such uses than is currently the case.

It is considered that the proposed use would be located within the community that it serves and would make a significant and positive benefit to community provision.

#### **Local finance considerations**

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

#### **Conclusion**

This is a vacant unit with little prospect of being occupied for a retail use. The proposed development would deliver community and town centre activity benefits and no harm has been identified to outweigh this.

The application is recommended for approval with a condition that the parking spaces be retained.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** one letter of support has been received from a local resident, on the basis that:-

- this development would have a positive impact on the local community
- the vacant store is attracting youths and anti-social behaviour, is an eyesore and detracts from the centre of Little Lever
- the existing library facility is old, and lacks functional, flexible space
- by developing a modern building, the lifespan of the library would be extended, in addition to being more accessible and having parking available for visitors

A comment has been received relating to works being needed to trees at the site; however, this is not considered to relate to the development being proposed and the comment will be passed on to the applicant department for consideration

### **Consultations**

Advice was sought from the following consultees: Highway Engineers

### **Planning History**

Planning permission was granted in 1984 for the erection of retail supermarket and car park (22567/84)

**Recommendation:            Approve subject to conditions**

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

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

Reason

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

2. Before the approved/permitted development is first brought into use no less than 69 car parking spaces shall be retained within the curtilage of the site and made available for the parking of cars at all times the premises are in use.

Reason

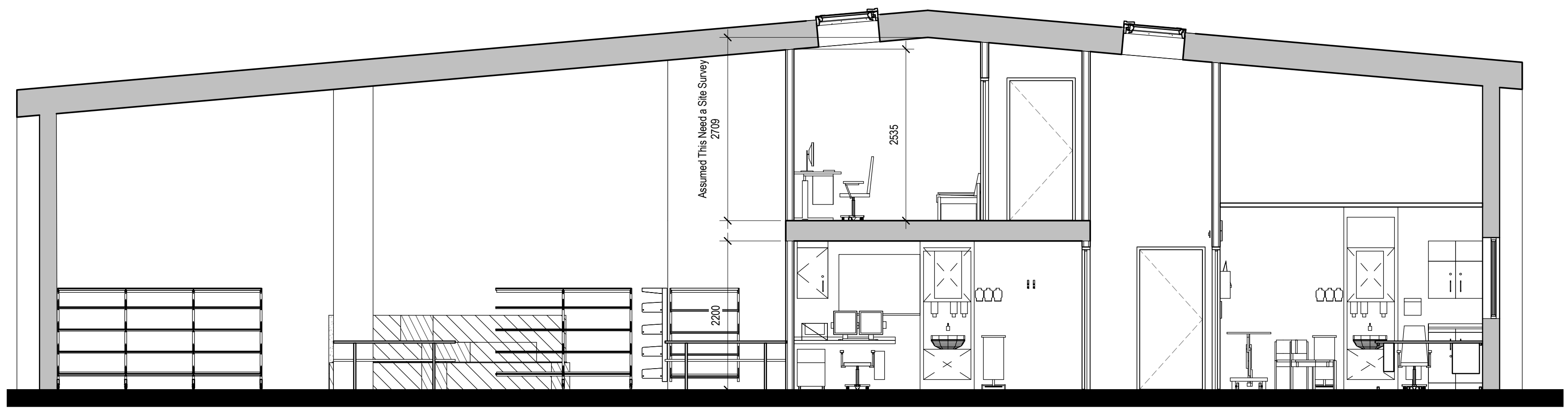
To ensure that adequate provision is made for vehicles to be left clear of the highway and to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.



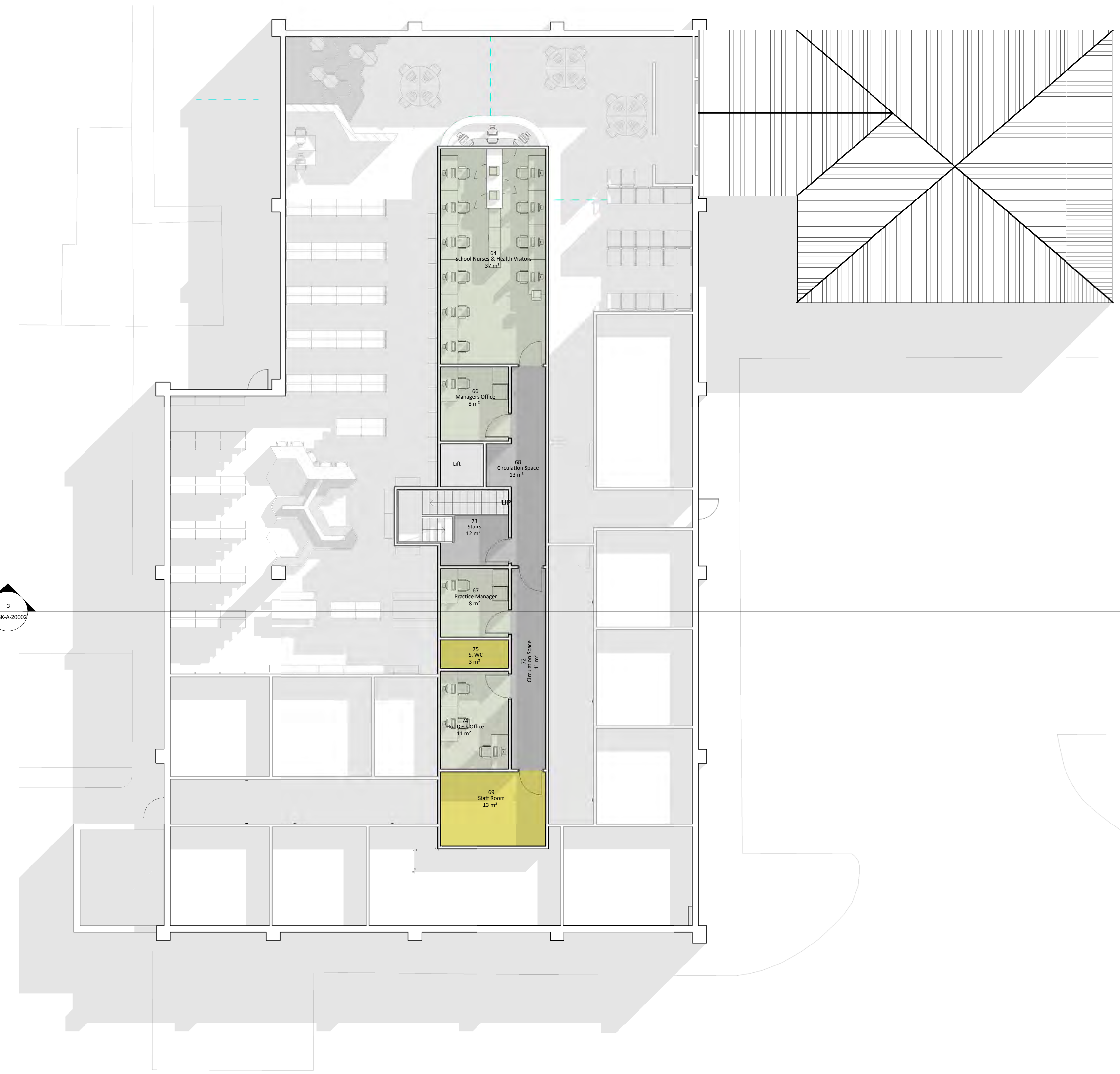
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1 Ground Floor  
1:100



3 Generic Section  
1:50



2 First Floor  
1:100

Room Area Schedule					
Number	Name	Proposed Area	Existing Area	Area Difference	Comments
Ground Floor					
01	Consulting Room 4	15 m²	20 m²	-5 m²	
03	Consulting Room 5	15 m²	9 m²	7 m²	
04	Consulting Room 6	15 m²	13 m²	3 m²	
05	Nurse Prac. Room	16 m²	14 m²	3 m²	
07	General Purpose / SLT	21 m²	12 m²	9 m²	Shared Multi Use Space
08	Podiatry	13 m²	10 m²	3 m²	
10	Consulting Room 3	15 m²	14 m²	1 m²	
11	Consulting Room 2	15 m²	14 m²	1 m²	
12	Consulting Room 7	16 m²	14 m²	3 m²	
13	Consulting Room 1	15 m²	14 m²	2 m²	
15	Shared Reception	40 m²	45 m²	-5 m²	Community to share this space
18	Waiting Area	36 m²	45 m²	-9 m²	Shared with the library space
19	Library Racking	213 m²			
20	Female WC	10 m²	14 m²	-4 m²	
21	Records	15 m²	17 m²	-2 m²	
22	Cleaners	8 m²	4 m²	4 m²	
23	Store	10 m²	10 m²	0 m²	All storage combinid into one room for efficiency
24	S. WC	3 m²	2 m²	1 m²	Staff WC
25	S. WC	3 m²	2 m²	1 m²	Staff WC
27	Server	3 m²	6 m²	-3 m²	
28	Dirty Utility	8 m²	5 m²	3 m²	

Room Area Schedule					Comments
Number	Name	Proposed Area	Existing Area	Area Difference	
32	Boiler Room	13 m²	14 m²	0 m²	
45	Circulation Space	48 m²			
48	Treatment Room	16 m²	16 m²	0 m²	
49	Stairs	13 m²			
50	Library	46 m²			
63	Multi Use Space	27 m²			Could be used for health education
65	Circulation Space	18 m²			
70	Male WC	10 m²	14 m²	-4 m²	2no. Standard WC & 2no. Disabled WC
71	Dis. WC	4 m²	14 m²	-10 m²	2no. Standard WC & 2no. Disabled WC
First Floor					
64	School Nurses & Health Visitors	37 m²	27 m²	10 m²	
66	Managers Office	8 m²	15 m²	-7 m²	
67	Practice Manager	8 m²	7 m²	1 m²	
68	Circulation Space	13 m²			
69	Staff Room	13 m²	22 m²	-9 m²	
72	Stairs	11 m²			
74	Hot Desk Office	11 m²			
75	S. WC	3 m²	2 m²	1 m²	Staff WC
		814 m²			

P 1 13/10/16 GR Issued for Comment

rev	no	date	rev by	description

proposed

Little Level Community Centre

location

Little Level

Employer

Bolton MBC

client

Bolton NHS

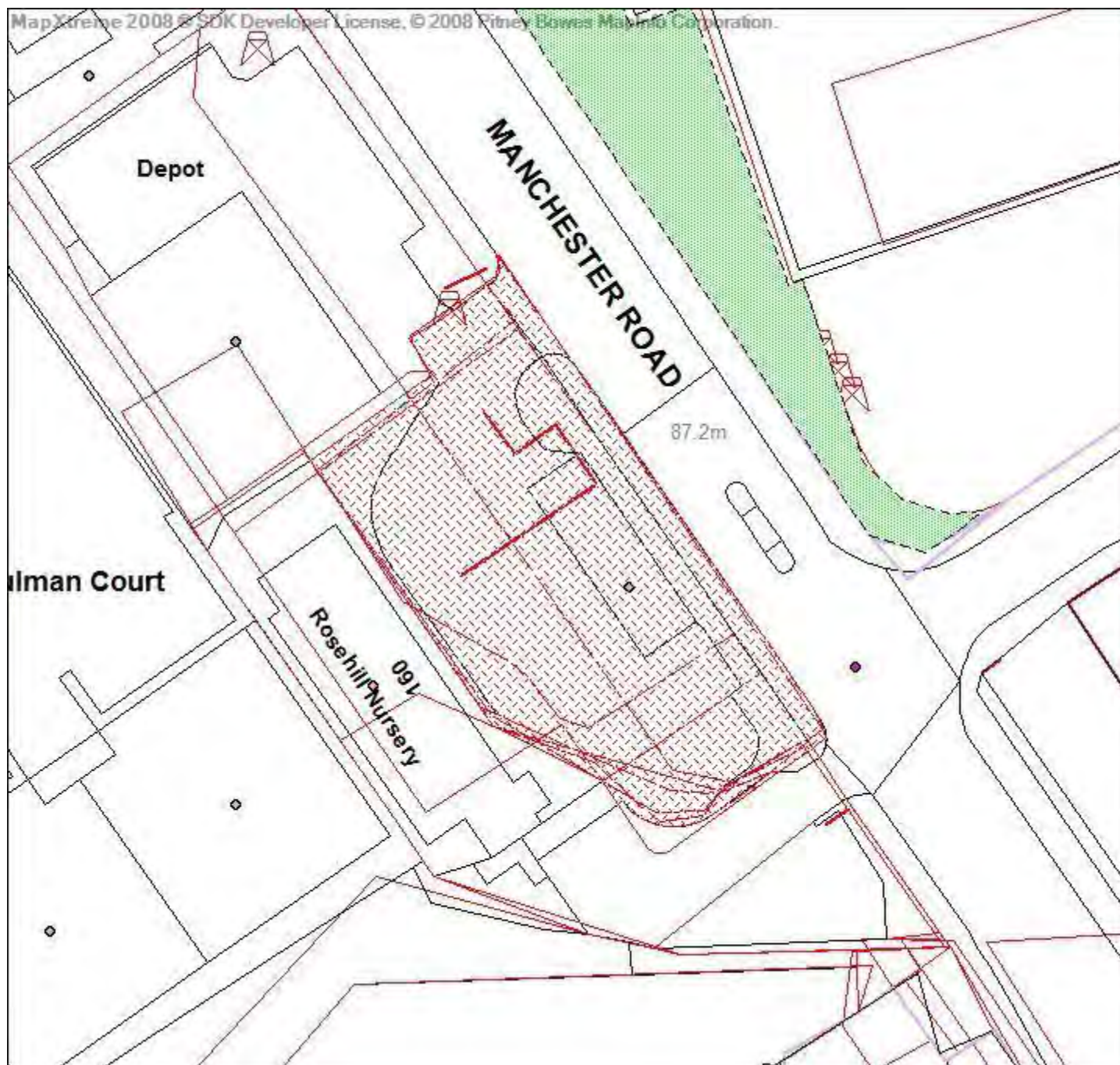
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key plan

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Drawing title:  
Proposed Sketch Plan Option 2



# Application number 97454/16



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97454/16**

**Type of Application: Full Planning Application**

**Registration Date: 19/09/2016**

**Decision Due By: 13/11/2016**

**Responsible Officer: Martin Mansell**

**Location: 162 MANCHESTER ROAD, BOLTON, BL2 1HE**

**Proposal:** VARIATION OF CONDITION 9 ON PREVIOUSLY APPROVED APPLICATION 95340/15 (PLANS SHOULD BE CARRIED OUT IN ACCORDANCE WITH 3264\_PL01E PROPOSED SITE PLAN INSTEAD OF 3264\_PL01)

**Ward: Great Lever**

**Applicant: Mr Burney Midlands Ltd**

**Agent : Dovetail Architects Ltd**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Planning permission was granted in March 2016 for the demolition of the existing car sales unit and the erection of a drive-through coffee shop (95340/15). The Applicant now wishes to make minor changes to the approved site plan in the form of:-

- parking arrangements modified to reduce the total number of spaces from 18 to 16 to provide three disabled spaces
- enclosed bin store provided at the rear of the site

Condition 9 of the March 2016 approval lists the approved plans and therefore the Applicant wishes to vary the wording of this condition so that it instead refers to the amended plans now proposed.

In response to an objection, the Applicant has modified the bin store to provide a roof and to construct it from non-combustible materials.

### **Site Characteristics**

The site is a rectangular area of land fronting Manchester Road. Uses in the area are generally commercial - a Halfords and a Kwik-Fit use neighbour the site to the north and south and directly opposite lies the former MFI furniture retail use, now subdivided into a number of small commercial uses.

Directly to the rear separated by a 2 metres railing fence and lacking its own frontage to Manchester Road lies Rose Hill Nursery.

## **Policy**

National Planning Policy Framework - building a strong and competitive economy, requiring good design, promoting healthy communities

Core Strategy Objectives

SO5 Bolton's Economy, SO9 Crime and Road Safety

Core Strategy Policies

P5 Transport

S1 Crime and Road Safety

CG3 Design and the Built Environment, CG4 Compatible Uses

RA1 Inner Bolton

Supplementary Planning Documents

General Design Principles, Accessibility, Transport and Road 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 road safety
- \* impact on crime reduction
- \* impact on amenity of neighbours

### **Impact on Road Safety**

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety. The Council has also adopted the Accessibility, Transport and Road Safety SPD.

It is not considered that the reduction of two spaces will have any noticeable impact on highway safety. The introduction of disabled spaces is considered to be of benefit.

The proposed amendment is not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and above the approved plan. It is also noted that the Council's Highway Engineers do not raise objection. The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1 and the Accessibility, Transport and Road Safety SPD.

### **Impact on Crime Reduction**

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

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.

An objection to the siting of the bin store has been received from the management of the nursery to the rear, on the basis that the proposed storage unit is of a height that decreases the purpose of the existing security fencing. The Applicant has responded to this by considering other potential locations within the site, moving it slightly further away from the boundary and offering to locally increase the height of the existing fencing.

Officers accept that finding another location for the bin store is difficult without losing two further car parking spaces or compromising the development as a whole by requiring an internal bin store. The suggestions made by the applicant are considered to be acceptable and will be required by conditions.

The impact on crime reduction is considered to be acceptable.

#### Impact on amenity of neighbours

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.

Whilst objections have been received from the neighbouring use, it is not considered that the siting of the bin store will create unacceptable nuisance or pollution or will result in any unacceptable impact on amenity as a result of odours, pests, spillage or contamination on the basis that the bins

will be managed and emptied in accordance with standard commercial practice.

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

**Local finance considerations**

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

**Conclusion**

The changes are relatively small in scale and the suggestions made by the Applicant are considered to go some way to addressing the concerns raised by the objector. The risk to crime or amenity is not considered to be so great as warrant a refusal on these grounds and therefore the application to vary the condition and modify the site plan is recommended for approval.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** an objection to the bin store has been received from the management of the nursery to the rear. The issues raised include:-

- the proposed location is near to the entrance of the children's nursery setting, which is situated in an elevated position, the height of commercial waste bins would be on the ground level of the nursery and therefore there would be odour when the bins are opened.
- risk of spillage of food waste which would cause odour in the same way
- risk of pest contamination due to food spillage and wooden housing structure
- there is a rat issue in the vicinity, BMBC pest control make visits and action is taken in an attempt to control the issue, my concern is that the proposed storage would be inadequate and located in a area that would encourage pests and contaminate the air with odour
- proposed storage unit is of height that decreases the purpose of the security fencing that is already in place
- the proposed structure is of wood which is combustible
- waste needs to be sited but I would ask that another area be considered

### **Consultations**

Advice was sought from the following consultees: Highway Engineers

### **Planning History**

Planning permission was granted in March 2016 for the demolition of the existing car sales unit and the erection of a drive-through coffee shop (95340/15).

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

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

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

Reason

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

2. Before the development is first brought into use a detailed scheme shall be submitted to and approved by the Local Planning Authority showing the design of a facility to store refuse and waste materials. The store shall be constructed from a non-combustible material and shall be provided with a roof. 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

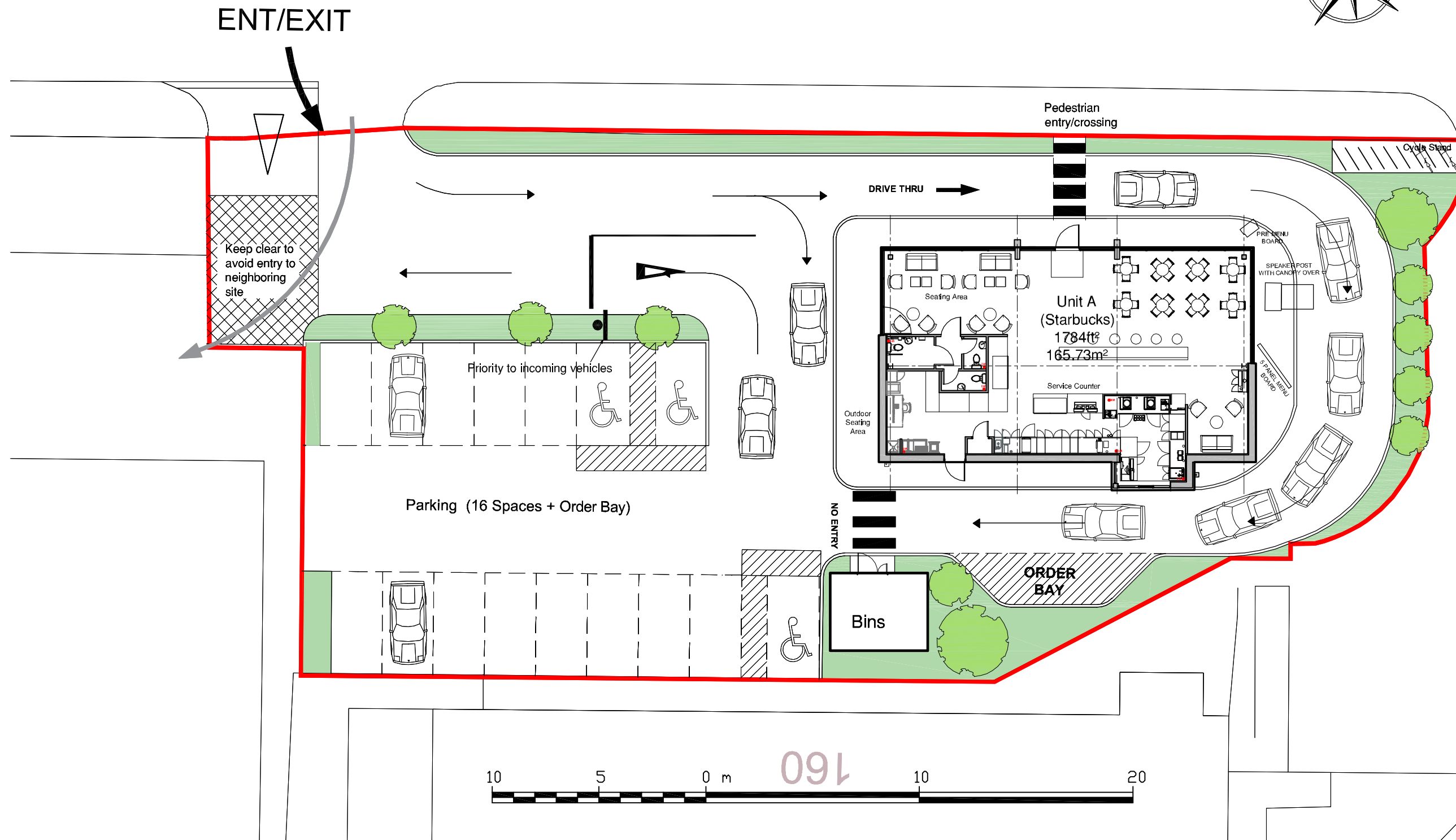
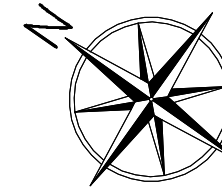
To ensure satisfactory provision is made for the storage of waste materials.

3. Before the bin store is provided a detailed scheme shall be submitted to and approved by the Local Planning Authority showing a method to locally raise the height of the existing boundary fencing. 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 security.

# MANCHESTER ROAD

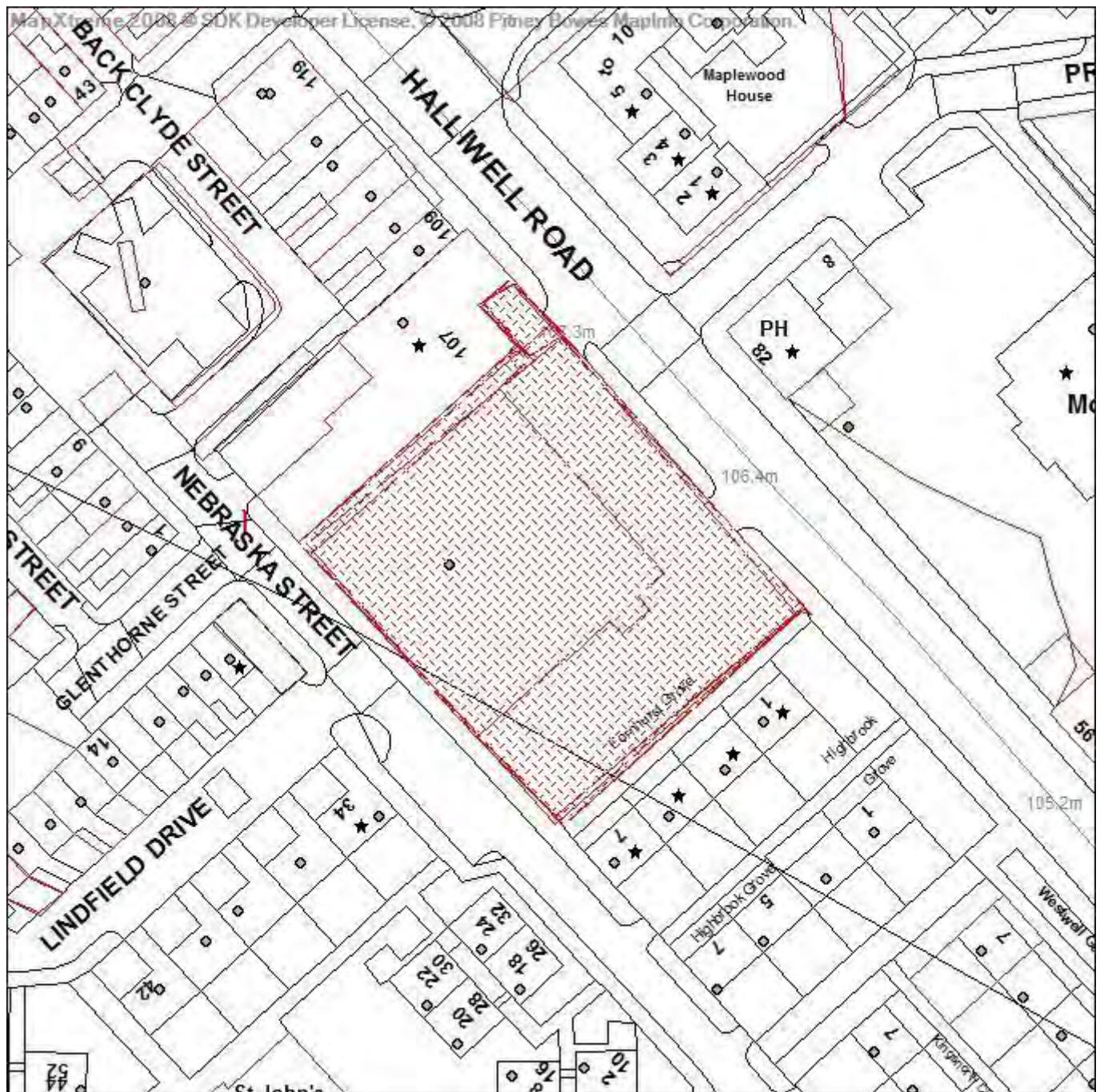


PROPOSED SITE PLAN  
162 MANCHESTER ROAD, BOLTON BL2  
3264 PL01E 1:200 @ A3





# Application number 97470/16



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97470/16**

**Type of Application: Full Planning Application**  
**Registration Date: 22/09/2016**  
**Decision Due By: 16/11/2016**  
**Responsible Officer: Martin Mansell**

**Location: FIRST FLOOR, HIGHMEAD HOUSE, 105 HALLIWELL ROAD, BOLTON, BL1 3NE**

**Proposal: CHANGE OF USE FROM OFFICES (CLASS B1) TO GAMES ROOMS (CLASS D2).**

**Ward: Halliwell**

**Applicant: Mr Divali**  
**Agent : archENG**

### **Officers Report**

**Recommendation: Refuse**

#### **Proposal**

Planning consent was granted in 2013 for the erection of a large two-storey building with a footprint of approximately 30 metres by 32 metres. A total of 20 car parking spaces have been provided with separate vehicle access and egress points together with a small amount of incidental landscaping. The use of the first floor of the building was granted for a mix of uses specified as:-

Leisure: 400 square metres  
Storage: 260 square metres  
Office: 160 square metres

Consent is now sought to use the full 960 square metres of the first floor as a leisure use to be for team bonding and gaming using maze type activities (Class D2)

#### **Site Characteristics**

The site is a large and prominent rectangular area of land which originally contained a mill but now contains a recently constructed building formed mainly from brick with large glazed elements and a metal cladding roof. This is a large two-storey building with a footprint of approximately 30 metres by 32 metres. The front of the ground floor has consent for use as a car showroom with the rear half used for ancillary servicing.

Nearby uses are mixed - there is a row of 1970s social housing directly adjacent to the south west and to the north is an area of older traditional terraced houses. Chorley Electrical shares a party boundary to the north east and the Noor-ul-Islam mosque is located on the other side of Halliwell Road.

## **Policy**

National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, promoting healthy communities

Core Strategy Objectives - SO3 Economic Opportunities of Bolton Town Centre and the M61, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety

Core Strategy Policies - P5 Transport, S1 Crime and Road Safety, CG4 Compatible Uses, 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 Bolton town centre
- \* impact on living conditions
- \* impact on the road network
- \* impact on employment and economic development

### **Impact on Bolton Town Centre**

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

The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for retailing, leisure, cultural and civic activities. It will make a significant contribution to the new jobs to be located in the borough over the plan period years, will be a main location for education, especially for those over 16 years old and will be one of the main locations for new housing development and a focus for transport infrastructure. Office developments will be concentrated in Bolton town centre, especially in the Bolton Innovation Zone, Merchant's Quarter and Church Wharf. The town centre will be the principal location for financial and professional services, and the Innovation Zone will be the location for knowledge-based employment, benefiting from the location of the university and colleges. A transformed and vibrant Bolton town centre is essential to Bolton's prosperity. Tourism and leisure attractions will be concentrated in Bolton town centre, making the most of the existing visitor attraction at Bolton Museum and Aquarium, and there is the potential for new visitor attractions.



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

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

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

Leisure uses are defined in the NPPF as "town centre uses". Paragraph 24 of the NPPF therefore requires them to be located within the boundaries of town centres unless it can be demonstrated that no other suitable sites are available. To this end, Applicants are required to provide a sequential assessment that seeks to demonstrate that no suitable site exists within Bolton town centre to accommodate the proposed leisure use. No sequential test has been provided to support this proposal.

The site is not considered to be well linked to Bolton town centre. NPPF para 24 requires that when considering edge of centre sites, preference should be given to accessible sites that are well connected to the town centre. The site is accessible by the private motor car but is poorly located for sustainable methods of transport. It is located approximately 0.8km from the main features of Bolton town centre and the route would require the use of the extremely poor pedestrian environments of either Kay Street / Topp Way or Higher Bridge Street. These locations are dominated by major highway infrastructure and require pedestrians to negotiate major junctions - the general character to the south is one where pedestrians are considered to be very much secondary to road users.

Officers consider that this use should and could be located within the boundaries of Bolton town centre and the Applicant has not provided any evidence to suggest that this cannot be done. Indeed, two planning permissions have recently been granted for very similar uses within the town centre:-

**Basement, Marsden House** (96366/16) - change of use of vacant former Proffitts showroom to indoor recreation use including an escape room, mini golf and retro arcade. The hours of use were originally proposed as being until midnight but this was reduced by Officers to 10pm given the large amount of residential above. Despite the town centre context there was still the risk of customers affecting residential amenity by way of comings and goings, outdoor smoking etc. Consent was granted on 1st June 2016.

**Delta House, 95-101 Bark Street** (96565/16) - change of use of vacant offices above the British Heart Foundation charity shop to escape rooms use. Hours were proposed and approved until midnight. Consent was granted on 16th June 2016.

Whilst both of these consents are yet to be implemented they are considered to represent evidence

of demand for such uses within Bolton town centre and also to demonstrate that suitable sites exist to accommodate this use. Furthermore, Officers consider that a number of potentially suitable locations are likely to exist within the boundaries of the town centre such as (but not limited to) vacant space above retail uses together with vacant buildings at Merchant's Quarter and fronting Bradshawgate. National and local planning policies seek to transform town centres by changing the mix of uses from one that is dominated by retail to a more balanced mix - with retail still strongly represented but supported by leisure, residential and office uses.

Whilst a maximum of 400 square metres of leisure use were granted consent in 2013, this is now proposed to be more than doubled to 960 square metres. It is now considered that the proposed leisure use is of a scale as to be reasonably directed to a site within the boundaries of Bolton town centre.

For the reasons given above, Officers take the view that a number of potential town centre sites exist and therefore conclude that the sequential test has not been met. The development of a leisure use at this site would not be in accordance with the "town centre first" approach of national and local planning policy and would have the potential to discourage further investment and development within the town centre together with making the implementation of the two consents referred to above less likely.

#### 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.

At 960 square metres of floorspace, this is a substantial operation with the potential to attract visitors from a wide area possibly including people from outside of Bolton. It is not considered to be primarily satisfying a local need. No hours of operation are proposed though Officers note that the two recent town centre approvals of very similar uses proposed to operate until midnight. Similarly, no details of the potential number of visitors / players have been provided, though it is considered that the scale of available floor space means that a reasonably high number of people could be accommodated within.

It is considered that the proposed use has the potential to bring significant numbers of people to the site into the late evening and beyond with the risk of harming the living conditions of nearby residents, particularly those of Fernhurst Grove immediately to the south and facing the application site. The impact of people coming and going, opening and closing car doors and smoking outside at a time when they can reasonably expect a quieter environment has the potential to cause unacceptable harm to living conditions. The boundary of the site varies consisting partly of a 2 metre wall but also with areas of more open railings.

Whilst a maximum of 400 square metres of leisure use were granted consent in 2013, this is now proposed to be more than doubled to 960 square metres with operations beyond 8 or 9pm. It is now considered that the proposed leisure use is of a scale as to have an unacceptable impact on the living conditions currently enjoyed at nearby properties.

#### Impact on the Road Network

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety.

The Council's Highway Engineers consider the submitted information to be vague in terms of how the proposed leisure use will operate on the site with regard to the number of people that it will potentially cater for at one time and its hours of operation over a weekly period. The Council's maximum parking standards for this level of D2 use would be 38 spaces (1 per 25sqm of floor space). For the previous approval on the site, 28 parking spaces were proposed within the site curtilage to support all the uses proposed at the site, both ground floor and first floor. Although the site is accessible to sustainable modes of transportation, Highway Engineers are concerned that a shortfall in parking provision could lead to overspill onto the surrounding highways to the detriment of road safety and residential amenity. Based on the above observations and the lack of information the Council's Highway Engineers are not fully supportive of the application in its present form.

Planning Officers share some of the concerns raised by Highway Engineers, particularly as that lack of information over hours of use makes it difficult to see whether the proposed first floor leisure use would ever be in operation at the same time as the ground floor car showroom - given that both uses have the potential to create their own demands for off-road parking provision. However, Planning Officers are not convinced that the highway impacts have the potential to be so severe as to justify a refusal on these grounds.

Subject to the parking spaces being made available at all times the premises are operational, the proposal is considered to comply with Core Strategy Policies SO9, P5 and S1.

#### Impact on Employment and Economic Development

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.

Policy RA1 relates specifically to Inner Bolton and states that the Council will continue to focus jobs in modern employment areas in The Valley, locate new employment-related development on undeveloped sites in the Valley and surrounding area, regenerate mills and other older industrial premises in the area with a mixture of new build and refurbishment for primarily employment uses, with supporting residential and mixed uses.

No details of the level of job creation have been provided though it is considered that such uses are not particularly labour intensive in relation to the scale of the floorspace available. It is considered that the proposed use has the potential to make a small but positive contribution to employment and economic development.

#### Local Finance Considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local



planning authority must have regard to a local finance consideration as far as it is material. There are not considered to be any local financial considerations in this case, other than as expressed in the "economic development section above".

### **Conclusion**

This is a proposed leisure use, a defined town centre use that should be accommodated within the boundaries of a town centre unless it can be demonstrated that no suitable sites are available. A sequential assessment has not been provided by the Applicant and in fact the Applicant has not been encouraged to provide one - on the basis that it is difficult to see how any such assessment could not reasonably conclude that suitable sites are in fact available within Bolton town centre, particularly bearing in mind the two grants of very similar consents within Bolton town centre in 2016. Officers accept that it can be difficult to see how the impact of one consent such as this can have the potential to harm the vitality and viability of a town centre - however, it is the cumulative impact of approvals of town centre uses outside of town centre boundary that can contribute to harm and decline, particularly when the other pressures on town centres are borne in mind such as limitations on disposable income and the impact of internet and out of town shopping.

Furthermore, this site is bounded on two sides by residential properties with those to the south directly facing the site. This has the potential to detrimentally affect living conditions, particularly if it is intended that the use would operate into the late evening, as with the two recent approvals for similar uses within the boundaries of Bolton town centre.

The limited economic and employment benefits of the full occupancy of this speculatively built building have been taken into account but are not considered to outweigh the harm to the "town centre first" approach or the reasonable protection of the living conditions of nearby residents.

The application is recommended for refusal on the grounds referred to above.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** two letters of objection have been received from residents of Fernhurst Grove together with a petition of objection with five signatures. The grounds of objection include:-

- the application is very vague as to the intended proposed leisure usage, the number of people the facility is expected to cater for at any given time and the daily hours of operation
- if the facility was to attract significant numbers the little provision for parking would cause overspill into the surrounding areas
- this is a quiet neighborhood and a games room will bring about anti-social behavior into the late hours of the night - this will disrupt the neighbours
- the building is surrounded by residential properties and faces the mosque, both of which have their own demands for parking provision and vehicle movements
- the previous catering use at this caused congregations of youths at anti-social times, drug dealing, unruly behaviour and litter
- the infrastructure and amenity in this area cannot cater for a leisure facility - it would be unsafe and cause significant disruption to nearby residents
- having the games room will bring kids and teenagers which will cause noise pollution by way of loud music and also kids hanging about inside and outside till late at night. This is not good for the residents as we will not get any sleep due to the noise, especially as we have young children living at home and also not good for us as we would be scared of going out because of the fear of being tormented by the kids
- if a games room is present this would in turn increase the chances of the people using the games room as a place to chill which in turn would lead to teenagers drinking and the problems associated with drinking such as unruly behaviour and the residents living in fear in our community when in fact we should feel safe in our community. This also increases the chances of drugs being used in the premises as the kids would see it as a place to hang out
- the games room above the vehicle-related uses has the potential to be a fire risk

One letter of support has been received from a nearby resident, on the basis that it will bring the building into use, create employment and create an additional leisure facility in the area - there are no youth provisions in the area so this will keep youths from loitering about.

