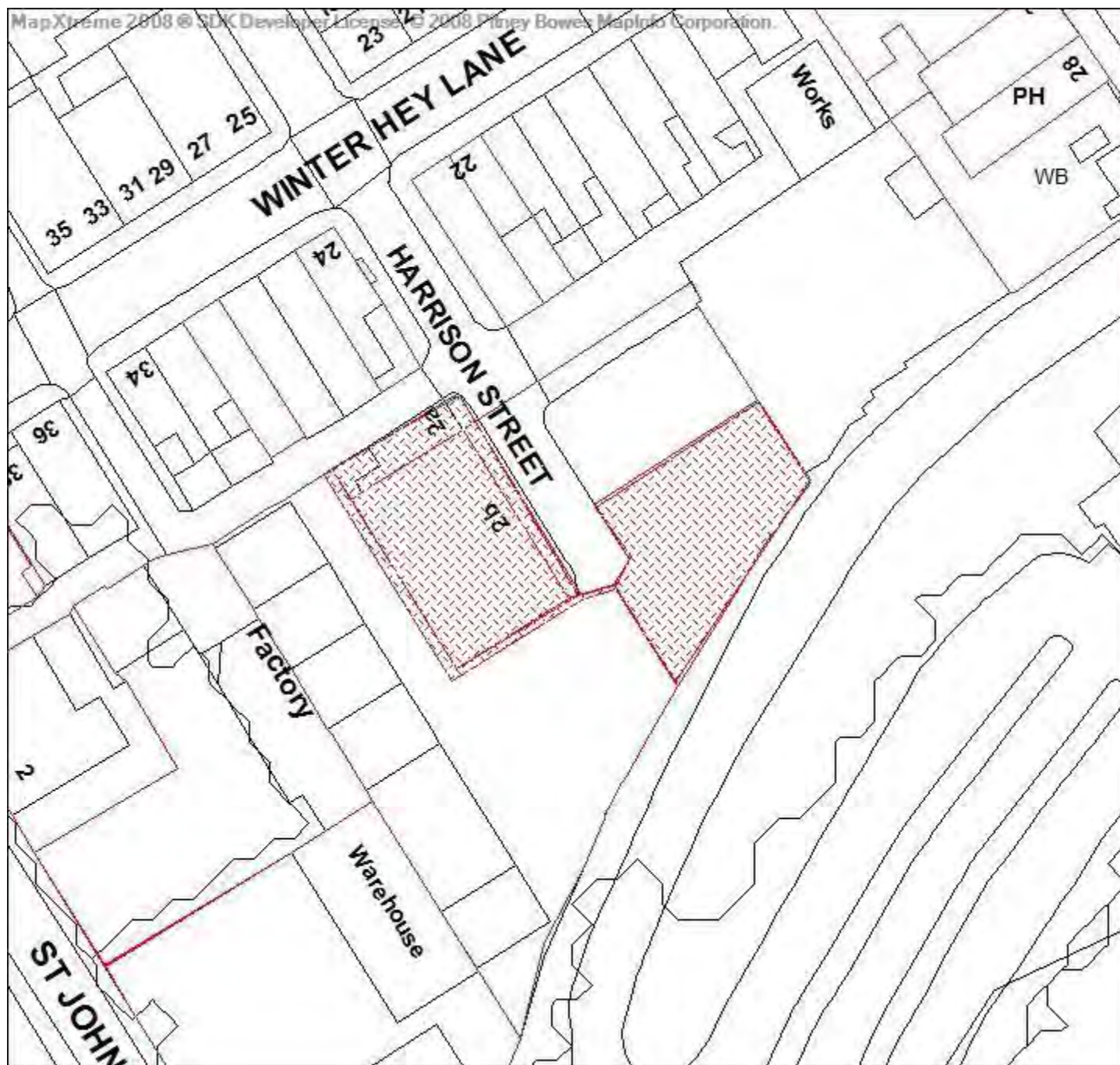


Application number
95810/16



Development & Regeneration Dept
Development Management Section

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

Bolton
Council

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Date of Meeting: 12/05/2016

Application Reference: 95810/16

Type of Application: Full Planning Application

Registration Date: 08/02/2016

Decision Due By: 03/04/2016

**Responsible
Officer: Paul Bridge**

Location: 2 HARRISON STREET, HORWICH, BOLTON, BL6 7AH

Proposal: DEMOLITION OF EXISTING BUILDING AND ERECTION OF A THREE STOREY BUILDING COMPRISING 4 NO. ONE-BEDROOM FLATS AND 5 NO. TWO-BEDROOM FLATS TOGETHER WITH ASSOCIATED PARKING

Ward: Horwich and Blackrod

Applicant: Mr Bloor

Agent : R.A.Fisk and Associates

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the demolition of an existing building and the erection of a three storey building comprising 4 one bedroom flats and 5 two bedroom flats together with associated parking. The proposal would occupy a site area of approximately 592m².

The site is located on the western side of Harrison Street, would have three storeys and would be approximately 11.5m in height. It would be constructed out of brick and tile and would have pitched roof with a gable end. The site would be enclosed with a 900mm decorative steel fence to the front and a 2m high close board timber fence to the sides and rear.

Car parking would be provided on an area of land on the east of the site (on the opposite side of Harrison Street) and would accommodate 9 car parking spaces, which can be accessed from Harrison Street.

The storage of bins would be via an external storage area located to the rear. The proposal would also include several improvements to the existing roads which serve the site - these will be explained in more detail in the appraisal.

Site Characteristics

The application site is located within Horwich Town Centre though outside of the Conservation Area. It is set within a densely populated area with predominantly commercial properties in close proximity to the site. To the north boundary of the site are rows of terraced properties which front Winter Hey Lane largely comprising retail units at ground floor and the associated residential accommodation above. To the south of the site is the public open space known as Old Station Park. To the rear of

the site is a small industrial estate which is currently occupied by a number of vehicle repair related uses.

Policy

National Planning Policy Framework

Core Strategy CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, OA1 Horwich and Blackrod and Appendix 3 - Parking Standards.

SPD Accessibility, Transport and Road Safety, Sustainable Design and Construction SPD and House Extensions SPD.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development;
- * impact on housing provision
- * impact on 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 existing highway network and parking;
- * impact on crime and the fear of crime;
- * impact on the environment.

Principle of residential development

The National Planning Policy Framework at paragraph 7 defines sustainable development as incorporating a social role - "supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being".

Paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development", whilst one of the 12 core planning principles identified in paragraph 17 is to encourage the effective use of land that has been previously developed (brownfield land). Core Strategy policy CG3 reflects these priorities. The site is previously developed brownfield land and its development would constitute effective use of land in accordance with the NPPF.

Given the fact that the site is brownfield land located within an urban area in an accessible and

sustainable locality and having regard to the housing requirements on previously developed land in Bolton, it is considered that the principle of developing the site for residential purposes is acceptable.

Impact on Housing Provision

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.

The submitted plans indicate that the one bedroom units will provide a floor space of approximately 52.5 sq/m and the two-bedroom units up to 56.5 sq/m. Typically, the majority of apartments should have a floor space of 55m² or more to provide an adequate living space. The submitted plans show that 5 out of the 9 apartments would have a floor space above 55m², with the other four just marginally below this. The proposed development is therefore considered acceptable in this regard.

Impact on Affordable Housing

Given that only 9 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

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.

The adjacent buildings are all principally two storey and whilst the proposed building is three storeys, the overall height of the building is considered acceptable in this location. For this reason, there are therefore no objections from the Local Planning Authority in respect of the scale and massing of the proposal which is considered to be appropriate in the context of the dwellings and commercial premises in the immediate and wider surrounding area.

The apartment block would have a simple appearance to the front with three large windows which span the full height of the proposal and which add some interest to this elevation. The application form states that the proposal would be constructed from a mixture of brick work and concrete tile to the roof. In order to ensure that the materials proposed are of sufficient quality a materials condition will be recommended requiring the applicant to submit agreed samples of materials prior to the commencement of development.

The proposed site plan shows that the proposed apartments would have a small area of amenity space which would be located to the rear of the apartment block. In addition, Old Station Park is located within a short walking distance of the proposal. Given that the site plan lacks sufficient landscape detail, a landscape condition is recommended to agree these details at an appropriate stage within the development. It is considered that a quality landscaping scheme could be secured and as such there are no objections to the development in this regard.

Furthermore the proposal would, if built, remove an unsightly building in a highly sustainable location within Horwich Town Centre.

In light of the above and subject to conditions to secure high quality materials and a landscaping scheme the development is considered to accord with Core Strategy Policies CG3 and OA1.

Impact on the living conditions of existing/future residents

Policy CG4 of the Core Strategy has the objective of ensuring that proposals do not adversely affect the level of residential amenity neighbouring occupants can reasonably expect to enjoy.

