

Planning Applications Report

**Planning Committee
18th March 2021**

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

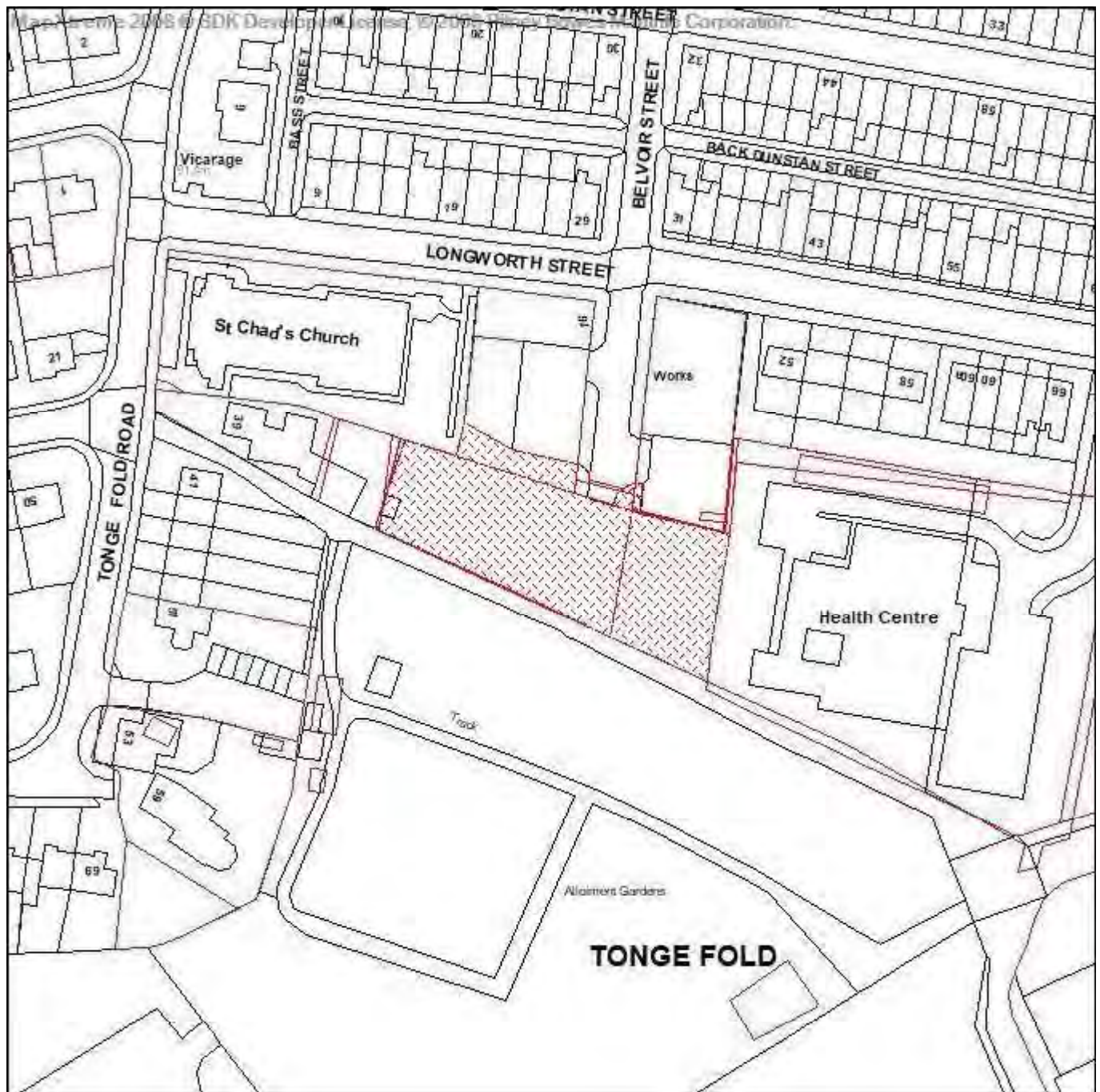
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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Application number 08452/20



Directorate of Place
Development Management Section

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

Bolton Council

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Date of Meeting: 18/03/2021

Application Reference: 08452/20

Type of Application: Full Planning Application

Registration Date: 16/06/2020

Decision Due By: 10/08/2020

Responsible Officer: Lauren Kaye

Location: OPEN GATE CARAVAN PARK, BELVOIR STREET, BOLTON, BL2 6AL

Proposal: CHANGE OF USE OF LAND FROM RESIDENTIAL TO LIGHT INDUSTRIAL AND ERECTION OF 2NO BUILDINGS COMPRISING 6NO UNITS WITH PARKING AND ASSOCIATED WORKS

Ward: Tonge with the Haulgh

Applicant: Mr T Blair

Agent : K Woodward

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- Consent is sought for two detached industrial buildings to accommodate 6 units to be used as light industry use (class B1c).
- This application is before Members at the request of Councillor Donaghy.
- The former caravan site is not allocated as an existing or potential traveller site in the Allocations Plan.
- The development will be accessed using the existing access off Belvoir Street and will accommodate 12 car parking spaces, an area of motorbikes/cycles and there is sufficient space within the site curtilage to allow a service vehicle to manoeuvre within the site and enter/leave the site in forward gear.
- The application has received two objections and a petition with 25 signatures.
- The proposal is recommended for approval subject to planning conditions.

Proposal

1. Planning permission is sought for the erection of two detached industrial buildings to accommodate 6 units to be used as light industry use (class B1c) using the existing access from Belvoir Street.
2. The building situated to the east of the site (Block A) would be the larger of the two measuring 7.3 metres to the ridge and would accommodate 3 units with a footprint of approximately 370 square metres. The building situated to the west of the site (Block B) would measure 5.4 metres to the ridge and would accommodate 3 units of identical size with a footprint of approximately 165 square metres in total.

3. In addition, 12 car parking spaces would be accommodated within the site with an area for motorbikes/cycles and bins to the north of Block B.
4. The following hours of use were indicated on the application form, have been accepted by the Council's Pollution Control Officers and imposed as a condition:-

08-00 - 1800 Mondays - Fridays
08-00 - 1300 Saturdays

No operations or deliveries shall take place on Sundays or Bank Holidays.

Site Characteristics

The application site is located at the end of Belvoir Street and was previously used as a caravan site. To the north west of the access sits a block of apartments which were previously offices and to the north east of the access is another industrial unit, 15 Belvoir Street with customer car parking and traditional terraced properties running along Longworth Street. To the east sits Tonge Fold Health Centre and to the south lies allotments separated from the site by a footpath which links Tonge Old Road with Hilton Street. The Applicant's residential property sits to the west, no. 39 Park Place, Tong Fold Road.

Policy

Development Plan policies:

5. Core Strategy: P1 Employment, CG3 Built Environment, CG4 Compatible Uses, RA1 Inner Bolton, P5 Transport and Accessibility, S1 Access and Appendix 3 - Parking Standards.

Other material considerations:

6. National Planning Policy Framework (NPPF).
7. Supplementary Planning Document: General Design Principles, Accessibility, Transport and Road Safety.

Analysis

8. 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.
9. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.
10. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.
11. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.
12. The main impacts of the proposal are:-
 - * principle of the proposed development
 - * impact on the character and appearance of the area
 - * impact on the setting of a listed building

- * impact on nearby uses and neighbouring residents
- * impact on highways
- * impact on drainage
- * impact on land contamination
- * impact on crime reduction

Principle of the Proposed Development

13. Core Strategy Policy P1 seeks to safeguard existing employment sites where they are compatible with residential amenity and contribute to the sustainability of communities in which they are situated.
14. The proposal is for employment use (B1c) and would complement the existing industrial units in the area and provide additional employment opportunities for the local community (12 full time and 3 part time posts). In addition, permitted development rights would be removed to ensure that the unit is not converted into other uses within the new Use Classes without planning consideration.
15. The site was formerly used as a caravan site which a residential land use. From a planning policy perspective it is also necessary to consider whether the loss of a traveller site is acceptable in planning terms. Core Strategy Policy SC1 seeks to make adequate provision for travellers however it does not explicitly safeguard existing sites. It is noted that the site is not allocated as an existing or potential traveller site in the Allocations Plan and is no longer in use as such.
16. Therefore, the proposal is considered acceptable in accordance with Core Strategy policy P1 and therefore acceptable in principle.

Impact on the Character and Appearance of the Area

17. 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.
18. The proposed units would be finished in red/brown brick, brown cladding and brown sheeting roof which is consistent with the surrounding area. Block B would sit back from Belvoir Street in line with the neighbouring apartment block to the north and would not appear overbearing or create a terracing effect as it would be separated by approximately 6 metres and be set back within the site. Block A would be set back from the entrance to the units, and in line with the neighbouring industrial unit, Brakes International. The visible separation of the neighbouring industrial units customer car parking would also provide a break in the street scene and it is considered that it would not appear overbearing. The existing boundary treatment and access gates would provide a welcoming entrance with the high red brick walls and metal gates. Given the siting of the proposed units which would be set comfortably in the site and therefore not prominently visible from the street scene and given the mixed use nature of the area, the proposal would have minimal impact onto the appearance and character of the area compliant with Policy CG3 of the Core Strategy.
19. It is therefore considered that the proposal complies with Policy CG3 of the Core Strategy.

Impact on the Setting of a Listed Building

20. 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.

21. The Council's Conservation and Design Officer has been consulted and has commented that St Chad's Church is a Grade II listed church dated 1937 constructed in red brick with a copper roof. The church and graveyard is bounded on all sides by buildings other than a small corner where the proposed buildings are proposed to be erected. Its setting thereby has an urban character and the proposed development would continue the building enclosure of the graveyard boundary consistent with the existing buildings.
22. It is therefore considered that the proposal would not harm the setting of the heritage asset and would preserve the setting in accordance with Policy CG3 of the Core Strategy and Paragraph 200 of the NPPF which requires local planning authorities to 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 the asset (or which better reveal its significance) should be treated favourably.

Impact on Nearby Uses and Neighbouring Residents

23. 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.
24. The neighbouring residential apartment block which sits to the north of the proposed position of Block B is sited approximately 6 metres from this proposed unit and has no windows or openings within the side elevation facing the unit. The windows in the east elevation of the apartment block facing Block A (nearest windows) are sited over 28 metres from this unit which is considered acceptable and it is considered that the proposal would not impact on the amenity of these neighbouring residents. It is also noted that Class B1c uses are, by definition, acceptable within a residential area.
25. To the north of Block A sits a large industrial unit (approx 425sqm.) which benefits from a customer car park between the unit and the application site and an interface distance of 16 metres at the nearest. It is considered that the proposal would not impact on the functioning of this neighbouring use.
26. To the north east lies residential properties along Longworth Street. The nearest being 25 Longworth Street, which is sited approximately 32 metres from the proposed Block A. It is considered that this interface distance is sufficient and there would be no windows within the gable ends to allow for overlooking into the gardens of the residential properties on Longworth Street therefore it is considered acceptable.
27. The residential property to the west, Park Palace, no. 39 Tong Fold Road is sited over 22.5 metres from the proposed Block B sited to the east and it is considered that the proposal would not impact on the residential amenity of these neighbouring residents and is considered acceptable.
28. For these reasons, it is considered that the proposed development would not unduly harm the amenity of any neighbouring residents and uses, compliant with Policy CG4 of the Core Strategy.

Impact on Highways

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

development.

30. The Highways department has been consulted and they have advised the following:

31. According to the submitted information, it is a proposal to replace the extant caravan storage use on the site with approximately 525 sqm of B1c (light-industrial) use class. This level of development falls below the thresholds indicated in national guidance for the submission of work in order to substantiate development from a transport/highways perspective. The site will be served from an historical access point from Belvoir Street which provides access from Bury Road. This road is predominately a residential road serving terraced properties/apartments. This road apart from access is used for overspill on-street parking serving these properties. As indicated above, the level of traffic impact associated with the development will potentially be negligible in comparison to existing traffic volumes in the area and should be accommodated with minimal additional detriment/severity to road safety/residential amenity at this location. Belvoir Street already serves an element of B1 use-class and analysis of the available injury accident along this section of public highway reveals no data to warrant any additional concerns in terms of this level of development.

32. The level of parking proposed falls slightly below the Councils maximum parking standards to serve this level of use-class. The site could be considered reasonably accessible to sustainable modes of transportation which would provide an element of justification to a relaxation of the Councils parking standards in this instance. There appears to be sufficient area within the site curtilage in order to allow a service vehicle to manoeuvre within the site curtilage and enter/leave the site in forward gear.

33. On this basis, the Local Highway Authority cannot reasonably object to what is being proposed under this application.