### **Consultations**

Advice was sought from the following consultees: Highway Engineers

### **Planning History**

An application to erect a two storey office/retail building was withdrawn by the Applicant in 2013 (89278/13)

Consent was granted in 2013 to erect a two storey building forming a ground floor car showroom with a mixed use of leisure, office and storage over (89930/13)

Consent was granted in 2014 for amendment to the appearance of the approved building (93112/14)

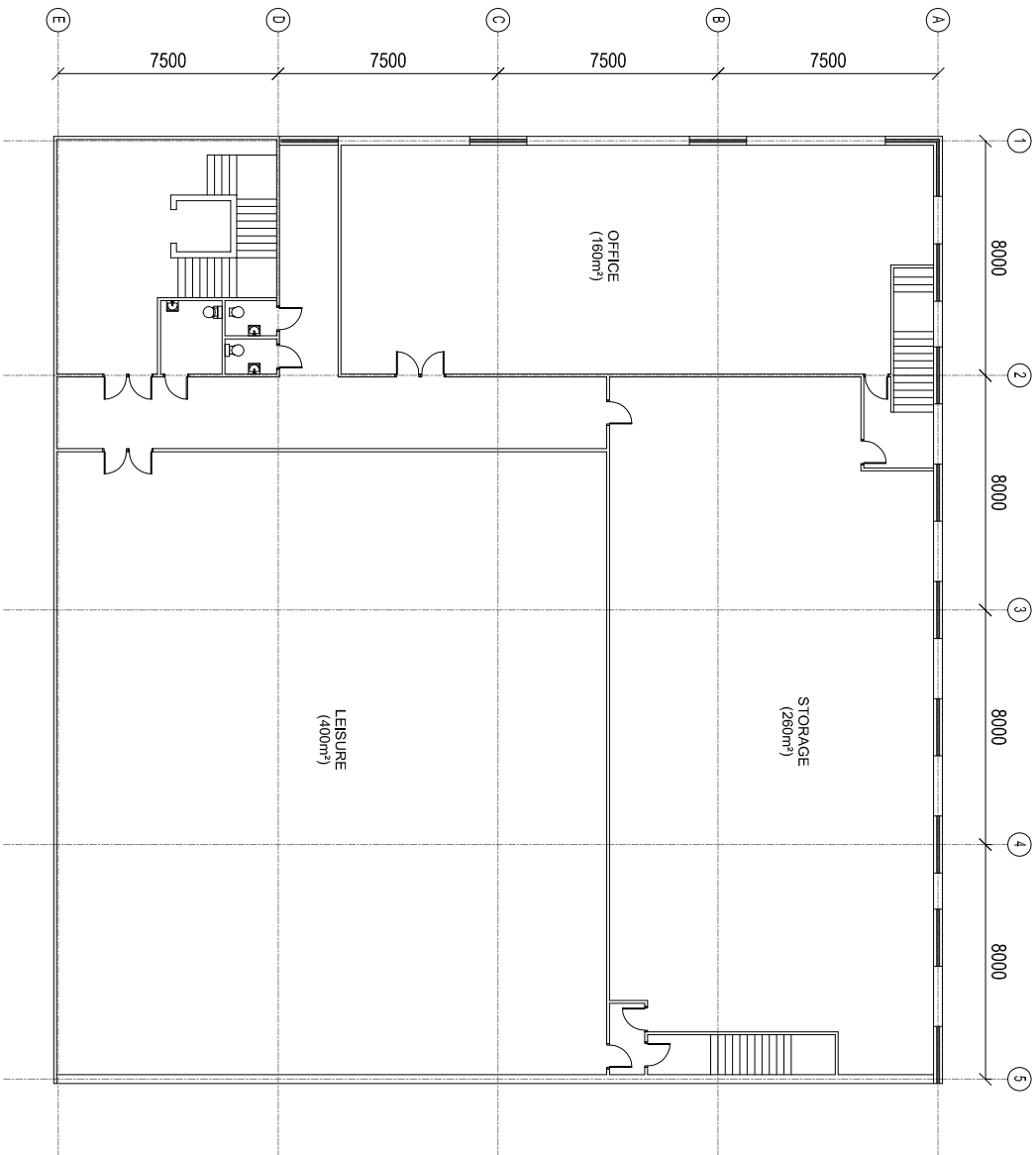
**Recommendation:        Refuse**

**Recommended Conditions and/or Reasons**

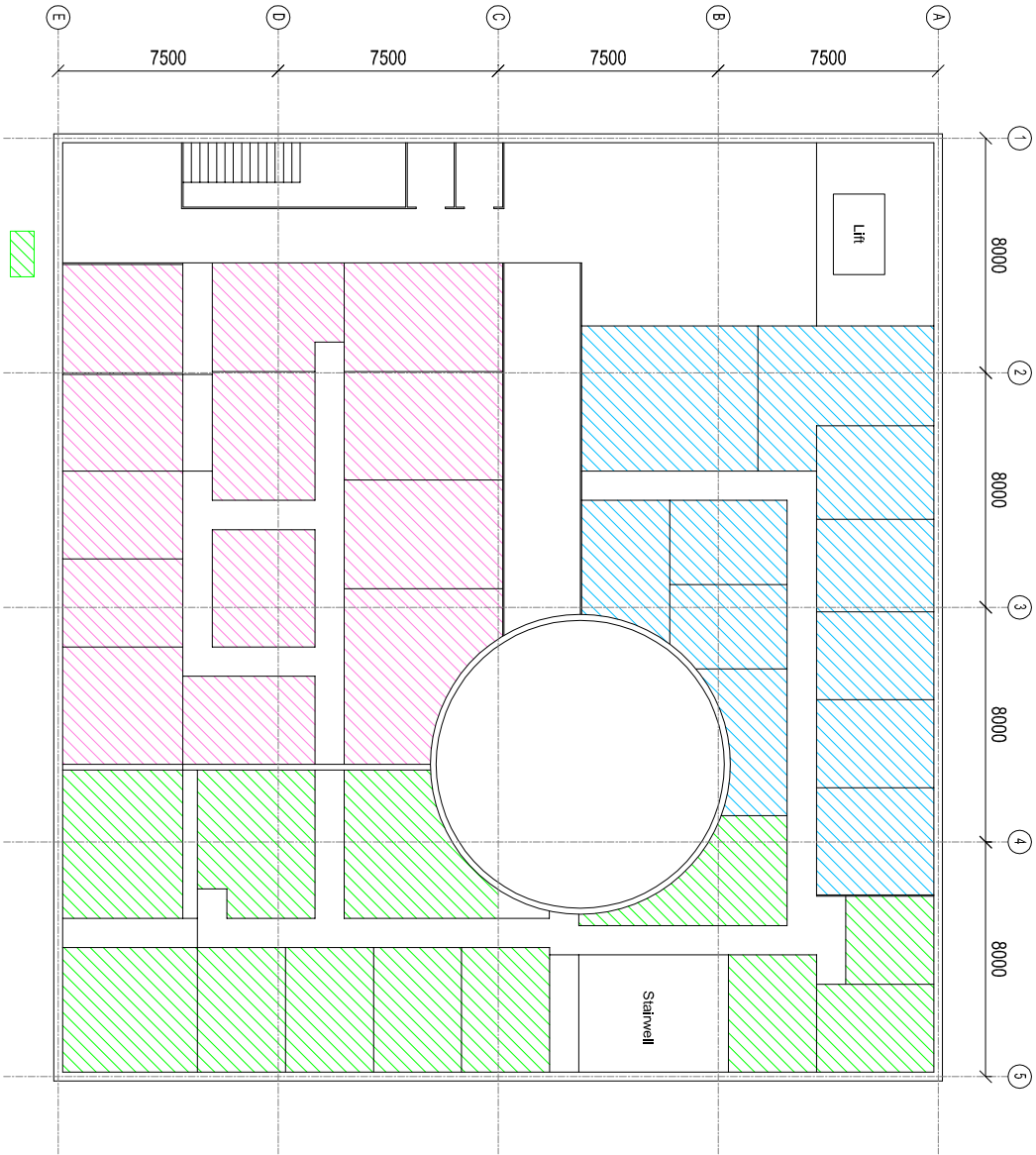
1.        The Applicant has failed to demonstrate that the proposed leisure development cannot be accommodated in a sequentially preferably location within a town centre and therefore the requirements of paragraph 24 of the National Planning Policy Framework have not been met. By not adopting a "town centre first" approach, the proposal would not be consistent with the aims of strategic objectives SO3, SO4 and SO5 of Bolton's Core Strategy.
  
2.        The proposed development will increase noise and activity in and around the premises to the detriment of the living conditions of nearby residents and is contrary to Policy CG4 of Bolton's Core Strategy.



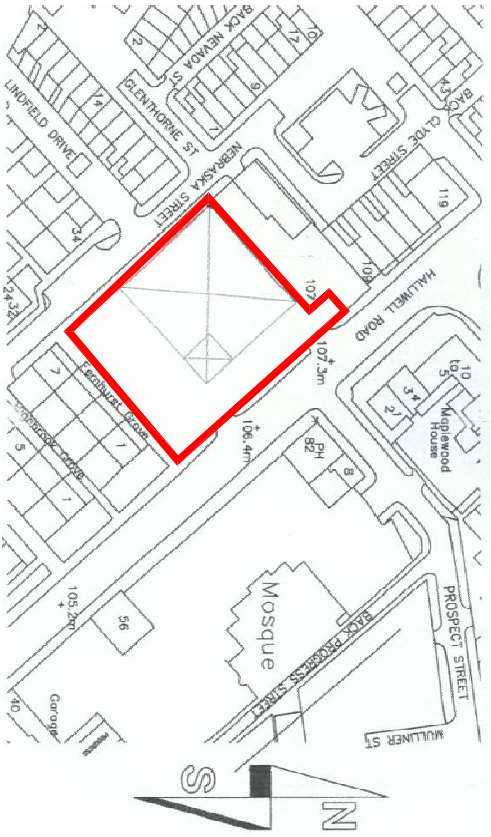
DO NOT SCALE



EXISTING FIRST FLOOR PLAN  
(SCALE 1:250)



PROPOSED FIRST FLOOR PLAN  
(SCALE 1:250)

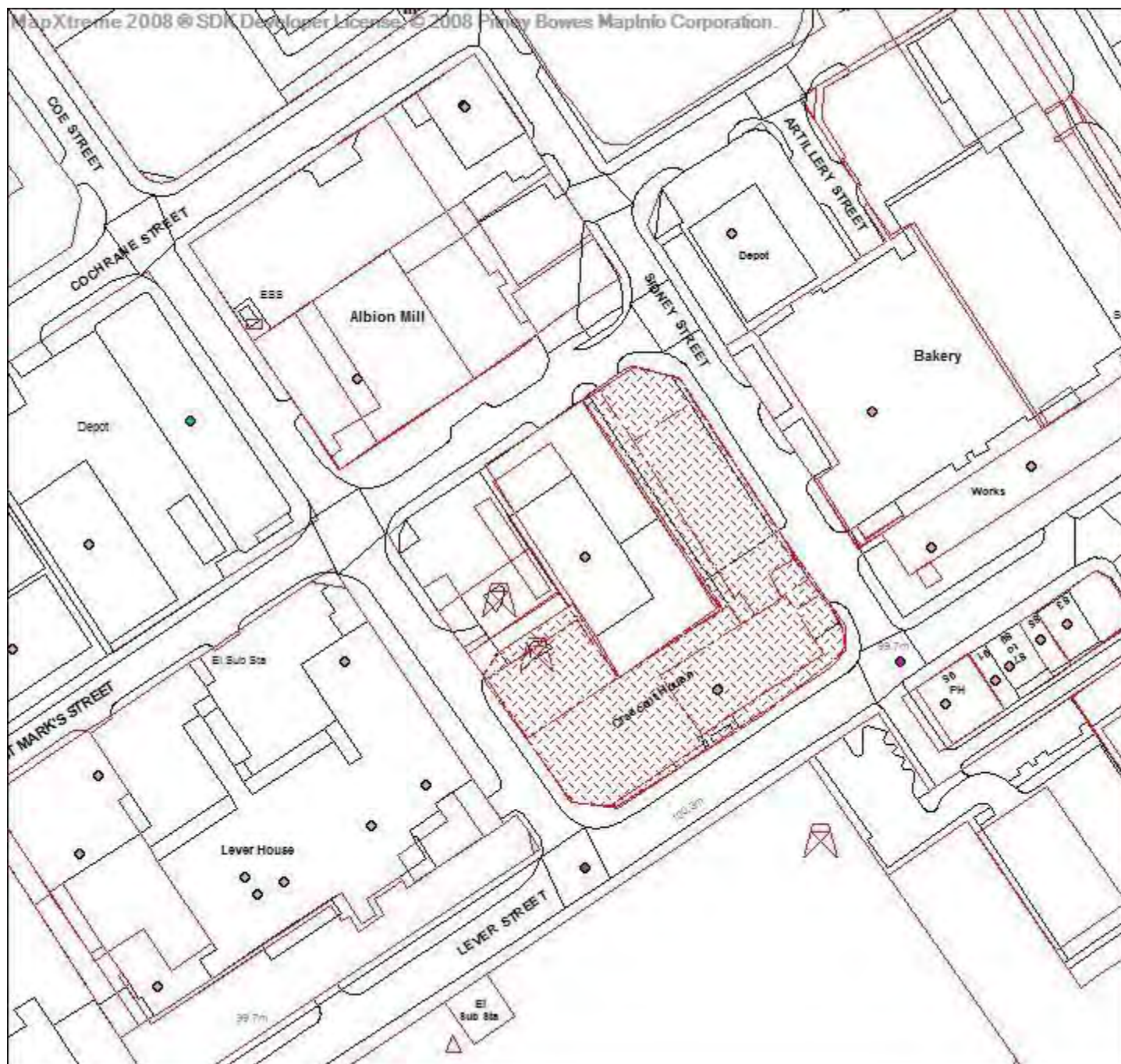


LOCATION PLAN  
(SCALE 1:1250)

Notes

NOTES:

# Application number 97561/16



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97561/16**

**Type of Application: Full Planning Application**

**Registration Date: 05/10/2016**

**Decision Due By: 29/11/2016**

**Responsible Officer: Martin Mansell**

**Location: CRESCENT HOUSE, LEVER STREET, BOLTON, BL3 6NN**

**Proposal:** CHANGE OF USE OF PREMISES FROM B1 OFFICES WITH EDUCATION AND TRAINING FACILITIES TO MIXED USE OF WEDDING VENUE, DESSERT BAR, HOT FOOD CAFE & CONFERENCE/ EXHIBITION SPACE (SUI GENERIS) TOGETHER WITH REMOVAL OF LOADING BAY DOORS/ DOCK AND INSTALLATION OF GLAZED ENTRANCE DOORS TO FORM SECONDARY ENTRANCE

**Ward: Great Lever**

**Applicant: Crescent Group Ltd**

**Agent : Aamir Design Ltd**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Consent is sought for the change of use of this vacant office / light industrial building to form a mixed use including:-

- wedding venue
- dessert bar
- hot food cafe
- conference and exhibition space

Minor operational development is also proposed in the form of the removal of the loading bay doors and the installation of glazed entrance doors to form secondary entrance.

The Applicant states that their intention is to create a mixed use venue which is available throughout the course of the week with business users targeted between Monday to Friday and a function venue at the weekends. Local businesses would be able to use the venue during the working week for meetings and training seminars within the conference suites located around the building both at ground and first floor levels, as well as events, seminars, exhibitions etc. Private functions and weddings would generally take place over the weekend and evenings when local businesses are mostly closed.



The principal pedestrian entrance will be via the main car park leading off Coe Street, specifically utilising the current loading bay doors with the installation of glazed entrance doors. There are three vehicular accesses which serve the site, the principal one off Coe Street to the west will provide parking and access to the main entrance leading in to the building, a secondary entrance is situated off Sidney Street to the east and provides access for service vehicles and staff parking with the final vehicular access serving the main car park leads off St Marks Street to the north. The site has three car parking and servicing areas providing a total of 72 car parking spaces for visitors plus an additional 11 spaces for staff.

### **Site Characteristics**

The site is a distinctive building fronting Lever Street, originally purpose built as the headquarters of HB Electronics. Office and light industrial accommodation is provided over two floors, each of approximately 1,000 square metres resulting in a total floor space of 2,000 square metres. The remainder of the 0.39 hectare site is used as parking.

The site forms part of the large Great Lever Employment Allocation which stretches south-east from Bolton railway station, bordered by Bridgeman Street, Fletcher Street, Weston Street and the railway line. Uses in the area are almost entirely industrial with the largest sites being three former textile mills (Grecian Mill, Albion Mill and Robin Hood Mill) together with the Edbro engineering site and the First Bus depot on Weston Street. A number of places of religious, worship and/or education are also located nearby, for example Makka Mosque on Grecian Crescent. There are no residential properties in the area covered by the employment allocation and whilst some do border the allocation there are no dwellings visible from the application site. The vast majority of uses in close proximity to the site fall within the B1 (offices / light industry), B2 (General Industry) and B8 (storage and distribution) use classes though there are some retail units of a domestic scale on the southern side of Lever Street. The site immediately to the west of the application site is used as a car boot sale / temporary market on Sunday mornings and has been so used for some decades, attracting a significant number of visitors for the period of its operation each week.

The site is approximately 10 minutes walk from Bolton railway station and the edge of Bolton town centre. It is reasonably well served by public transport along Fletcher Street (Great Lever Circular) and Thynne Street, including the regular 501 bus linking north west Bolton with the Royal Bolton Hospital and Farnworth beyond.

### **Policy**

National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, requiring good design, promoting healthy communities

#### **Core Strategy Objectives**

SO3 Economic Opportunities of Bolton Town Centre and the M61, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO16 Community Cohesion and Access

#### **Core Strategy Policies**

P1 Employment Sites, P5 Transport

S1 Crime and Road Safety

CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses

SC2 Cultural and Community Facilities

RA1 Inner Bolton

#### **Supplementary Planning Documents**

General Design Principles, Building Bolton, Sustainable Design and Construction, Accessibility, Transport and Road 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 road network
- \* impact on economic development and the employment allocation
- \* impact on community provision

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

The National Planning Policy Framework recognises the role of the planning system in creating a high quality built environment and notes that well-designed buildings and places can improve the lives of people and communities. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including replacing poor design with better design. The Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings. Core Strategy Policy CG3 seeks to ensure that development proposals display innovative, sustainable design that contributes to good urban design, respects and enhances local distinctiveness, and has regard to the overall built character and landscape quality of the area. Proposals should also be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment including hard and soft landscaping and boundary treatment.

Policy RA1 relates specifically to Inner Bolton and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment; ensure that development has particular regard to massing and materials used, due to the predominance of red brick, slate-roofed, two-storied terraced housing; respect and strengthen the traditional grid-iron pattern and the street-scaping of existing housing and mills where it is compatible with good urban design.

The physical alterations proposed to the building are relatively minor and it is considered that they can be carried out without harming the character and appearance of the area. Despite the recent years of vacancy, the appearance of the building appears to have not suffered to any great degree.

Nevertheless, it is considered that occupancy and regular use are the best methods of ensuring the continued protection of the character and appearance of the area and the investment proposed by the Applicant will deliver this.

#### Impact on the Road Network

National planning policy for transport is set out in the National Planning Policy Framework (NPPF). The NPPF has retained the PPG 13 objective to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. It goes on to state that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

With regard to car parking, the NPPF does not refer to maximum or minimum car parking standards for new development, and instead promotes a flexible approach to car parking provision having given consideration to the accessibility of a development by non-car modes, local car ownership and the need to reduce the use of high emission vehicles. As with previous guidance, the NPPF requires all development that generates a significant travel demand to provide a Transport Statement or Transport Assessment to support a planning submission. The NPPF also identifies that a key tool in the development of sustainable travel patterns will be the Travel Plan.

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety. The Council has also adopted the Accessibility, Transport and Road Safety SPD which notes that the general car parking standards are defined as maximum standards. It goes on to state that the Council will not require a developer to provide more spaces than they themselves wish or, in the case of residential development, more than the potential occupier might want. The Council will look for the applicant to demonstrate the accessibility of the site where less provision has been proposed. In exceptional circumstances the Council might request the full provision of parking be provided where there are significant implications for road safety which could not be resolved through the introduction or enforcement of on-street parking controls or where the introduction of on-street parking controls would result in inconvenience for existing neighbours.

The Council's Highway Engineers have been consulted on the proposed development and are concerned that there appears to be no indication within the submission/design and access statement as to the number of people that the facility could potentially cater for, especially associated with the wedding venue proposal. Engineers note there is no indication of the floor areas associated with each use class and the level of compliance with the Council's parking standards and they consider that the level of off-road parking provision indicated in the submission (72 spaces) could potentially be insufficient to cater for the D2 use class indicated and there would be a reliance on on-street parking at that location to support the facility - this is indicated in the Transport Statement. Engineers note that this area is well used during the normal working week and at weekends owing to commercial uses at that location and there is an existing issue with on-street parking associated with businesses causing obstruction issues and this situation is exacerbated by this location being used for commuter parking owing to its proximity to Bolton train station. Anything that has the potential to exacerbate this situation would not be looked on favourably by the Highways Authority. An objection has also been raised on these grounds.

However, Highway Engineers also note that the hours of operation for the wedding venue proposal should be outside of the hours of operation of the existing businesses at that location and especially on a Sunday when the car boot is in operation. This would help to alleviate potential access issues



for businesses at that location. The applicant indicates that the site is highly accessible to sustainable transport modes and Engineers agree with this in some respects. In their view, this would probably be adequate in terms of the Class A3 uses proposed and the conference/exhibition space. From their experience, the wedding venue proposal would be reliant on people arriving by car leading to an increase in parking congestion in the area. Out of hours usage for this element of the proposal would alleviate potential on-street parking concerns affecting other businesses at that location.

The Applicant has responded to these comments by noting that outside normal working hours, the surrounding roads do not have parking restrictions and the area is extremely quiet with the exception of Sunday mornings up to 13:30 when the Sunday Market generates significant traffic and on street parking. The Applicant appreciates that this Sunday morning use could be affected by the proposed use and will seek to put into place a management plan to ensure that bookings are only taken for 13:00 onwards and will also utilise parking attendants to manage traffic around the site. Visitors to the venue will be directed to utilise on-site car parks; however, visitors arriving after 13.30 hours would be free to park on nearby streets as they would not have any parking restrictions or other uses competing for parking spaces. In their view, the surrounding streets offer a significant amount of on-street parking during evenings and weekends when the core use which generates the highest volume of traffic will take place.

Weighing up the views of Engineers and the case put forward by the Applicant, Officers take the view that the proposed use is primarily a wedding venue with the other proposed activities such as conference, meeting space and exhibition space being provided to seek to avoid the building being disused during the week or at times when there are no weddings booked. As such, it is considered that the proposed wedding use will generate the most significant amounts of vehicle movements with the other uses placing less demands upon the road network and the available parking provision. It is considered that the 72 public car parking spaces proposed would be sufficient for mid-week conferences or meetings but that weddings will generate much more significant road network impact and are likely to lead to on-road parking in the surrounding streets of Coe Street, St Marks Street, Sidney Street and Nile Street in particular. However, the key issue is not whether on-road parking will occur but whether this on-road parking is likely to have such a severe impact on highway safety that the application should be resisted on those terms - the NPPF is clear that the impacts would need to be severe to justify a refusal. Provided that the two forms of mitigation suggested by the Applicant (avoiding conflict with the Sunday market and a parking management plan) are secured by condition, it is not considered that the impacts on the road network are likely to be severe. It is more likely that the peak demand times triggered by the proposed wedding venue use (weekend and bank holiday afternoons and evenings) will instead coincide with the area's quietest times - times when the majority of nearby uses are not operating nor when available on-road parking spaces are being competed for by commuters or town centre workers. The objection received refers to demands on the highway and parking created by other uses in the area, such as places of worship, however it is not considered that any competing demand on the highway from such uses with the timing of those proposed is sufficient to warrant refusal on these grounds. Furthermore, it is noted that there are times when traffic in the Lever Street / Coe Street area is significantly relatively lower than traffic on Thynne Street and Fletcher Street - the latter operate as distributors to the Crescent Road / Green Lane / Lever Edge Lane parts of Great Lever in a way that Lever Street and Coe Street do not. The roads immediately surrounding the application chiefly serve the industrial estate itself, rather than linking other parts of the town together.

It must also be borne in mind that the lawful use of B1 offices / light industry, if used to its fullest extent, has the potential to generate vehicle movements of its own, at times when other businesses would be in operation and the available on-street parking would be sought after by commuters and town centre workers. The Council's parking standards would suggest a maximum of 57 spaces for the current Class B1 use in this location. However, it is more difficult to suggest a parking standard

for the proposed use - it does not fall comfortably within any of the use classes or the uses listed within the parking standards guidance. The closest is possibly the use of "exhibition hall" which has a similar number per square metre recommendation as the B1 use - in this instance 66 spaces, which the site can accommodate. Notwithstanding this formula, Officers fully accept that the number of cars visiting the site for a wedding is likely to significantly exceed this at peak times

Officers consider that there will be times when the parking demand of particularly the wedding use will exceed the capacity of the site itself and visitors will park in the surrounding streets of this employment area. However, this is not considered to be unacceptable given the generally low levels of traffic in the Coe Street area, the lack of residential uses in the immediate vicinity, the forms of mitigation suggested by the Applicant and that fact that peak times for the use of the application site are unlikely to coincide with the peak times of other nearby uses.

Whilst there may be times when parking takes places in the surrounding streets of this industrial area, the proposal is considered to comply with Core Strategy Policies SO9, P5 and S1 and the Accessibility, Transport and Road Safety SPD.

#### Impact on Economic Development and the Employment Allocation

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.

Policy RA1 relates specifically to Inner Bolton and states that the Council will continue to focus jobs in modern employment areas in The Valley, locate new employment-related development on undeveloped sites in The Valley and surrounding area, regenerate mills and other older industrial premises in the area with a mixture of new build and refurbishment for primarily employment uses, with supporting residential and mixed uses.

The site is an allocated employment area and is therefore subject to Policy P1, which states that the Council will 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. This approach was clarified by the Proposed Allocations Written Statement (December 2014) which defines employment uses as B1, B2 and B8 uses. However, it goes on to state that alternative non-B1/B2/B8 uses on allocated employment land, protected employment land and mixed-use sites will be permitted where any of the following apply:-

- there would be no harm to the economic function of the locality or the benefits of the proposed development outweigh the harm; or
- a marketing strategy satisfactorily demonstrates that there is no longer demand for B1/B2/B8 use; or
- a viability assessment satisfactorily demonstrates that it is no longer appropriate for the site to be retained for B1/B2/B8 purposes.

Officers accept that there is no evidence that the use of this building for its approved Class B1 purposes would harm residential amenity, therefore the first test of Policy P1 is not satisfied. However, the approach adopted in December 2014 by the Proposed Allocations plan is more flexible. It is not considered that the use of this building for non-B1, B2 or B8 uses would harm the economic function of the Great Lever Employment Allocation. The allocation is large, stretching from the southern boundary of the town centre to the junction of Weston Street and Rishton Lane. The employment allocation covers 43.36 hectares of land, of which the application site forms 0.39 hectares, or approximately 1%. It is not considered to be a reasonable argument that the loss of 1% of this allocated space would harm its economic function. Furthermore, the Applicant has provided evidence to demonstrate that the premises were actively and robustly marketed by Greenwood James for the approved B1 use from 15th December 2012 until relatively recently, but have remained vacant throughout the majority of this period. It is noted that Policy RA1 seeks the regeneration of industrial buildings for primarily (but not exclusively) employment uses and accepts that mixed uses can play a supporting role.

Council Strategic Development Officers raised concerns over the loss of employment space and the potential to undermine the integrity of the protected employment zone. They take the view that benefits to the local economy from wedding venues are hard to establish, but anecdotal evidence is that there are very few jobs associated with the premises, with many being filled by agency staff from outside the area, leading to very limited benefits to the local economy. In their view, large offices with self-contained parking are not common and have the potential to leave the Council unable to meet new investor requirements and potentially losing out on new jobs and investment to the borough. An objection has also been raised on these grounds.

Planning Officers note the comments of the Council's Strategic Development Officers but in this instance, given the small size application site relative to the large employment allocation it is not considered that concerns over the integrity of the employment zone can be sustained. Furthermore, the marketing evidence submitted does not suggest unmet demand for this type of office employment accommodation. Furthermore, offices are now defined as town centre uses and new identified need and development should be directed to locations within the town centre's boundaries, rather than its peripheries. Whilst comments about potential employment are noted, however, it must also be noted that the site currently makes no contribution whatsoever to employment and economic development.

Notwithstanding the concerns raised, it is considered that the policy tests of the Proposed Allocations Written Statement have been met and that there would be no significant harm to economic development and employment.

#### Impact on Community Provision

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 take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

It goes on to state that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. Planning policies and decisions, in turn, should aim to achieve places which promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity; safe and accessible



environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Policy SO16 seeks to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities. Policy SC2 of the Core Strategy states that the Council will ensure that community facilities are located in the neighbourhoods that they serve.

As a wedding venue, the proposed development would be, in part, a community and cultural facility, the needs for and benefits of which are recognised by national and local planning policies with access to such facilities considered to be a benefit. However, it has to be accepted that this facility would not be located within the neighbourhood that it would serve - it is recognised that the facility may attract visitors from a wider area. That said, it is the nature of wedding venue that they attract large numbers of people late into the evenings and therefore it is not always appropriate for them to be located within the neighbourhoods that they serve, particularly if those neighbourhoods involve residential properties.

On balance, the proposal is considered to deliver positive community benefits.

### **Local finance considerations**

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

### **Conclusion**

This property has been largely vacant and marketed for B1 uses since December 2012. Whilst it is located within an employment allocation, the Council's policy contains a number of tests by which alternative uses can be permitted, some of which are considered to be met in this instance. The use does have the potential to attract large numbers of vehicle-borne visitors to the site; however, this is considered to be likely to be at times when other nearby uses are not at their peak. The application itself is considered to be evidence of an unmet demand for this type of facility and it is considered to be preferable to locate this use in a non-residential area.

Notwithstanding concerns over loss of employment land and the potential overspill of parking on to nearby street at peak time, the benefits of occupancy of a vacant building and impact on community provision are considered to carry more weight in this instance.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** one objection has been received from a nearby resident. The grounds of objection include:-

- the area is industrial and is protected employment area
- there are many well-established businesses in the area that could have problems with deliveries or collections
- wedding venues tend to be for hundreds of people and there are inadequate parking facilities proposed
- the area has already lost two buildings that were used for employment - the printing works at the former St Marks School and also the former council offices at Weston House both of these are these are now in use as places of worship or community facilities. Offices on Nelson St have consent for residential use
- a large mosque has been recently approved on Grecian Crescent that will have a capacity for up to 1200 people - there will be overspill from the mosque onto the highways and visitors could park on Lever St
- if the mosque and the wedding venue were to be used at the same time then there will be a major problem with parking and could cause businesses severe problems - the council should protect the area and businesses
- there are already 3 mosques in the area - Markaz-e-Alhebeit (Fletcher St), Makkah Mosque (Grecian Crescent) and a secondary Makkah Mosque at Weston House. These Mosques already generate additional traffic and do cause problems by parking on Fletcher St on double yellow lines
- the car boot sale on Lever St has been going for many years - if the wedding venue is being used on a Sunday then problems will happen with parking and the car boot sale could be forced to close and businesses and jobs lost
- the overspill if all 3 mosques and the wedding venue were being used at the same time would be severely unfair on the residents of Fletcher St, Carrington Drive and surrounding residential areas as cars could park in the residential areas

### **Consultations**

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

### **Planning History**

The site has no relevant planning history, other than a certificate of lawfulness granted for B1 use in 2009 (82952/09)

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

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

1.     The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason  
  
Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2.     Before the approved/permitted development is first brought into use no less than 83 car parking

spaces provided within the curtilage of the site, in accordance with details to be submitted to and approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

3. On Sundays, the celebration of weddings shall not commence until 1300 hours.

Reason

To prevent conflict with other uses in the area, in terms of parking demands.

4. The development hereby approved shall be carried out in accordance with the submitted Transport Statement, to include the use of parking stewards during weddings and major events 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.



CONVERSION

REMOVE LOADING BAY DOCK AND REPLACE ROLLER SHUTTERS WITH  
NEW GLAZED ENTRANCE DOORS

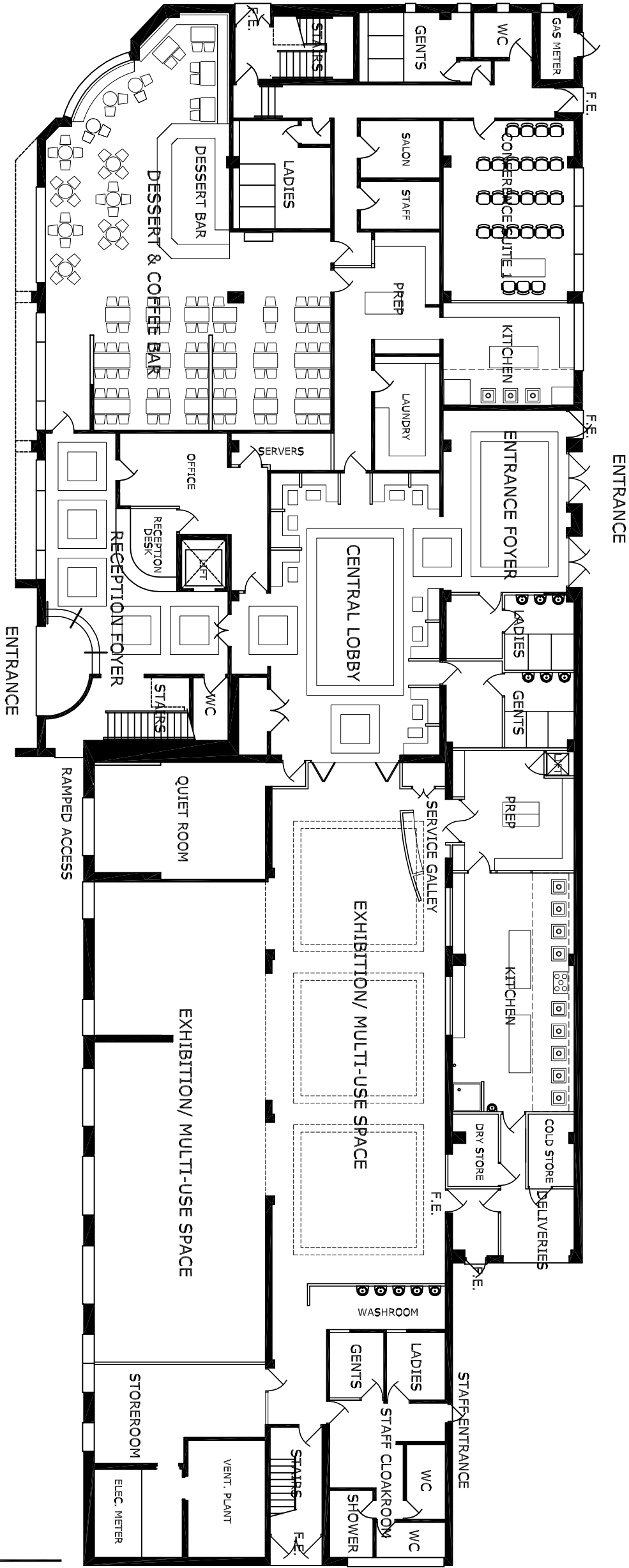
FORM CENTRAL LOBBY AREA LINKING THE FRONT (LEVER ST) AND REAR ENTRANCES,  
FORM CENTRAL WC FACILITIES.

ALTER CENTRAL OFFICE/ RECEPTION AREA TO MAIN FOYER

STRIP OUT NON-LOADBEARING WALLS TO CREATE DESSERT & COFFEE BAR

STRIP OUT DEMOUNTABLE PARTITIONS TO ENLARGE AREA AND FORM EXHIBITION/  
MULTI-USE SPACE

FIT-OUT KITCHEN AREA AND STAFF QUARTERS ALONGSIDE EXHIBITION HALL



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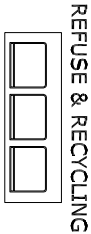
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REFUSE & RECYCLING

INDICATIVE ROOM LAYOUTS SHOWN TO DEMONSTRATE THE NATURE OF THE VARIOUS  
MIXED USES AND IS SUBJECT TO CHANGE TO SUIT INDIVIDUAL CLIENT NEEDS.

**PLANNING**  
GROUND FLOOR

**AAMIR DESIGN Ltd**  
ARCHITECTURAL DESIGN SERVICES

Change of use— Office to  
A1, A3, D1 & D2 PLAN.  
PROP FLOOR PLAN.

PROJECT: Crescent House, Lever Street,  
Bolton, BL3 6NW

CLIENT: CRESCENT GROUP Ltd

DATE: Jul 16

REVISIONS

REV	DATE	DESCRIPTION
01	1609	1:200

P. O. BOX 277  
PRESTON PR1 6GQ

01772-887400  
aamirdesign@btconnect.com

Job No. 1609  
DRAWING No. 04

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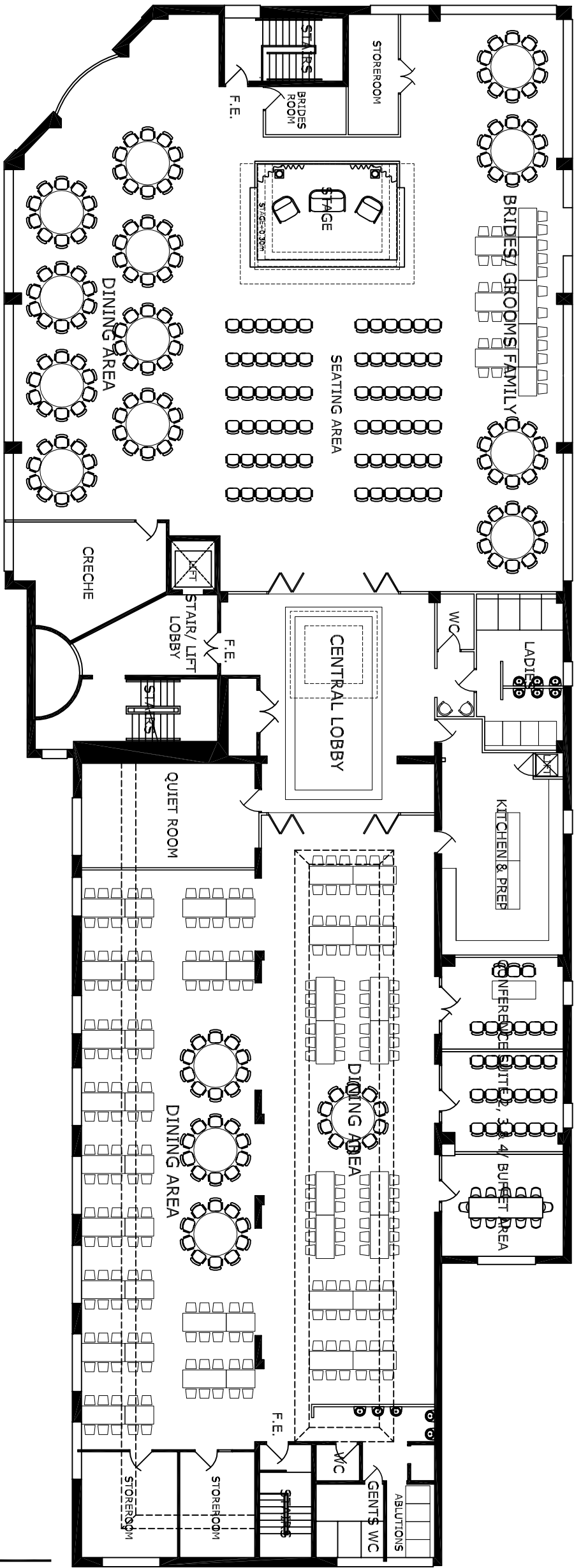
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PLANNING  
FIRST FLOOR

A3		REVISIONS	
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PRESTON PR1 6GQ		aamirdesign@btconnect.com	
AAMIR DESIGN Ltd		1609	
ARCHITECTURAL DESIGN SERVICES		DRAWING No.	
Change of use— Office to		05	
A1, A3, D1 & D2 PLANS.			
PROP FLOOR PLANS.			
A1, A3, D1 & D2 PLANS.			
Crescent House, Lever Street,			
Bolton, BL3 6NW			
CLIENT CRESCENT HOUSE			
1:200			
JUL 16			

# Application number 97664/16



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97664/16**

**Type of Application: Full Planning Application**

**Registration Date: 13/10/2016**

**Decision Due By: 07/12/2016**

**Responsible  
Officer: Kara Hamer**

**Location: LAND NORTH OF CHRIST CHURCH, MARKLAND HILL, BOLTON,  
BL1 5AF**

**Proposal: ERECTION OF 3NO. RESIDENTIAL DWELLINGS WITH  
INTEGRAL GARAGES TOGETHER WITH FORMATION OF  
VEHICULAR ACCESS AND RELATED WORKS**

**Ward: Heaton and Lostock**

**Applicant: ICS CONSTRUCTION (BOLTON) LIMITED**

**Agent : Frank Whittaker Town Planning Consultants**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Permission is sought to erect three detached dwellings with integral garages together with formation of vehicular access. The proposed dwellings comprise four floors arranged over two and a half storeys and incorporate integral garages sited at semi-basement level, two general floors and a fourth floor accommodated in the roof space with dual pitched dormer windows. The dwellings will provide:

Plots 1 & 2 - 437.5 sq m, 4 levels, 5/6 bedrooms, integral double garage

Plot 3 - 440.8 sq m, 4 levels, 5/6 bedrooms, integral double garage

Proposed external materials are;

Facings - Plot 1 and 3 - Weinerberger Hurstwood-Multi - yellow multi, fine sanded faced stock brick

Facings - Plot 2 - Weinerberger Kingshurst - red/yellow mix fine sanded faced stock brick

Roofs - Marley Eternit Rivendale - black-blue

Detailing - Haddonstone – colour Portland 01 - reconstituted Limestone

Windows - Ruislip white upvc – sash window design

Doors - Rock - carbon resin based high security door

Road and driveways - water pervious resin-bounded granular surface - colour; Biscuit, with brick pavior demarcation

### **Site Characteristics**

This is a cleared and previously developed (residential) site within the residential area. The site is located on the eastern frontage of Markland Hill. The application site is bound by approx. 1.2m high stone wall to the boundary with Markland Hill to the west, to the north the site is bound by

Springlawn, to the east the site is bound by residential properties accessed via Clarebank and to the south is Christ Church. Timber sheet fencing of approx. 2.4m in height with a two year consent secures the site (application ref; 96270/16).