Future Occupiers

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. Development should not usually be permitted where it would have an unacceptable impact on the living conditions of nearby occupiers.

The proposed apartments are considered to be of an appropriate size to be functional and would provide any potential future occupiers with adequate living space. All of the habitable rooms within the flats are served by way of windows which would provide an adequate source of both light and outlook to these habitable rooms. It is therefore considered that the proposed flats are sufficient in size and design.

There would be a small area of communal open space to the rear of the property for the flats and there is Old Station Park within walking distance of the site. In addition, the property is located on Harrison Street, which is within close proximity to a number of services and is in a sustainable location with access to regular public transport links. It is therefore considered that the sustainability of the location and close proximity to open spaces mitigate the limited amount of open space contained within the curtilage of the property. Bin storage would be located in an external area to the rear of the building which would provide sufficient space for bin storage for the nine proposed apartments.

To the rear of the site is a small industrial estate which is currently occupied by a number of vehicle repair related uses, therefore this has the potential to cause issues in respect of noise, therefore an appropriate condition has been attached to ensure an assessment is carried out of any noise likely to affect the application building and any subsequent mitigation measures recommended by the Local Planning Authority incorporated into the development.

Neighbouring Residents

There are no residential dwellings directly facing the site, the front of the site overlooks a vacant piece of land, part of which will be utilised as the car park for the development. The proposed development would result in the former social club and a dwelling being demolished and brought back into use as a residential development.

The Council's records indicate there is a residential flat above No.28 Winter Hey Lane. It is considered the proposed use would not increase the potential for noise and disturbance than the previous use as a dwelling and social club and therefore would be wholly compatible in this location in terms of noise and disturbance.

Loss of Privacy/Overlooking

In respect of loss of privacy and overlooking there are no residential dwellings within close proximity to the site. There are a number of non-habitable room windows in the rear elevation and protruding rear element at all levels. Given that these windows serve non-habitable areas and rooms a condition would be attached to ensure these windows are all obscurely glazed to prevent any unacceptable loss of privacy/overlooking to the industrial area to the rear.

Loss of Light/Overbearing.

Whilst this is not an extension to a residential dwelling, the principles of the adopted House Extension SPD can be applied in this case. The House Extension 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.

The Council's records indicate there is a residential flat above No.28 Winter Hey Lane, which has a window in the main rear elevation, it is unclear what room this window serves. Nevertheless, given the siting of the proposed apartment block and that the window at first floor level in the main rear elevation of No.28 would not directly face the main bulk of the building, 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.

Impact on the existing highway network and car parking

Core Strategy policies P5 and S1.2 and Appendix 3 seek to ensure that new development proposals make adequate provision for pedestrians, cyclists, servicing and access arrangements and car parking.

The proposal provides for 4 one bedroom flats and 5 No. two bedroom flats which would be accessed via Harrison Street. The Council's Highway Engineers have assessed the site layout and have not objected to the access to the site being off Harrison Street and is acceptable in principle, subject to a condition recommending that any damage to the footway during the construction phase is repaired and/or reinstated once the development is completed. As any repair/re-instatement to the footway will have a cost implication to the applicant; the case officer has discussed this with the applicant's agent, who has agreed to fund any repairs to the footway upon completion of the development.

A request was also made to ensure any potential damage to the carriage way is also repaired. However, this is considered to be an issue of general highway maintenance and therefore it is not reasonable to expect the developer to undertake any potential repairs to the carriageway.

In respect of car parking, this would be provided on an area of land on the east of the site (on the opposite side of Harrison Street) and would accommodate 9 car parking spaces and which can be accessed from Harrison Street.

The proposed spaces equate to 1 per unit which is considered acceptable for a development of this nature. In addition, the site is located within an accessible location which is served by good public transport links allowing for trips on foot and public transport. At present there is unrestricted parking available directly to the front of the application. The Council's Highway Engineer has advised that this unrestricted parking could potentially lead to the future occupiers of the flats parking on street rather than the designated car park. The previous use as a social club would have been unlikely to have generated any parking demand during the day when access is required by local businesses and on-street parking is required for visitors to the town centre. In addition, as a licensed premises serving the local community, in the evening, the club would have mainly attracted customers on foot or by taxi. Therefore conditions have been attached to ensure that a review of the Traffic Regulation Orders in the locality is undertaken and any recommendations of that review are implemented in order to mitigate the likely impact of the development.

Subject to the above the Council's Highway Engineers have no objections to the proposal, subject to a number of conditions.

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 S1 of the adopted Core Strategy.

Impact on Crime and the Fear of Crime

All the flats would be accessed via a door on the front elevation which is afforded a high level of natural surveillance; in addition there is activity in the immediate area due to the building being located within Horwich Town Centre. The proposed plans do not show any external lighting to the

enclosed areas to the side and rear. A condition has been attached requiring further details of external lighting to ensure it is fit for purpose.

Greater Manchester Police's Design for Security Consultant has been consulted and has no objections to the scheme, subject to a number of informatives in respect of physical security.

Given the above and 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.

Environmental

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

The application site is not located within a critical drainage area but is located within a Flood Risk 2 areas. Policy CG2 states amongst other things that proposal for 5 or more residential units that development should aim for a minimum reduction in surface water runoff rates of 50% for brownfield sites. The Council's Drainage Engineer has been consulted and has no objections to the proposal subject to a condition to include a Sustainable Urban Drainage System (SUDS). Therefore a condition has been recommended requiring this and a reduction in surface water flows as required by policy CG2 of the adopted Core Strategy. United Utilities have advised however that the drainage of the site would need to meet the requirements of planning and building regulations and have requested a number of conditions and informatives in this respect.

It is considered that with the imposition of conditions that the development would accord with policy CG2 of the adopted Core Strategy in respect of drainage and surface water run off.

Noise and Air Quality

As stated earlier the application site adjoins an industrial estate which currently houses a number of vehicle related uses. Due to the sensitive end use proposed and its close proximity to the industrial estate, a condition has been attached to ensure the above issues are addressed prior to the commencement of development.

Contaminated Land

A Phase 1 Preliminary Risk Assessment has been submitted in support of the application. The Council's Environmental Health Team has been consulted and have no objections to the proposal subject to appropriate conditions. Therefore given the sensitive end use of the site a condition has been attached to ensure adequate site investigations are carried out prior to the commencement of development.

Sustainability

The application has not been supported by a Sustainability Report. The Applicants submission makes no reference to achieving Level 3 of the BREEAM code for sustainable home or incorporating decentralised, renewable or low carbon energy sources to reduce CO2 emissions of predicated regulated and unregulated energy use by 10%. As such it is considered necessary and appropriate to condition these elements to ensure policy compliance.

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

Conclusion

The proposal would result in the removal of a vacant building and the re-use of a brownfield site within a sustainable location with a new residential apartment block which is acceptable in this location, whilst providing adequate car parking. It is considered that the proposal complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- Representations have been received from one individual address in response to the planning application publicity and who have raised the following concerns:-

Restriction of access to industrial units,

Development out of character with surrounding area,

Noise from the industrial units could affect future tenants

The above issues have been addressed in the appraisal.

Customers may be discouraged from visiting the Industrial Unit and other business may be affected.

Response – There is no evidence to suggest that a new residential apartment block would discourage customers from visiting the Industrial Units, nor would it affect other business in the wider locality.

Recovery trucks vehicles and other vehicles will not be able to pass freely along Harrison Street.

Response – The existing access arrangements would not be affected by the proposal. Any issues in relation to restricted access already exist and the proposed development would not exaggerate this to any unacceptable degree.

Land Ownership. *Response –* The applicant has signed certificate A. The Local Planning Authority is entitled to rely on this without any further investigation.

The proposed car park area has been used by members of the public as amenity space. *Response –* The proposed car park area is in private ownership and therefore to enter this area without the consent of the land owner would be deemed to be trespassing.

Consultations

Advice was sought from the following consultees: Horwich Town Council, Environmental Health, Environment Agency, Strategic Development Unit, Economic Strategy, Drainage, United Utilities, the Council's Highways Engineers and Design for Security.

