

Planning Applications Report

Planning Committee

27th June 2019

**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
04735/18



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Development Management Section

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Bolton
Council

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Date of Meeting: 27/06/2019

Application Reference: 04735/18

Type of Application: Full Planning Application
Registration Date: 01/11/2018
Decision Due By: 30/01/2019
Responsible Officer: Monika Dubacka

Location: LAND AT DORSET CLOSE, FARNWORTH, BOLTON, BL4

Proposal: DEMOLITION OF EXISTING DERELICT GARAGE COLONY AND ERECTION OF 2/3 STOREY BUILDING COMPRISING 8NO. SELF CONTAINED RESIDENTIAL APARTMENTS (3 ONE BED AND 5 TWO BED) TOGETHER WITH ASSOCIATED WORKS TO INCLUDE LANDSCAPING AND PARKING

Ward: Farnworth

Applicant: Next Stage A Way Forward Limited
Agent : Walker Design

Officers Report

Recommendation: Approve subject to conditions

Executive summary

- * The principle of a residential apartment block in this location was established through the granting of planning permission ref.94453/15 for 7 no. apartment in 2016
- * The current scheme is for 8no. flats including 3 one bed and 5 two bed apartments
- * When compared with the previous scheme that main differences are:
 - i. no significant changes to the overall footprint, building line, size and scale of the proposed building;
 - ii. previous scheme proposed 7no. 2 bed flats, the current scheme is for 8no. flats including 3 one bed and 5 two bed;
 - iii. previously proposed Juliet balconies have been replaced with recessed balconies to provide private amenity space for the upper floor flats;
 - iv. two car parking space have been removed and a bin store relocated to accommodate the ground floor apartment no.3; and
 - v. 1.2m-1.5m high hedgerow would be planted to the front to provide a level of privacy for front garden areas for apartments 1 and 2.
- * Details of landscaping and boundary treatments to be secured by a planning condition
- * Internal layout discussed in paras 15 and 45
- * Impact on neighbouring properties discussed in paras 50-76
- * No objections have been received from the Pollution Control officers in relation to noise (please see paras. 42-44) contamination issues (please see para 93)
- * No objections have been received from Highways (please see paras 77-85)

- * One objection letter has been received from an occupier of an neighbouring property to the west of the application site (para 104)
- * The proposal is recommended for approval subject to planning conditions

Background

1. In 2015 a planning application ref. 94453/15 was submitted for demolition of garages and erection of 7no apartments together with associated parking and landscaping. Due to a number of objections received, this application was deferred to the Members of the Planning Committee for the decision and was granted planning approval in August 2016.
2. Since then a new application was made for 8 no. apartments and whilst the Council's constitution has been revised, given that the previous application was determined by the Planning Committee and that the proposal would result in an increase number of the proposed apartments (when compared with 2016 approval), this application is also being referred to Planning Committee for determination.

Proposal

3. Planning permission is sought for the demolition of the existing garage colony and the erection of block of apartments together with associated parking and landscaping. The original plans submitted with this application indicated 11no. of apartments, however, through the course of this application the proposed plans were amended and the number of proposed apartments reduced to eight.
4. Three of the proposed apartments will have 1 bedroom (apartments nos. 3, 6 and 7) and five will have 2 bedrooms (apartments 1, 2, 4, 5 and 8) accommodated in a part-two-storey and part-three-storey building which would have a two storey element to the rear.
5. The proposed mix is as follows (excluding floor area of the proposed recessed balconies):
 - Apartment 1 (2 beds) – 58m²
 - Apartment 2 (2 beds) – 56m²
 - Apartment 3 (1 bed) – 47m²
 - Apartment 4 (2 beds) – 52m²
 - Apartment 5 (2 beds) – 50m²
 - Apartment 6 (1 bed) - 44m²
 - Apartment 7 (1 bed) -38.2m²
 - Apartment 8 (2 bed) - 50m²
6. Access to the car park area would be via a new side entrance formed in Back Balmoral Road which can be accessed from either Balmoral Road or Dorset Close. Four car parking spaces are proposed along with a cycle store and bin store. The proposal would also include several improvements to the existing adopted and unadopted roads which serve the site.

Site Characteristics

7. The site is located to the west of Farnworth Town centre and is set within a densely populated area with a variety of properties in terms of mix, type, size and architecture. The site is bound by the unadopted Dorset Close to the west, whilst to the south is the rear access ginnel for the houses fronting Balmoral Road. The site backs on to an active vehicle scrap yard to the east, where general dismantling of cars for resale and metal recycling is carried out.
8. The existing garages are vacant and have become dilapidated and subject to vandalism.

Policy

The Development Plan

9. Core Strategies Policies: CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing and RA2 Farnworth

Other material considerations

10. National Planning Policy Framework (NPPF).
11. Supplementary Planning Documents: General Design and Accessibility, Transport and Road Safety.

Analysis

12. 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.
13. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.
14. 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 housing provision;
 - provision of affordable housing;
 - impact on the character and appearance of the surrounding area;
 - impact on the living conditions of existing and future residents;
 - impact on the highway network and parking;
 - impact on crime and the fear of crime;
 - impact on the environment;
 - other matters

Principle of residential development

16. The principle of redeveloping the site for residential purposes was established in 2016 through the granting of permission for the erection of 7 apartments (Reference 94453/15). The NPPF advocates that housing applications should be considered in the context of the presumption in favour of sustainable development. The site is previously developed land and its development would constitute effective use of land in accordance with the NPPF.
17. Given that the site is defined as brownfield land, is located within an urban area, is in an accessible and sustainable locality it is considered that the principle of developing the site for residential purposes continues to be acceptable.

Impact on housing provision

18. All new housing developments should contribute towards the provision of a balanced mix of dwellings within the local area in terms of size, type, tenure and affordability.
19. The apartments will vary in size between 38.2m² and 58m². The National space standards for

residential units are as follows:

- 1b 1p single storey dwelling = 37m²
- 1b 2p single storey dwelling = 50m²
- 2b 3p single storey dwelling = 61m²
- 2b 4p single storey dwelling = 70m²

20. Typically, the one bed should have a floor space on approx. 43m² and two bed apartments should have a floor space of 55m² or more to provide an adequate living space. However, it is noted that the internal space of the proposed upper floor apartments was reduced to accommodate a much-needed private amenity space in the form of the proposed balconies.
21. The submitted plans show that 2 of three 1 bed flats would have a floor area of more than 42m² and 2 out of five 2 bed flat would have a floor space above 55m², with the remainder of the others just marginally below this. It is noted that apartment 7 would only have an internal floor area of 38.2sm however this apartment would be provided with a sizable balcony which would add an additional 6 sq.m to its floor area. The proposed development is therefore considered acceptable in this regard.
22. Officers note that the proposal would provide a modest contribution to housing provision in the Borough.

Provision on affordable housing

23. Given that only 8 residential units are proposed there is no requirement for the developer to provide any affordable housing provision within the site.

Impact on the character and appearance of the surrounding area

24. Policy CG3 of the Core Strategy seeks to ensure that new development proposals contribute to good urban design in that they are compatible with/improve their surroundings, create a safe, secure environment and are accessible by people with a range of mobility and physical ability.
25. Paragraph 124 of the revised NPPF highlights that good design is a key aspect of sustainable development and is indivisible from good planning.
26. The Council's General Design SPD reiterates these points, advising that buildings that are well-designed contribute to the quality of the street scene and provide good living environments for their occupiers. It further advises that where conversions are acceptable in principle, they should respect the need to ensure a reasonable standard of amenity for both occupants and neighbouring properties. The SPD further advises that applications for the various residential forms of development including flats will be expected to make provision for storage, within the site(s), for waste collection/recycling bins as appropriate. Such facilities should be appropriately sited and screened.
27. The adjacent dwellings are all principally two-storey and whilst the proposed building is part two/part three storeys, the overall maximum height of the building would only be approximately 1.3m higher than the adjacent dwellings along Dorset Close. It is also noted that the proposed scheme is very similar to the one approved in 2016 (ref. 94453/15) with only small changes to its design and the number of proposed units.
28. The currently proposed apartment block would have the same footprint as the previously approved scheme. It would incorporate a contemporary appearance to the front with a projecting window feature which spans the height of the building and adds interest and a focal point to this

elevation. The application forms states that the building would be constructed from a mixture of red bricks and white render. To ensure that the materials proposed are of a high quality a condition will be attached requiring the submission of samples prior to above ground construction.

29. The proposed floor plans have been amended to show that upper floor apartments will be provided with balconies (which would be recessed into the façade of the proposed building) whilst the ground floor flats would have a small areas of amenity space located to the front and/or rear of the proposal. Whilst the submitted site plan shows hedgerow and some planting to the front and rear it lacks detail. The detailed landscaping and boundary treatment plan would need to be secured by condition.
30. Despite differing in its internal layout, the proposal is largely similar to that approved under 94453/15 (extant until 12/08/2019) in terms of the scale and massing. In light of this, and subject to conditions to secure high-quality materials and a landscaping, the development is considered to accord with Core Strategy Policies CG3 and RA2.

Impact on the living conditions of existing and future residents

31. Core Strategy Policy CG4 states that development shall be compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Development should not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.

Future Occupiers

32. All new development, alterations and extensions to existing buildings should provide potential users with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout.
33. To the rear of the site is a scrap/vehicle dismantling yard which has the potential to cause issues in respect of noise.
34. The agent has submitted a noise assessment to which the Council's Pollution Control team raised no objections. However, noted the following, the Council does not have an internal noise level requirement with windows open. The internal level limit is as specified in BS 8233:2014. This is regardless of whether the window is open or closed. If these levels cannot be achieved with the windows open, alternative means of ventilation will be required. In this instance the internal levels can be achieved with windows partially open, but trickle vents have been recommended due to LMax exceedances during the night.
35. In view of the above the Pollution Control team recommended a planning condition should be imposed which would ensure that the windows of all habitable rooms are acoustically double glazed, and that alternative means of ventilation, which must be sound attenuated are implemented in accordance with details in the submitted noise assessment to safeguard residential amenity of future occupiers.
36. With regards to the internal layout of the proposed, this is set in the 'impact on housing provision above and it is noted that whilst some of the rooms would be provided with an upper floor window to prevent overlooking of surrounding properties, each habitable room would be provided with at least one normal size window or a balcony door that would provide an adequate level of light and outlook.
37. The General Design SPD outlines amenity space standards for flat/apartment development. It

advises of either 5sqm balcony space per unit or 18sqm adequately screened amenity space per unit. The revised plans show that each upper flat would be provided with a recessed balcony with ground floor flats having an amenity space to the front or/and rear of the building in accordance Policy CG4 of the Core Strategy and the General Design SPD.

38. To address the above guidance the floor plans have been amended to introduce recessed balconies to the upper floor flats of c. 5-6 sq.m in area. In addition, the rear upper window to the bedroom 2 in apartment 2 was replaced with a patio door and the rear amenity space divided into two to provide a private amenity space for ground floor apartments 2 and 3.
39. The rear garden for the apartment 3 would cover an area of approx. 17.6 sq.m. Whilst the rear garden for the apartment 1 would only cover an area of approx.15 sq.m it is noted that this unit will also benefit from a sizeable front garden (subject to landscaping) would provide an adequate private amenity space. Similar arrangements would apply to Apartment 1 which would be provided with c. 18 sq.m of private amenity space at the front of the building.
40. Bin storage is to be in an area of the car park to the rear of the building and it is expected that the bin provision would be as a commercial premise rather than individual bins per unit. It is considered that there is sufficient space for bin storage for the proposed apartments as a result and details are to be secured by a planning condition.

Neighbouring Residents

41. There are several residential dwellings immediately adjacent to the site. The development will result in the existing garages being demolished. It is not considered that the proposed residential use will increase instances of noise and disturbance over and above the previous garage use and is a compatible use in this context.
42. There would be habitable and non-habitable room windows located at all three levels in the southern side elevation. The full-length vertical windows would serve a stairwell, whilst the three horizontal windows would be secondary habitable room high level windows (approx. 1.8m above floor level) to prevent any direct overlooking.
43. A distance of approximately 8m would be maintained to the rear common boundaries of the residential dwellings along Balmoral Road and approximately 13m to the main rear elevations. In order to prevent any unacceptable loss of privacy/overlooking to the dwellings along Balmoral Road a condition has been attached to ensure these windows are all obscurely glazed and non-opening.
44. There would be three habitable room windows located at all three levels in the northern side elevation of the main building and a further habitable room window at first floor level in the two-storey rear element. All these windows are secondary habitable room high level windows which are approximately 1.8m above floor level to prevent any direct overlooking. In addition, a condition has been attached to ensure these windows are all obscurely glazed to prevent any direct overlooking into No.3 Dorset Close.
45. There would be principal habitable room windows introduced into the western front elevation at all three levels. It is also noted that the plans have been amended and recessed balconies have been introduced to the front and rear of the first and second floor flats.
46. Directly to the front of the site is Dorset Close beyond which are the rear elevations of the residential dwellings sited along Leinster Street. The dwellings along Leinster Street are set at an angle away from the proposed development. Whilst this is not an extension to a residential

dwelling, the principles of the adopted House Extension SPD can be applied in this case.

47. Guidance contained within the General Design Principles SPD (Section 3) considers that a distance of 21 metres should be maintained between facing houses (i.e. 'directly' facing principle habitable room windows.) A distance of approximately 8.5m would be maintained to the nearest rear boundary at No.26 Leinster Road and approximately 13m to the further rear boundary at No.36 Leinster Road which is considered acceptable in respect of the rear yard areas of the residential dwellings along this section of Leinster Road.
48. In respect of the habitable room window to habitable room window interface distances, a minimum distance of approximately 17m would be maintained to the main two storey rear elevation of the nearest dwelling at No.26 Leinster Road and approximately 21m to the further rear two storey elevation at No.36 Leinster Road. Whilst it is recognised there is a shortfall in the interface distances between the proposal and Nos 26, 28 and 30 Leinster Road, it must be noted that the windows do not directly face and are offset enough to justify a reduction in the normally acceptable interface distances.
49. In addition, the previously proposed Juliet balconies have been replaced with the balconies that would be recessed within the façade of the building. Given that the proposed balconies would not project from the elevation of the proposed apartment block, the outlook from them would be the same as from a Juliet balcony door or a larger window.
50. Furthermore, the distances between the proposal and these dwellings roughly reflects the distances between the juxtaposition of existing residential dwellings along Dorset Close and the dwellings on Leinster Road.

Loss of Light/Overbearing.

51. The interface guidelines detailed within the General Design Principles SPD include the impact on light and the scale of dwellings to be taken into consideration. This SPD considers that a distance of 13.5m should normally be maintained between a principal ground floor habitable room window and a two storey extension and 9m between a neighbouring elevation which contains a principal habitable room window and a facing wall of a single storey extension.

Balmoral Road

52. The proposal would introduce a 'stepped' design with the proposed apartment block being part two/part three storey with the height of the proposal on the southern elevation at approximately 7m.
53. In respect of the dwellings located along Balmoral Road, only No.58 would directly face the proposal. No.58 Balmoral Road has principal habitable room windows at both ground and first floor level which would directly face the proposal. Notwithstanding the above, the habitable room window at ground floor level directly faces their rear yard brick wall which is approximately 2.4m in height. As such it is considered that the outlook from this window is already severely restricted and the proposal would not exaggerate this to any further unacceptable degree.
54. At first floor level, and due to the amended design, an interface distance of approximately 14.6m would be maintained between the proposal (at first floor level) and the first floor habitable room windows. Using the principles of the House Extensions SPD, a distance of 14.6m is considered more than acceptable at first floor level.
55. An interface distance of approximately 17m would be maintained between the other dwellings along this section of Balmoral Road and the rear two storey element, which is also considered

acceptable.

Leinster Road

56. Nos 28 to 36 Leinster Road would face the three-storey front elevation of the proposal. Due to the juxtaposition of these dwellings in relation to the proposal, interface distances ranging between 15m and 20m would be maintained to the main two storey rear elevations of these dwellings which is considered acceptable to prevent any unacceptable loss of light and outlook to these dwellings.

Dorset Close

57. As stated above the proposed development comprises a three-storey main building and two storey rear extension. The height of the main building is approximately 9.1m, whilst the adjacent dwelling at No.3 Dorset Close is approximately 7.8m.

58. No.3 Dorset Close has a single storey rear extension which projects approximately 2.5m beyond the main rear elevation. The proposed three storey element would not project beyond the single storey rear extension and would not project beyond a 45-degree line taken from the midpoint of the nearest principal habitable room window at first floor level of No.3 Dorset Close.

59. In addition, the proposal would be set in approximately 0.7m to the side/rear common boundary and approximately 2m from the side elevation of the dwelling itself. It is considered therefore that this element of the proposal would not result in an unacceptable impact in terms of loss of light or overbearing on the occupiers of No.3 Dorset Close.

60. In respect of the two-storey rear element this would be approximately 6.2m in height and would be set in 4.2m from the side/rear common boundary. It is considered therefore that this element of the proposal would not result in an unacceptable impact in terms of loss of light or overbearing on the occupiers of No.3 Dorset Close.

61. As such, it is not considered that the proposal would result in an unacceptable impact upon the residential amenity of neighbouring occupiers in accordance with policy CG4 of the Council's Core Strategy.

62. Furthermore, the current proposal would, if built, remove an unsightly number of derelict garages in a highly sustainable location adjacent to existing residential properties.

Impact on the highway network and car parking

63. Paragraph 109 of the NPPF (2018) 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.

64. 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.

65. The proposal provides for 8 apartments. Four parking spaces are proposed to support the level of development. This falls below the Council's parking standards and there is a concern about the potential for overspill parking onto the surrounding highways to the detriment of residential amenity.

66. Acting on the fact that the proposal is to provide assisted living spaces and that the site could be considered reasonably accessible to sustainable transport modes, this in some respects would provide an element of justification for the relaxation of the Councils parking standards for this development. The site is located within an accessible location which is served by good public transport links allowing for trips on foot and public transport.
67. The car park will be accessed via a new entrance into the site from the access road to the rear of the dwellings along Balmoral Road. The Councils Highway Engineers have assessed the site layout and advised that accessing the site off Back Balmoral Street is acceptable in principle but recognise that Dorset Avenue is an unadopted section of highway that is maintained by the street managers (frontages) at that location.
68. The made-up section from Dorset Avenue to no. 3 Dorset Close has been widened to approximately 6m wide but is in a poor state of repair. The remaining length to Balmoral Road is only approximately 5.2 - 5.5m wide and is in a poor unmade condition. The condition of the street is likely to deteriorate under the impact of construction traffic and is likely to be unsuitable to serve new development. It would be unfair for the existing residents to have to pay to bring the street up to an acceptable standard.
69. The proposal is considered acceptable subject to following roads being improved to adoptable standards (Applicant funded):
- 70. Back Balmoral Street along the site frontage at its existing width.
 - 71. Dorset Close along the site frontage widened to 6m.
 - Dorset Close from Balmoral Road to Back Balmoral Road at its existing width.
 - Whilst these improvements would bring Dorset Close up to adoptable standards, it must be noted that it is not the Councils intention to adopt Dorset Close but to bring about improvements to the surrounding roads.
 - Consequently, the Local Planning Authority find no substantive evidence that the proposal would lead to a significant increase in on-street parking or have any consequential impact upon highway safety in accordance with policies P5 and S1 of the adopted Core Strategy and the guidance within the NPPF.

Impact on Crime and the Fear of Crime

72. Core Strategy policy S1 seeks to ensure that the design of new development will take into account the need to reduce crime and the fear of crime.
73. The main access to all apartments is via a door on the rear elevation. Whilst not desirable to have an access from the rear of the building, with restricted natural surveillance, there is activity in the immediate area due to the properties along Dorset Close and also the fact that the car park for the proposal is located in this area.
74. This was accepted during consideration of the previous proposal. To increase levels of security in this area, a condition has been attached requiring details of external lighting. In respect of the access to the car park a condition will be attached to ensure that the access to the site is gated and can only be accessed by and via the future occupiers of the proposal.
75. Subject to appropriate conditions requiring the lighting and security measures to be incorporated in the proposal, it is considered that the proposal is in accordance with policy S1 of adopted Core Strategy.

Impact on the environment

76. Core Strategy policy CG2 seeks to ensure that new residential development proposals of 5 or more residential units are built to (a) achieve a Level 3 of the Code for Sustainable Homes, (b) reduce carbon dioxide emissions from the dwellings and (c) a reduction in surface water run-off from the development.

Drainage

77. The application site is not located within a critical drainage area or Flood Zones 2 or 3. Policy CG2 states, amongst other things, that proposals for 5 or more residential units should aim for a minimum reduction in surface water runoff rates of 50% for brownfield sites. The Council's Drainage Engineer has recommended a condition requiring a full surface water drainage scheme, using Sustainable Urban Drainage Systems.
78. United Utilities have advised that whilst the drainage proposals are acceptable in principle, it is advised that foul and surface water should combine at the last manhole prior to leaving the site. Surface water should be restricted to a maximum pass forward flow rate of 5 l/s. An informative has been attached for the applicant's attention in this regard when it comes to preparing the drainage scheme.
79. It is considered that with the imposition of conditions that the development would accord with policy CG2 of the adopted Core Strategy.

Contaminated Land

80. The Council's Environmental Health Team has assessed the report and have found that it is unsatisfactory. The report assessed the risk from the current use of the site and not for the proposed redevelopment. A preliminary risk assessment needs to assess the contamination risks associated with the proposed redevelopment. As it was accepted that this could be secured by condition with the previous application, a condition has been attached to this permission to ensure that a suitable assessment is carried out prior to the commencement of development.

Sustainability

81. The application has not been supported by a Sustainability Report. In the supporting Design And Access Statement, it is stated that the developer *"has accepted their responsibilities and will adopt the 'Considerate Contractor' scheme, and retain an element of recycling and recovery of reusable materials as part of its management and sustainable policy"*
82. The applicant's submission makes no reference to incorporating decentralised, renewable or low carbon energy sources to reduce CO2 emissions of predicated regulated and unregulated energy use by 10%. An appropriate condition can be attached for the developer to consider these elements with the build.

Ecology

83. Greater Manchester Ecology Unit have noted that Japanese knotweed appears to be present on the site and have recommended a condition to agree a method for the eradication, control and avoidance measures, to be agreed prior to any earthworks.
84. The garages are clearly very low risk for bats, many of the buildings having no roof. Greater Manchester Ecology Unit are satisfied that no bat assessment is required. As bats turn up in unexpected locations, an informative has been attached for the applicant's attention.
85. Given the nature of the site, the presence of birds nesting cannot be ruled out. All British birds

nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. Whilst the Ecology Unit have recommended a condition to prevent works to trees at certain times of year, this condition would not meet the tests for adding a condition as it duplicates other legislation. An informative has been attached for the applicant's attention.

86. Subject to the necessary planning conditions it is considered that the proposal would comply with policy CG2.

Other matters _

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

Conclusion

88. For the reasons discussed above, it is considered that the proposed development of the site would comply with development plan and therefore the application is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters: one letter of objection has been received - concern with overshadowing, over looking and an increase in traffic for which the infrastructure could not cope.

Petitions: none received

Elected Members: none received

Consultations

Advice was sought from the following consultees: Drainage, Pollution Control, Highways, Economic Strategy, Strategic Development, Design for Security, Greenspace Management, Adult and Community Services, Children's and Adult Services, Strategic Housing, Primary Care NHS Bolton and Greater Manchester Ecology Unit.

Planning History

94453/15 Demolition of garages and erection of 7no apartments together with associated parking and landscaping – approved with conditions.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to any earthworks a scheme for the eradication and/or control and/or avoidance measures of Japanese knotweed have been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for its implementation. The scheme shall be carried out as approved. Should there be a delay of more than one year between the approval of the scheme and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority.

Reason

To ensure the safe development of the site and eradication of an invasive species - Japanese knotweed in accordance with Policy CG2 of Bolton Council's Core Strategy and the National Planning Policy Framework

Reason for pre-commencement condition

To ensure that any necessary mitigation measures concerning the eradication and/or control and/or avoidance measures Japanese knotweed are implemented at the appropriate time as it could affect how construction works are planned and carried out.

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples or full details of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason

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

4. Upon the first installation the windows of all habitable rooms shall be acoustically double glazed in accordance with details in the approved Noise Assessment by AEC, ref P3828/R1/MR, dated 8 April 2019 and retained thereafter. Alternative means of ventilation, which must be sound attenuated, shall also be provided as detailed in the above mentioned approved noise assessment.

Before the first occupation of the development hereby approved, the Site Completion Report shall be submitted to and approved in writing by the Local Planning Authority and validate that all works undertaken on site were completed in accordance with those agreed by the Local Planning Authority. All mitigation measures shall thereafter be retained.

Reason

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

5. Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority:

- i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority
- ii) Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration. Provision of a comprehensive site investigation and risk assessment examining identified potential pollutant linkages in the Preliminary Risk Assessment should be presented and approved by the Local Planning Authority
- iii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation
- iv) During the period of construction, should any additional and unforeseen contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate remediation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed remediation measures
- v) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

Reason

In the interests of public safety in accordance with Core Strategy policy CG4 and the National Planning Policy Framework

Reason for pre-commencement condition

Any works on site could affect any contamination which may be present and hinder the effective

remediation of any contamination causing a risk to the health of future occupiers and harm to the environment, hence the initial investigation must be carried out before works commence.

6. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

Reason

To ensure foul water from the site is adequately drained in accordance with policies CG1.5 and CG2.2 of Bolton's Core Strategy and the National Planning Policy Framework

Reason for pre-commencement condition

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

7. Prior to the commencement of the development, surface water drainage works shall be implemented in full in accordance with details that have been submitted to and approved in writing with the Local Planning Authority. Before these details are submitted an assessment shall be carried out submitted to and approved in writing with the Local Planning Authority, 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.
 - iii) 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

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:

89. NPPF

90. Water Framework Directive and the NW River Basin Management Plan

91. 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.

8. Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, boundary treatments (including details of balcony guards), planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

i) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within 18 months of first occupation of the

development hereby permitted, whichever is the later.

ii) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.

Reason

To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policies CG1 and CG3 of Bolton Council's Core Strategy the National Planning Policy Framework.

9. Prior to the commencement of any above ground an energy assessment of the approved development shall be submitted to the Local Planning Authority. The submission shall include a scheme which details how either (i) renewable energy technology or (ii) an alternative scheme e.g. enhanced insulation shall reduce CO2 emissions of predicted energy use of the development by at least 10% and include a timetable for how this is to be achieved. The approved scheme shall be installed in accordance with the approved timetable and retained and maintained in perpetuity thereafter unless agreed by the Local Planning Authority.

Reason

In the interests of tackling climate change and to comply with Core Strategy policy CG2 and the National Planning Policy Framework

Reason for pre-commencement condition:

The solution for the energy supply of the development to be secured from decentralised and renewable or low-carbon energy sources must be understood prior to works commencing on site as it could affect how construction works are planned and carried out.

10. Notwithstanding the approved plans and prior to the commencement of development full details of the highway works at:

i) Back Balmoral Street along the site frontage comprising improving it to adoptable standards

ii) Dorset Close along the site frontage comprising of widening to 6m and improvement to adoptable standards

iii) Dorset Close from Balmoral Road (up to and including Back Balmoral Road) comprising of improvements up to adoptable standards

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 Core Strategy policies S1 and P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

Reason for pre-commencement condition

To ensure that any necessary mitigation measures concerning the safety and operations of adjacent roads are implemented at the appropriate time.

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

Reason

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

Reason for pre-commencement condition

Any changes to land level and finished floor levels must be understood prior to works commencing on site as it could affect how construction works are planned and carried out.

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

Reason

To safeguard the character and appearance of the locality and to prevent light pollution and in order to comply with Bolton's Core Strategy policies CG3 and CG4

13. Before the approved development is first brought into use no less than 4 car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be marked out provided within the curtilage of the site, in accordance with Drawing Ref: 1434.P.12.1.F (proposed site plan). Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Reason

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

15. Upon first installation of the first floor all windows in the northern and southern elevations (at all levels) shall be either non opening or with openings more than 1.8 metres above the finished floor level and fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely) of the Pilkington Glass scale (or equivalent) and shall be permanently retained in that condition thereafter.

Reason:

To safeguard the amenity of and existing characteristics of the area and for the benefit of neighbouring residents in accordance with Core Strategy Policy CG4 and the National Planning Policy Framework.

16. Before the development hereby approved is first occupied or brought into use details of on-site cycle parking storage to be provided within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented in full before the

development hereby approved is first occupied or brought into use and retained thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists and in order to comply with Bolton's Core Strategy policies S1, P5 and Supplementary Planning Document "Accessibility, Transport and Road Safety".

17. 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. Prior to first occupation a scheme for the provision of a secure vehicular access to the site from Back Balmoral Road shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of the location, design, and full specification within the site and the approved scheme shall be implemented in full prior to the occupation of development and retained thereafter.

Reason

In the interest of crime and design and in accordance with Core Strategy policy S1 and the National Planning Policy Framework

19. No dwelling shall be occupied until the access roads, footways and footpaths leading thereto have been constructed and completed in accordance with a scheme which shall be submitted and improved in writing by the Local Planning Authority prior to the commencement of development. .