Impact on Drainage

34. Policy CG1 states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk.

35. Policy CG2.2 states that the Council and its partners will ensure that all proposals for 5 or more residential units, or 500m² or greater non-residential units. The proposal should also demonstrate the sustainable management of surface water run-off from developments. On brownfield sites the rate of run-off should be 50% less than conditions before development.

36. The application site is located within Flood Zone 1 and is therefore within an area defined as having lowest risk of a flooding event occurring (less than 1 in 1,000 annual probability of flooding from rivers or the sea). According to the Environment Agency's website they have no comments to make on application as the site is below 1 hectare and within Flood Zone 1.

37. The Council's Drainage team has been consulted and they have advised that as the site area is greater than 500m², the applicant needs to demonstrate the sustainable management of surface water run-off from the site. As the site appears to be 100% impermeable as it is covered with a concreted surface, the run-off will need to be reduced by 50% (predevelopment run-off versus 50% post development run-off). It will need to be demonstrated that the drainage hierarchy has been followed when it comes to design of the drainage system for the units, car parking areas etc. If infiltration doesn't prove to be feasible then the only option may be to connect to the 300mm public combined sewer located within Belvoir St. Permission will be needed to do this from United Utilities at the rate that they will allow.

38. Therefore, a planning condition has been suggested which would secure an appropriate drainage scheme which should be in line with the requirements for surface water drainage based on the hierarchy of drainage option in the National Planning Practice Guidance with evidence of an assessment of the site conditions.

39. In light of the above and subject to proposed conditions it is considered that the proposal would not be at unacceptable risk of flooding and so is in accordance with the NPPF.

Impact on Land Contamination

40. Policy CG4 of the Core Strategy, in line with the NPPF, requires all new development to ensure any risk of contamination is identified and adequately managed. Paragraph 170 of the NPPF state that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location and that adequate site investigation information, prepared by a competent person, is presented with applications.

41. The application has been supported by provided Phase I Site Assessment. The Council's Environmental Health Officer has assessed the proposed scheme and the application site as a low risk site and therefore a watching brief is to be secured by a planning condition.

42. Subject to the necessary conditions, the proposal would be in accordance with policy CG4 of the Core Strategy.

Impact on Crime Reduction

43. Core Strategy policy S1 seeks to ensure that new development proposals should take account of the need to reduce crime and the fear of crime.

44. The applicant has advised that the buildings are to be traditionally built and all openings will be secured by the bolts recommended by the appropriate authority. In addition, individual security alarms will be installed. Externally the whole site will be covered by CCTV cameras. Greater Manchester Police's Design for Security team have advised having looked at the proposals it does seem that the layout and design is broadly acceptable from a crime prevention perspective and would recommend that the development is built to Secured by Design standards.

45. Officer's note that Crime Impact Statements are only a requirement for major planning applications. The recommendation of Greater Manchester Police that the development be built to the standards of Secured By Design will be communicated to the Applicant via an informative, together with a link to the SBD website. The proposal is therefore considered acceptable from a crime reduction perspective.

Conclusion

46. Subject to the necessary conditions imposed on this application, the proposal is considered to accord with both local and national policies and is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- Two objection letters has been received on the following grounds:

- there is already too much traffic on Belvoir Street with vehicles from the neighbouring unit and wagons turning around.
- Longworth Street residents already struggle to park and use Belvoir Street as overspill along with the businesses off Bury Road and it is constantly busy throughout the day.
- the hours of operation are very long hours.
- it will cause overlooking for neighbouring properties and gardens will not be private.

Petitions:- One petition has been received with 25 signatures and the concerns raised was that parking can already be a problem and building these units will only make matters worse.

Elected Members:- Councillor Donaghy has requested that the application be heard at Planning Committee.

Consultations

Advice was sought from the following consultees:

Pollution Control

Highways

Design For Security

Conservation and Design Officer

Planning History

90341/13 - OUTLINE APPLICATION FOR THE ERECTION OF FIVE DWELLINGS (ALL MATTERS RESERVED). - AC

22124/83 - USE OF LAND AS EXTENSION TO CARAVAN SITE FOR THE SITING OF ONE DOUBLE UNIT MOBILE HOME. - AC

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of any groundworks, surface water drainage scheme shall be 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:

i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.

ii) Include a timetable for its implementation, and

iii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The approved scheme shall be carried out in accordance with agreed details and timescales.

Foul and surface water shall be drained on separate systems.

Reason

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

Reason for pre-commencement condition:

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

3. During the construction phase of the development hereby approved a Watching Brief should be undertaken by a suitably qualified person. In the event of any unforeseen contamination being encountered during the development the local planning authority shall be notified as soon as practicably possible and a remedial scheme to deal with this shall be submitted to and approved in writing by the local planning authority.

Prior to the first use/occupation of the development hereby approved a Verification / Completion Report should be submitted to and approved in writing by the Local Planning Authority detailing the objectives and findings of the Watching Brief and appropriate recommendations, where necessary. This shall include, that if required, that the approved site remediation was implemented in full.

Reason

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

4. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Belvoir Street shall be constructed to a minimum width of 6.1 metres.

Reason

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

5. Before the approved/permitted development is first brought into use no less than 12 car parking spaces shall be provided within the curtilage of the site, in accordance approved plan (drawing ref **Proposed Elevations, Plans and Site Plan - Drawing number K334-1 Rev E, Date drawn 7.20**). Such spaces shall be made available for the parking of cars at all times (the premises are in use).

Reason

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

6. 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 a 15 metre turning circle for 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 turning of vehicles.

Reason

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

7. No operations (including the repair of plant machinery and the movement of such machinery) shall be carried out on the premises or within the site outside the following hours:-

08-00 - 1800 Mondays – Fridays

08-00 - 1300 Saturdays

No operations shall take place on Sundays or Bank Holidays.

Reason

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

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

08-00 - 18-00 Mondays – Fridays

08-00 - 1300 Saturdays

No operations shall take place on Sundays or Bank Holidays.

Reason

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

9. The rating level (as defined in BS4142:2014+A1:2019) of any fixed plant and equipment noise rating shall not exceed the measured daytime and/or night-time background sound level at the closest sensitive premises at any time.

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 and in order to comply with Core Strategy policy CG4.

10. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan ref:

Proposed Elevations, Plans and Site Plan - Drawing number K334-1 Rev E, Date drawn 7.20

Reason

For the avoidance of doubt as to what is permitted and in order to comply with Bolton's Core Strategy policy CG3

11. The premises shall be used for light industrial and for no other purpose (including any other purposes

in Class E of the Town and Country Planning (Use Classes) Order 1987 (England) (As amended), 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

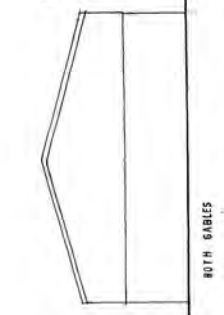
12. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Proposed Elevations, Plans and Site Plan - Drawing number K334-1 Rev E, Date drawn 7.20

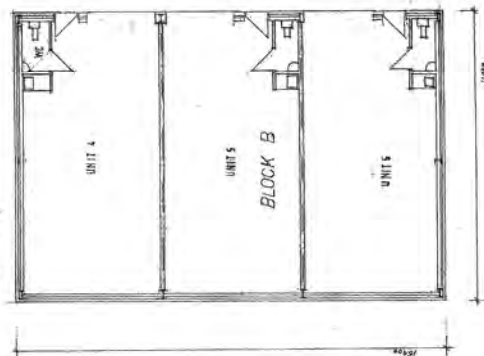
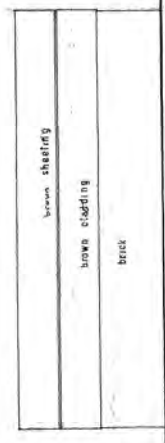
Location Plan - Date canned 1st June 2020

Reason

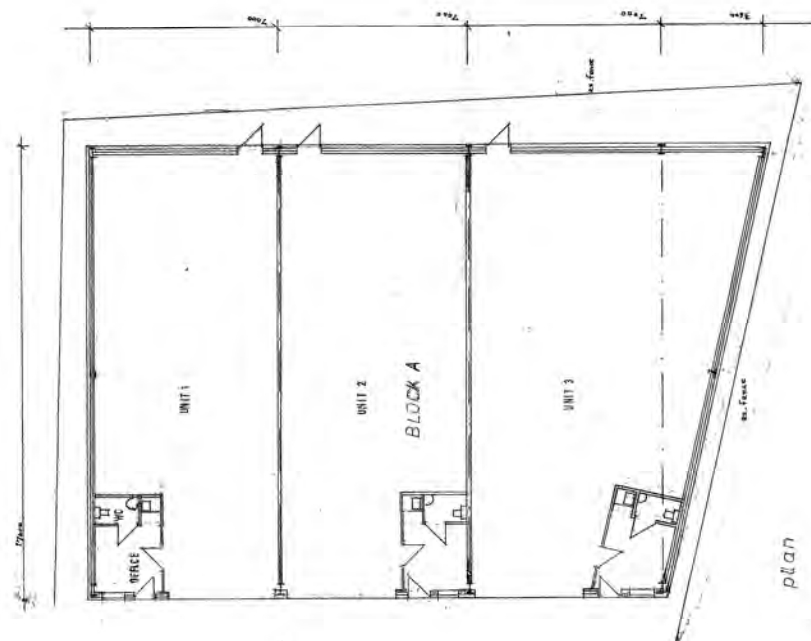
For the avoidance of doubt and in the interests of proper planning.