Planning History

79815/08. Demolition of garages and former club and erection of building comprising office accommodation at ground floor level and six apartments within the first floor and roof space - Approved, July 2008

81961/09. Removal of Condition 3 on application 79815/08 (Demolition of Workshops) and Variation of Condition 7 on application 79815/08 (Car Parking Arrangements). Withdrawn

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development full details of the highway works Harrison Street comprising of the repair/re-instatement of the footway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

3. No development approved by this permission shall be commenced, including the commencement of groundworks, until a strategy to include a Sustainable Urban Drainage System (SUDS) has been submitted to and approved in writing by the Local Planning Authority. The strategy should detail the pre-development discharge rate for the site, a plan demonstrating the impermeable areas/permeable areas of the site, a network drawing annotated clearly (manhole numbers, invert/cover levels, pipe sizes, pipe number) that can be referenced to the model, network and manhole details and results for a 1 in 1, 1 in 30 and 1 in 100 year return periods, all durations (plus the appropriate allowance for climate change) both summer and winter storms (a summary of results for these storms is acceptable), the method employed to delay and control the surface water discharged from the site, storage requirements, proposals for dealing with exceedance flows generated from the development site, the measures taken to prevent pollution of the receiving groundwater and/or surface waters; as detailed in the CIRIA SUDS Manual (C697). Those details shall also include:

- 1) A timetable for its implementation, and
- 2) A management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. The approved strategy shall be carried out in full in accordance with the approved plans and it shall be retained thereafter.

Reason

To ensure the site provides satisfactory means of surface water drainage and complies with policy CG2 of the Core Strategy.

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

Reason

In the interests of tackling climate change.

5. Prior to the commencement of development the details of the type and colour of materials to be used for the external walls, windows, doors and roof to be agreed with the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

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

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.

7. Prior to the construction of any development hereby approved above slab level the site shall be treated in accordance with a landscape scheme, which shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall include full details of shrubs to be planted, walls, fences, boundary (including height) and surface treatment together with an implementation plan. Any shrubs dying within five years of planting shall be replaced with the same species within twelve months. The development hereby approved shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of the area

8. Prior to the construction of development hereby approved above slab level the developer shall submit to the Local Planning Authority for written approval, a report which shall include all the information specified in Clause 12 of BS4142:2014 and details of any mitigation proposed to achieve the rating level. The rating level, as defined in BS4142:2014 shall not exceed the measured daytime and/or night time background sound level at the closest residential properties at any time.

Any mitigation measures shall be approved in writing by the Local Planning Authority and installed prior to the occupation of the development. Prior to occupation of the development a Site Completion Report shall be submitted to the Local Planning Authority for approval. The Site Completion Report shall 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 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.

9. Prior to the commencement of development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult , advertise, promote and implement Traffic Regulation Orders to mitigate the likely impact of the development.

Reason

In the interests of highway safety.

10. Development shall not commence until a site investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the

findings must be produced. The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:

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

Part B.

The proposed remediation scheme shall include provision for verifying that the remediation objectives (verification report) have been met and also for any subsequent monitoring and maintenance in accordance with Model Procedures for the Management of Land Contamination (CLR 11). Full details of which should be submitted to, and approved in writing by the Local Planning Authority before the development is first brought into use or first occupied.

Part C.

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 development is safe for use.

11. Notwithstanding the approved plans and before the approved development is first brought into use no less than 9 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 3169 – 01 Rev A (site & location plan), dated Nov 14. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

12. Notwithstanding the approved plans and prior to the development hereby approved being first occupied, 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.

13. Prior to first occupation a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of the locations, design, luminance levels, light spillage and hours of use of, and columns for, all external lighting within the site and the approved scheme shall be implemented in full prior to the occupation of development.

Reason:- In the interest of crime and design.

14. Prior to the development hereby approved being first occupied or brought into use, all Traffic Regulation Orders required by the Local Highway Authority to mitigate the impact of the development

shall be implemented in full.

Reason

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

15. Before the first occupation of the building hereby permitted the windows in the rear elevation at all levels (including protruding element) shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

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

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

3169-01 Rev A, Site and Location Plan dated Nov 14.

3169-02 Rev A, Floor Plans dated Nov 14

3169-03 Rev A, Elevations dated Nov 14

Reason

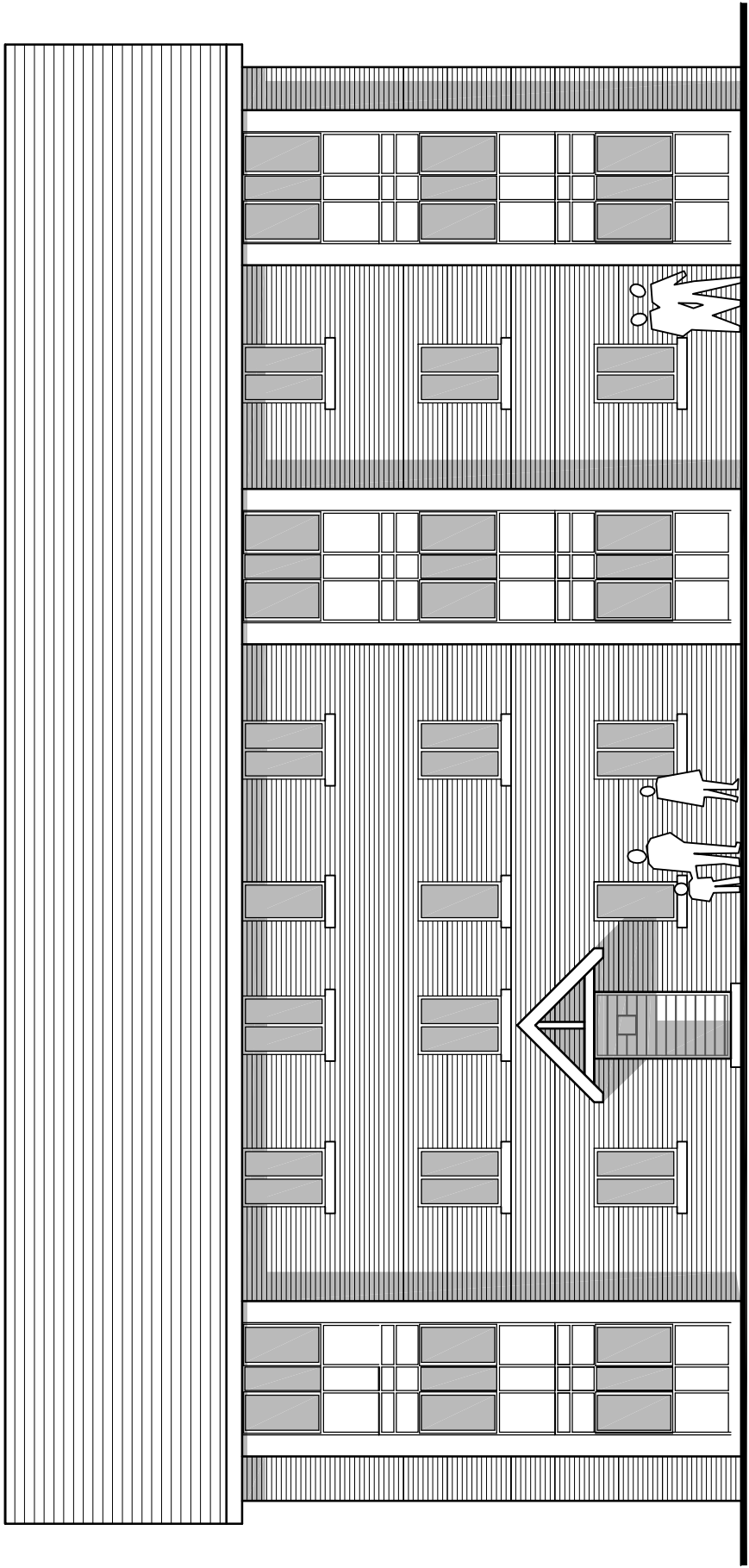
For the avoidance of doubt and in the interests of proper planning.

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.