The site is approx 0.5 hectares and forms the curtilage to a previously demolished Victorian villa named 'Hetlands'.

There are a number of TPO trees to the west, east and north boundaries. Over ensuing years since the demolition of Hetlands extensive self seeding of mature tree boundaries, former lawned gardens and the house foundations has occurred. In 2013 self sown trees were removed from the former garden area of the site, with Council agreement.

The site is within the Chorley New Road Conservation Area.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies CG1 Cleaner Greener Bolton; CG3 The Built Environment; CG4 Compatible Uses; P5 Parking; S1 Safety; SC1 Housing; OA4 West Bolton

SPD General Design Principles 2015

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* impact on urban regeneration/principle of development
- \* impact on the Setting of the Adjacent Grade II Listed Building (Christ Church)
- \* impact on the design and character of the area
- \* impact on residential amenity
- \* impact on protected trees
- \* impact on the highway
- \* impact on drainage

### **Impact on Urban Regeneration/Principle of Development**

National policy on residential development is contained in the National Planning Policy Framework. In order to promote more sustainable patterns of development, NPPF makes it clear that the focus for additional housing should be on 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. This is consistent with advice contained within Core Strategy policy SC1 - Housing.

At the heart of national policy within the NPPF is a presumption in favour of sustainable development. The NPPF maintains the importance of supporting sustainable economic development and delivering homes (paragraph 17). The application site is located on previously developed (residential) land within the urban area. The proposed dwellings will be located on a generous site of approx 0.5ha which has been left vacant for several decades.

Taking these factors into account and giving due weight to the fact that the siting, scale, and design of the proposed dwelling will be appropriate within the surrounding residential context, the proposal is considered to constitute a sustainable form of development in a sustainable location for the purposes of the NPPF and therefore the principle of the proposed development is considered to be acceptable, in accordance with the NPPF and Core Strategy policies SC1 and P5.

#### Impact on the Setting of the Adjacent Grade II Listed Building (Christ Church)

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on Local Planning Authorities that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 129 of the National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 132 notes that significance can be harmed or lost through development within the setting of a heritage asset. Paragraph 137 states that Local planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Policy CG3 of Bolton's Core Strategy states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.

The application site lies to the north/rear of the Grade II Listed Christ Church and is sited at a higher ground level. The principal elevation and main entrance to the church is the Chorley New Road frontage to the south. There is good separation distance from the church itself to the southern application site boundary of 60m. Sited inbetween the church and the application site is the church car park, ornamental pond and the modern church hall. A deep area of young, self sown Birch tree growth and dense vegetation has been retained along the southern interface to Christ Church car park which affords good screening. The church grounds are surrounded by matures trees and vegetation on all sides.

It is considered that the proposed new dwellings will not have a detrimental impact on the setting of the adjacent Grade II Listed Christ Church, complying with policy CG3 of the Core Strategy and the NPPF.

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



The NPPF in paragraph 56 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.

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.

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

The applicant submits that "historic mapping show that the former Villa property and its related outbuildings were sited in the northern portion of the site on a raised plateau overlooking the large lawned and tree bound garden with dual access points from the north (Markland Hill) and the south east (Clarebank)".

The proposed dwellings are positioned close together in a 'fan' arrangement and mostly on the footprint of the former Hetlands house with front elevations facing east/south east. Rear elevations face north and west. It is acknowledged that the site is screened to all boundaries by mature, mainly deciduous TPO trees and thick vegetation and officers note that the tree cover will create a large amount of shade in summer months. Whilst the proposed dwellings have orientated frontages within the body of the site, the house types have been detailed to provide secondary elevations when viewed from Markland Hill to the west.

The proposed house types are individually detailed, the applicant submits that the house types are "referenced by their scale, proportions and detailing to reflect the character of the Victorian/Edwardian period villa-styled properties that are still well represented in the Heaton area and core to its Conservation Area status". It is the considered view of officers that this has been achieved (with particular reference to height, gables, use of roof space, traditional style dormer windows, feature door entrances, materials and stone detailing) in a sensitive way as for the dwellings to also be legible/representative of modern design.

Proposed external materials as detailed are considered to be suitable for the conservation area. The proposed facing bricks are in keeping with the pale colour tones of the development at Belvedere Heights that directly faces and fronts Markland Hill and, the pale colour tones of No.1 Clarebank, whilst the redder mix will pick up the predominant brick hues of the smaller traditional house types in the area. The colour mix of the bricks will afford a greater individuality to each of the dwellings. The choice of roof material has been influenced by the sustainability of their production and their visual integrity, by size and colour, to natural Welsh Black-Blue slate. The detailing is proposed to enhance the brick detailing and formality of the house types, in heads and sills, in reconstituted Limestone product.

The applicant has worked with the Council's Landscape Architects and amended proposals for boundary treatments and landscape mitigation have been submitted and the detail of which has been approved by the LPA.

An objection has been received stating that the proposed 'four storey' dwellings do not adhere to local character of two storey dwellings. The proposed dwellings comprise four floors arranged over

two and a half storeys and incorporate integral garages sited at semi-basement level, two general floors and a fourth floor accommodated in the roof space with dual pitched dormer windows. The height to ridge of the proposed dwelling is approx 12.1m. It is accepted that the proposed dwellings are tall. The submitted topographical survey shows that the application site falls in level by approx. 3.0m from east to west and falls by approx. 3.0m from north to south. The submitted levels illustrate that the integral garages to plots 1 and 2 will be sited 2.0m and 1.2m respectively below the ground floor entrance level, plot 3 will be positioned more 'out of the ground' however this property is sited at a lower ground level than plots 1 and 2. Residential properties surrounding the site are 1 Clarebank (bungalow), 3 Clarebank (2 storey house), Hetlands (2 storey house) and 5 Belvedere Heights (2 storey house). Behind 5 Belvedere Heights is a part three, part four storey apartment block at no.'s 1 - 11 Belvedere Heights which measures 15.0m to the ridge at the highest point. Christ Church to the south of the application site is sited at a lower ground level and is of considerable height. It is the considered view of officers that there is a large variation in property heights in the immediate surrounding area which supports the height of the proposed dwellings.

An objection has been received stating that three houses of the same design lead to a housing estate look and Markland Hill is characterised by individual design properties. The proposed house types are individually detailed and three dwellings are not considered to form an 'estate'. Planning officers consider that Markland Hill was characterised by individual design properties, however new housing developments over recent years have, to some degree, eroded the character. Residential developments such as Belvedere Heights and The Rowans comprise house types that are a 'variation of a theme'.

Given the above detail the proposal is considered to comply with Core Strategy policy CG3.

#### 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 site is screened to all boundaries by mature, mainly deciduous TPO trees and thick vegetation. The landscape and additional tree planting proposals (to be conditioned) will further boost the existing screening with evergreen species.

The interface distances to nearest residential dwellings comply with guidance contained within SPD General Design Principles. Residential properties surrounding the site with direct interface are 'Hetlands', 3 Clarebank, 2 Springlawn and 1 Clarebank and the interface distances to these properties will be in excess of 29m. The nearest residential property is 1 Springlawn; the side elevation of plot 1 will face the side elevation of the garage gable of 1 Springlawn (there is no window interface) and the interface distance will be approx. 15m, in addition Springlawn (private road) will provide separation and mature trees will provide substantial screening. The distance from the southern application site boundary and Christ Church car park is approx. 9m and the interface with the Church Hall will be approx. 36m and with Christ Church itself will be 60m.

Markland Hill bounds the application site to the west with the residential development 'Belvedere Heights' beyond at approx 32m in distance.

It is therefore considered that the proposed dwellings will not negatively impact upon the amenity of neighbouring residents and land uses and as such the proposal complies with policy CG4 of the Core Strategy.

#### Impact on Protected Trees

The NPPF states in paragraph 109 that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.

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

In 2013 the Council agreed to clearance of the self sown trees located within the former Central and upper garden area. That work has been completed. A deep area of this young Birch tree growth has been retained along the southern interface to Christ Church car park to complete the peripheral tree planting.

The Council's Trees and Woodland Officer has had considerable involvement with the proposed development and site clearance of self sown trees and notes that the positioning of the three dwellings is such that this will have the least impact on the surrounding trees that create the outer edge screen to the site. Tree losses can be mitigated by the proposed re-landscaping and tree screen planting as detailed.

The Tree Officer notes that the entrance road has been moved (Plan Ref: 2070 01) since the pre-application site discussions, this is further to the east taking it closer to protected trees and resulting in the loss of trees and adds should the application be approved then additional information and method statements will be required as to how the access road will be constructed where it is closer to the trees to be retained, where the levels have changed from the existing and original road levels onto the site. In addition, the Council's Trees and Woodland Officer has requested conditions be included in an approving decision notice for protective fencing to trees and root zones.

It is therefore considered, subject to recommended conditions, that the proposal accords with Core Strategy Policy CG1.2.

#### Impact on the Highway

The NPPF requires that development seek to minimise travel, and where significant traffic is to be generated these should be located within sustainable locations, maximising the use of sustainable transport modes.

Core Strategy policy P5 and S1 seek to ensure developments which would not have an adverse impact upon the road network and which makes appropriate provision for parking, the needs of pedestrians and vehicle manoeuvring.

Vehicular access to the site is via Clarebank (private road) off Chorley New Road and improvements are proposed at the Chorley New Road junction together with the provision of 'passing bays' on Clarebank to avoid unnecessary vehicular conflict. The gated entrance to the proposed development will be on the south east corner of the site and may shift eastwards by approx 1.0m - 1.5m due to a boundary dispute with Christ Church. The Council's Trees and Woodland Officer is aware of this potential shift and has made provision for protection/removal of trees.

The original Hetlands house had an additional access directly off Markland Hill via Springlawns (private road) and the former gate entrance stone uprights on Markland Hill still bear the 'Hetlands' name. This track (which runs to the east of the application site) is now a narrow, unmade, overgrown and unmaintained track and vehicular access is difficult. There are no proposals to use or improve this track.

The Highways Authority has been involved in pre-application discussions with the developer which



led to agreement in principle for the access route to the site using Clarebank and improvements indicated within the submission.

Highways have been consulted and note that the proposal will generate negligible traffic volumes onto the highway and should pose limited road safety implications and add that Clarebank (which is a private-road) should be able to cater for the level of development. Highways also note that the applicant is proposing adequate off-road parking provision with each residential property in line with the Council's parking standards to support the level of development.

It is therefore considered, subject to conditions, that the proposal would comply with policy S1 and P5 of the Core Strategy.

#### Impact on Drainage

The site is not located within a flood risk area or critical drainage area. The application site is located on an existing brownfield site and is below the threshold of 5 or more residential units for policy CG2 of the Core Strategy to be applicable.

United Utilities have been consulted and have no objections to the proposal. In addition the Council's Drainage and Technical Support Team have been consulted and have no objections to the proposal and have advised that a condition be included in an approving Decision Notice requesting that a sustainable drainage scheme be submitted to and approved by the LPA prior to commencement of groundworks. It is considered therefore that, subject to condition, the proposed development is acceptable in terms of drainage and would comply with policy CG2 of the Core Strategy.

#### Land Contamination

The applicant has submitted a Preliminary Risk Assessment (No. 15732/1) in support of the application prepared by The Arley Consulting Company Limited. The PRA adequately assesses the historical, environmental and geological information on site. The Report concludes that the likelihood of contamination being present at this site is considered to be very low. Such lack of risk leads the report to conclude that neither further investigation (PRA2) nor site remediation is required.

It is considered therefore that the proposed development is acceptable in terms of land contamination.

#### Local finance considerations

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

New Homes Bonus for the 3 no. proposed dwellings – this is not a material planning consideration.

#### Conclusion

For the reasons discussed above it is considered that the proposed development would accord with all relevant policies. Members are therefore recommended to approve this application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** 2 letters have been received objecting to the proposal on the grounds of;

- requesting signage during construction to prevent site traffic using Springlawns;
- requesting the deeds of the new houses prevent access to the dwellings via Springlawns; *officer comment - this is not a material planning consideration*
- requesting a retaining wall which would prevent left turn onto the private drive to the east which leads onto Springlawns;
- impact of the four storey dwellings on neighbour amenity;
- 4 storey dwellings do not adhere to local character of 2 storey dwellings;
- 3 houses of the same design lead to a housing estate look, Markland Hill is characterised by individual design;
- surrounding trees are deciduous and so screening will be reduced in winter months;
- requesting illustrations of massing and profile of dwellings against existing houses;
- Planning and Highways staff verbally assured local residents at the time of the Laurels development that this site would not be developed; *officer comment - Planning and Highway officers are unable to make such statements;*
- no grass, only areas of trees;
- the new houses will be dark, over shadowed by trees;
- no details of boundary treatments;
- the statement 'the western boundary with Markland Hill and the southern boundary with Christ Church will require particular careful attention' shows woeful disregard for local residents;
- no detail as to the immediate entrance to the dwellings;
- the boundary details show a 1.8m solid fence - open railings would be preferable;
- the boundaries are on land belonging to other residents; *officer comment - this is a civil matter*

2 letters have been received stating general comments with regards to the proposal;

- clarification as to future ownership of Thornbank; *officer comment - this is a civil matter*
- trees overgrowing residents fences; *officer comment - this is a civil matter*
- trees shown and boundaries are not as per plan; *officer comment - the Council's Landscape, Greenspace and Tree Officers are satisfied with the submitted plans*

Points without officer comments have been addressed in the main body of the report.

### **Consultations**

Advice was sought from the following consultees: The Council's Highways Management, Drainage and Technical Support, Greenspace Management, Tree and Woodland Officer, Environmental Health, Landscape, Economic Strategy, Strategic Development Unit, Manchester City Council Design and Conservation Team, Design for Security GM Police.

### **Planning History**

96270/16 - RETENTION AND ADAPTATION OF 2.4M HIGH BOUNDARY FENCE FOR A TEMPORARY PERIOD OF TWO YEARS - approved June 2016

Various tree applications.

**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, development or stripping of soil shall be started until:

1. The trees within or overhanging the site which are to be retained/or are subject of a Tree Preservation Order (TPO) have been surrounded by fences of 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).

3. Prior to the commencement of development of any works on site, the developer shall submit a method statement detailing how the following elements of the site will be constructed without causing harm or damage to the protected trees found on the site to the Local Planning Authority. The specified areas are:

**access road construction off Clare Bank (south east corner of site)  
definitive fence line positions**

No development or site clearance shall take place until the Local Planning Authority has agreed the measures in writing, and these measures shall then be implemented fully in accordance with the approved details.

Reason

To ensure the safe development of the site and favourable retention of trees.

6. Prior to the commencement of development full details of the highway works at the junction of Clarebank/Chorley New Road comprising; work to be undertaken within the highway limit associated with the access improvements for the junction of Clarebank/Chorley New Road (access widening to 5.5m, 4.0m radii) as indicated on the submitted site plan [Proposed Site Layout 2 of 2, Drwg No. 08 Rev A, dated 01/06/16] shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety and to comply with policy S1 of the Core Strategy.

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

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

Reason

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

8. Before the approved/permitted development is first brought into use no less than 3 car parking spaces with minimum dimensions of 2.4 metres by 5.5 metres shall be provided (including garaging provision) within the curtilage of the site, in accordance with [Drawing Ref: Proposed Site Layout 1 of 2, Drwg No. 02 Rev K, dated 10/12/15] details to be submitted to and approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

9. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed.

Reason

In the interests of highway safety and to comply with policy S1 of the Core Strategy.

10. The development hereby permitted shall be constructed entirely of the approved materials. Details of which are detailed below:-

Facings - Plot 1 and 3 - Weinerberger Hurstwood-Multi  
 Facings - Plot 2 - Weinerberger Kingshurst  
 Roofs - Marley Eternit Rivendale  
 Detailing - Haddonstone – colour Portland 01  
 Windows - Ruislip white upvc – sash window design  
 Doors - Rock  
 Road and driveways - water pervious resin-bounded granular surface - colour; Biscuit, with brick pavior demarcation

Reason

For the avoidance of doubt as to what is permitted.

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

**Proposed Site Layout 1 of 2, Drwg No. 02 Rev K, dated 10/12/15**  
**Proposed Site Layout 2 of 2, Drwg No. 08 Rev A, dated 01/06/16**  
**Proposed Site Plan, Drwg No. 10, dated 20/09/16**  
**General Arrangement of House Type: Plot 1, Drwg No. 04 Rev D, 17/05/16**  
**General Arrangement of House Type: Plot 2, Drwg No. 05 Rev C, 17/05/16**



**General Arrangement of House Type: Plot 3, Drwg No. 06 Rev C, 17/05/16**  
**Landscape and Tree Mitigation Proposals, Drwg No. 2070\_03, October 2016**  
**Revised Boundary Details, to be read in conjunction with Landscape and Tree Mitigation**  
**Proposals, Drwg No. 2070\_03, October 2016 (scanned to file 03/15/16)**

Reason

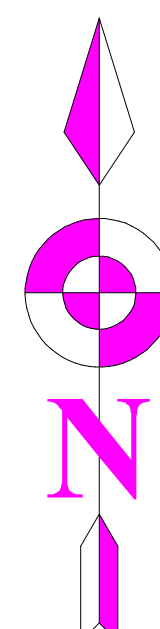
For the avoidance of doubt and in the interests of proper planning.

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Rev.	Revision	Inl.	Date
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Client :	<b>ICS Homes</b>
Project :	<p>Proposed Development on land at: "The Hetlands", Chorley New Rd., Bolton</p> <div>  <p><b>Chartered Practice</b></p> </div>
<p>Drawing :</p> <p><b>Proposed Site Layout : 1 of 2</b></p>	<p>Date : <b>10th December 2015</b></p> <p>Drawn : <b>P.J.S.</b></p> <p>Scale : <b>1 : 200 @ A1 / 1 : 400 @ A3</b></p>
Project No. : <b>1590</b>	<p>Drawing Number : <b>02</b></p> <p>Drawing Revision : <b>K</b></p>






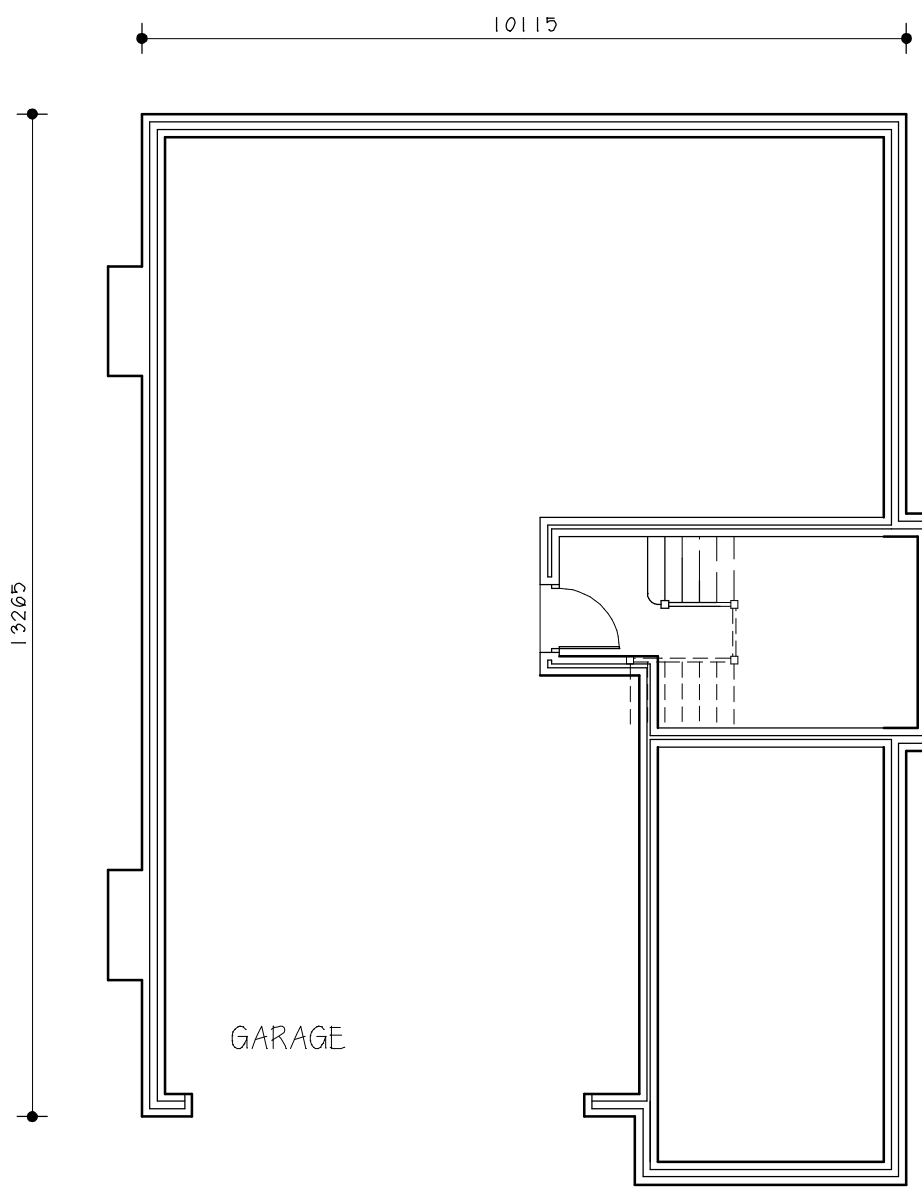


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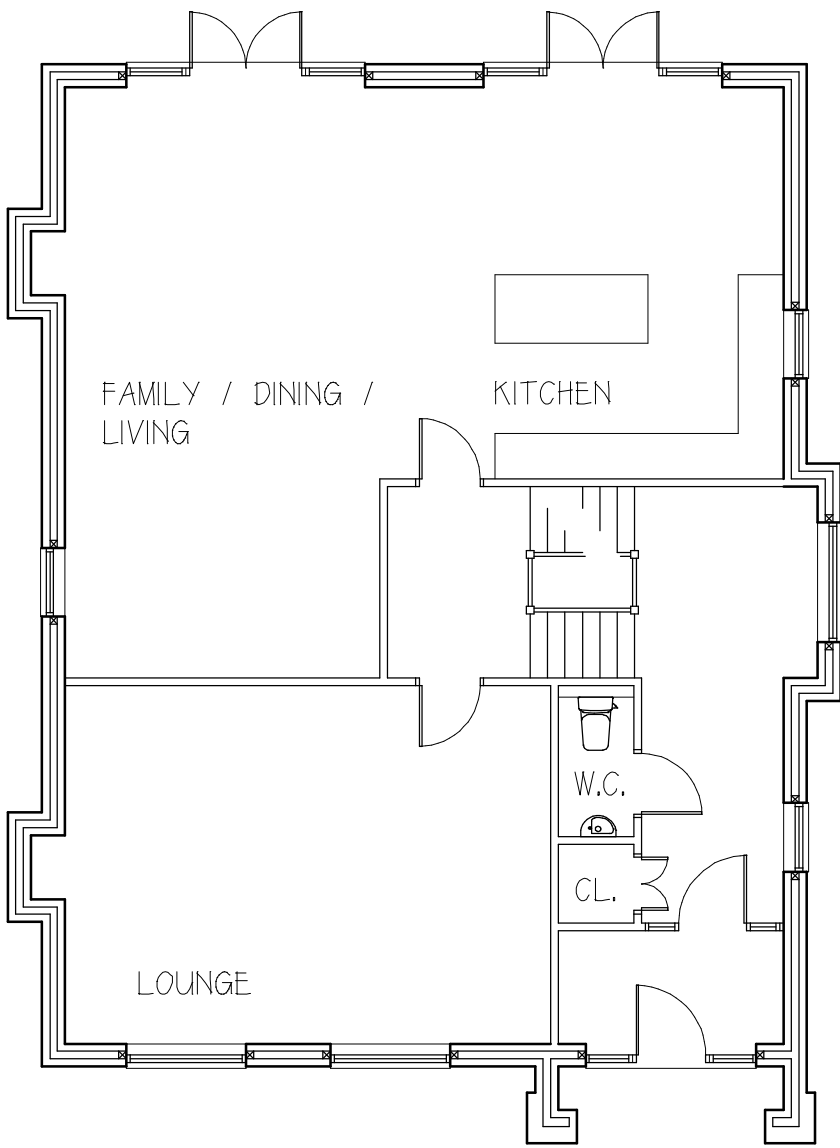
Rev.	Revision	Int.	Date

	<b>Good &amp; Tillotson Chartered Architects</b>		Client / Project :	Drawing :	Date :	Project No. :
	2 The Studios, 318 Chorley Old Road, Bolton, BL1 4JU		ICS Homes	Proposed Site Plan	20th Sept. 2016	<b>1590</b>
	Tel : 01204 497700 Fax : 01204 497776		Proposed Development on land at "The Hetlands", Chorley New Rd., Bolton		Drawn :	Drawing Number :
	E-mail : info@goodandtillotson.co.uk Web : www.goodandtillotson.co.uk				X.X.	<b>10</b>
					Scale :	Drawing Revision :

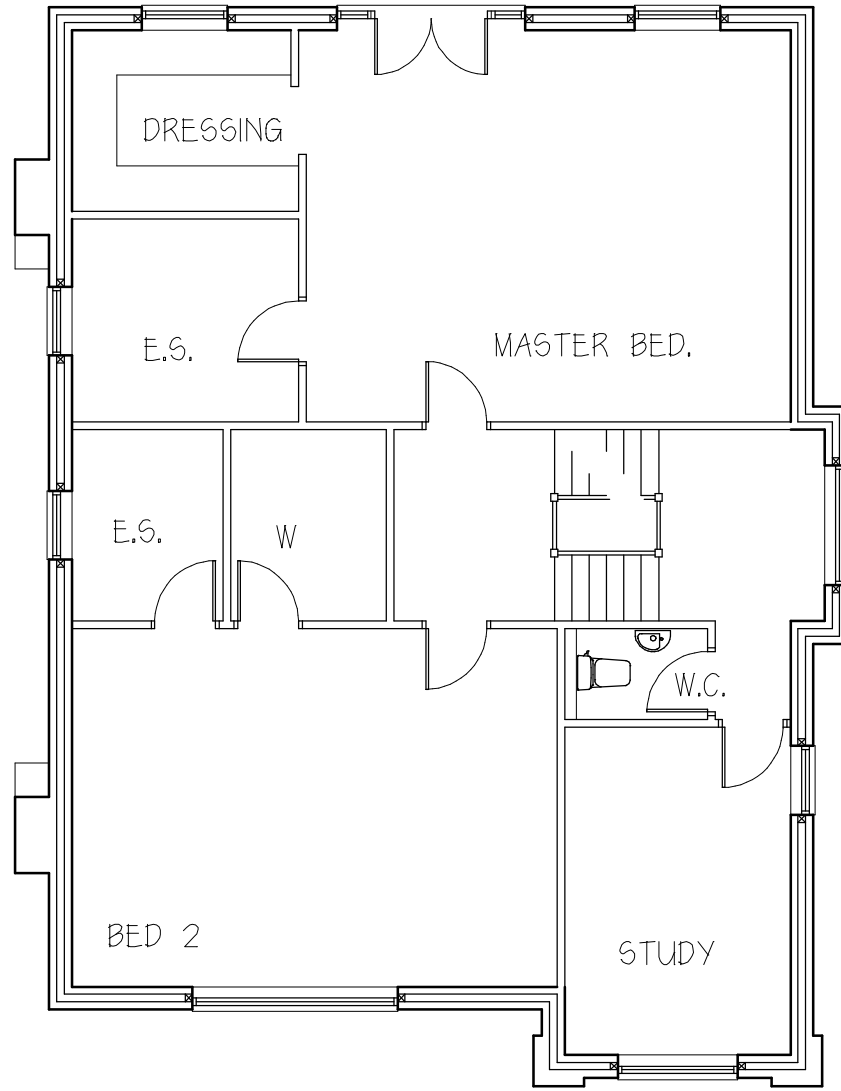




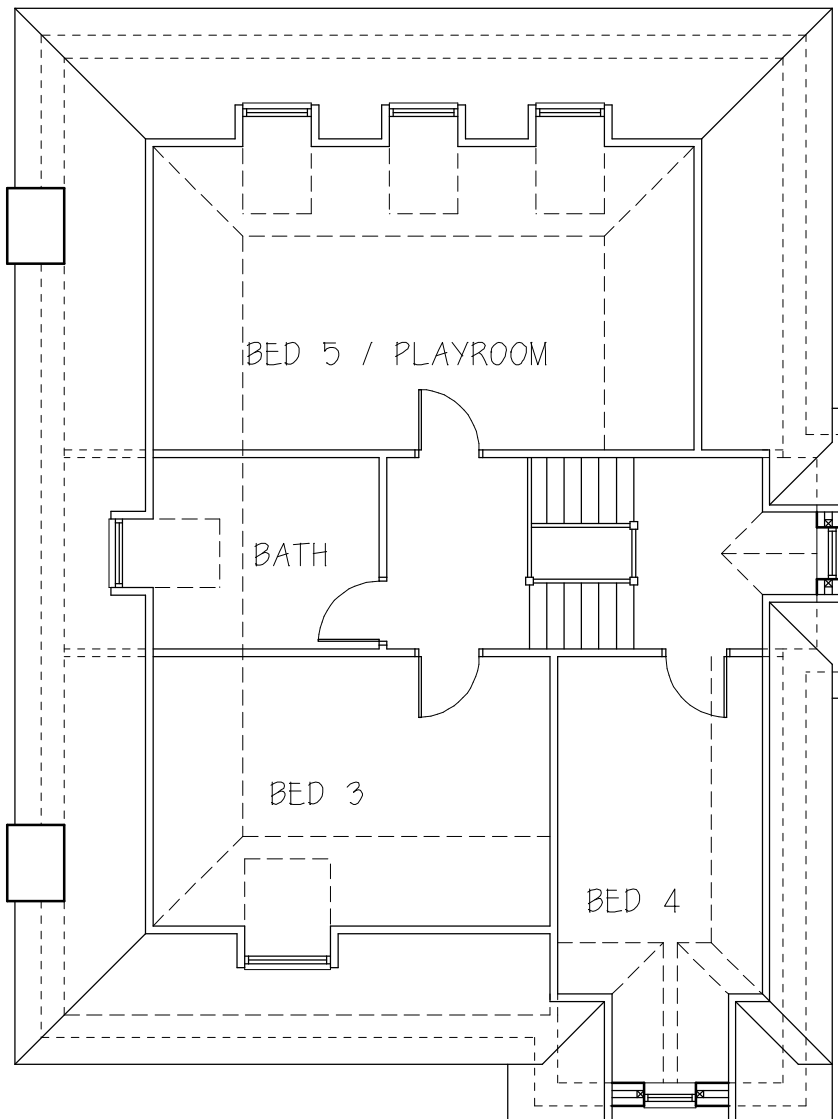
LEVEL 1 :  
GARAGE LEVEL



LEVEL 2 :  
ENTRY LEVEL



LEVEL 3



LEVEL 4

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All relevant boundary positions to be checked prior to proceeding.

**GENERAL MATERIALS :**  
WALLS : FACING BRICKWORK OF APPROVED PATTERN AS COLOUR, WITH 'HART-STONE' FEATURES  
ROOFS : NATURAL SLATE  
WINDOWS & DOORS : TIMBER



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

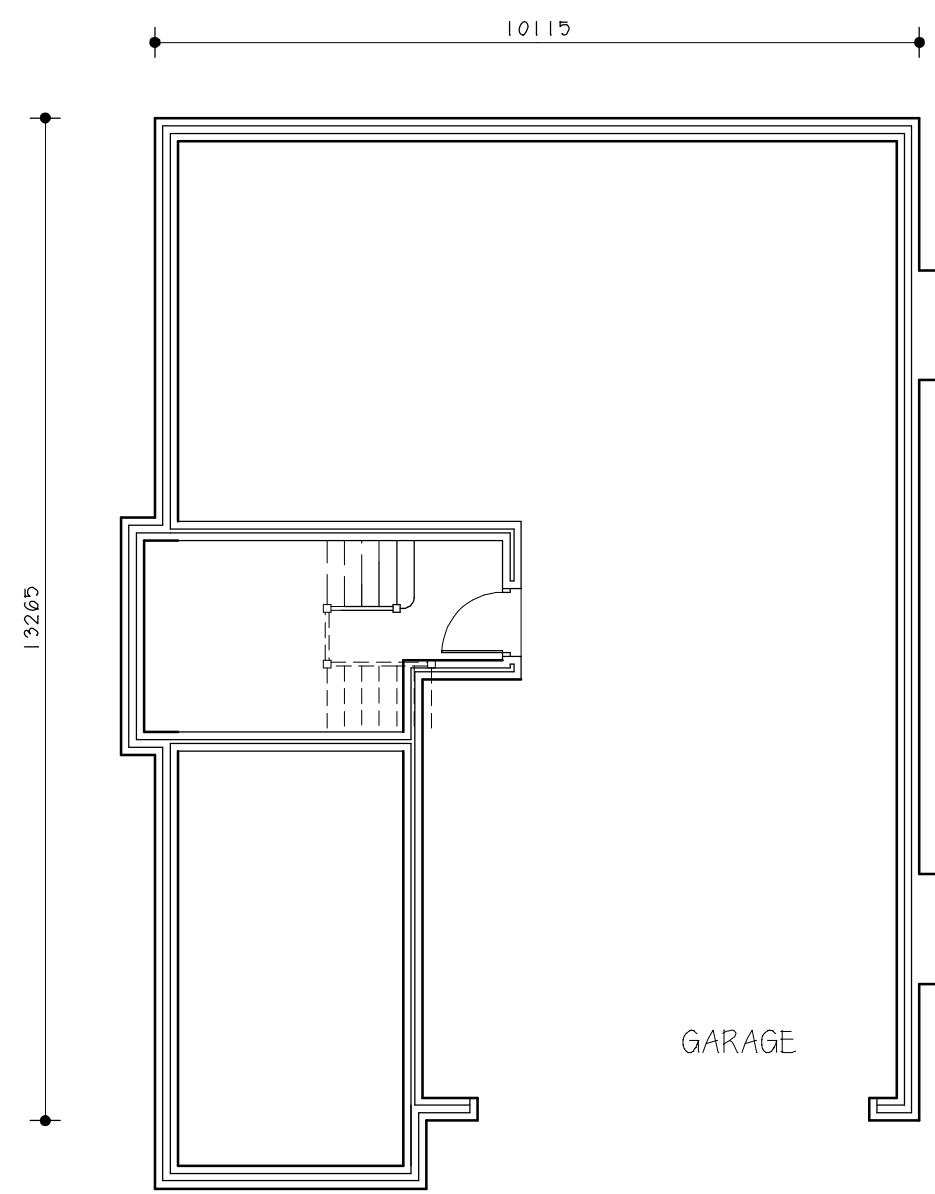
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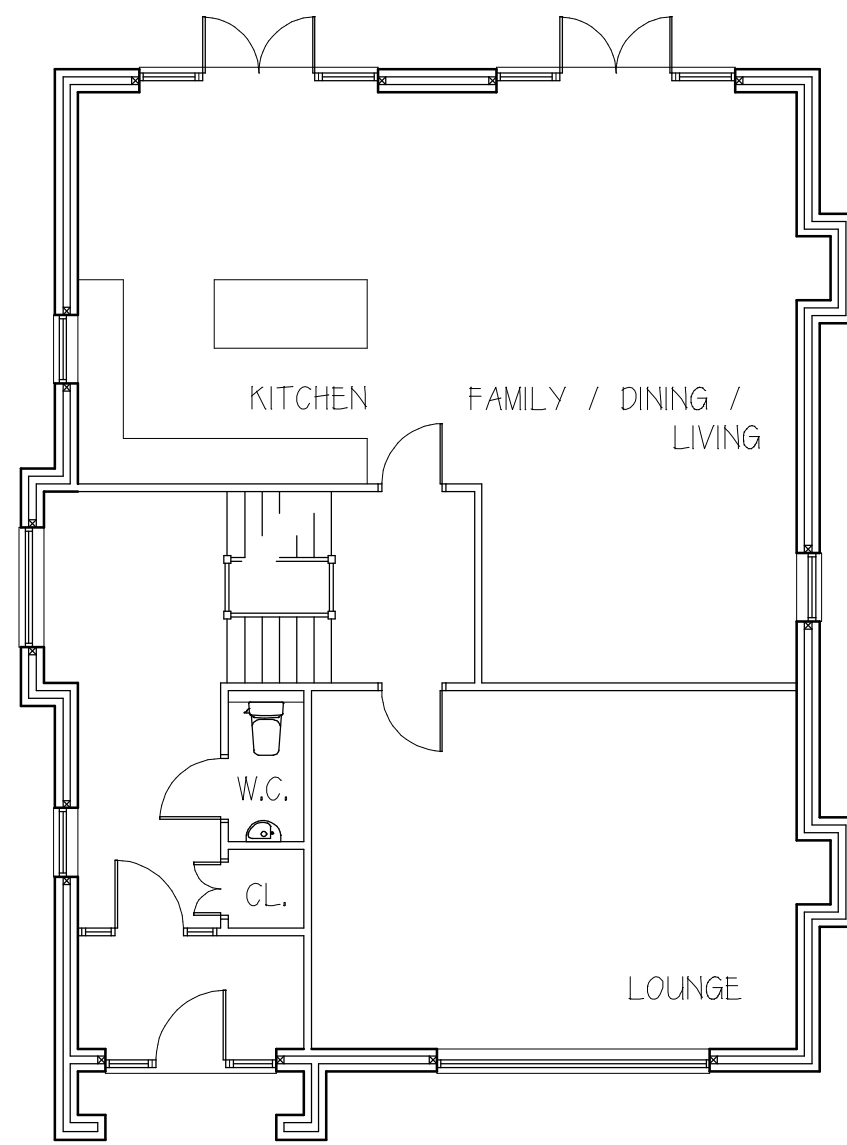
SIDE ELEVATION