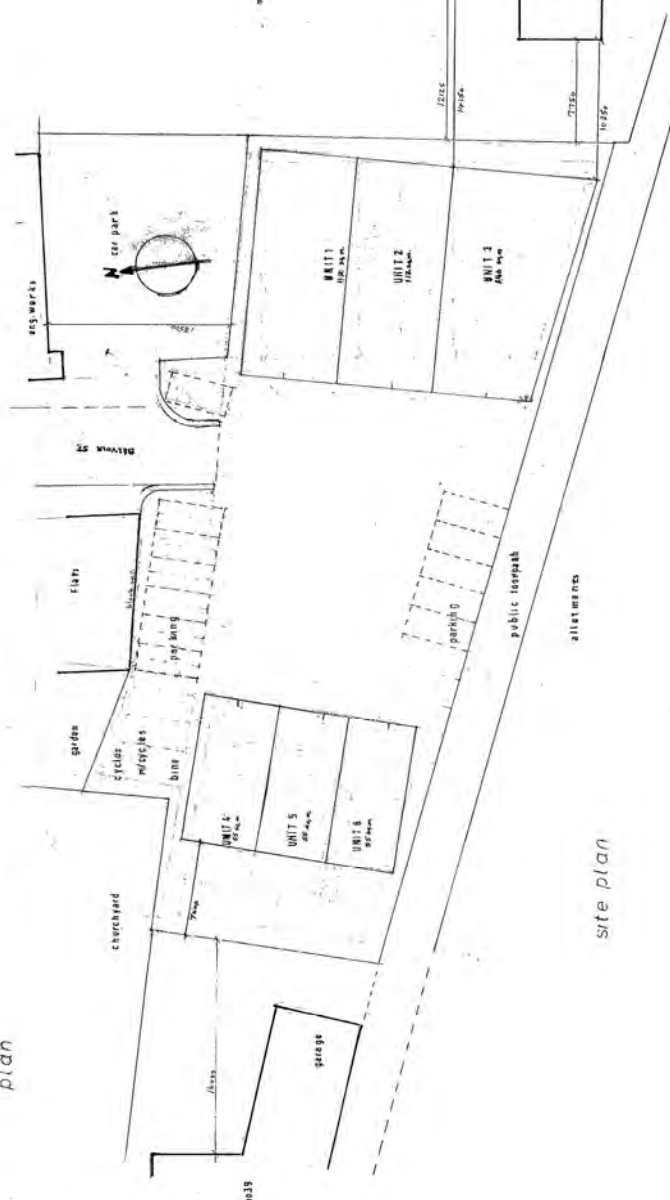
ROTH GABLES

UNIT 5
BLOCK B

BLOCK B: 10000



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site plan

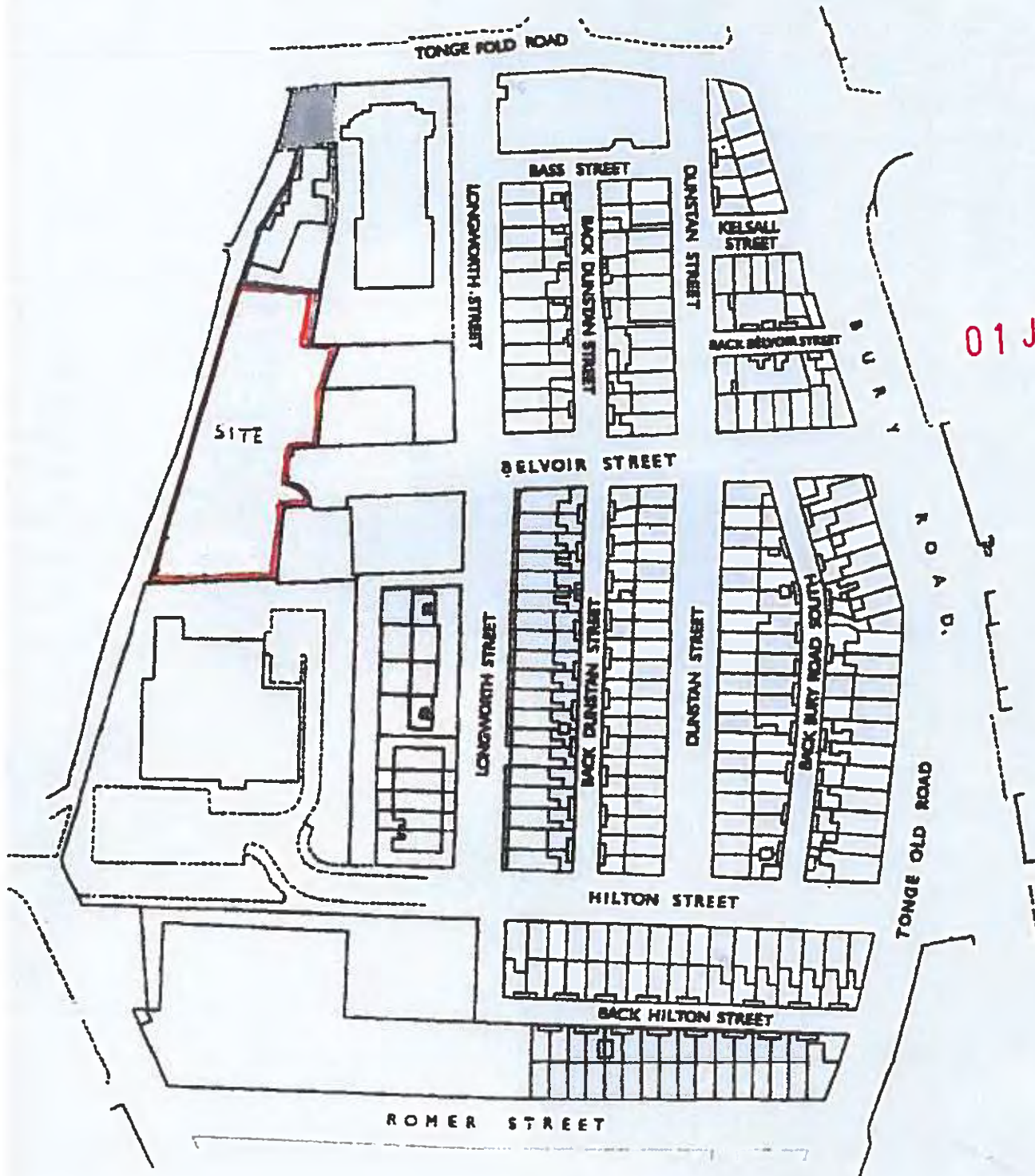
health centre

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Application number
09485/20



Directorate of Place
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Council

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Date of Meeting: 18/03/2021

Application Reference: 09485/20

Type of Application: Full Planning Application

Registration Date: 29/09/2020

Decision Due By: 28/12/2020

Responsible Officer: Monika Dubacka

Location: GARNET FOLD FARM, ST HELENS ROAD, BOLTON, BL3 3SS

**Proposal: ERECTION OF 108 NO. RESIDENTIAL DWELLINGS
TOGETHER WITH ACCESS, LANDSCAPING AND
ASSOCIATED WORKS.**

Ward: Hulton

Applicant: Northstone Development Limited

Agent : NJL Consulting (Manchester) Limited

Officers Report

Recommendation: Approve subject to conditions

Executive summary

- The Garnet Fold site is allocated for residential development within the Allocations Plan for up to 117 units (Site Reference 19SC). The Allocations Plan forms part of Bolton's Development Plan;
- The current scheme is for 108 dwelling houses with a new access to be created off St Helen's Road
- The scheme also includes the creation of an area of Public Open Space together with 1ha of mixed woodland and approx. 1.2ha of wildflower meadow to the south-west of the proposed houses which provides a net gain of biodiversity
- No objections have been received from consultees to the proposed development.
- Officers consider that the proposed layout, scale and design of the dwellings would be compatible with the surrounding area
- This is a major planning application and as it received more than six objections it therefore requires determination by the members of the Planning Committee.

Proposal

1. This application seeks full planning permission for the erection of 108 dwelling houses with a public open space and area of biodiversity enhancement area to the south-west of the proposed houses. The applicant proposes development to be accessed off St Helen's Road with the main spine road providing a number of cul-de-sacs.
2. The site provides the opportunity for a range of two and three storey house types, from terraced, semi-detached and detached properties. Each of them will be provided with front and rear gardens along with designated car parking spaces.

3. The site will bring forward a range of house types including 19 x 2 bedroom semi-detached/terraced dwellings, 53 x 3 bedroom mix of detached, semidetached and terrace dwellings and 36 x 4 bedroom detached dwellings. The site would be brought forward by the applicant, Northstone Development Ltd and if the application is approved the developer agreed to commence works within 2 years of the date of the decision notice.

Site Characteristics

4. The site to which this application relates is located on the north side of the A570 St Helens Road on the south-west edge of Bolton. This is a greenfield site covering c. 10ha of land which includes two separate parcels of land (i) the housing site and (ii) the proposed public open space (POS) with the biodiversity net gain area which would be accessed off a public right of way (WES118) running to the south-west of the proposed houses. Another public right of way (WES116) runs along the western boundary of the site to the north-west of the site.
5. The housing site adjoins residential houses to the north of the site at Sonning Drive/Wellburn Close which are separated from plot 75-101 by a substantial strip of landscaping. Similar applies to plots 1-18 which are separated from houses at 13-23 Hulton Vale by the existing group of trees. The site also adjoins Burns Animal Foods factory situated along part of the southern edge and the south-east corner of the proposed housing site. To the west and south of the application site there are open undeveloped fields. However, the section of the field to the south west, would accommodate the above mentioned public open space and biodiversity net gain area.
6. The part of the site where the access would be formed from St Helens Road currently has a number of trees located within it.
7. The existing site is relatively flat but with an incline from east to west towards the proposed SUDS area.
8. There are no buildings on the site requiring demolition, however as mentioned above the site adjoins existing residential buildings constructed in the latter stages of the 20th century.

Policy

The Development Plan

9. Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG1.5 Reduce the Risk of Flooding; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; RA1 Inner Bolton and IPC1 Infrastructure and Planning Contributions.
10. Allocations Plan shows that the proposed Residential development is allocated for housing. Thus, Appendix 4 - Allocated Housing Land (site reference 19SC) for development of up to 117 houses applies.
11. Allocation Plan shows that Proposed Public Open Space is allocated in Green Belt. Thus, Policy CG7AP – Green Belt applies

Other material considerations

12. National Planning Policy Framework (NPPF).
13. Supplementary Planning Documents: General Design Principles, Accessibility, Transport and Safety, Sustainable Design and Construction, Infrastructure and Planning Contributions and Affordable Housing.

Analysis

14. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.
15. The main impacts of the proposal are:-
 - principle of residential development;
 - impact on the character and appearance of the area;
 - impact on drainage and flooding;
 - impact on the amenity of neighbouring residents
 - impact on highway safety;
 - impact on archaeology;
 - coal mining legacy
 - impact on land contamination/pollution;
 - impact on ecology / biodiversity;
 - impact on trees/hedgerows
 - crime and design
 - impact on local infrastructure
 - other matters_

Principle of

development

Residential development

16. Paragraph 4.50 of Bolton's Core Strategy (CS) recognises that the CS is a key determinant in quantity, location, quality, type and tenure of new housing. Policy SC1.2 of the CS encourages housing developments to utilise previously developed land. It is noted that the Allocations Plan identifies a mix of both previously developed and green field sites which are considered to be appropriate for residential development.
17. The site falls within the Inner Bolton area of the borough. The area is covered by Core Strategy policy RA1 which seeks to allow for "Development of new housing throughout the area on a combination of brownfield sites and on a limited number of greenfield sites in existing housing areas."

18. CS policy RA1.14 also states that the council will "Make efficient use of land in inner Bolton due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach."
19. The application site is allocated as housing land within the Council's Allocations Plan (site ref. 19SC) and is identified as having the potential to provide a total of 117 dwellings. The proposal forms an integral part of the Council's strategy to provide adequate housing land within the Borough. The principle of residential development on the site has therefore already been established. The site is also in a highly sustainable location, within walking distance of a bus route, and close to facilities / services.
20. The proposal for residential units on the site complies with Policy SC1 in that it will contribute to the housing land supply on a site allocated for housing.
21. The most recent Annual Monitoring Report for Bolton (2019-2020), utilises the Standard Housing Methodology (as required by the 2019 National Planning Policy Framework) and includes a 20% buffer for under delivery (applied when delivery over the last three years has been below 85% of target). This identifies a five year housing supply of only 3.7 years, well under the five years required by national policy. The capacity of deliverable sites considered to contribute to the five year supply at 3601 is 1295 units under the 4896 requirement. The presumption in favour of sustainable development therefore applies and the "tilted" balance test of NPPF paragraph 11d is engaged.
22. On 19th January 2021 government published its housing delivery test (HDT) outcome for Bolton and other councils. The test measures housing delivery over the past 3 years against targets and sets out what remedial action councils must take to bring forward more housing. Bolton achieved only 66% of its delivery target, well short of required 75% threshold, with only 1489 units delivered against a requirement of 2257. This outcome applies until updated figures are published by government sometime after November 2021. As a consequence, Bolton is now also subject to the presumption in favour of sustainable development under the HDT rules, as well as having to prepare an action plan and add a 20% buffer to its five-year supply.
23. Failure to demonstrate a five-year housing supply or under-delivery as measured by the HDT have serious consequences; planning policies for housing are deemed out of date and carry limited weight. This means Bolton is vulnerable to applications on land it does not want to see developed, particularly on rural land not in the Green Belt, currently allocated as protected open land in the 2014 Allocations Plan. It is therefore critical that appropriate applications for housing are approved without delay to both boost supply and increase house building across the borough.
24. The delivery of a residential scheme on this site will contribute to the local authority's requirement to deliver a 5-year supply of housing.
25. It is also noted that Core Strategy policy SC1.5 also seeks to achieve at least a density of 30 dwellings per hectare and achieve higher densities where possible. The housing site itself covers an area of approx. 2.809ha and the proposal would equate to 38 dwellings per hectare which is in accordance with the above-mentioned policy.
26. It is therefore considered that the proposed residential development of the site is fully compliant with CS Policies SC1 and RA1 and the aims as detailed within the NPPF.

Proposed open public space

27. The proposed 0.51 ha of open public space along with the biodiversity enhancement area including 1ha of mixed woodland and 1.2ha of wildflower meadow would be located to the south-west of the site outside of the allocated housing site within Green Belt. This has been introduced as part of required public open space contribution. The public open space is connected to the residential area by a public footpath (PROW - WES118) of 176m which will be improved as part of the proposed scheme.
28. Allocations Plan Policy CG7AP states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of new buildings except for in a number of listed exceptions. Policy CG7AP reflects paragraph 145 of the NPPF, which states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, unless one of the listed exceptions (a to g) are met.
29. Of relevance to this application is the exception criterion no. 4 of Policy CG7AP and criterion (d) of NPPF paragraph 145. Paragraph 145(d) states an exception is provision of appropriate facilities for outdoor sport and outdoor recreation, and for cemeteries which preserve the openness of the Green Belt and do not conflict with the purposes of including land within.
30. The proposed open public space and area of the proposed biodiversity enhancements are considered to be in line with the above-mentioned policies and thus acceptable in principle.

Impact on the Character and Appearance of the Area

31. Core Strategy policy CG1.2 seeks to ensure that new development proposals safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development.
32. 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.
33. Policy RA1 refers specifically to development in Inner Bolton and states that the Council will conserve and enhance the character of the existing physical environment.
34. Paragraph 124 of the NPPF places great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Design which is inappropriate in its context, or which fails to take the opportunity available for improving the character and quality of an area and the way it functions, should not be accepted.
35. The proposed plans indicate that the design would accommodate a mix of terrace, detached and semi-detached dwelling houses. The proposed dwellings would be accessed off St Helens Road.
36. It is noted that the proposed scheme is very similar to Roscoe Farm houses in Westhoughton approved by the Planning Committee in 2018 which is currently being developed.