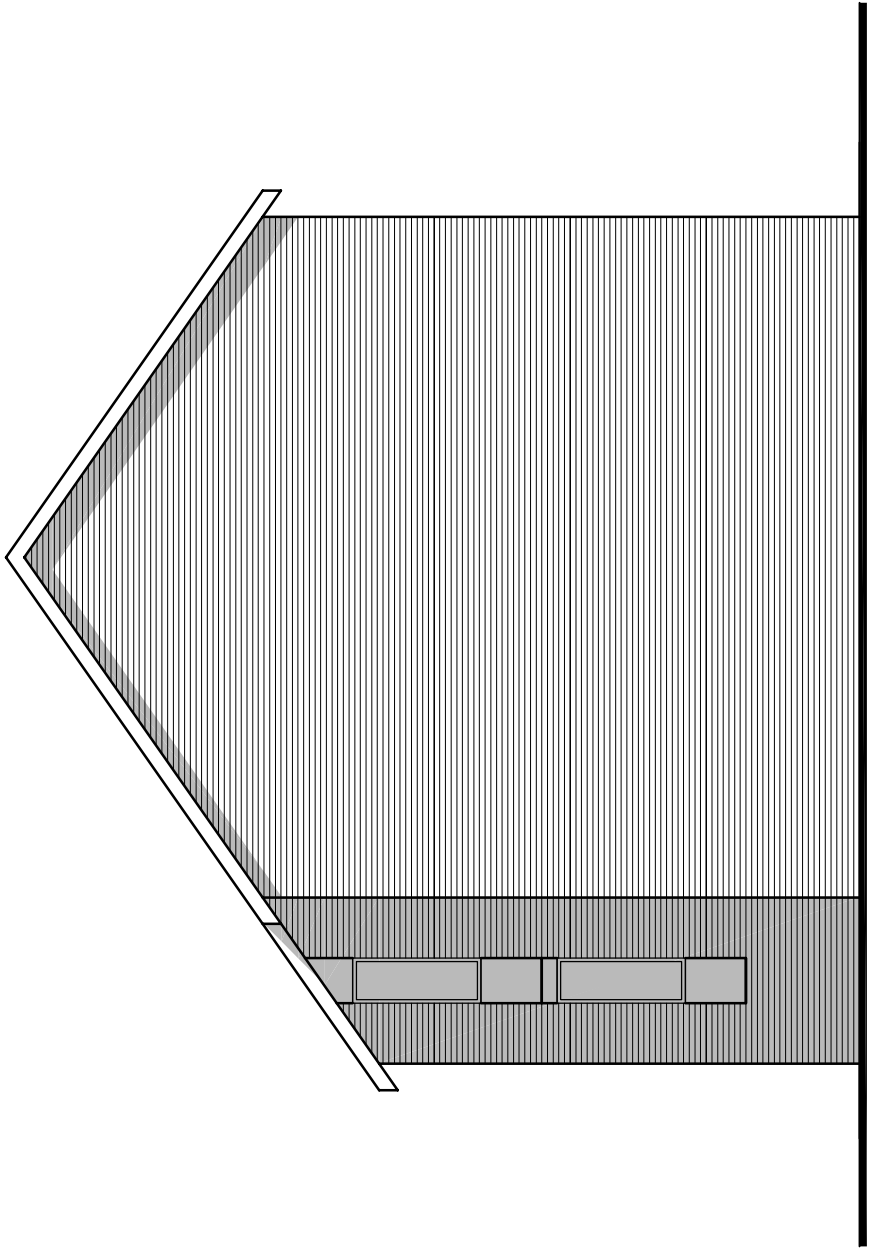
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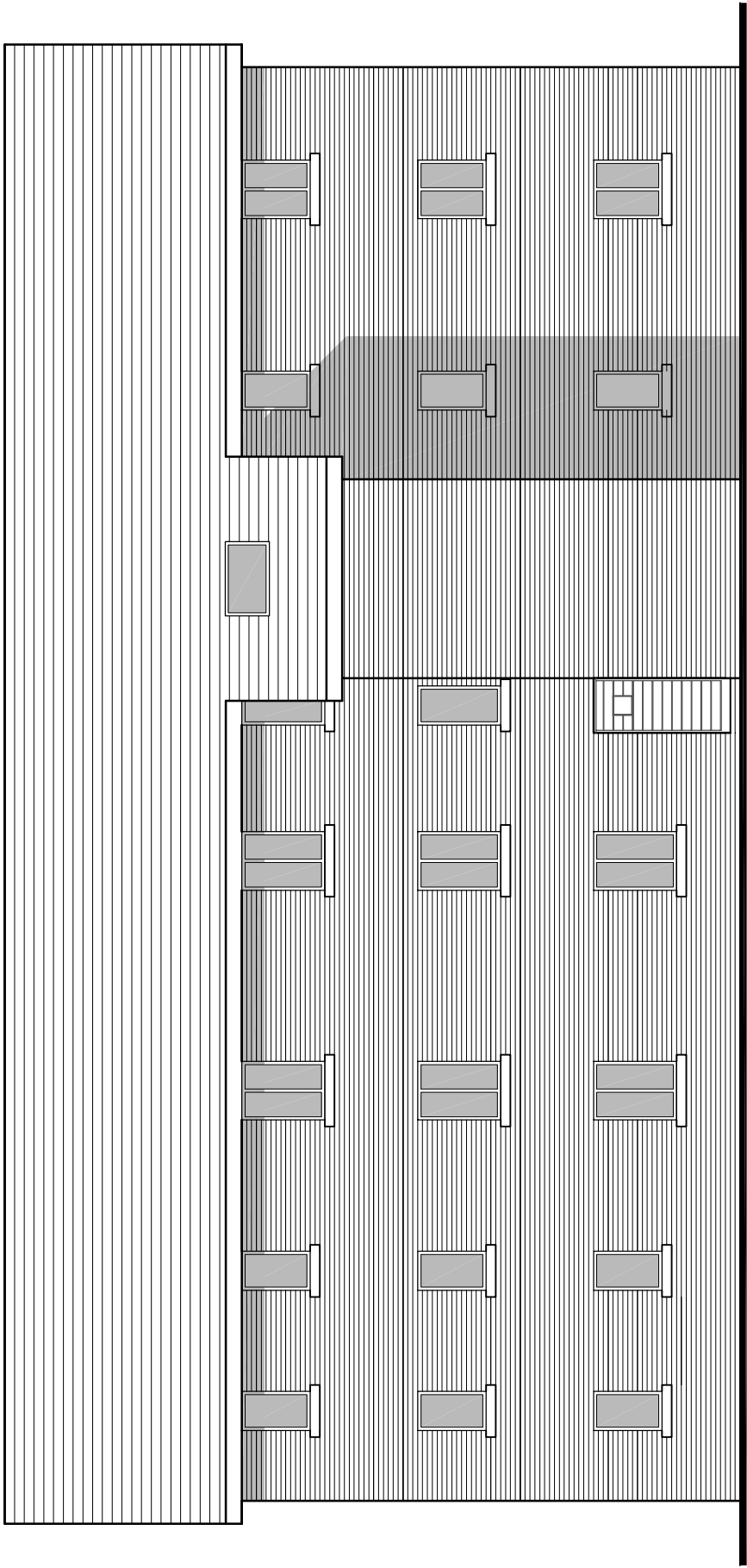
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ALL DIMENSIONS TO BE CHECKED ON SITE AND DISCREPANCIES REPORTED IMMEDIATELY TO THE ARCHITECTS



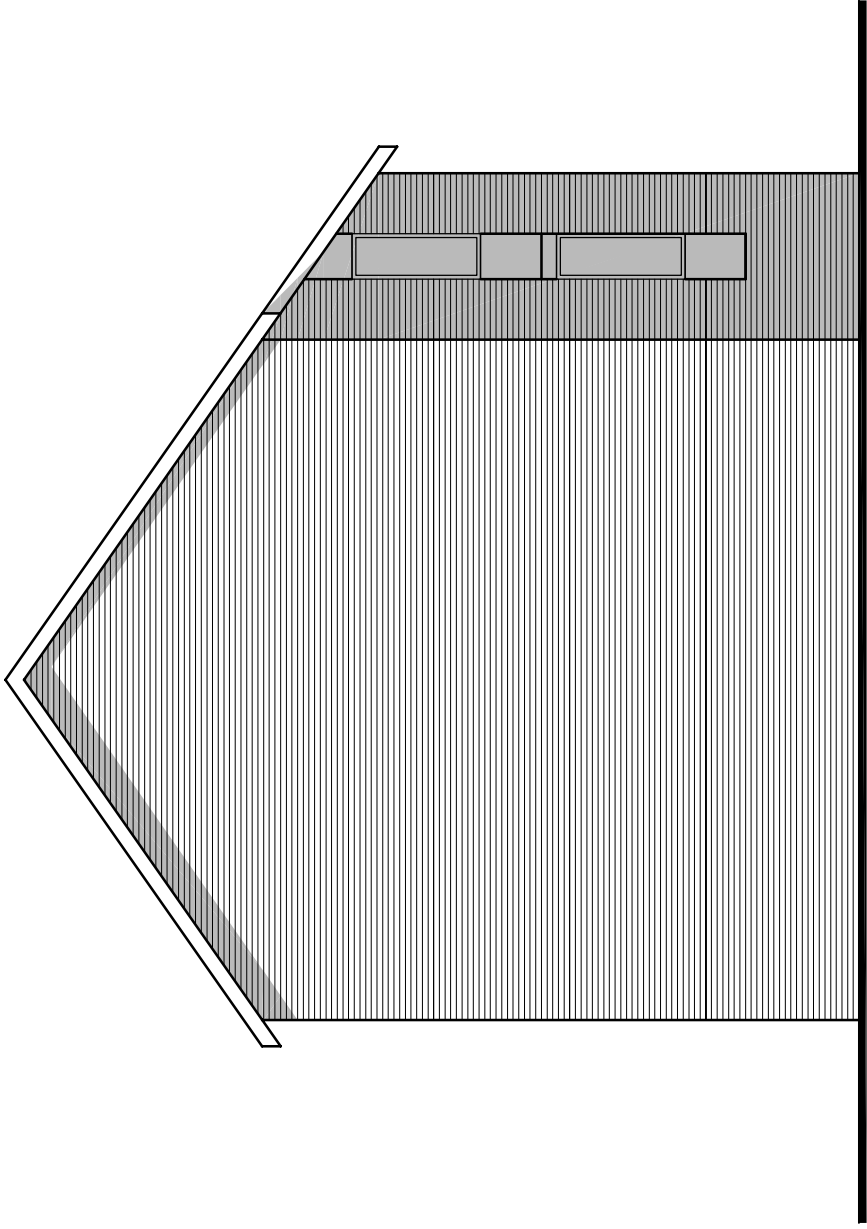
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