D	General amendments & notes added	P.J.S.	14.09.16
C	Front elevation amended & house widened	P.J.S.	08.09.16
B	Amendments to client's instructions	P.J.S.	07.07.16
A	Amendments to client's instructions	P.J.S.	01.06.16
Rev.	Revision	Inl.	Date

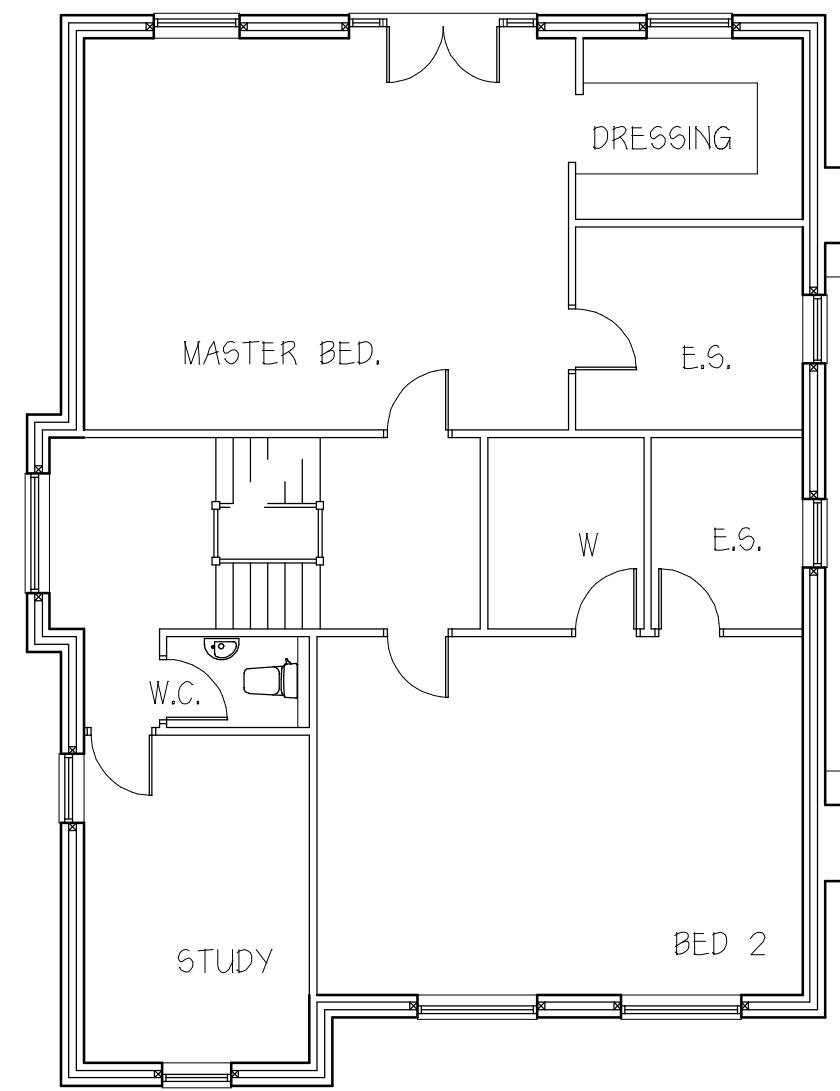
 <b>Good &amp; Tillotson Chartered Architects</b> 2 The Studios, 318 Chorley Old Road, Bolton, BL1 4JU Tel : 01204 497700 Fax : 01204 497776 E-mail : info@goodandtillotson.co.uk Web : www.goodandtillotson.co.uk	
Client : ICS Homes	
Project : Proposed Development on land at "The Hetlands", Chorley New Rd., Bolton	RIBA  Chartered Practice
Drawing : General Arrangement of House Type : Plot 1	Date : 17th May 2016 Drawn : P.J.S. Scale : 1 : 100 @ A1
Project No. : <b>1590</b>	Drawing Number : <b>04</b> Drawing Revision : <b>D</b>



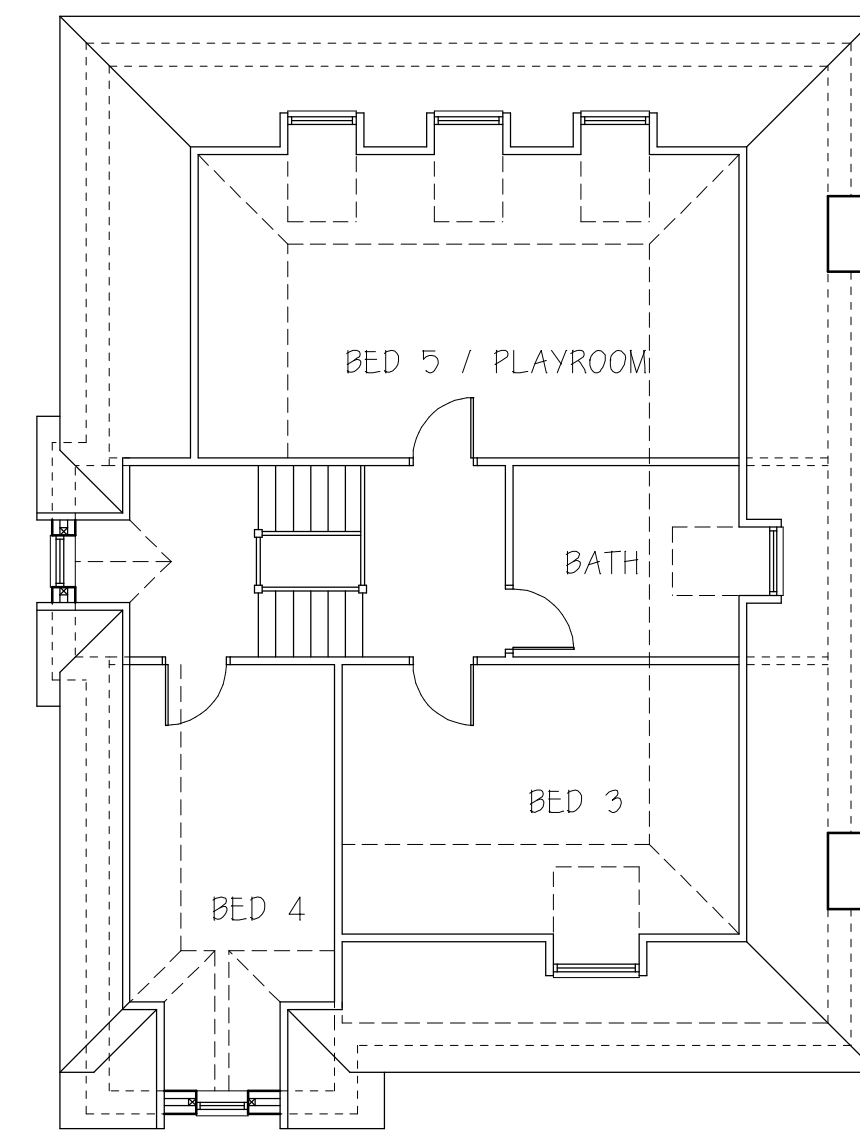
LEVEL 1 :  
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LEVEL 2 :  
ENTRY LEVEL



LEVEL 3



LEVEL 4

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ROOFS : NATURAL SLATE  
WINDOWS & DOORS : TIMBER



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



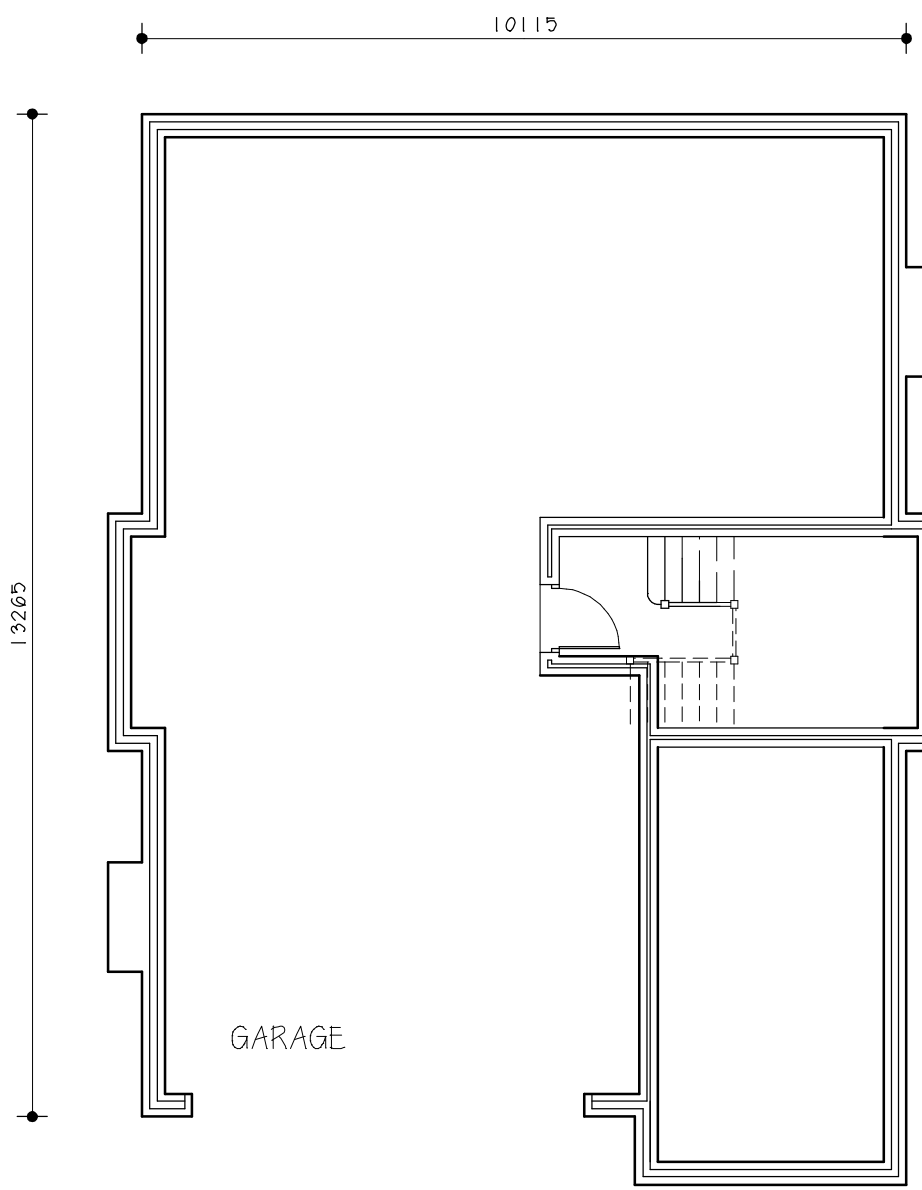
SIDE ELEVATION

C	General amendments & notes added	P.J.S.	14.09.16
B	Front elevation amended & house widened	P.J.S.	08.09.16
A	Amendments to client's instructions	P.J.S.	07.07.16
Rev.	Revision	Inl.	Date

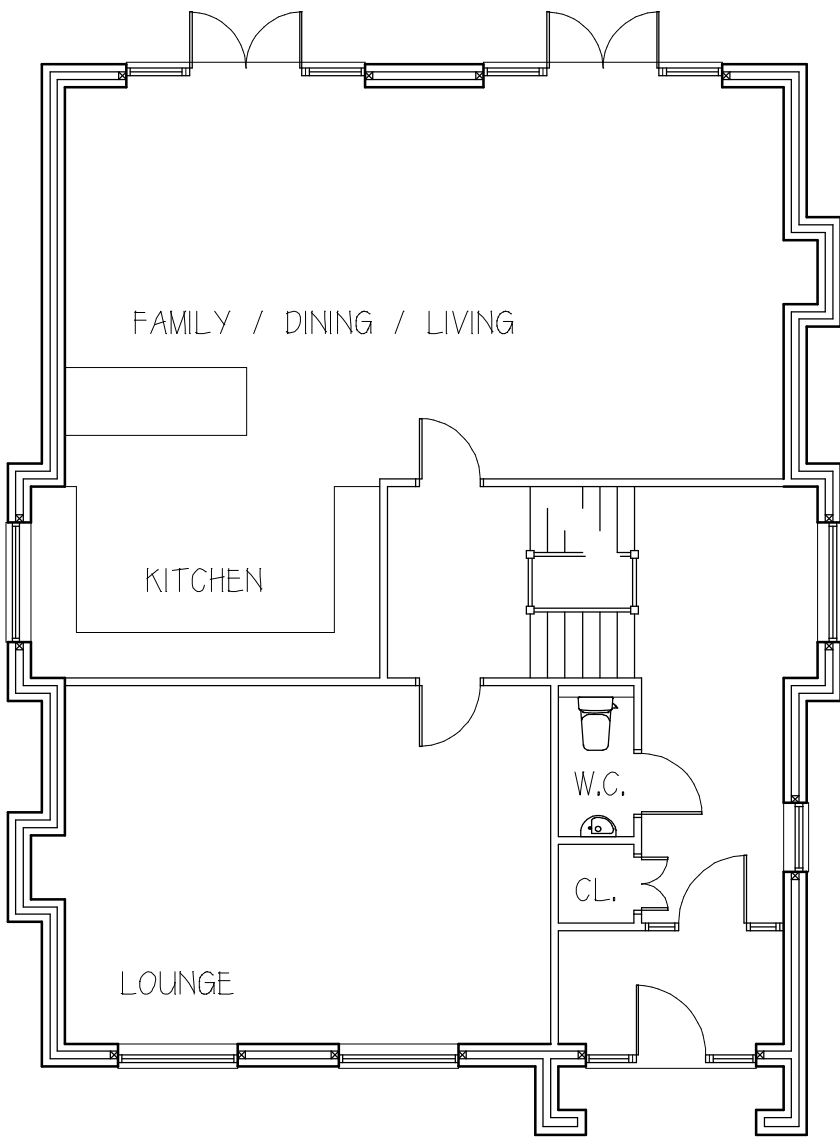


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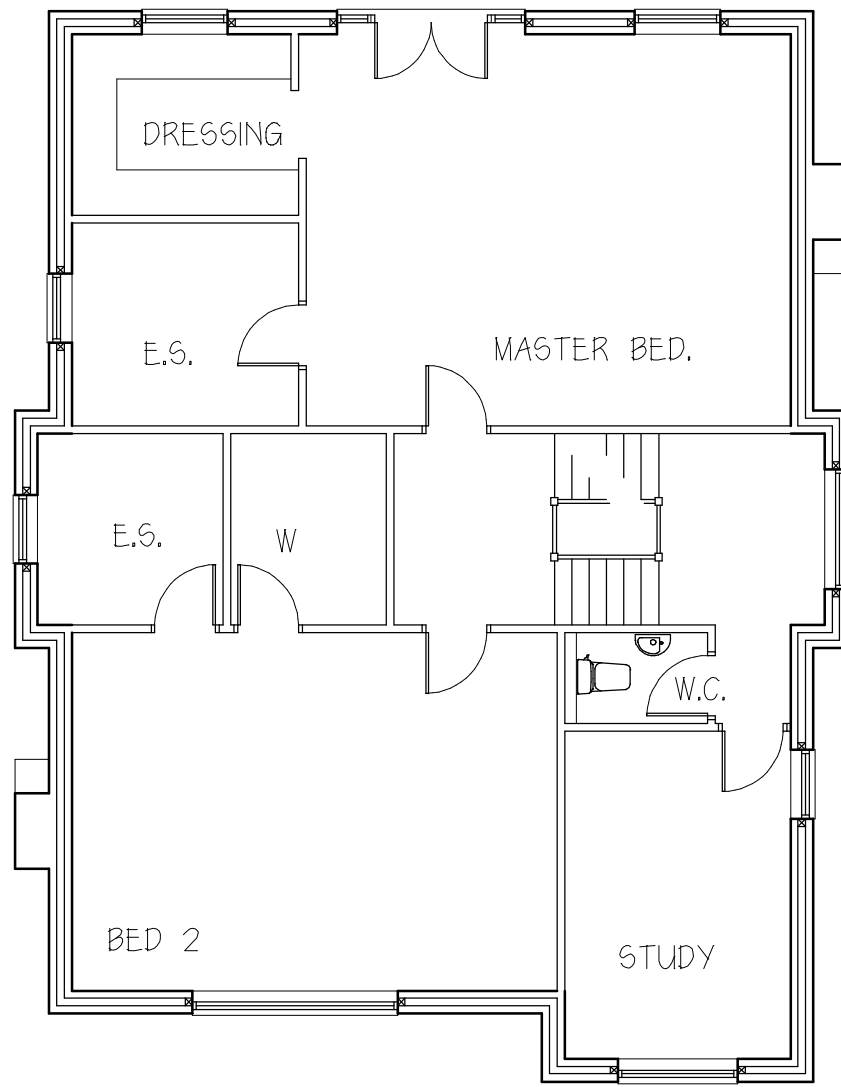
Client : <b>ICS Homes</b>	
Project : Proposed Development on land at "The Hetlands", Chorley New Rd., Bolton	<b>RIBA</b>  Chartered Practice
Drawing : General Arrangement of House Type : Plot 2	Date : 17th May 2016 Drawn : P.J.S. Scale : 1 : 100 @ A1
Project No. : <b>1590</b>	Drawing Number : <b>05</b> Drawing Revision : <b>C</b>



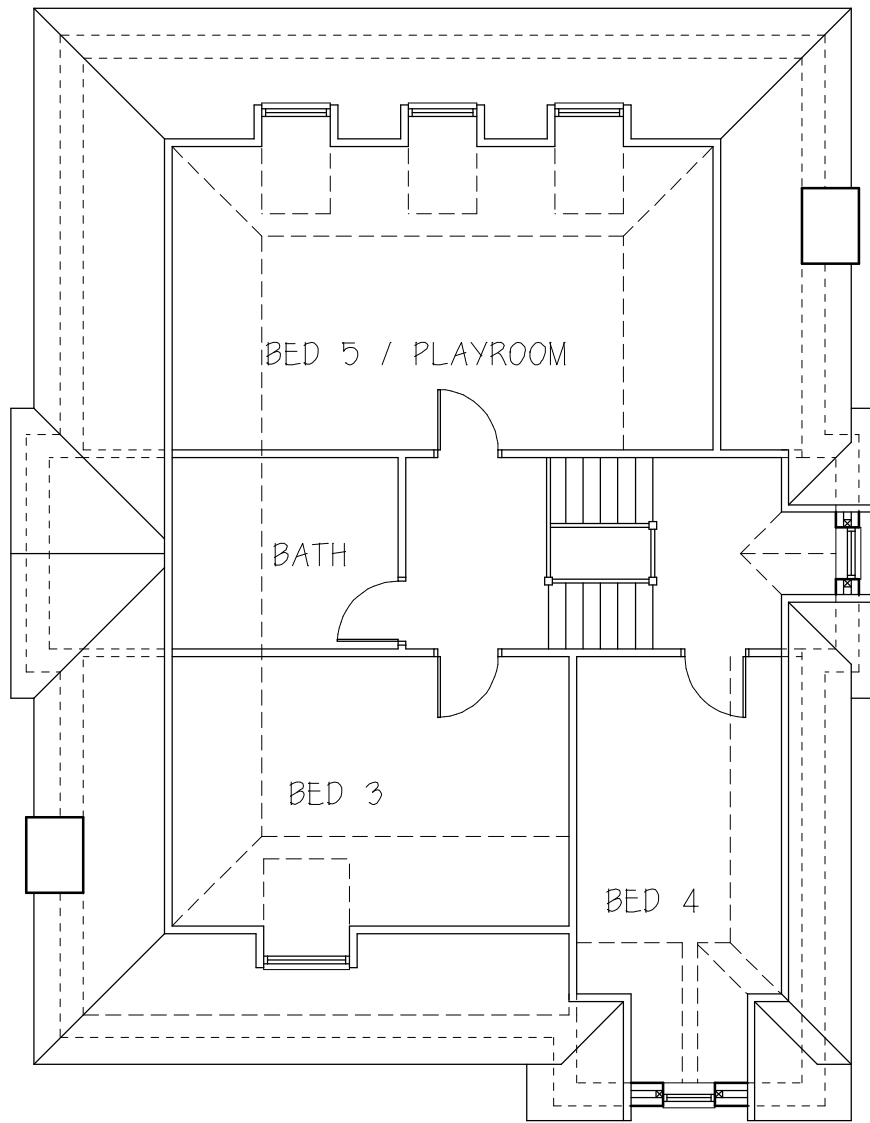
LEVEL 1 :  
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LEVEL 2 :  
ENTRY LEVEL



LEVEL 3



LEVEL 4

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ROOFS : NATURAL SLATE  
WINDOWS & DOORS : TIMBER



FRONT ELEVATION



SIDE ELEVATION




REAR ELEVATION



SIDE ELEVATION

DECKING TO REAR OF DWELLING SHOWN IN 'OUTLINE' ONLY


C	General amendments & notes added	P.J.S.	14.09.16
B	House widened	P.J.S.	08.09.16
A	Amendments to client's instructions	P.J.S.	07.07.16
Rev.	Revision	Inl.	Date



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Web : www.goodandtillotson.co.uk

**Client :** ICS Homes

**Project :**  
Proposed Development on land at  
"The Hetlands", Chorley New Rd., Bolton

**RIBA**   
Chartered Practice

**Drawing :**  
General Arrangement of House Type :  
Plot 3

**Date :**  
17th May 2016  
**Drawn :**  
P.J.S.  
**Scale :**  
1 : 100 @ A1

**Project No. :**  
**1590**

**Drawing Number :**  
**06**

**Drawing Revision :**  
**C**



*Plot 5*

*Substantial detached family  
home with well-screened  
landscaped garden.*





# Application number 97684/16



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97684/16**

**Type of Application: Full Planning Application**

**Registration Date: 17/10/2016**

**Decision Due By: 11/12/2016**

**Responsible Officer: Alex Allen**

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

**Proposal:** DEMOLITION OF 68 WIGAN ROAD, RECONFIGURATION OF CAR PARK AND LANDSCAPING TOGETHER WITH THE ERECTION OF AN EXTENSION TO THE EXISTING FOODSTORE TO ACCOMMODATE A NEW IN-STORE BAKERY AND FREEZER AREA, INSTALLATION OF NEW GLAZED ENTRANCE AND ASSOCIATED WORKS

**Ward: Westhoughton South**

**Applicant: Lidl UK GmbH**

**Agent : Rapleys LLP**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

The applicant proposes the following amendments to the existing Lidl Superstore:

- Erection of a single storey extension at the front of the store to accommodate a new in store bakery, freezer area and condenser (for staff use only);
- Installation of a new glazed entrance;
- Demolition of No. 68 Wigan Road (making good the party elevation to No. 70) and the extension of existing car parking through the provision of 4 (no) disabled spaces and 4 (no.) parent and child spaces;
- Provision of 5 additional standard car parking spaces (4.7 metres in length and 2.5 metres in width);
- Due to the proposed front extension, the existing trolley store would be relocated into the central car park area resulting in the loss of some car parking provision;
- A total of 68 car parking spaces would be provided within the new wider site curtilage (a net increase of 1 space on the existing provision);
- Total additional floorspace created of 208 sq. metres;
- Proposed materials to be used are white render panels with grey cladding to match the existing store.

It is noted that the proposed site plan does also show a proposed free standing double sided billboard adjacent to the boundary with properties on Templeton Close. The applicant has confirmed

that this does not form part of the current application and would require separate advertisement consent from the Local Planning Authority.

### **Site Characteristics**

The application relates to the existing Lidl supermarket which is sited in a prominent location at the junction of The Fairways and Wigan Road. The retail store is sited at the rear / south of the site close to properties on Wigan Road and Walker Street. The main vehicular access point is off the Fairways in the north west corner of the site, with the existing delivery point adjacent to the boundary with No. 11. An existing acoustic wooden fence forms the boundary with properties on Templeton Close with the existing car park and service area slightly further away from the residential properties due to the presence of established landscaping.

No. 68 Wigan Road has an existing gable and garden closest to the customer car park. There is an existing walkway at the side of No. 68's side garden. The site slopes gently from north to south. Currently a total of 67 spaces are provided within the curtilage of the store.

### **Policy**

National Planning Policy Framework

Core Strategy P2 Retail and Leisure, CG3 The Built Environment, CG4 Compatible Uses, P5 Accessibility, S1 Safe, OA3 Westhoughton.

Supplementary Planning Documents - General Design Principles and Accessibility (June 2015) and Transport and Road Safety (October 2013).

### **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 development;
- \* impact on the character and appearance of the existing store and wider area;
- \* impact on adjoining uses;
- \* impact on highway safety.

### **Principle of development**

Core Strategy policies P2 and OA3 seek to concentrate new convenience goods (retail) development within town centres. This is generally consistent with guidance contained within the NPPF in relation to new retail development.

In 2009 Members considered whether retail development on this site was appropriate, given the site

is located on the edge of Westhoughton town centre. At the time it was considered that due to the lack of alternative sites within Westhoughton town centre and the requirement for further retail investment in Westhoughton that the site was appropriate for retail development.

The store has now been open for a number of years following construction. The applicant now wishes to add a modest (c. 208 sq.metres) extension to the existing store. It is noted that this is to provide an in house bakery, freezer store and a condenser unit which would all be located within a single storey front extension. It is noted that this extension would not increase the net retail floorspace for the store as previously approved.

It is considered that the proposal is a modest extension to facilitate improvements to the operation of the store. The proposal would comply with Core Strategy policy P2 and OA3.

#### Impact on the character and appearance of the existing store and wider area

Core Strategy policies CG3 and OA3 seeks to ensure that new development proposals conserve and enhance local distinctiveness ensuring development has regard to the overall built character and landscape quality of the area.

The front extension to the existing store would complement the overall massing of the original store and also the materials used in it's construction. The demolition of the end terraced property at No. 68 Wigan Road would remove the property and the side garden area. A new gable would need to be provided at the side of No. 70 whose design/materials to be used would be conditional upon any approval. This element of the proposal would also be the subject of discussions between the applicant and the owner of No. 70 as to the construction detail of the gable wall. This would sit outside the formal planning process.

The creation of a new extended car park at the side of No. 70 would complement the existing car parking area with ancillary landscaping provided along the new car parks periphery. An acoustic screen fence would protect the existing rear yard of this property from both direct views from the car park and noise related issues. The additional car parking area adjacent to No's 1 and 3 Templeton Close would remove some landscaping. However, landscaping would be retained either side of the 5 (no.) new car parking spaces.

There is also scope for additional replacement tree and shrub planting within the development to offset any planting being removed as a result of the proposed development.

It is considered that subject to a replacement landscaping plan being agreed and implemented in full the proposal would comply with Core Strategy policies CG3 and OA3.

#### Impact on adjoining uses

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.

Two local / adjoining residents have raised concerns in the main over the impact of the proposed car parking extensions.

The proposal would create five additional spaces in the north west corner of the site. No's 1 and 3 Templeton Close have their rear gardens adjacent to the proposed new spaces. The existing sole vehicular customer and delivery access to the Lidl store is adjacent to the Fairways and runs parallel to properties on Templeton Close. There is an existing acoustic boundary fence which runs adjacent to the shared party boundary with these properties. This mitigates against noise disturbance to local residents.



The car park extension adjacent to No. 70 Wigan Road would create a new relationship between the store (car park) and this property. It is currently offset from the existing car park which is currently adjacent to No. 68's side garden/yard area. A new gable wall would be created which would offer some insulation from parking / general activity within the proposed disabled and parent and child car parking area. In addition, a new acoustic fence would be sited within the site next to the existing side boundary fence which currently runs along the back yard of No. 68 Wigan Road.

As part of the applicant's initial submission the applicant has provided a noise assessment. This study concludes that the noise levels in the rear gardens of properties on Templeton Close will be 2 dB higher than existing levels whilst noise levels in the SE corner of the site would be 5 dB higher than existing levels. Given the dominant noise sources around the site is a result of road traffic on both Wigan Road and The Fairways it is considered that the proposed increased noise levels will be insignificant and not result in a detrimental impact on any of the adjoining uses.

The Council's Environmental Health Officers have recommended a number of conditions to maintain / protect residents living conditions including the submission of a remediation strategy for the land, asbestos survey for the demolition of No. 68 Wigan Road, lighting scheme to be submitted, approved and implemented, limits on the noise emanating from plant /equipment within the extensions and details of extraction/filtration of odours from the proposed bakery.

It is considered that the proposal would be compatible with the adjoining uses and that subject to the imposition of a number of conditions the proposals would comply with CS policy CG4.

#### Impact on highway safety

Core Strategy policies P5 and S1 seek to ensure that new development proposals promote road safety and provide for sufficient parking, servicing and manoeuvring areas within development sites.

Whilst the proposal would remove some car parking spaces as a result of the relocation of the trolley store additional car parking would be provided in the SE and NW corners of the extended site which provides a net increase in spaces by 1. Whilst the proposal would increase in floorspace by just over 200 sq.m this is not retail floorspace per se, but more operational areas for staff. As a result it is considered that the increase in floorspace does in itself not require any further increase in car parking than already existing.

The Council's Highways Engineers do not object to the proposal. They state that the proposal would result in an increase in the width of the footpath near No. 68 Wigan Road which is beneficial. They also comment that the new car parking spaces adjacent to the existing site access would be 10 centimetres below the recommended length of 4.8 metres. They comment that whilst the space is slightly shorter than standard it is also wider 2.5 metres rather than the recommended 2.4 metres to allow for increased manoeuvrability at this location.

It is considered that the proposal provides sufficient car parking and is well located within easy reach of Westhoughton town centre.

The proposal complies with policy.

#### **Conclusion**

The proposal would complement the existing retail store in terms of the scale and design of the proposed extension. The car park extensions would all complement the existing car park without being detrimental to landscape character or the living conditions of adjoining residential occupiers. The proposal would provide the ability of Lidl staff to have an in store bakery to the advantage of customers. Sufficient car parking would be provided within the site to offset any loss of parking.

The proposal complies with policy and is recommended for approval.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** two objection letters have been received, one from an adjoining resident of Templeton Close (No. 5) and one objection from No. 70 Wigan Road. The key issues raised are as follows:

- The five additional car parking spaces to the rear of properties on Templeton Close will increase noise and air pollution;
- Already suffer with unpleasantness when delivery wagons keep their engines running;
- Impact on the use of back gardens particularly in the summer months;
- Parking spaces are shorter than others - concern cars will protrude onto the main access and exit route creating an obstruction and resulting in accidents;
- Proposed double sided billboard near to the parking spaces - direct view of properties on Templeton Close;
- Privacy and noise problems with the new plans;
- Existing limited privacy to the rear bedroom since the store was built. The new proposal e.g. new car parking would make this worse;
- Noise will increase with cars being adjacent to No. 70;
- A physiotherapy business is operated from the ground floor of No. 70. Customers hearing the noise of people and cars will have an impact on clients well being and recovery.

**Petitions:-** no petitions received.

**Town Council:-** raise no objections.

**Elected Members:-** no comments received.

### **Consultations**

Advice was sought from the following consultees: Westhoughton Town Council, Highways Engineer, Landscape Architects, Coal Authority, Wildlife Liaison Officer, Environmental Health Officers and Greater Manchester Ecology Unit.

### **Planning History**

The existing Lidl superstore was granted permission by Members in July 2009 (Ref: 81747/09) following demolition of the former Greenfield Club. Subsequently there have been a number of applications for advertisement consent, some of which have been granted and some of which have been refused.

Lidl applied to vary the delivery hours to the property for Sundays and Bank Holidays. This was refused permission in August 2010 (Ref: 84260/10).

**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 a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall include:
- (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to human health, property or the environment;
  - (iii) an appraisal of remedial options and proposal for a preferred option. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

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

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

Reason

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

3. Prior to commencement of the demolition of No. 68 Wigan Road the developer must either submit evidence that the building was built post 2000 or an intrusive ***pre-demolition*** asbestos survey in accordance with HSG264 and a mitigation plan to reduce risks to potential occupiers.

Following completion of measures identified in the approved survey, verification and/or completion documentation that demonstrates the effectiveness of any asbestos removal works carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason

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

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

Reason

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

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

Reason

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

6. No activities and/or operations shall take place which release odorous emissions to the atmosphere without first submitting a scheme to the LPA 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 time.

Reason

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

7. The rating level, as defined in BS4142:2014, shall not exceed the measured daytime sound level of 52dB(LAeq) during the hours of 0700 to 2300 and the measured night time sound level of 41 dB (LAeq) during the hours of 2300 to 0700 from fixed plant and equipment at the proposed store extension at nearby sensitive receptors.

In order to achieve these levels a 2 metre high acoustic close boarded fence shall be erected, retained and maintained on the new site boundary with No. 70 Wigan Road in the south eastern part of the site.

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.

8. Before the approved/permitted development is first brought into use no less than 68 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with the approved **Proposed Site Plan (Revision 2 - dated 05.07.16)**. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Reason

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

10. The approved highways improvement scheme as indicated on Drawing No. SCP/16412/F01 to include the following measures:

- Footpath widening, relocation of street lighting provision and the removal of dropped kerb/access closure

shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

11. The approved landscaping scheme as shown on Drawing No. R/1920/1A 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.

12. The development hereby permitted shall be constructed entirely of the materials details of which are shown on **plan ref: Proposed GA Elevations Rev 1 (dated 10.06.16)**.

Reason

For the avoidance of doubt as to what is permitted.

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

**Proposed Site Plan, Lidl - Westhoughton, The Fairways - Revision 2 - dated 05.07.16;  
Proposed Ground Floor Plan - Lidl - Westhoughton, The Fairways Rev. 1, dated  
10.06.16;  
Proposed GA Elevations, Lidl - Westhoughton, The Fairways Rev 1, dated 10.03.16; and  
Drawing No. R/1920/1A - Landscape details.**

Reason

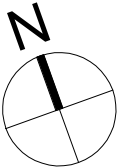
For the avoidance of doubt and in the interests of proper planning.

Revision	Drawn By	Checked By	Date
1	JCH	DWW	10.06.16
2	JCH	DWW	05.07.16



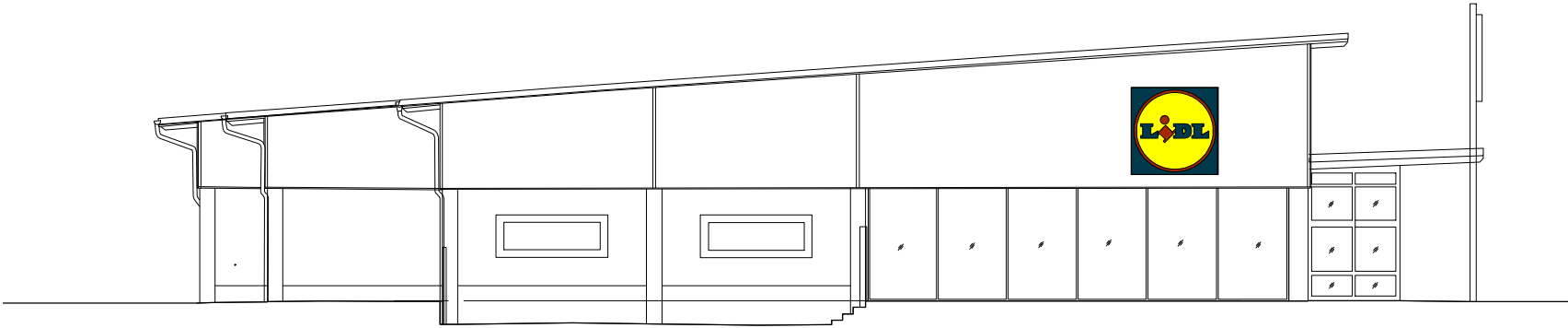
Westhoughton, The Fairways	
Site Area - Red Line	5010m <sup>2</sup>
Existing GIA	1271m <sup>2</sup>
Existing GEA	1336m <sup>2</sup>
Existing Sales Area	1003m <sup>2</sup>
Proposed GIA	1479m <sup>2</sup>
Proposed GEA	1540m <sup>2</sup>
Proposed Sales Area	1041m <sup>2</sup>
Proposed Warehouse Area	268m <sup>2</sup>
Proposed Ancillary Area	170m <sup>2</sup>
Aisles	5
Car Parking	
Existing	67
Proposed	68

- Tarmac to access road
- Anthracite concrete block interlocking paving to parking areas - herringbone
- Anthracite concrete block interlocking paving to trolley bays and pedestrian routes - stretcher bond
- Concrete paving to footpaths
- Landscaped area
- Existing Store
- Area of existing store to be remodelled
- Proposed extension

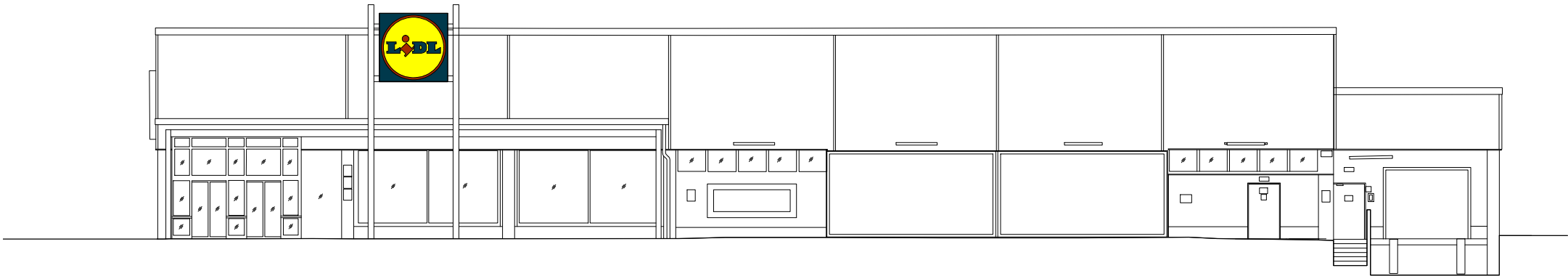


Project Lidl - Westhoughton, The Fairways					
Drawing Title Proposed Site Plan					
Project No. 07200	Originator SPA	Volume 00	Level - Type - Role - Class - No. XX-DR-A-90P-0002	Suitability S3	Revision 2
File Reference 07200-SPA-00-XX-DR-A-90P-0002-S3-2				Scale at A3 1 : 500	