Reason

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

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

Location Plan drawing number 1434.P10

A Proposed Site Plan drawing number 1434.P.12.1.F (received on 11/06/2019)

A Proposed Floor Plans drawing number 1434.P.14.1.F (received on 11/06/2019)

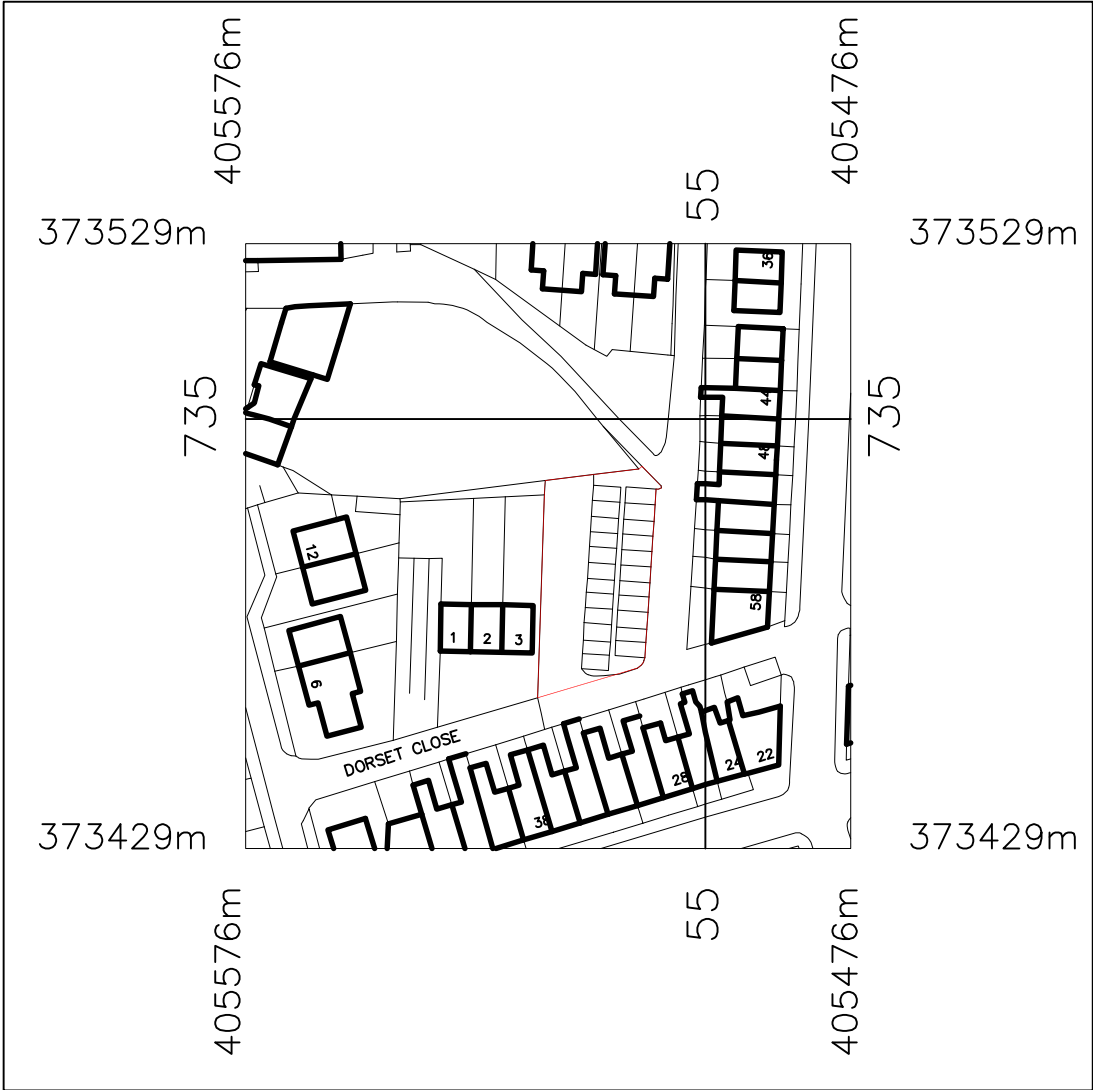
A Proposed Floor Plans Sheet 1 off 2 drawing number 1434.P.20.1.D (received on 11/06/2019)

A Proposed Floor Plans Sheet 2 off 2 drawing number 1434.P.21.1.D (received on 11/06/2019)

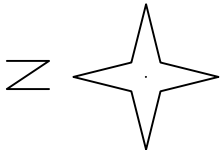
Noise Assessment ref. P3828/R1/MR, prepared by AEC, dated 8 April 2019

Reason

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



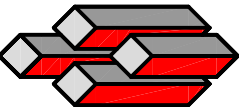
Stanfords VectorMap



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NEXT STEP 'A WAY FORWARD' LIMITED CLIENT	DORSET CLOSE FARNWORTH BOLTON PROJECT	EXISTING SITE PLAN TITLE	1434.P.11.1 DRAWING NO.	1:100 SCALE@A1	PJO DRAWN	 WALKER DESIGN UNIT B, FIRST FLOOR, LOSTOCK OFFICE PARK, LYNSTOCK WAY, BOLTON, BL6 4EG TELEPHONE: 01204 357822 EMAIL: INFO@WALKER-DESIGN.NET

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 TELEPHONE: 01204 957022 EMAIL: info@walker-design.net

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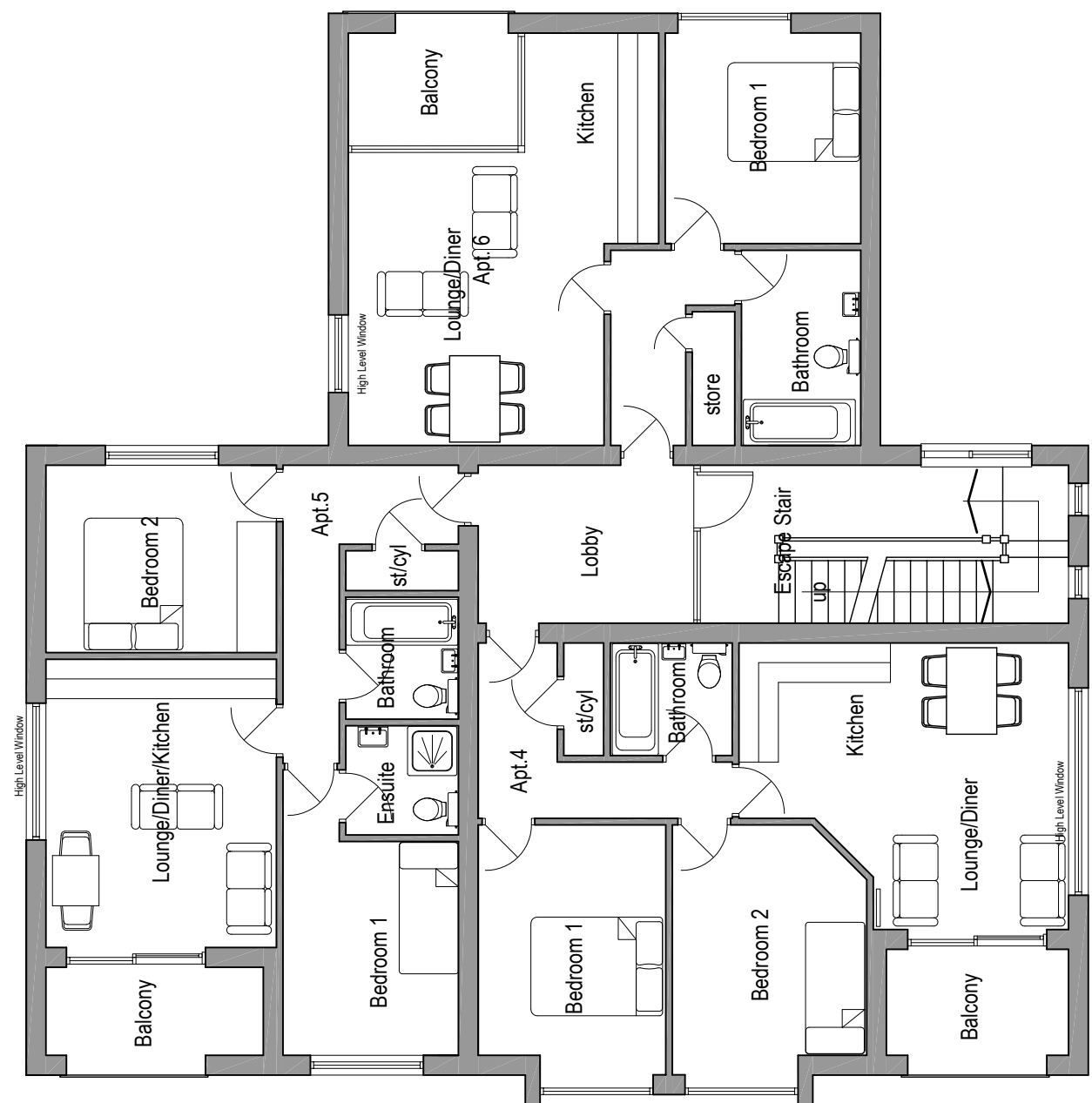
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DRAWING NO.

TITLE

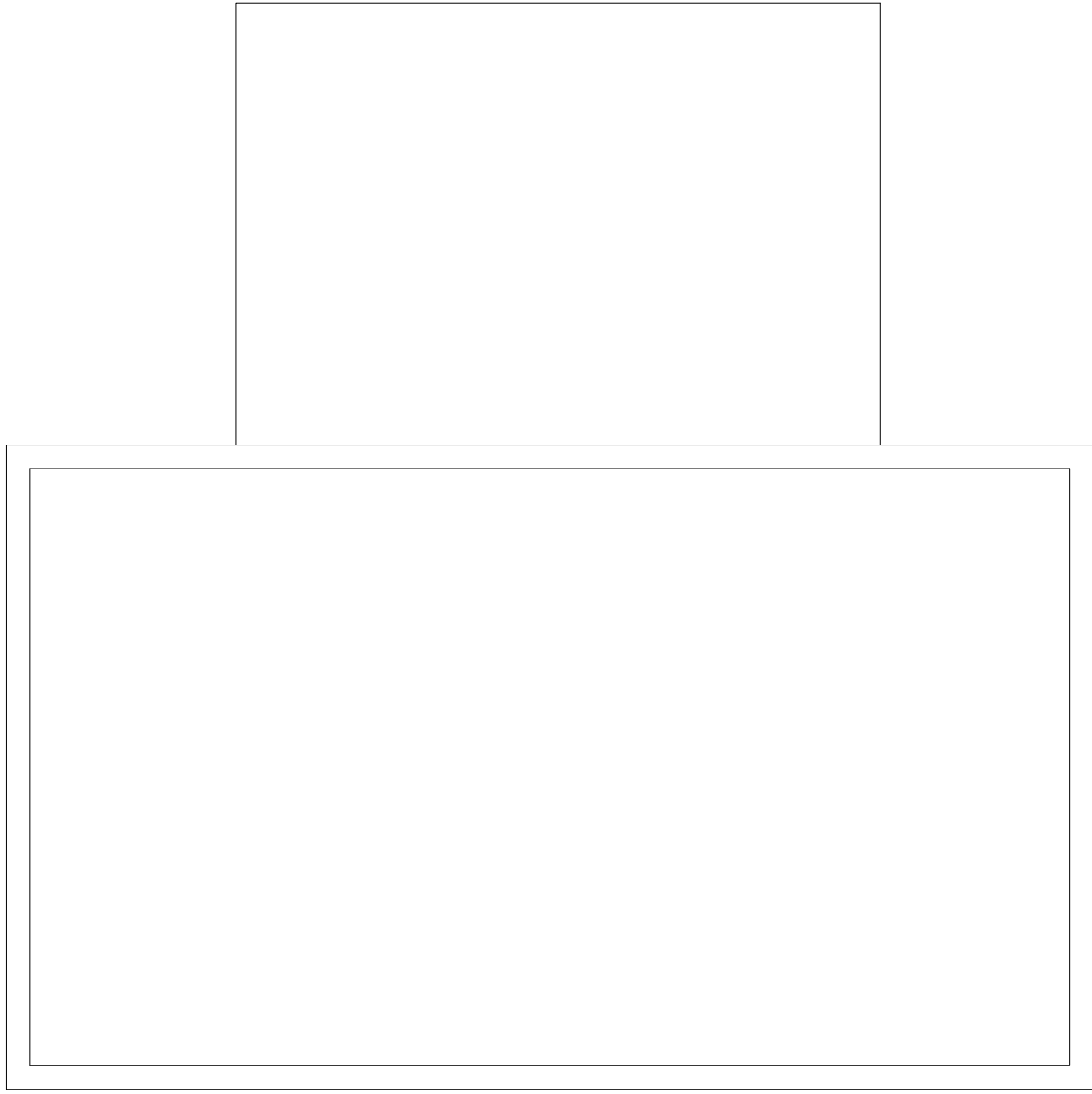
DORSET CLOSE FARNWORTH BOLTON
PROJECT

CLIENT

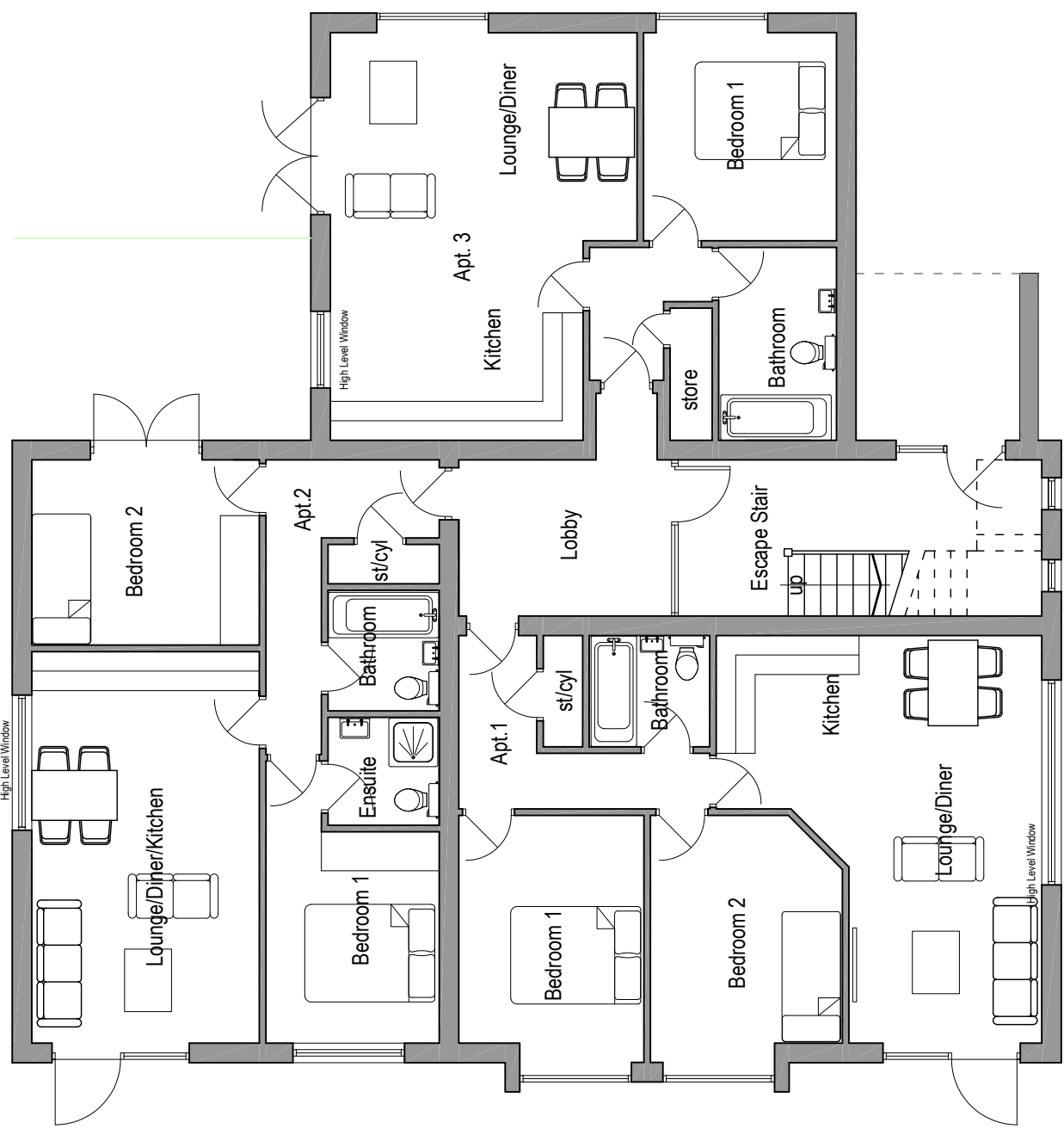
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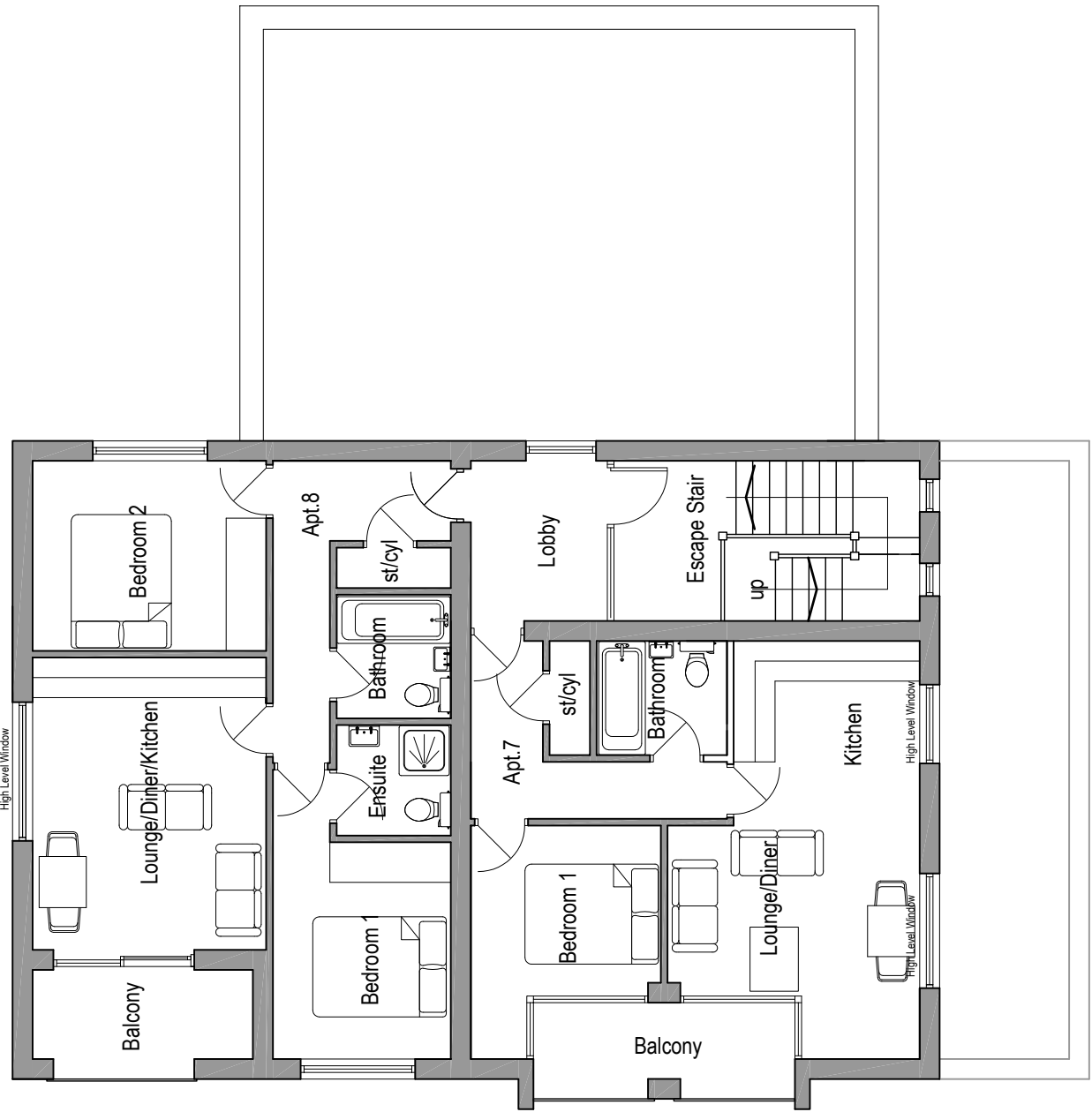
PROPOSED FIRST FLOOR PLAN
Gross Floor Area: 175m² = 1883sqft
Gross Floor Area Apartment 4: 52m² = 560sqft
Gross Floor Area Apartment 5: 50m² = 538sqft
Gross Floor Area Apartment 6: 44m² = 477sqft



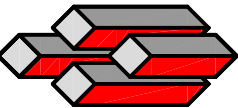
PROPOSED ROOF PLAN



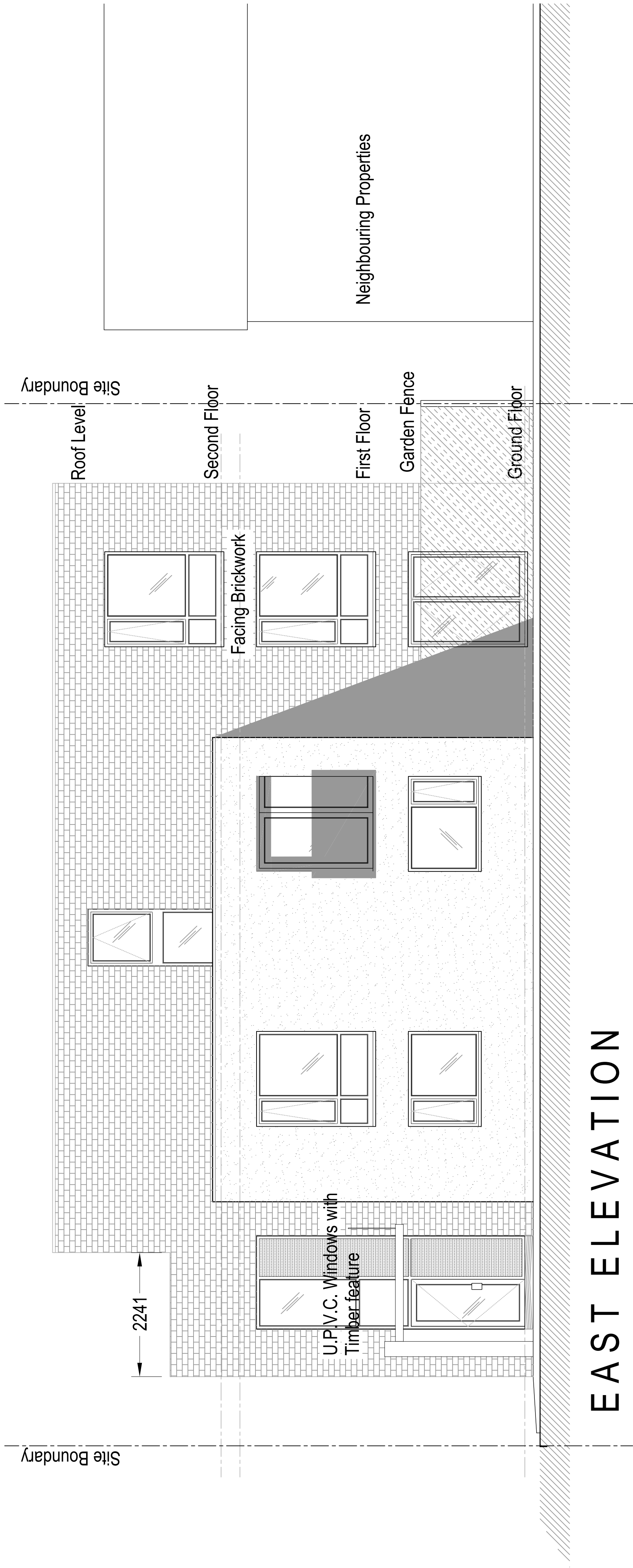
PROPOSED GROUND FLOOR PLAN
Gross Floor Area: 190m² = 2045sqft
Gross Floor Area Apartment 1: 58m² = 624sqft
Gross Floor Area Apartment 2: 56m² = 602sqft
Gross Floor Area Apartment 3: 47m² = 505sqft



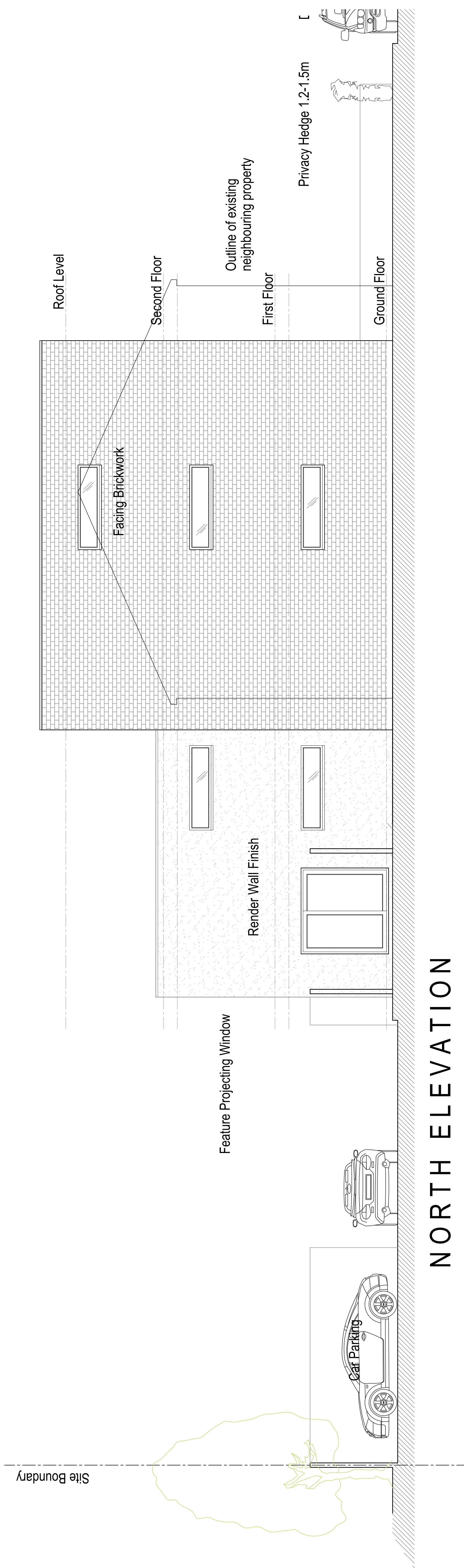
PROPOSED SECOND FLOOR PLAN
Gross Floor Area: 108m² = 1173sqft
Gross Floor Area Apartment 7: 38.3m² = 412sqft
Gross Floor Area Apartment 8: 50m² = 538sqft

NEXT STEP ' A WAY FORWARD ' LIMITED CLIENT	DORSET CLOSE FARNWORTH BOLTON PROJECT	A PROPOSED FLOOR PLANS TITLE	1434.P.14.1.F DRAWING NO.	1 : 100 SCALE@A1	PJO DRAWN	 WALKER DESIGN UNIT B, FIRST FLOOR, LOSTOCK OFFICE PARK, LYNSTOCK WAY, BOLTON, BL6 4EG TELEPHONE: 01204 357822 EMAIL: INFO@WALKER-DESIGN.NET

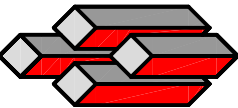
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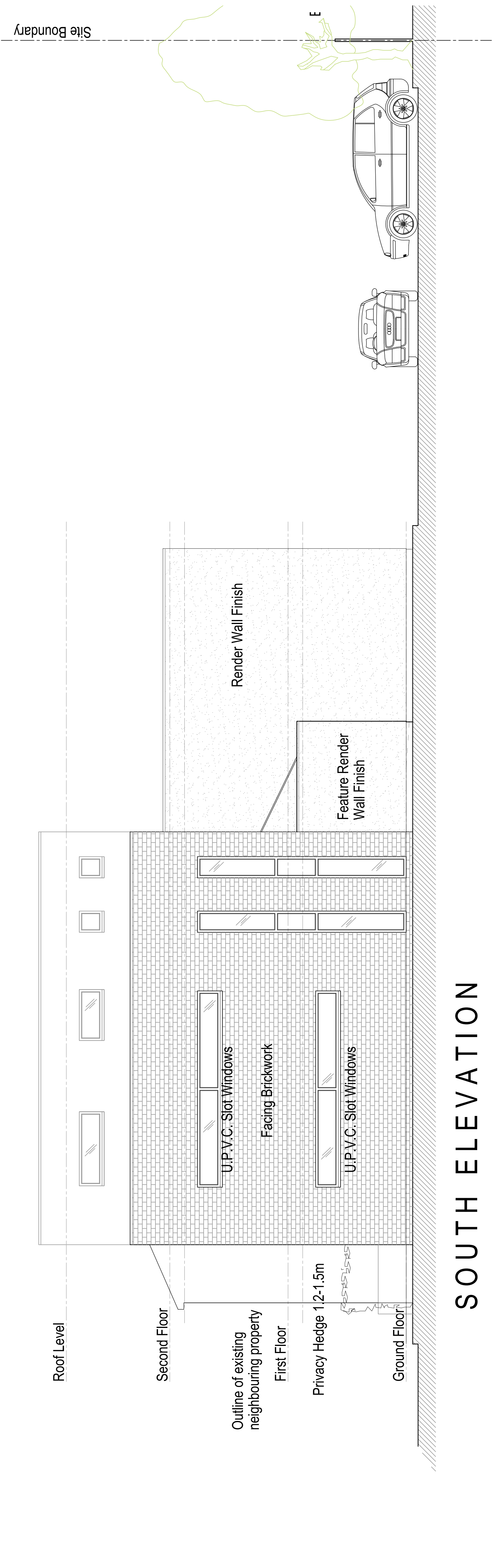
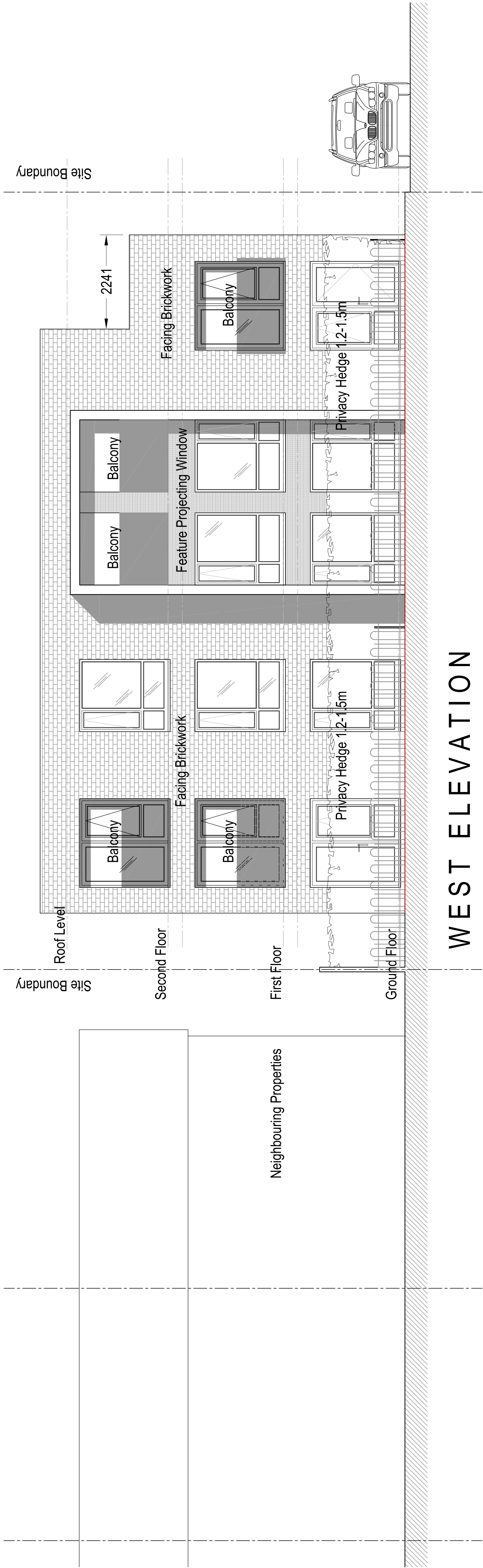
EAST ELEVATION



NORTH ELEVATION

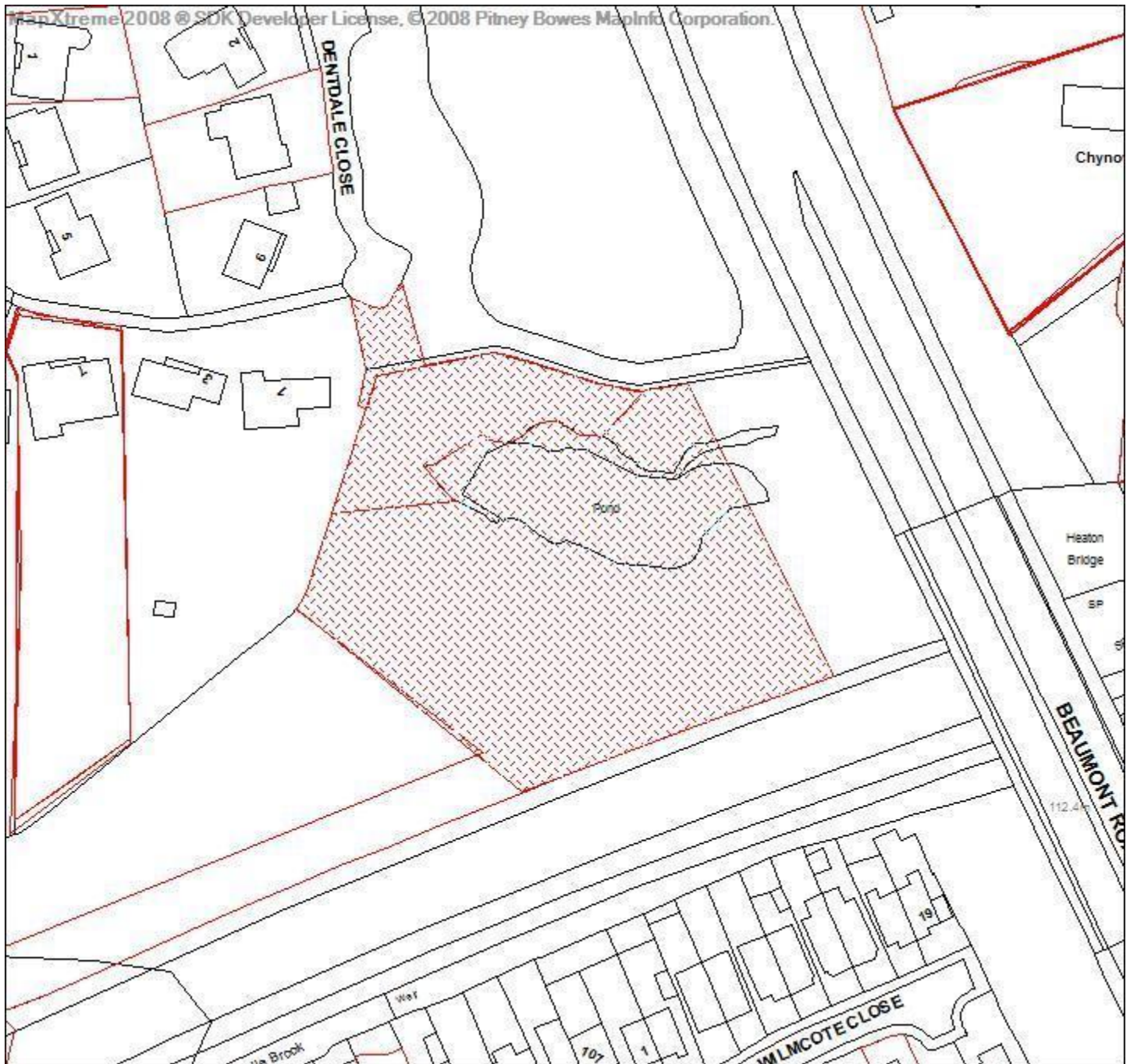
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Application number 04802/18



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: 27/06/2019

Application Reference: 04802/18

Type of Application: Outline Planning Permission

Registration Date: 20/11/2018

Decision Due By: 14/01/2019

Responsible Officer: Kara Hamer

Location: LAND SOUTH OF DENTDALE CLOSE, LOSTOCK, BOLTON

Proposal: OUTLINE APPLICATION FOR THE ERECTION OF THREE DETACHED DWELLINGS, (ACCESS AND LAYOUT DETAILS ONLY). INCLUDING RETENTION OF LAND TO THE SOUTH AS A WILDLIFE CORRIDOR.