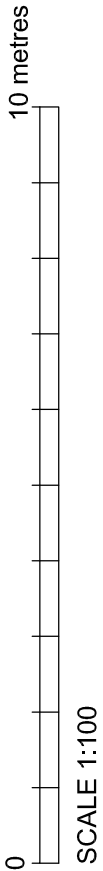


SIDE ELEVATION

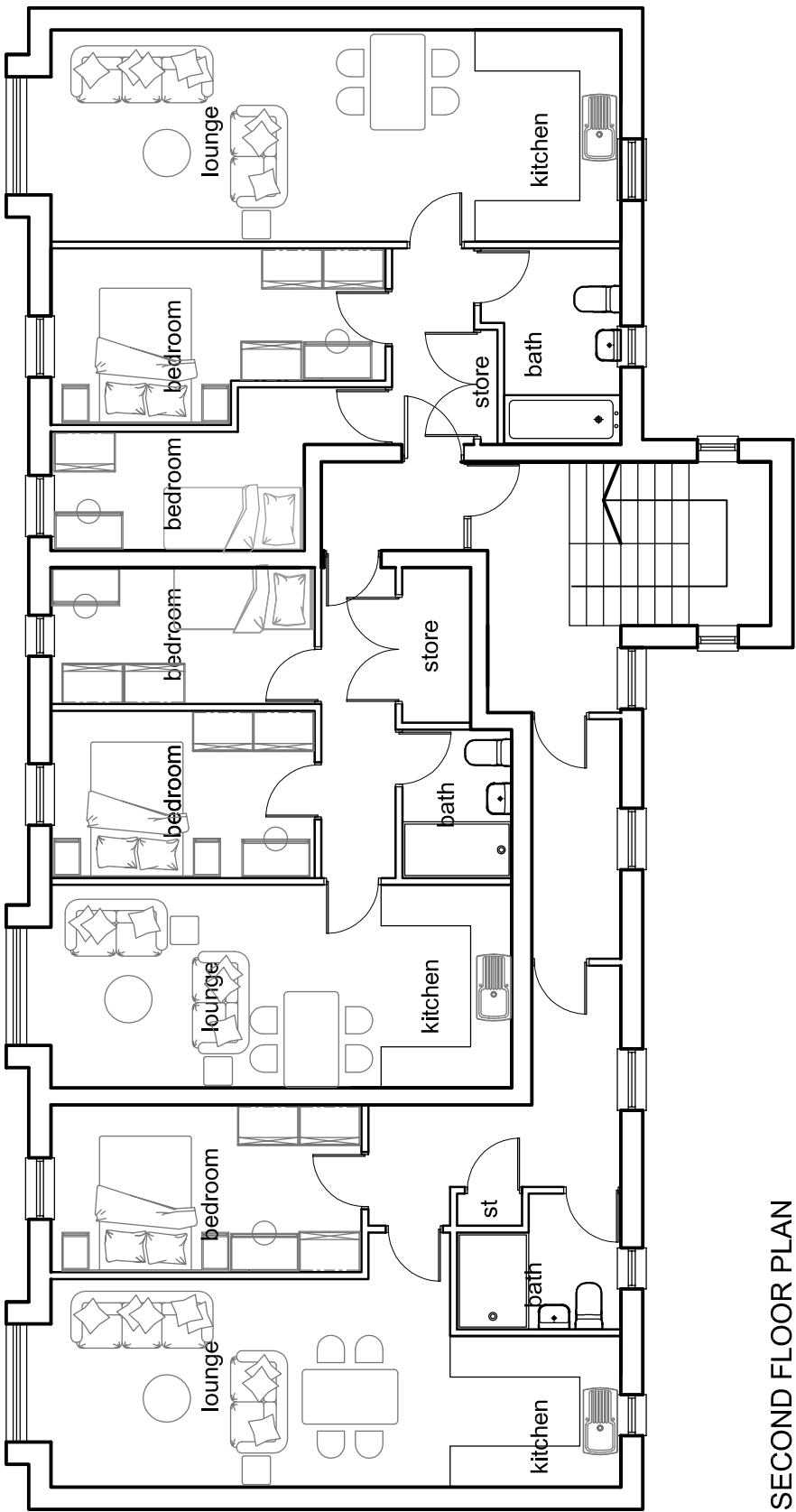
R.A. FISK & ASSOCIATES
Architects

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e-mail: raf@raf.co.uk

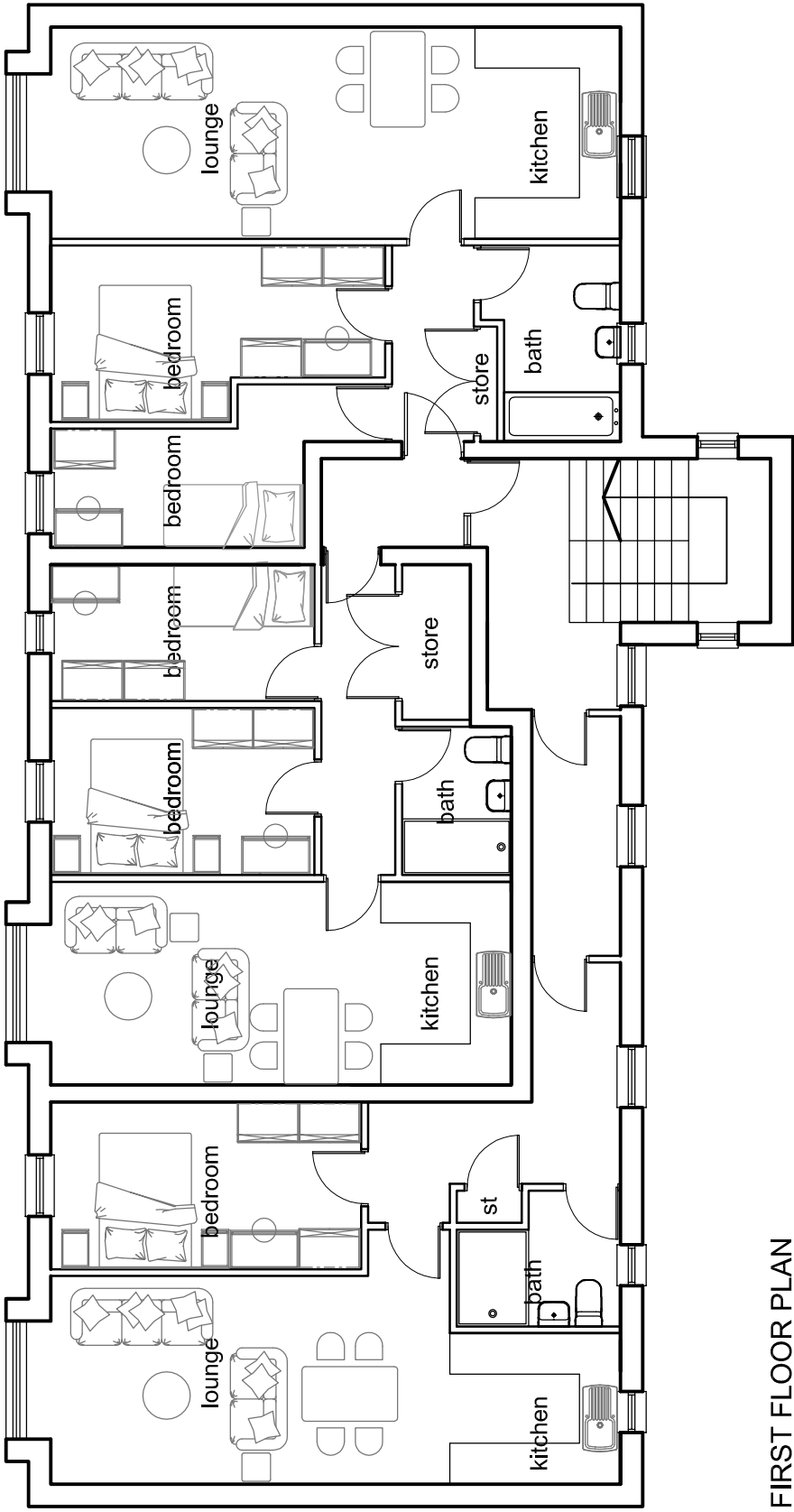
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PROJECT	HARRISON STREET HORWICH BL6 7AH		
TITLE	Elevations		
SCALE	DRAWN BY	DRAWING No.	REV.
1:100 @ A1	S.BURGESS	3169 - 03	A
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NOV 14			