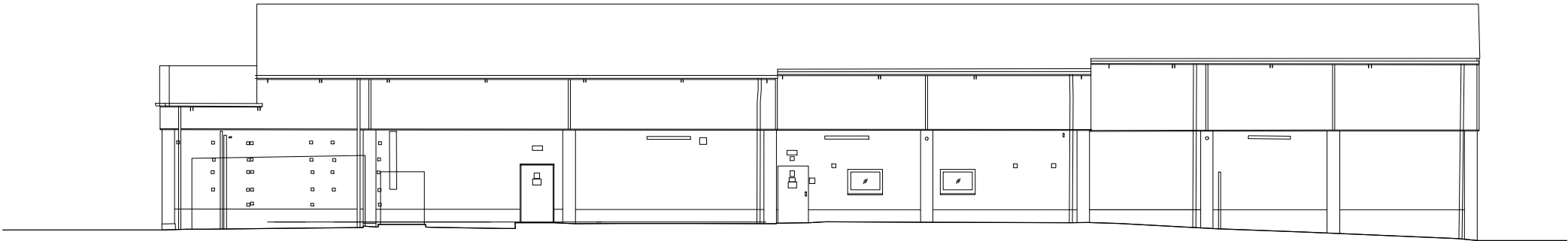




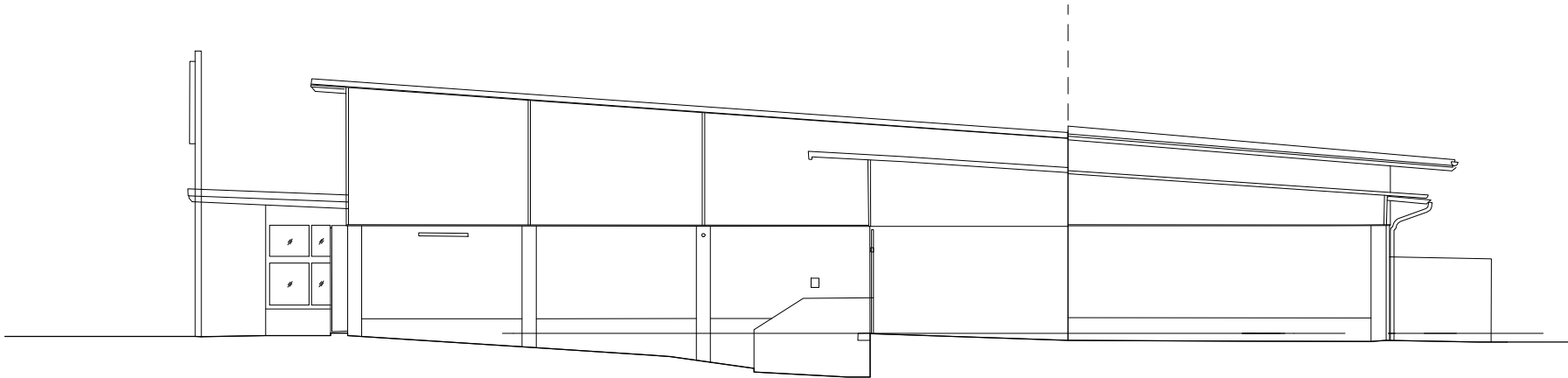
Existing - East Elevation



Existing - North Elevation



Existing - South Elevation

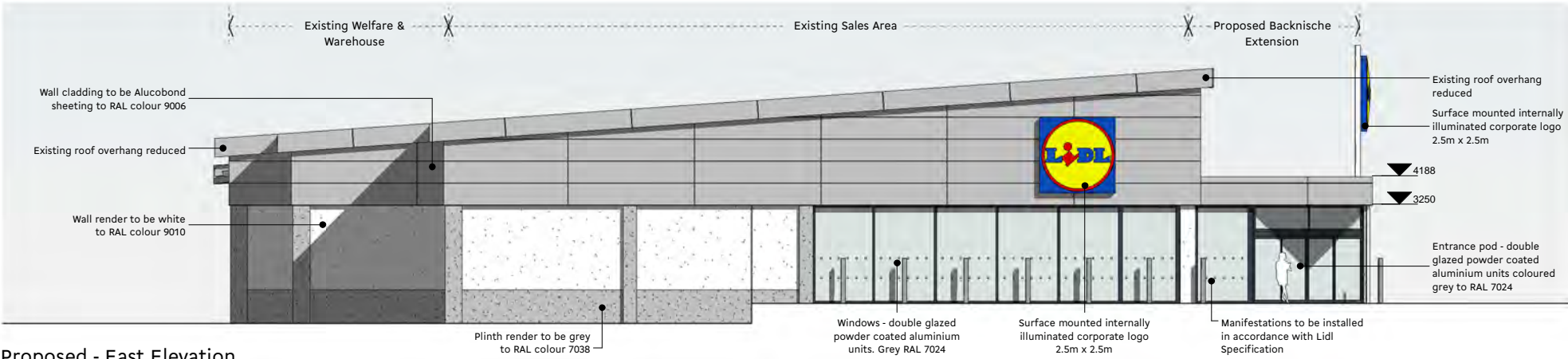


Existing - West Elevation

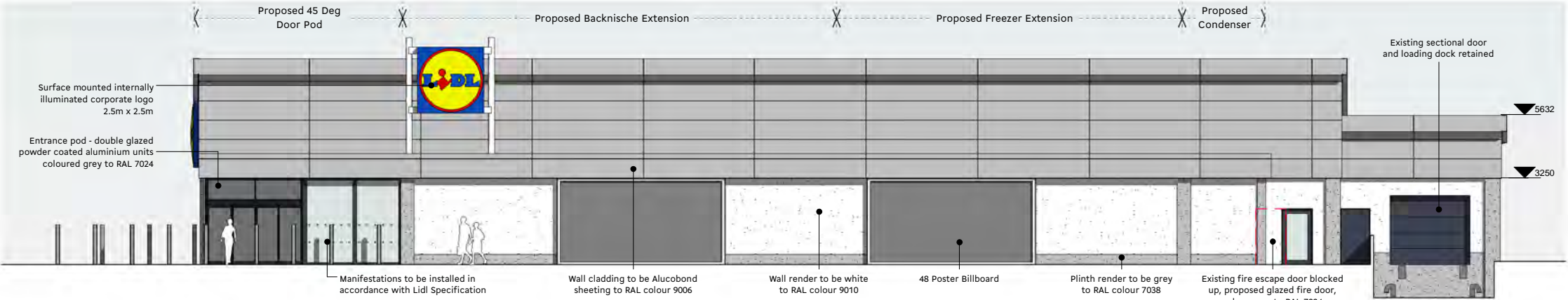


Project Lidl - Westhoughton, The Fairways					
Drawing Title Existing GA Elevations					
Project No. 07200	Originator SPA	Volume 00	Level - Type - Role - Class - No. XX-DR-A-02P-0001	Suitability S3	Revision 1
File Reference 07200-SPA-00-XX-DR-A-02P-0001-S3-1				Scale at A3 1 : 200	

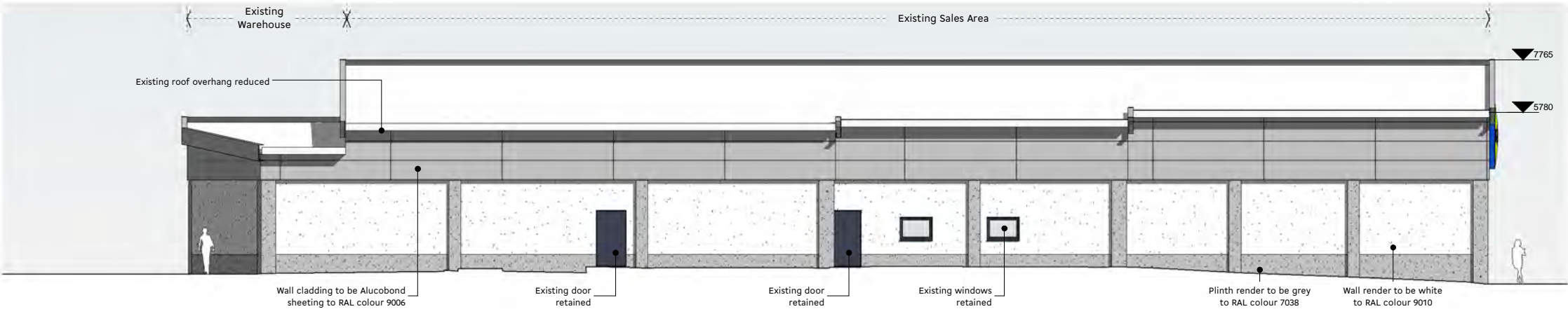
Revision	Drawn By	Checked By	Date
1	JCH	DWW	10.06.16



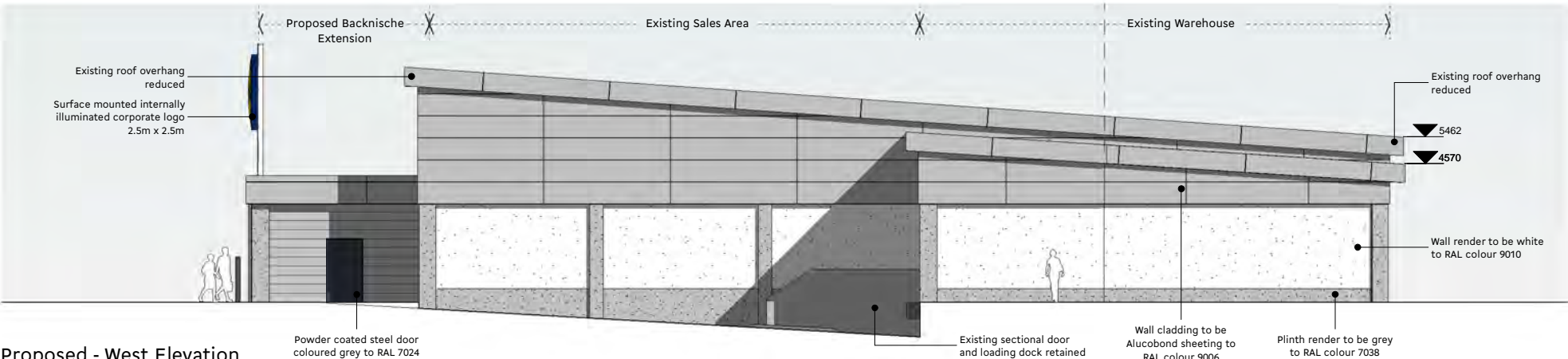
Proposed - East Elevation



Proposed - North Elevation



Proposed - South Elevation



Proposed - West Elevation



Project Lidl - Westhoughton, The Fairways					
Drawing Title Proposed GA Elevations					
Project No. 07200	Originator SPA	Volume 00	Level - Type - Role - Class - No. XX-DR-A-02P-0002	Suitability S3	Revision 1
File Reference 07200-SPA-00-XX-DR-A-02P-0002-S3-1				Scale at A3 1 : 200	



# Application number 97718/16



Development & Regeneration Dept  
Development Management Section

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# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97718/16**

**Type of Application: Full Planning Application**  
**Registration Date: 20/10/2016**  
**Decision Due By: 14/12/2016**  
**Responsible Officer: Helen Williams**

**Location: REGENT PARK GOLF CLUB, LINKS ROAD, LOSTOCK, BOLTON, BL6 4AF**

**Proposal: ERECTION OF A GROUND FLOOR AND FIRST FLOOR EXTENSION TO FORM RESTAURANT, BAR AND FUNCTION ROOM, TOGETHER WITH ADDITIONAL PARKING**

**Ward: Heaton and Lostock**

**Applicant: Mr Roberts**  
**Agent : Fasciato Architects**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Permission is sought for ground floor and first floor extensions to the existing golf club house to provide:

- \* Improved facilities for golfers (changing rooms, toilets, kitchen and golfers bar with external terrace on the ground floor);
- \* A restaurant with bar and external terrace on the ground floor;
- \* A function room (with a capacity of up to 200 people) on the first floor with outside terrace/balcony. This would be served by a separate access from the club house on the west side of the building.

The front single storey part of the club house (with the weathervane tower above) is to be retained, with the main part of the proposed extension (2 storeys in height) being erected at the rear of this. The rear two storey element is to be rendered and would have a flat roof.

The extended club house would be larger in footprint than the existing club house by approximately 40%, but approximately 124% larger in internal floor area than the existing building (the existing gross internal floorspace is 567 sq. metres and the proposed is 1,268 sq. metres).

35 additional car parking spaces are also proposed to the east of the building, in an extension to the existing car park. This is on the site of the former practice putting green, which has now been relocated closer to the first tee.

To allow for the extension of the club house (and to safeguard the users of the building) the 18th



green is to be re-sited to a location some 15 metres to the south.

The proposed hours of opening are:

- \* for the restaurant /bar: 12:00 to 23:00 Monday to Thursday, 12:00 to 00:00 Friday to Saturday and 12:00 to 23:00 Sundays.
- \* for the function room: 12:00 to 23:00 Monday to Thursday, 12:00 to 00:00 Fridays, 12:00 to 01:00 Saturdays and 12:00 to 23:00 Sundays.
- \* for the golfer's bar/facilities: 08:00 to 18:00 7 days a week in winter (October to March) and 08:00 to 23:00 7 days a week in summer (April to September).

The applicant states that the golf course currently attracts players during daylight hours, often from 06:00 hours.

### **Site Characteristics**

The application site comprises the single storey club house building for Regents Park Golf Course, an ancillary flat roof detached building to the eastern side of the club house, a 25 space car park to the front of the building, the former practice putting green (no longer used) to the east of the building, and the northern part of the 18th green.

The application site is accessed from Links Road to the north of the site, which is an unadopted road off Chorley New Road.

The application site and the wider 18 hole golf course are located within the Green Belt. The Green Belt starts at the end of Links Road/at the entrance of the golf course.

Houses on St Andrews Road and Links Drive are sited to the north of the golf course, the closest property being approximately 70 metres away from the club house. Houses on Regent Drive to the east are approximately 115 metres away.

Regents Park Golf Course is the only public "pay and play" course in the borough.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Green Bolton; CG3 The Built Environment; CG4 Compatible Uses; OA4 West Bolton.

Allocations Plan Policies: CG7AP Green Belt.

SPD General Design Principles; SPD Accessibility, Transport and Road 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 openness and purposes of the Green Belt
- \* impact on the character and appearance of the area
- \* impact on the amenity of neighbouring residents
- \* impact on the highway
- \* impact on trees

#### Impact on the Openness and Purposes of the Green Belt

Section 9 of the National Planning Policy Framework (NPPF) concerns protecting Green Belt land. The Government attaches great importance to Green Belts. 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.

Policy CG7AP of Bolton's Allocations Plan reflects national Green Belt policy.

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 continues, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 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.

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, but lists a number of exceptions to this. These include [amongst other things]:

- \* the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- \* 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.

The proposed development comprises the extension of an existing golf club house building and the extension of the car parking area to the front.

Whilst club houses are generally considered to be "appropriate facilities" for outdoor sport (as they provide changing facilities and refreshments for golfers), the proposed development would include a large restaurant and bar area on the ground floor that would be available for public use and a large function room on the first floor (which would be available for private bookings and would have a capacity for up to 200 people). Whereas it is not uncommon for club houses to cater for "non-golfers" during the day and for private events during the evening (such as weddings and parties), it is considered that the scale of the proposed development would be beyond what would normally be considered as "appropriate facilities" for outdoor sport given that the majority of the floor space would not directly cater for golfers.

It is also considered that the scale of the proposed extensions to the building (an increase of over 120% in internal floor area from the existing floor area) could not be described as proportionate additions to the original building.

The proposed development is therefore considered to be inappropriate development in the Green Belt.

#### *Harm to purposes of the Green Belt*

As stated above, the proposed scale of the restaurant and function room in comparison with the proposed facilities for golfers within the extended building results in the proposal being, by definition, inappropriate development in the Green Belt. The proposed development does not fit within any of the exception criteria within paragraph 89 of the NPPF. Paragraph 80 of the NPPF lists the five purposes that Green Belt serves. These are:

- \* to check the unrestricted sprawl of large built-up areas;
- \* to prevent neighbouring towns merging into one another;
- \* to assist in safeguarding the countryside from encroachment;
- \* to preserve the setting and special character of historic towns; and
- \* to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Officers do not consider that the proposed development harms the five purposes of Green Belt. The proposed extensions to the club house and car park would not create an extension to the built-up area of the borough, would not result in neighbouring settlements merging into one other, would not encroach into the countryside (it would be contained within the developed part of the golf course, albeit the extended car park would extend onto a former practice putting green), would not affect the setting and character of an historic town, and would not discourage urban regeneration in that would be an extension to an existing development (brownfield/previously developed land, albeit in Green Belt) on the edge of the urban area.

#### *Harm to the openness of the Green Belt*

The proposed extensions to the club house will increase the footprint of the building by approximately 40% and will add a two storey element to the rear of the building (the building is currently only one storey in height). The proposed extensions will therefore inevitably have an affect on the openness of the Green Belt in that they will result in a larger building. The club house is however sited near to the northern boundary of the Green Belt in this location, therefore nearby an established urban area. Views across the Green Belt will therefore only be effected from nearby north, north west and eastern viewpoints. Views of the extended building from the east will also be partly screened by vegetation.

Whilst the proposed extensions are large in scale in comparison with the existing building, it is considered that the harm to the openness of the Green Belt in this location (given the siting of the building) will be rather limited.

The extension of the car park will increase the existing area of hard standing within the site, however this would not harm the openness of the Green Belt (when not in use).

#### *Very special circumstances*

The applicant has submitted the following as very special circumstances in this case:

- \* The proposal is part of an overall project to enhance the facilities at Regents Park Golf Course, to ensure its continued future offer as the only public "pay and play" course in the borough. Significant investment, amounting to around £2 million has already taken place in recent years with the construction of the new driving range, main course modifications with new holes, and the new 9 hole family course;
- \* With private courses locally now offering "pay and play" to non-members, the golf course needs to offer comparable quality facilities equal to private course, to retain the sustainability of the club;

- \* The proposed extended facilities will contribute beneficially to the sustainability of the club house by attracting additional overall use of the course. Improved overall facilities for golfers will enhance the customer offer and will encourage them to stay and enjoy both golfing and food and drink options;
- \* The increase use will contribute to the continued maintenance of the wider course to maintain the quality standard as Bolton's prime "pay and play" golf course for members of the public;
- \* Knock on benefits to local hotels and guest houses when overnight accommodation is required;
- \* The bulk of the building is currently in a poor state and in need of repair or replacement to ensure longevity of the facility;
- \* Additional jobs will be created (the applicant is estimating 15 full-time jobs and 26 part-time jobs);
- \* The function room will provide a quality space for business use and private hire.

Officers consider that the very special circumstances put forward by the applicant illustrate that the proposed development would help safeguard the sustainability of the golf course, the only public "pay to play" golf course in Bolton. The proposed development would therefore have community benefits and would help in some way to meet Strategic Objective 1 of Bolton's Core Strategy, which seeks to maximise access to health facilities, sporting and recreation facilities. It is considered that these very special circumstances outweigh the somewhat limited harm that would be caused to the purposes and openness of the Green Belt in this location.

It is therefore considered that the proposed development would comply with section 9 of the NPPF and Policy CG7AP of Bolton's Allocations Plan.

#### 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 specifically concerns developments in West Bolton and states that the Council will conserve and enhance the character of the existing physical environment, ensure that development 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.

The design of the front part of the club house (containing the entrance and weathervane tower) is to be retained, albeit with a glazed facade extension on the front roof plan and a new wider glazed entrance. The outbuilding to the east is to be demolished and replaced with a single storey extension (so that the front part of the building is to remain as single storey) and the rear part of the existing building is to be demolished and replaced with a large two storey, flat roof extension.

When viewed from the front (north) the club house would have a similar appearance to that existing, but with an expansive blank first floor elevation (to the rear extension) behind it. The extended building would have a more modern appearance to the rear (from the south) where the majority of the glazing is proposed. It is considered that the building would appear bulky and rather unattractive when viewed from its eastern side, however this elevation would be screened from outside views by trees, and the Council's Tree Officers have recommended that further tree planting be undertaken at this side of the building (this would be a condition of any approval).

The proposed height of the rear extension is not considered to be out of keeping with the surrounding area given the scale of the neighbouring properties.



The proposed extensions would be finished in render to have a more contemporary appearance and also to be in keeping with the original building. A condition is suggested to approve the colour of the render prior to commencement of development.

The proposed new car park area would extend the existing hard surfaced area of the site at the north further to the east. It is considered that this extension is acceptable given its location along the northern more developed boundary of the site.

It is not considered that the proposed development would harm the character and appearance of the area, and therefore would be compliant with policies CG3 and OA4 of Bolton's Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

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

Before planning application 95979/16 for the proposed development was withdrawn by the applicant, a public consultation event was held at the golf club house (in May 2016). A number of concerns were raised at this event by neighbouring residents with regard to potential disturbance from the proposed extended use of the building. The applicant has sought to address these concerns within their resubmission, however a number of objections relating to disturbance have continued to be received during this latest application.

The applicant has stated that the existing club house is licensed between 10:00 and 00:00 hours on weekdays and between 10:00 and 01:00 hours at weekends. The proposed hours of opening are:

- \* for the restaurant /bar: 12:00 to 23:00 Monday to Thursday, 12:00 to 00:00 Friday to Saturday and 12:00 to 23:00 Sundays.
- \* for the function room: 12:00 to 23:00 Monday to Thursday, 12:00 to 00:00 Fridays, 12:00 to 01:00 Saturdays and 12:00 to 23:00 Sundays.
- \* for the golfer's bar/facilities: 08:00 to 18:00 7 days a week in winter (October to March) and 08:00 to 23:00 7 days a week in summer (April to September).

The proposed opening hours do not differ greatly from the existing hours of opening, however it is acknowledged that the proposed venue would be larger than existing and would include a large restaurant and function room, which is highly likely (if successful) to attract a larger number of visitors, particularly in the evenings.

The applicant is proposing the following measures, to reduce potential disturbance:

- \* Ensuring deliveries are not early in the morning. The applicant states that it is unlikely that activity associated with the restaurant or function room would be before 08:00 hours. Should the application be approved, Officers would recommend that the hours of delivery are suitably conditioned.
- \* The bins are to be stored at the western side of the building and the bottle bins would only be emptied up until 22:00 hours. Refuse collections would be daytime only. The applicant states that the bin area would be well screened: Officers therefore recommend that a condition requiring details of the bin storage area to be agreed prior to commencement of use.
- \* The applicant states that, "air conditioning units can be silent running". Officers would recommend, should the application be approved, that a standard condition is attached to ensure that the noise rating from the air conditioning (and any other plant associated with the operation of the building) does not exceed the background levels at the nearest neighbouring residential properties.

- \* Internal noise would be limited and subject to management scrutiny. No additional windows or openings other than toilet windows are proposed along any of the north, west or east elevations of the extended building.
- \* A new taxi pick up point is proposed to the west of the building within the existing overflow car park for the golf course. This will be signed both inside and outside the building, with customers being encouraged to leave the building through the western side entrance (near to the pick up point). The applicant also states that staggered leaving would be organised where possible and a "dispersal policy" regularly used by licensed premises would be implemented.
- \* Open areas accessible to customers (that is, the proposed terraced areas/balcony) would be on the south side of the building, away from the nearest neighbours to the north. The upper balcony would be screened by an acoustic wall along the east elevation to aid in reducing noise escaping to the east (towards the neighbours on Regent Drive, who are approximately 115 metres away). Should the application be approved, Officers would recommend a condition that further details of this proposed acoustic wall are submitted to and approved by the local planning authority.
- \* Internal soundproofing of the building would be to a recommended level with the function room fully sound insulated to prevent noise disturbance to local residents.
- \* The bar area will be commensurate with a restaurant requirement (it will be a restaurant with a bar, not a bar with a restaurant).
- \* Lighting would be low intensity around the building and car parking areas. Officers would recommend, should the application be approved, that a condition be attached to require full details of all external lighting proposed for the development to be submitted to and approved by the local planning authority prior to first use. This would ensure that the lights would be designed so that they would not measure more than 0 lux at the nearest residential properties.

Officers consider that, subject to the recommended conditions and the measures that would be required through the licensing of the building, the proposed development, whilst increasing the use of the existing facility, would not have a detrimental harm on the amenity of the neighbouring residents. It is therefore considered that the proposed development would comply with Policy CG4 of Bolton's Core Strategy.

#### Impact on the Highway

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements and parking (in accordance with the parking standards set out in appendix 3). Policy S1.2 states that the Council will promote road safety in the design of new development.

Access to Regent Park Golf Course and its existing club house is from the unadopted Links Road, which has its junction with Chorley New Road. This access will continue to be used for the proposed development. Local residents have raised concern about the deteriorating condition of the road should the application be approved, however as the road is unadopted this would be a civil matter (between those with a duty to maintain the road) rather than the responsibility of the Council.

An additional 35 spaces (including two disabled bays) are proposed to the east of the existing 25 space car park to the front of the site (the new parking area will be an extension to the existing parking area). The wider golf course site includes further parking by the shop and an overflow parking to the west of the club house.

The Council's Highways Engineers have raised no objection to the proposal, stating that there appears to be sufficient off-road parking provision associated with the site to support the proposed level of development.

It is therefore considered that the proposed development would provide for sufficient on-site parking

and would not jeopardise highway safety, compliant with policies P5 and S1.2 of Bolton's Core Strategy.

#### **Impact on Trees**

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

The trees within the site are not protected by Tree Preservation Orders and the site is not located within a conservation area.

The Council's Tree Officer has commented that the western elevation of the proposed extended building would require the removal of a Sycamore tree and a Holly tree, however he considers that both of these trees are of relatively low visual amenity value. The Officer also confirms that a number of trees on the eastern side of the proposed development would require removal; these are an Ash tree that has been heavily pruned in the past, two mature Alder trees (one of which is exhibiting bleeding canker) and several large mature Cypress trees. He considers that whilst these are mature trees, their loss will be reduced by the group of trees to the south. To mitigate the loss of the trees from the western and eastern sides of the development, the Tree Officer has recommended additional tree planting in these areas for additional screening purposes. This is therefore suggested by way of a landscape condition.

The Council's Tree Officer has also recommended that, should the application be approved, conditions be attached to require further information in respect of:

- \* the root protection zones of the trees in the rear garden of 2 Links Drive and a Hawthorn hedge that runs along the northern boundary of the car park, so that works along this boundary (for the extended car park area) avoid any damage to the roots;
- \* the construction of the new footpath leading from the proposed drop off area to the club house;
- \* protective fencing around the trees that are to be retained.

It is considered, subject to the recommended conditions, that the proposed development would not adversely affect trees within and adjoining the site, compliant with policy CG1.1 of Bolton's Core Strategy.

#### **Local finance considerations**

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

#### **Conclusion**

For the reasons discussed above, it is considered that the proposed development would constitute inappropriate development in the Green Belt but the very special circumstances put forward by the applicant outweigh the relatively limited harm that would be caused to the purposes and openness of the Green Belt in this location. It is also considered that the proposed development would not harm the character and appearance of the area, would not unduly harm the amenity of neighbouring residents, would not result in the unacceptable loss of trees from the site, and would not jeopardise highway safety. Members are therefore recommended to approve this application subject to the suggested conditions.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** 11 letters of objection have been received from neighbouring residents. These raise the following concerns:

- \* The proposed facilities do not fall within what can be reasonably considered as "appropriate" development within the Green Belt;
- \* The increased bulk and massing of the proposed building will reduce and harm the openness of the Green Belt;
- \* Harm to the openness of the Green Belt will be further exacerbated by the introduction of an additional parking area;
- \* The very special circumstances put forward by the applicant are unsubstantiated and do not outweigh the harm caused;
- \* The proposed increase in floor space of 155% and an additional storey is disproportionate to the existing building;
- \* Sufficient information has not been provided to enable an assessment of whether or not the proposal will generate unacceptable nuisance;
- \* Noise all day and night, especially at weekends;
- \* Noise from car engines and doors;
- \* The outside and raised areas face residential properties;
- \* Feel that the golfers will be squeezed out of the club house and it will turn into a party venue;
- \* Impact on quality of life;
- \* More traffic added onto Links Road, impacting on waiting times getting out onto Chorley New Road;
- \* Concern about condition of, and safety on, Links Road with more traffic using it;
- \* Increase in anti-social behaviour;
- \* The club house only needs to be refurbished, and with an improved food offer;
- \* The golf club is not struggling financially as they state;
- \* There are other more suitable sites for such a restaurant.

One letter of support has been received from Regent Park Golf Course (not the applicant), who support the application for the following reasons:

- \* The proposal will greatly assist in helping to secure the golf club's long term future;
- \* It will provide a great and much needed restaurant for the public, which will also be available for golfers, giving them greater choice and access to facilities that could not be supported by the golf club alone;
- \* Will help give Regent Park a competitive edge as an attractive destination in a very competitive market;
- \* Will increase society business from outside the area;
- \* Will benefit Bolton's hotels and guest houses.

### **Consultations**

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

### **Planning History**

Application 95979/16 for the erection of ground floor and first floor extensions to form restaurant, bar and function room, together with additional parking was withdrawn by the applicant in June 2016.

Permission was granted in December 2012 for the extension of time to implement permission 82934/09 (extension to golf shop and alterations to existing shop) (89085/12).



Permission was granted at Committee in July 2012 for the variation of conditions 2 and 7 on approval 86023/11, to extend the time limits to enable work to be completed by 14th January 2013) (88136/12).

The change of use of agricultural land to golf course extension, re-siting and remodelling of existing golf course together with provision of a family golf course without complying with conditions 2 and 7 on permission 76151/06 (to extend time limits to enable works to be completed from 2 years to 14th July 2012) was approved at Committee in May 2011 (86023/11).

An extension to the golf shop and alterations to the existing shop were approved in December 2009 under application 82934/09.

The change of use of agricultural land to golf course extension, re-siting and remodelling of existing golf course together with provision of a family golf course without complying with conditions 2 and 7 on permission 76151/06 (to extend time limits to enable works to be completed from 2 years to 14th July 2011) was approved at Committee in July 2009 (82139/09).

The change of use of agricultural land to golf course extension, re-siting and remodelling of existing golf course together with provision of a family golf course was approved at Committee in June 2007 (76151/06).

Permission was granted at Committee in March 2002 for part single/part two storey extensions to the club house to form new changing facilities, lounge and dining areas with stewards flat over, together with the erection of a 20 bay driving range including relocation of shop and the formation of 70 car parking spaces (61107/02). *The approved extensions to the club house were never implemented.*

Two disabled access ramps were approved in August 1994 (45427/94).

A single storey toilet block extension to the club house was approved in October 1993 (43822/93).

A temporary portacabin to provide toilet facilities was approved in December 1991 (39964/91).

A temporary cabin alongside the existing club house was approved in June 1989 (33849/89).

A single storey extension at the front and rear of the club house was approved in March 1988 (30605/88).

**Recommendation:            Approve subject to conditions**

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

1.     The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason  
  
Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2.     Prior to the commencement of development the details (samples if required) of the type and colour of materials to be used for the external walls and roof to be agreed with the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness and to comply with policies CG3 and OA4 of Bolton's Core Strategy.

3. Prior to the commencement of development full details of the acoustic wall proposed on the eastern side of the first floor terrace/balcony (including height and construction) shall be submitted to and approved in writing by the local planning authority. The approved wall shall be erected in full accordance with the approved details and shall be retained thereafter.

Reason

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

4. Prior to the commencement of development of any works on site, the developer shall submit a method statement detailing how the following elements of the site will be constructed without causing harm or damage to the protected trees found on the site to the Local Planning Authority. The specified areas are:

- (a) Car Park construction on the northern boundary of the site;
- (b) Access path from the drop off area to the club house;
- (c) Works with the root protection zones of the trees between the island and the club house.

No development or site clearance shall take place until the Local Planning Authority has agreed the measures in writing, and these measures shall then be implemented fully in accordance with the approved details.

Reason

To ensure the safe development of the site and favourable retention of trees and to comply with policies CG1.1 and CG3 of Bolton's Core Strategy.

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

1. The trees 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 trees and to comply with policy CG1.1 of Bolton's Core Strategy.

6. 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. Additional tree planting should be undertaken in mitigation of the tree losses on the eastern and western sides of the development. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

To reflect and soften the setting of the development within the landscape and to comply with policies CG1.1 and CG3 of Bolton's Core Strategy.

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

Reason

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

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

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

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of the commercial use, and to comply with policy CG4 of Bolton's Core Strategy.

9. 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 0 lux at the nearest residential property. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

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

Reason

To ensure satisfactory provision is made for the storage of waste materials, and to comply with policies CG3 and CG4 of Bolton's Core Strategy.

11. Before the approved/permitted development is first brought into use no less than 35 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with drawing ref. 1539.PL01A . Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

12. 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 and

drained shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter made available for the use of vehicles at all times the development is in use.

Reason

To encourage drivers to make use of the parking and circulation area(s) provided, and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

13. The golfer's bar and facilities (changing rooms and toilets) subject of this consent shall not be open outside the following hours:-

08:00 to 18:00 October to March  
08:00 to 23:00 April to September

Reason

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

14. The restaurant/bar (not golfer's bar) subject of this consent shall not be open for trade outside the following hours:-

12:00 to 23:00 Monday to Thursday  
12:00 to 00:00 Friday to Saturday  
12:00 to 23:00 Sundays and Bank Holidays

Reason

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

15. The first floor function room subject of this consent shall not be open for trade outside the following hours:-

12:00 to 23:00 Monday to Thursday  
12:00 to 00:00 Fridays  
12:00 to 01:00 Saturdays  
12:00 to 23:00 Sundays and Bank Holidays

Reason

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

16. No deliveries shall be taken or dispatched from the premises outside the following hours:-

08:00 to 18:00 hours Mondays – Saturdays

No deliveries 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, and to comply with policy CG4 of Bolton's Core Strategy.

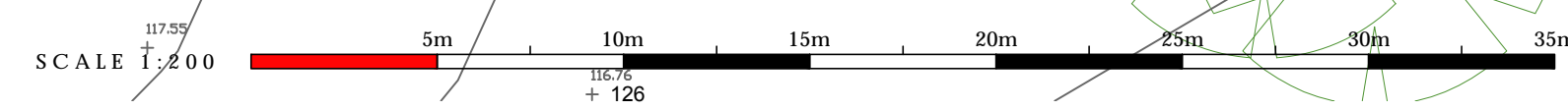
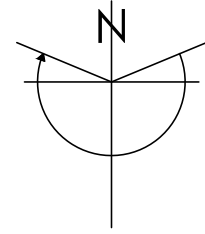
17. The development hereby permitted shall be carried out in complete accordance with the following approved plans:



**1539.PL01A; "Proposed Site Plan"; dated 2.16**  
**1539.PL02B; "Proposed Ground Floor Plan"; dated 2.16**  
**1539.PL03B; "Proposed First Floor Plan"; dated 2.16**  
**1539.PL04C; "Proposed Club House Elevations"; dated 28.11.16**

Reason

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



AMENDMENTS

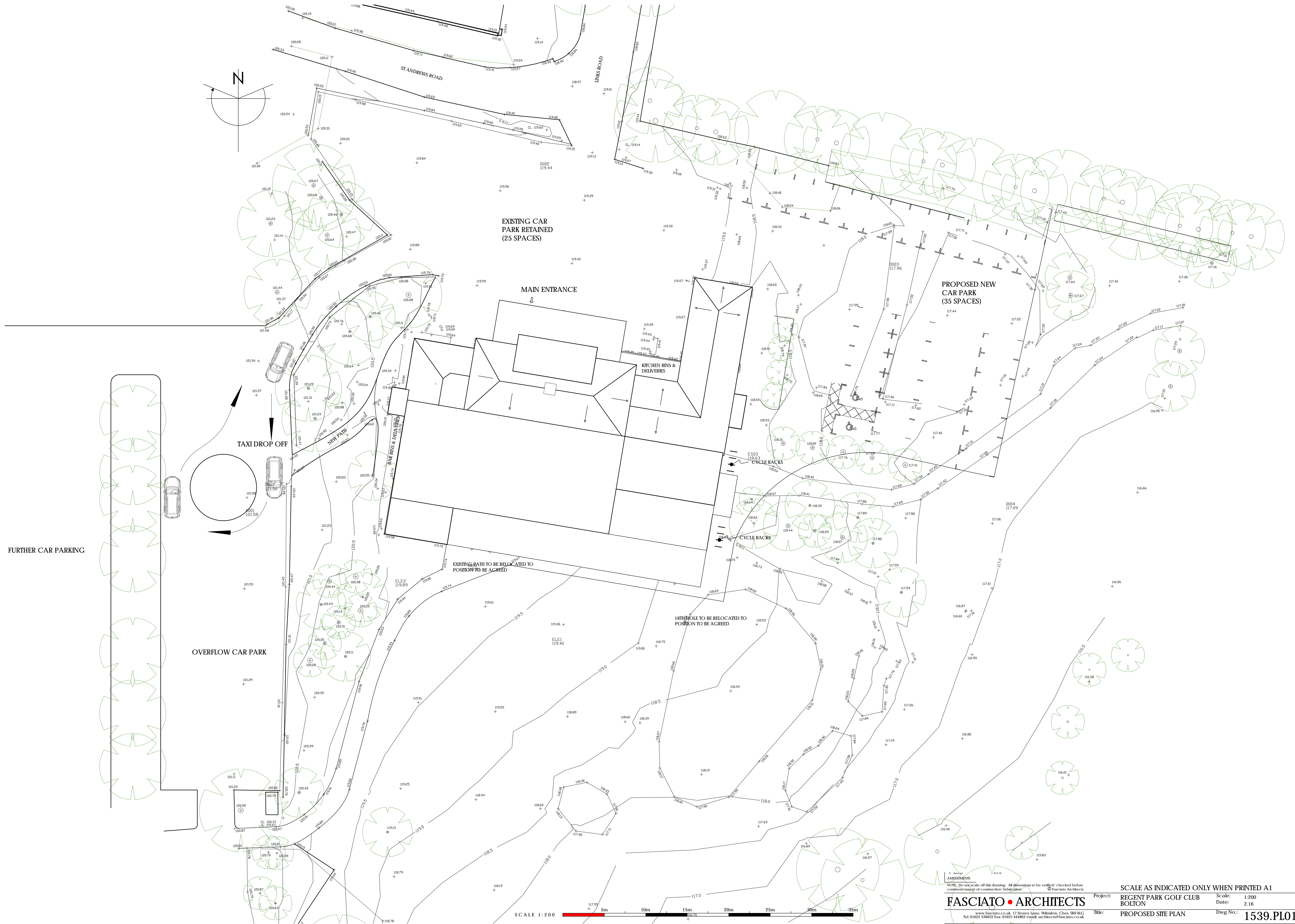
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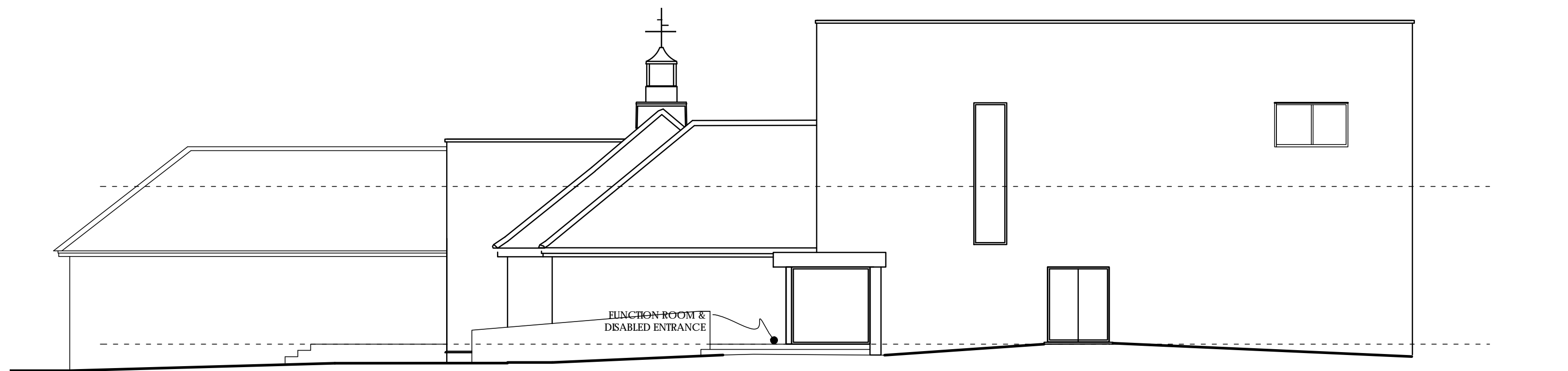
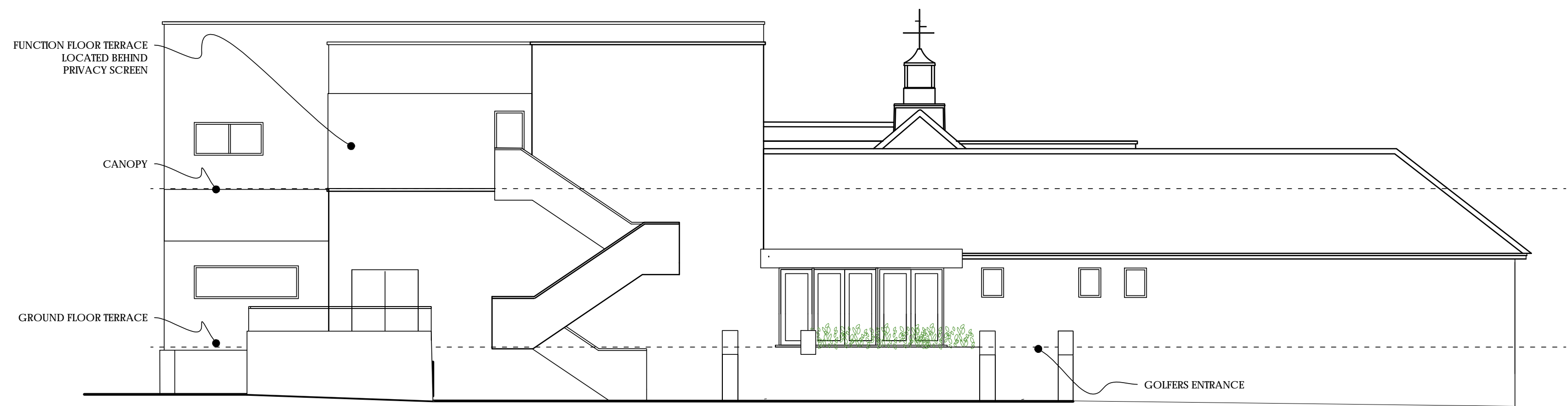
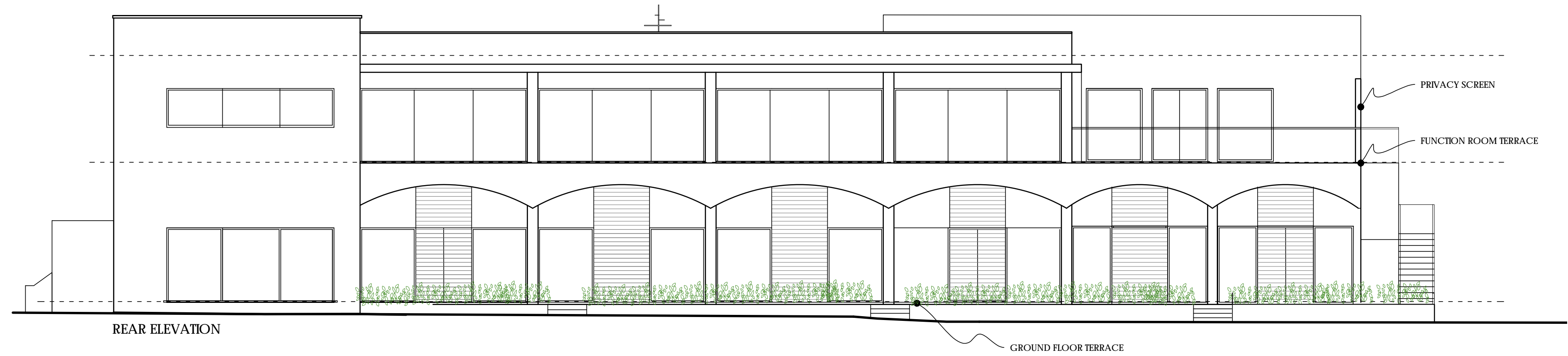
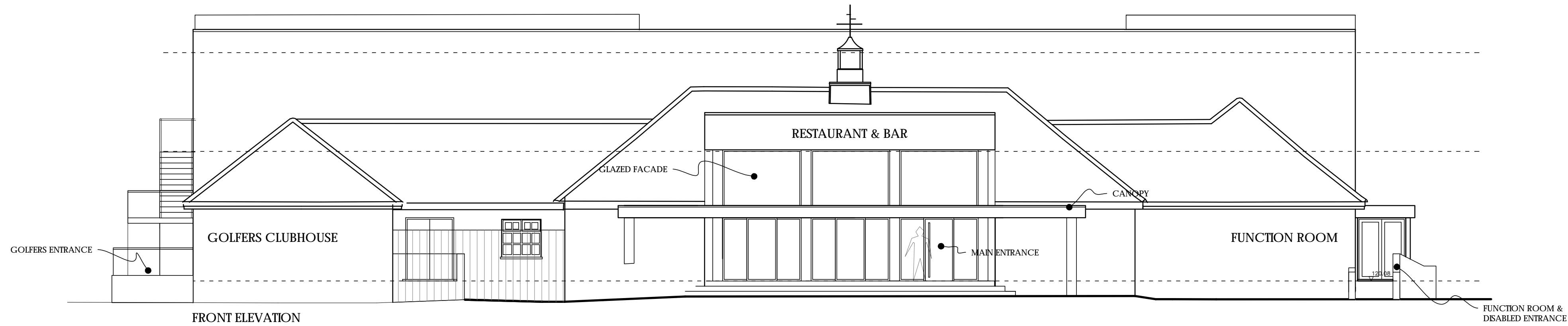
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Tel: 01625 366622 Fax: 01625 444862 email: architects@fasciato.co.uk