Ward: Heaton and Lostock

Applicant: Mr McCabe

Agent : JPE Consultancy Limited

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- * This is a greenfield site within the urban area. The site is unallocated.
- * The layout and access to three detached dwellings is proposed within this outline application. Matters of appearance, scale and landscaping would be sought within a subsequent Reserved Matters application.
- * No objections have been received from any statutory consultees, including Network Rail, Greenspace Management, Trees, Highways, Drainage, Landscape and Pollution Control.
- * It is considered that the proposal complies fully with all relevant policies.

Proposal

This is a resubmission of outline application 01567/17, which was for the erection of four dwellings (access and layout details only). This application was withdrawn by the applicant in October 2017 upon Officers' advice, relating to the potential impact on protected trees and the wildlife/biodiversity corridor which runs through the site.

Outline permission (means of access and site layout details only) is now sought for the erection of three detached dwellings on the 0.45 hectare greenfield site.

Access is proposed is from Dentdale Close. A total of nine on site parking spaces are proposed.

Site Characteristics

This is a greenfield site within the urban area. The central area of the site was formerly a pond (now infilled) and is at a lower ground level than Dentdale Close (approximately 5 metres lower).

Dentdale Close is a cul-de-sac and is accessed off Glengarth Drive.

Residential uses surround the site to all sides. The site is bound to the east by Beaumont Road. Middle Brook (watercourse) and a rail line lie to the south of the site. A Wildlife Corridor tracks from east to west off site to the south of the site and also tracks from north to south through the centre of the site.

Protected trees (Bolton [Lostock Sidings, Beaumont Road] TPO 1994) line the north, west and part of the east site boundaries.

Directly to the north of the site is a grassed area that is designated as recreation land and owned by Bolton MBC.

Policy

Core Strategy policies: CG1 Biodiversity; CG3 Built Environment; CG4 Compatible Uses; S1 Highway Safety; P5 Accessibility; SC1 Housing Development; OA5 North Bolton.

SPD Accessibility, Transport and Safety; SPD General Design Principles

National Planning Policy Framework (NPPF)

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.

The main impacts of the proposal are:-

- * principle of development
- * impact on the character and appearance of the area
- * impact on the highway
- * impact on residential amenity
- * impact on biodiversity

Principle of Development

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Paragraph 11 of the NPPF states for decision making this means approving development proposals that accord with an up-to-date development plan without delay.

This is a greenfield site within the urban area. Residential uses surround the site to all sides. The residential proposal fits with the surrounding residential character of the area. Greenspace management have not objected to the proposal being close to a designated Green Corridor or loss of recreational land. The proposal would contribute, albeit in a very minor way, to housing provision within the Borough.

Directly to the north of the site is a grassed area that is designated as recreation land and owned by Bolton MBC (Certificate B submitted; Corporate Property Services have been consulted and have not

responded).

Impact on the Character and Appearance of the Area

Core Strategy policy CG3 seeks to ensure that development conserves and enhances local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area. Development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Area policy OA5 seeks to conserve and enhance the character of the existing physical environment, and that new development respects the large amounts of open space and the open aspects to North Bolton.

The site is a greenfield site, which is open in nature. Protected trees line the north, west and part of the east site boundaries.

Access would be taken off Dentdale Close, a residential cul-de-sac. Dwellings on Dentdale Close and Clough Meadow to the west are detached and occupy similar size plots. The proposed dwellings would face north and would sit in a row centrally within the site. The proposed dwellings would be sited at a lower level than those on Dentdale Close. Vehicular access and parking would be at the front (north). The domestic curtilage/garden plots proposed are modest in scale.

Layout is the only 'design' matter applied for within this outline application. It is considered that the site can comfortably accommodate the three detached dwellings and access road, and that the layout would be compatible with the character and appearance of the immediate area.

Detail including design, scale, materials palette, boundary treatments and landscape would be sought within a subsequent Reserved Matters application.

It is considered that the principle of residential development at this location would not be out of keeping with the character of the surrounding area and as such the proposal is considered to comply with Core Strategy policies CG3 and OA5.

Impact on the Highway

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

Proposed vehicle and pedestrian access is from Dentdale Close, via a bridged ramp (with a 1 in 5 gradient) which would extend from the end of existing cul-de-sac. A total of nine on site parking spaces are proposed. Vehicular access and parking would be at the front (north) of the dwellings.

The Council's Highway Engineers have assessed the proposal and have raised no objections. The access would not be adopted by the Council and therefore would remain private (it would need to be maintained at the applicant's expense).

It is therefore considered that subject to conditions to ensure adequate parking (to comply with the Council's parking standards for the level/size of development and to be agreed at Reserved Matters) and to ensure the carriageway and radii comply with private road widths (under the Council's standards), the proposal complies with Core Strategy policy S1 and P5.

Impact on Residential Amenity

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

The proposed dwellings would be sited in excess of 30 metres from the nearest house at 1 Dentdale Close. The distance between the properties therefore exceeds the requirements of the relevant SPD (21 metres) (General Design Principles 2015). The dwellings to the south at Wilmcote Close are sited at a lower level and are in excess of 60 metres in interface.

The private amenity/garden areas allocated to each proposed dwellings is considered acceptable.

Whilst the location of facing windows would be determined at Reserved Matters stage, the proposed dwellings are not considered to have any impact on the residential amenity of surrounding dwellings.

Middle Brook (watercourse) and a railway line lie to the south of the site. United Utilities and the Council's Floodrisk Team have raised no objections to the proposal. The applicant submitted a Phase I Preliminary Risk Assessment to support the original (withdrawn) application 01567/17, prepared by LK Consult Ltd dated 5th July 2017. The report states that the site was formerly a quarry with a pond/reservoir which has since been infilled. The surrounding area has experienced little development historically and mainly been developed for residential use from the early 1950s. The report lists potential pollutants (some as high risk) and concludes that Phase II intrusive investigations are recommended and details the tests advised. It is therefore considered that the site can be made suitable for the proposed residential use.

It is considered that the proposal would not unduly harm the amenity of either neighbouring or future residents, compliant with Core Strategy policy CG4.

Impact on Biodiversity

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

Residential uses surround the site to all sides. The site is bound to the east by Beaumont Road. Middle Brook lies to the south of the site. A Green corridor tracks from east to west off site to the south of the site and also tracks from north to south through the centre of the site. Protected trees line the north, west and part of the east site boundaries.

Greenspace Management

The Council's Greenspace Management Officers have been consulted on the proposal and have raised no objections and note that, "the proposed site is presently lowland mixed broadleaf woodland which is a UK Biodiversity Action Plan (BAP), Greater Manchester BAP and Bolton BAP habitat. It is also a habitat of principal importance for the purpose of conserving biodiversity, as listed in Section 41 of the Natural Environment & Rural Communities Act 2006 which confers duty upon local authorities by Section 40 of the Act, to consider its protection for biodiversity. It is also part of a Wildlife Corridor designation within the Council's Local Plan, which is aimed at maintaining a coherent ecological network of biodiversity links. Lying within one of the B-Lines, as determined by the national Buglife Project, the site provides links for pollinators and confirms the Council's commitment and support for the National Pollinator Strategy 2014. The Updated Ecological Survey and Assessment (October 2018-339) confirms that presence or otherwise of protected species and the extent that they may be affected by the proposed development has been established, therefore the planning permission may be determined with all relevant material consideration in relation to biodiversity having been addressed in making the decision".

Further to these comments, Greenspace Management Officers advise upon "minimal encroachment" to the east and south of the site noting that damage to existing habitat will be restricted to some extent by tree protection. The usable corridor for wildlife includes the railway line and canalised river and the woodland to the east of Beaumont Road reduces the impact of the loss of habitat for the development. Some wildflower sowing is proposed within the scheme to aid nectar and foraging sources though note that natural rough habitat left to the east is of more benefit to pollinators than 'created' grassland". Greenspace Officers have advised upon the use of a condition to ensure suitable enhancement and protection of the Green Corridor, via Biodiversity Enhancement Measures within a detailed Habitat and Management Plan, Officers advise that this plan should be approved prior to commencement of development and implemented prior to first occupation of the dwellings.

Greenspace Officers also recommend conditions to ensure the eradication of Japanese Knotweed and for the provision of alternative accommodation for bats and nesting birds within the development.

Greater Manchester Ecology Unit (GMEU)

GMEU have commented that the updated ecology report only contains some limited suggestion for management of the retained wildlife corridor. They therefore recommend that a detailed habitat management and enhancement plan for the whole site should be provided, including full planting schedules and long term management and monitoring. As noted above the Council's Greenspace Management Officers have also advise upon a Habitat and Management Plan to be agreed with the LPA prior to commencement of development (as a planning condition).

Landscape

A detailed landscape plan (domestic and Biodiversity Enhancement Measures) and boundary treatments would be agreed at Reserved Matters stage with the LPA.

The Council's Landscape Officers were consulted and expressed concerns, which include:

- the proposed road construction would prevent rainwater from reaching a large area of the woodland floor, and
- proposed levels change and grading are unclear from the proposed dwelling finished floor levels to the rear garden boundaries, it is likely that retaining structures will be necessary to Plot 3, at the least.

It is considered that these matters could be dealt with through the more detailed Reserved Matters application.

Trees

Protected trees (Bolton [Lostock Sidings, Beaumont Road] TPO 1994) line the north, west and part of the east site boundaries. There are a number of trees that fall within the influence of the proposed development. The main impact on the trees is the proposed new access ramp from Dentdale Close down to the properties at the lower level. This will require a bridged access road over the root protection zones of two Oak trees (T4 & T2) of gradient approximately 1 in 5.

The Council's Trees and Woodland Manager has objected to the proposal and raised the following concerns;

- The Design & Access statement (D&AS) notes that, "a turning head is incorporated within the development to allow vehicles (including refuse trucks & commercial vehicles) to turn within the site and the proposed drives would be of sufficient size to allow parking for 3 cars (in line with the Council's maximum parking standards)". It is unclear how large/diameter the piles are going to be and there is single and double pile details on different drawings that have been submitted. Clarification is required as it is suggested that the piling required to support the elevated road and the weight of large machinery will need to be quite substantial. This will also require an Arboricultural Method Statement that details how the road is to be constructed and the

machinery used to enable the piling to be put in place without impacting upon the root protection zones of the trees.

- The D&AS also notes that *"The proposed access in to the site passes close to two existing Oak trees (T4 & T7) and a Sycamore (T9) that are to be retained. We propose to construct the access with a pile and ground beam bridging structure so that excavation is not required within the Root Protection Area (RPA) of the trees. The area of the suspended road construction is shown to the proposed site plan. A small part of the eastern section of the access and the drive to plot 3 are located within the RPA of a group of trees referred to in the tree survey as G10. This part of the access and the drive will be constructed with a cellular confinement system (Cellweb Tree Root Protection) in order to eliminate the need for excavation of the access road adjacent to these trees and to avoid the compaction of the tree roots within the RPA (area of cellular confinement system shown to proposed site plan)."* The section B-B drawing on the Design section plans show single pile construction, where the Piled retaining wall base details a double pile detail. In addition to this it is detailed that the eastern edge of the access ramp will need to be dug into the banking and this will be within approx. 2m of the stem of T7 Oak tree (Cat B1 tree), which is not acceptable and contrary to the above statement.
- The canopies of the trees within G10 are close to the proposed front elevation of Plot 3 and there will be pressure placed upon the trees for either pruning or future potential removal if the application is to be approved.
- T1 Sycamore tree will require removal due to the basal decay present on the tree.
- The services are detailed within the void of the road (section B-B drawing on the Design section), further assurance is required that this can be undertaken without the need to sink the water and gas pipes into the ground to required depths.
- Boundary fencing should not result in the loss of any trees if the application is to be approved.

Since these comments the applicant has submitted additional information which has addressed the concerns (above) over the increased area of suspended road way. The Council's Trees and Woodland Manager comments;

- The proposed *'Mini horizontal directional drilling (Mini HDD) between inspection chambers IC U01 and IC U02 to allow for installation of utility ducts within RPA of trees. Conventional utilities excavations to be made to other areas outside the RPA'* should be acceptable.
- Existing land levels to base of T9 to be maintained and must not be raised as detailed is acceptable.
- In addition it has been detailed that the 'edge of suspended road construction comprising pile and reinforced concrete beams to form platform for bonded gravel wearing course, in accordance with Structural Engineer's design. Wearing course to be permeable to allow moisture through'; this too is acceptable.

Conditions are recommended in order to ensure protective fencing of trees and root protection zones and for a method statement to detail the following construction elements;

- Arboricultural Method Statement – detailing the type of piling machine and how this is to access the site will be required as the fall in ground level from the northern end of the site to the lower flatter area is extensive and not conducive to vehicular access including the delivery of machinery without the need to prune retained trees.
- Arboricultural Method Statement – that details ground protection within the root protection zone during piling operations to prevent ground compaction.
- Arboricultural Method Statement /Timetable of works and phasing that details each stage of the development including works within the construction exclusion zone (during piling) and temporary movement of protective fencing to accommodate works.
- Full detailed specification for the three dimensional cellular confinement system (Geo-system) within the root protection zone of the trees to the north of plots 2&3.

Given the above consultee comments and subject to conditions, it is considered that the proposed development would comply with Core Strategy Policy CG1.

Other Matters

United Utilities have raised no objections to the proposal. The Council's Floodrisk Team have advised that the updated Flood Map for Surface Water (uFMfSW) maps produced by the EA predicts surface water flooding during a 1 in 30 year event for the location where the houses are to be built. Consequently, the applicant may consider implementing flood resilience measures to protect the properties from any future flooding and if applicable, proposed floor levels should be set no lower than the existing. Or floor levels within the dwellings should be set 300mm above the known or modelled 1 in 100 annual probability flood level.

Network Rail (NR) initially submitted a 'holding objection' to the proposal stating specific reasons; most relating to Demarcation Agreement (DA3304/RT) and the associated terms and conditions and covenants and also stating concerns for residents living close to railway lines (noise, vibration, hours of rail traffic, maintenance work). Since these comments were submitted the applicant has worked with Network Rail and the LPA has since received confirmation from NR that the holding objection is lifted however, the NR communication states that "all plans related to works carried out within 10 metres of our land need to be submitted to (NR's) Asset Protection for agreement and also (NR's) Property Services for consent".

The "tilted balance"/presumption in favour of sustainable development

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

Conclusion

Given the above detail, the outline application is considered, subject to recommended conditions, to comply with all relevant local and national planning policy and Members are therefore recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- 3 letters of objection have been received from nearby residents raising the following concerns: (planning officer's comments are shown in italics).

- loss of local wildlife;
- concern as to site suitability for housing (contamination, load bearing) - history (infilled quarry);
- access - site is 5m below Dentdale Close and a bridged ramp is proposed - unsuitable gradient for construction vehicles, future residents, visitors especially disabled people;
- felling of trees sited central to the site in 2017 has impacted on local wildlife - replacement trees have not been planted; *Officer comment - this occurred prior to the submission of this application*
- poor state of surface of Dentdale Road for construction vehicles and associated deliveries;
- 3 family homes would not contribute in a meaningful way to Bolton's housing targets;
- the new houses would not be in keeping with Dentdale Close; *Officer comment - as this is an outline application the design of the dwellings would be considered at the Reserved Matters stage*
- the development would affect house prices on Dentdale Close; *Officer comment - not a material planning consideration*
- loss of existing turning circle (end of cul-de-sac).

Points without Officer comment have been addressed in the main body of the report.

Elected Members:- Councillors Allen, Galloway and Morgan have requested that the application be heard before Committee. They also raise the following objections:

- The access will be steep, with a 3m drop on either side. There will be no footpath provision and would be dangerous;
- The proposed access road will eliminate the existing turning circle at the end of Dentdale Close which is needed for delivery vehicles and visitor parking;
- Access for refuse trucks will be problematic;
- A number of trees would be at risk;
- Harm to ecology and biodiversity. Compensation would be difficult to enforce by condition;
- The proposed access road would encroach on recreational land used and maintained by local residents;
- The development would overlook the houses on Wilmcote Close owing to the significant ground level differences.

Consultations

Advice was sought from the following consultees: The Council's Trees and Woodland Officers, Highways Engineers, Pollution Control Team, Landscape Officers, Greenspace Management Team, Drainage and Bridge Maintenance Team, Economic Strategy, Strategic Development Unit, Corporate Property Service, Greater Manchester Ecology Unit, Design for Security Greater Manchester Police and Network Rail.

Planning History

01567/17 - OUTLINE APPLICATION FOR THE ERECTION OF 4NO. RESIDENTIAL DWELLINGS (ACCESS AND LAYOUT DETAILS ONLY) - withdrawn by the applicant October 2017.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

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

Reason

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

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

Reason

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

3. The submission of a reserved matters application shall provide the following:-

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

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

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

Reason

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

4. The reserved matters submission shall include details of the existing and proposed ground levels within the site and on adjoining land including spot heights, cross sections and finished floor levels of all buildings and structures. The approved details shall be implemented in full and retained thereafter.

Reason

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

5. The reserved matters submission shall include a scheme for the Biodiversity Enhancement Measures (compensation for loss of part of the green corridor and the detailed habitat and management plan). The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

Reason

To ensure the favourable status of protected species and to comply with policy CG1 of Bolton's Core Strategy.

6. 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 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

7. Prior to the commencement of development of any works on site, the developer shall submit an arboricultural method statement detailing how the following elements of the site will be constructed without causing harm or damage to the protected trees found on the site to the Local Planning Authority. The specified areas are:
1. The type of piling machine and how this is to access the site will be required as the fall in ground level from the northern end of the site to the lower flatter area is extensive and not conducive to vehicular access including the delivery of machinery without the need to prune retained trees.
 2. Details of ground protection within the root protection zone during piling operations to prevent ground compaction.
 3. Arboricultural Method Statement /Timetable of works and phasing that details each stage of the development including works within the construction exclusion zone (during piling) and temporary movement of protective fencing to accommodate works.
 4. Full detailed specification for the three dimensional cellular confinement system (Geo-system) within the root protection zone of the trees to the north of plots 2&3.
- No development or site clearance shall take place until the Local Planning Authority has agreed the measures in writing, and these measures shall then be implemented fully in accordance with the approved details.

Reason

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

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

Reason

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

9. Prior to the commencement of all work, details shall be submitted to and approved in writing by the Local Planning Authority for alternative on-site bat and nesting bird accommodation and habitat. The approved scheme shall be implemented in full prior to first occupation of the development and retained thereafter.

Reason

To ensure the favourable status of protected species and to comply with policy CG1 of Bolton's Core Strategy.

10. Prior to the development hereby approved being first occupied or brought into use the means of vehicular access to the site from Access/Dentdale Close shall be constructed to a minimum width of 4.5m carriageway width/2 x 0.5m margins/5.0m radii (private-road width under the Councils standards to serve the number of dwellings proposed).

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

Reason

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

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

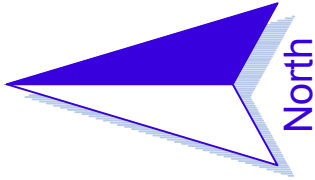
Location Plan/Existing Site Plan, 16/1139/101, 28.07.17
Site Layout indicating access road ground beam layout & details, 01a, 18.01.19
Proposed Site Plan, 16/1139/201H, 28.07.17
Design Sections, 16/1139/203C, 16.10.17
Site Plan with survey overlay, 16/1139/202/G, 28.07.17

Reason

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

Notes

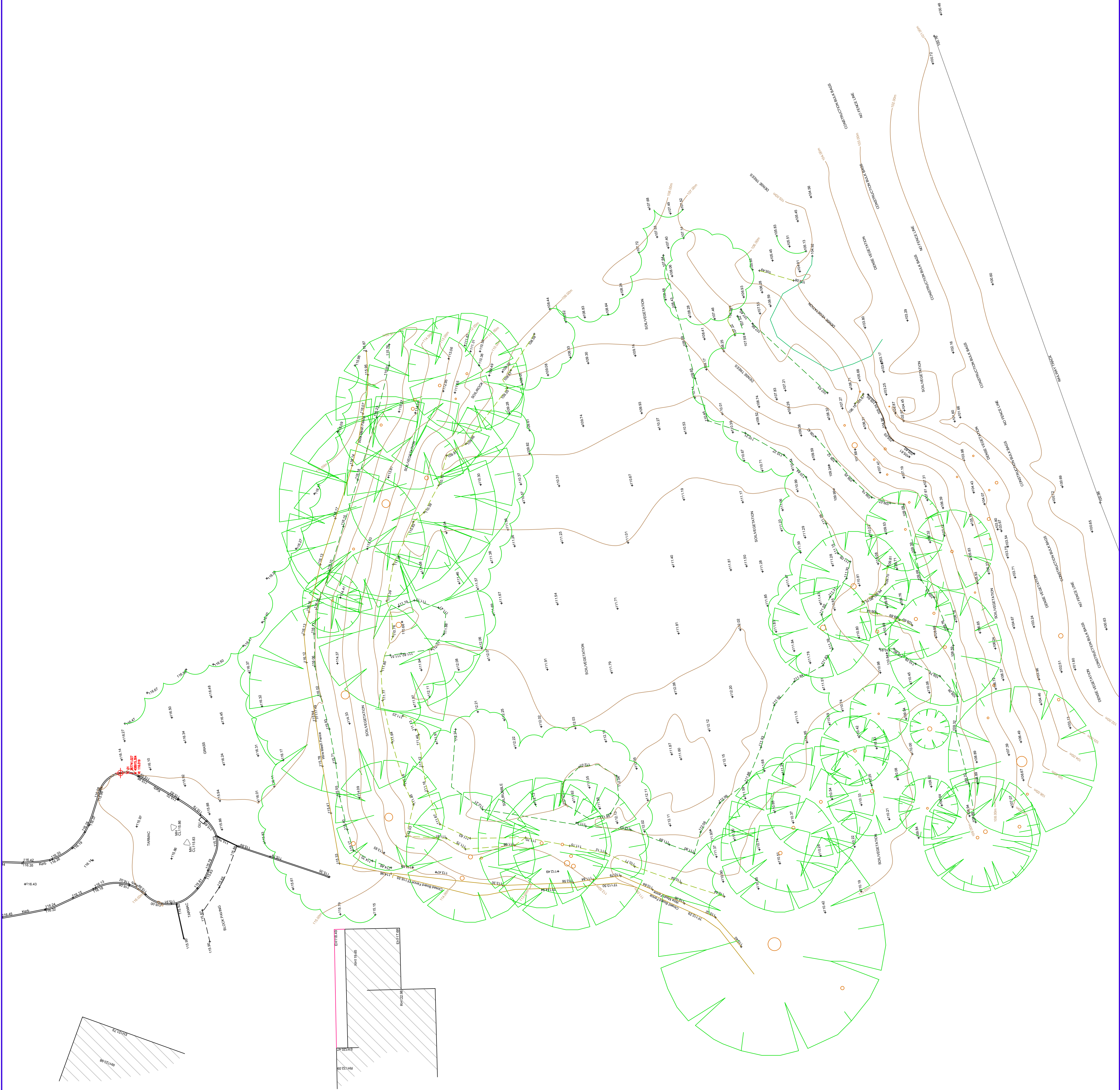
All Dimensions to be checked on site. Walls shown on plans are not to be assumed to be solid & should be checked for thickness, construction, load bearing capacity & stability.



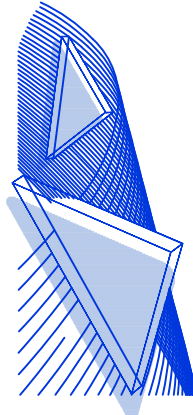
ABBREVIATIONS

- CL Cover Level
- EH Eaves Height
- GU Gully
- RH Rain Hole
- RC Road Centre Line
- TC TriCAD Control
- TF Top of Fence

NOTE
All levels are coordinates, relate to OSGB36(15) using CHSSE data.
Levels differing sign of ambiguity are observed at ground corners
(if any).