37. As it was with Roscoes Farm, the majority of the proposed houses would be two storey. However, it is also noted that the scheme also includes three storey semi-detached (plots 101-102&103-104) and terrace (plots 14-16&47-49) dwelling houses. It is also noted that some dwellings will be provided with small sheds/greenhouses to the rear, these are currently shown at plots 8, 9, 17, 18, 19, 27, 28, 35, 36, 37, 41-44 (inclusive), 50, 51, 53, 63, 64, 65, 71, 72, 76, 77, 80, 84-92 (inclusive), 95, 96 and 108, however will be also available to other plots upon a request.
38. Materials to be used within the development (including the proposed substation) would be mix of Weinerberger Terca Windmill Orange, Yellow and Golden buff multi brick with grey slates on roof. Officers consider the proposed materials would complement the surrounding area and would be secured by a planning condition.
39. Only three of the proposed houses would be visible from St Helen's Road (plots 106-108) with the side elevation of a dwelling house at plot 108 being set back from the road and having dual frontage. Also, a decorative 1.2m high gabion wall will be introduced to the front of the site to complement the proposed vehicular entrance and the proposed development.
40. Following the approved design of Roscoes Farm development, the dwellings have also been designed in the way to ensure the most efficient use of the land available, in line with the requirements of the NPPF. The buildings have then been adjusted to specifically fit brick dimensions. Window and door openings have also been set by brick dimension. This operation is designed to minimise brick wastage but also brings the added benefits of reducing deliveries to site (as the exact number of bricks required for each house type can be delivered). The result of this is a reduced carbon footprint and CO2 emissions.
41. Furthermore, the energy efficiency of the homes has been designed to surpass the minimum requirements of the Building Regulations. All homes achieve this by varying degree, demonstrating a 7– 8% improvement in excess of Building Regulations. However, in addition to this, a wastewater heat recovery system (a renewable form of energy production) has been integrated into the house type specification. This further increases the energy performance of the dwellings which will ensure that the predicted running costs are very low. These low costs should appeal to all the homeowners but will also assist in reducing carbon emissions locally and nationally and demonstrate compliance with the policy requirement for a 10% improvement above minimum standards through low carbon or renewable energy production.
42. The applicant has also undertaken initial assessment of the theoretical energy costs of the Northstone specification proposed through this planning application and compared this against a specification that accords with the current building regulations. This assessment has indicated that purchasers of proposed homes could benefit from an average reduction in energy their bills of just under 25% through the Northstone Spec with incorporating Heatsave (as per the Briary Energy report that supported the planning application) when compared with a product constructed to current building regulations.
43. Whilst all of the above would increase costs of delivery of the development, the applicant claims that this would result in heating bills of future occupiers to be minimised to approx. £150 per year per dwelling.
44. With regards to landscaping, all dwellings would have front and rear gardens. The development would also incorporate areas of open space and landscaping, outside of the proposed plots. Planting and lawns in private areas will be maintained by the individual plot holders. Public spaces and communal landscaping within the residential development will be maintained by a management company. The same would apply to the proposed public open space which will be maintained and managed by a private company.
45. Different areas/hardstanding of the site will be populated with colour as a way of creating easily

identifiable routes and pathways to assist in visually navigating around the site. The developer further explained that open spaces would have clusters of housing around them. Specifically designed, these areas are intended to generate homeowner interaction creating the idea of neighbourliness and when combined with the shared surface access roads (designed for traffic speeds of 5mph) this should provide opportunity for children to play within the street.

46. As a result of careful surface, layout and landscape design, the proposal would incorporate a means public realm/public open space within the proposed development which would be secure, accessible, inclusive and connected; spaces would be uncluttered and easily understood and would facilitate ease of movement. This would make a positive contribution to, streetscape and wider townscape, incorporating the highest quality materials and design appropriate to its context.
47. No changes are being proposed to the land levels within the public open space and the biodiversity net gain area what will be secured by a planning condition. It is also noted that land levels would be changed throughout the site and as there will be some small step changes between plots, however no retaining walls are being proposed on this site. The existing and proposed land levels plans have been submitted for the proposed housing scheme, however as the submitted plans do not show land levels within rear and front gardens of all plots and do not detail proposed retaining walls, more accurate land levels plans will be conditioned. This will also include existing and proposed land levels for the proposed public open space as no details of such have been submitted.
48. In view of the above, it is considered that by virtue of the proposed high standard design of the new house types, the development would be compatible with the overall character of the area and given the backland nature of the majority of the application site, is also considered that the proposed housing estate would have a limited impact on views from St Helens Road and with limited views of the proposed dwellings from the residential properties to the north, being partially screened by the retained hedgerow and existing trees/vegetation.
49. With regards to the proposed public open space, according to Bolton Council's Infrastructure and Planning Contributions SPD 19sqm of public open space should be provided per dwelling and in this instance, this would equal to approx.2000 sqm/0.2ha. However, in this instance the proposed public open space would cover an area of approx. 0.5ha which is over and above what would normally be required under public open space contribution for this type and quantity of the development. This will introduce a play area with picnic benches and associated landscape. Nevertheless, as the currently proposed landscaping and planting schedules, for the public open space/biodiversity area as well within the proposed housing site are considered to be insufficient and thus, a detailed landscape scheme would be conditioned, should this application be approved.
50. Moreover, a separate planning condition would be attached to ensure that the existing trees proposed for retention along with the areas proposed for landscape buffer zones (within tree groups G3 and G4 to the rear of plots 1-16 and 75-101) are fenced off and protected during the construction phase. Any soil to be brought to the site would also need to be clear of contamination and capable of supporting the proposed landscaping, samples of any importing materials would also be secured via a planning condition.
51. Furthermore, it is also noted that the plans submitted for the proposed open public space show

an approximately 0.51ha of new native mixed woodland and it is the developers intention to:

"provide an inspirational setting for interacting with the natural elements of the environment and therefore natural play is the focus for this area. It is proposed that clearings within the new woodland will house a series of play experiences for a range of ages, including LAP and LEAP equipment and wildflower meadow clearing for informal play. Further productive landscape areas within the woodland contain plants with edible elements, providing exploration and education opportunities. The edible plants and other details of woodland flora and fauna will be displayed on interpretation boards within the area. The play equipment should respect and complement the character of the woodland setting and as such the equipment will comprise natural materials where possible"

52. However, as submitted public open space and play area plan is indicative only further details of this facility, including proposed fixed equipment play facility would be secured by a planning condition with an investment (for the provision of children's play space) of an equivalence to the S106 off-site figure for a development of this scale which would be £141,048 (in accordance with Appendix 2 of Infrastructure and Planning Contributions SPD). The delivery of public open space and play area would be secured via s106 agreement with both to be delivered by completion of 50% of the proposed houses.
53. In view of the above and subject to recommended planning conditions it is considered, that the proposed development would constitute good urban design, compliant with Policies CG3 and RA1 of the Core Strategy and the aims of the NPPF.

Impact on Flooding and Drainage

54. Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk.
55. A flood risk assessment has been submitted with the planning application along with an indicative drainage plan and land levels. The assessment concludes that the risk of on-site flooding as a result of the proposed development can be regarded as being negligible as the surface water run-off from the site would be effectively no different than currently exists.
56. It is noted that the originally proposed culvert has been moved to the rear garden of plots 1-16, with another to run in the rear gardens of plots 75-101. Whilst this is considered acceptable in principle the most recent drainage plan (rev. C) is not considered detailed enough. The Council's Flood Risk team recommended a planning condition which would require further details of a detailed drainage scheme along with plans showing the proposed changes in land levels.
57. It is therefore considered that the proposed development, subject to the above-mentioned conditions, will not increase the risk of flooding on the site or in other areas, compliant with Policy CG1.5 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

58. CS policy CG4 relates to new development and seeks to ensure that future occupiers and neighbours are provided with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. The Council's guidance on interface distances between dwellings and private amenity space standards are contained within the General Design SPD. This document is intended to provide general advice on designing new development.
59. All new development, alterations and extensions to existing buildings should provide potential

users with a satisfactory level of amenity in terms of space (50sqm per dwelling), sunlight, daylight, privacy, aspect and layout.

60. For new single and two storey dwellings a distance of not less than 21 metres is recommended between the fronts of dwellings where the facing walls contains main rooms. Where main room windows do not directly overlook each other, but are otherwise obscured, a minimum distance of 17 metres should be maintained. Where main windows face a wall of a two storey dwelling that contains no such windows (e.g. the side of a house) the distance can be reduced to 13.5 metres.

Future occupiers

61. With regards to the interface distances between the proposed houses it is noted that this would be below the threshold when measuring separation distances between the frontages and rear of the dwellings. Whilst this is not ideal, it is considered that this will assist the proposed development to achieve a sense of enclosure within the site. In addition, Officers consider that this relationship would be clear to any prospective purchasers of the properties who would only proceed with the purchase subject to being comfortable with the relationship between the dwellings.
62. With regards to the internal layout of the proposed, each habitable room would be provided with at least one window that would provide an adequate level of light and outlook. In addition, the majority of the dwellings would be provided on average at least 50sqm area of garden in accordance with the General Design SPD. Whilst it is acknowledged that some of the dwellings would be provided with less than 50sqm of a private amenity space on balance given the proximity and accessibility of the site to proposed Open Public Space to the south-west of the site, this is considered to be justified and acceptable.
63. Given that not all houses will meet the required separation distances or/and will have garden areas smaller than suggested 50sqm with, to safeguard residential amenity space, permitted development right will be removed.
64. Officers note that internally, all the proposed dwellings comply with the National Space Standards.
65. It is also noted that plots 106-108 (inclusive) will be adjacent to St Helens Road and the proposed dwellings could be subject to high levels of road traffic noise unless suitable mitigation is designed into the scheme to address any potential noise concerns. With regards to noise generated from St Helens Road this would be mitigated by the building envelopes, of the dwelling houses on the above mentioned plots, to be constructed so as to provide sound attenuation against external noise (possible with a use of standard thermal double glazing proposed for all habitable rooms across the above mentioned three plots) with use of mechanical ventilation as their ventilation strategy (and will be secured by a planning condition). With the implementation of this system, it is considered that extra alternative trickle ventilation will not be necessary and the noise levels in all habitable rooms will be acceptable.
66. It is also noted that the noise assessment, submitted in support of this application, identifies a need for 2.7m acoustic fence to be erected to garden areas rear of the above-mentioned plots. The detailed specification of this acoustic fence would be secured by a planning condition. The specification of the acoustic fence would need to be suitable for its intended use to protect future residents and their amenity area from potential noise pollution and will be also secured by a planning condition.

Impact from and on the Burns Animal Foods factory

67. In addition to the above, it is also noted that the application site adjoins the existing Burns Animal Foods factory situated to the southern edge and south-east of the proposed housing site. As such the proposed houses could be subject to noise and odour which could not only impact on amenity of future occupiers but also affect future operations of the factory.
68. Currently the factory building is situated along the southern boundary of the proposed housing site so close to plots 18, 19, 35 and 36. However, it is noted the factory was recently granted planning permission ref.07468/19 for demolition of existing factory and erection of industrial unit for manufacturing of animal foods.
69. The new building will be of a larger footprint than the existing factory and will be positioned towards the western end of the site, with its rear elevation now facing proposed plots 53-60 (inclusive) with the proposed car parking and vehicles manoeuvre area facing plots 18, 19, 35 and 36.
70. The approved building would run 48.8m north to south across the back of the site and 22.2m deep (east to west). It would be situated approximately 4m from the western boundary, 7m from the northern boundary and between 7m and 2m from the southern boundary which steps inwards at an angle. The building would feature a ridged roof with a ground-to-eaves height of approximately 6.42m and a ground-to-ridge height of 7.5m and would be finished in profile cladding with light grey walls and dark grey roof.
71. Whilst plots 53-60 will have their front elevations facing the approved industrial building, given the separation distance (outlined in the Table 1 below) it is not considered that the approved industrial unit would appear as overbearing. In addition, the arc of the sun is from east to west on the south side, that is, from the direction of St Helens Road to the proposed houses at plots 53-60, therefore, whilst the approved building might result in some overshadowing this would be only limited to morning hours

Table 1 shows approx. distances from the existing and approved factory building to the proposed houses.

Table 1.

Plots numbers	Approx. distance to the existing factory	Approx. distance to the approved factory under 07468/19
19	19.7m	42m
35	20.4m	24m
36	25.4m	25m
53	24m	19m
60	30m	24m
54-60	Between 31-44m	24m

72. At the time of the above application, it was highlighted that whilst there are were no houses proposed on the allocated land to the west and north, the position and siting of the factory must

be considered in the context of the future allocation of this land for dwellings. However, because of the existing factory's noise/odour impacts, sections of this allocated land adjacent would likely remain undevelopable without significant mitigation against the existing harm.