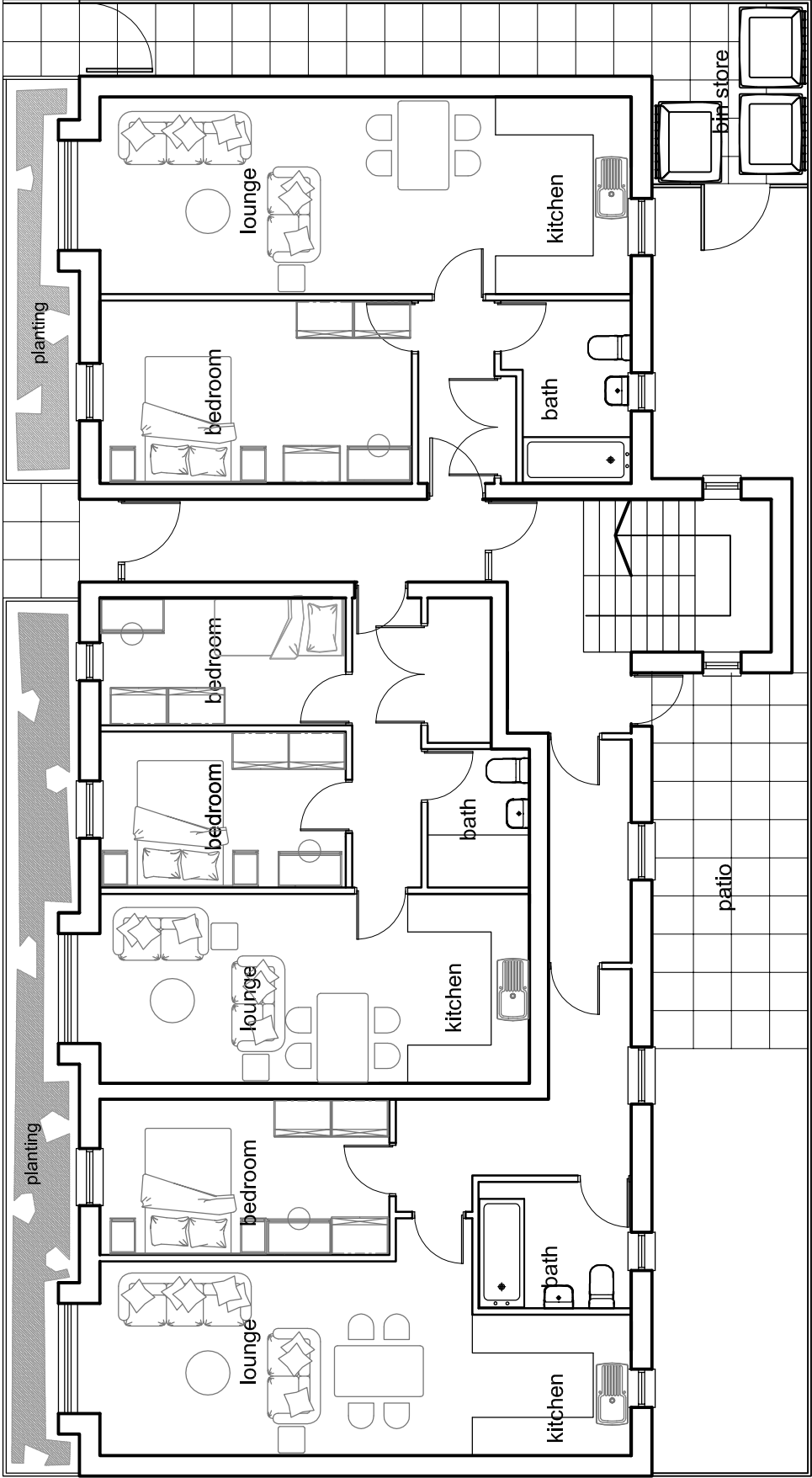
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ALL DIMENSIONS TO BE CHECKED ON SITE AND DISCREPANCIES REPORTED IMMEDIATELY TO THE ARCHITECTS



SECOND FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN
(Site Plan)

0 10 metres
SCALE 1:100

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Architects

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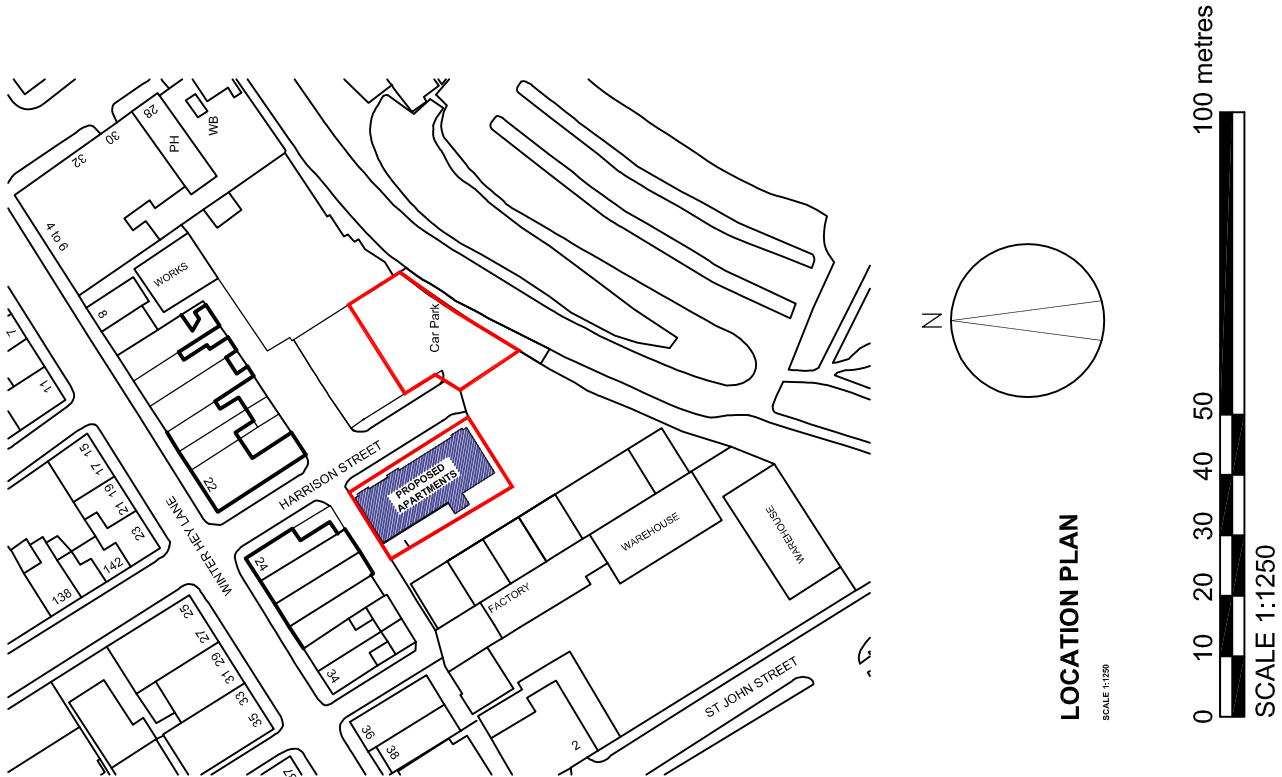
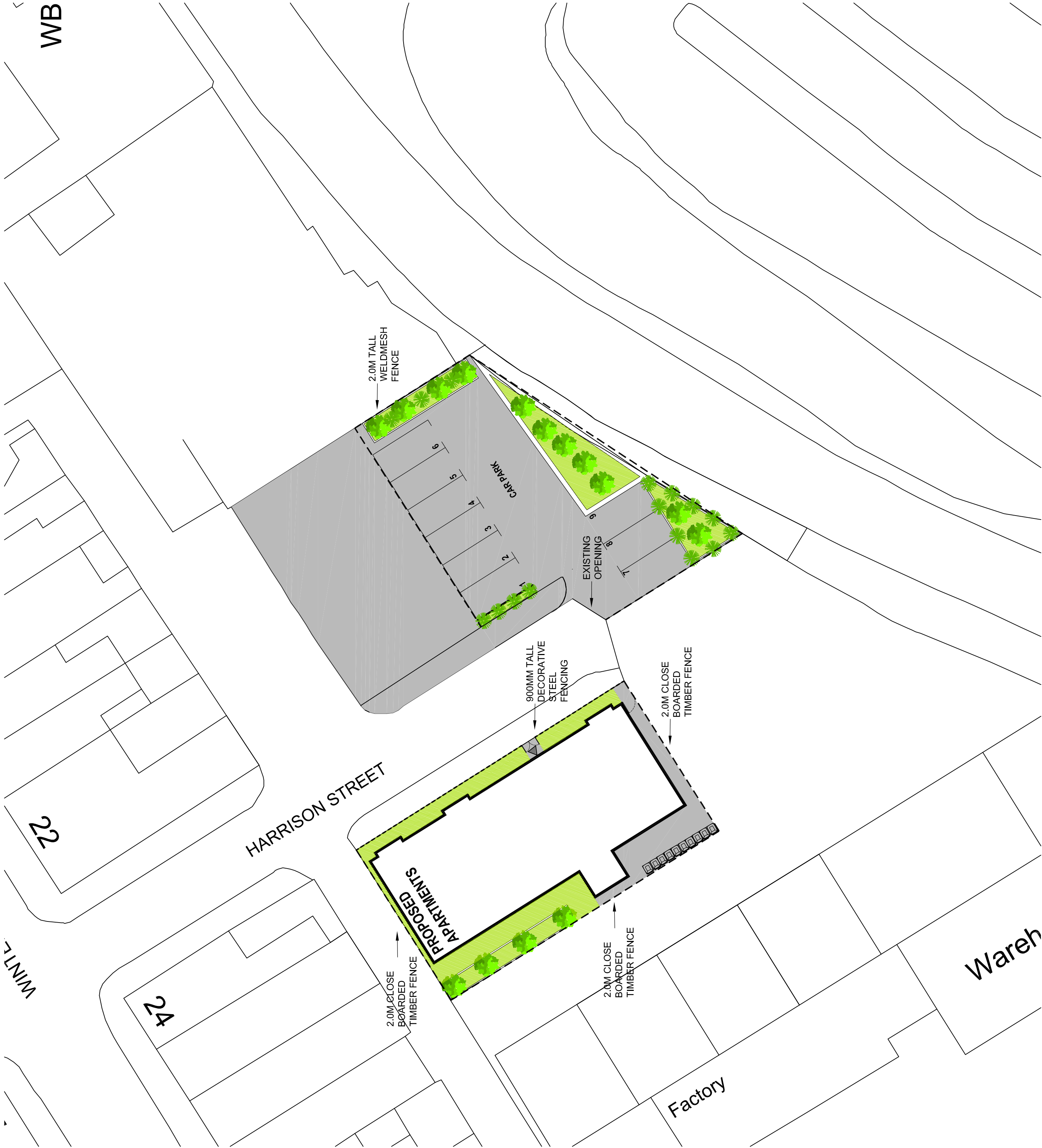
CLIENT
C. Bloor esq.