Rev 0 Description. Issued



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tel 01254 614055 fax 01254 209754 e-mail sales@tricadsolutions.co.uk

Site Address

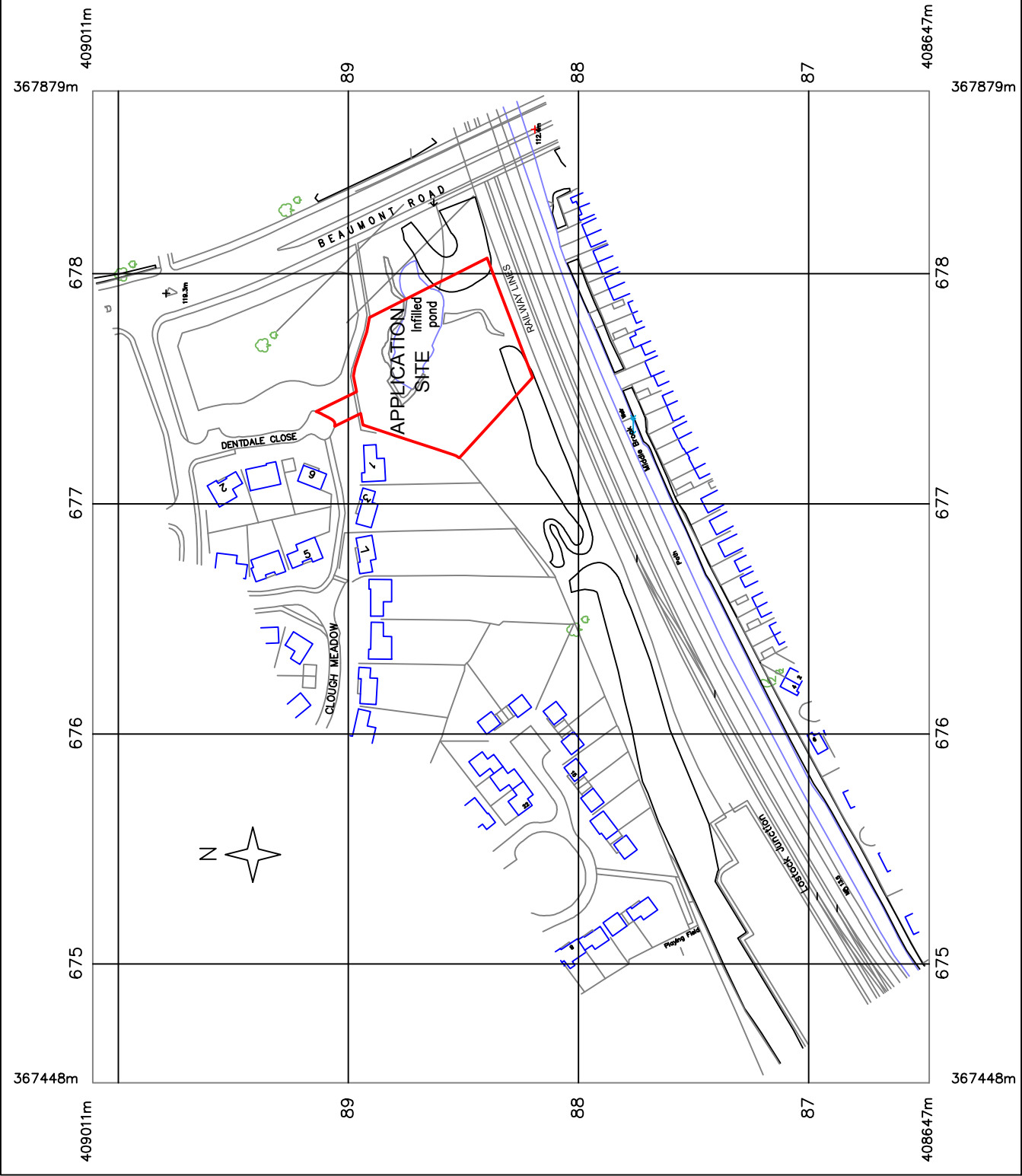
Land at
Dentdale Close
Lostock

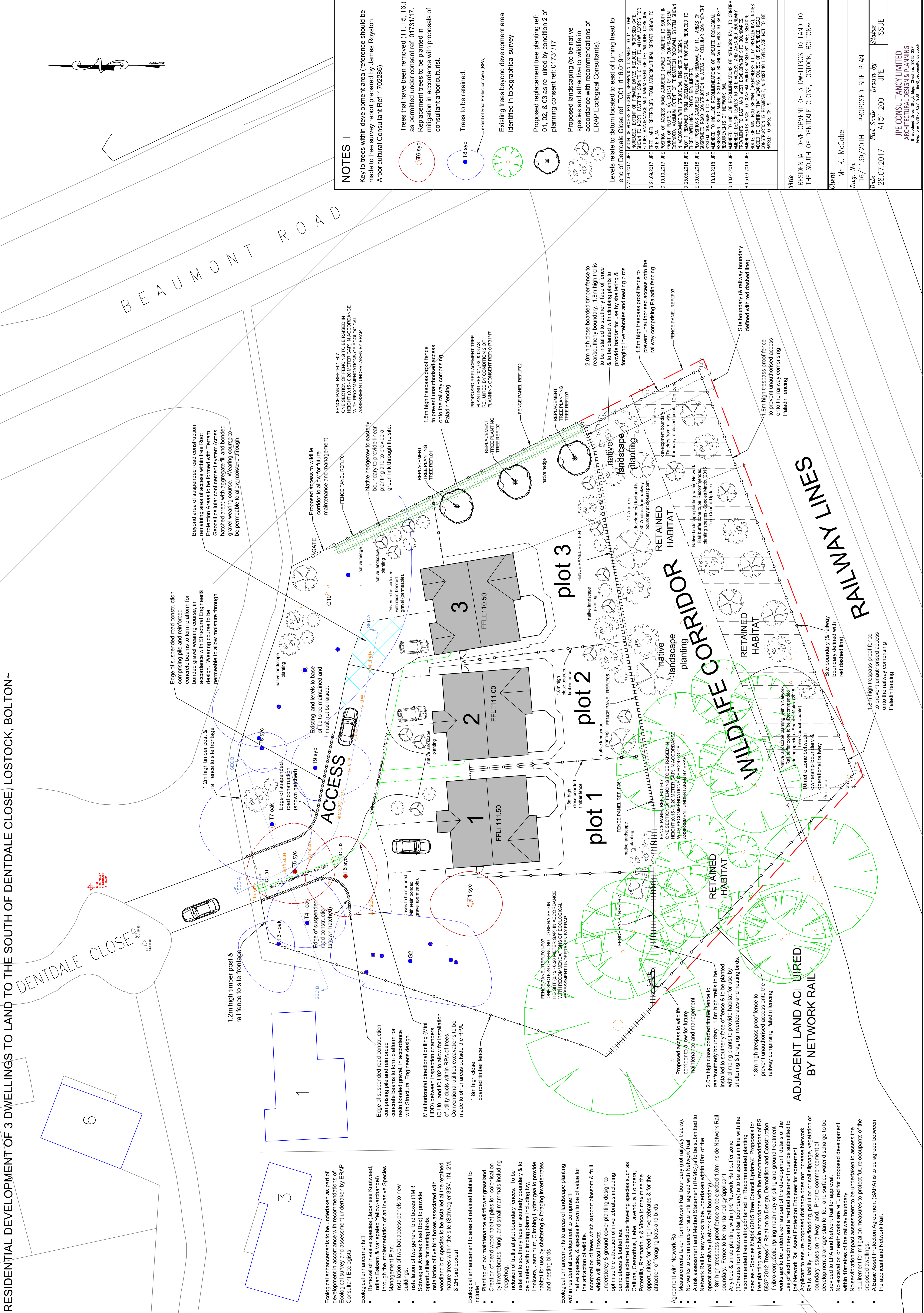
Project Description
Site Survey

Drawing Title
Existing Site Layout

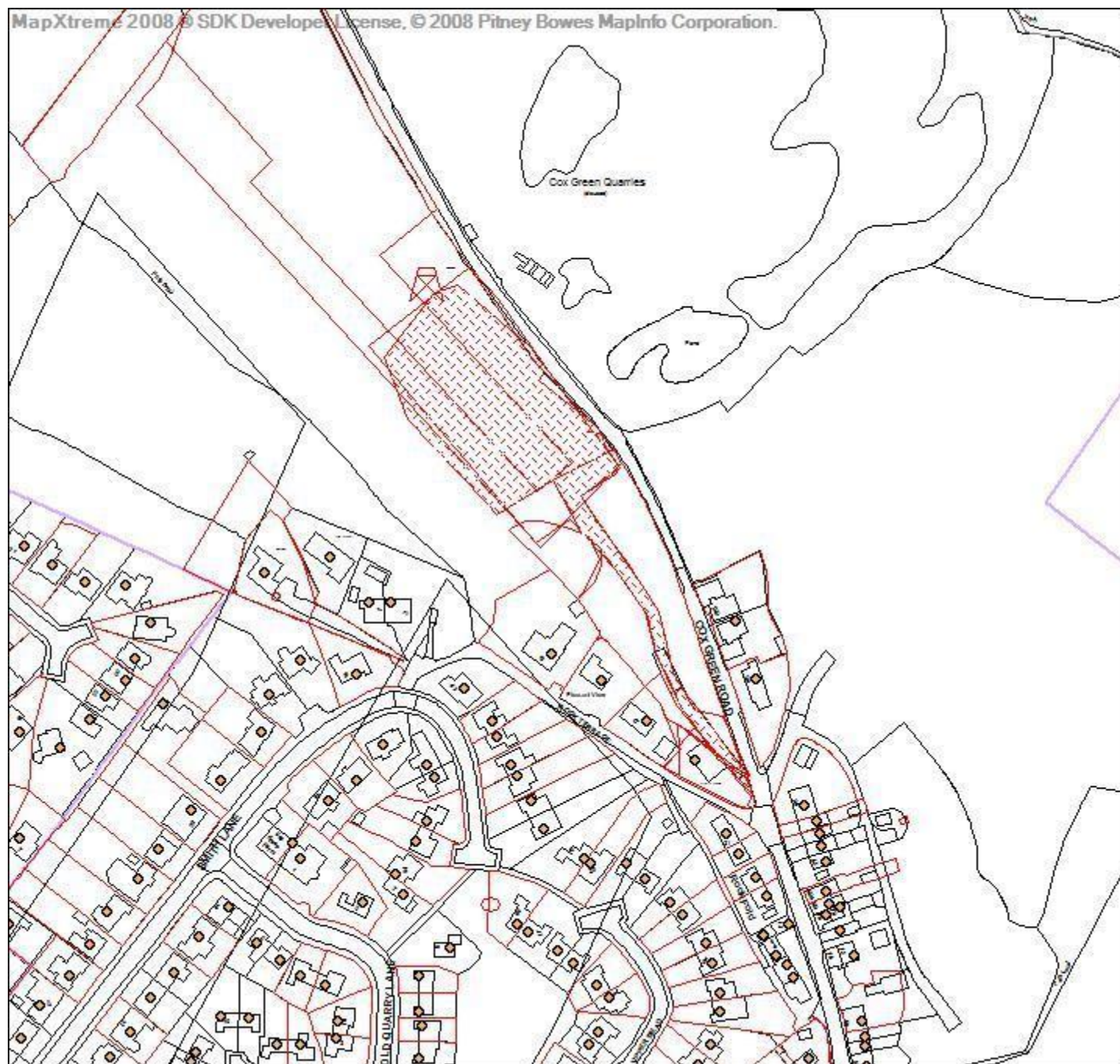
Scale	Date	Drawn By
1:200@A1	12/06/2017	AD
Drawing Number		

TRI-2023-01

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<div>Title</div> <div>RESIDENTIAL DEVELOPMENT TO LAND TO THE SOUTH OF DENTDALE CLOSE, LOSTOCK, BOLTON~</div>	
<div>Client</div> <div>Mr K. McCabe</div>	
<div>Dwg. No.</div> <div>16/1139/101 – LOCATION PLAN/EXISTING SITE PLAN</div>	
<div>Date</div> <div>28.07.2017</div>	<div>Plot Scale</div> <div>A3@1:2500</div>
	<div>Drawn by</div> <div>JPE</div> <div>Status</div> <div>ISSUE</div>
<div>JPE CONSULTANCY LIMITED</div> <div>ARCHITECTURAL DESIGN & PLANNING</div> <div>9 Woodend Drive, Stalybridge, Cheshire, SK15 2SF</div> <div>Telephone 07875 627 988 jim@jpeconsultancy.co.uk</div>	



Application number 05420/19



Directorate of Place
Development Management Section

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Bolton Council

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Date of Meeting: 27/06/2019

Application Reference: 05420/19

Type of Application: Permission in Principle
Registration Date: 01/02/2019
Decision Due By: 07/03/2019
Responsible Officer: Jodie Turton

Location: LAND AT COX GREEN ROAD, EGERTON, BOLTON

**Proposal: APPLICATION FOR PERMISSION IN PRINCIPLE FOR THE
ERECTION OF UP TO 5No DWELLINGS**

Ward: Bromley Cross

Applicant: Mr H Gregory
Agent : PWA Planning

Officers Report

Recommendation: Approve without condition

Executive Summary

- * This is a Permission in Principle (PiP) application, which seeks to establish whether the application site is suitable for the erection of 5 dwellings.
- * LPAs can only assess PiP applications against the principles of land use, location and amount. Other planning issues cannot be considered until the determination of the stage 2 'technical details' application.
- * The site is allocated as Other Protected Open Land and therefore residential development on the site is contrary to the development plan. However the 'tilted balance' of paragraph 11 of the NPPF has to be applied as a material consideration. This has been confirmed by way of Counsel advice.
- * An appeal was allowed in June 2018 for the erection of one dwelling on the site, with the Inspector finding that the benefits of providing one dwelling on the site outweighed any harm. Five dwellings would therefore weigh more heavily in favour of the development, within the tilted balance. The Inspector also considered that the site was in a sustainable location.
- * The Council's Highways Engineers have raised no objection, as they consider that five additional houses would have a negligible impact on the road network.
- * The site is adjacent an SBI, however consultees have raised no objection in principle.
- * The site can comfortably accommodate five dwellings (at a density of 12.5 dwellings per hectare).
- * The PiP application is recommended for approval.

Proposal

1. The applicant seeks Permission in Principle for the erection of 5 dwellings.
2. Permission in Principle (PiP) is an alternative way of obtaining planning permission for housing-led development which was introduced under the Town and Country Planning

(Permission in Principle) Order 2017 ('the 2017 Order') (as amended). The approach for PiP applications is to separate consideration of matters of principle for proposed development from the technical detail of the development. The PiP route has two stages:

- Stage 1 establishes whether a site is suitable in-principle;
- Stage 2 submission of 'technical details'.

3. In considering the current application, the Local Planning Authority is limited in its scope of assessment to considering location, land use and amount of development. Only issues relevant to these in-principle matters should be considered at the permission in principle stage, with all other matters to be considered at the technical details consent stage.

Site Characteristics

4. The application site is located at the junction of Cox Green Road and Rock Terrace and comprises an area of land that was formerly the stone-mason's yard to Egerton Quarry. Once inside the site, the land is mostly open with self-seeded trees and vegetation around the site boundaries. A former tunnel that historically connected the site with the larger Egerton Quarry to the east has recently been filled in. Access to the application site is taken from a private track running off Cox Green Road.
5. Cox Green Road is situated along the north-eastern boundary of the site and is at a significantly higher level than the site with a large cliff edge in between. The wider area features residential dwellings to the south, west and north-west with a large expanse of Green Belt to the north-east and east, on the opposite side of Cox Green Road.
6. A resident has questioned whether the site is a Conservation Area - the site is not a designated Conservation Area.

Policy

Core Strategy Policies: CG1 Cleaner and Greener; CG3 The Built Environment; CG4 Compatible Uses; P5 Transport and Accessibility; S1 Safety; SC1 Housing and OA5 North Bolton.

Allocations Plan Policies: Other Open Protected Land CG6AP

Supplementary Planning Documents: Accessibility, Transport and Road Safety

National Planning Policy Framework

Planning Policy Guidance - Permission in Principle

Analysis

7. 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.
8. The main impacts of the proposal are:
 - * principle of the land use
 - * principle of the location

* principle of the amount

9. The scope of Permission in Principle is limited only to the principles of the development related to the proposed land use, the location of the site and the amount of development. Other matters can only be considered at the 'technical details' stage.

Principle of the Land Use

10. The application site is allocated as Other Protected Open Land (as allocated within the Council's Allocations Plan). Policy CG6AP of the Allocations Plan states that the Council will permit development proposals within the defined areas of Protected Open Land shown on the Proposals Map, provided that they fall within one of more of the following categories:
1. The development represents limited infilling within an established housing or industrial area, is in scale with it and would not adversely affect its character or surroundings; or
 2. It forms part of, and is required for, the maintenance of an existing source of employment; or
 3. The development requires a location outside the urban area, but is inappropriate within the Green Belt, and providing it maintains the character and appearance of the countryside; or
 4. The development would be appropriate within the Green Belt.
11. It is not considered that the proposed development falls within any of the categories within Policy CG6AP. The proposal would not represent limited infilling as the application site is beyond the established built up area and it is not part of, or required for, an existing source of employment. The erection of dwellings does not require a location outside of the urban area and the proposal would not be appropriate within the Green Belt. The proposed development is contrary to Policy CG6AP of the Core Strategy.
12. Policy OA5.1 states that housing should be concentrated on sites within the existing urban area. It is also considered that the proposal is contrary to this Core Strategy policy. Strategic Objective 15 of Bolton's Core Strategy is to focus new housing in the existing urban area, especially in Bolton town centre, council-owned housing areas and in mixed-use developments on existing older industrial sites.

Applying the Tilted Balance

13. Paragraph 11 of the NPPF states that, *"Plans and decisions should apply a presumption in favour of sustainable development ... For decision making this means:*
- c) Approving development proposals that accord with an up-to-date development plan without delay; or*
 - d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*
14. This is known colloquially as the 'tilted balance'.
15. Footnote 7 of the Framework clarifies that policies are to be considered to be out-of-date in instances where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

Legal Advice From Counsel

16. In assessing the application Counsel advice has been sought with regard to the application of the NPPF in the consideration of PiP applications and specifically the consideration of the tilted balance given the Council's lack of 5 year housing land supply.

17. Counsel advice has been very clear in that the policies of the NPPF and the tilted balance are relevant and should be applied in the PiP process:

"As far as I can see the 2017 Order (between Article 5A to 5V which deal with direct applications) does not address how local authorities should determine a PiP application. Instead that is left to s.70 (2) of the 1990 Act. This makes clear that the starting point for determining a PiP application is the same as for a 'normal' planning permission. The local authority should have regard to any other material considerations which includes the NPPF." ...

"I think that based on the wording of the 1990 Act and the wording of the PPG there is a very strong argument that Paragraph 11 of the NPPF should be taken account of when determining the first stage of a PiP application."...

"I do not see any argument that can be made to rebut the clear wording of the 1990 Act and PPG that state the NPPF has to be taken into account when determining a PiP application. In my view a local authority should take into account the tilted balance (where appropriate) when determining PiP." ...

"In my view the wording of the relevant statute and the statutory guidance are clear that the NPPF is a material consideration in the determination of a PiP application. I have seen no suggestion that the NPPF can be part applied at the first stage of a PiP process."

18. Given the clear advice from Counsel of the relevance of the NPPF and the tilted balance to the consideration of PiP applications, in accordance with Paragraph 11 of the Framework, this proposal for Permission in Principle should be determined in accordance with the presumption in favour of sustainable development, applying the 'tilted balance'; development must be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

19. Several recent appeals against refusals of planning permission for housing (of varying numbers and scale) have been decided where the Inspectors, in each decision, have confirmed that Core Strategy Policies OA5.1, SO15 and Allocations Plan Policy CG6AP are out-of-date as a result of Bolton Council's ability to demonstrate less than a 5-year supply of housing land (see APP/N4205/W/18/3197086 , APP/N4205/W/18/3193664 and APP/N4205/W/17/3167848). One of these appeals relates directly to the land that is subject to this application. This extant permission, granted in June 2018, is a material consideration which must be given strong weight in the consideration of the current proposal.

20. The Inspector, in his decision to allow planning permission for the erection of one dwelling on this land states: *"As the Council cannot demonstrate a five-year supply of deliverable housing sites, Framework paragraph 14* states that for decision-making this means where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted."*

21. *The Framework does not change the statutory status of the development plan as the starting point for decision-making. The proposal is not in accordance with CS SO15, Policy OA5 and AP Policy CG6AP. However, taking into account of the significant shortfall in housing land supply, these policies cannot be considered up-to-date in the context of Framework paragraphs 14 and 49*. As such they attract limited weight only.*"

*NPPF paragraph numbers have been updated since the Framework was revised in September 2018.

22. In assessing the principle of development, it is an important material consideration that Inspectors have consistently found Core Strategy Policies SC1, SO15, OA5.1 and AP Policy CG6AP as being of limited weight. As a result, despite the proposal's conflict with these policies, limited weight can be attributed to them in the determination of planning applications.

23. While, the appeal site is greenfield land, the degree of the shortfall in housing land supply concludes that the Council's development plan policies are not functioning to achieve the Framework objective to boost significantly the supply of housing. Given that this assessment can only focus on the principle of the land use, and the fact that there is an extant permission on the site for residential development, tested and granted on appeal, Officers cannot come to any other conclusion than the principle of utilising the site for residential purposes being acceptable.

Location

24. The application site is located outside the defined urban area and was once part of a former quarry to the north-west of Quarry Lodge. Residential dwellings line Rock Terrace and Cox Green Road, either side of the proposed access. They form the edge of the urban area to the south and west which is characterised by residential dwellings.

25. It was previously accepted by the Inspector that the site is not unduly detached from the urban area or the community. The Inspector noted that there are regular bus services about 650 to 800 metres away, train services from Bromley Cross just over a mile away, three primary schools between 0.5 and a mile away and various services and facilities in Egerton and Bromley Cross including a health centre, pharmacy, supermarkets, public houses, newsagent, hairdressers, and hot food takeaways; some of these are within walking distance of the site.

26. As part of the assessment into the principle of the location, the siting of the access road is a consideration. The application has been reviewed by the Council's Highways Engineers who raise no objection in principle. Paragraph 109 of the NPPF (2018) 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. 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.

27. The Engineers have advised that the traffic impact associated with 5 dwellings will be negligible and should be accommodated without detriment to the highway network at that location. It would not create a severe impact, in accordance with the NPPF. There are matters of concern with the proposal but these are not associated with the principle of the development and can be resolved at technical details stage.

28. The proposed development is located directly adjacent to the Cox Green Quarry Site of Biological Importance (B40) which is noted Grade A and supports a community of the protected species Great Crested Newt. The proposal has been reviewed by the Council's Greenspace Management Officer and Greater Manchester Ecology Unit. No objections have been raised in principle to the

proposal in terms of the impact on ecology; the development would not lead to losses of any breeding ponds that could be used by newts and would only lead to a small loss of terrestrial habitat that could be used by amphibians. The development is unlikely to cause harm to the local population status of newts. Detailed ecological surveys and mitigation can be addressed at technical matters stage on these points.

29. The site is presently adjacent to Lowland Mixed Broadleaf Woodland which is a UK Biodiversity Action Plan (BAP), Greater Manchester BAP and Bolton BAP habitat. It is also a habitat of principal importance for the purpose of conserving biodiversity, as listed in Section 41 of the Natural Environment & Rural Communities Act 2006 which confers duty upon local authorities by Section 40 of the Act, to consider its protection for biodiversity. Any loss of woodland habitat will also require mitigation at technical details stage.
30. The proposed development area is likely to impact on a number of both low and good quality trees. The lower quality trees are naturally regenerated trees that have colonised the site predominantly around where plots 1-3 are indicatively shown, however these are generally small early-mature trees and of low amenity value. The more mature trees to the western boundary may be impacted upon by plots 4 & 5, however it is acknowledged that the layout plan is indicative only and the precise siting will be determined at the technical details stage. In addition, trees on the western edge could impact on the properties, depending on the layout; any properties here may be subject to shading during the afternoon and evening time which may create pressure for their removal in future. However, it is not considered that this could be a reason to warrant refusal as the layout submitted is indicative only. The site layout would be formalised at technical details stage. In principle, it is not considered that the presence of trees would be sufficient to prevent approval at this stage.
31. No service details have been submitted that show how these are to be achieved without damage within the root protection zones of any trees to be retained and the full impact of this will only become evident at technical details stage.
32. 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. Resident's concerns are noted in this regard. In terms of the principle of development, it has been accepted in the recent appeal decision granting permission for residential development that the site can be developed with a suitable drainage system. It is noted that there is a lack of public sewers in the area and a lack of drainage features which could be utilised for discharge purposes. As it is unclear where the applicant is intending to discharge to, it is recommended that details of the implementation, maintenance and management of a sustainable drainage scheme is submitted at technical details stage.
33. Residents have also raised concern that the development would hinder the use of a public right of way. The Council's records do not identify a defined public right of way in the vicinity of the development; the closest being to the west of the site, along Rock Terrace and heading north west from there.
34. In terms of assessing the principle of the development at this location, it is considered that the location is suitable for the redevelopment of the site for up to 5 dwellings. It is also noted that in considering the "Location" that no harm has been identified that would outweigh the benefits of providing housing when applying the "tilted balance".

Amount

35. The proposed development would see a maximum of 5 dwellings within a site area of 0.4ha, thus having a maximum of density of 12.5 dwellings per hectare. This density is not dissimilar to those in the immediate area. Even though an indicative layout has been submitted, it is not within the scope of this application to assess a layout, only the amount of development. This plan simply identifies how the number of houses proposed can be accommodated within the site.

Conclusion

36. As the Council is unable to demonstrate a five-year supply of deliverable housing sites, NPPF paragraph 11 is relevant to the consideration of the PiP proposal and the application of the 'tilted balance'. Having assessed against policy the foreseen benefits and harm of the development proposal, it is not considered that any harm identified demonstrably outweighs the benefits of providing housing. Indeed, the only harm that has been identified applies to the loss of the greenfield site and being contrary to those policies that have previously been found to have only limited weight (CG6AP, SC1, OA5.1). No other harm has been identified in terms of highways, trees, biodiversity, sustainability or drainage/floodrisk.
37. In addition, with the very limited scope of matters to consider and the recent appeal decisions that have been allowed, the development cannot be considered inappropriate in principle and is recommended for approval.
38. It is not possible for conditions to be attached to a grant of permission in principle. Local planning authorities can inform applicants about what they expect to see at the technical details consent stage and this has been added as an informative.

Representation and Consultation Annex

Representations

Letters: Eleven objections and one general representation have been received. The general representation simply requests to see more information. All of the relevant information is displayed on Public Access via the Council's website. The objections can be summarised as follows:

39. Highway safety concerns - poor visibility, narrow streets, poor access point, increase in traffic on already congested street.

- Poor drainage with no clear plan in this regard. The development may alter the water courses.
- Insufficient services in the area (GPs, schools etc).
- There is wildlife in the area that may be affected.
- There is a public right of way.
- Questions the accuracy of the site boundaries on the plans.
- Considers the site to be a Conservation Area.

Petitions: None received

Elected Members:- None received

Consultations

Advice was sought from the following consultees: Highways, GMEU, Greenspace Management, Pollution Control, Landscape Development and Design, United Utilities and Trees and Woodlands.

Planning History

02195/17 Erection of 1no. Residential detached dwelling with attached double garage and associated landscaping – Refused and allowed on appeal

00963/17 Erection of one detached dwelling with attached double garage and associated landscaping – Refused

94460/15 Erection of one detached dwelling with attached double garage and associated landscaping – Withdrawn

90214/13 Erection of stables together with manege and equestrian facilities – Refused

64842/03 Erection of 3 linked dwellings together with access improvements and associated landscaping works – Withdrawn

33050/89 Erection of dwellings and the creation/formation of community nature reserves – Refused

29159/87 Outline application for the erection of dwellings – Refused

Recommendation: **Approve without condition**

Recommended Conditions and/or Reasons

Notes

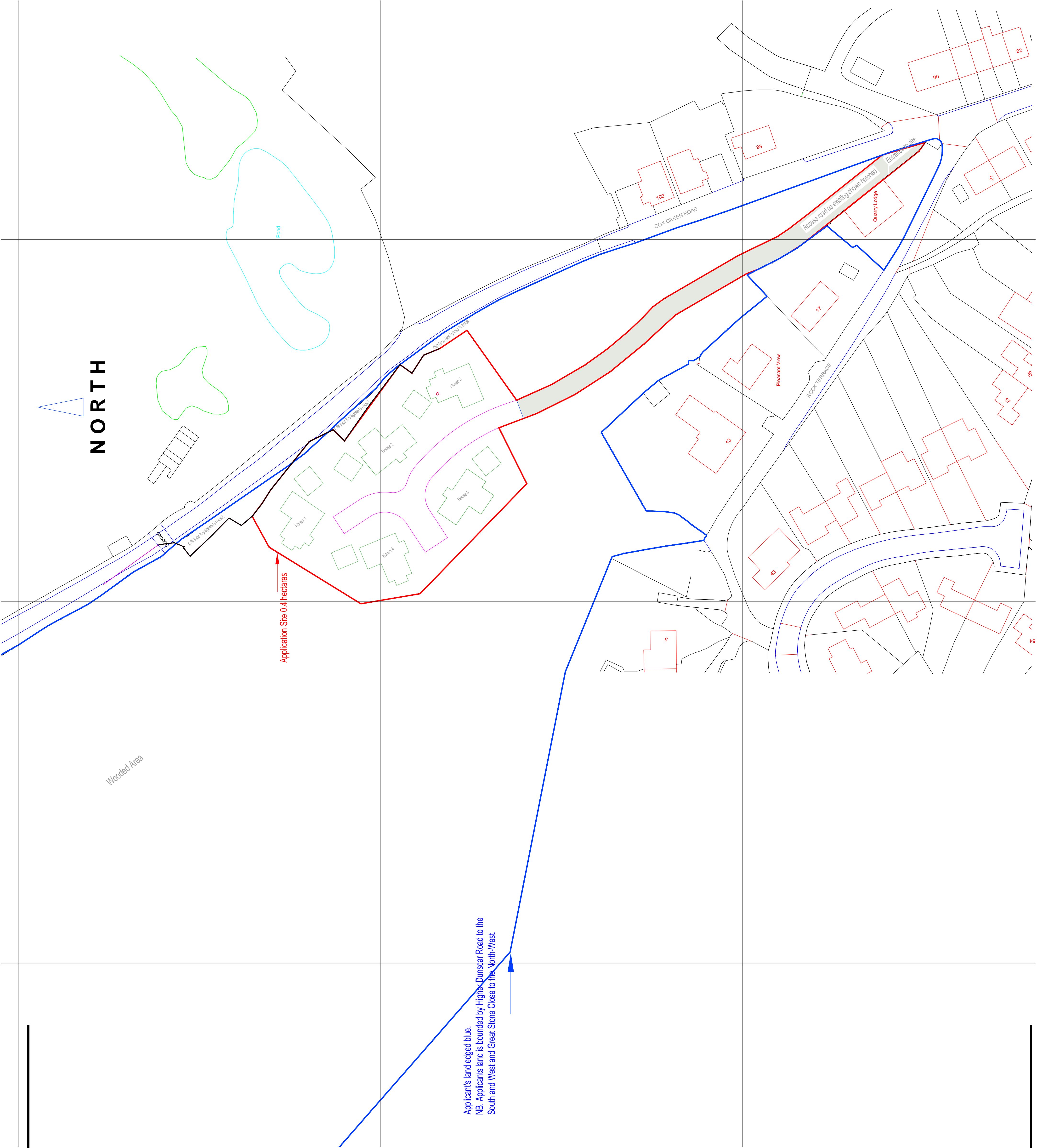
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Any discrepancies are to be reported to the architect for clarification.

All materials and workmanship to be in accordance with the current British Standards and codes of practice.



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Applicant's land edged blue.
NB. Applicants land is bounded by Highes Dunscur Road to the South and West and Great Stone Close to the North-West.