73. The officers report for the above-mentioned application clarified that paragraph 182 of the NPPF places the burden of identifying and providing this mitigation on what it refers to as 'the agent of change'.

74. As the B2 factory already exists, the 'agent of change' in this case would be the developer of the housing site. That the land is allocated for housing does not change this and indeed the designation was made with the current factory in situ and operating.

75. Consequently, the current application has been supported by noise and odour reports. Bolton Council's Pollution Control officers reviewed the submitted assessments and note that:

76. Burns Animal Foods operate under the provision of a permit which requires them to ensure emissions outside the site boundary are free from offensive odour. If this does occur the Local Authority would seek improvements to the manufacturing activity. However, the odours from pet manufacturing processes should be capable of being controlled within the site boundary. It is also noted that strong odour from drying occurs only occasionally.

77.77.

- Whilst historically there have been problems of odours coming from the pet food business and these have affected properties 60 metres away, the business has subsequently implemented improved odour control systems.

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- The current relationship between residential properties and the factory finds the nearest dwelling, not including Mr Burns' own dwelling is within approximately 50 metres from the front of the factory and approximately 60 metres from the cooking area. The closest distance to the proposed houses (as shown in Table 1 above) whether this is to the existing or approved factory is approx. 19m.

- Is it worth adding that the decision notice for the new Burns site places restrictions on some noisy activity e.g. vehicle movements in the yard area to protect existing residents, which should also protect residents at the new development

- The noise and odour assessment show that noise and odour from the factory can be successfully mitigated via the installation of a 2.5m acoustic fence along the southern and eastern boundaries of the site and 20 metre buffer zone from potentially odorous emission points within the factory to the nearest amenity area of the proposed housing site. Details of full manufacturer specification details, together with details of the installation and maintenance and management plan will be conditioned. In addition, as it is with plots close to St Helen's Road plots 18, 19, 25, 36 and 53-60 will also be included in a condition requiring details of the acoustic insulation and mechanical ventilation system to be incorporated within buildings envelope to be submitted to and approved in writing by the LPA.

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78. In view of the above, subject to the proposed planning conditions, Pollution Control officers are of the view that the proposed houses should not impact on operations of the existing or recently approved factory nor would the future occupiers should suffer from noise and odours from the adjoining Burns Factory.

Neighbouring residents

79. With regards to separation distances between the proposed development and existing properties,

these would be in line with General Design SPD.

80. The nearest residential properties are to the south-east of the site at Hulton Vale and 874 St Helens Road with additional dwellings situated to the north of the site at Sonning Drive, Salterton Drive and Wellburn Close.
81. With regards to the houses to the south of the site plots 1-18 would be separated from the existing properties at 13-23 Holton Vale by the existing landscape buffer which is to be retained. In addition the scheme is considered acceptable as:
 82. Plots 2 and 3 would be both positioned at an angle to no. 23 Hulton Vale with plot 2 facing its side elevation with a 19m distance to be retained to the rear elevation of the proposed house at Plot 3.
 83. The proposed house at Plot 1 would introduce windows to its side elevation facing no. 874 St Helens Road, however this also will be at an angle and will meet the separation standards as set out in the above-mentioned SPD.
 - Plot 106 would be parallel to the existing house at 7 Sonning Drive and it is not considered that the proposed house at this plot would result in overlooking or be overbearing to occupiers of no.7.
 - The rear elevation of houses at plots 106-108 will retain approx. 11m separation distance before facing side elevation, with a secondary window, at the house 3 Sonning Drive which is considered acceptable.
 - Proposed houses on plots 75-104 (inclusive) will also comply with the above-mentioned separation distances and would be additionally screened by the existing landscape strips within G4 group of trees which is to be partly retained.
 - Plot 105 will be positioned at a right angle to number 9 Sonning Drive with approx. 11m to its rear garden which is also considered acceptable.
 - As mentioned above permitted development rights would be removed to safeguard residential amenity of future occupiers but also of occupiers of the existing residential properties adjacent to the application site
- With regards to proposed construction works, it is noted that Pollution Control officers recommend that the proposed Construction Method Statement is secured by a planning condition as any works on site have the potential to harm the amenity of neighbouring occupiers if not properly managed.
- Given the above analysis, it is considered that the proposed development would not unduly harm the amenity of any neighbouring residents, compliant with Policy CG4 of the Core Strategy. In addition, the proposal would ensure that adequate mitigation is proposed to ensure the development would not compromise the operations of the adjoining factory.

Impact on the Highway Safety

84. Core Strategy policy P5 seeks to ensure that development is accessible by different types of transport, prioritising pedestrians, cyclists and public transport over the motorised vehicle and ensure that parking is available in accordance with the Council's standards. Appendix 3 provides guidance on parking standards. Policy S1 seeks to ensure that development promotes road safety.
85. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual

cumulative impacts on the road network would be severe.

86. The site lies within an accessible location within easy walking distance of public transport routes. Access to the proposed development will be created from St Helen's Road and the details of a compound and car parking for the construction traffic will be conditioned as part of the above-mentioned Construction Management Plan.
87. The Council's Highways Engineers noted that the applicants transport consultant have submitted a transport assessment (TA) as part of the planning process in order to justify this development proposal from a transport/highways perspective. The TA has been reviewed by the Local Highway Authority as part of this process and independently reviewed by Transport for Greater Manchester (TfGM) owing to the potential impact on the key route network (KRN).
88. The TA is robust in terms of its assessment of the traffic impact and the principle and rationale used in its preparation appear sound. Industry standard software has been used to develop trip rates which appear indicative of the level/type of development. The TA indicates that based on the trip distribution with the impact on the local highway network, the traffic will potentially be 51 two way trips in the AM operational peak period and 50 two-way trips in the PM operational peak period which should have negligible impact on the existing baseline traffic scenario (even with the committed development for this location added within the TA) and should be accommodated with little additional detriment/severity to road safety and the operational capacity of the surrounding highway network. This would be compliant with the requirements indicated in current planning policy guidance (Para 108/109 NPPF).
89. The TA reiterates that the site is reasonably accessible to sustainable modes of transportation and the surrounding amenities. This meets the requirements of the NPPF in terms of helping achieve sustainable travel patterns and would be looked on favourably as part of the planning process.
90. A full S38 technical appraisal will need to be undertaken on the submitted site layout post-planning decision in order to ensure that it meets the Councils standards and can be brought forward for adoption.
91. The submitted access plan indicates a single access point onto St Helens Road in order to serve the proposed 108 dwellings. The Councils codes of practice for adoption of the site internal highways indicate that only 50 dwellings should be served from a single access point onto a public highway.
92. Owing to the nature of the site in terms of accessibility, it would be difficult to implement an emergency access point to aid development. In response a tracking analysis for an emergency vehicle have been provided and access widen from 5.5m to 6.75m. Highways confirmed that the proposed layout is workable, however, the applicant would still need to get the layout risk assessed by the GMFRS owing to the single access point and the cul-de-sac length being on the limit of their guidance. GMFRS has been contacted by the applicant and the officers and their comments would be attached to the late list.
93. Acting on the above, the Local Highway Authority cannot reasonably object to the principle of residential development at this location subject to a satisfactory review of the layout and accessibility from the highway network by the emergency services (GMFRS).
94. With regards to car parking, s each dwelling will be provided with at least 2 car parking spaces, with 4-bedroom properties benefitting from 3 car parking spaces and a condition will be attached for these spaces to be provided before the first occupation of each dwelling house.

95. In view of the above and subject to recommended planning conditions it is considered, that the proposed development would be in line with the above mentioned policies.

Public Rights of Way

96. Allocations Plan Policy P8AP states that the Council will permit development proposal affecting PRoW provided that the integrity of the right of way is retained. The Councils Core strategy policy P5 also seeks to ensure that new development proposals will ensure that developments must take into account accessibility by a range of means including cycling and pedestrians.
97. Developments must also have full regard for NPPF 2019 paragraph 98 which states: "*Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.*".
98. Public Rights of Way (WES) 116 & 118 lead either through or around the application site and will be affected by the granting of planning permission.
99. As part of the scheme the developer is proposing to resurface section of Public Rights of Way 118 which would lead to the proposed POS and also to resurface part of Public Rights of Way 116 situated north-west of the proposed houses. This is supported and welcomed by Council's Public Rights of Way Officer (PRoW).
100. PROW officer's asserts that well-made routes experience less misuse by motorcycles and therefore he does not consider that lighting or gates are necessary to the public right of way nor the POS as any gates could prevent access for wheelchairs and prams. However, he recommends that resurfacing of WES 118 is conditioned and carried out before the first use of POS.
101. In view of the above and subject to recommended planning conditions it is considered, that the proposed development would be in line with the above mentioned policies.

Impact on archaeology

102. Core Strategy 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 setting.
103. Para 189 of the NPPF states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
104. GMAAS checked their records and are satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.
105. On this basis GMAAS is satisfied that no further information or survey work is required and that the proposal complies with policy CG3.4 and the NPPF.

Coal mining legacy

106. CS policy CG4.3 states that the Council and its partners will ensure that development proposals on land suspected or affected by ground instability must include an assessment of the extent of issues and of any possible risks. Development must only be permitted where the land is, or is made suitable for the proposed use.

107. Paragraph 170 of the NPPF states where a site is affected by contamination or land stability, the responsibility for securing the safe development rests with the developer and/or landowner.
108. The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application
109. The Coal Authority records indicate that there are three mine entries present within the application site, red line boundary. The site is in an area of likely historic unrecorded coal mine workings at shallow depth and is within the boundary of a site from which coal has been removed by surface mining methods.
110. The submission has been supported by a letter (Ref:13-722-L2), dated 6 November 2020 and prepared by E3P and a Supplementary Phase II Geoenvironmental Site Assessment and Remediation and Enabling Works Strategy, dated November 2020 and prepared by E3P (report ref:13-722-R1-4). Following comments from the Coal Authority further details were submitted in December 2020.
111. The information submitted identified potential mine entries within the site including mine entry 024 within the proposed Public Open Space. The report authors note that the full depth of the shaft is unknown, but that the abandonment plans indicate the depth of the opencast at this location to be circa 10-15 m, thus indicating the shaft column would have been either partially or completely 'dug out' and removed during surface mining. The report authors conclude that given the shaft is located on the boundary of a proposed area of POS, with no permanent structures or infrastructure and that the shaft has been excavated to the base of the open cast and capped, it is considered that there would be no immediate risk in the unlikely event of subsidence associated with this feature.
112. The information submitted also provides a layout plan which demonstrates the relationship between mine entries 004 and 032 (to the south-west of the site) and that both of these features, and their zones of influence, are located in areas devoid of built development. This same drawing shows the location of the surface mining highwall and the CA are pleased to see that buildings avoid straddling this feature. The plan also shows the area of the site where stabilisation works are necessary. The report authors state that further trenching/probing for mine shaft 004 is required as part of the further groundworks for the site. It is also noted that drill and grout works to stabilise shallow coal mine workings are necessary.
113. The Coal Authority raised no objections to the above and agreed with the above mentioned recommendations subject to recommended planning conditions.
114. It is considered that the proposed development complies with Policy CG4.3 of the Core Strategy and the guidance contained within the NPPF.

Land Contamination/Pollution

115. Policy CG4.3 of the Core Strategy states that development proposals on land that is (or suspected to be) affected by contamination of 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.
116. Paragraph 170 of the NPPF states where a site is affected by contamination or land stability, the responsibility for securing the safe development rests with the developer and/or landowner.
117. The Council's EHO's have confirmed that the submitted Preliminary Risk Assessment (PRA) And Site Investigations Are acceptable in principle and would be subject to further site investigation to ensure that the majority of the site is capable of being safely developed subject to site

remediation.

118. However, as the submitted PRA and site investigations do not cover plot 103-105 and indicates that more information is required on gas monitoring within land owned by Jones Homes (plots 103-105, including land to the east of plot 105) which due to different ownership are currently inaccessible by the application, the submitted site investigation cannot be approved at this stage and an updated report will be conditioned.
119. Furthermore, A full PRA and site investigation/remediation scheme will need to be submitted and approved by the LPA on the proposed public open space (especially given that some of the proposed planting within POS would be edible). The Pollution Control officers also recommended PRA for the areas within trees groups G3 and G4) to ensure that this is safe for public use, however the agent confirmed that this is to be gated and not available to members of public.
120. In addition, given that the proposal would result in land levels changes, a separate condition will be attached requiring samples and details of soil to be imported to the site to be submitted for LPA's written approval.
121. It is also noted that accordance with Institute for Air Quality Management/Environmental Protection's 'Land Use Planning & Development Control: Planning for Air Quality (January 2017)' the provision of electric vehicle charging facilities on site would be secured by a planning condition. It is the applicant's intention to meet the emerging requirements for EV charging through the provision of sufficient electrical capacity to the development, and a fused spur within each property capable of powering a 7kW 'fast charger'. However, given uncertainty regarding EV take-up and the potential for technology obsolescence the charge-points itself would not be fitted, but this option will be available to each dwelling house. It is noted that this approach was accepted on Roscoe's Farm development and will be also secured via a condition on the current scheme.
122. In view of the above it is considered that the proposal is in accordance with Policy CG4 of the Core Strategy and also in accordance with guidance contained within the NPPF.