Project:		REGENT PARK GOLF CLUB	
Scale:		1:200	
Bolton:		Date:	
EXISTING SITE PLAN		Dwg No.:	
		1539.EX01A	









SCALE 1:100

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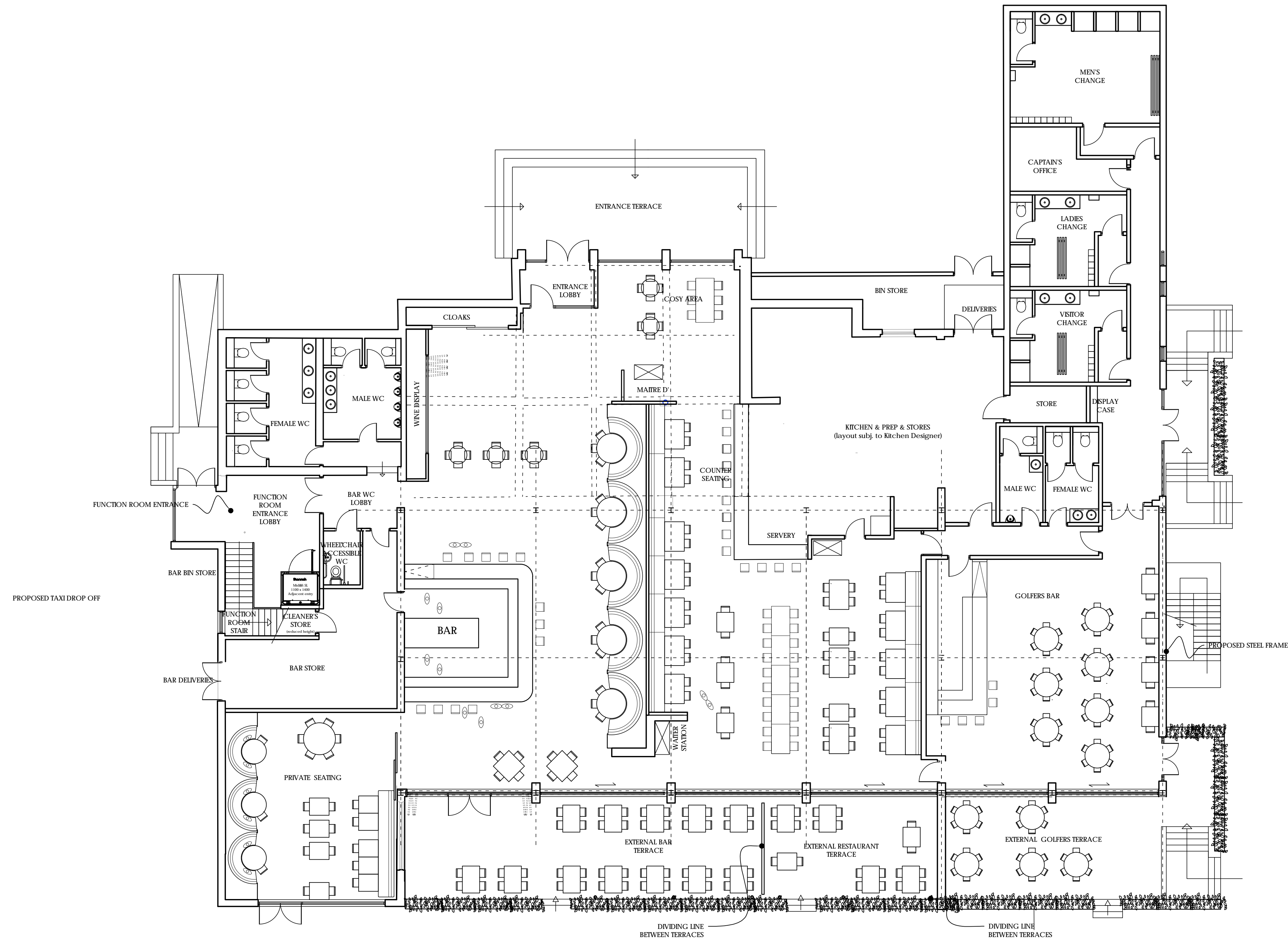
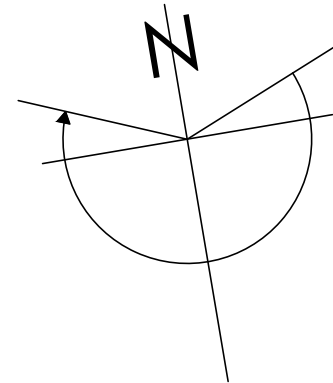
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1:0 WASHERMAN ALDRED 28.11.18  
AMENDMENTS  
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Project: REGENT PARK GOLF CLUB BOLTON  
Scale: 1:100  
Date: 2.16  
Title: PROPOSED CLUB HOUSE ELEVATIONS  
Dwg No.: 1539.PL04C

SCALE AS INDICATED ONLY WHEN PRINTED A1

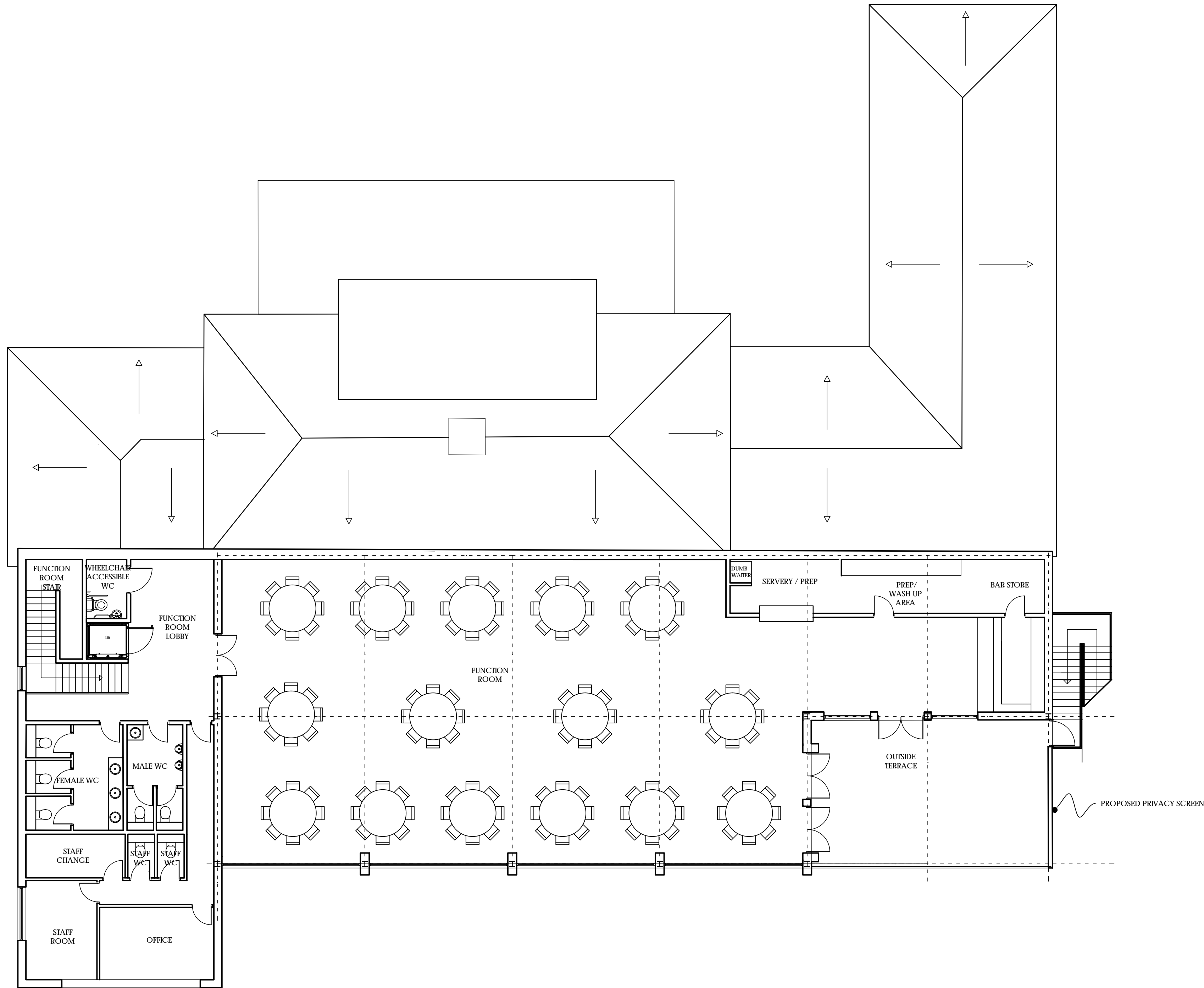
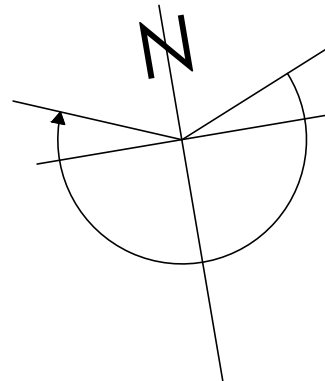




SCALE 1:100

2000mm 4000mm 6000mm 8000mm 10000mm 12000mm 14000mm 16000mm 18000mm 20000mm

AMENDMENTS		SCALE AS INDICATED ONLY WHEN PRINTED A1	
NOTE: Do not scale off this drawing. All dimensions to be verified/checked before commencement of construction/fabrication.			
FASCIATO • ARCHITECTS		Project:	REGENT PARK GOLF CLUB BOLTON
www.fasciato.co.uk 17 Stonely Lane, Wilmakow, Chesh, SK9 6LG Tel: 01625 536622 Fax: 01625 444862 email: architects@fasciato.co.uk		Scale:	1:100
		Date:	2.16
		Title:	PROPOSED GROUND FLOOR PLAN
		Dwg No.:	1539.PL02B



SCALE 1:100

AMENDMENTS		SCALE AS INDICATED ONLY WHEN PRINTED A1	
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<b>FASCIATO • ARCHITECTS</b>		Project:	REGENT PARK GOLF CLUB BOLTON
www.fasciato.co.uk 17 Stoney Lane, Wilmakow, Chex, SK9 6LG Tel: 01625 536622 Fax: 01625 444862 email: architects@fasciato.co.uk		Scale:	1:100
Title:		Date:	2.16
PROPOSED FIRST FLOOR PLAN		Dwg No.:	1539.PL03B



Application number  
97722/16



Development & Regeneration Dept  
Development Management Section

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

**Bolton  
Council**

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**Date of Meeting: 15/12/2016**

**Application Reference: 97722/16**

**Type of Application: Full Planning Application**

**Registration Date: 21/10/2016**

**Decision Due By: 15/12/2016**

**Responsible  
Officer: Kara Hamer**

**Location: 69/69A WINTER HEY LANE, HORWICH, BOLTON, BL6 7NT**

**Proposal:** CONTINUED USE OF PREMISES AS OFFICES (CLASS A2)  
TOGETHER WITH USE OF 69A WINTER HEY LANE (FIRST  
FLOOR) AS OFFICES (CLASS A2) AND INCORPORATION INTO  
69 WINTER HEY LANE.

**Ward: Horwich and Blackrod**

**Applicant: Redman Casey Estate Agents Ltd**

**Agent :**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Permission is sought retrospectively for the (continued) change of use of 69 Winter Hey Lane from A1 (Retail) to A2 (Financial and Professional Services) together with a change of use of 69A Winter Hey Lane (first floor) from C3 (residential flat) to A2 and incorporating 69A into 69 Winter Hey Lane. The current use of the site is Estate Agents at ground floor level and Lettings Agents at first floor level. The applicant submits that current staff are 2 full time posts and opening hours are 09:00 - 17:30 Monday to Friday and 09:00 - 15:00 Saturday.

The application does not include proposals to change the front, rear or side elevations.

The applicant submits that works completed in March 2016.

No vehicle parking details were submitted for this application.

The applicant proposes the installation of signage to the front and side elevations however, this cannot be determined under this application, the applicant needs to submit a separate application seeking Advertisement Consent.

### **Site Characteristics**

The application property is within the town centre of Horwich. It is sited at the end of a short terraced row of other retail and commercial uses (including Horwich Spa and Nails, Bargain Booze, Cobblers and The Computer Doctor). Winter Hey Lane contains numerous shops, cafes, restaurants, beauty salons, hairdressers, public houses and financial services.



At the rear of the application site is a back street and grass strip commonly used for parking. A strip of mature trees and shrubs provide separation and screening to residential properties on Abbott Street.

The application property is not within Horwich Town Centre Conservation Area.

### **Policy**

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.

SPD General Design Principles

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* impact on the character and appearance of the Horwich town centre
- \* impact on residential amenity
- \* impact on highway safety

### **Impact on the Character and Appearance of Horwich Town Centre**

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, will require development to be compatible with the surrounding area, and conserve and enhance the heritage significance of heritage assets and heritage areas. Policy OA1 relates specifically to developments in Horwich and Blackrod and states that the Council will continue to promote Horwich town centre as being suitable for a mix of retailing, leisure, employment and housing uses, will conserve and enhance the character of the existing landscape and physical environment (especially the conservation areas), and ensure that development respects street patterns and the grain and form of predominant architectural styles.

The application premises are located centrally within Horwich town centre, which contains a mix of shops, cafes, restaurants, beauty salons, public houses, bars and financial services. It is not considered that the new and additional A2 use along this stretch of Winter Hey Lane and in the centre of Horwich town centre would affect the character or appearance of the town centre.

The application does not include proposals to change the front, rear or side elevations.

It is considered that the change of use of the premises does not harm the character or appearance of Horwich town centre, compliant with Policies CG3 and OA1 of the Core Strategy.

#### Impact on Residential Amenity

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

There are no registered addresses at first floor level adjacent to the application premises. The application site is located within a designated shopping centre and some amount of disturbance will inevitably occur from time to time. The applicant submits that current staff are 2 full time posts and opening hours are 09:00 - 17:30 Monday to Friday and 09:00 - 15:00 Saturday.

Given the above, it is not considered that the change of use would unduly harm the amenity of nearby residents, compliant with Policy CG4 of the Core Strategy.

#### Impact on Highway Safety

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 application property is located within a sustainable area for transport modes, being within a local town centre, is close to a number of public car parks and is on a public transport corridor. The Council's Highways Engineers have been consulted and raise no objection to the proposal.

It is therefore considered that the proposal will not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy and the advice contained within the SPD.

#### **Local finance considerations**

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

#### **Conclusion**

For the reasons discussed above it is considered that the (continued) change of use of the premises to Use Class A2 (Financial and Professional Services) would not harm the character and appearance of Horwich town centre, would not unduly harm the amenity of nearby residents and would not jeopardise highway safety, complying with Policy OA1, CG4 and CG3 of the Core Strategy. Members are therefore recommended to approve the application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** 1 letter has been received objecting the proposal on the grounds of;

- parking difficulties in the immediate vicinity of Winter Hey Lane; *Officer comment - the Council's Highways Engineers raise no objections to the proposal.*
- Horwich Leisure Centre users park in the immediate vicinity of Winter Hey Lane; *Officer comment - displacement parking may occur during the construction phase of the new leisure facility, temporary parking measures have been put in place and any displacement should cease once the facility is fully open.*
- the applicant keeps 7 cars at the rear which have not moved for 12 months; *Officer comment - not a material planning consideration.*

**Horwich Town Council:-** raised no objections at their meeting of 24/11/16

### **Consultations**

Advice was sought from the following consultees: The Council's Highways Management, Drainage and Technical Support and Design for Security GM Police.

### **Planning History**

91626/14 - ERECTION OF SINGLE STOREY DWELLING - approved June 2014

91506/14 - NOTIFICATION OF TEMPORARY CHANGE OF USE (CLASS D) FROM A1 RETAIL TO RA2 ESTATE AGENCY - approved February 2014

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

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

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

09:00 - 18:00 Mondays – Fridays

09:00 - 17:00 Saturdays

No opening 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.

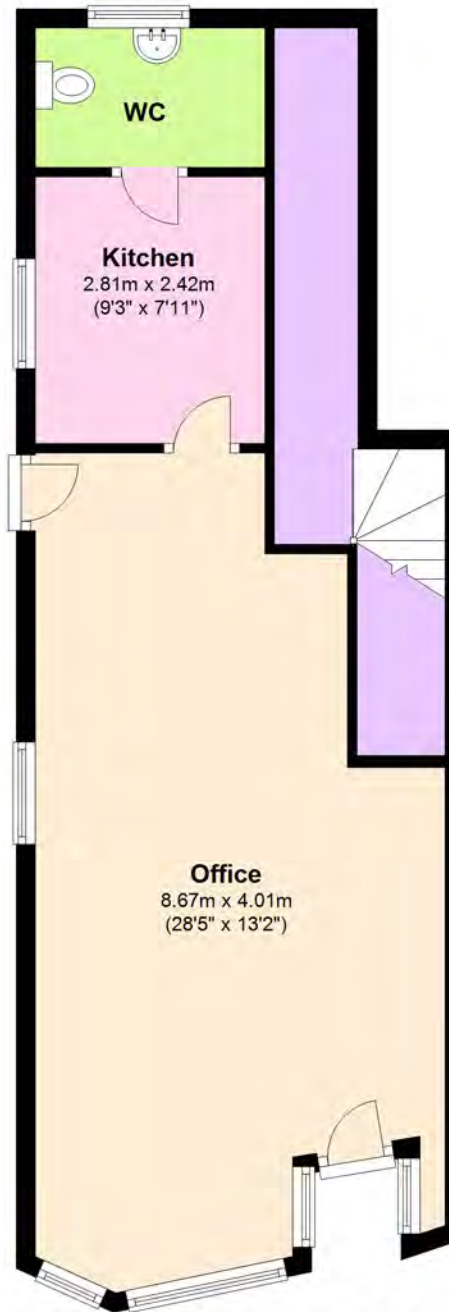
2. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

#### **Ground and First Floor Plans (scanned to file 21/10/16)**

Reason

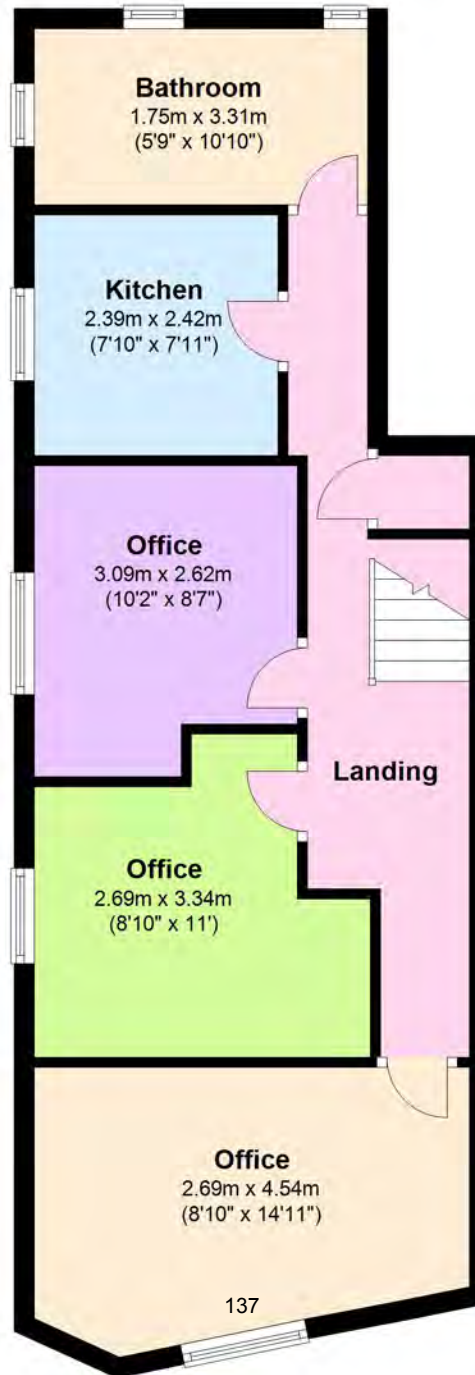
For the avoidance of doubt and in the interests of proper planning.

## Ground Floor

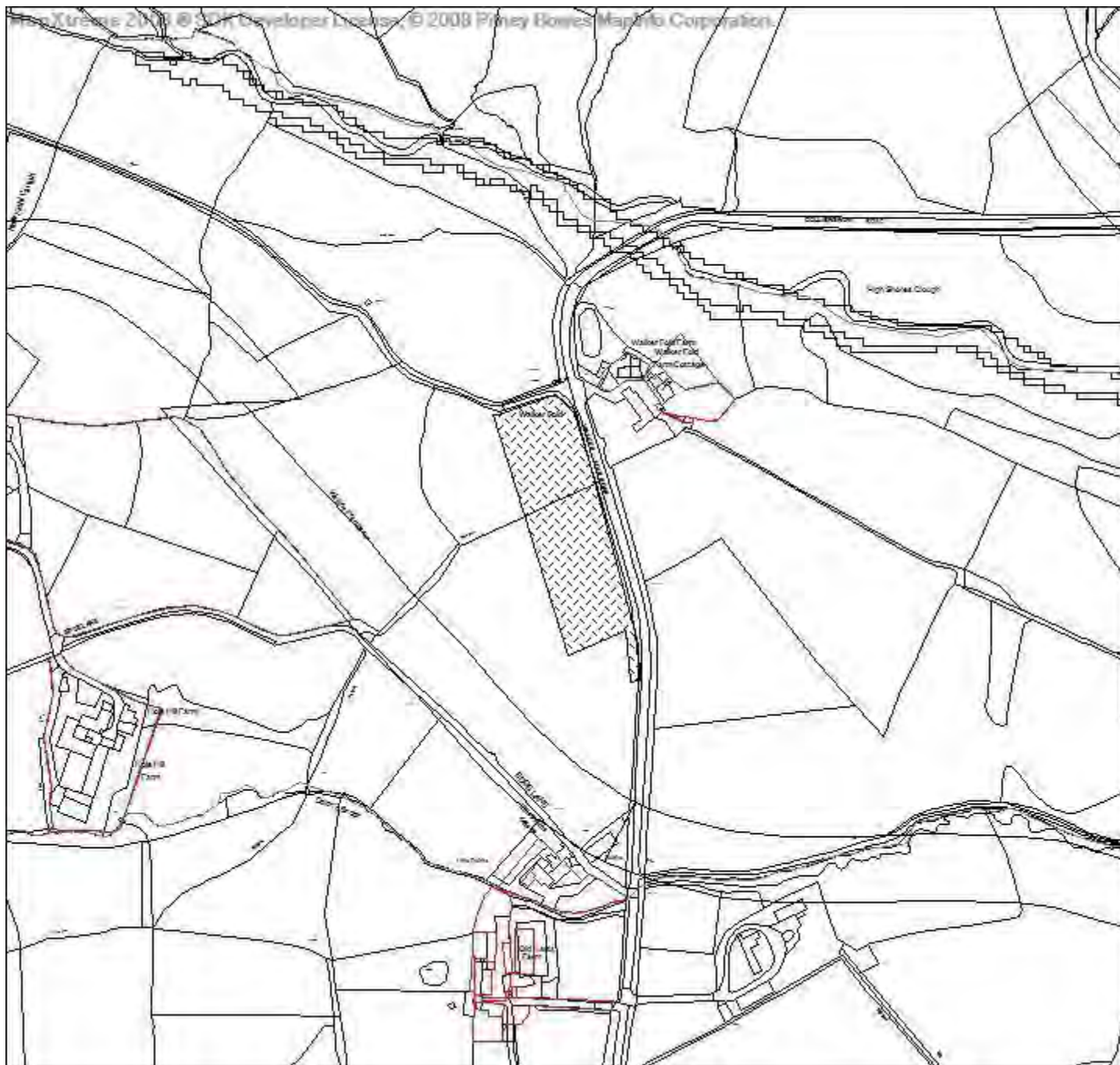




## First Floor



**Application number**  
**97733/16**



**Development & Regeneration Dept  
Development Management Section**

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

# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97733/16**

**Type of Application: Full Planning Application**  
**Registration Date: 31/10/2016**  
**Decision Due By: 25/12/2016**  
**Responsible Officer: Helen Williams**

**Location: LAND AT WALKER FOLD ROAD, BOLTON**

**Proposal:** CHANGE OF USE OF LAND TO PROVIDE 60NO. PERMANENT CAR SPACES, DISABLED PARKING BAYS WITH ACCESSIBLE FOOTPATHS AND TEMPORARY CAR PARKING TO BE USED DURING OCCASIONAL SEASONAL EVENTS. FACILITIES TO ALSO INCLUDE LOCATION FOR A MOBILE POP-UP VISITOR CENTRE, SECURE GATING, BENCHES AND ELECTRICAL HOOK UP POINTS (FOR WOODLAND TRUST USE).

**Ward: Horwich North East**

**Applicant: The Woodland Trust**  
**Agent : Appletons**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Permission is sought for the construction of a 60 space car park on land to the west of Walker Fold Road. Access to the car park would be off Walker Fold Road, at a point relatively central to the application site and where there is currently a gate.

The permanent car park would be located to the south of public right of way HOR041 and would include disabled parking bays, bicycle racks, accessible footpaths, a location for a pop-up/mobile visitor centre and a central gathering point with benches. The car park will be gated with a lockable gate at dusk (and will be opened at dawn).

The area to the north of the application site (to the north of HOR041) is proposed as a temporary/overflow parking area, which would be used during events. the applicant envisages that this area would be used approximately twice a year, for community events in the summer and corporate planting events in the winter. Access to the overspill parking will only be opened by Woodland Trust staff for the specific events mentioned, and parking during these events will be controlled by a mix of staff and volunteers who will remain on site until the final vehicles have left the area.

The application site is proposed to be sustainably drained (through SuDS) with permeable surfacing being proposed and a reed bed filtration system.

Additional planting (a mixture of native broadleaved trees) is proposed within the site. The existing dry stone wall along Walker Fold Road is proposed to be rebuilt and extended using the existing stone and local sourced stone to match.

It is the applicant's (the Woodlands Trust) aspiration to promote and improve access to the Smithills Estate, and it is proposed that the development would encourage more people to visit the area. The site was identified by the applicant as the best location for a new car park as it next to existing well-used public footpaths, parking already occurs at this location, it is adjacent a highway and good entrance sightline are achievable, the site is relatively flat, it has low conservation/habitat value, and it would balance parking areas across the estate (there would be car parks to the south, east and west).

### **Site Characteristics**

The application site is approximately 1 hectare in size and is located to the west of Walker Fold Road, just south of the bend where the road becomes Colliers Row Road. The site is roughly rectangular in shape with levels rising to the west. The site contains little vegetation of trees, with a single tree at the field entrance and other scrubby boundary vegetation to the north. Marsh grassland vegetation species dominate the site. The eastern boundary of the site is bounded with a dilapidated dry stone wall.

Public Right of Way HOR041 crosses the application site in a east-west direction. Public Right of Way HOR037 adjoins the site to the north.

There is a graveled verge off Walker Fold Road, by the entrance to footpath HOR037, which currently used for informal parking.

Approximately 25 metres away to the north east are the residential properties at Walker Fold, Walker Fold Farm and The Barn. Over 110 metres away to the south are the residential properties of Dakins, Little Dakins Cottage and Little Dakins.

The application site is located within the Green Belt.

### **Policy**

National Planning Policy Framework (NPPF)

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

Allocations Plan Policies: P8AP Public Rights of Way; CG7AP Green Belt.

SPD Accessibility, Transport and Road 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 openness of the Green Belt
- \* impact on the character and appearance of the area
- \* impact on highway safety
- \* impact on crime and the fear of crime
- \* impact on biodiversity
- \* impact on the amenity of neighbouring residents
- \* impact on the adjacent public rights of way

#### Impact on the Openness and Purposes of the Green Belt

Section 9 of the National Planning Policy Framework (NPPF) concerns protecting Green Belt land. The Government attaches great importance to Green Belts. 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.

Policy CG7AP of Bolton's Allocations Plan reflects national Green Belt policy.

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 continues, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 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.

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include [amongst other things] provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The proposed development (a new car park) is not a building and therefore does not sit neatly with the above exception criterion. It however is considered that the harm that would be caused by the development to the both the purposes and openness of the Green Belt in this location would be low. The car park would be a facility to encourage outdoor recreation and would not affect the openness of the Green Belt in this location.

As the proposed development is not clearly "appropriate" development within the Green Belt, the applicant has submitted the following as very special circumstances to support the proposal:

- \* The economic benefits of increased tourism to area/borough;
- \* Health related benefits of informal recreation, by encouraging more people to access the public rights of way in the area and engage with the outdoors;
- \* Educational facilities by way of the pop-up/mobile visitor centre;
- \* Road safety benefits by removing the need to park on the roadside verges and laybys. The car park will provide a safe and secure parking area set away from the road;
- \* Conservation and enhancement for public use of the Smithills Estate. There will be increased tree planting.

It is considered that the public benefits associated with the proposed development clearly outweigh the limited harm that would be caused to the purposes and openness of the Green Belt in this location. It is therefore considered that the proposal would comply with section 9 of the NPPF and Policy CG7AP of Bolton's Allocations Plan.

#### 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 maintain the respect the landscape character of the surrounding area and its distinctiveness. Policy OA1 of the Core Strategy states that the Council will conserve and enhance the character of the existing landscape and physical environment and will ensure that new development does not harm the landscape setting and protects views from public areas to the surrounding landscape.

The site contains little vegetation of trees, with a single tree at the field entrance and other scrubby boundary vegetation to the north. Marsh grassland vegetation species dominate the site. The eastern boundary of the site is bounded with a dilapidated dry stone wall.

The proposed permanent car park area has been sensitively designed to reflect the contours of the site and to create an informal looking layout, with spaces separated by new planting. The car park is to be surfaced in gravel within 'geocells' to stabilise the gravel and sustain continuous vehicle movements. A condition requesting further details of the type of gravel to be used is suggested by officers.

The proposed temporary/overspill parking area would be laid with re-enforced matting to prevent drainage issues and to support the grass area.

The existing dry stone wall along Walker Fold Road is proposed to be rebuilt and extended using the existing stone and local sourced stone to match.

Additional tree planting is proposed by the applicant both within and outside the site (on the applicant's land) to help screen the proposed parking areas (mainly along the boundaries). The Council's Landscape Officers have asked for further details of the proposed landscaping, which would include the species choice and a planting schedule. A landscaping condition is therefore suggested, should the application be approved.

It is considered that the proposed development is well designed and would conserve the character of the area, compliant with Policies CG3 and OA1 of the Core Strategy.

#### Impact on Highway Safety

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport and parking (in accordance with the parking standards set out in appendix 3). Policy S1.2 states that the Council will promote road safety in the design of new development.

The proposed development would provide 60 permanent car parking spaces. A proposed overspill/temporary parking area to the north of the site would allow for further parking when events are being held (the application estimates that this would be approximately twice a year). Access into the car park would be off Walker Fold Road, where there is currently a gated access.

The Council's Highways Engineers have stated that the normal required junction/forward visibility for the proposed access, as Walker Fold Road is a national speed limit road (60mph), would be 215 metres. Owing to the lie of the land on the southern approach and the bend and the farm on the northern approach, this requirement is unachievable. The applicant has therefore submitted a highways statement (written by an independent transport consultant) to justify a relaxation in these viability standards. This includes traffic counts, speed counts and the accident records for the surrounding highways. The speed measurements data submitted appear to indicate that the average 85th percentile speeds for the northbound/southbound approach to the site range from between 37 to 47 mph respectively over a 24 hour period. The Council's Engineers state, based on guidance for these maximum speeds, a requirement of 120 metres of visibility would be required at the access junction to the car park. Engineers also state that Manual for Streets guidance gives a greater relaxation on these standards (59 metres). As the submitted plans show visibility splays of 112 metres to the north and 120 metres to the south, and given that the car park will have limited impact on the operational capacity of the surrounding highway, Engineers consider that the proposed access would pose limited road safety implications.

Councillor Silvester has asked if the applicant could contribute towards the legal costs involved in having the speed limit on Walker Fold Road reduced from 60mph to 40mph. Officers do not consider that it would be necessary, relevant to the development or reasonable for the local planning authority to ask the applicant to pay towards the reduction of the speed limit on Walker Fold Road as the Council's Highways Engineers consider that the proposed new access from the car park onto Walker Fold Road would be acceptable in highway terms and that the car park would only have a limited impact on the operational capacity of the highway. It is therefore considered that such a requirement of the applicant would not meet the "condition tests" set out on paragraph 206 of the NPPF.

It is therefore considered, subject to the conditions suggested by the Council's Highways Engineers, that the proposed development would not jeopardise highway safety and therefore would be compliant with Policies P5 and S1.2 of Bolton's Core Strategy.

#### Impact on Crime and the Fear of Crime

Policy S1.1 of the Core Strategy states that the Council will ensure that the design of new development will take into account the need to reduce crime and the fear of crime.

It is proposed that the car park would be closed at nighttimes with a lockable gate (the pair of heavy duty steel gates with a shroud-covered padlock would be locked at dusk and then opened again at dawn by a local party under contract to the Woodland Trust). This would prevent access onto the site out of hours, as would the control flow plates that are proposed also at the entrance to the car park). The applicant has stated that similar arrangements are in operation at two other Woodland Trust properties in the south east of England, and these have operated successfully for years without major problem.

Local residents have raised concern that the gated access would not be a deterrent to people who want to enter the car park at night. It is acknowledged that people could enter the car park on foot if they were so inclined to do so, as they can currently do. Officers do not consider that the erection of security fencing could be an option as this would have a detrimental effect on the character and appearance of the area. It should however be noted that the car park will not be lit and the applicant, having consulted the police prior to the submission of the application, has confirmed that the site would feature as part of an on-going patrol plan for the PCSOs in the area.

It is considered that the proposed development has taken into account the need to reduce crime and the fear of crime, and therefore complies with Policy S1.1 of Bolton's Core Strategy.

#### Impact on Biodiversity

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

Whilst the application site is adjacent the High Shores Clough Site of Biological Importance (SBI) (which is to the north, on the other side of Public Right of Way HOR037), it is considered that the application site is not of high value. The Council's Wildlife Officer has confirmed that the proposed development would not cause any significant impact on the biodiversity of the area.

Officers have commented that any loss of marshy grassland on site (a Biodiversity Action Plan (BAP) habitat) would be mitigated through wildlife benefits of providing swales and a reed bed on site for surface water attenuation, along with the proposed additional tree and shrub planting.

The proposed amended SSSI (Site of Special Scientific Interest) boundary is some distance to the north of the application site (some distance further uphill).

It is therefore considered that the proposed development would safeguard the biodiversity of the site and the area, compliant with policy CG1.1 of Bolton's Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

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

The nearest neighbouring residential properties to the application site are approximately 25 metres way (to the north east) at Walker Fold, Walker Fold Farm and The Barn. The part of the application site closest to these residents (the northern part of the site) would comprise the overspill/temporary car park, which the applicant estimates would only be used approximately twice a year, and during the daytime. It is therefore considered that this proposed use would not unduly harm the amenity of the neighbouring residents.