NORTH

Wooded Area

Pond

Application Site 0.41 hectares

Cell has registered status

Cell has registered status

COX GREEN ROAD

Pleasant View

Quarry Lodge

98

21

9

28

15

43

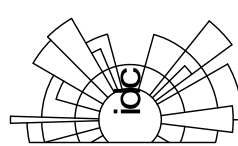
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Rev Date Drawn by Comments

Client

Mr and Mrs H Gregory

Project

Stone Merchant's Yard

Drawing
Boundaries

Date
Jan 2019

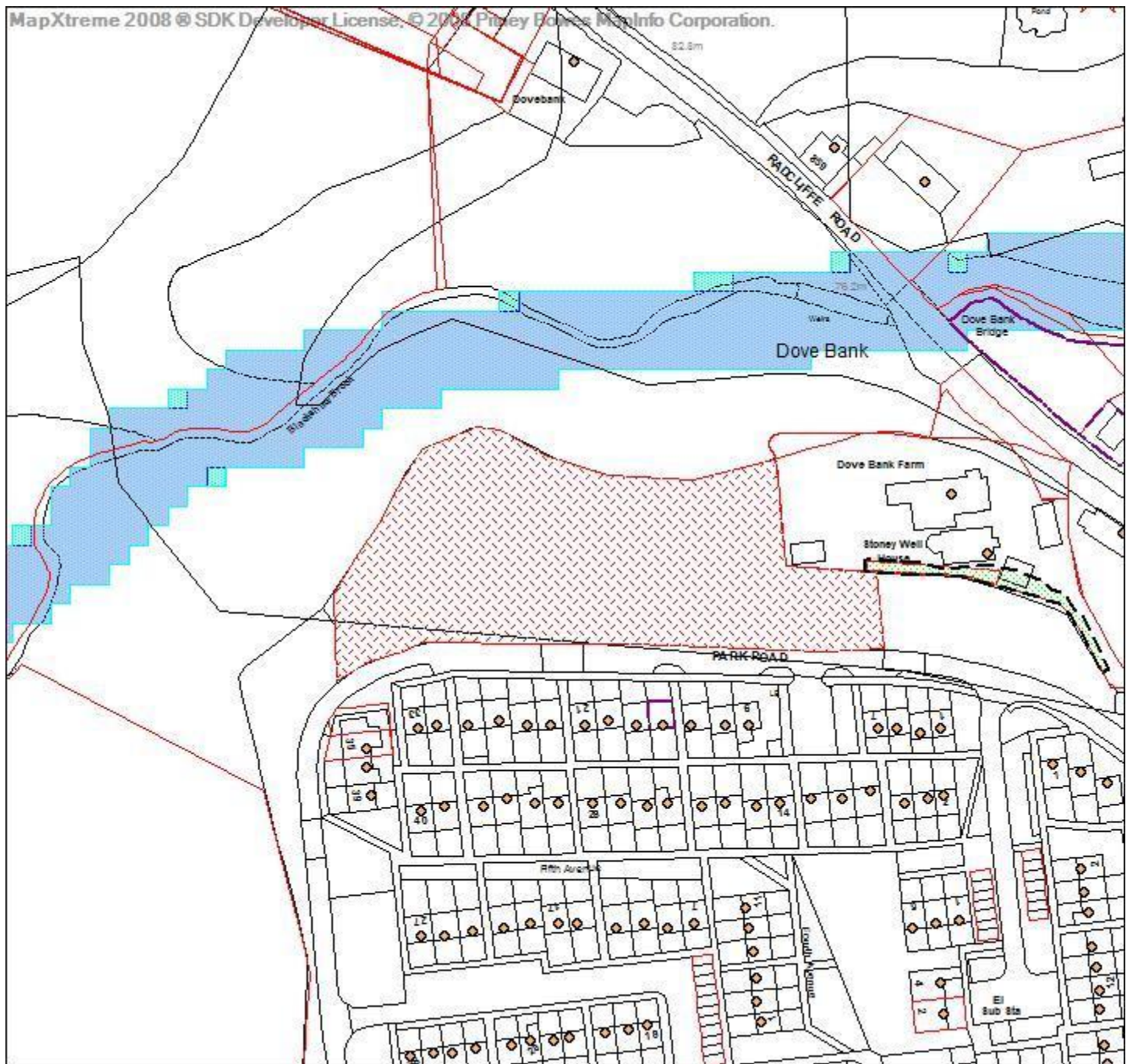
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Application number 05527/19



Directorate of Place
Development Management Section

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

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Date of Meeting: 27/06/2019

Application Reference: 05527/19

Type of Application: Full Planning Application
Registration Date: 21/02/2019
Decision Due By: 17/04/2019
Responsible Officer: Monika Dubacka

Location: LAND TO THE NORTH OF PARK ROAD, LITTLE LEVER, BOLTON, BL3 1DH

Proposal: RETROSPECTIVE APPLICATION FOR THE RETENTION OF A SHEET PILE WALL PROVIDING GROUND RETENTION TO THE ADJACENT HOUSING DEVELOPMENT (97826/16) WITH ERECTION OF ASSOCIATED BOUNDARY TREATMENTS.

Ward: Little Lever and Darcy Lever

Applicant: c/o Great Places Housing Group
Agent : Jennings Design Associates

Officers Report

Recommendation: Approve subject to conditions

Executive summary

- Proposal is for retention of sheet pilings which have been installed along the northern edge of an approved and implemented residential development (Ref: 97826/16) and the erection of a vehicle restraining wall, at the edge of bank into Blackshaw Brook;
- The estate is occupied by social housing provided by Great Places;
- The newly formed highways are to be adopted by the Council following the completion of the dwelling houses, the proposed wall is to provide the protection of all pedestrians and vehicles utilising the highway from falling down the steep bank into Blackshaw Brook
- The inner face of the wall, facing Park Road, is to be clad in masonry matching brick on the adjacent houses with the top of the wall is to be finished with a buff concrete coping.
- The outer face would be finished in the Steploc blocks which will be tinted to match the red facing brickwork on the adjacent dwelling houses Forterra Worcestershire Multi.
- The lifespan of the tinting product is for the life of the block, it will weather naturally and does not require future maintenance or reapplication.
- No objections has been received from Highways
- One objection has been received from a local resident
- Councillor Hornby requested this application be determined by the members of the Planning Committee
- Proposal is recommended for approval subject to planning conditions

Background

1. Planning permission ref. 97826/16 for was granted by the members of the Planning Committee in March 2019 for erection of 25no. residential dwellings (2 bed and 3 bed) together with associated infrastructure, access and landscaping details.
2. One of the planning conditions imposed on the above-mentioned planning permission, condition 10, required details of boundary treatment to be submitted to and approved in writing by the Local Planning Authority.
3. This was submitted to the Local Planning Authority to discharge condition 10 (boundary treatments) of the originally planning application. However, upon the officers site visit it was discovered that sheet pilings were installed along the edge of the site and that part of the boundary treatment along the northern boundary line, due to highway safety, will need to accommodate a vehicle restraining wall.
4. This constitutes operational development on its own merits and as it was not part of the original planning permission, requires a separate planning consent.

Proposal

5. Subsequently, this application was submitted and proposes the following:
 - retention of sheet piling along the northern boundary line between plots 18 and 19 measuring approx. 22.08m in length and between plots 4 and 5 measuring 40.8m in length. The remainder of the boundary treatment is mixed of timber fencing and landscaping approved under the discharge of condition application and not part of this proposal;
 - retention of concrete capping installed above sections of the existing piling;
 - erection of associated boundary wall on top of the above mentioned sheet piling and concrete capping consisting of 0.375m deep restraining consisting of Steploc hollow blockwork in filled with reinforced concrete. This would be finished 1.25m above the footpath level and with 0.55m buff concrete coping on the top
 - galvanised steel railings to be installed on the top of the wall, adding up to the total height of the wall at 1.8m in height, these are to be fixed to the top of the wall to ensure that pedestrians cannot climb on top of the wall and potentially fall off;
 - the inner face of the wall, facing Park Road, is to be clad in masonry facing the brick used on the approved dwellings;
 - the outer face would be finished in the Steploc block and colour treated/paint tint in colour matching the brick used on the bottom section of the approved houses the Forterra Worcestershire Multi facing brickwork (red). The wall would be topped by a buff concrete coping.
6. The Steploc blocks have been proposed due to their method of construction beginning with the installation of the metal reinforcement, the hollow blocks are then lowered into position and finally in-filled with concrete. The installation of the metal reinforcement has the secondary effect of providing an element of guarding from falling for site workers. The large format block work and short installation period reduces the time spend working on the edge of the bank when compared to the alternative masonry wall option suggested by the Highways Authority

Site Characteristics

7. The application site relates to a residential development site which was granted planning permission in 2016 by Planning Committee subject to conditions. The development comprises of 25 large detached properties. Currently 18 of the 25 houses are currently occupied.

8. The site is adjoined by residential properties to the east (Stoney Well House and Dove Bank Farm) and facing residential properties along Park Road to the south. There are also a number of residential properties to the north (Dovebank and 859 Radcliffe Road). To the north and west there is a significant change in land levels, with land levels dropping into a valley.

Policy

The Development Plan

9. Core Strategy policy: CG1 Cleaner Greener, CG3 The Built Environment, CG4 Compatible Uses and OA6 Little Lever and Kearsley.

Other material considerations

10. National Planning Policy Framework.
11. General Design Principles Supplementary Planning Document

Analysis

12. 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.

13. The main impacts of the proposal are:-

- impact on the character and appearance of the area
- impact on the living conditions of adjoining occupiers/highway safety

Impact on the character and appearance of the area

14. Core Strategy CG1.1 seeks to safeguard and enhance rural areas of the borough from development which would adversely affect biodiversity including trees and woodland. In addition, Core Strategy policy CG3 seeks to ensure development is compatible with the surrounding area in terms of scale, massing, local materials and landscape treatment. Core Strategy policy OA6.9 also seeks to conserve and enhance the character of the existing physical environment.

15. There are two elements of the proposal to consider: (i) retention of the sheet piling; and (ii) erection of associated boundary treatment including restraining wall to the north of the site. Each matter will be considered in turn:

Retention of the sheet piling

16. Eighteen of twenty five dwelling houses approved under planning permission ref. 97826/16 are now occupied. The approved residential development is bounded by Park Road from south and a valley from the north when land levels significantly drop towards Blackshaw Brook. The sheet piling has been installed, along the northern boundary wall, to ensure soil retention within the site and provide stability and durability for the approved development and associated boundary treatment.

17. According to the submitted planning statement it was the developers initial plan for the sheet pile

wall to sit proudly of the finished ground level. However, the applicant were informed by the Council's Structures team that the stel piling in itself would not form a suitable vehicle restraint barrier. In addition, even if this was going to be agreed by the Highways Authority, the sheet piling, would not be appropriate boundary treatment on its own as it was considered to be out of character with this urban fringe location.

18. The sheet piling has a rusty colour and whilst parts of it can be viewed from Radcliffe Road and the surrounding area to the north of the site, the majority of it has been now covered with the part of the proposed vehicle restraint wall, where sections including concrete capping have been erected along the northern boundary line between plots 4 and 5 to the north-east of the site and plots 18 and 19 to the north- east of the site. These sections are shown in red on the location plan.
19. The remainder of the sheet piling, not covered by the restraining wall, in the locations marked in blue on the location plan along the northern boundary line to the rear/side gardens of plots 5/6, 18 and 19 would be covered with top soil and landscaping. The boundaries of those plots has been treated with a timber fencing which have been set back from the north boundary line into the site to provide an adequate space for planting and topsoil on the outer/northern side of the fence as agree through a discharge of condition application for condition 10 (boundary treatments).
- 20.
21. *Provision of new boundary wall*
22. The proposed wall would be set back from the street scene and whilst to some extend visible from Park Road, given the location of the site on the top of the valley, its outer side would be visible from a wider area, especially when viewed from the north (from Radcliffe Road, the surrounding public right of way network and Dovebank).
23. Given the constraints of the site, the developer considered a number of options to facilitate a restraint barrier and resists vehicle impact load. According to the planning statement submitted in support of this application, these are as follows:

i) Sheet piling

This included a sheet piling to be exposed to the outer face of the boundary treatment with cladding to the inward facing side of the wall. However, due to insufficient information on the required calculation from the Sheet Pile Wall manufacturer and whether this was sufficient to act as restraint barrier, this was option was no longer viable. In any event such a proposal would not be supported by the planning officer's due to the visual impact of the sheet piling on the character of the surrounding area.

ii) Armco barriers

The Design Team initially suggested that the boundary could be finished with post and rail fencing with anti-climb netting giving a rural feel whilst promoting views into and out of the site. However, the Highways Authority raised concerns over 'build-ability' and that the introduction of the Armco barriers would be made overly complicated in attempting to fit three elements; sheet pile, boundary treatment and Armco Barrier, into a restricted space. In the locations where the Armco barriers fall within the adopted highway/margin, the ownership and responsibility for maintenance would pose an issue in providing a full adoption of the roads. Thus, this solution was not supported.

iii) Metal railings

The Council's Landscape Architect suggested that the boundary could consist of railings; such as those utilised on bridges and motorways. The railings could be complemented with

soft landscaping which would improve their appearance. The appointed Structural Engineer confirmed that the type of railings suggested are utilised for indirect impact which pushes vehicles back onto the carriageway rather than direct impact which is required as part of the adoption.

iv) A Mass Masonry Wall;

The Highways Authority suggested that the sheet pile wall is to be finished to the finished ground level in the areas requiring impact protection. A mass masonry wall (up to the height of 1000mm high) could then be built up off the capping beam and would provide adequate restraint for both vehicles and pedestrian. This option was considered by the Design Team; however, health and safety concerns were raised due to the large amount of manual brick laying works being carried out near to the edge of the bank. All works would need to be carried out on the inner side of the development site where the dressing of the brickwork to the Northern face could not be made possible due to the risks associated with falling and working from height and the potential for trespass onto the neighbouring land.

v) Cladding

Alternative cladding options have been considered to enhance the walls appearance; options such as composite cladding or brick slip systems on rails could be securely fixed to the inner side of the wall however, fixing to the outer (North facing) side of the wall would only occur at the top of the wall and could not be installed as per the manufacturer's recommendations. There is a high potential for the slip system to fail and fall down the bank causing a hazard for any persons below the wall.

24. As discussed above and for various reasons, none of the above were suitable solutions. Thus, the applicant is now proposing the final option including the erection of a modular vehicle restraint wall consisting of Steploc hollow blockwork in filled with reinforced concrete. This solution would allow the developers to install the blocks of the top of the existing metal reinforcement with the hollow blocks lowered into position of finally in filled with concrete. The large format block work and short installation period would reduce the time spend working on the edge of the bank when compared to the alternative masonry wall option suggested by the Highways Authority.
25. The proposed boundary wall/vehicle restraint wall would be sited on the top of the existing sheet piling and already erected concrete capping with steel reinforcements situated between plots 4 and 5 to the north-west of the site and plots 18-19 to the north of the applicant's land. This would consist of 0.375m deep structural wall/vehicle which would be finished 1.025m above the footpath level and accommodate 0.55m deep buff concrete coping on top.
26. In addition, following concerns raised by the Design Team, galvanised steel railings, adding up to the total height of wall to 1.8m in height, are to be fixed to the top of the wall to ensure that pedestrians cannot climb on top of the wall and potentially fall off which would fulfil a requirement in achieving Secured by Design accreditation for the site.
27. The inner face of the wall is to be clad in masonry matching brick on the adjacent houses with the top of the wall is to be finished with a buff concrete coping.
28. With regards to the outer face of the wall, this should be ideally finished with a mass masonry wall or brick slips to match the brick used on the adjacent houses. However, the wall itself would be constructed at the very edge of the application site with its outer face marking the extent of the applicant's land ownership. Any additional mass masonry wall or brick slips to the outer face of the wall would not only be dangerous to apply, but would also be constructed or overhang the

land outside of the applicant's ownership. Construction of additional wall or installation of brick slips to the outer face of the wall would also require consent from the adjoining land owner in terms of access and for future maintenance to ensure that the additional brick wall or brick slips finish would remain in situ and would not pose danger for people walking in the valley to the north of the site. Unfortunately, due to the land beyond the outer face of the wall not being within the applicant's power and due to the steep slope at the edge of the site, future maintenance of the outer face of the wall would not be possible.

29. In view of the above it is proposed that the outer face would be finished in the Steploc blocks which will be tinted to match the red facing brickwork of the adjacent dwelling houses Forterra Worcestershire Multi. The concrete capping that is already in situ would be painted without accessing the land to the north. According to the planning statement this can be achieved by use of a steel support to the wall as a fall arrest and the paint will be rolled onto the concrete face in accordance with the manufacturers details and recommendations. The rest of the blockworks which are yet to be installed will receive the tint prior to their placement, by a spray coat of paint tint in accordance with manufacture details and recommendations.

30. The proposed tinting of the outer face of the wall will weather naturally and would not require future maintenance or reapplication with the lifespan of the tinting product being the life of the block.

31. The agent provided a brochure from the company with expertise in tinting of the brickwork/masonry, explaining that:

" The process has been used successfully throughout Europe to eliminate colour inconsistencies in brickwork and masonry. Tinting is undertaken on a job-by-job basis, as no two site requirements are the same."

32. According to the information submitted any colour matching problem you may encounter. This type of tinting is suitable for use on most bricks, mortar, natural and artificial stone. The submitted remedial tinting data sheet further explains that:

"The Tinting System is designed to preserve the appearance of the substrates to which it is applied, whilst correcting colour defects and enhancing the existing surface. For this reason, the product is specifically formulated to maintain maximum translucency, not to hide the texture or appearance of the substrate and should not be confused with proprietary masonry paints and their associated maintenance commitments."

33. The submitted documents state that this is to achieve a high degree of penetration and does not produce a film-forming coat, but reacts chemically with the masonry substrate to produce an insoluble, microcrystalline silicate bond. The Tints create natural weather resistance by producing a semi-permeable membrane, which allows the structure to 'breathe without any alterations to the original surface of brickwork/masonry and has been used industrially for over forty years with great success, and potassium silicate paints have been applied to brickwork and masonry in various forms for over one hundred years.

34. Whilst the information submitted on proposed tinting to brickwork, mortar or masonry only, the developer has also shown examples of tinting carried out on blockworks and provided samples/photographs showing that test of paint tint was carried out on the proposed Steploc blockwork to be installed at the site and has been successful.

35. In view of the above, it is considered that the proposed wall subject to brickwork treatment of the inner face and paint tint on the outer face subject to implementation would comply with the

above mentioned policies.

Impact on the living conditions of adjoining occupiers and future occupiers/highway safety

36. Core Strategy policy CG4 seeks to ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.
37. With regards to the neighbouring occupiers, the proposed development would be constructed along the northern boundary line adjacent to the valley facing Blackshaw Brook. The nearest residential properties are to the east of the site at Dove Bank and Stoney Well House. However, given the position of the wall, its size and scale along with a distance to the above mentioned dwelling houses, it is not considered that the proposal would have overbearing or overshadowing impact detrimental to the residential amenity of nearby occupiers.
38. There are also a number of residential properties to the north e.g. Dove Bank, which are c. 90 metres away, Whilst these properties would have direct views of the site and the residential development as a whole, officers consider that the option proposed would reduce the impact of the proposal on the living conditions of the owner/occupies of these properties.
39. With regards to the future occupiers of the approved houses, as the newly formed highways are to be adopted by the Council following the completion of the dwelling houses, the protection of all pedestrians and vehicles utilising the highway from falling down the steep bank into Blackshaw Brook is considered to be an important element of design to be considered prior to the adoption of the new roads.
40. The proposed restraining wall ensures that there is a physical barrier in place to protect all highway users from falling down the bank to the north of the development. The temporary solution, in form of the concrete barriers, currently in place while planning was awaited are not designed to be a permanent solution and would not be accepted by the Highway authority or Great Places as a long term solution.
41. The proposed wall would not impact on adjoining owner/occupier privacy.
42. It is considered that the proposal would not have a detrimental impact on the living conditions of adjoining owner/occupiers and would facilitate the approved houses with a secured restraining wall allowing safe use of the application site and thus, compliant with Core Strategy policy CG4.

Conclusion

43. For the reasons discussed above, it is considered that the retention of the existing sheet pile structure and the erection of a vehicle restraint wall would comply with local and national policies and the application is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- objections have been received from a occupier of the property at Radcliffe Road facing the wall from the south, summary as follows:

- the proposed tinting is not considered to be acceptable;
- the outer face of the wall should be clad; and
- the wall as proposed would have a detrimental impact on the character and visual amenity of the surrounding area.

Petitions:- no petitions received.

Elected Members:- Councillor Hornby has requested that the application be considered by Planning Committee.

Consultations

Advice was sought from the following consultees: Council's Highways' and and Landscape Architects.

Planning History

Planning permission ref. 97826/16 for was granted by the members of the Planning Committee in March 2019 for erection of 25no. residential dwellings (2 bed and 3 bed) together with associated infrastructure, access and landscaping details.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

1. Upon the completion of the boundary/restraining wall, hereby approved, its inner southern face, facing Park Road, shall be clad in masonry matching brick on the adjacent houses and its outer northern face, shall be tinted to match the red facing brickwork on the adjacent dwelling houses (Forterra Worcestershire Multi) and retained in such condition thereafter.

Reason

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


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

Location Plan drawing number 949 A 101 dated 13/02/2019

Boundary Treatment Details drawing number 949 A 605 rev. C dated 12/06/2019

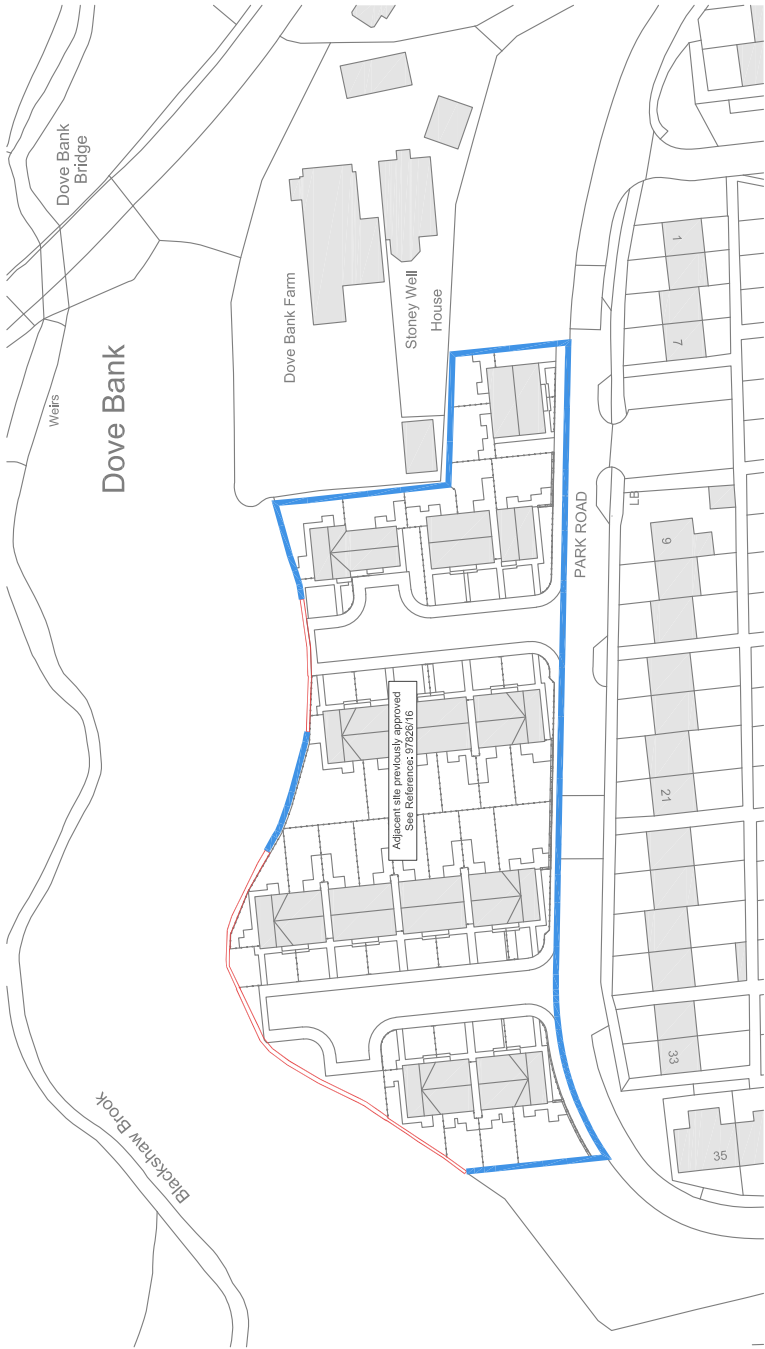
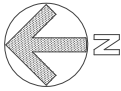
Reason

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



Notes


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Rev	Description	Date	By
-	-	-	-

C	Concept	G	Tender
D	Planning	J	Construction
E	Building Regs	L	As Built
F	Production	Sk	Sketch



jda architects
info@jda-architects.com
www.jda-architects.com
manchester: 0161 336 5011
liverpool: 0151 666 0112

Client: **Galliford Try**

Project: **Park Road, Little Lever**

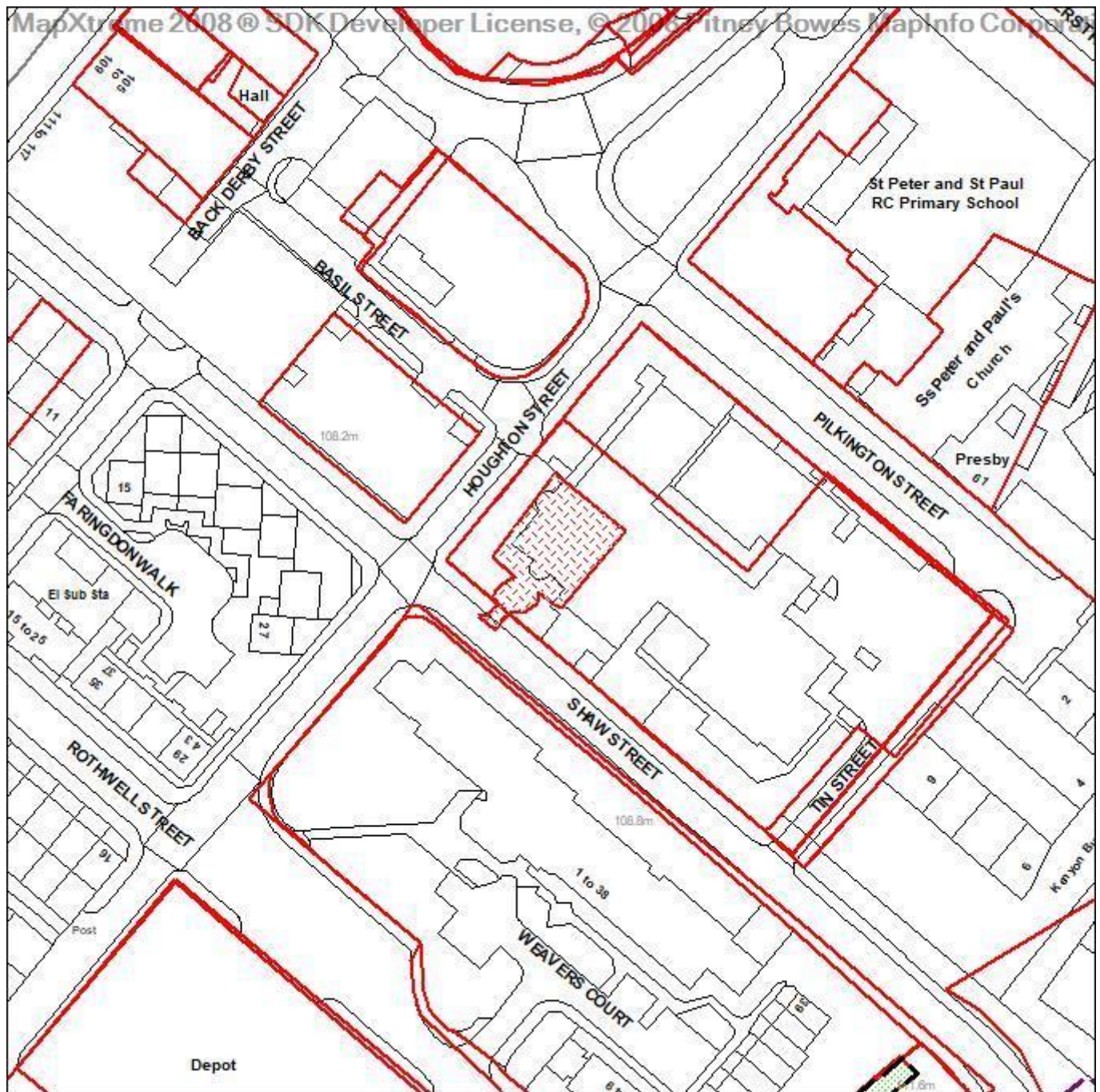
Scale: 1:1250	@ original size A4	Date: 13/02/2019	Drawn by: NS	Checked By: KOR
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File Number: 949	A 101	Description: Location Plan	Sheet File: Wall
Rev			



Z:\949 - Park Road, Little Lever\Drawings\Locations\949 A101_LocationPlan_SheetFileWall.dwg

Application number 05547/19



Directorate of Place
Development Management Section

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

Bolton Council

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Date of Meeting: 30/05/2019

Application Reference: 05547/19

Type of Application: Local Authority Applications\Development

Registration Date: 22/02/2019

Decision Due By: 18/04/2019

Responsible Officer: Beth Bradburn

Location: HARVEY EARLY YEARS CENTRE, SHAW STREET, BOLTON, BL3 6HU

Proposal: CHANGE OF USE OF LAND TO FORM 12 SPACE CAR PARK

Ward: Great Lever

Applicant: Bolton Council

Agent : Landscape Development & Design

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. This application proposes to change the use of the land to form a 12-space car park to the east of Harvey Start Well Children's Centre.
2. The existing land is tarmacadam surface and part incidental amenity grass area. The proposed surface would be permeable tarmacadam or block paver construction.
3. The surrounding 1.8m high perimeter railing panel fencing would be retained, and the existing vehicle access gate will be taken out and re-used at the new entrance and would be set further back as to ensure that vehicles entering the site will be clear of the highway, the entrance gates to the car park will also be controlled by an automatic co-tag system. Where any infill fencing is required to the front of the application site, this is proposed to match the existing.
4. A line of new 1.2m high flat top railing fencing will be installed to the north east of the car park to protect any pedestrians walking around the building.
5. Whilst no objections have been received for this application, the Council's Constitution currently requires that all Council applications be presented to Planning Committee (the Council is the landowner).

Site characteristics

6. There are 8 trees surrounding the car park including 4 Cherry trees, 2 young Birch Saps, a Chamaecyparis and a Larch Tree.
7. The immediate area is a mixed with residential properties to the south, commercial units to the east and west and St Peters and St Paul's Primary School to the north.

Policy

8. Core Strategy: P5 (Accessibility and Highways Safety), CG3 (The Built Environment), CG4 (Compatible Uses), RA1 (Inner Bolton), CG1 (Flood Risk), CG1.2 (Urban Biodiversity)
9. National Planning Policy Framework (2018)

Analysis

10. 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.
11. The main impacts of this proposal are:-
 - *Impact on surrounding residential dwellings
 - *Impact on the character and appearance of the area
 - *Impact on the highway network
 - *Impact on drainage/floodrisk
 - *Impact on trees and landscape features

Impact on the Users of the Day Centre and Surrounding Residents

12. Policy CG4 states that the council should ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.
13. Although a play area will be lost as part of this development, there is an existing outdoor play area to the east of the building therefore the proposed parking area will not harm the existing facilities of the early learning centre. Furthermore, the proposal will provide much needed parking. The proposal is for a small scale car park, serving an existing use, the car park will not result in any greater impact on neighbouring residents and is in accordance with policy CG4 of the Core Strategy.

Impact on the Character and Appearance of the Area

14. 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.
15. The proposed car parking area and dropped kerb would not adversely impact on the character and appearance of the street scene. Furthermore, the surfaced entrance to the car park has been designed as to retain grassed areas at either side of the entrance, the trees to the front of the site and along the western boundary will be retained as to soften the appearance of the parking area.
16. Where new railing panel fencing is removed, any infill fencing required will be proposed to match the existing and a condition will be imposed to ensure this. Overall, therefore the proposed alterations associated with the car park use will not have any impact on the character and appearance of the area and the proposal complies with Core Strategy policy CG3.

Impact on the Highway Network

17. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements, parking (in accordance with the parking standards set out in Appendix 3), and the requirement for a Transport Assessment and Travel Plan with major trip generating developments. Policy S1.2 states that the Council will promote road safety in the design of new development.
18. The Council's Highways Officer has reviewed the proposed application and has no objection subject to the relevant conditions being attached to this decision. The proposal is therefore considered to comply with policy in this respect.