Impact on ecology / biodiversity/trees

123. Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats.
124. The NPPF states that applications should aim to conserve and enhance biodiversity and nature conservation interests by; avoiding significant harm; or where this is unavoidable adequately mitigate or at last resort compensate for the harm; encouraging opportunities to incorporate biodiversity in and around developments; and permit developments that have the primary objective of conserving and enhancing biodiversity.

Ecological assessment

125. GMEU reviewed the scheme and noted that an ecological assessment of the site was undertaken in 2018, which was updated in March 2020 to include a review of the areas proposed for off-setting, in addition to updating the finding of the previous surveys.
126. GMEU is satisfied with the level of survey work and validity of the survey results, in relation to determining the planning application. However, suggested that a condition is used to ensure that if development has not commenced within two years of the latest ecology survey (9th March 2020), then updated ecological surveys are carried out to ensure that the impact assessment is based on sufficiently up to date ecological baseline data. Mitigation measures may also need to

be amended accordingly.

127. The development proposal does not match the descriptions of the developments that are likely to impact on the protected sites as referenced by GMEU.
128. In addition, site survey work confirmed the broadleaved woodland on the site is recently planted and lacked characteristics which would suggest they are mature/ancient woodland. The grassland habitat on the site was species poor neutral and marshy grassland and the hedgerow on the western boundary was not considered important under The Hedgerow Regulations, however, is likely to qualify as a Habitat of Principle Importance.
129. With regards to protected species the submitted information also show that:
130. bats activity was recorded on the wooded boundary (hedgerow and woodland) with foraging and commuting behaviour recorded. However, no potential bat roost features were identified within any of the trees.
131. There was no evidence of badgers at the site
- unlikely that great crested newts will be present on the site.
 - However, there is potential for some commoner amphibians to be present on the site and there are records of brown hare on the site and deer were recorded during the site visits.
 - Species such as hedgehog are also likely to be present on the site.
- In view of the above it is recommended that a number of conditions are imposed to ensure that:
 - all retained woodland, trees and hedgerows on the site are adequately protected from any adverse impacts of the proposed development during the construction phase of the development and as per recommendation 7.3 of the ecology report
132. That the loss of habitats on the site is adequately compensated for (see comments below on landscape/net gain)
- That the boundary fence along group of trees with G3 and G4 along plots 75-101 and 1-18 is made of 2.5m high fence to reduce the risk of fly tipping/dumping of waste into the woodland.
 - Lighting scheme shall be designed to minimise impact on bats
 - Bat boxes, bird boxes shall be introduced with the site and hedgehog gaps shall be created in proposed fence shall be incorporated as part of the biodiversity enhancement of the site
 - Mitigation measures should be undertaken and adhere to during the construction phase as outlined in section 7 of the submitted ecology report (Phase 1 Habitat Survey and Bat Surveys)
 - In addition, following recommendation in the ecological statement submitted an additional condition would be attached to secure the eradication of invasive species as Japanese Knotweed, Himalayan Balsam, Montbretia and Japanese Rose were recorded on the site.
 - Construction and Environmental Management Plan (CEMP) condition (mentioned in residential amenity section of the report above) will also need to include protection of retained habitats and Reasonable Avoidance Measures

Landscaping and net gain

- Within the proposed residential development, a landscaping scheme for the site has been submitted showing landscape strip to the north (behind plots 75-104) and to the south-east (behind plots 1-18) of the housing site to be retained. Also new planting would be created to the front of each plot and with shared public spaces including landscape strip to the north of the existing Burn Factory.
- The applicant has also submitted a Biodiversity Offsetting report which in addition to the existing woodland to the south of the proposed recreation area would be retained as expanded with 1ha of proposed new native mixed woodland area and an additional c. 1.2ha of wildflower meadow to the south-west of the proposed recreation/play₃area.

133. Within the proposed development site, it would not be possible to offset or deliver net gain for the impacts of the proposed housing scheme, so land to the south of the site has been identified for habitat created/enhancement (woodland planting, species rich grassland and hedgerow planting).
134. The figures currently indicated a net gain in excess of the 10% requirement which is anticipated to be legislated in the upcoming Environment Bill. This offsetting calculations predict a 24% net-gain in woodland biodiversity units and 10% net gain in grassland units within the application site (excluding the proposed recreation area).
135. GMEU raised no objections to the above and the proposed biodiversity net gain is welcomed. However, given that the submitted landscape scheme is not detailed enough and there is scope for its improvement such as:
 136. further strengthen the boundary planting, particularly at the western boundary of the side, which is lacking in planting compared to the development to the north of the site
 137. inclusion of a mix of wildlife-friendly species (preferably locally native) which should create structural diversity
 - addition of species for shrub/ornamental planting which should be carefully chosen to ensure successional flowering so that there is a year-round nectar and pollen resource.
 - Accordingly, the final landscape scheme for the housing site, public open space and the areas of proposed biodiversity net gain will be conditioned.
 - In addition, another condition will be imposed to ensure that a landscape and ecological management plan (LEMP) (or equivalent) is submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP should include information which demonstrates the creation or management of habitats to secure a meaningful and measurable net gain for biodiversity, in line with the principles established in the landscaping scheme and the Biodiversity Net Gain Report (ref. 1886-E3 dated 24.11.20). An updated Biodiversity Net Gain Report and Biodiversity Metric Calculation shall be submitted based on the detailed design and landscape plan, and the accompanying GIS files should also be submitted to support the report's findings.
138. It is therefore considered, subject to the proposed conditions, that the proposed development would safeguard biodiversity, compliant with Policy CG1.2 of the Core Strategy.

Impact on Trees/Hedgerows

139. Core Strategy policy CG1.2 seeks for the Council and its partners to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodlands and hedgerows from adverse development and improve the quality and interconnectivity of wildlife corridors and habitats.
140. The proposed development will result in the total loss of a number of individual trees and groups of trees, along with the partial loss of groups of trees, predominantly along the northern boundary of the site (these are shown in pink/purple and with group G8 shown in red on the proposed plans whereas the colour green shows G3, G4 and G6 groups proposed for retention, although it is noted that group CG6 is mainly located within Burns Food Factory).
141. Individual tree losses are made up of 2no. Category C trees and 5no. category U trees in relation to BS5837 (2012) Trees as outlined in the submitted Tree survey- Demolition and Construction report.
142. The main impact on tree removals are seen in higher 'B' categorised tree groups including:

143. G2 along the western boundary of the new access road (whole group) – opposite plots 106-108
144. G3 (partial) on the south-east corner of the development – to accommodate plots 1-7 and rear gardens of plots 13-18
 - G4 (partial leaving a narrow-wooded belt of trees on the northern boundary between the new houses and the existing housing development to the north) due to the proposed house locations and numbers – to accommodate plots 75-101
 - In addition, removal of trees also include:
 - Total removal of G1 consisting of Hawthorn interspersed with Ash natural regeneration on the St Helens frontage to accommodate the proposed vehicular access
145. G7 Alder & Willow trees (Cat C) to accommodate the proposed houses and numbers at plots 52-60
 - G8 declining Ash trees (Cat U) that would need removal due to their condition – adjacent to plot 18
 - The Council's Trees and Woodland, Landscape, Greenspace and GMEU have reviewed the scheme and acknowledge that a high number of trees will be removed to accommodate the proposed development, it is noted that the scheme also included a biodiversity net gain, as discussed in ecology section of this report above. This includes 1ha of proposed new native mixed woodland area and addition of approx. 1.2ha of wildflower meadow to the south-west of the proposed recreation/play area which would constitute a 24% net-gain in woodland biodiversity units and 10% net gain in grassland units with the application site (excluding the proposed recreation area) and would compensate for the loss of the existing trees.
 - It is also noted that the trees within group CG3 to the rear of plots 1-18 and within CG4 to the rear of plots 75-101 would be retained. The Council's Trees and Woodland noted that the submitted details include 2.3m high boundary treatment to the rear of plots 1-16 and 75-101 to prevent future occupiers from fly tipping. It is also noted that proposed culverts will run in rear gardens of the above-mentioned plots as shown on indicative drainage plans.
146. As no detailed survey has been submitted of the existing trees within group G3 and G4 which would indicate numbers, types of the trees proposed for removal and retention, this will be conditioned along with a requirement for a methodology statement to be submitted to show how the proposed drainage/culverts and the proposed boundary treatments would be installed, to the rear of plots 1-16 & 75-101, without impact on trees and their roots within trees groups G3 and G4. Any trees proposed for a retention would need to be secured by tree protective fencing with details and exact location of the proposed protective fencing to be conditioned.
147. In addition, it is also recommended that prior to the occupation of the properties, a base line tree survey of the trees located within groups G3 & G4 (as identified in the Site Report, Appraisal & Plans "BS5837 2012: Trees in Relation to Design, Demolition and Construction" document) should be undertaken and secured by a planning condition. Three years after first occupation of the properties an updated tree survey should be then submitted and approved in writing by the Local Planning Authority which would assess the impacts of the development on tree groups G3 and G4, in comparison to the baseline survey. If the survey(s) identifies that the development has resulted in adverse impacts or the loss of any trees within tree group G3 & G4 the submitted survey should be accompanied by an appropriate mitigation scheme in the form of replacement extra heavy standard tree planting. Any mitigation required shall be implemented within the next planting season of its approval. Given that the existing trees within groups G3 and G4 provide a substantial screening any trees that die or are³⁶removed within 15 years of planting, within

groups G3 & G4, should be replaced in the next available planting season with others of similar size and species.

148. It is also recommended that no vegetation clearance required to facilitate a development scheme must take place during the optimum period for bird nesting (March to August inclusive) which would be secured by an informative.
149. It is therefore considered, subject to the proposed planning conditions, that the proposal complies with policy.

Crime and design

150. Core Strategy policy S1.1 seeks to ensure that the design of new development proposals will take into account the need to reduce crime and fear of crime.
151. GMP Secured by Design team have assessed the proposal and the submitted Crime Impact Statement and have no objections to the proposed scheme. In general, the proposals are acceptable from a crime prevention perspective. Looking at the proposed boundary treatments there are a number of rear boundaries that are 1800mm in height where we would recommend them be at least 2100mm, particularly adjacent the proposed footpath route where boundaries are more vulnerable due to being accessible from the footpath area. In all other aspects we would highly recommend that the development is built to Secured by Design standards which will be secured by an informative.
152. With regards to the creation of the public open space, GMP Secured by Design team whilst noted that this is to be separate from the proposed housing scheme, they did not raise an objection. In their view there is not a great potential for it to generate antisocial behaviour such as congregation and associated issues because it is detached from the main road and local residential areas and it is noted that similar areas to these are used to a high degree during the day by dog walkers and such usage generally provides a good deterrent to misuse. If the recommendations in the report are incorporated to maintain good sightlines, including the maintenance of vegetation/trees, and to keep paths wide and generally linear GMP Secured by Design team would be generally supportive of the proposals.
153. GMP officers also disagree with PROW officer's assertion that well-made routes experience less misuse by motorcycles and would recommend some form of barrier to deter misuse - a chicane or a-frame can allow access to genuine users of the space whilst prevent easy access to those on motorcycles and it will also slow down use of the footpath to prevent them from maintaining high speeds.
154. Whilst GMP comments above are noted, given that any chicane or frame to POS would not prevent motorcycles to access the site, but could restrict this space to be used by wheelchair or prams, it is not considered reasonable for this condition to be imposed. However should antisocial behaviour/use of the site by motorcycles occur with POS, the applicant will be advised to contact the Council to discuss and agree an appropriate barrier to the POS.
155. In view of the above and subject to recommended planning conditions it is considered that the proposed development would be in line with the above mentioned policies.

Impact on Gas Network

156. High or Intermediate pressure (above 2 bar) Gas Pipelines and associated equipment lies to the south of the proposed biodiversity net gain. No objections have been received from Cadent Gas in principle, however any future planting within that area would need to adhere to easement requirements set out by Cadent, the requirements for which will be incorporated into the landscape condition.

Other matters

157. The majority of conditions have been agreed with the agent in principle. However, as the discussions are still ongoing any changes to planning conditions will be reflected on the supplementary information list.