The proposed permanent car park would be over 60 metres away from the nearest residential property at The Barn, which would not have a direct view of the car park. The car park would only be used from dawn to dusk and would not be lit. It is therefore considered that the car park would not unduly affect the amenity of neighbouring residents by reason of noise, nuisance or light pollution.

The residential properties of Dakins, Little Dakins Cottage and Little Dakins are over 110 metres away to the south.

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

#### Impact on the Adjacent Public Rights of Way

Allocations Plan Policy P8AP states that the Council will permit development proposals affecting public rights of way provided that the integrity of the right of way is retained.

Public Right of Way HOR041 crosses the application site in a east-west direction. Public Right of Way HOR037 adjoins the site to the north.



The routes of both footpaths will be retained.

The aim of the proposed development is to promote and improve access to and within the Smithills Estate. It is anticipated that the proposed car park would encourage more people to visit the area and to use the adjacent public rights of way.

It is therefore considered that the proposed development complies with policy P8AP of Bolton's Allocations Plan.

### **Local finance considerations**

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

### **Conclusion**

For the reasons discussed above it is considered that the public benefits associated with the proposed development outweigh the limited harm that would be caused to the purposes and openness of the Green Belt in this location, that the character and appearance of the area would not be harmed, that highway safety would not be jeopardised, that the biodiversity of the site and the area would not be harmed and that the amenity of neighbouring residents would not be unduly harmed.

Members are therefore recommended to approve this application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** nine letters of objection have been received from local residents. These raise the following concerns:

- \* Do not believe there is a parking problem in the area; the large car park is unjustified; the informal verge is only used by a handful of cars;
- \* Too big; Too many spaces proposed (*officer's comment: the applicant has stated that the data they have of current parking/visitors to the area justify the need for 60 parking spaces*);
- \* There are other car parks in the area (Barrow Bridge and Horrocks Fold) that could be used; Other sites would be better (*officer's comment: the site was identified by the applicant as the best location for a new car park as it next to existing well-used public footpaths, parking already occurs at this location, it is adjacent a highway and good entrance sightline are achievable, the site is relatively flat, it has low conservation/habitat value, and it would balance parking areas across the estate (there would be car parks to the south, east and west)*);
- \* It will be underused if the Woodland Trust intend to charge for parking. People would continue to park on the road (*officer's comment: the applicant has confirmed that there are currently no plans to charge for parking at the site*);
- \* Road safety concerns from speeding vehicles on the road, with vehicles entering and leaving the car park;
- \* The road survey was conducted at a quiet time of year;
- \* Safety for pedestrians, cyclists and horse riders using the road;
- \* It will be an everlasting eyesore in the landscape; Impact on landscape and moors;
- \* Inappropriate development in the Green Belt;
- \* Views from public places will be affected;
- \* Anti-social behaviour within the car park (littering, fly tipping, substance abuse, drinking, travellers);
- \* Lack of security, especially at night. The locked gates would not be a deterrent;
- \* Impact on wildlife, habitat and wildlife corridors;
- \* No toilets are proposed;
- \* Are the ground levels to be altered? (*officer's comment: the car park has been designed to following the existing contours of the site, however officer's are suggesting a condition that the proposed levels are agreed prior to commencement of development*);
- \* There are no details about the proposed tree planting (*officer's comment: details of the proposed planting is requested by condition*).

**Horwich Town Council:-** raised no objection at their meeting of 24th November 2016.

**Elected Members:-** Cllr. Richard Silvester has commented on the application. He states that he wishes to see a Section 106 Agreement for this development for the legal costs for a Traffic Regulation Order to reduce the speed limit on Walker Fold Road from 60mph to 40mph. He also would like to see biodiversity protected, with the provision of ponds, swales and a reed bed for surface water attenuation, along with additional planting.

*Officer's comment:- It is not considered that it would be necessary, relevant to the development or reasonable (three of the six conditions tests within paragraph 206 of the NPPF) for the local planning authority to ask the applicant to pay towards the reduction of the speed limit on Walker Fold Road as the Council's Highways Engineers consider that the proposed new access from the car park onto Walker Fold Road would be acceptable in highway terms and that the car park would only have a limited impact on the operational capacity of the highway. Swales and a reed bed is to be provided on the site, as will additional tree planting (which is requested by a landscape condition).*

## **Consultations**

Advice was sought from the following consultees: Highways Engineers, Landscape Officers, Wildlife Officers, Public Rights Of Way Officer, Ramblers Association, Peak and Northern Footpaths Society, the Open Spaces Society, Wildlife Project, Natural England and Greater Manchester Police.

## **Planning History**

Advertisement consent application 97783/16 for the siting of two advertisement boards had not been determined at the time of writing the officer's report.

There is no planning history for the application site.

**Recommendation:            Approve subject to conditions**

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

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

Reason

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

2. Before the approved development is commenced details of the existing and proposed ground levels within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.

Reason

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

3. Prior to the commencement of development full details of any highway works on Walker Fold Road associated with the proposed car park access shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

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

Reason

To reflect and soften the setting of the development within the landscape and to comply with policy CG3 of Bolton's Core Strategy.

5. Prior to the development hereby approved/permitted being first occupied or brought into use the

means of vehicular access to the site from Walker Fold Road shall be constructed to a minimum width of 5.0 metres with 5.0 metres radii and with hard surfacing for 5.0 metres into the site in accordance with the drawing ref 2060\_02.

Reason

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

6. Prior to the development hereby approved/permitted being first brought into use a northern visibility splay measuring 2.4 metres by 112 metres shall be provided at the junction of the car park access with Walker Fold Road, and subsequently remain 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 and to comply with policy S1.2 of Bolton's Core Strategy.

7. Prior to the development hereby approved/permitted being first brought into use a southern visibility splay measuring 2.4 metres by 120 metres shall be provided at the junction of the car park access with Walker Fold Road, and subsequently remain 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 and to comply with policy S1.2 of Bolton's Core Strategy.

8. 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 and drained 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 areas provided and to ensure that the surface material is compatible with the site's setting, and to comply with policies P5, S1.2 and CG3 of Bolton's Core Strategy.

9. Before the approved/permitted development is first brought into use no less than 60 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with drawing ref: 2060\_02. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

10. The approved cycle parking shall be implemented in full before the development hereby approved is first occupied or brought into use and retained thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists and to comply with policy P5 of Bolton's Core Strategy.



11. As shown on the approved plans, prior to commencement of development a scheme indicating the provision to be made for not less than 2 car parking spaces or 6% of the total car parking spaces, whichever is the greater, shall be submitted to and approved by the Local Planning Authority. The approved car parking area shall be laid out and reserved at all times for use by drivers with disabilities before the development hereby approved/permitted is first brought into use and thereafter retained unless otherwise agreed in writing with the Local Planning Authority.

Reason

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

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

**2060\_02; "Car Park Infrastructure Plan"; dated October 2016**  
**"Landscape Masterplan"; received 24 Oct 2016**

Reason

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





LOCATION & ESTATE PLAN  
Produced by The Woodland Trust  
Not to scale



# Application number 97748/16



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97748/16**

**Type of Application: Full Planning Application**  
**Registration Date: 26/10/2016**  
**Decision Due By: 20/12/2016**  
**Responsible Officer: Helen Williams**

**Location: MERE BROW, CHORLEY OLD ROAD, HORWICH, BOLTON, BL6 6AX**

**Proposal: DEMOLITION OF EXISTING AND ERECTION OF NEW RESIDENTIAL DWELLING**

**Ward: Horwich North East**

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

**Agent : Neil Pike Architects**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

This application is a resubmission of planning application 96546/16, which was refused at Planning Committee in July 2016 for the following three reasons:

- 1. The proposed development, by virtue of its height and scale, represents inappropriate development within the Green Belt and the Applicant has provided no very special circumstances to outweigh the harm caused and the proposal is contrary to national guidance contained within section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.*
- 2. The proposed development, by virtue of its size, siting and design, will have a detrimental effect on the character and appearance of the street scene and Wallsuches Conservation Area, contrary to Policies CG3 and OA1 of Bolton's Core Strategy.*
- 3. The proposed development would be contrary to Policies CG1.1, CG3 and OA1 of Bolton's Core Strategy in that it would result in the unacceptable loss of two Sycamore trees and one Ash tree from the site, to the detriment of the character, appearance and amenity of the application site and the area in which it is set.*

The applicant has amended their proposal for a replacement dwelling on the site in the following main ways:

- \* The "three and a half" storey element at the rear of the house (when viewed from the west) will be reduced to two storeys (an orangery style kitchen above three integral garages is now proposed).

- \* The previously proposed pitched roof over the "link" between the main part of the dwelling and the front garage has been replaced with a flat roof.
- \* The height of the roof over the main part of the dwelling (the "two and a half" storey element) has however been increased by approximately 60 centimetres.
- \* The dormers previously proposed in the front roof plane have been removed and have been replaced with one roof light.
- \* The proposed new access off Gingham Brow has been reduced in width from 4 metres to 3 metres.
- \* The area of hardstanding proposed in front of the three rear garages has been reduced.
- \* The Sycamore tree along the northern boundary is now proposed to be retained rather than felled.

The siting of the dwelling is the same as previously proposed, with the main part of the dwelling being sited to the north west of the siting of the existing dwelling.

A new vehicular access is again proposed into the site off Gingham Brow, which is proposed to curve around the protected trees along the western boundary of the site and to serve the three garages at the rear part of the proposed dwelling. The existing vehicular access to the front of the site (off Chorley Old Road) will also be retained and will serve the two garages at the front of the dwelling.

A Sycamore tree to the west of the site is proposed to be felled to accommodate the new driveway.

### **Site Characteristics**

The application site comprises a two storey, detached, Edwardian dwelling and its large residential curtilage. A single storey double garage has been erected to the north west of the dwelling on a raised platform. The dwelling has been extended at the rear and eastern side with a flat roof, two storey extension and to the rear with a conservatory.

A driveway off Chorley Old Road serves the detached garage. There is another gated opening in the front boundary wall, however this is not a laid out vehicular access. A further gate is located within the western boundary wall, though this again is not a laid out access.

The application site is bounded with a stone wall along its southern, western and northern boundaries. The site is significantly elevated from Gingham Brow to the rear of the site, resulting in a tall stone boundary wall at the rear.

The trees along the western boundary of the site are protected by the Tree Preservation Order Bolton (Gingham Brow, Horwich) 1985 and mainly comprise Beech, Sycamore and Ash trees. The other trees within the site (including those along the northern boundary) are afforded protection as the site is within a conservation area.

Gingham Brow, the road that runs to the west and rear of the site, contains public right of way HOR138.

The application site is located within Wallsuches Conservation Area. The neighbouring houses to the east along Chorley Old Road are also Edwardian in design and two storey detached dwellings, though of differing designs.

The application site is also located within the Green Belt.

### **Policy**

National Planning Policy Framework (NPPF)

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

Allocations Plan Policies: P8AP Public Rights of Way; CG7AP Green Belts.

SPD General Design Principles

Wallsuches Conservation Area Appraisal

### **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 openness of the Green Belt
- \* impact on the character and appearance of the conservation area
- \* impact on trees
- \* impact on highways
- \* impact on the amenity of neighbouring residents

### **Impact on the Purposes and Openness of the Green Belt**

Section 9 of the National Planning Policy Framework (NPPF) concerns protecting Green Belt land. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to protect urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in Green Belt. Exceptions to this include [amongst other things] the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Bolton's Allocations Plan Policy CG7AP reflects national Green Belt guidance.

The proposed development is for a replacement building within the Green Belt, which will be in the same use of the building it is to replace (a dwelling).

The previously proposed replacement dwelling on the site (proposed under application 96546/16) was considered to be significantly greater in scale than the dwelling it was to replace, with the case officer estimating that the proposed dwelling would have been over three times larger than the existing development (when comparing existing and proposed floor areas). It was therefore

considered that the proposed dwelling was contrary to the guidance contained within paragraph 89 of the NPPF and Policy CG7AP of the Allocations Plan, as the proposed dwelling would have been significantly materially larger than the existing dwelling.

The latest proposed replacement dwelling has been significantly reduced in scale, with the rear portion being reduced from "two and a half" storeys above the basement garage to just one storey. Although the height of the roof above the main "two and a half" storey front element has been increased by approximately 60 centimetres, the previously approved pitched roof over the "link extension" between the main house and the front garages has been replaced with a flat roof. The overall massing of the proposed dwelling is considered to be significantly reduced.

The proposed amendments have resulted in a proposed replacement dwelling that would be approximately 36% larger than the existing dwelling on site (using the figures submitted by the applicant). It is considered that whilst the new dwelling would be larger than the existing extended Edwardian dwelling, the scale of the proposed dwelling would not materially harm either the purposes or the openness of the Green Belt in this location.

A condition is suggested (should the application be approved) to remove permitted development rights from the dwelling, to restrict any future extensions.

It is therefore considered that the proposed development would comply with paragraph 89 of the NPPF and Policy CG7AP of the Allocations Plan.

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

Section 12 of the NPPF concerns conserving and enhancing the historic environment. Paragraph 131 of the NPPF states that in determining planning applications, local planning authorities should take account of:

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

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 CG3.4 states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.

Policy OA1 of the Core Strategy states that the Council will conserve and enhance the character of the existing landscape and physical environment, especially the conservation areas at Horwich town centre, Horwich Loco Works and Wallsuches and will ensure that development in Horwich and Blackrod respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.

The application site is located within Wallsuches Conservation Area.

The proposal involves the demolition of a building within the conservation area. Paragraph 128 of the NPPF states, in determining applications, local planning authorities should require an applicant to



describe the significance of any heritage assets affected, including any contribution made by their setting. The applicant has not submitted an assessment to describe the significance of the building to be lost; they have instead stated within their Design and Access Statement that, "*The existing house is in poor condition due to its age and lack of [sic] maintenance. In addition to this the dwelling is deceptively smaller than its appearance presents.*"

The case officer considers that the existing dwelling makes a positive contribution to the character and appearance of the conservation area given that it is a handsome suburban Edwardian dwelling that is in keeping in the row of other Edwardian designed detached dwellings. The scale and siting of the existing dwelling is in character with the row of dwellings it is within, and follows the same strong building line (along this northern section of Chorley New Road).

The proposed dwelling would be larger than the existing dwelling it is to replace and the main part of the dwelling would be sited towards the rear (north) of the site. The proposed front garage would however be sited in line with the building line of the neighbouring dwellings, and this will be linked with the main part of the dwelling.

It is considered that the proposed dwelling, when viewed from the front (from Chorley Old Road, to the south and south east), would not harm the character and appearance of the conservation area given that it would have the appearance of a two storey dwelling and that the design of the front elevation (with gabled, rectangular, two storey bay windows) reflects the general design of the neighbouring properties on Chorley Old Road. The previously proposed front dormer windows have been removed from the scheme.

The previously proposed replacement dwelling (application 96546/16) would have appeared as a three storey building with dormers in its roof when viewed from the south west, west and north. It was considered by officers that the dwelling would have appeared too prominent and large in scale from these viewpoints, and out of character with the area. The applicant has now significantly reduced the scale of the rear portion of the proposed dwelling by reducing this element to just single storey above the proposed basement level garages. It is considered that this reduction in scale no longer results in a building that would be inappropriate by virtue of its height, scale and massing.

Whilst the loss of the original Edwardian dwelling from the site is regrettable, it is not considered that the proposed replacement dwelling would be harmful to the character and appearance of the street scene and the conservation area. It is therefore considered that the proposed development would comply with Policies CG3 and OA1 of the Core Strategy.

#### Impact on Trees

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

The proposed development would result in the loss of two trees from the site, whilst the previous refused proposal would have resulted in the loss of three trees. The tree now proposed to be retained (which was previously proposed to be felled) is the large Sycamore tree to the north and rear of the proposed rear element of the dwelling. This is considered to be a prominent tree within the site and therefore its retention is supported by officers.

The trees that are still proposed to be felled are a small Ash tree to the front and south of the proposed lounge and a Sycamore tree near to the gate off Gingham Brow. The Council's Tree Officer has confirmed that the Ash tree is a small naturally regenerated tree of low visual amenity and that the Sycamore tree has a suppressed and asymmetrical canopy form where it grows adjacent to other

trees. The Tree Officer therefore raises no objection to the loss of the two trees.

There are also a number of multi-stemmed Cypress trees along the boundary behind the proposed front garage that would require either pruning or removal, but there is no objection to this from the Tree Officer.

The Council's Tree Officer have recommended, should the application be approved, that conditions be attached to require replacement tree planting (for the trees that are proposed to be removed) and further details of the construction of the basement and driveway (to ensure tree protection zones are not harmed).

#### Impact on Highways

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

The proposal includes the provision of five garage spaces, along with a new driveway off Gingham Brow to serve three of the garages. The existing driveway off Chorley Old Road is also to be retained.

The Council's Highways Engineers have raised no objection to the proposal and therefore it is considered that the proposed development complies with Policies P5 and S1.2 of the Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

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

The siting of the proposed dwelling would not infringe upon a line drawn at a 45 degree angle from the nearest main window in the rear of the neighbouring dwelling at Willow-Dene. There are no main windows in the western elevation of Willow-Dene. It is therefore considered that the proposed would not harm the amenity of the neighbouring residents at Willow-Dene.

The proposed new dwelling will be over 40 metres away from Gingham House and over 50 metres away from Stocks Cottages; the recommended interface distance in such a circumstance would only be 27 metres (if the dwelling was considered to be a four storey dwelling) and therefore this distance is well exceeded.

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

#### **Local finance considerations**

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

New Homes Bonus for the one proposed dwelling – this is not a material planning consideration.

#### **Conclusion**

For the reasons discussed above it is considered that the proposed dwelling, as amended within this

latest application, would, on balance, not harm the purposes and openness of the Green Belt in this location, would not harm the character and appearance of the street scene or the conservation area, would not result in the unacceptable loss of trees from the site, would not jeopardise highway safety, and would not harm the amenity of neighbouring residents.

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

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** three letters of objection have been received from residents of Gingham Brow. These letters raise the following concerns:

- \* There is little change to the previous application;
- \* The existing Edwardian house and its neighbours form an integral block of similar size and style houses. The proposed dwelling is of a completely different modern style and size;
- \* Totally out of keeping with local housing;
- \* The proposal would be an eyesore;
- \* The dwelling will dominate views from their property, also with the thinning/removal of the trees;
- \* Concerns about visibility when vehicles are leaving the new access onto Gingham Brow;
- \* Gingham Brow is unadopted and legally bound on the residents to maintain.

**Horwich Town Council:-** raised no objection at their meeting of 24th November 2016.

**Elected Members:-** Cllr. Richard Silvester has objected to the proposal on the following grounds:

- \* The dwelling is too overbearing in its scale and massing and would spoil the character and appearance of the area, the street scene and the conservation area;
- \* The formation of a second access way of 3 metres in width into Gingham Brow is inappropriate and would be to the detriment of the residents on Gingham Brow;
- \* No very special circumstances have been provided by the applicant (*officer's comment: the submission of very special circumstances are only required where it is considered that a proposed development constitutes inappropriate development in the Green Belt*);
- \* Unacceptable loss of trees, which could have a negative effect on the conservation area.

### **Consultations**

Advice was sought from the following consultees: Tree Officers, Highways Engineers, Drainage Officers, Pollution Control Officers, Wildlife Officers, Horwich Heritage and United Utilities.

### **Planning History**

Planning application 96546/16 for the demolition of the existing dwelling and the erection of a new residential dwelling was refused at Planning Committee in July 2016 for the following three reasons:

4. *The proposed development, by virtue of its height and scale, represents inappropriate development within the Green Belt and the Applicant has provided no very special circumstances to outweigh the harm caused and the proposal is contrary to national guidance contained within section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.*
5. *The proposed development, by virtue of its size, siting and design, will have a detrimental effect on the character and appearance of the street scene and Wallsuches Conservation Area, contrary to Policies CG3 and OA1 of Bolton's Core Strategy.*
6. *The proposed development would be contrary to Policies CG1.1, CG3 and OA1 of Bolton's Core Strategy in that it would result in the unacceptable loss of two Sycamore trees and one Ash tree from the site, to the detriment of the character, appearance and amenity of the application site and the area in which it is set.*

Application 96030/16 for the pruning of various trees and the felling of one sycamore and one ash



was part approved and part refused in June 2016. The proposed felling of the sycamore tree was refused.

Application 41863/92 for the erection of a detached house and garages was refused in October 1992 and dismissed at appeal in June 1993.

Outline application 40938/92 for the erection of a detached house with double garages was refused in June 1992.

A two storey rear extension was approved in April 1990 (35964/90).

Outline application 23809/84 for the erection of a detached house and garage was refused in September 1984.

**Recommendation:            Approve subject to conditions**

**Recommended Conditions and/or Reasons**

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

Reason

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

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

Reason

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

3. Prior to the commencement of development a detailed specification for all doors and windows 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 and to comply with policy CG3 of Bolton's Core Strategy.

4. Prior to the commencement of development details of roosting provision to be incorporated into the design of the dwelling hereby approved shall be submitted to and approved in writing by the local planning authority. The approved provision shall be constructed in full accordance with the approved details and be retained thereafter.

Reason

To safeguard the habitats of bats following the loss of the original building on site, and to comply with policy CG1.1 of Bolton's Core Strategy.

5. Before the approved development is commenced details of the existing and proposed ground levels within the site including spot heights, cross sections and finished floor levels of all

buildings and structures shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.

Reason

To safeguard the visual appearance and or character of the area and to comply with policies CG3 and CG4 of Bolton's Core Strategy.

6. Prior to the commencement of development of any works on site, the developer shall submit a method statement detailing how the following elements of the site will be constructed without causing harm or damage to the protected trees found on the site to the Local Planning Authority. The specified areas are:

- a) Basement area excavations and pile and beam specification.
- b) Driveway and turning head specification in respect of a "cell-web" type construction.

No development or site clearance shall take place until the Local Planning Authority has agreed the measures in writing, and these measures shall then be implemented fully in accordance with the approved details.

Reason

To ensure the safe development of the site and favourable retention of trees and to comply with policy CG1.1 of Bolton's Core Strategy.

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

- 1. The trees 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 trees and to comply with policy CG1.1 of Bolton's Core Strategy.

8. Prior to the commencement of the development:-

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

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

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

Reason

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

9. 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 mitigate for the loss of trees from the site and to comply with policies CG1.1 and CG3 of Bolton's Core Strategy.

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

Reason

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

11. The dormer windows' 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 and to comply with policy CG3 of Bolton's Core Strategy.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, 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, to safeguard the health of the trees and as any extensions may harm the purposes and openness of the Green Belt. And to comply with policies CG1.1, CG3 and OA1 of Bolton's Core Strategy and policy CG7AP of Bolton's Allocations Plan.

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

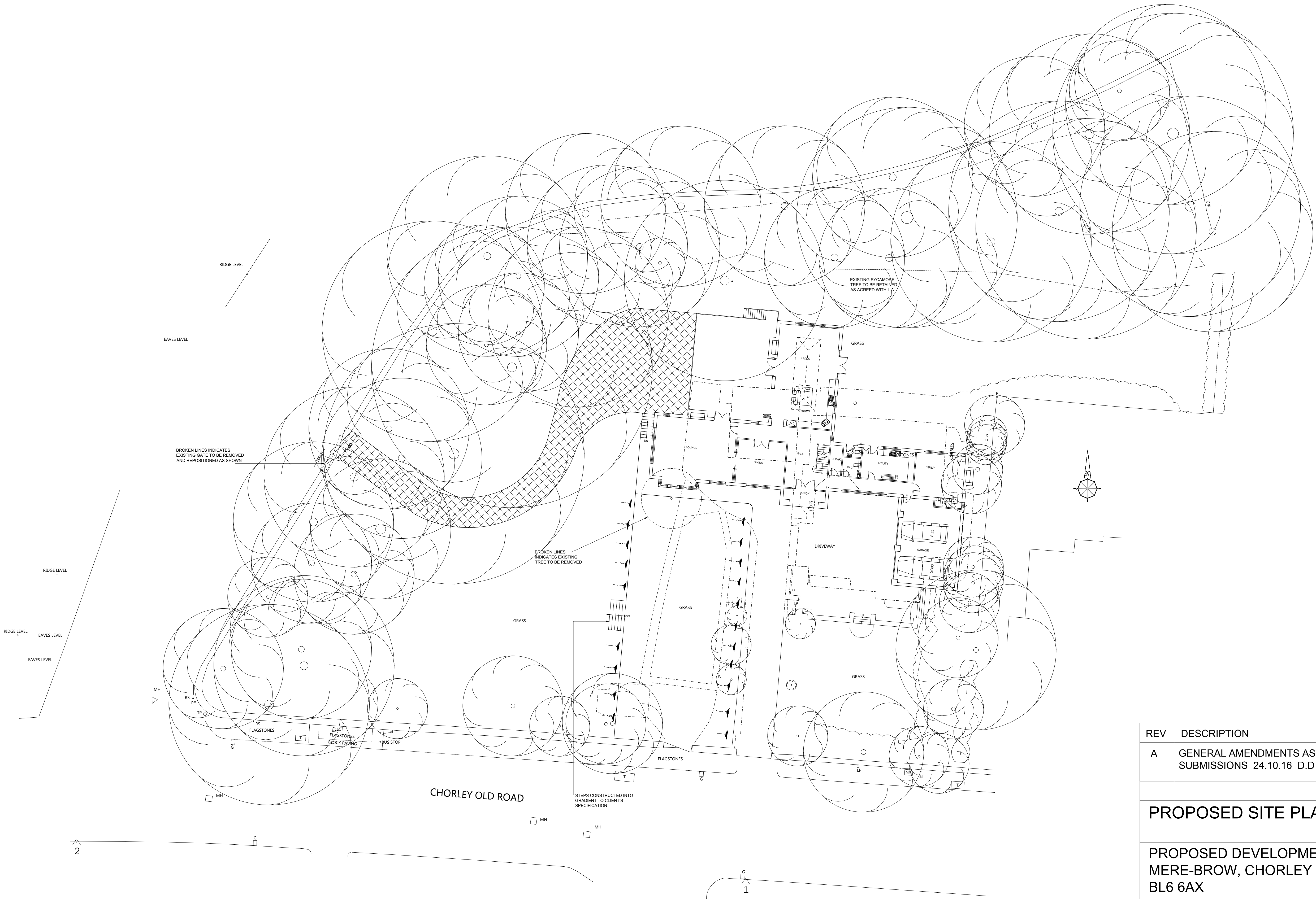
**PL K754/01 Rev. A; "Proposed Site Plan"; dated 24.10.16 and received by the LPA 02.12.16**  
**PL K754/02 Rev. A; "Proposed Floor Plans"; dated 24.10.16**  
**PL K754/03 Rev. A; "Proposed Front and Side Elevations"; dated 24.10.16**  
**PL K754/04 Rev. A; "Proposed Rear and Side Elevations"; dated 24.10.16**

Reason

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



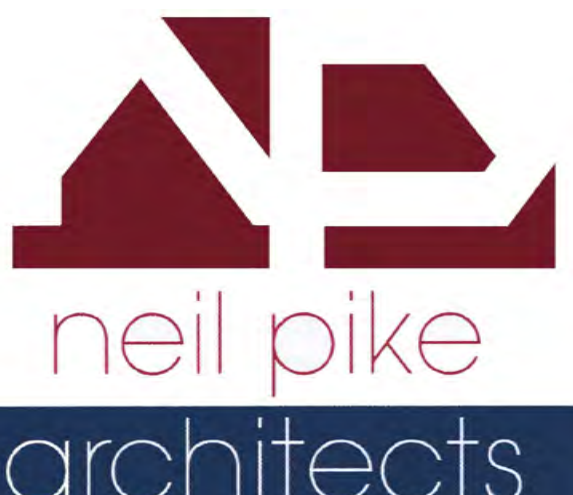




REV	DESCRIPTION
A	GENERAL AMENDMENTS AS AGREED THROUGH PRE-APPLICATION SUBMISSIONS 24.10.16 D.D

## PROPOSED SITE PLAN

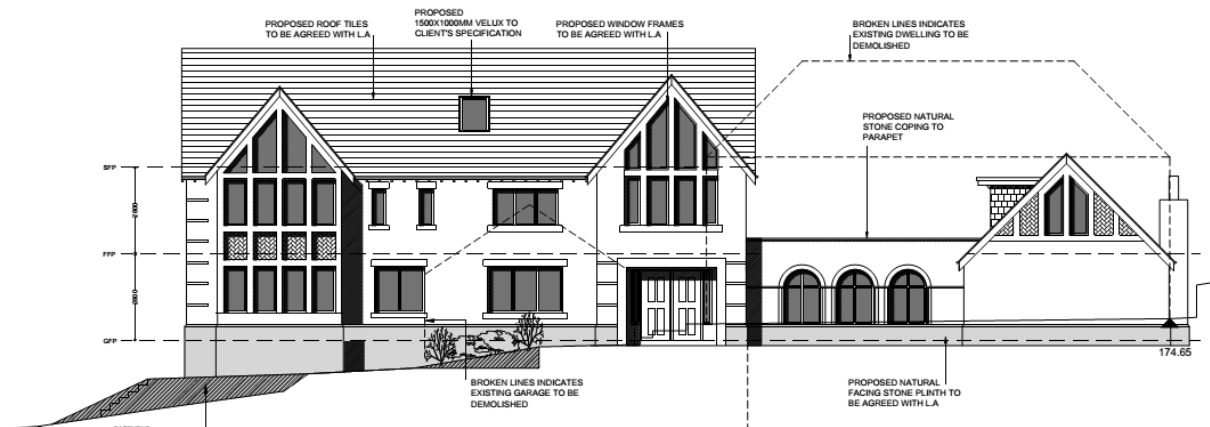
PROPOSED DEVELOPMENT  
MERE-BROW, CHORLEY OLD ROAD, HORWICH, BOLTON,  
BL6 6AX

CLIENT:	IVAN WROE	
DWG NO:	PL K754/01	
SCALE:	1/200 @ A1	
DRAWN BY:	D.D.	
DATE:	07/03/16	
REV:	A	

MICHIGAN HOUSE, 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR  
TEL: 01204 392233 FAX: 01204 528505  
WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK

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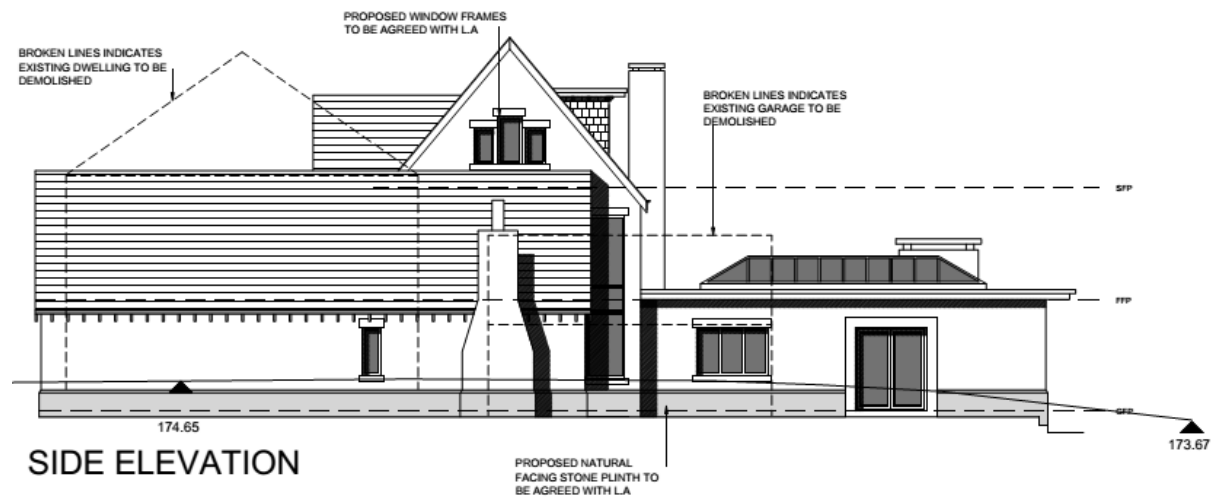
## Proposed front elevation



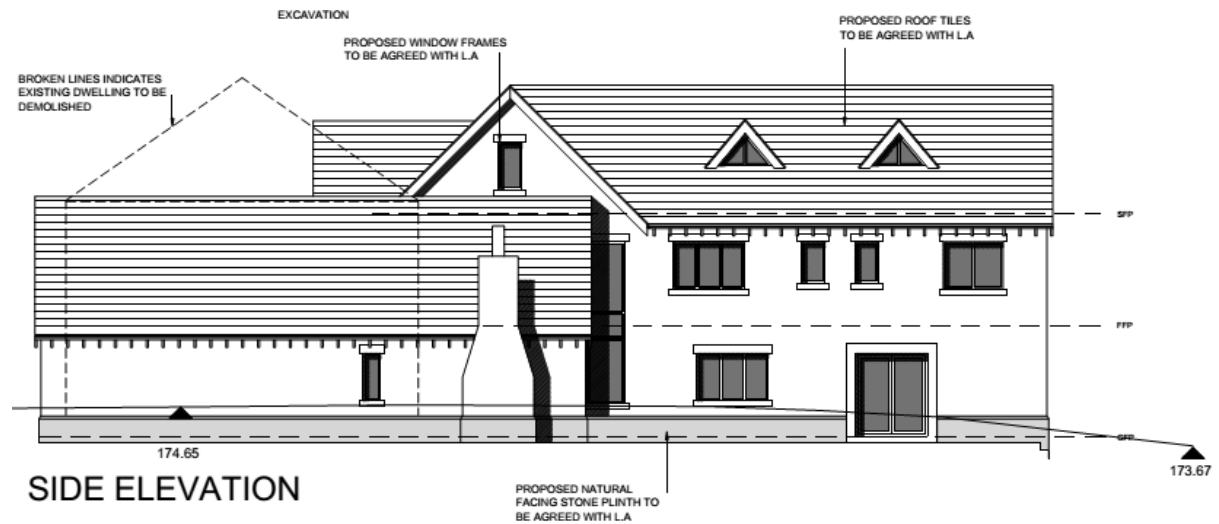
## Refused front elevation



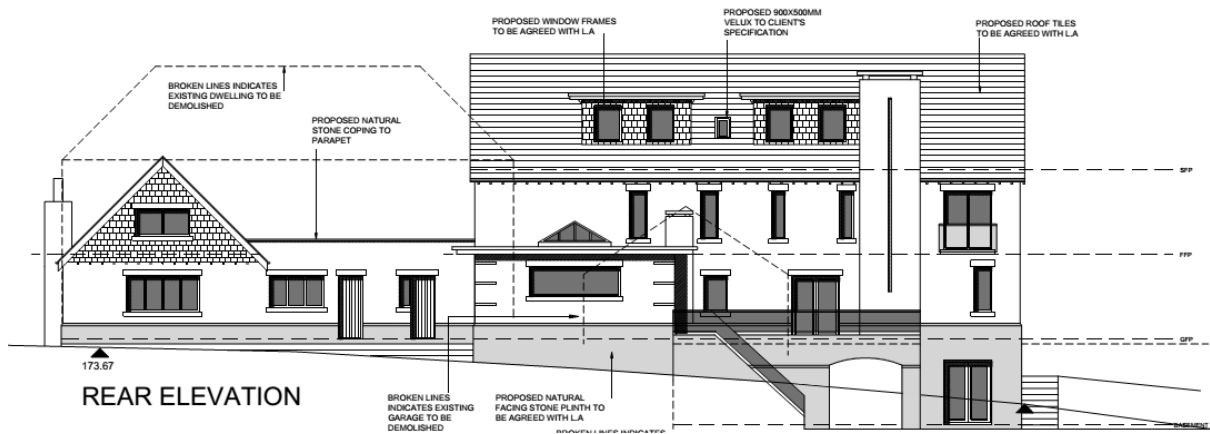
## Proposed eastern side elevation



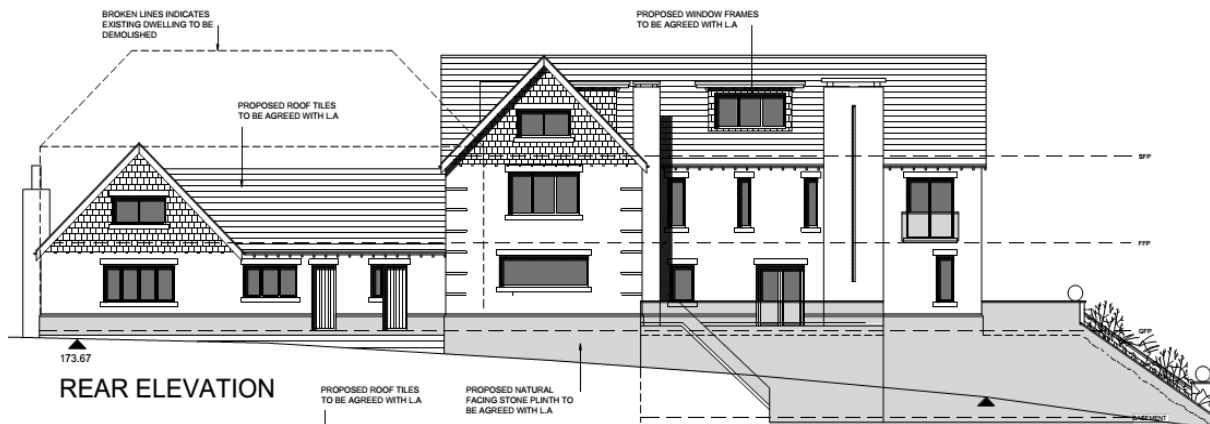
## Refused eastern side elevation



## Proposed rear elevation

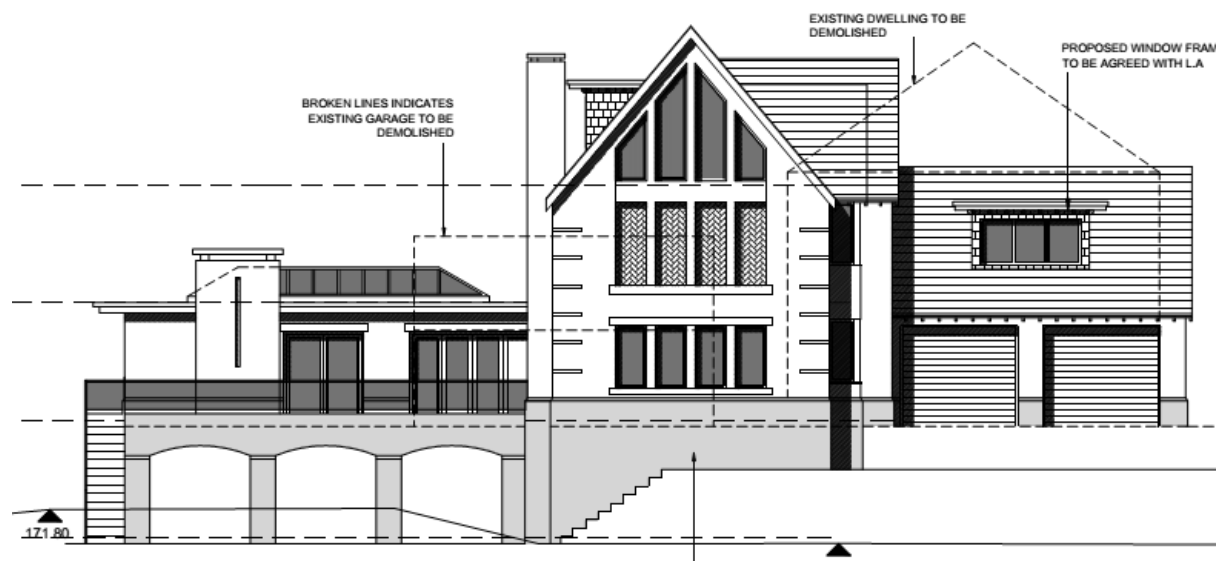


## Refused rear elevation





## Proposed western side elevation



## Refused western side elevation



## A detailed street map of a residential area in London. The map shows a grid of streets and individual houses. Key streets include Telford Street running diagonally from the top right to the bottom right, and Old Mill Close running diagonally from the bottom right towards the center. Other streets visible include a road on the left with a green square marker, and a road at the top labeled 'VENUE'. Numerous house numbers are visible, such as 44, 54, 59, 75, 373, 379, 385, 387 to 393, 429, 437, 445, 463, 467, 469, 471, 473, 475, 477, 479, 481, 483, 485, 487, 489, 491, 493, 495, 497, 499, 501, 503, 505, 507, 509, 511, 513, 515, 517, 519, 521, 523, 525, 527, 529, 531, 533, 535, 537, 539, 541, 543, 545, 547, 549, 551, 553, 555, 557, 559, 561, 563, 565, 567, 569, 571, 573, 575, 577, 579, 581, 583, 585, 587, 589, 591, 593, 595, 597, 599, 601, 603, 605, 607, 609, 611, 613, 615, 617, 619, 621, 623, 625, 627, 629, 631, 633, 635, 637, 639, 641, 643, 645, 647, 649, 651, 653, 655, 657, 659, 661, 663, 665, 667, 669, 671, 673, 675, 677, 679, 681, 683, 685, 687, 689, 691, 693, 695, 697, 699, 701, 703, 705, 707, 709, 711, 713, 715, 717, 719, 721, 723, 725, 727, 729, 731, 733, 735, 737, 739, 741, 743, 745, 747, 749, 751, 753, 755, 757, 759, 761, 763, 765, 767, 769, 771, 773, 775, 777, 779, 781, 783, 785, 787, 789, 791, 793, 795, 797, 799, 801, 803, 805, 807, 809, 811, 813, 815, 817, 819, 821, 823, 825, 827, 829, 831, 833, 835, 837, 839, 841, 843, 845, 847, 849, 851, 853, 855, 857, 859, 861, 863, 865, 867, 869, 871, 873, 875, 877, 879, 881, 883, 885, 887, 889, 891, 893, 895, 897, 899, 901, 903, 905, 907, 909, 911, 913, 915, 917, 919, 921, 923, 925, 927, 929, 931, 933, 935, 937, 939, 941, 943, 945, 947, 949, 951, 953, 955, 957, 959, 961, 963, 965, 967, 969, 971, 973, 975, 977, 979, 981, 983, 985, 987, 989, 991, 993, 995, 997, 999. A green square marker is located on the left side of the map, near the bottom left corner. The map is titled '© Crown Copyright 2008. All Rights Reserved. Map data © 2008. All Rights Reserved. Map data © 2008. All Rights Reserved.' at the top.