PROJECT
**Harrison Street,
Horwich, Bolton,
Lancashire, BL6 7AH**

TITLE
Floor Plans

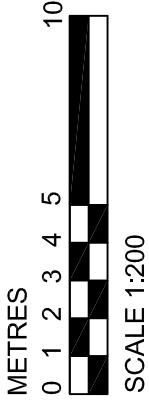
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NOV 14			

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ALL DIMENSIONS TO BE CHECKED ON SITE AND DISCREPANCIES REPORTED IMMEDIATELY TO THE ARCHITECTS



SITE PLAN

SCALE 1:200



R.A. FISK & ASSOCIATES
Architects

20 Chorley Road
Swinton
Manchester
M27 3DU

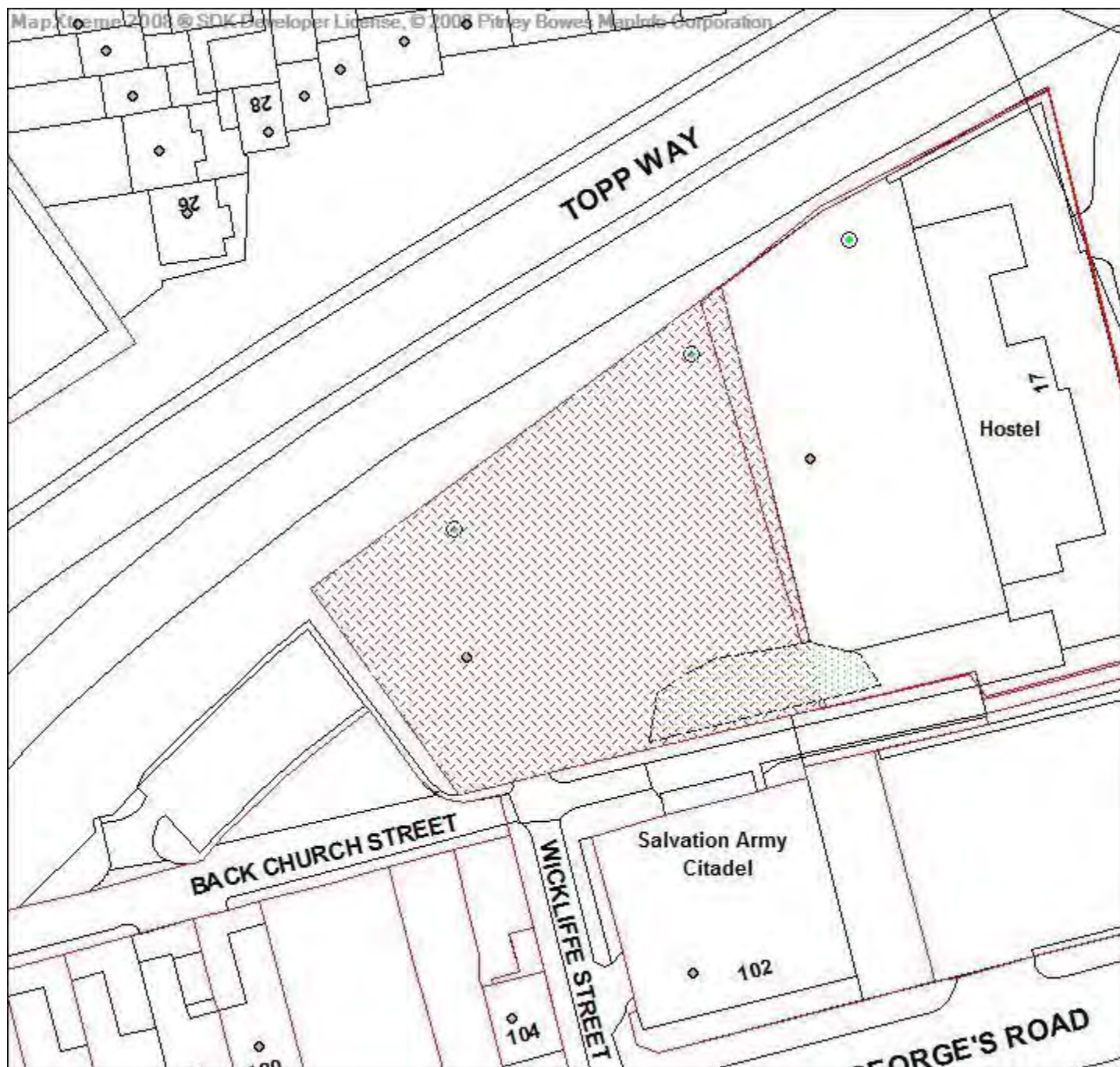
Tel: 0161-793-5300
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CLIENT
C. Bloor esq.

PROJECT
**HARRISON STREET
HORWICH
BL6 7AH**

TITLE			
SITE & LOCATION PLAN			
SCALE	DRAWN BY	DRAWING No.	REV.
AS SHOWN	S.BURGESS	3169 - 01	A
DATE	STATUS		
NOV 14	PLANNING		

**Application number
95939/16**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 12/05/2016

Application Reference: 95939/16

Type of Application: Full Planning Application

Registration Date: 26/02/2016

Decision Due By: 26/05/2016

Responsible Officer: Martin Mansell

Location: SALVATION ARMY, BACK CHURCH STREET, BOLTON, BL1 2LJ

Proposal: ERECTION OF 3NO. THREE STOREY HOUSING UNITS
PROVIDING 24NO. ONE BEDROOM APARTMENTS AND 6NO.
TWO BEDROOM APARTMENTS.