Impact on infrastructure

158. Policy IPC1 of the Core Strategy states that the Council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or to mitigate the impact of that development. In doing so, the Council will ensure that a scheme is made acceptable in planning terms and achieves the objectives of sustainable development. Policy IPC1 states that the policy is applicable unless it can be demonstrated by the applicant that the scheme would not be viable if contributions were sought or offered. This approach is consistent with that set out within the National Planning Policy Framework.
159. SPD "Affordable Housing" (adopted February 2013) provides further detail to the policies in the Core Strategy that concern affordable housing, and deals specifically with the provision of affordable housing through Bolton's planning processes, with a focus on new supply. The SPD sets out the Council's policy on achieving affordable housing. SPD "Infrastructure and Planning Contributions" (adopted July 2016) provides further detail on policies in the Core Strategy that concern planning contributions. The SPD contains information on when planning obligations may be needed and covers matters including when contributions may be needed, the type and scale of contributions, the circumstances when financial rather than direct provision will be required, how financial contributions will be calculated, and the form and timing of legal agreements.
160. Based on the requirements as set out in the Infrastructure SPD and the affordable housing SPD would require the following contributions for this development:
161. Affordable Housing - 35% of the total provision which equates to 37.8 units;
162. Public Open Space/play area - required 0.2ha of POS on site;
- Health - £75,600 (108 dwellings)
 - Education - £700,985.94 to enable the local authority to provide necessary additional 25 primary and 20 secondary school places.
 - Policy IPC1 however states that the policy is not applicable if it can be demonstrated by the applicant that the scheme would not be viable if all or some of the contributions are sought or offered.
 - The applicant has submitted a viability appraisal for the proposed development, which has been independently reviewed by the Council's viability consultee. The Council's consultee has run the estimated costs through their own development appraisal and found that the development would generate a surplus of £.... , allowing the developer a 6% GDV profit?
163. The developer disagrees with viability consultants response and whereas the applicant had initially asserted they could not afford to provide more than 5 affordable houses within the site, they have now agreed to provide 1 more affordable unit. It is also recommended that an overage clause be inserted within the proposed legal agreement to enable a reassessment of viability later into the development to enable accurate costs and value figures to be used. This would potentially result in additional contributions to the Council.
164. Following on from this discussion and negotiation the agreed position of the Council and applicant is as follows:
165. Affordable Housing – provision of 6 affordable units on site;

166. Public Open Space/play area - on site provision in excess of the policy requirement (0.51 ha when compared with 0.21 ha of POS on site);
- Health – no contribution required as no comments have been received to justify the need for this element.
 - Education - £700,985.94 to enable the local authority to provide necessary additional 25 primary and 20 secondary school places – full provision.
 - Public art – conditional upon approval – subject to agreement with the applicant.
- This represents a profit margin of 18% for the private housing and 6% for the affordable housing.
 - It is also noted that additional costs (outlined in the table below) would be spent to construct the proposed housing to the energy specification as outlined above and that the open space would be provided as part of the development and its public realm. Furthermore, the applicant is also providing a surplus of area that to be designated as public open space and over 2ha of biodiversity net gain which would add to the additional costs of the development. Thus, no further contributions should be sought towards those matters.

Item	Cost
Enhanced paving	£115,200
Enhanced landscaping	£198,000
Increased EV capacity	£79,200
Energy reduction measures	£110,160
Enhanced elevation materials	£270,000
Bio-diversity net gain	£214,000
Total:	£986,560

167. In summary, officers consider that the elements agreed are that the developer provides 6 affordable units on site (rather than 13 units) plus a full contribution towards education provision and in excess of the requirement for on site POS. Officers consider that as the site is an allocated housing site, have agreed to commence development within a 2 year period to assist in housing delivery, along with an overage clause and is also provided enhanced levels of hard / soft landscaping together with the other elements referred to in the above table, it is considered that the Council can recommend the offer to ensure compliance with Core Strategy policy Policy IPC1 of the Core Strategy.

Conclusion

168. For the reasons discussed above and given that the site is allocated for up to 117 dwelling houses in Bolton Council's Development Local Plan, it is considered that the proposed development of the site would make an important contribution to the supply of houses in Bolton, would be compatible with the character and appearance of the area, would not unduly harm the amenity of neighbouring residents / the operation of the adjoining business, would not jeopardise highway safety, nor increase the risk of flooding and would remediate the site and safeguard and enhance its biodiversity. Whilst there would be some tree loss resulting from the proposed developed it is considered that existing trees will be retained to retain a buffer between existing uses and the loss of trees would be more than offset by the provision of a Biodiversity Enhancement Area.

168. The proposal would comply with policy and Members are asked to recommend approval and delegate the decision to the Director of Place to enable the completion of the legal agreement.

Representation and Consultation Annex

Representations

Letters:- ten objection letters have been received from local residents along with one general comment. Fifty support letters from a wider area have also been received. In summary:

Objections

Addressed in the main body of the report:

- 169.the number of plots should be reduced (by removal of plots 70,72, 52, 53 and 69) to provide more permeability within the site
- 170.the proposed public open space/picnic area will result in crime and antisocial behaviour which might also affect properties on St Helens Road
 - loss of green site/green belt
 - the site has poor drainage this can affect adjacent houses
 - existing flooding issues within the adjacent houses would be exacerbated by the removal of trees and topsoil
 - loss of a high number of trees which contribute to the character of the area, including TPO trees
 - loss of ecological value of the site/ impact on ecological habitats and various animals species
 - the planting of trees as part of the intended landscaping of the development will not in any way compensate for what has been removed
 - the proposed retention of trees to the north and east of the site would not be sufficient to provide privacy for the residents of adjacent houses
 - the development will lead to an increase in congestion which will adversely impact onto road safety;
 - the development will lead to an increase in noise and air pollution
 - the new estate would be providing more "routes of escape' for the criminal fraternity which frequents our estate on numerous occasions
 - the adjacent estate has already been called a 'rat run' due to the number of walkways and roads connecting the surrounding estates, and the car traffic already using the estate has caused a number of accidents, causing the council to put speed humps on many of the roads.
 - greenfield sites should be preserved
 - brownfield sites and existing vacant buildings should be utilised first for future housing including Bolton town centre
 - the area has been subject to mining in the past according to local history and could be unsafe if the area is developed
 - there is not enough schools in the area to support the proposed scheme
 - this is an affluent area, and not suitable for 'affordable' housing, which is what's being proposed
 - encroachment of the proposed development into green belt
 - disruption to the local wildlife and residents outweighs any benefits.
 - loss of privacy
 - no demand for new housing this development will add new 108 houses in the area to the 250 houses approved on Hulton playing fields
 - impact on local services
- The Hearle Homes planning approval (78191/07) in 2008 for 18 town houses was granted on the basis of the nearest residential properties being 50 metres away from the factory and these dwellings were located at the front of the factory where cooking and processing do not take place unlike the side and rear of the factory where these activities occur and are more likely to be

detectible through odour and smells

- Bolton Council's Environmental Health Service have always insisted on a 50-metre exclusion zone around the factory so that no residential dwelling is closer than this and this has meant the company has been able to operate from the site for 30+ years without the amenities of nearby residents being impacted
- Northstone's consultants concentrate specifically on noise which is a secondary issue given the plant operating hours, but do not address the odour which is the primary reason for the 50-metre buffer zone instigated by Environmental Health at Bolton Council.
- No evidence has been submitted to show that the proposed houses are acceptable in less than 50m from the factory
- Allowing proposed houses to be built within 20m from the factory would impact on operations of the existing business and could result in future occupiers suffering from noise and odour nuisance
- It would be unfair to expect the factory to have to meet any additional costs, should any noise and odour complainants be made to the Council from future occupiers of the proposed houses
- The layout should be amended to create an additional buffer around the factory
- The figures submitted in noise and odour reports are inaccurate
- The proposed acoustic fences are inappropriate within residential development
- Peel approached Burns Animal Foods about possible re-location, which indicates that the applicant had concerns over the impact of the existing business on the proposed houses.

General comment

The scheme should include biodiversity enhancement in form of swift bricks (Officer's comments: this has been secured by a planning condition)

Support comments

- It is noted that 50 support letters have been received, however none of them were result on Council's public notification:
- Bolton needs affordable housing
- Bolton needs new housing which is available to buy good for the environment and made using sustainable resources.
- Many local families would be interested in purchasing new houses on this site
- This exact type of housing is desperately needed in the Bolton area
- Bolton's needs are greater, and we need new homes to reduce homelessness and to give first time movers a chance
- there is a high demand for new houses in Bolton Council
- the proposed scheme would provide spacious houses (up to 4 bed) and well designed residential estate
- The proposed homes will be energy sufficient
- The proposal will bring new families and create local jobs.

Not a material planning consideration

- Loss of view
- TPO was imposed on some of the trees as result on Peels removing trees in the past without any consultation with the Council
- The cattle and sheep will no longer be able to be herded to these fields once the new
- PROW pathways are improved for pedestrians. If not easily accessed they will be abandoned and left to over grow

- The proposed woodland area is just a precursor to be able to build on that piece of land in the future.
- This site was allocated for housing without any consultation of the local residents.

Petitions:- no petitions received.

Elected Members:- no comments received

Consultations

Advice was sought from the following consultees: UU, the Council's PRow officer, Drainage team, Trees and Woodland Officer, Pollution Control, Highways Engineers, Landscape Design and Development, Greenspace Management, The Coal Authority, Design for Security (Greater Manchester Police), Greater Manchester Ecology Unit, Greater Manchester Archaeological Advisory Service

Planning History

None

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. COMMENCEMENT
The development hereby permitted shall be begun before the expiration of two 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. PHASING PLAN
Prior to the commencement of development, except tree removal, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The approved development should be constructed in accordance with the approved phasing plan. Any amendments to the approved phasing plan shall be agreed in writing between the Local Planning Authority and developers.

Reason

To safeguard the living conditions of residents and to secure the required services for the individual dwellings such as roads, lighting, play provision, public open space and landscaping along with biodiversity net areas in the right place and at the right time in order to comply with Bolton's Core Strategy policies CG3 and CG4.

Reason for pre-commencement condition

Phasing scheme must be understood prior to works commencing on site as it could affect how works are planned and carried out
3. ECOLOGICAL SURVEY
If development does not commence prior to March 2022, an updated ecological survey(s) shall be undertaken and submitted to the Local Planning Authority before development commences. A report shall be submitted to and approved in writing by the local planning authority setting out any necessary mitigation measures and a timetable for implementation. Development shall thereafter be carried out in accordance with the approved details with an approved implementation timetable and retained thereafter.

Reason

To safeguard the habitats of protected species and to ensure that the impact assessment is based on sufficiently up to date ecological baseline in line with policy CG1 of Bolton's Core Strategy and the NPPF

Reason for pre-commencement condition

Any works on site could harm protected species that crosses the site if not properly managed so details of the matters set out above must be submitted and agreed in advance of works starting.

4. CONSTRUCTION METHOD STATEMENT

No development, stripping of soil or ground preparation shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The Statement shall provide for:

- i) site management arrangements including storage of materials, plant and machinery; temporary offices, contractors compounds and other facilities; on-site parking and turning provision for site operatives, visitors and construction vehicles; and provision for the loading/unloading of plant and materials within the site;
- ii) delivery and construction working hours;
- iii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate;
- iv) details of wheel washing facilities;
- v) measures to control the emission of noise, dust and dirt during construction;
- vi) a construction waste management plan that identifies the main waste materials expected to be generated by the development during construction, including vegetation, together with measures for dealing with such materials so as to minimise waste and to maximise re-use and recycling;
- vii) the erection and maintenance of signage at all vehicular exits from the construction site advising drivers of preferred approach and exit routes to the site;
- viii) identification of 'biodiversity protection zones' and measures to avoid the risk of pollution from construction activities entering those zones, including the control of site run-off, management of site waste, prevention/containment of any fuel and other spillages and emergency procedures for any pollution incidents; and
- ix) a nominated developer/resident liaison representative with an address and contact telephone number to act as first point of contact for residents who have any problems or questions related to the ongoing development for the construction period.

The approved scheme shall be also implemented in full throughout the construction and internal fitting of the dwelling houses hereby approved.

Reason

To safeguard the amenity and character of the area and to safeguard the living conditions of nearby residents particularly with regard to dust and/or noise disturbance during construction and to comply with policy CG4 of Bolton Core Strategy.

Reason for pre-commencement condition

The Construction Method Statement must be understood and agreed prior to works commencing on site as it could impact on amenity of adjacent properties and affect how works are planned and carried out.

5. LAND LEVELS

Before the approved development is commenced details of the existing and proposed ground levels within the approved housing site, as shown on the approved plans and on adjoining

land including spot heights, cross sections and finished floor levels of all buildings and structures along with details and location of any retaining walls shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.