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**Date of Meeting: 15/12/2016**

**Application Reference: 97769/16**

**Type of Application: Full Planning Application**  
**Registration Date: 27/10/2016**  
**Decision Due By: 21/12/2016**  
**Responsible Officer: Helen Williams**

**Location: 427 CHORLEY NEW ROAD, HORWICH, BOLTON, BL6 6DT**

**Proposal: CHANGE OF USE OF FORMER MoT AND VEHICLE SERVICE BAY  
TO GYMNASIUM / FITNESS CENTRE**

**Ward: Horwich North East**

**Applicant: GOXERCISE LIMITED**

**Agent : Frank Whittaker Town Planning Consultants**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Permission is sought for the change of use of the former MOT and vehicle service bay (previously 'Rapid Fit', the rear part of the building numbered 427) to a gymnasium (Use Class D2).

This application is a resubmission of planning application 96618/16, which was refused under delegated powers for the following reasons:

- 1. The proposed development will increase noise and activity in and around the premises to the detriment of the living conditions of nearby residents and is contrary to Policy CG4 of Bolton's Core Strategy.*
- 2. The applicant has failed to demonstrate that the development cannot be accommodated in a sequentially preferable location and therefore the requirements of paragraph 24 of the National Planning Policy Framework have not been met.*

The proposed hours of opening are between 06:00 to 22:00 hours Monday to Friday and between 07:00 to 22:00 hours Saturdays, Sundays and Bank Holidays. The applicant has reduced the hours of opening from 23:00 to 22:00 hours on weekdays, following the previous refusal. The applicant has also submitted a noise impact assessment with their resubmission to demonstrate that the proposed development would not unduly affect the living conditions of neighbouring residents to the site.

The applicant has also submitted a sequential assessment to address the second reason for refusal on 96618/16.

17 car parking spaces are proposed within the existing car parking/servicing area for the unit.

The applicant has stated that the new business will employ six full-time employees and six part-time

employees.

### **Site Characteristics**

The application premises comprise the rear part of the property at 427 Chorley New Road. The premises were previously used as the shop 'Rapid Fit'. The front of the building comprises a petrol station shop and a vacant former car showroom. A Texaco petrol filling station is located to the west of the site.

Access into the site (to the three premises) is off both Chorley New Road and Telford Street to the east. Access to the application premises is round the side of the petrol filling station. There is a car parking area/servicing area to the side and rear of the application premises.

Chorley New Road is a main thoroughfare between Horwich and Bolton town centres. There is a bus stop on both sides of the road in front of the application site.

Neighbouring the site to the north west are the residential apartments of 387 to 393 Chorley New Road. There are dwellings sited on the eastern side of Telford Street.

On the opposite side of Chorley New Road from the application site are commercial and industrial premises.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies: P2 Retail and Leisure; P5 Transport and Accessibility; S1 Safe Bolton; CG4 Compatible Uses; OA1 Horwich and Blackrod.

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 vitality of Horwich town centre
- \* impact on the amenity of neighbouring residents
- \* impact on the highway

### **Impact on the Vitality of Horwich Town Centre**

Paragraph 24 of the National Planning Policy Framework (NPPF) states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an



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

The proposed gymnasium use is classed as a "main town centre use" within the NPPF (annex 2). The application premises are not located within a town centre; the application site is instead in an out of centre location.

The applicant has submitted a sequential assessment with their resubmitted application. They have considered Horwich Town Centre and have noted that the average size of accommodation available is 100 sq. metres, which is considerably less than that required by the applicant (600 sq. metres). When looking at edge of centre locations, they note that outside Horwich Town Centre properties are small in scale (mixed range of housing, smaller shops and business outlets or small commercial/industrial premises) and therefore also not suitable.

The applicant also considers that the application site is within walking distance of Horwich Town Centre, therefore making it not too distant from the town centre.

It is considered that the applicant has sufficiently justified that there are no suitable locations for the proposed gymnasium within Horwich Town Centre and that the proposed site is in an accessible location well connected to the town centre. It is therefore considered that the proposed development would not harm the vitality of Horwich Town Centre and is compliant with paragraph 24 of the NPPF.

#### Impact on the Amenity of Neighbouring Residents

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

The nearest neighbouring residential properties to the application site are immediately to the north west (at 387 to 393 Chorley New Road) and across Telford Street (approximately 20 metres away to the south east).

It is proposed that the gymnasium would be open between the hours of 06:00 and 22:00 Monday to Friday and 07:00 and 22:00 hours Saturdays and Sundays.

The applicant has reduced their proposed hours of opening (from that previously refused under application 96618/16) from 23:00 closing on weekdays to 22:00 closing.

The Council's Pollution Control Officers raised an objection to the previous application, considering that the proposal would increase noise and activity in and around the premises to the detriment of neighbouring residents. To address this objection the applicant has submitted a noise impact assessment from an independent noise consultant. This assessment concludes that the predicted minimum noise levels from the proposed gymnasium would be no higher than the levels currently experienced by the nearest surrounding dwellings as a result of vehicles using the adjacent petrol station (which is a 24 hour use).

Pollution Control Officers have raised no objection to this resubmitted application.

It is therefore considered that the proposed change of use would not unduly harm the amenity of

neighbouring residents, compliant with Policy CG4 of Bolton's Core Strategy.

#### **Impact on the Highway**

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

Appendix 3 of the Core Strategy sets out the Council's maximum car parking standards. For D2 indoor sports and recreation the maximum car parking standard is 1 space per 25 sq. metre. The Council's Highways Engineers have calculated that the maximum number of spaces for this proposed development as being 25.

17 car parking spaces are proposed for the gymnasium. Whilst this is 8 spaces below the maximum standard it is acknowledged that the site is in a highly sustainable location, close to a large residential area and close to bus stops. The Council's Highways Engineers therefore do not raise an objection to the proposal.

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

#### **Local finance considerations**

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

#### **Conclusion**

For the reasons discussed above, it is considered that the proposed change of use of the property to a gymnasium (D2 use) would not harm the vitality of Horwich Town Centre, would not unduly harm the amenity of neighbouring residents, and would not jeopardise highway safety. Members are therefore recommended to approve this application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** two letters of objection have been received from residents on Chorley New Road. These raise the following concerns:

- \* Chorley New Road is already full of cars;
- \* The roads off Chorley New Road are already used for parking, especially on match days;
- \* Sometimes cannot park in front of their own home.

**Horwich Town Council:-** raised no objection to the proposal at their meeting of 24th November 2016.

### **Consultations**

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

### **Planning History**

Planning application 96618/16 for the change of use of the building to a gymnasium was refused under delegated powers in August 2016 for the following reasons:

- 1. The proposed development will increase noise and activity in and around the premises to the detriment of the living conditions of nearby residents and is contrary to Policy CG4 of Bolton's Core Strategy.*
- 2. The applicant has failed to demonstrate that the development cannot be accommodated in a sequentially preferable location and therefore the requirements of paragraph 24 of the National Planning Policy Framework have not been met.*

The refurbishment of the petrol filling station and garage was approved in July 1995 (47135/95).

The retention of a canopy over the existing service area was approved in July 1985 (25551/85).

The relocation of a car wash building on the existing service area was approved in February 1978 (7328/77).

A number of signage applications have been approved on the wider site (14710/80, 23932/84, 32707/88 and 60367/01). Advertisement applications 75274/06 and 76138/06 were part approved, part refused.

**Recommendation:            Approve subject to conditions**

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

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

Reason

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

2. Before the approved/permitted development is first brought into use no less than 17 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 drawing ref: GoXercise Limited (Re-submission); dated October 2016. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

06:00 to 22:00 Mondays – Fridays

07:00 to 22:00 Saturdays, Sundays and Bank Holidays

Reason

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

4. The premises shall be used for a gymnasium/fitness centre and for no other purpose (including any other purposes in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason

For the avoidance of doubt as to what is permitted, and to comply with policies P5, S1.1 and CG4 of Bolton's Core Strategy.

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

**T13119-91-1102 Rev O; "Proposed Ground Floor: Space Plan"; dated June 2016**  
**"GoXercise Limited (Re-submission)"; dated October 2016**

Reason

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



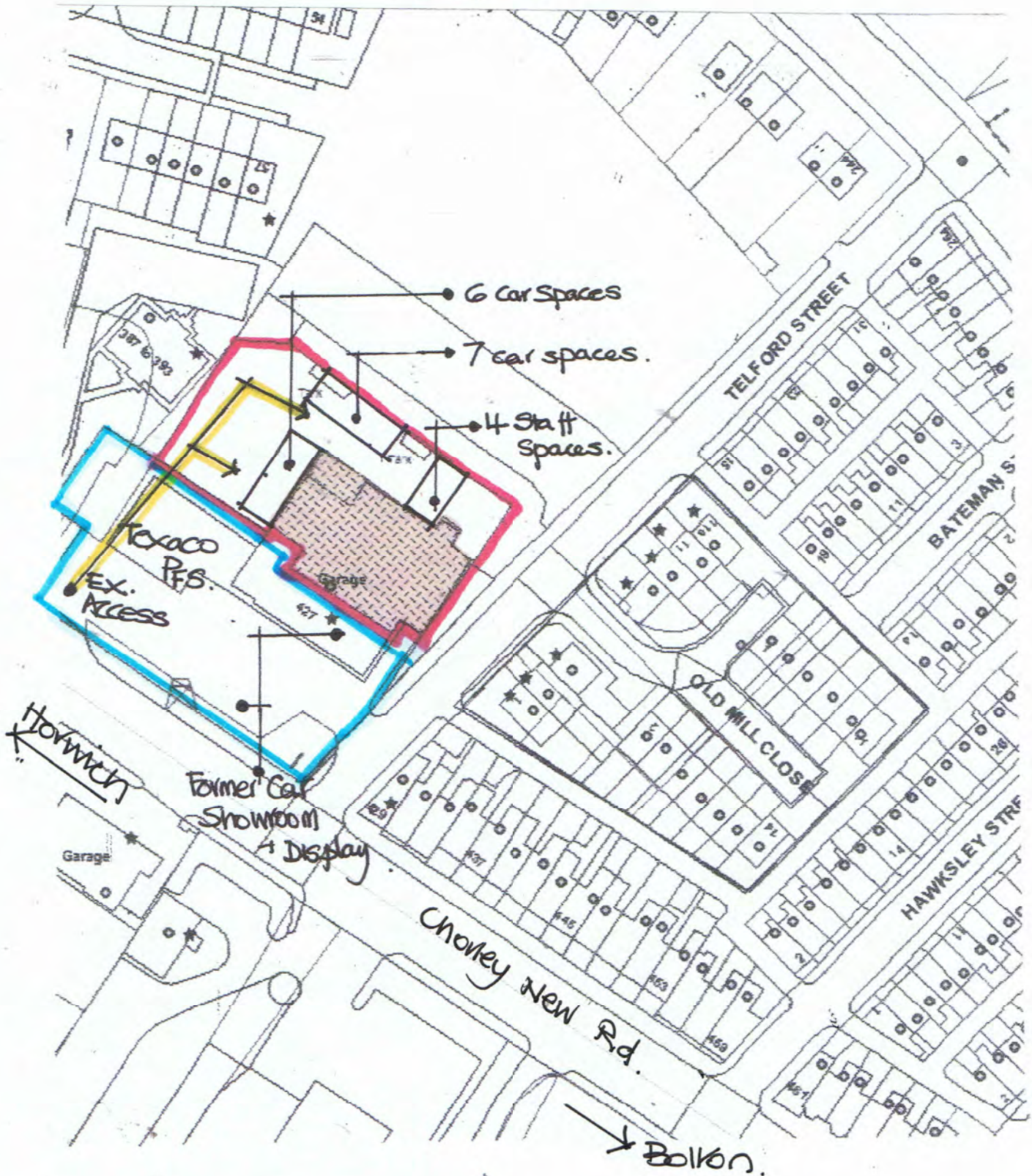
**Project : GoXercise Limited (Re-submission)**  
**Site : 427 Chorley New Road Horwich BL6 6DT**

**Scale : 1: 1250**  
**Date : October 2016**

*Frank  
Whittaker  
Town  
Planning  
Consultants*



Beechwood, Shady Lane, Bromley Cross, Bolton BL7 9AF  
Telephone: (01204) 303168 Facsimile: (01204) 304031







# PROPOSED GROUND FLOOR PLAN

Scale 1:100 @ A3

**Triglyph Property Consultants Limited**  
 Eldon House, 2 - 3 Eldon Street  
 London, EC2M 7LS

Tel 020 3051 2433 Fax 020 3051 2434  
 E Mail info@triglyph.co.uk

Website www.triglyph.co.uk

Do not scale from this drawing.  
 All dimensions to be checked on site.  
 Works to be carried out in accordance with bye-laws and regulations of  
 Local Authorities and Statutory Undertakers.  
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PLANNING DRAWING

Amendments:  
 0: 07.06.2016 First Issue

Client: **Fit4Less**  
**Hassan Mohammed**

Project:  
**427 Charley New Road**  
**Howich**  
**Bolton, BL6 6DT**

Scale: 1:100 @ A3

Date: JUNE 2016

Drawn: RP

Checked: BR

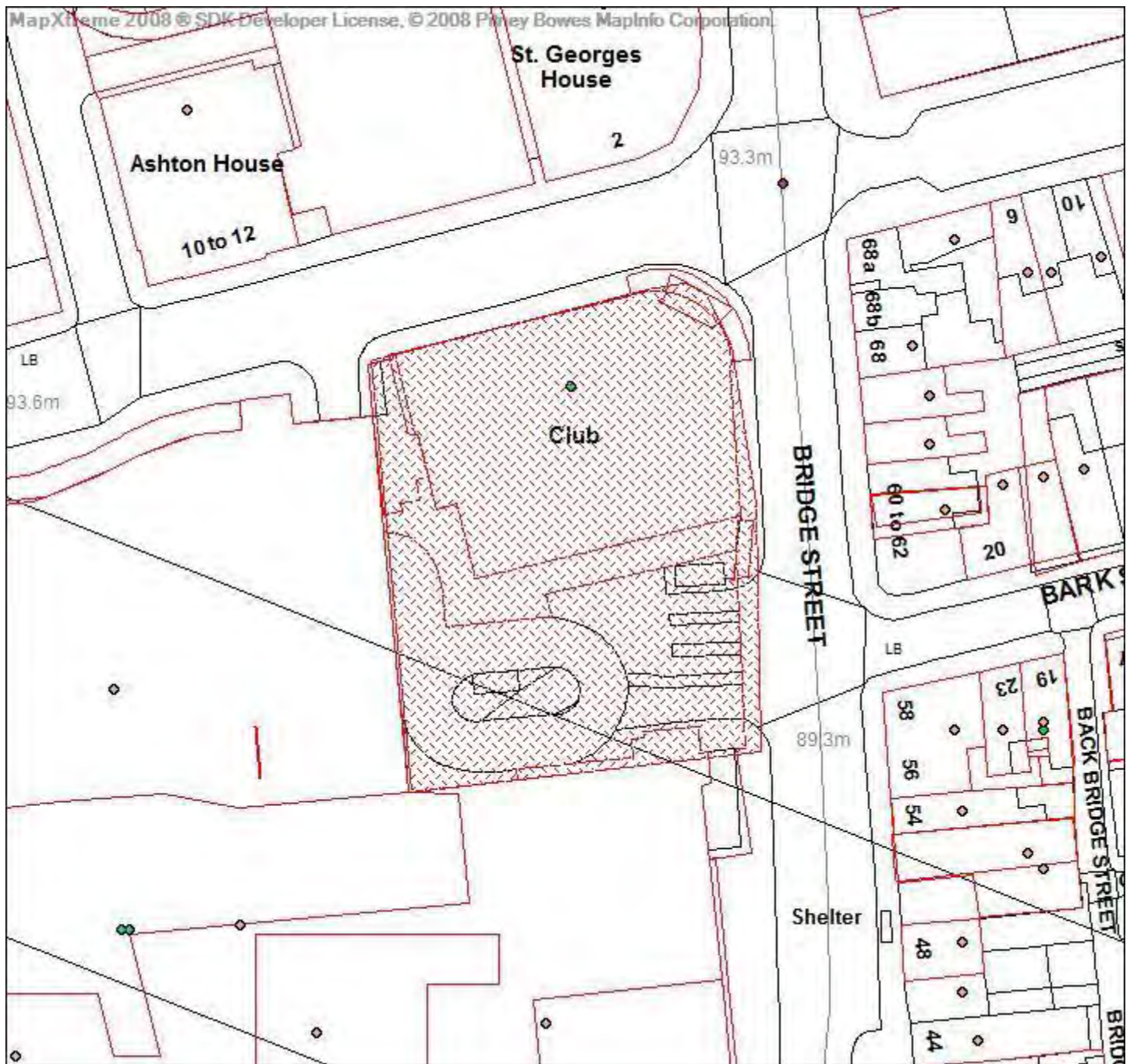
Dwg no: T13119 - 91 - 1102

Rev: 0

Title:  
**PROPOSED GROUND FLOOR:**  
**SPACE PLAN**



# Application number 97795/16



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 15/12/2016**

**Application Reference: 97795/16**

**Type of Application: Outline Planning Permission**

**Registration Date: 07/11/2016**

**Decision Due By: 01/01/2017**

**Responsible Officer: Martin Mansell**

**Location: FORMER VACANT NIGHTCLUB (IKON & JUMPING JAKS),  
BRIDGE STREET, BOLTON, BL1 2ED**

**Proposal:** OUTLINE APPLICATION TO DEMOLISH VACANT FORMER NIGHTCLUB AND CAR PARK RAMP AT SIDE AND ERECTION OF HOTEL WITH NEW STRUCTURED CAR PARK TO PROVIDE 400NO. ADDITIONAL PARKING SPACES WITH IMPROVED ACCESS(ALL MATTERS RESERVED)

**Ward: Halliwell**

**Applicant: Inception Holdings s.a.r.l**

**Agent : Wren Architecture and Design**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Consent is sought for the demolition of the existing building together with the adjacent spiral car park ramp and an outline application for the erection of a 150 bed hotel and an extension to the existing car park. The Market Place shopping centre was originally constructed with 650 car parking spaces. This was recently reduced by 150 in order to construct the Light cinema, resulting in 500 available spaces. The current application therefore proposes to increase this to 900, an increase in 250 over the parking provision originally constructed.

Whilst the demolition of buildings is generally permitted development (subject to a prior notification application), as the site lies within a Conservation Area, planning permission is required in this instance.

The development proposed is in outline only, with all matters reserved for subsequent approval, therefore this application seeks (full) consent for the demolition of the building and an outline to establish the principle of redevelopment (use and general scale).

The plans for the proposed development, hotel and car park, are indicative at present and illustrate a potential three storey building constructed from a brick grid with concrete and glazed infill panels, a glazed rooftop bar with a prominent circular roof and a curved overhanging canopy to the frontage. The pedestrian and vehicle access would be situated largely as existing i.e. the pedestrian entrance to the hotel would be in a similar location to the existing entrance to the nightclub with the existing vehicular entrance to the car parking being repurposed and built over, physically and visually linking



the new structure to the existing Market Place centre.

All matters of detail are reserved and therefore the architecture illustrated, together with means of access is therefore subject to potential changes in any future reserved matters application with this application seeking permission to demolish the buildings and establish the principle (and ambition) of a replacement development.

### **Site Characteristics**

The site is that of a former nightclub, most recently known and operated as Ikon / Jumping Jaks but originally the Astoria Palais de Danse, erected in 1928. It is located prominently at the junction of Bridge Street and St Georges Road with a curved corner facing the junction. It is two storeys in height and has a generally square footprint. The main elevation consists chiefly of a simple rendered ground floor with metal cladding at first floor level, covering up the original faience frontage. The building has been vacant since 2012. A recent application to have the building placed on the List of Buildings of Special Architectural Interest was rejected by Historic England in August of this year.

Uses in the area are mixed, typical of the northern edge of the town centre - immediately to the south and west are the Market Place shopping and leisure centre, itself an extension of the original Victorian market hall. The vehicular access and egress of the shopping centre's parking divides the application site from the shopping centre. To the north are two attractive buildings - the former Co-operative building (St Georges House) on the western side of Bridge Street and the Gentings Casino to the north east, a Grade II Listed Building and former Wesleyan Chapel.

The north-east corner of this building also forms the far north-east corner of the Deansgate Conservation Area i.e. the lies within the Deansgate Conservation Area but beyond this to the north and east lies the St Georges Conservation Area

### **Policy**

National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, requiring good design, promoting healthy communities, conserving and enhancing the historic environment

#### Core Strategy Objectives

SO3 Economic Opportunities of Bolton Town Centre and the M61, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO11 Built Heritage

#### Core Strategy Policies

P5 Transport

S1 Crime and Road Safety

CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses

SC2 Cultural and Community Facilities

TC9 Little Bolton, TC11 Design in Bolton Town Centre

#### Supplementary Planning Documents

General Design Principles, Building Bolton, Sustainable Design and Construction, Deansgate Conservation Area Character Study, St Georges Conservation Area Character Study, Accessibility, Transport and Road Safety 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 of the loss of the building on the character, appearance and significance of the Deansgate and St Georges Conservation Areas
- \* impact on the proposed development on the character, appearance and significance of the Deansgate and St Georges Conservation Areas
- \* impact on the road network
- \* impact on Bolton town centre

Impact of the Loss of the Building on the Character, Appearance and Significance of the Deansgate and St Georges Conservation Areas

The application site is located within the Deansgate Conservation Area, a designated heritage asset.

Paragraph 128 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It continues that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environmental record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 131 of the NPPF states that in determining planning applications, local planning authorities should take account of:

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

Paragraph 132 continues that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Policy CG3.4 of the Core Strategy states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.

The concrete structured car park ramp was built in the 1980s and is of no heritage value. No further consideration of the demolition of this element will be made.

In this instance, the potentially affected heritage assets are the Deansgate Conservation Area and the St Georges Conservation. The former Ikon building itself is not considered to be a heritage asset in its own right, for the reasons given below:-

The Deansgate Area Conservation Area Appraisal was revised in July 2008 and adopted by the Council as a supplementary planning guidance to influence development within the boundaries of this Conservation. The appraisal assesses all individual buildings within the Conservation Area and grades them in one of four ways:-

- listed buildings
- unlisted buildings of merit
- buildings making a neutral impact
- buildings making a harmful impact

The former Ikon building was considered to be a "building making a neutral impact". To clarify, in 2008 the building was assessed as having a roughly similar heritage value and significance to the 1980s Market Place development, the large Argos building constructed in the 1990s and the Woolworth's building (now Wilkinsons) at the junction of Deansgate and Bridge Street.

In 2006 and therefore prior to the assessment carried out as part of the Deansgate Conservation Area Character Appraisal, the Council commissioned an urban design / streetscape assessment in the form of Building Bolton. This study considered the building and its site to be of "domestic scale", "a landmark site in need of improvement", "a distinctive street corner" and "a building of lesser architectural value".

In essence, two studies carried out in the last 10 years have considered the building to be either one of neutral impact or to be of lesser architectural value. The reason for this apparent disparity is not entirely clear; however, the two studies were not carried out by the same bodies, nor did they have the same remit. The Deansgate study focused on heritage value whilst Building Bolton focuses on matters such as urban design, layout and streetscape. In this instance, Officers conclude that greater weight should be given to the Deansgate Conservation Area Character Appraisal due to its remit of heritage value and more recent assessment.

In August of this year, an application was made to Historic England seeking to have the building placed on the List of Buildings of Special Architectural or Historic Interest. This application was assessed by Historic England but ultimately rejected. Officers fully accept that the fact that a building is not considered to be worthy of Listing does not necessarily mean that it has no heritage value whatsoever, however it is considered that some of the comments of Historic England are useful in assessing the building for the purposes of this application, in particular:-

*"The Astoria Palais de Danse ('The Palais') opened in 1928 and was erected by Thomas Bolton, a local builder and teetotal Unitarian who wanted to provide a social place that parents could safely allow their daughters to attend. During the Second World War American servicemen stationed at Burtonwood were regular attendees at the non-licensed dance hall, and in the mid-C20 most of Bolton's mills held their dances at The Palais. In October 1958 the Palais hosted the BBC programme 'Come Dancing', and it regularly played host to live bands and singers, such as Dusty Springfield. In 1979 the building became a nightclub known as Cinderellas Rockerfellas until 1987, after which time it was subsequently Ritzy's, Jaxx and Ikon nightclubs before closing in 2012. It is currently empty and disused. In 2015 The Palais was reopened for one night for the BBC2 programme 'You Make Me Feel Like Dancing'.....*

*"The former Astoria Palais de Danse is located at the junction of Bridge Street and St George's*

Road and has a roughly square plan with a curved north-east corner facing the junction. Originally the 2-storey Palais had an Art Deco faience principal frontage onto both streets and to the corner entrance, along with a canopy that wrapped around the curved corner. However, in the late C20 a modern nightclub facade in the form of metal hoarding was attached to the entire first floor on battens, hiding the original faience and 'ASTORIA PALAIS DE DANSE' signage lettering from view. Whilst the first-floor faience and signage survive, the faience to the ground floor has either been removed or rendered over and the ground-floor windows have been blocked up. The original canopy has also been removed and replaced by a modern canopy and an original roof ventilator removed. The original tapered columns at the main entrance possibly survive within later casings. Internally the building's interior has been altered and modernised following its conversion to nightclub use. The original stage and oak and walnut sprung dance floor have both been removed, new balcony stairs, seating, ceilings, bar counters and podiums have been introduced, and the balcony balustrade has been replaced. The original lighting scheme has also been lost, and the dance floor reduced in size....

"Culture and entertainment buildings are extremely diverse in terms of their type, form and style. Some make a strong architectural statement within the streetscape in a bid to attract patrons and also reflect the cultural developments and fashions of the day, but it is often their interiors that are the determining factor when considering them for designation. Based on the information provided and with reference to the Principles of Selection (DCMS, 2010) and Historic England's Selection Guides, the former Astoria Palais de Danse is not recommended for listing for the following principal reasons:

- *Architectural interest: although currently hidden by a later facade the original faience exterior survives to the first floor and is of some architectural interest for its decorative detailing. However, a good-quality exterior alone is not enough to justify a listing recommendation, and in this instance the exterior has additionally been compromised by the alterations incurred to the ground floor*
- *Interior survival: extensive late-C20 alteration has compromised the historic character and appearance of the interior, and resulted in the loss of original features*
- *Socio-historic interest: although The Palais is an example of a now rare building type there are other better survivals elsewhere that embody the social phenomena of mid-C20 dance band culture, such as The Ritz, Manchester (1927, Grade II), which retains the majority of its original exterior and interior detailing.*
- *Conclusion: whilst the former Astoria Palais de Danse is clearly a building of strong local interest representing a bygone era of entertainment, within a national context it is too altered to qualify for listing."*

Planning Officers fully accept this assessment. The almost complete loss of the ground floor decorative features are noted together with the removal of the canopy. It is accepted that original faience features survive largely intact at first floor level, covered by the late 20th century cladding.

However, Officers would go further and consider the building - in its present form and with its present appearance - to be harmful to the appearance of the Deansgate Conservation Area. Despite only being vacant for four years the building is showing clear signs of neglect with much of the exterior discoloured. Whilst the building was assessed in 2008 as being "neutral" in terms of its impact on the Conservation Area, this was during the years of occupancy and subsequent activity and maintenance. It is now considered that the passage of time has tipped the building into the "harmful" category.

It is accepted that the building is theoretically capable of being improved and could potentially make a more positive contribution to the Deansgate Conservation Area. However, it is necessary to come



to a view on the likelihood of these improvements being made and also what exact form they would take. The first floor faience could potentially be restored; however, the ground floor elements have been lost and would need to be replaced. Other elements such as the original canopy and windows have also been lost and would need to be replaced. Officers take the view that rather than this being a project of restoration it would in fact be a project of mostly replacement. Other than the first floor exterior hidden behind the cladding, little in the way of features capable of restoration remain and would instead need to be replaced with copies or pastiche versions of the originals.

Secondly, there appears to be no realistic possibility of this taking place. The present owner does not wish to carry out these works. No appropriate method of encouraging or compelling them to carry out these works is considered to exist. The cladding was granted consent in 1986 and is therefore lawful in planning terms. Objectors to the proposal have not put forward any viable method by which restoration could take place, nor is there any actual evidence of them being able to further the project themselves. Instead, the objections express the wish and the desire for this to take place without suggesting any viable method by which it might possibly occur.

Furthermore, as noted above, the potentially affected heritage assets are considered to be the two conservation areas, not the building itself. The site is located within the Deansgate Conservation Area and clearly visible from the St Georges Conservation Area to the north and east. However, whilst the building is considered to have been reasonably attractive from the point of its original construction until its significant alteration in the mid-1980s, it is not considered to be especially consistent with the character and appearance of either conservation area. Its original appearance and faience materials were typical of the period of its construction in the 1920s, rather than the mainly Victorian and Georgian characteristics of the nearby conservation areas. In terms of cultural significance, other examples exist such as the Ritz in Manchester and it is not considered to be acceptable to retain this building in its vacant form simply as a reminder of the social phenomena of dance band culture. It is not considered that the loss of this building would so harm the significance of either conservation area as to justify a refusal on these grounds. It is also considered that the building, in its present form, is actually harmful to the character and appearance of the conservation area. Its main contribution at present is considered to be the sense of definition it brings to the junction and the enclosure to the street scene.

Subject to an appropriate redevelopment, the impact of the loss of the building on the character, appearance and significance of the Deansgate and St Georges Conservation Areas is considered to be positive.

#### Impact of the Proposed Development on the Character and Appearance of the Deansgate and St Georges Conservation Areas

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 require development to 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. Policy CG3.4 states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.

Within the Building Bolton SPD it is stated that "major traffic junctions at either end of St. Georges Road ... are currently missed opportunities in design terms: new development and public realm enhancements are needed to create visual closure at the gateways, and a greater sense of focus at the junctions". Whilst the plans are indicative at present, the proposed building is considered to be consistent with its surroundings in terms of design, scale and appearance - particular in relation to

the Market Place shopping centre either side, on the basis that building over the existing access will fill a gap in the road frontage leading to a more consistent appearance. As the proposal is currently in outline, further consideration of the impact on the Conservation Area will be possible at the Reserved Matters stage and it is considered that an appropriate building is capable of being accommodated on the site.

This impact on the character and appearance of the Deansgate and St Georges Conservation Area is considered to be acceptable.

#### Impact on the Road Network

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety.

The outline permission seeks to establish the principle of the development of the site for a hotel and for an extension to the existing multi-storey car park; illustrating how they may do this by utilising the existing access and egress arrangements (replacing the ramp). It is considered that the principle of a hotel is appropriate and could be accommodated at the site, as is the principle of an extension to the car park within the context of the investment in the Market Place and associated demands on the car park. The car park has been reduced in size to accommodate the cinema (from 650 spaces to 500) and the proposal would increase the spaces to 900 total. The Council's Highway Engineers consider there to be a lack of information within the submission for the Highways Authority to comment appropriately on the planning application. However, given that the proposal is in outline only with all matters, including access, reserved for further consideration, it is considered that given the movements associated with the existing car park including prior to the erection of the cinema, the proposed development can be accommodated at the site satisfactorily and the issue of detailed design of appropriate access and egress to accommodate the likely demand and movements, can be properly considered at the Reserved Matters stage.

Subject to further consideration, the proposal is considered to comply with Core Strategy Policies SO9, P5 and S1 and the Accessibility, Transport and Road Safety SPD

#### Impact on Bolton Town Centre

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

The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for retailing, leisure, cultural and civic activities. It will make a significant contribution to the new jobs to be located in the borough over the plan period years. Tourism and leisure attractions will be concentrated in Bolton town centre, making the most of the existing visitor attraction at Bolton Museum and Aquarium, and the potential for new visitor attractions, such as a cinema and swimming pool (both now constructed and operational). Good urban design is recognised as being essential for producing attractive, high-quality, sustainable places in which people will want to live, work and relax. It is of particular importance for creating a successful and flourishing town centre.

Core Strategy TC1 is a spatial policy which relates specifically to Bolton Town Centre and states that the Council will continue to support the civic and retail core as the principal location in the borough

for retailing with an emphasis on renewal and improvement to achieve high quality floor space. The Core Strategy notes that the civic and retail core is at the heart of the town centre and includes the Town Hall, Victoria Square and the surrounding principal shopping streets. This area will continue to be the most significant retail location in the borough over the next 15 years. There are limited opportunities for major new development, but there is a constant need to renew retail floor space as it becomes outdated. Where opportunities do arise for redevelopment, it will be mostly for retail uses. Ensuring that the whole of the civic and retail core is safe and attractive for pedestrians will be a priority.

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

Whilst this is not a proposed retail use, the development is proposed by the owners of the adjacent predominantly retail use and is considered to contribute positively to it by way of additional parking, increased activity and the proposed hotel use. Officers consider the application to be in accordance with council policy for the town centre and to be welcomed from a tourism perspective. It is considered that the illustrative design of the proposed hotel indicates that a positive statement can be achieved at a key town centre gateway that has been home to a vacant building for a number of years. Planning Officers note that the building, in its present form, makes no contribution to activity levels, employment or economic development. Furthermore, even if the building were to be reopened as a nightclub as suggested by the objectors, it would not make any significant contribution to daytime activity levels or contribute to Bolton as a retail destination.

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

### **Local finance considerations**

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

### **Conclusion**

It is accepted that many residents have fond memories of the use of this building and that these memories go back many decades. However, these emotions must be considered separately from the cultural significance of the building (if any) and the impact on the two adjacent conservation areas and relevant policies. There is no evidence to suggest any reasonable prospect of the building being used for its original purpose as strongly wished by the objectors nor has any reasonable method been suggested by which this might be achieved. It is not considered to be acceptable to retain this vacant and significantly altered building simply in the hope that this might happen at some point in the future. It was not considered to be worthy of listing by Historic England and has been previously and recently assessed independently as either of lesser architectural value or of neutral impact. In its present form, the building is considered to be harmful to the character and appearance of the street scene and the two adjacent conservation areas. It makes no contribution to the levels of activity in the area nor to employment or to economic activity, nor is there considered to be any reasonable prospect of this occurring in the future. The proposed hotel and extended parking uses are appropriate town centre uses. The design and scale of the replacement building, whilst in outline, are considered to sufficiently illustrate how a strong statement at the prominent location could be achieved and the design would bridge the gaps between the existing building and its immediate

neighbours. Bringing the site into a use connected to the adjacent major retail site is considered to make a significant contribution to Bolton as a retail destination, consistent with Policy TC1 and other national and local planning policies supporting town centres.

The demolition of the existing vacant building and the principle of the redevelopment of the site for a hotel and car park, subject to conditions to secure the reserved matters, are considered to be acceptable and therefore the application is recommended for approval.



## **Representation and Consultation Annex**

### **Representations**

**Letters:-** a total of 27 representations of objection have been received from residents of Bolton, objecting to the loss of the building and the scale and design of the proposed redevelopment. Issues raised include:-

- this building is in a Conservation Area and should be protected
- the building is iconic with lots of history since 1928. It has an Art Deco appearance using the faience materials of the time. It compliments the other buildings in the Conservation Area in a way that the glass and steel building proposed will not
- the people of Bolton have many memories of the building including a great number from the Second World War
- this building could be vital for Bolton and could have many uses in the entertainment or performing arts sectors and this is what Bolton needs
- the original tiles have been protected underneath the inappropriate cladding which could be removed and the tiles cleaned up and restored
- the new building proposed is inappropriate and inconsistent with the Conservation Area - it will not be a building that Bolton will be proud of and it will never have the famous historic heritage of the existing building
- the regeneration of the town centre should be achieved by tastefully blending the new with the old, maintaining strong links with the past as seen in towns such as Chester and York
- Bolton Council should acquire the building partnership with the local group already trying to save it. I believe it can be fully restored and put to use as a multi-purpose venue and I believe with the right marketing it could even turn sufficient profit
- Bolton is becoming an empty town everything is closing down please don't let this building become another victim of destroying the town
- why build another hotel when there is a perfectly good hotel within 50 yards of the one being proposed
- the current owners have left this building to rot and deteriorate instead of keeping up the maintenance of it
- there is nowhere else for our generation to go except noisy rowdy pubs where drunken teenagers go
- I believe the building is structurally sound and it has been said that it would not be impossible to renovate
- the site at Topp Way could be used for parking instead and this building used as a roller disco or for ice skating

### **Consultations**

Advice was sought from the following consultees: Highway Engineers, Drainage, Tourism, Strategic Development

### **Planning History**

Planning permission was granted for change of use from bingo hall to nightclub in 1986, together with the external alterations in the form of cladding (27693/86)

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

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

1. Application for the approval of 'Reserved Matters' must be made not later than the expiration of three

years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

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

Reason

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

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

Reason

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

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

Reason

In the interests of highway safety.

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

Reason

In the interests of highway safety and in order to comply with Core Strategy policies S1 and P5.