Impact on Trees and Landscape Features

19. Core Strategy Policy CG1.2 safeguards and enhances biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and inter connectivity of wildlife corridors and habitats.
20. There are a number of trees that fall close to the north western edge of the proposed car parking area. The Council's Tree and Woodland Officer has reviewed the proposal and has stated that the proposed plans detail the car park extension as having a slight incursion into the root protection zones of the retained trees although this is within acceptable tolerances and protective fencing will be required to be erected around these trees prior to commencement of the development. Furthermore, minor pruning may be required, and this will need to be undertaken to BS3998 (2010): Tree Works Recommendations by a competent tree surgeon.
21. The above requirements as set out by the Tree and Woodland Officer will be conditioned.

Impact on Land Drainage

22. 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.
23. The Council's drainage engineers were consulted and have stated, there is a public sewer within the land which is a United Utilities asset and that United Utilities are responsible for commenting on this asset. United Utilities were subsequently consulted and have stated that they would only comment on a parking proposal of above 25no. spaces.
24. A United Utilities plan has however been provided which demonstrates that the proposal will not adversely impact onto any public sewers.

Other Matters

25. Slight amendments have been made to the vehicular access gate which has been moved further back and additional fencing has been placed around the perimeter of the car park. These alterations would improve highway and pedestrian safety.

Conclusion

26. Taking the above assessment into consideration, the proposal would not compromise the aims and objectives of the relevant policies contained within the NPPF and Core Strategy and therefore there are no material planning considerations that would justify a refusal, it is accordingly recommended that Members approve this application.

Representation and Consultation Annex

Representations

None received.

Consultations

Advice was sought from the following consultees: Highways, Tree and Woodland Officer and Flood Risk

Planning History

Planning permission was granted under the reference number 60254/01 for extensions to existing family centre/day nursery to provide additional creche and communal activities areas, dining room, two covered play areas, new entrance/toy and pram store, office and meeting space together with the closure of tin street to form additional car parking area.

Planning permission was granted under the reference number 68997/04 erection of single storey extension at the side to form creche together with erection of single storey extension at the rear to form health-room.

Planning permission was granted under the reference number 69837/04 for the erection of first floor extensions.

Planning permission was granted under the reference number 78817/07 erection of a single storey extension to south-west elevation.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

1. The trees and hedgerows within or overhanging the site which are to be retained have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations) 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.

3. Works within the highway limit to facilitate the access improvements shall be carried out in accordance with the approved drawing **Site Layout, Drawing no. 3024/003, Rev B, Dated 18/03/19**. 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".

5. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Shaw Street shall be constructed in accordance with **Site Layout, Drawing no. 3024/003, Rev B, Dated 18/03/19**.

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'.

6. All pruning work must be carried out in accordance with British Standards 3998 (2012) recommendation for tree work.

Reason

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

7. The approved boundary treatment as listed below shall be coloured Dark Green (RAL 6005) and retained thereafter.

- Infill railing panel fencing to the northern boundary
- 1.2 metre high flat top railing fencing surrounding the north east perimeter of the car park
- 1.8 metre high railing fence to the vehicular entrance

Reason

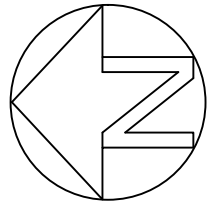
To ensure the development fits in visually with the existing building and safeguards the character and visual appearance of the locality and in order to comply with Core Strategy policy CG3.

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

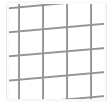
Site Location, Drawing no. 3024/002, Dated Feb19
Site Layout, Drawing no. 3024/003, Rev B, Dated 18/03/19

Reason

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



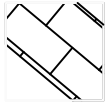
Key



Existing tar-macadam surfacing.
175m²



Proposed permeable tar-macadam or blocks surface to form new 12 space car park. 262m²



Existing paved surfacing to building



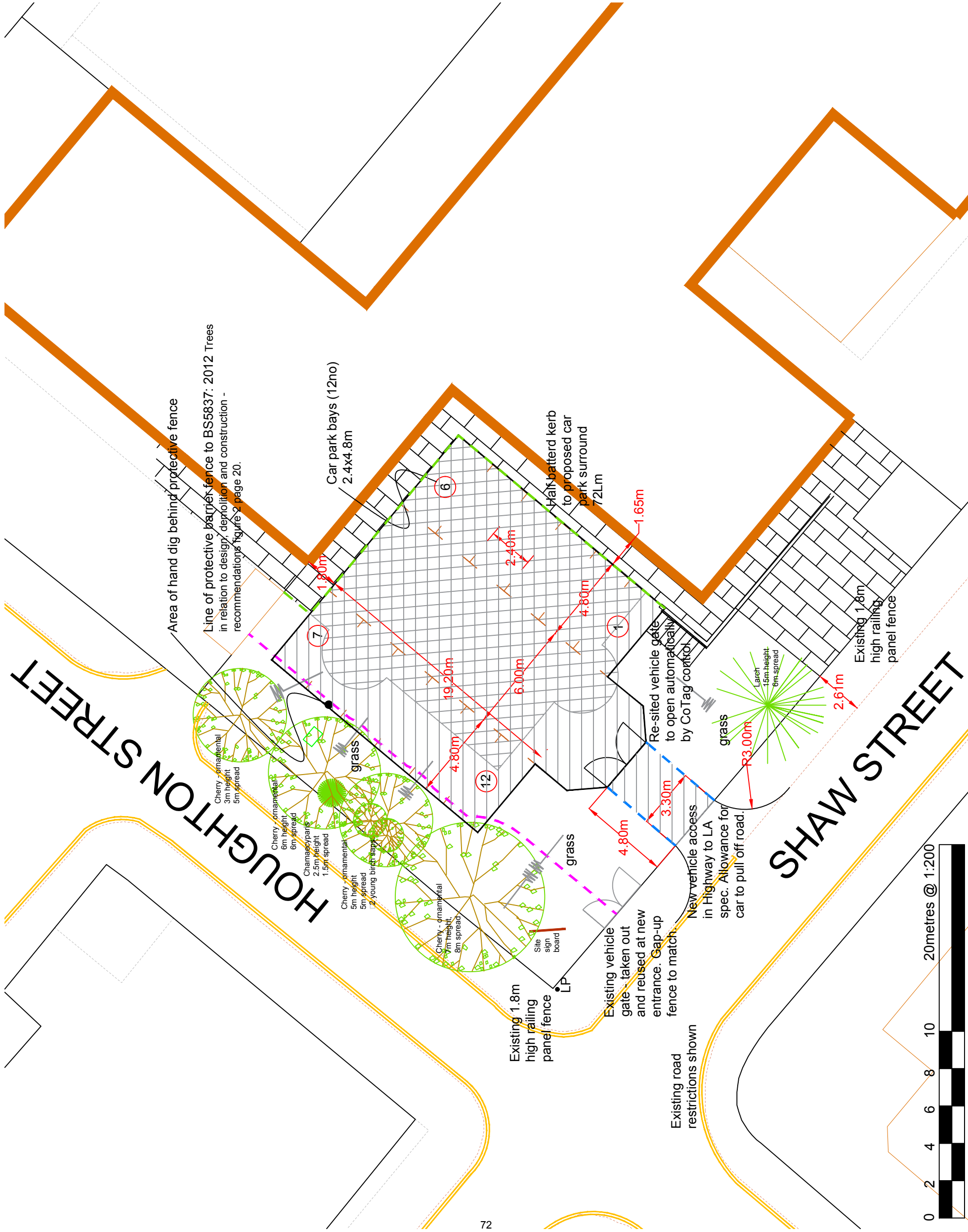
Line of new 1.2m high flat top railing fence galvanised and powder coated dark green RAL 6005
28.7m length

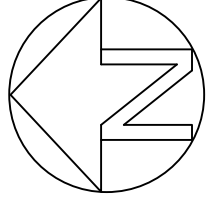


Line of new 1.8m high railing fence galvanised and powder coated dark green RAL 6005
9.6m length

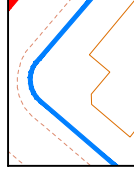


Line of protective barrier fence to BS5837: 2012. Trees in relation to design, demolition and construction - recommendations figure 2 page 20.
24.5m length

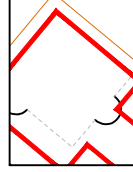




Land with Bolton
Council interest



Proposed site for
12 Car Park
spaces



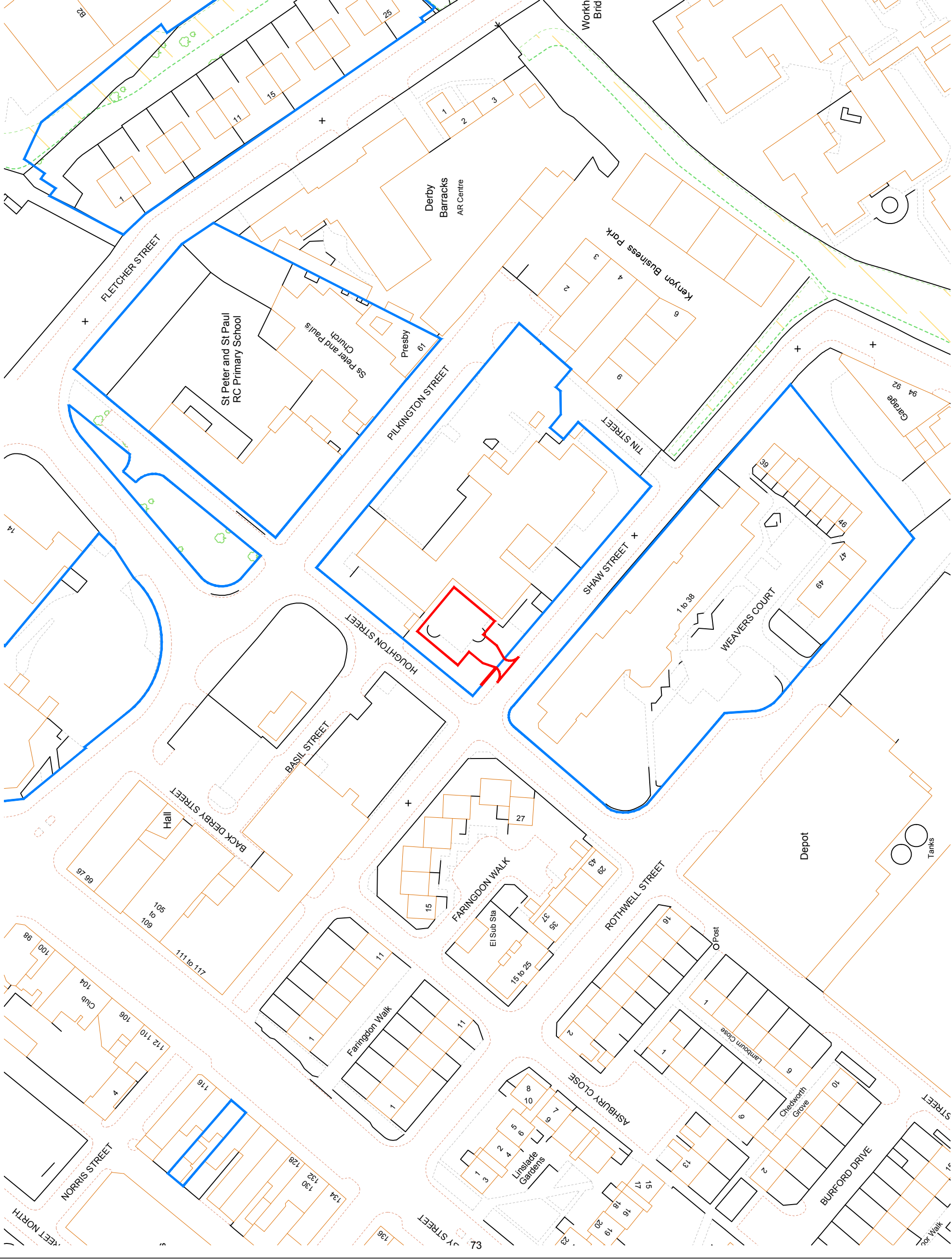
NEIGHBOURHOOD SERVICES
LANDSCAPE DEVELOPMENT AND DESIGN
ELLESMERE HOUSE MAYOR STREET DEPOT
ELLESMERE STREET BOLTON BL3 5DT
Tel: 01204 333333
Director of Place - Gerry Brough

Harvey Start Well
Children's Centre

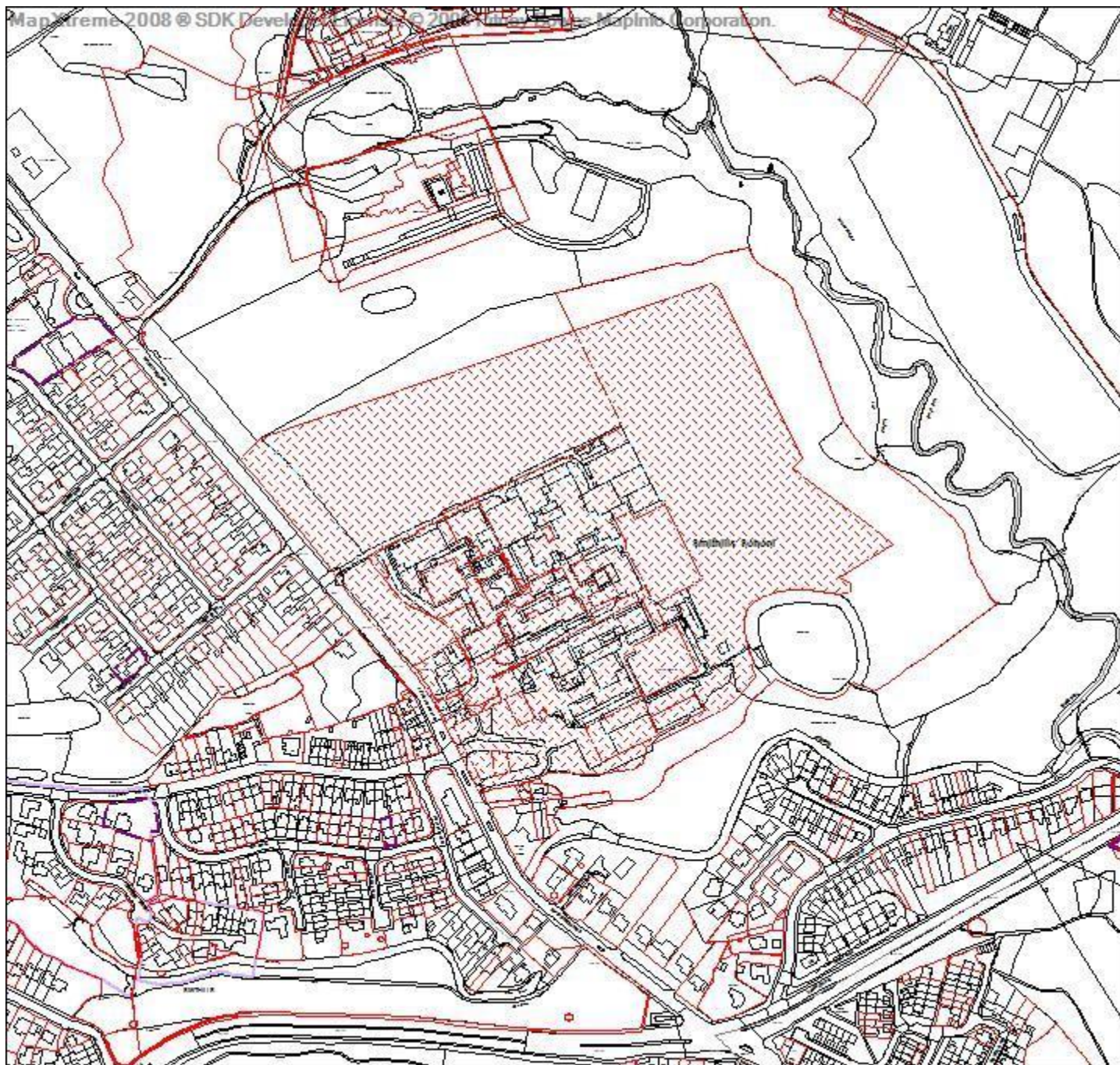
Shaw Street, Bolton BL3 6HU
Site Location

Scale: 1:1000 Date: Feb 2019
Drawing No: SM 3024 / 002
@A3

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Application number
05660/19



Directorate of Place
Development Management Section

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

Bolton
Council

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Date of Meeting: 27/06/2019

Application Reference: 05660/19

Type of Application: Local Authority Applications\Development

Registration Date: 07/03/2019

Decision Due By: 01/05/2019

**Responsible
Officer: Kara Hamer**

**Location: YOUTH CHALLENGE PUPIL REFERRAL UNIT, SMITHILLS DEAN
ROAD, BOLTON, BL1 6JT**

**Proposal: ERECTION OF A STEEL DISABLED PERSONS FIRE ESCAPE
RAMP AT THE REAR OF THE PRU BUILDING.**

Ward: Smithills

Applicant: Bolton Council

Agent :

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- * The school site is within the Green Belt and is Council owned.
- * The project is Council led.
- * No objections have been received.

Proposal

1. This is a Council application. Permission is sought for the erection of a steel ramped fire escape, specifically for use by disabled persons. The ramp would be sited on the northern elevation of the Pupil Referral Unit building, which is located at the north west corner of the built school site.

Site Characteristics

2. This is a secondary school site, situated on Smithills Dean Road. There are numerous mature trees around the site. Opposite the site are residential properties.

Policy

3. Core Strategy policies: CG3 Built Environment; CG4 Compatible Uses; OA5 North Bolton
4. SPD General Design Principles
5. National Planning Policy Framework

Analysis

6. 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.

7. The main impacts of the proposal are:-

- * impact on the design and character of the area
- * impact on residential amenity

Impact on the design and character of the area

8. 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.
9. Policy OA5 of the Core Strategy relates specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, will ensure regard is had to the character of farm complexes, folds, vernacular cottages and the wider open landscape and will require special attention to be given to the massing and materials used in new development.
10. The NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
11. The proposal is sited internal to the school site on the northern elevation of the Pupil Referral Unit building, which is located at the north west corner of the built school site. The steel ramped fire escape would run parallel to the building and thus would be viewed against the existing school buildings. A dense strip of mature trees separates the school buildings from Smithills Dean Road and the houses facing the site. The ramp will not therefore present an incongruous feature and is considered acceptable in this location and setting, thus complying with Core Strategy policies CG3 and OA5.

Impact on residential amenity

12. 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.
13. Due to the siting and design of the proposed steel ramped fire escape and the distance (in excess of 75 metres) and tree screening to facing residential properties, the proposal is not considered to have any impact on residential amenity, thus complying with Core Strategy policy CG4.

Conclusion

14. It is considered that the proposal complies fully with all relevant planning policies. Members are recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- none.

Consultations

Advice was sought from the following consultees: Greater Manchester Ecology Unit and Greater Manchester Archeological Advisory Service - no responses received.

Planning History

96119/16 - INTERNAL REFURBISHMENT & ALTERATIONS TO EXISTING LIBRARY AND MALE & FEMALE CHANGING AREAS AND ERECTION OF SINGLE STOREY EXTENSION TO FORM NEW FEMALE CHANGING ROOMS AND VIEWING GALLERY - approved May 2016.

91942/14 - ERECTION OF 8M HIGH FLAGPOLE - approved June 2014.

73970/06 - ERECTION OF 2.4 METRE HIGH WELDMESH FENCING ALONG SOUTHERN BOUNDARY. RETENTION OF 2.4 METRE HIGH PALISADE FENCING ALONG NORTHERN BOUNDARY - approved May 2006.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

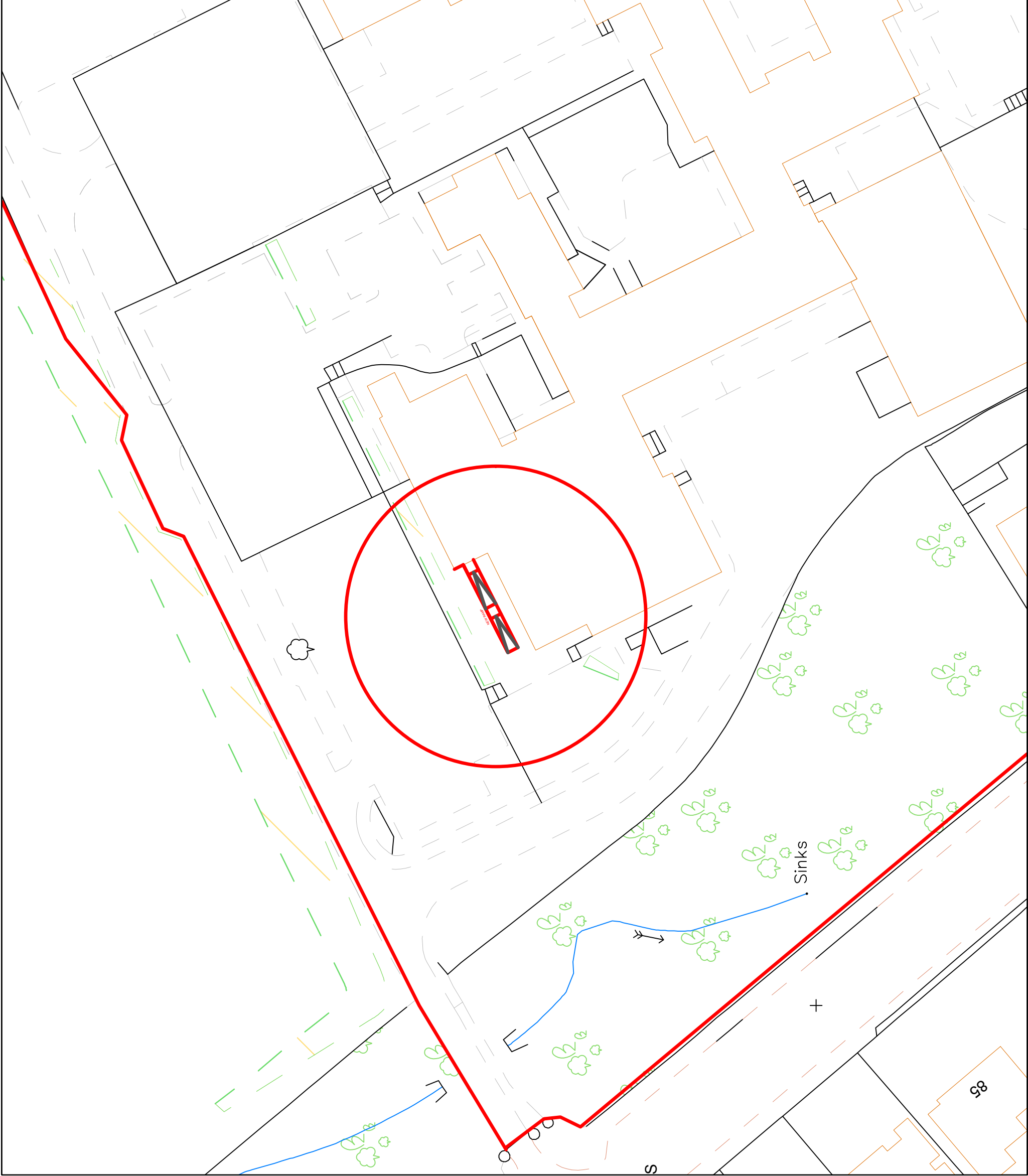
Location Plan, 001, 06 March

Site Plan, 004, 06 March

Section Plan, 003, 09 August

Reason

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



Note: All Dimensions to be checked on site.

Rev B Store size reduced 25/04/16
Rev A Store size reduced 30/03/16
Amendments



CORPORATE PROPERTY SERVICES

Town Hall, Victoria Square, BOLTON BL1 1RU
TELEPHONE (01204) 33234

Location
Smithills PRU
New ramped fire escape

Description
Site Plan

Scale
1/1250

Drawn by
Checked by
Date
06 May

Job number
Drawing number
Revision number
004

Drawing path: \\Acad\Projects\

Application number
05811/19



Directorate of Place
Development Management Section

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

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Date of Meeting: 27/06/2019

Application Reference: 05811/19

Type of Application: Full Planning Application

Registration Date: 01/04/2019

Decision Due By: 30/06/2019

Responsible Officer: Jodie Turton

Location: ROYAL BOLTON HOSPITAL, MINERVA ROAD, FARNWORTH, BOLTON, BL4 0JR

Proposal: ERECTION OF PART FOUR/PART FIVE STOREY EDUCATION DEVELOPMENT BUILDING (USE CLASS D1) INCORPORATING ANCILLARY OFFICE SPACE (USE CLASS B1) AND ANCILLARY FOOD AND DRINK AREA (USE CLASS A3); A MULTI-STOREY CAR PARK; LANDSCAPING AND BOUNDARY TREATMENTS.

Ward: Harper Green

Applicant: Bolton College

Agent : Avison Young

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

Proposal

- The application proposes the redevelopment of a site within the Royal Bolton Hospital complex to provide Bolton College of Medical Sciences (BCMS). The aim of the BCMS project is to provide a state-of-the-art vocational, professional skills and training facility for existing and new hospital staff.
- The building will comprise a part 4-storey, part 5-storey college building and a 3-storey multi-storey car park comprising 406 parking spaces, which will serve the college function.

Car Parking and Traffic Impact

- The existing use of the site is a 346 space surface car park. Some of the car park will be retained (109 spaces), however 237 spaces will be displaced.
- The BCMS and the Hospital Trust are exploring a number of options to ensure replacement of the spaces lost during the construction phase. A pre-commencement condition has been suggested by the Applicant requiring details of the temporary provision of car parking, which will ensure that no car parking spaces are lost during the construction of the multi-storey car park (MSCP). Once the MSCP has been completed the ground and first floor (178 spaces, 6 electric charging points, 11 disabled spaces and 6 motorbike spaces) will be available to staff and visitors to the hospital. Once the college is fully operational a scheme will be required for submission (secured by condition) to ensure that the displaced parking spaces are accommodated in the wider hospital site (paragraphs 29-31).

- The submitted Transport Assessment includes traffic impact analysis of the Plodder Lane/Redgate Way and Minerva Road/Bradford Road junctions and demonstrates that the net impact on capacity issues based on development flows will potentially be negligible and will thus have limited impact on the operational capacity of the highway network.
- Sustainable transport options are to be encouraged – a contribution to the “Bee Network” cycling provision is under negotiation, Travel Plan encouraging sustainable transport options, a bus to run between the college, university and town centre.
- The BCMS curriculum has been designed to minimise transport and parking issues by staggering the timetables, ensuring learners are not arriving on site at the same time. In addition, a lot of course material is online or on-the-job learning, meaning students can often use the facilities at times other than peak times and before or after an existing shift at the Hospital and so not adding to trip generation.

Design, Amenity Impact and Landscaping

- BCMS building has been well designed and will sit comfortably within the hospital site.
- Given the distance to the closest residential properties (over 80 metres) there will be no impact on residential amenity.
- Some trees will be lost on the site, however the submitted landscape plan shows the suitable replacement of these trees as well as other landscaping, to the satisfaction of the Council’s Tree and Woodland and Landscape Officers.

Proposal

1. The application proposes the redevelopment of a site within the Royal Bolton Hospital complex to provide Bolton College of Medical Sciences (BCMS). The BCMS project is a collaboration between: Bolton College (the lead partner), Bolton NHS Foundation Trust (Bolton Hospital), the University of Bolton and Bolton Council. The aim of the BCMS project is to provide a state-of-the-art vocational, professional skills and training facility for existing and new hospital staff.
2. The building will comprise a part 4-storey, part 5-storey structure of approximately 7,600 sq m internal floorspace, with an additional associated multi-storey car park. The BCMS building will be sited in the northern section of the site and will be dual fronted, with main entrances from Redgate Way to the north and a pedestrianised communal area to the south, which will contain benches, cycle parking and landscaping.
3. The building will contain a mix of teaching/learning space (with a heavy emphasis on practical learning), a cafe, and associated staff and service spaces.
4. The proposed car park will be 3-storey and will provide 406 parking spaces, comprising 380 standard spaces, 6 spaces with electric charging points and 20 disabled spaces.

Site Characteristics

5. The site is located close to the Minerva Road entrance to the hospital site, lying to the south of Redgate Way and flanked by Barnes Drive to the east. To the west are the existing hospital buildings accessed from Kinlay Road. To the immediate south is Barnes Drive and to the south east is an area of existing surface car parking which will be retained. To the north are further hospital buildings and to the north west is the Technology Innovation Centre and Mount St Joseph Secondary School.
6. The site comprises a hard surface car park with a capacity of 346 spaces.
7. Barnes Drive is a tree lined avenue, with trees along both sides of the road, some within the

application site. A landscape plan and plans showing trees to be retained and removed have been submitted with the application.

8. Beyond Barnes Drive is a vacant site which is currently subject to a planning application for a residential development (03818/18). Beyond this are the residential properties on Kingsland Road.

Policy

Bolton's Core Strategy Policies: P5 Accessibility and Transport; S1 Safe Bolton; CG1 Cleaner and Greener; CG2 Sustainable Construction; CG3 The Built Environment; CG4 Compatible Uses; RA2 Farnworth; SC1 Housing; IPC1 Infrastructure and Planning Contributions.

Supplementary Planning Documents:

- General Design Principles
- Accessibility, Transport and Safety

National Planning Policy Framework: 6. Building a strong, competitive economy, 9. Promoting sustainable transport, 11. Making efficient use of land, 12. Achieving well-designed places.

Planning Practice Guidance

Analysis

9. 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.

10. The main impacts of the proposal are:-

- * principle of development
- * impact on car parking and the highway
- * impact on neighbouring uses and amenity
- * impact on the character and appearance of the area
- * impact on trees and biodiversity
- * impact on sustainable construction
- * impact on crime and the fear of crime
- * infrastructure and planning contributions
- * other matters

Principle of Development

11. Policy RA2.4 of the Core Strategy seeks to, *"Continue to recognise the Royal Bolton Hospital as the principal hospital in the borough, supporting consolidation and opportunities for improvement and employment on its existing site"*. Paragraph 4.7 of the Core Strategy under the Objective 'Achieving Bolton' recognises that, *"a well-educated and trained workforce will make a major contribution to Bolton's future economic success"*. The proposal complies with the aims of Core Strategy policy RA2.4 and the Objective 'Achieving Bolton'.

12. Policy SC1 of the Core Strategy seeks to identify a range of sites for the provision of housing.

Appendix 4 of the Allocations Plan identifies the application site as being allocated for residential development.

13. It is acknowledged that the Council is not able to demonstrate a 5-year supply of deliverable housing sites. This represents a housing shortfall. In this circumstance paragraph 11 of the NPPF indicates that the policies that are most important for determining the application should be regarded as out-of-date and that there is a 'tilted balance' in favour of granting permission for residential schemes. Although it is acknowledged that there is a need for housing development in the borough and significant weight should be afforded to this, in this instance it is proposed that an allocated housing site is developed for an alternative use.
14. The proposed scheme offers a unique opportunity to the hospital, University and the borough to provide a state of the art vocational, professional skills and training facility, which forms part of the Greater Manchester Estates Strategy produced by Greater Manchester Health and Social Care Partnership. The facility will provide training and experience for existing staff at the hospital as well as new students. The hospital site is the ideal location for the siting of this facility to take advantage of the strong links with the hospital. The development of this site for BCMS will allow a larger existing training site within the hospital complex to be redeveloped and which would be more appropriate for housing. On this basis, it is considered that the site-specific benefits of the proposal outweighs the need for housing and therefore, the tilted balance weighs in favour of developing the site for an alternative use to the allocated housing use.