There shall be no changes in land levels within the approved POS and biodiversity net gain areas and these shall be retained as existing as shown on the approved plan Topographical Survey drawing number 8608/03 rev. A.

Reason

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

Reason for Pre-Commencement Condition

Any changes in land levels on site could affect the character and amenity of the area and the living conditions of nearby residents, thereby details of existing and proposed land levels must be agreed with the LPA prior to commencement

6. ERADICATION OF INVASIVE SPECIES

Prior to commencement of the development, except tree removal, hereby permitted, a scheme for the eradication and/or management invasive species including Japanese Knotweed, Himalayan Balsam, Montbretia and Japanese Rose shall be submitted to and approved in writing by the LPA. The development shall be carried out in accordance with approved measures and timescales. Should there be a delay of more than one year between the approval of the scheme and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority.

Reason

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

Reason for pre-commencement condition

Scheme for the eradication of invasive species must be understood prior to works commencing on site as it could affect how works are planned and carried out.

7. TREE PROTECTIVE FENCES

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

Reason

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

Reason for Pre-Commencement Condition:

Tree protection measures must be implemented prior to the commencement of works to protect the health and appearance of the tree(s) during the construction phase.

8. **SURFACE WATER DRAINAGE**

Notwithstanding any details submitted with the application, prior to the commencement of the development, except tree removal, details of surface water drainage works shall be submitted to and approved in writing with the Local Planning Authority. This shall include results of an assessment 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. Where a sustainable drainage system is to be provided, the submitted details shall:

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

The drainage scheme shall be carried out in accordance with the approved details and timescales.

Reason

To ensure a satisfactory method of surface water disposal to reduce the risk of flooding elsewhere and to ensure pollution prevention in accordance with policies CG1.5 and CG2.2 of Bolton's Core Strategy and seeks to provide betterment in terms of water quality and surface water discharge rates and meets requirements set out in the following documents:

- NPPF
- Water Framework Directive and the NW River Basin Management Plan
- The national Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015)

Reason for pre-commencement condition

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

9. **COAL MINING LEGACY**

Prior to the commencement of development on SUDS area and adjacent plots 71-73, 44-51 (inclusive), hereby approved, a scheme of intrusive site investigations for the site, to establish the exact situation regarding coal mining legacy issues, shall be submitted to and approved in writing by the local planning authority, for each plot. The scheme shall include:

- i) The undertaking of an appropriate scheme of intrusive site investigations to further investigate mine entry 004;
- ii) The submission of a report of findings arising from the intrusive site investigations;
- iii) The submission of a scheme of remedial works for approval; and

Any remedial works identified by the site investigation and agreed with the LPA shall be undertaken prior to commencement of the development within first use of the drainage basin and the above mentioned plots.

- iv) Upon completion of any approved remediation scheme(s), and prior to occupation of the above mentioned plots and first use of the drainage basin, a completion report prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity

Reason

The coal mining legacy of the area poses a potential risk to the proposed development and further investigation is required to establish the exact situation regarding coal mining legacy issues on the site, and to comply with policy CG4 of Bolton's Core Strategy and the National Planning Policy

Framework.

Reason for pre-commencement condition

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

10. HIGHWAY WORKS

Prior to the commencement of development of highways works full details of the highway works within the public highway limit to accommodate the access proposals onto St Helens Road including access 6.75m width with 2 x 2.0m footway provision/6.0m radii/right turn pocket and hatching amendments to include the relocation of street lighting apparatus and furniture shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

11. LANDSCAPE ECOLOGICAL MANAGEMENT PLAN-NET GAIN

A landscape and ecological management plan (LEMP) (or equivalent) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of any of the dwelling houses, hereby approved. The content of the LEMP shall include information which demonstrates the creation or management of habitats to secure a meaningful and measurable net gain for biodiversity, in line with the principles established in the landscaping scheme and the Biodiversity Net Gain Report (ref. 1886-E3 dated 24.11.20). An updated Biodiversity Net Gain Report and Biodiversity Metric Calculation shall be submitted based on the detailed design and landscape plan, and the accompanying GIS files should also be submitted to support the report's findings. The LEMP should also include:

- Description and evaluation of features to be managed.
- Ecological trends and constraints on site that might influence management.
 - i) Aims and objectives of management.
 - ii) Appropriate management options for achieving aims and objectives.
 - iii) Prescriptions for management actions for all habitats for a period of no less than 30 years.
 - iv) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - v) Details of the body or organization responsible for implementation of the plan.
 - vi) Ongoing monitoring and remedial measures

The LEMP shall include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details

Reason

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

12. LANDSCAPE

i) 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. This shall also include an adequate easement to the existing High or Intermediate pressure (above 2 bar) Gas Pipeline within landscape proposals for the biodiversity net gain areas showed on the approved plans. The approved scheme shall be implemented in full in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority.

ii) Any trees and shrubs die or are removed within:

- any individual plot within the first five years from the completion of the last dwelling house, and/or
- the existing planting buffer, proposed landscape areas (other than small privately owned, domestic gardens or areas to be adopted by the Local Highway Authority) and approved biodiversity areas as shown on the approved plans within 15 years from the completion of the last dwelling house, shall be replaced in the next available planting season with others of similar size and species.

ii) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and plans for the proposed landscape areas as well within the existing buffer planting areas within tree groups G3 and G4, other than small privately owned, domestic gardens or areas to be adopted by the Local Highway Authority, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted and the landscape management shall be carried out in accordance with the approved plan over the period specified.

Reason

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

13. PUBLIC SPACE/PLAY AREA

Notwithstanding the submitted details/plans with this application, details of the on site public open space and the on-site equipped children's play facility, to the south-west of the approved houses, as shown on the approved site plans, shall be submitted to and approved in writing by the local planning authority prior to any works commencing on the public open space and the play area. The details to be submitted shall include:

1. On-site equipped children's play facility

i) a timetable for implementation

ii) a detailed layout plan of the Toddler and Junior play area (key ages 0-12 years) providing at least seven pieces of fixed play equipment covering the key activities for the age range;

iii) full manufacturers specification for each item of equipment, which is to be of robust construction, safety tested and manufactured by a reputable supplier with appropriate and compliant safety surfacing underneath, and should be inclusive in its design;

iv) details of fencing and gates

v) hard or other surfacing within the fenced areas to allow fully inclusive use both for users and carers, including wheelchairs and prams/buggies;

vi) details of hard surfaced paths across the open space to the gates into the play area;

2. Public open space

i) Details of crime prevention measures to be incorporated including:

- vii) footpaths through these areas should be wide enough to allow people traveling in opposite directions to pass each other comfortably.
- viii) any picnic benches or seat areas should be positioned in highly visible locations to reduce the potential for antisocial behaviour.
- details of any fencing or barriers preventing public to access the existing woodland area and biodiversity area to the south of the public open space

ii) Details and location of any benches and picnic sets

iii) Details of surfacing materials for pathways and areas to be access and used by public

iv) Details of any signage (numbers, location, design, scale and information/text that is to be displayed on information signages about POS), seats and litter bins

3. A detailed management and maintenance schedule for the facility

Development shall be carried out in accordance with the approved details and timescale. The public open space and play areas facility shall be retained thereafter in accordance with the management and maintenance arrangements as approved.

Reason

To secure the appropriate provision of playing area within the site and to safeguard and enhance the character of the area in accordance with Core Strategy Policies CG3 and CG4

14. ACOUSTIC FENCE DETAILS

Prior to the first occupation of the dwelling house(s), hereby permitted, at plots:

- i) 18, 19, 35, 36, 53 and 54 to 60 (inclusive), a scheme detailing a continuous 2.5 metre high, acoustic fence or wall to be erected, within the application site, along the Southern and Eastern boundaries of the site with the Burns Pet Food Manufacturing site as detailed in the noise report Noise Impact Assessment, Garnet Fold, Bolton Dated 12th February 2021 Reference AC106169-1r2 by Ensafe shall be submitted to, and approved in writing by, the Local Planning Authority; and
- ii) 106-108 (inclusive) a scheme detailing a continuous 2.7 metre high, acoustic fence or wall to be erected around the garden areas of those plots shall be submitted to, and approved in writing by, the Local Planning Authority.

The fences/walls shall be certified to BS EN 1793-2:1998 and both schemes shall include full manufacturer specification details, together with details of the installation and maintenance and management plan.

The above mentioned plots shall not be occupied or brought into use unless and until the acoustic fence(s) detail has been approved and erected in the agreed position. Once installed fences/walls shall be maintained, and retained in the approved position thereafter.

Upon completion of any approved remediation schemes, and prior to occupation of the above mentioned plots:

- iii) A Verification Report/Certificates shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report/Certificates shall confirm that the above mentioned noise attenuation measures were undertaken and implemented in accordance with those agreed by the Local Planning Authority and that the above mentioned plots are suitable for its intended end use.

Reason

To safeguard the living conditions of future occupiers from noise pollution from St Helens Road and adjacent industrial/commercial uses and in order to comply with Bolton's Core Strategy policy CG4 and the NPPF

15. MEANS OF VENTILATION

The building envelope (windows, floor, ceilings and walls) of Plots 1, 18, 19, 35, 36, 53 and 54 to 60 (inclusive) and to 106 -108 (inclusive) shall be constructed so as to provide sound attenuation against external noise, to achieve the good standard for internal noise levels specified BS8233:2014 of LAeq/T living rooms 35dB, dining rooms 40dB and bedrooms 30dB (night time) with windows shut and other means of ventilation provided. Details of the acoustic insulation and mechanical ventilation system shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. No dwelling, on the above mentioned plots, shall be occupied unless and until a validation report has been submitted to demonstrate compliance with the approved internal noise levels in the properties. The assessment shall be carried out in accordance with a methodology to be agreed with the Local Planning Authority. The measured noise levels shall be at, or lower, than the levels set out above. If the noise levels are not approved by the Local Planning Authority, no dwelling shall be occupied unless and until additional noise mitigation measures have been implemented and further noise monitoring has been carried out to demonstrate compliance with the required noise levels. The approved sound attenuation measures approved shall be retained in full thereafter.

Reason

To safeguard the living conditions of future occupiers from noise pollution from St Helens Road and adjacent industrial/commercial uses and in order to comply with Bolton's Core Strategy policy CG4 and the NPPF

16. TRAVEL PLAN

No dwelling shall be occupied until a Travel Plan, which shall include notification of the appointed Travel Plan Co-ordinator for the development, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include but is not confined to:

- a) the key actions and incentives for encouraging access to the site by modes other than the car
- b) a timetable for implementation; and,
- c) how the Action Plan and the Review Measures as proposed will be implemented throughout the lifetime of the development.

The approved Travel Plan shall be implemented in accordance with the implementation timetable

Reason

A full Travel Plan is required in order to promote more sustainable travel choices in accordance with Core Strategy policy P5 and the NPPF.

17. ROADS DETAILS

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

Reason

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

18. CAR PARKING

Prior to the occupation of the dwelling house(s) hereby permitted a provision shall be made for the

parking of motor vehicle(s) adjacent to (each of the) dwelling house(s) in the area identified for that purpose on the approved plan Site Layout drawing number NS003_SL_001m. The (those) area(s) shall thereafter be retained at all times for that purpose.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway in accordance with Bolton's Core Strategy policies S1, P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

19. CHARGING POINTS

Prior to the first occupation of each dwelling, hereby permitted, the applicant shall install at 1 Electric Vehicle fused spur capable of powering a 7kW 'fast charger' point for that dwelling.

Reason

To encourage the uptake of ultra-low emission vehicles and improve air quality in accordance with Core Strategy policy CG4 and the National Planning Policy Framework and to meet requirements of s106 agreement.

20. PROW

Before first use of public open space, hereby approved, a scheme detailing improvements to the Public Right of Way (WES 118) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details Before first use of the approved public open space.

Reason

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

21. LIGHTING DESIGN STRATEGY

Prior to first occupation of any of the dwellings, a lighting design strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall:

- provide details of external lighting/floodlighting within individual plots, 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.
- Identify areas/features on site that are potentially sensitive to lighting for bats;
- Show how and where lighting will be installed (through appropriate lighting contour plans) so that it can be clearly demonstrated that any impacts on wildlife are negligible (in particular bats);
- Specify frequency and duration of use;
- Timescales for implementation of the approved lighting design strategy.

The approved external lighting scheme / strategy shall be installed in accordance with the agreed specifications, locations and timescale/phasing as set out in the strategy.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution. In addition any works on site could harm protected species that crosses the site if not properly managed so details of the matters set out above must be submitted and agreed in advance of works starting in line with Bolton's Core Strategy policies GG1, CG3 and CG4 and the NPPF.

22. BIRD/BAT BOXES

No above ground construction works shall take place until a scheme for the enhancement of the site