Impact on Car Parking and the Highway

15. Bolton's Core Strategy policy P5 seeks to ensure that developments take the following into account:

1. Accessibility by different types of transport, prioritising pedestrians, cyclists, public transport users over other motorised vehicle users.
2. The design of developments to enable accessibility by public transport.
3. Not relevant (freight)
4. Servicing Arrangements
5. Parking, including cycle parking
6. Transport needs of people with disabilities
7. Transport Assessment/Travel Plan

8. Policy S1.2 seeks to *"promote road safety in the design of new development."*

16. Paragraph 108 of the Framework is focused on the consideration of development proposals in relation to highway impact and *"it should be ensured that:*

17. Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

a) Safe and suitable access to the site can be achieved for all users; and

b) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."

- c) Paragraph 109 of the Framework goes on to state that, *"Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

18. A Transport Assessment and an Addendum to this, and Travel Plan have been submitted with the application.

Highway Impact

19. The Transport Assessment (TA) has been submitted with the application in order to justify the development from a transport/highways perspective. The council's highway engineers have confirmed that, *"the document is robust in its assessment also indicating that the site is reasonably accessible to sustainable transport provision."*
20. The TA includes traffic impact analysis of the Plodder Lane/Redgate Way and Minerva Road/Bradford Road junctions. Highway engineers have confirmed that, *"The analysis of the junction of Plodder Lane/Redgate Way appears to demonstrate that the addition of the development traffic has an immaterial impact on the operation of the junction in both the AM and PM peak period sensitivity test for the 2024 scenario."*
21. The assessment of the Minerva Road/Bradford Road junction does identify a greater impact due to the existing traffic pressures on this junction, highway engineers state that, *"although the TA demonstrates capacity issues at this junction within the 2024 scenario, the net impact on capacity issues based on development flows will potentially be negligible and will thus have limited impact on the existing operational capacity of the highway network at that location"*.
22. Based on the findings of the TA, highway engineers conclude that, *"the residual cumulative impact of development from a traffic/highways perspective could not be classed as severe, posing minimal additional road safety implications and is compliant with the requirements indicated in national planning guidance (Para 109 NPPF)"*.
23. In response to the highway engineers comments an Addendum to the TA was provided, in which they confirm that , *"The BCMS partnership is aware of the traffic and transport situation at the existing hospital site and in recognition of this has very carefully designed a curriculum which seeks to minimise transport and parking issues by avoiding travel during peak periods."*The measures that they propose are to:
 24. Stagger timetables to ensure learners are not arriving on site all at the same time.
 - Application of non-standard timetabling with evening, weekend and summer and 'holiday' scheduling.
 - A lot of course material is online or on-the-job learning, meaning learners can often use the facilities, in their own time and before and after existing hospital shifts, rather than travel to site at peak times.
 - A key reason the college is proposed at the hospital is that a significant number of pupils will be existing NHS staff or apprentices that will be working on the wider hospital site.
- In addition to these measures, a Transport Plan has also been submitted, which proposes measures to encourage users of the college to use sustainable transport options over and above the car, for example it is proposed that a dedicated bus service will be established to run between the college, University and town centre. The site is also relatively well served by existing bus services. The council is also keen to encourage links to cycling and pedestrian facilities. In the Addendum to the TA the Applicant confirms that they will be providing secure cycle parking and appropriate changing facilities for cyclists, these measures will be secured by condition. It is identified that there is an existing cycle route which passes within several metres of the proposed site and connectivity to the cycleway is envisaged via the enhanced public realm that borders the proposed site.
25. Highway engineers are satisfied that the submitted Transport Plan, *"reiterates a reasonable set of sustainable travel targets in order to create a modal shift towards these modes of transportation"*. However, in order to secure the improvements to the cycle network to encourage

a modal shift away from the car a contribution towards Bee Network cycle upgrades within proximity to the site is required, this is currently under negotiation with the Applicant and Members will be updated on this at the committee meeting.

Car Parking

26. The application site is an existing surface car park, which provides 346 parking spaces for staff and visitors to the hospital. The proposed development will result in the displacement of 237 spaces, a surface car park with capacity of 109 spaces is to be retained, with access from Barnes Drive.
27. There are an existing 23 surface car parks at the hospital (including the car park to be lost as part of the development proposal), which equates to 2709 spaces to serve the hospital site. From the submitted TA highway engineers requested additional information to ensure that the 237 spaces lost as part of the development proposal could be accommodated across the wider hospital site as it is acknowledged that the hospital experiences significant parking pressure especially at peak times.
28. In response to this, the Applicant has confirmed that the BCMS and the Hospital Trust are exploring a number of options to ensure the replacement of the spaces lost during the construction phase. A pre-commencement condition has been suggested by the Applicant requiring details of the temporary provision of car parking, which will ensure that no car parking spaces are lost during the construction phase.
29. A multi-storey car park forms part of the development proposal, which will provide 406 parking spaces over four floors to serve the college use. The multi-storey car park will be the first part of the scheme to be completed and the Applicant has confirmed that the ground and first floor (178 spaces, 6 electric charging points, 11 disabled spaces and 6 motorbike spaces) will be available to staff and visitors to the hospital. Once the college is fully operational there may be a requirement of the full use of the MSCP for the college and for staff and visitors to revert to using the wider hospital site, however a condition has been secured which requires details of additional parking provision to accommodate any displacement of parking spaces at this time. It is worth noting however, that a Hospital Masterplan has been commissioned by the Hospital, Council and University which will take a holistic assessment of the future development of the hospital site and will see improvements in accessibility, local transport infrastructure and parking provision.
30. It is therefore considered that the measures taken to ensure that temporary replacement car parking is adequate and that in the longer term the displaced car parking spaces will be accommodated within the hospital site, leading to no detrimental loss of car parking on the hospital site. It is also acknowledged that the Masterplan will provide a long term vision for the hospital site, which will include car parking as a key to the successful operation of the hospital.
31. Overall therefore, on the basis of conditions to ensure the implementation of the Transport Plan, to ensure the replacement of the displaced parking spaces in the short and long term and a contribution to the Bee Cycle Network, the proposal is considered to comply with policy in relation to impact on the highway and car parking.

Impact on Neighbouring Uses and Amenity

32. Policy CG4.1 of the Core Strategy seeks to ensure that, *"new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security"*. Policy CG4.2 states that, *"development should not generate unacceptable nuisance, odours, fumes, noise or light pollution"*.

Residential Amenity

33. The application site is located to the west and over 80 metres away from the rear of residential properties on Kingsland Road. Given the distance of the building to these residential dwellings and the belt of trees that forms the western perimeter to the hospital site, the proposed building will not impact upon the residential amenity in terms of amenity, privacy, safety or security of these nearby dwellings.
34. Between the hospital site and the dwellings on Kingsland Road there is a large vacant site which is subject to a planning application for a residential scheme (03818/18). It is acknowledged that this scheme does not have planning permission and remains in consideration at present, however it is important to assess the BCMS proposal against this scheme as it would be unreasonable to prejudice the development proposal for this neighbouring site. Given the orientation of the nearest proposed unit and the distance of the BCMS building to the side elevation of this residential block at over 50 metres, the BCMS development proposal will not compromise the proposed residential scheme. Furthermore, the proposed multi-storey car park will be in excess of 80 metres from the front elevation of the closest proposed residential block. Overall therefore, the proposed BCMS development will not impact detrimentally upon the consideration of this planning application.

Impact on the Hospital

35. The location of the BCMS within the Bolton Hospital site forms an integral part of the future development of the hospital site. The project forms part of Greater Manchester Estates Strategy, produced by Greater Manchester Health and Social Care Partnership, with the aim of delivering local strategic and national policy objectives through effective estate management, ensuring a long term and fit for purpose future for the site and to focus health care in a place-based approach. The relationship of the hospital is considered to be an integral and fundamental element of the proposed scheme, which will be beneficial to both the hospital and the University, providing specialist training and educational facilities for staff and students.
36. Rather than having any detrimental impact on the hospital site therefore, the proposed development is considered to bring benefits to the hospital and the future of the hospital site.

Noise

37. A noise report has been submitted with the application. The report covers issues of noise generated from traffic and plant machinery. Noise from traffic is not considered to result in any measurable change in noise level on the road network. New items of noise generating plant are likely to be installed as part of the proposed development and on the basis of appropriately low noise plant being installed there will not be any unacceptable impact in terms of noise. The report therefore concludes that with appropriate mitigation in place, suitable noise conditions should be achieved at the site and that *"noise need not be a determining factor in granting planning permission for the proposed scheme"*. A condition has been secured to ensure that any noise generated by plant or machinery is at an appropriate level.
38. The proposed BCMS development will not have any detrimental impact on the residential amenity of existing neighbours or on the consideration of the residential scheme at the adjacent site and will be a positive addition to the hospital site, the proposal thereby complies with Bolton's Core Strategy policy CG4.

Impact on the Character and Appearance of the Area

39. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area in

terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA6 relates specifically to developments in Little Lever and states that the Council will respect and enhance the built form and pattern of existing development. This policy aim is supported by the guidance contained in Supplementary Planning Document "General Design Principles".

40. Section 12 of the NPPF is focused on the achievement of well-designed places. The Government attaches great importance to the design of the built environment. Paragraph 124 asserts that, "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."
41. The proposed development incorporates two buildings, a part four/part five storey education building and a three-storey car park, each of these will be looked at in turn.

BCMS Building

42. The footprint of the building is largely rectangular and will sit within the northern section of the site, fronting onto Redgate Way. The building will be set back from the road frontage to follow the building line of the adjacent hospital buildings to the west and to allow for areas of landscaping to soften the appearance of the principle elevation. It is acknowledged that the proposed building is larger in height and footprint than the adjacent hospital buildings, however the hospital site is characterised by large format red brick buildings which have a strong presence in the identity of the site. The proposed building will provide a new, modern and imposing structure, however it has been well designed to be sympathetic to the surrounding character whilst striking a balance with a high quality and distinctive design in its own right. Strong fenestration detailing, focusing on vertical lines breaks up the bulk of the building. The stepped back layout of the eastern elevation will serve to break up the appearance of bulk from the main approach into the hospital site where vehicles and pedestrians will view the building from a lower level given the topography of the approach and site. Overall, it is considered that the design is well conceived and will present a high quality architectural addition to the hospital site.

Multi-Storey Car Park

43. A three-storey car park is proposed to serve the development, this will be sited to the south eastern area of the site. The car park will be sited adjacent to the rear of an existing hospital building on Kinley Road. The car park is a large format car park with a tower to the south eastern corner to provide internal lifts and pedestrian stairways. The submitted plans and an additional Addendum to the Design and Access Statement show the tower to be clad in aluminium grey and bronze panelling and the elevations to the car park will be clad in mesh screen. In its current form due to the scale of the car park building, the metal mesh cladding over long elevations will appear unattractive and give the building a monolithic appearance. It is acknowledged that the western elevation will face Kinley Road internally into the hospital site, however the eastern elevation will be more widely visible due to the open nature of the eastern vista, therefore the Applicant has been asked to amend the elevations, to lessen the appearance of a large, uniform, monolithic block. It is recommended that this is dealt with via condition if amended plans have not been submitted prior to the committee meeting.

Impact on Trees and Biodiversity

44. Core Strategy policy CG1.2 seeks to, *"safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats."*
45. Paragraph 170 of the Framework states that, *"Planning policies and decisions should contribute to and enhance the natural and local environment by:*

d) minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures”.

46. Paragraph 175 of the Framework states that when making decisions local authorities should encourage developers to [amongst other things] *"incorporate biodiversity improvements in and around developments ..., especially where this can secure measurable net gains for biodiversity."*
47. An Ecological Assessment, Landscape Plan and Arboricultural Impact Assessment have been submitted with the application. The proposed development is to be sited on a largely hard surfaced area of the hospital site, which currently accommodates a surface car park. There are however pockets of landscaping and a number of trees on the site and around the edge of the site.

Trees and Landscaping

48. The proposed development will result in the loss of several trees from the site. Four of these are mature trees and the Council's Tree and Woodland Officer has stressed that replacement tree planting of trees that will reach a large final size must be carried out to mitigate against this loss. Plans have been submitted showing the general landscape arrangement and the planting schedule and Landscape Officer's are satisfied that the proposals, including replacement tree planting are acceptable. Conditions are therefore recommended to secure the proposed planting.

Biodiversity

49. The submitted Ecological Assessment has not identified the presence of any protected species on the site. However, it is acknowledged that there are ponds within the vicinity which have the potential to be used by Great Crested Newts. The Council's Greenspace Officer is content that he proposed reasonable avoidance measures are adequate. The Assessment also identifies the opportunity for enhancement and development of habitat with bat and bird boxes and landscape planting proposals. A condition is recommended for details of the location and number of bat and bird boxes, together with other biodiversity enhancements.
50. The invasive species 'Cotoneaster' has been identified on the site. Due to its potential to cause damage to the natural environment, a treatment methodology is required via condition to prevent future damage to the development and spread of the weed during the clearance and construction process.
51. Overall, the proposed landscape and biodiversity measures are considered to comply with policy.

Impact on Sustainable Construction

52. Core Strategy policy CG2.2 seeks to ensure that non-residential buildings of 500 m² or larger meet the following criteria:
53. Achieve the "very good" BREEAM rating.
- Incorporate appropriate decentralised, renewable or low carbon energy sources to reduce the CO₂ emissions of predicted regulated and unregulated energy use by at least 10%.
 - Demonstrate the sustainable management of surface water run-off from developments.
- A Sustainability and Energy Statement has been submitted with the application which demonstrates how the development proposal is going to meet and indeed exceed both (1) and (2) requirements detailed above. The strategy for the building is to, *"aim to design the most energy efficient building and services that meet the needs of the occupants, are responsive to the external climate, and have a low carbon footprint."*
54. The proposed building will achieve BREEAM 2018 "excellent", which is a requirement of the

Applicant and exceeds the Council's requirement for BREEAM "very good".

55. To achieve the second criteria listed, the development will source heating from the Hospital's existing district heating network. Hot water will also be sourced from this which will provide a significant carbon emissions improvement over conventional gas-fired systems.
56. In addition, the thermal performance of the building fabric will be designed to provide a comfortable internal environment throughout the year, and to exceed the requirements of criterion 3 Part L2A of the Building Regs with the intention of reducing gains further to lower the building's cooling load. Lighting has also been considered as part of the sustainable construction of the building, maximising natural daylight, utilising automatic lighting control systems, and internal monitoring of energy usage. Overall, the proposal is considered to exceed the requirements of points (a) and (b) of Core Strategy policy CG2.2.
57. The drainage proposals for the site have evolved from the initial submission to ensure a more acceptable drainage scheme for the site. The Applicant has determined that the site conditions would not allow for the development of a sustainable urban drainage system. However, the drainage options for the site are being investigated and the principles of the policy CG2.2 guidance will be followed. The Council's Floodrisk team have been consulted and raise no objections to the proposals, although further details will need to be submitted via condition to secure suitable discharges, flow rates and attenuation volumes.
58. Furthermore, if the site is designed adequately it is possible that the development could join any future SUDS that may be developed as part of the wider master planning of the hospital site.

Impact on Crime and the Fear of Crime

59. Policy S1 of the Core Strategy seeks to, *"ensure that the design of new development will take into account the need to reduce crime and the fear of crime"*.
60. A Crime Impact Statement has been submitted with the application, providing an assessment of the site and a security risk analysis of the area and recommendations for crime prevention through design. Natural light and natural surveillance are central to the design and layout of the site both internally and externally. Furthermore, the multi-storey car park has been designed to maximise natural and casual surveillance with clear access and parking layout arrangements. There is also a recommendation for CCTV and staff patrols in the car park.
61. Throughout the site it is recommended that lighting is designed so that it provides good illumination and does not 'pool' to provide lit and dark areas, but a consistent level of lighting and that soft landscaping is designed to be low adjacent to pathways to increase natural surveillance and infiltration of light. Secure by Design standards are also recommended.
62. Overall, the recommendations of the Crime Impact Statement are considered to be of good practice and the submitted Statement will be included in the list of approved plans to ensure that the development is carried out in accordance with these recommendations.

Infrastructure and Planning Contributions

63. Policy IPC1 confirms that the council will expect, "public art from all development above one hectare in area or from the construction of buildings containing the threshold of 2500 sq m of floor space."
64. A condition is therefore recommended requiring on site public art, which will assist in the successful assimilation of the development within the hospital site and wider area.

Other Matters

65. A Coal Mining Risk Assessment was submitted with the application, this has been assessed by the Coal Authority on the basis that part of the site falls within the defined Development High Risk Area. The submitted report identifies that shallow mine workings within the High Yard coal seam pose a moderate risk to the proposed development. The Coal Authority are satisfied that the report makes appropriate recommendations for the undertaking of intrusive site investigations and recommends a condition to ensure that the works are carried out in accordance with the submitted details.

Local finance considerations

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

Conclusion

67. The proposed development of Bolton College of Medical Science at the hospital site is considered to be a positive and complementary development, providing a state of the art educational and vocational facility that will not only benefit the hospital and University, but also the wider borough in term so of education, training and employment.
68. The main issue raised by the development proposal is the potential exacerbation of the existing highway congestion and parking pressures, especially as the development will result in the loss of a surface car park. Despite this, the Transport Assessment has proved that the BCMS will not put undue additional pressure on the highway network and measures encouraged via the Transport Plan to encourage the use of sustainable forms of transport as well as sensitive timetabling and online/off site access to educational resources will further ensure that additional highway pressures at peak times are minimised.
69. Measures have been agreed to accommodate the displaced car parking spaces both in the short term during the construction process and in the longer term, therefore the development should not result in the loss of any car parking provision at the hospital site.
70. The BCMS building has been well designed and although large in format will sit comfortably within the hospital site. The proposed multi-storey car park does however require further attention to the elevational treatment and amended plans have been requested via condition.
71. Due to the siting of the proposed buildings they are not considered to have any impact on the amenity of the local residents or the users of the hospital and the proposal complies with the requirements of policy CG4 and SPD "General Design Principles".
72. A detailed landscape plan has been submitted, which provides for replacement tree planting where any losses are identified as well as additional landscaping to soften the appearance of the development and assist in its assimilation with the wider hospital environment.
73. Issues of drainage, coal mining legacy, contaminated land, sustainable construction, crime and designing out crime have all been satisfactorily addressed, in some instances requiring conditions where additional information is required.
74. Overall, the proposed development is considered to present a positive development proposal which complies with policy. Members are recommended to delegate the decision to the Director for the contribution to the Bee Network to be agreed.

Representation and Consultation Annex

Representations

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

75. Object to the height of the multi-storey car park (*Comment: the MSCP will be 3-storeys in height which is comparable to other buildings at the hospital site and will not therefore be out of character*)
76. The safety of the MSCP building – for patients to the hospital (*Comment: the elevations of the MSCP will be fully enclosed*)
77. Impact on views from nearby residential dwellings – the proposal buildings are ugly and tall and will appear very prominent (*Comment: addressed in the 'Impact on the Character and Appearance of the Area section of the above report*)
- Increase in noise, traffic, pollution and litter (*Comment: noise and traffic are dealt with in the main body of the report*)
 - The buildings will overlook residential gardens and block out the sun (*Comment: addressed in the Impact on Neighbouring Uses and Amenity section of the above report*)
 - Loss of protected trees to the rear of Kingsland Road (*Comment: the trees are outside of the site and the land is not in the ownership of the hospital*)

Petitions:- none received.

Elected Members:- a letter of general comment has been received from Cllr Howarth, making the following comments (where the issue raised is not covered in the main body of the report an Officer comment is detailed in italics):

- CCTV - The multi-storey car park needs CCTV inside and on the perimeter for the safety of students.
- Street litter bins - bins are needed on Redgate Way and at the bus stops (*Comment: an enquiry has been made to the relevant Council department regarding the feasibility of additional bins*).
- Trees - four significant trees are planned for removal. Replacement trees should be planted, in addition the opportunity should be taken to further enhance the green offering and open spaces at the site.
- Parking Plan and Transport Plan - the proposal will result in the loss of 237 parking spaces - there are no details of where additional vehicle spaces will be accommodated - this will result in more pressure on the surrounding residential roads for parking.
- Measures should be taken to prevent the use of Broadway and Briarfield Road as a throughway to Bradford Road and Plodder Lane caused by the increase in vehicles in the area.
- Details required about cycle parking (*Comment: Highway Engineers have commented that, "the routes are onerous owing to their residential nature and the level of on-street which would lend itself to them not being used to the extent that is being considered. There is nothing that could be put in place in order to restrict vehicle movement along these sections of public highway. There is no appreciable accident record to justify traffic calming along these sections of highway as a remedial measure."*)
- There is no mention of "drop off" in the Transport Plan - evidence shows that students do use taxis, they are high users of App based taxi's and that "drop off" can be high in rate, as well as for workers at the NHS site. Or of students that will arrive by train - to either Farnworth Station or Bolton Station (*Comment: this is noted and has been brought to the attention of the Applicant, a Transport Plan has been conditioned and "drop off" may be*

considered as part of this)

- Buses - the Transport Plan is incorrect on buses - there is no mention of 36 and 22 - these stop on Bradford Road and there is the need for a bus shelter here (TfGM?). The Transport Plan also refers to a bus to Bradley Fold, however this is incorrect as it is a school bus. *(Comment: the Applicant has been made aware of the suggested improvements to the bus stop and they will liaise with TfGM regarding this)*
- There is a need to increase bus usage amongst students - which requires an effective Transport Plan.

Consultations

Advice was sought from the following consultees:

Bolton Council: Pollution Control, Floodrisk, Highway Engineers, Greenspace, Landscape, Tree and Woodland Officers.

External Consultees: Coal Authority, Greater Manchester Police.

Planning History

The hospital has a rich history of planning applications for the wider hospital site, however none relate directly to the current development proposal. The most recent applications dealt with are: 03791/18, 96327/16 and 91240/13.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

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

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. ERADICATION OF COTONEASTER

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

Reason

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

4. COAL MINING LEGACY

Prior to the commencement of development the following works shall be undertaken:

- The undertaking of a scheme of intrusive site investigations which is adequate to properly assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity;
- A report of the findings arising from the intrusive site investigations and a scheme of proposed remedial works shall be submitted to and approved in writing by the local planning authority; and
- The remedial works, as approved, shall be implemented in full.

Reason:

To ensure the safe development of the site and in order to comply with Bolton's Core Strategy policy CG4.

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.

5. SITE INVESTIGATION WORKS

Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property or the environment;
- (iii) an appraisal of remedial options and proposal for a preferred option. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

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

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

Reason

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

Reason for Pre-Commencement Condition

The submitted Phase 1 Risk Assessment identified that further investigations were required, the investigations may result in a need for remediation works to be undertaken prior to the commencement of development to ensure the safe development of the site.

6. CONSTRUCTION MANAGEMENT PLAN

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

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

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

Reason

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

Reason for Pre-Commencement Condition

The site is within an existing and operational hospital environment and close to a school and residential properties, the site is therefore considered to be sensitive to potential disturbances during the construction process and these need to be kept to a minimum to minimise any impact on the sensitive neighbouring uses.

7. TREE PROTECTION MEASURES

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

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

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

Any commencement of groundworks or development could result in harm to the trees shown for retention on the approved plans, therefore a pre-commencement condition is required to ensure that the appropriate protection measures are undertaken prior to any works starting.

8. TREE METHOD STATEMENT

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

- 1. Arboricultural Method Statement - detailing confirmation that no level changes within the root protection zones of retained trees.
- 2. Arboricultural Method Statement - detailing surface water run-off and service routes (gas &

electric) will not impact on the root protection zones of retained trees.

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

Reason

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

Reason for Pre-Commencement Condition

Any commencement of groundworks or development could result in harm to the trees shown for retention on the approved plans, therefore a pre-commencement condition is required to ensure that the appropriate protection measures are undertaken prior to any works starting.

9. LEVELS DETAILS

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

Reason

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

Reason for Pre-Commencement Condition:

The commencement of groundworks could impact upon the site levels which need to be agreed in order to ensure the development sits comfortably within the site and does not impact detrimentally on the character and appearance of the area or on the amenity of nearby uses.

10. LANDSCAPE PLAN

Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme drawing references: **Landscape Planting Schedule - RFM-XX-00-DR-L-0003, Rev PL01; Landscape General Arrangement - RFM-XX-00-DR-L-0002, Rev PL01; Tree Pit in Hard Landscape Detail - RFM-XX-00-DR-L-8001, Rev PL01; Vegetation Removal and Retention - RFM-XX-00-DR-L-0001, Rev PL01.** The approved scheme shall be implemented in full and carried out in the planting season following the first use/occupation of the college building or the completion of the development, whichever is the sooner, or in accordance with phasing details submitted to and approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

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

11. ECOLOGICAL MEASURES

Prior to the commencement of any above ground construction works of the college building, a scheme for the provision of biodiversity enhancement measures, including bat and bird boxes shall be submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented in full prior to the first use/occupation of the building and retained thereafter.

Reason

To safeguard and enhance biodiversity in the borough and in order to comply with Bolton's Core

Strategy policy CG1.1.

12. LIGHTING

Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting. The lighting shall be designed to an illumination value of no greater than 5 lux at the nearest sensitive receptors. The beam angle of any lights directed towards any potential observer should be kept below 45 degrees. Spill shields should also be fitted if required. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution and in order to comply with Bolton's Core Strategy policies CG3 and CG4.

13. CAR PARKING PROVISION

No development, other than preparatory site works, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a Development Phasing Programme. The Phasing Programme shall provide details of the timescales for the construction of the multi story car park and education building and demonstrate both adequate provision and continuity of car parking provision for users of the existing hospital site. The development shall be carried out in full accordance with the approved Phasing Programme. Prior to the completion of the development a scheme for the replacement of the displaced parking spaces, including a timetable for implementation, shall be submitted to and approved by the local planning authority and once approved the scheme shall be implemented in full.

Reason

In order to ensure appropriate levels of car parking at the hospital site and in order to comply with Bolton's Core Strategy policy P5 and Appendix 3.

14. SOIL TESTING METHODOLOGY

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

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

Reason

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

15. FIXED PLANT AND EQUIPMENT NOISE RATING

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

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

Reason

To minimise the impact of noise on the general and residential amenity from the increase and

alteration of commercial and/or industrial uses in the area and in order to comply with Core Strategy policy CG4.

16. TRAVEL PLAN

Before the development hereby approved is first brought into use, a detailed Travel Plan incorporating measures to promote and maximise the use of sustainable transport and a means of monitoring travel methods and cycle provision on the site shall be submitted to and approved in writing by the LPA. The plan should include a mechanism for the regular monitoring and updating of the Travel Plan. The development shall be implemented in accordance with the approved details prior to the first occupation of approved development and retained thereafter.

Reason

To encourage the use of sustainable means of transport and in order to comply with Bolton's Core Strategy policy P5 and S1.

17. MATERIALS

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

Reason

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

18. WINDOW AND DOOR DETAILS

Prior to any doors or windows being installed, a detailed specification for all doors and windows shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is brought into use and retained thereafter.

Reason

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

19. CYCLE PARKING

Before development commences details of secure, on-site cycle parking and changing facilities to be provided within the site shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full before the development hereby approved is first brought into use and retained thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists and in order to comply with Bolton's Core Strategy policies S1, P5 and Supplementary Planning Document "Accessibility, Transport and Road Safety".

20. PUBLIC ART

The college building hereby approved shall not be occupied/brought into use until details of public art to be provided within the development site have been submitted to and approved by the local planning authority. The public art shall be installed in accordance with the approved details, in a timeframe agreed with the local planning authority and shall be retained thereafter.

Reason

To conserve and enhance local distinctiveness and in order to comply with Bolton's Core Strategy policy IPC1 and Supplementary Planning Document 'Infrastructure and Planning Contributions'.

21. **CRIME AND SUSTAINABILITY ASSESSMENTS**

The development hereby approved shall be carried out in accordance with the following approved reports:

- The recommendations of the submitted Crime Impact Assessment by Dobson Owens dated 18th January 2019.
- Sustainability & Energy Statement by Couchperrywilkes (ref: 180586)

Reason

To ensure the safety of future users of the college and MSCP and in order to comply with Bolton's Core Strategy policy S1.

22. **APPROVED PLANS**

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

BCMS Building:

1. **Area Plan - GIA - AAR-P1-XX-GA-A-001, Rev B - dated 14/03/19**
2. **Typical Bay Study - South Elevation - AAR-P1-XX-DA-A-2102 - dated 14/03/19**
 - **Typical Bay Study - North Elevation - AAR-P1-XX-DA-A-2101 - dated 14/03/19**
 - **Proposed Elevations - AAR-P1-ZZ-EL-A-0010, Rev A - dated 14/03/19**
 - **GA Plan - Ground Floor - AAR-P1-00-GA-A-0001, Rev D - dated 14/03/19**
 - **GA Plan - First Floor - AAR-P1-01-GA-A-0001, Rev D - dated 14/03/19**
 - **GA Plan - Second Floor - AAR-P1-02-GA-A-0001, Rev D - dated 14/03/19**
 - **GA Plan - Third Floor - AAR-P1-03-GA-A-0001, Rev D - dated 14/03/19**
 - **GA Plan - Fourth Floor - AAR-P1-04-GA-A-0001, Rev D - dated 14/03/19**
 - **GA Roof - Roof Plan - AAR-P1-05-GA-A-0001, Rev A - dated 14/03/19**

Car Park:

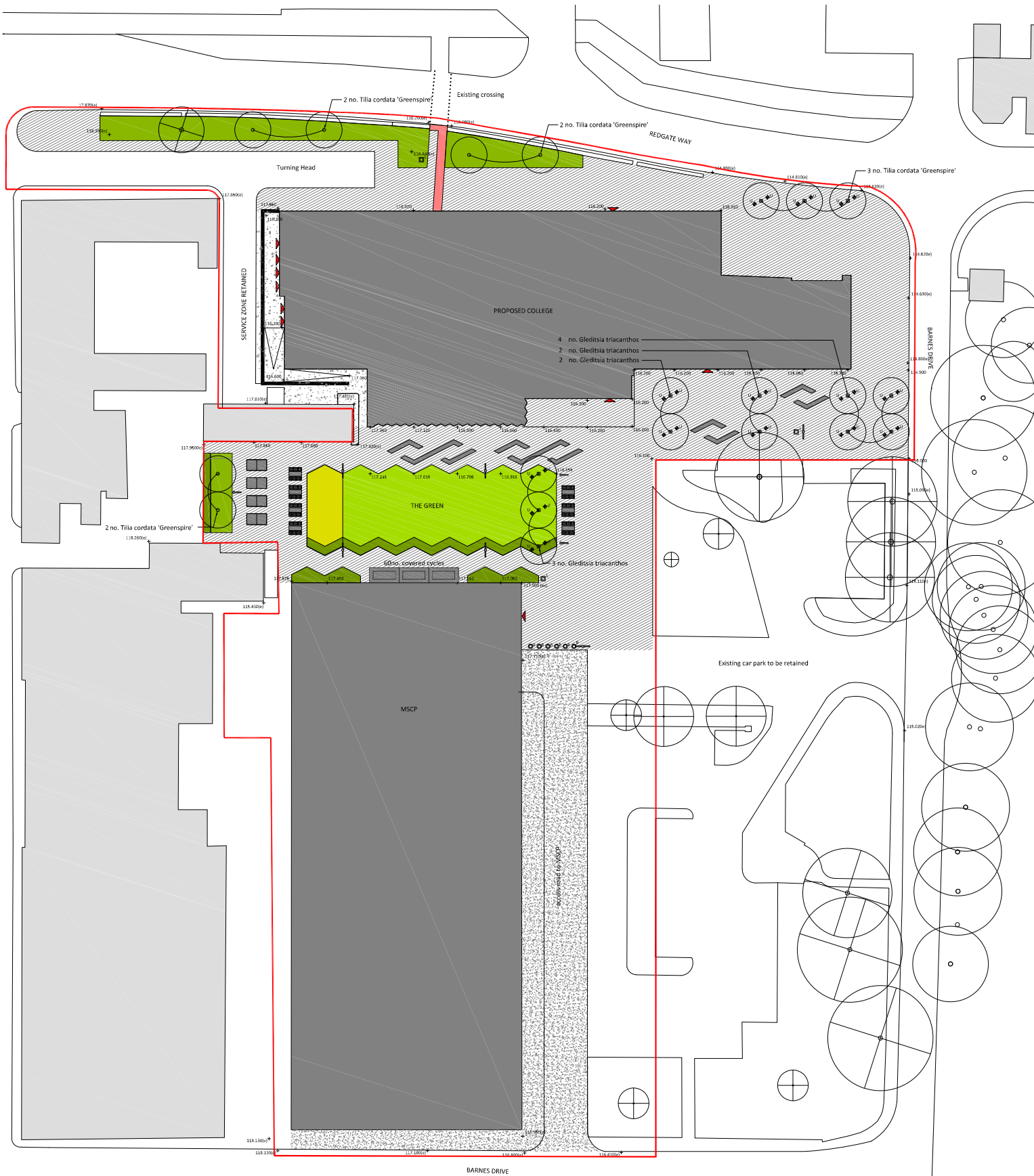
- **GA Plan - Car Park - AAR-P1-00-GA-A-0002 - dated 14/03/19**
- **Section Car Park - AAR-P1-ZZ-SE-A-0022 - dated 01/18/19**

Landscaping:

- **Landscape Planting Schedule - RFM-XX-00-DR-L-0003, Rev PL01**
- **Landscape General Arrangement - RFM-XX-00-DR-L-0002, Rev PL01**
- **Tree Pit in Hard Landscape Detail - RFM-XX-00-DR-L-8001, Rev PL01**
- **Planting Edge Details - RFM-XX-00-DR-L-8002, Rev PL01**
- **Vegetation Removal and Retention - RFM-XX-00-DR-L-0001, Rev PL01**

Reason

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



Key

	Planning application boundary		Proposed macadam surfaces to highway and secondary pedestrian routes		Proposed shrub planting Refer to drawing RFM-X-00-DR-L-0003		Proposed tree in soft landscape Refer to drawing RFM-X-00-DR-L-0003		Lightpost single sided		Fixed bollards
	Existing buildings		Proposed temporary gravel surface to temporary car park		Proposed herbaceous planting Refer to drawing RFM-X-00-DR-L-0003		Existing tree to be retained		Lightpost double sided		Picnic bench and table
	Proposed buildings		Proposed seating		Proposed hedging Refer to drawing RFM-X-00-DR-L-0003		Proposed kerb		Uplighter		Litter bin
	Proposed concrete paving to pedestrian areas		Proposed lawn Refer to drawing RFM-X-00-DR-L-0003		Proposed tree in hard landscape Refer to drawing RFM-X-00-DR-L-0003		Proposed bike stands				

Scale

0m 5m 10m 20m

100m

Paper size A1

Drawing status FOR INFORMATION

Drawn RFM-XX-00-DR-L-0002

Checked Approved Revision

© re-form landscape architecture's limited

Scale 1:250

Project BCM5 RF18-638

Client BOLTON COLLEGE OF MEDICAL SCIENCES

Revision PLO1

Document title LANDSCAPE GENERAL ARRANGEMENT

re-form landscape architecture

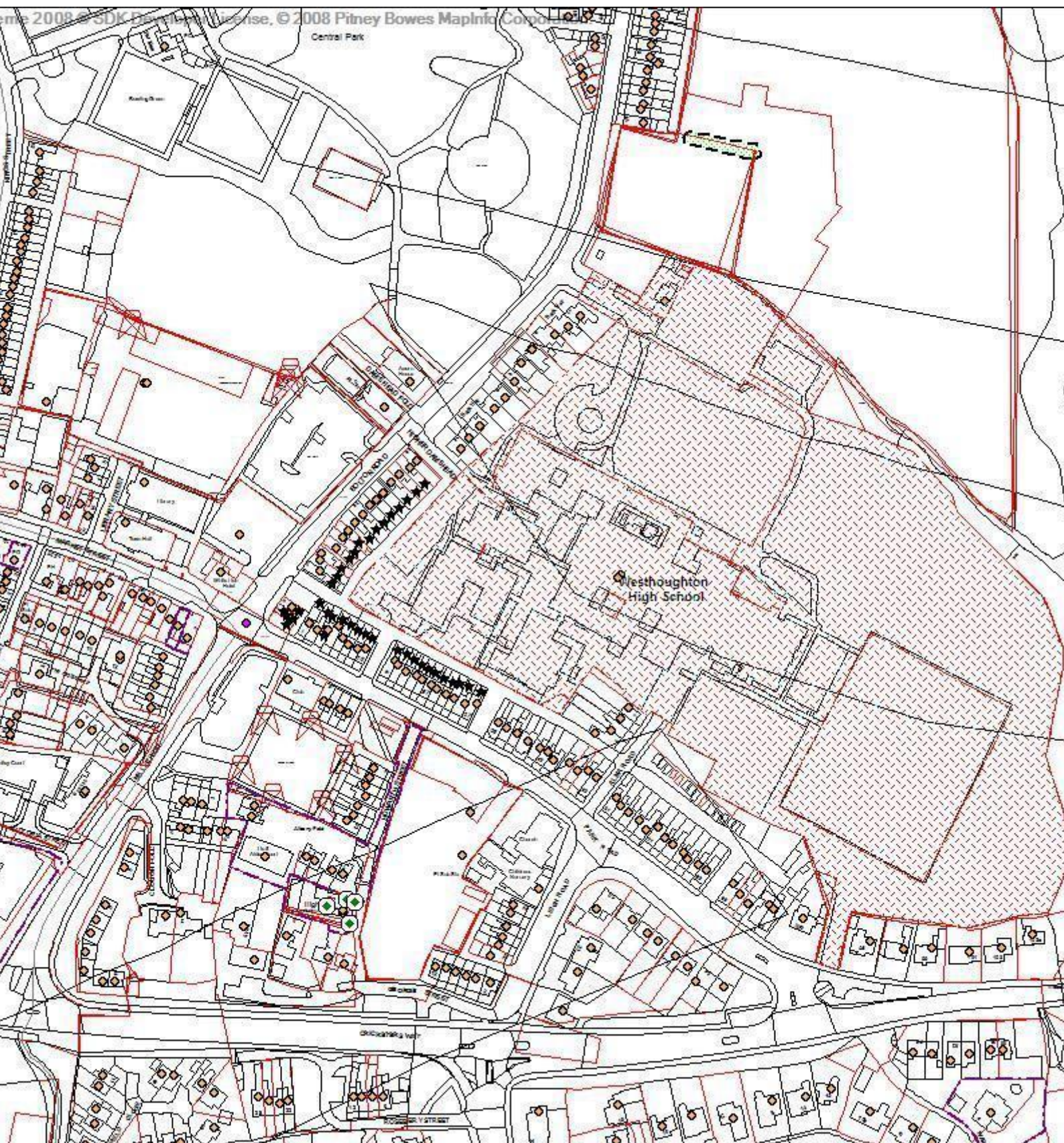
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Application number
06067/19





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Date of Meeting: 27/06/2019

Application Reference: 06067/19

Type of Application: Full Planning Application
Registration Date: 09/05/2019
Decision Due By: 03/07/2019
Responsible Officer: Monika Dubacka

Location: WESTHOUGHTON HIGH COUNTY SECONDARY SCHOOL,
BOLTON ROAD, WESTHOUGHTON, BOLTON, BL5 3BZ

Proposal: PARTLY RETROSPECTIVE APPLICATION TO EXTEND THE
EXISTING CAR PARK TO PROVIDE ADDITIONAL 15 CAR
PARKING SPACES AND EXTERNAL LIGHTING.

Ward: Westhoughton North

Applicant: Bolton M B Council
Agent : Good & Tillotson

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- The school is Council-owned
- The project is Council-led
- The proposal is a modest extension in character with the existing building and the existing car park to the south-west of the site
- There are no objections from Highways
- There are no objections from the Council's Tree and Woodland Manager
- One objection has been received from a local resident
- The proposal is recommended for approval subject to planning conditions

Proposal

1. The application proposes to extend the existing car part to the west of the school (which accommodates 29 car parking spaces) by creation of additional 15no. new car parking spaces in the south-west corner of the application site. The surfacing works have already

commenced, thus this is a partly retrospective application.

2. The car park is to be used by staff only between 6.30am-6.15pm Monday to Friday.
3. The proposal also involves the installation of new lighting.

Site Characteristics

4. The site consists of an existing secondary school with associated car parks, outbuildings and playing fields. The area of the site to which this application relates is accessed off Higher Damshead and is a car parking area for staff.
5. The existing car park as well the site proposed for additional car parking spaces is within the school grounds and enclosed by the existing fencing.
6. Residential properties are located to the south along Park Road and to the west along Bolton Road with school buildings located to the east of the proposed car park.

Policy

The Development Plan

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

Other material considerations

8. National Planning Policy Framework (NPPF)
9. Supplementary Planning Documents: General Design and Accessibility, Transport and Road Safety

Analysis

10. 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.
11. 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.
12. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations. The main impacts of the proposal are:-
 - impact on the character and appearance of the area
 - impact on amenity
 - impact on the highway

Impact on the character and appearance of the area

13. Policy CG3 of the Bolton Core Strategy states that the Council expects development proposals to contribute to good urban design, respect and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area.

14. Policy CG1.2 safeguards and enhances biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and inter connectivity of wildlife corridors and habitats.
15. The site is an existing car park, serving an established secondary school. Whilst the preparation works have already commenced the proposed extension to the car park will not alter the existing site boundary and would appear very similar in terms of its visual appearance.
16. It is acknowledged that a number of trees were removed from the south-west of the site. However, Bolton Council's Tree & Woodland Manager noted that generally the trees on the boundary were poorly formed low amenity specimens that were not worthy of retention by virtue of a Tree Preservation Order.
17. The Beech tree removed on the western boundary was growing directly below the telecommunication wires and there was a poorly formed Hornbeam on the eastern side of the access. Additional tree and shrub planting could be undertaken within the landscaped beds on the western boundary or further to the north of the site.
18. The retained Beech tree to the north side of the car parking area has been carefully worked around to prevent damage to the root protection zone of the tree. With the existing concrete ramp and base removed. According to the submitted Arboricultural Method Statement the submitted root protecting geosystem has been used within the root protection zone and a permeable tarmac surface will be required in this area. Thus it has been agreed that materials used would be DBM tarmac (Dense Bituminous tarmac) apart from around the tree where this would be permeable.
19. The remainder of the trees proposed for the retention would be secured by a protective Heras fencing during the construction phase, as shown on the proposed plans which is considered to be an acceptable solution.
20. In addition, it is noted that the Council's Tree and Woodland Officer recommends that a landscape scheme should be implemented to reflect and soften the setting of the development within the landscape, which would be also secured by a planning condition.
21. In view of the above, and subject to the proposed condition, it is not considered that the proposal would have a detrimental impact on the existing trees and character of the area, in accordance with Core Strategy policies CG1.2 and CG3.

Impact on Amenity

22. Policy CG4 aims to ensure that new development is compatible with surrounding land uses and occupiers and protects amenity. Development should not generate unacceptable nuisance, odours, fumes, noise.
23. The application proposes to extend the existing car park by an additional 15 car parking spaces. The car park would be only used by staff between 6.30am and 6.15pm Monday to Friday which would be secured by a planning condition. Given that the site is an existing car park and the limited hours of use, it is not considered that the changes to number of spaces would unduly affect nearby residential occupiers in terms of noise and disturbance.

24. With regards to the proposed lighting, this has the potential to cause impacts on living conditions and it is recommended that a condition be imposed to ensure that the illumination value of no more than 5 lux at the nearest residential property. It is noted that the objection received asked for the lights to be switched off after the hours of use. However, given that the proposed lighting would also be associated with the security of the site, this is therefore not considered to be reasonable.
25. With regards to any potential contamination, it is also recommended that a watching brief is carried out for any unforeseen contamination and an informative has been attached for the applicant's attention in this regard.
26. It is considered that the proposal complies with Policy CG4 of the Bolton Core Strategy.

Impact on the Highway

27. Policy S1 promotes road safety in the design of new development.
28. Bolton Council's Highway Engineers have raised no objections to the proposal.
29. Officers consider that the principle of allowing additional car parking at the school is acceptable and will serve to meet demand for staff. The existing fencing or access arrangement would not be changed and it is not considered that the proposed additional 13 car parking spaces would have a greater impact on highway safety or/and capacity than the existing arrangement.
30. The proposal complies with policy S1 of the Bolton Core Strategy.

Other matters

31. The initial plans submitted with this application were showing to containers and bins store to the south-east corner of the red line location plan. These were not part of this application and revised plans have been submitted with those items removed from the scheme.

Conclusion

32. The proposed changes to the car park would not unduly affect the character and appearance of the area, residential amenity nor highway safety. The application is therefore recommended for approval.

Representation and Consultation Annex

Representations

Letters: One letter of objection has been received, summary as follows:

- The existing access of Higher Damshead is used as informal drop off -pick up zone by partners
- Additional access should be constructed to serve this car park
- Higher Damshead, is already an issue with drivers turning onto the
- road apparently not expecting vehicles to be coming the other way
- Since Aldi was built on Bolton Road adjacent roads became more congested with unconsidered parking
- Unclear if the car park will be used by staff use only

- Works already commenced
- The scheme should to minimise any long-term disruption both during and after the building work
- Concern with potential noise, light pollution and overall disturbance from the use of the car park

Petitions: None received

Elected Members: No comments made

Westhoughton Town Council: No objections

Consultations

Advice was sought from the following consultees: Highways, Pollution Control, Greenspace services and Tree&Woodland Manager

Planning History

The wider School site has been subject to a number of planning applications for a number of proposals including security fencing (Aps: 63436/02, 53070/98 and 73695/06) and new classrooms (59313/01, 86053/11 and 04648/18).

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

1. No development or stripping of soil shall be started until the trees within the site which are to be retained have been surrounded by the approved heras fences as shown on the approved plan Proposed Rear Car Park Extension drawing number 1848-GTA-XX-XX-DR-A-0006 rev. A

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

2. The development hereby approved shall be finished with permeable tarmac surface layer within the car parking access and bays within the root protection zone of the retained Beech tree and carried out in accordance with hand dig Arboricultural Method Statement submitted on 12/06/2019

Reason

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

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

Reason

To reflect and soften the setting of the development within the landscape and in order to comply

with Core Strategy policies CG1 and CG3.

4. Notwithstanding any details submitted in the application, the external lighting shall be designed to an illumination value of no more than 5 lux at the nearest residential property. The beam angle of any lights directed towards any potential observer should be kept below 70 degrees. Spill shields should also be fitted. The lighting scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution and in order to comply with Bolton's Core Strategy policies CG3 and CG4

5. The premises subject of this consent shall only be used by staff working at Westhoughton High County Secondary School and shall not be open for parking outside the following hours:-

06:30 - 18:15 Mondays – Fridays

No opening shall take place on Saturdays, Sundays or Bank Holidays.

Reason

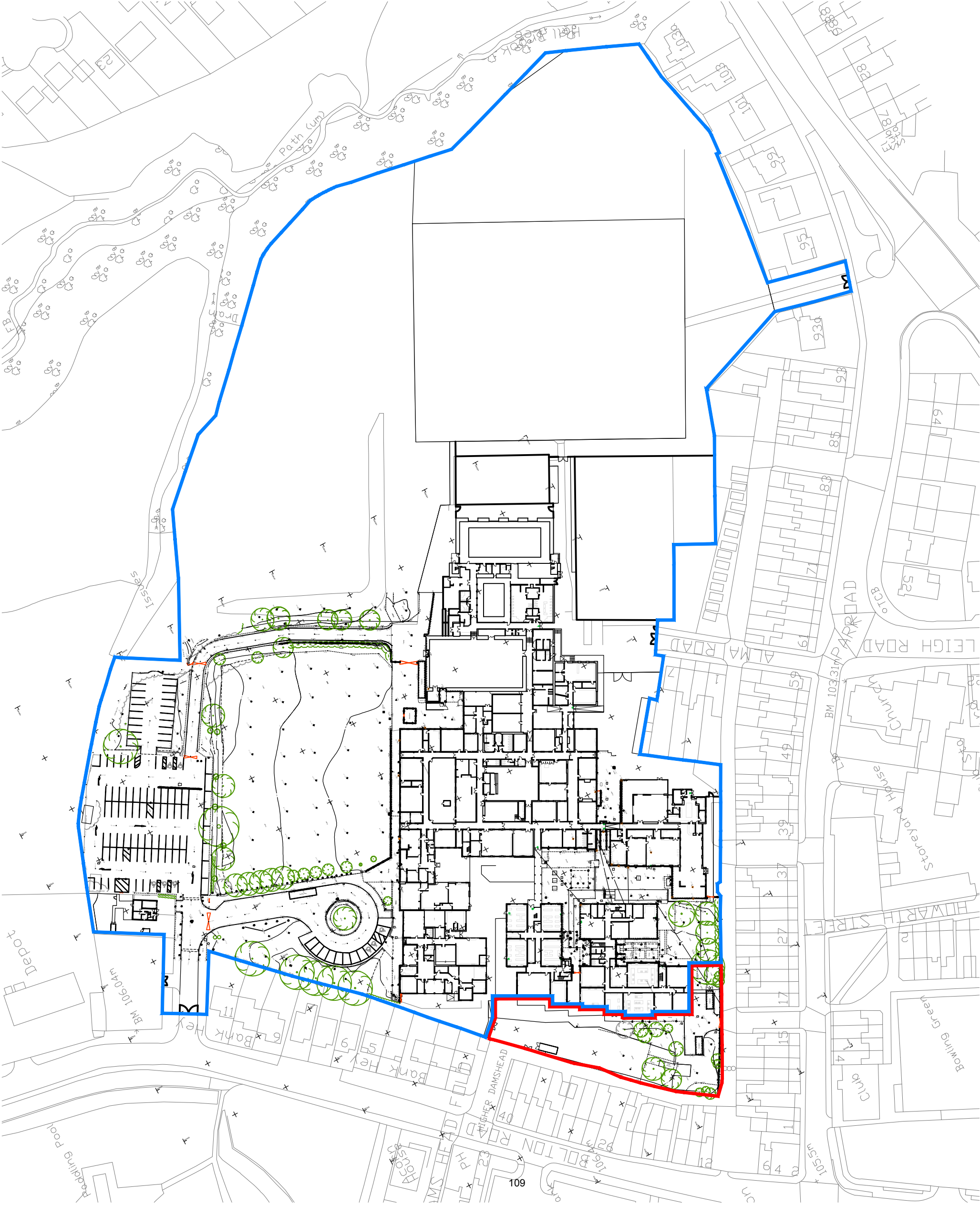
To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance and in order to comply with Bolton's Core Strategy policies CG3 and CG4.

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

- **Proposed Rear Car Park Extension drawing number 1848-GTA-XX-XX-DR-A-0006 rev. A dated 13.06.2019**
- **Existing Site Location Plan drawing number 1848-GTA-XX-00-DR-A-0001 rev. B dated 13.06.2019**

Reason

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



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ALL LEVELS TO BE CHECKED ON SITE.
All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect before proceeding.

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

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

All relevant boundary positions are to be checked prior to proceeding.

A	RED / BLUE OUTLINE ADDED.	K.C.	07.06.19
Rev	Revision	Ini.	Date
Project:			

Westhoughton High School, Westhoughton

Location:
Westhoughton High School,
Bolton Road, Westhoughton
Bolton BL5 3DN

Employer:
Bolton MBC

Client:
Westhoughton High School

Good & Tiltotson Chartered Architects

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Bolton,
BL1 4JU
Tel: 01204 497700
Email : info@goodandtiltoton.co.uk
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Drawing Title:

Existing Site Location Plan

G&T Job No:	Scale:	Drawn:	Checked:	Date:
1848	1:1250	RTH	KC	21.09.18
Drawing Purpose:				
FOR INFORMATION				
Status: A1				
Revision: A				

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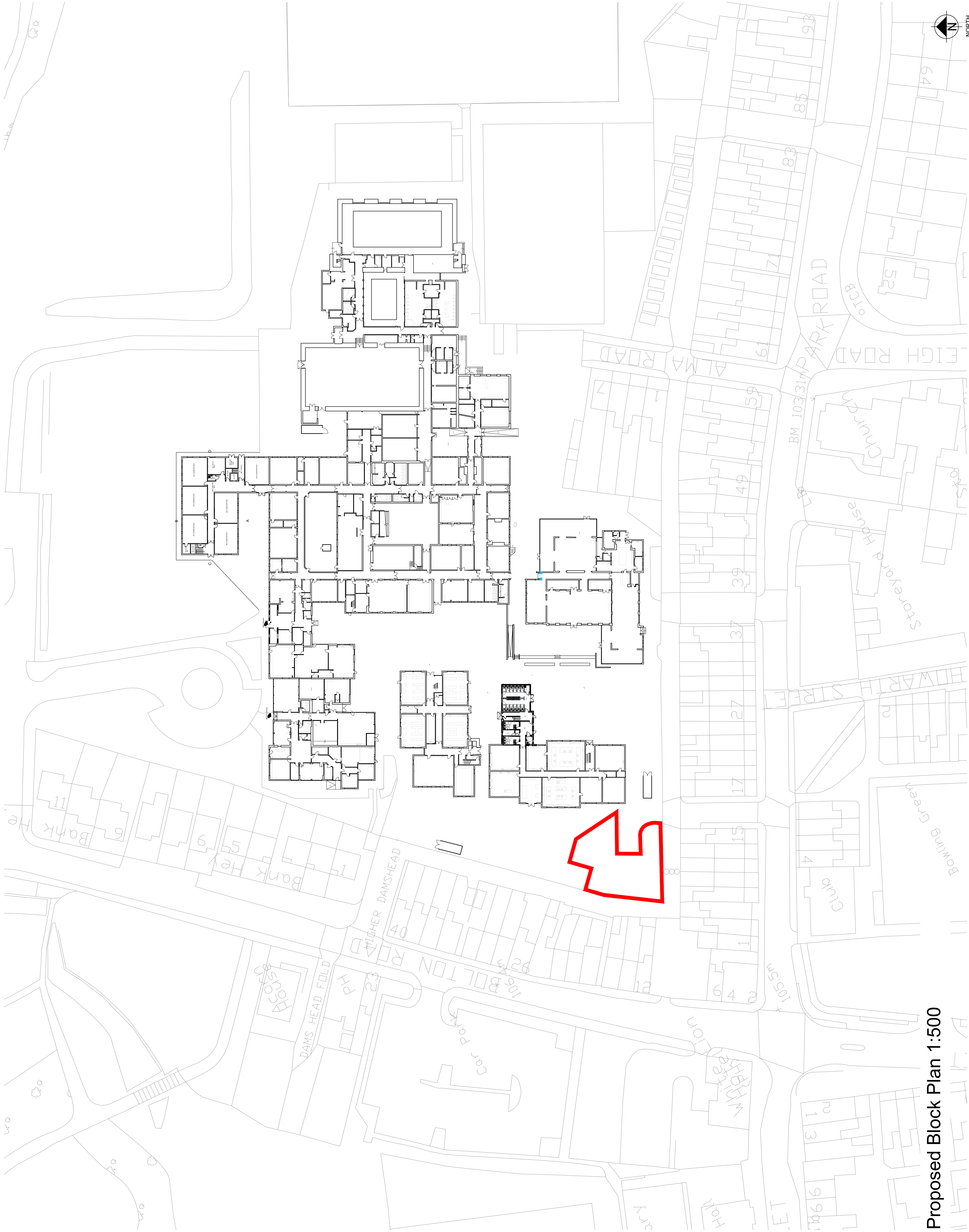
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All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect before proceeding.

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

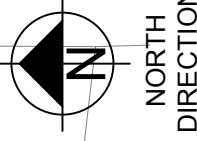
Positions and designation (i.e. combined, surface water or foul) of existing drain runs on site are to be checked / confirmed by the building contractor prior to commencement of any drainage works. Any existing drains, to which additional connections are to be made, are also to be checked as necessary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

All relevant boundary positions are to be checked prior to proceeding.

— Proposed Site Boundary Line.



Proposed Block Plan 1:500



GAT Job No:	Scale:	Drawn:	Checked:	Date:
1848	1:500	JP	KC	07.05.19

Drawing Purpose: **FOR PLANNING**

Status: **S4** Revision:

1848-GTA-XX-XX-DR-A-0101

110



NOTES:
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DO NOT SCALE OFF THIS DRAWING.
All dimensions to be checked on site and any discrepancies to be referred to the architect before proceeding.

ALL LEVELS TO BE CHECKED ON SITE.
All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect before proceeding.

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

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

All relevant boundary positions are to be checked prior to proceeding.

Proposed Site Plan
1 : 100

Rev	Revision	Int.	Date
Project: Westhoughton High School			
Location: Bolton Rd, Westhoughton, Bolton BL5 3DN			
Client: Bolton BC			
Good & Tillotson Chartered Architects			
2 The Studios, 318 Chorley Old Road, Bolton, BL1 4JU Tel: 01204 497700 Email : info@goodandtillotson.co.uk Web: www.goodandtillotson.co.uk			
Drawing Title: Proposed Rear Car Park Extension			
G&T Job No: 1848			
Scale: 1:100			
Drawn: KC			
Checked: -			
Date: 28.02.19			
Drawing Purpose: For Planning			
Status: S4			
Revision: -			
BIM Project: Origin: Zone: Level: Type: Rate: Dwg No: 1848-GTA-XX-XX-DR-A-0006			

DECIDED PLANNING APPEALS from 28/03/2019 to 18/06/2019

03053/18 LAND AT ELDERCOT ROAD, BOLTON

OUTLINE APPLICATION FOR THE ERECTION OF UP TO 250 DWELLINGS INCLUDING NEW ACCESS OFF ELDERCOT ROAD, ALONG WITH RESITING OF EXISTING ROUNDERS PITCH AND REFURBISHMENT OF EXISTING PAVILION (ACCESS ONLY).

Decision date: **23-Jul-2018**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **9-May-2019**

Appeal decision: **Allowed**

Appeal ref: **APP/N4205/2/18/3212602**

04371/18 101 VICTORIA ROAD, HORWICH, BOLTON, BL6 5PF

ALTERATIONS TO FORM A VEHICULAR ACCESS.

Decision date: **22-Nov-2018**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **22-May-2019**

Appeal decision: **Allowed**

Appeal ref: **APP/N4205/D/19/3222331**

02781/18 LAND AT BOWLANDS HEY, WESTHOUGHTON, BOLTON, BL5

ERECTION OF 174 DWELLINGS INCLUDING ACCESS, LANDSCAPING, PUBLIC OPEN SPACE WITH ECOLOGICAL MITIGATION AND OTHER ASSOCIATED WORKS.

Decision date: **04-Jul-2018**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **9-Apr-2019**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/18/3207361**

04158/18 79 ALBERT ROAD WEST, BOLTON, BL1 5HW

DEMOLITION OF BUNGALOW AND ERECTION OF 4No DWELLINGS TOGETHER WITH ACCESS AND LANDSCAPING.

Decision date: **21-Sep-2018**

Decision: **Refused**

Decision level: **Committee**

Appeal decision date: **25-Apr-2019**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/18/3216901**

04039/18 CORGES FARM COTTAGE, DODD LANE, WESTHOUGHTON, BOLTON, BL5 3NT

CHANGE OF USE OF LAND TO RESIDENTIAL CURTILAGE ALONG WITH A CONVERSION OF THE EXISTING OUTBUILDING FROM AGRICULTURAL STORE TO RESIDENTIAL ANNEX

Decision date: **24-Oct-2018**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **15-May-2019**

Appeal decision: **Allowed**

Appeal ref: **APP/N4205/W/18/3219196**

03590/18 **266 BLACKBURN ROAD, BOLTON, BL1 8DT**

ADDITIONAL USE OF DWELLING HOUSE AS A BASE FOR THE OPERATION OF THREE PRIVATE HIRE VEHICLES

Decision date: **04-Jul-2018**

Decision: **Appealed for Non Determination**

Decision level: **Delegated**

Appeal decision date: **29-Apr-2019**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/18/3219555**

04527/18 **LAND AT ELDERCOT ROAD, BOLTON**

ERECTION OF 234 DWELLINGS, RELOCATION OF ROUNDERS PITCH TOGETHER WITH NEW VEHICULAR AND PEDESTRIAN ACCESS FROM ELDERCOT ROAD AND ASSOCIATED WORKS.

Decision date: **15-Jan-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **9-May-2019**

Appeal decision: **Allowed**

Appeal ref: **APP/N4205/W/19/3220774**

04804/18 **LAND AND BUILDING ADJ TO 141 BRADSHAW ROAD BOLTON, BL2 3EN**

CHANGE OF USE OF UNIT FROM GARAGE TO COFFEE SHOP AND ADJACENT LAND FOR OUTSIDE SEATING AREA (A3), ALONG WITH SINGLE STOREY EXTENSION TO SIDE.

Decision date: **18-Dec-2018**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **15-May-2019**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/19/3220940**

04596/18 **31 AND 33 ASHTON STREET, BOLTON, BL3 4HN**

RETENTION OF SINGLE STOREY EXTENSIONS TO SIDE AND REAR OF NO 31 AND ERECTION PART SINGLE STOREY/PART TWO STOREY EXTENSION AND DORMER TO REAR OF NO 33.

Decision date: **08-Jan-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **17-May-2019**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/19/3221759**

04938/18 **283 WILLOWS LANE, BOLTON, BL3 4HH**

RETENTION OF PITCHED ROOF TO FLAT ROOF SINGLE STOREY REAR EXTENSION

Decision date: **18-Jan-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **11-Jun-2019**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/19/3222899**

	Allowed	Dismissed	Total
Total	4	6	10