Ward: Halliwell

Applicant: Salvation Army Housing Association

Agent : Bauman Lyons Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought for the erection of an affordable housing scheme on land between Topp Way and St Georges Road, consisting of three blocks of three-storey buildings containing 30 apartments. The apartments themselves would consist of 24 one-bedroom units and 6 two-bedroom units. The blocks would be arranged in a horse shoe shape around an area containing 15 car parking spaces and a refuse store. Areas surrounding this and also to the rear of the blocks would be landscaped in the form of planting areas, a communal garden, an informal seating / play area and a private garden for one of the two-bedroomed flats. Access is proposed as being from St Georges Road via Wickliffe Street and Back Church Street. The brick walls separating the site from Topp Way and Muamba House would remain. Materials are proposed as red brick to the rear and sides with a lighter brick to the front and the apartments would have deck access.

Site Characteristics

The site is a brownfield site following demolition of the former Gilead House. It is in the ownership of the Salvation Army Housing Association and is sited to the west of the recently constructed Muamba House to the east, which is accessed from Duke Street. The site is to the rear of the Salvation Army Citadel and the Madinah Mosque on St George's Street. To the north the site is defined by Topp Way, a major dual carriageway forming part of the town centre outer highway ring. The site contains a number of trees, largely on the periphery of the site. To the south is the St Georges Conservation Area though the site lies outside of its boundaries. The site is within the boundary of Bolton town centre, in the Little Bolton character area (TC9).

Policy

National Planning Policy Framework - ensuring the vitality of town centres, promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy

communities, , meeting the challenge of climate change

Core Strategy Objectives

SO4 Transforming Bolton Town Centre, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO10 Climate Change, SO11 Built Heritage, SO14 Inclusive Housing, SO15 Sustainably Located Housing, SO16 Community Cohesion and Access

Core Strategy Policies

P5 Transport, S1 Crime and Road Safety, CG1 Biodiversity, Open Space, Flood Risk and Climate Change, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses SC1 Housing Targets, TC9 Little Bolton, TC11 Design in Bolton Town Centre

Supplementary Planning Documents

General Design Principles, Building Bolton, Sustainable Design and Construction

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on the road network
- * impact on trees and landscaping
- * impact on housing provision

Impact on the Character and Appearance of the Area

Section 39 of the Planning and Compulsory Purchase Act 2004 places a general duty on Local Planning Authorities that in the exercise of their powers they have regard to the desirability of achieving good design.

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

add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings. Core Strategy Policy CG3 seeks to ensure that development proposals display innovative, sustainable design that contributes to good urban design, respects and enhances local distinctiveness, and has regard to the overall built character and landscape quality of the area. Proposals should also be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment including hard and soft landscaping and boundary treatment. Historical associations should be retained where possible. The Council will also ensure development is designed in an inclusive manner which is accessible and legible to all, regardless of age, gender, background or disability; encourage the incorporation of design measures into new developments that allow adaptation and resilience to the impacts of climate change and extreme weather events and also to reduce the threat of fuel poverty, through the careful selection of aspect, layout and massing, and by making buildings increasingly energy efficient; maintain and respect the landscape character of the surrounding countryside and its distinctiveness. Any soft landscaping and landscape enhancement schemes should enhance biodiversity and be compatible with the nearby landscape character types identified by the Landscape Character Assessment.

Core Strategy Policy TC11 relates specifically to development in Bolton Town Centre and states that the council and its partners will protect, strengthen and enhance the distinctive townscape qualities of Bolton town centre. Development should ensure that development along the gateways to the town centre enhances the townscape through the use of high quality design and improved street frontages and pedestrian permeability; have regard to the existing hierarchy of built forms as indicated in the Building Bolton SPD; make efficient and effective use of land in the town centre due to the existing levels of high density development, ensuring that development provides adequate amenity space and privacy, or attractive public areas, where appropriate for the site.

The application site lacks a prominent frontage to St Georges Road and the conservation area - it is essentially located behind the Salvation Army Citadel and other buildings fronting St Georges Road. Whilst it will be potentially visible from St Georges Road, it will be much more visible from Topp Way. This is therefore considered to be the context within which the development will be viewed, rather than the heritage context of St Georges Road.

It is considered that the design of the development will be appropriate within the context of Topp Way - the nearby context is mixed consisting of the NCP Car Park, Muamba House and two storey housing to the north.

The proposed development is intensive but Policy TC11 states that the Council will make efficient and

effective use of land in the town centre due to the existing levels of high density development, whilst ensuring that development provides adequate amenity space and privacy. It is considered that the development strikes this balance appropriately - densities are generally higher in a town centre context. Furthermore, in order to construct needed affordable housing, the development must be viable for the association.

GM Police have recommended that a full Crime Impact Survey be carried out. This is considered to be an overly onerous request for a development of this relatively small scale. The design means that natural surveillance within the site is maximised.

The design and scale of the development is considered to be appropriate within its town centre context, consistent with Core Strategy Policy CG3, Building Bolton and the General Design SPD.

Impact on the Road Network

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

The proposed affordable housing development consists of relatively small units, the majority of which are one-bedroomed. The development is not aimed at expanding families or families with adult children. It would be sited within Bolton town centre in a sustainable location close to town centre uses, though it is accepted that it is on the opposite side of the town centre from the interchange. The parking provision, at 0.5 spaces per unit, is considered to be acceptable for this particular development in this location. The Council's Highway Engineers accept this approach.

The existing free public parking area accessed from Back Church Street is oversubscribed. However, clearly free public parking provision within a town centre is always going to be at a premium. As with other such facilities, it operates on a first come first served basis and therefore it is not considered that an application for affordable housing should be rejected or reduced on this basis. The area is well served by the large NCP car parking at Bath Street / Duke Street, though obviously this provision is not free.

The access via Wickcliffe Street is not well-engineered but 15 car parking spaces is unlikely to result in an excessive amount of vehicle movements per day and has therefore been accepted by the Council's Highway Engineers. Highways also require a minor highway widening at Back Church Street to facilitate improved access in and out of the site and this will be required by a condition.

It is also noted that the Council's Highway Engineers do not raise objection. The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1.

Impact on Trees and Landscaping

Section 40 of the Natural Environment and Rural Communities Act (NERC) of 2006 requires all public bodies to have regard to biodiversity conservation when carrying out their functions. Section 197 of the Town & Country Planning Act 1990 places a general duty upon Local Planning Authorities to ensure the preservation of trees, where appropriate.

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should contribute to conserving and enhancing the natural environment. It also states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient

woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss

Policy SO12 of Bolton's Core Strategy is as strategic policy and states that one objective of the Core Strategy is to protect and enhance Bolton's biodiversity. Policy CG1.2 of Bolton's Core Strategy states that the Council and its partners will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development.

The Council's Landscape Regeneration Officers consider there to be a very small amount of outdoor amenity space offered with this development, the focus of the central area being the car park. In their view, this design, so focussed on a car park will not provide the positive community shared space hoped for. Overall the proposed development seems very cramped, with narrow, uninviting spaces at the rears of the blocks. It is unclear from the submitted drawings which existing trees are intended for retention. The hedge at the front of the site has not been maintained and appears in this application to be removed. This was a very strong and attractive local landscape element and should be either rehabilitated or replanted. There is a Birch tree towards the Topp Way boundary that should be retained for its contribution to the local landscape. The informal seating and play area proposed in the north-west corner of the site will be very dark, being shaded for much of the day by adjacent housing blocks. It will also be very noisy and suffering from air pollution from traffic on Topp Way, making it far from ideal as a play area for children. The ground level rises in this corner so the site will be sloping too. Generally this is an unsuitable location for amenity play and relaxation space.

The comments of the Council's Landscape Regeneration Officers are noted; however, as this is a town centre site it is considered that any conflicts between development and tree retention should be resolved in favour of new development - due to their location, the existing trees provide on a small amount of public amenity benefit, irrespective of their condition. The Core Strategy sets landscaping and tree retention policies for the majority of the borough, but not for Bolton town centre. It is accepted that the outdoor areas will be less than favourable given the town centre context but the Council has accepted town centre developments with little or no amenity space and this development proposes a minimum amount.

The impact on trees and landscaping is considered to be acceptable within a town centre context.

Impact on Housing Provision

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

The Core Strategy plans for an average of 694 additional dwellings per annum between 2008 and 2026, an overall total of 12,492 dwellings. The location of new housing will reflect the overall spatial option of concentrating development in Bolton town centre, renewal areas and at Horwich Loco Works.

The Housing Market Assessments have provided an evidence base to inform the required mix of housing types. This shows that there is a requirement to construct more larger houses than has recently been the case, as well as to continue to provide for the increasing proportion of small

households. The Bolton Housing Needs Survey, which is part of the Housing Market Assessment, shows that there is a need to increase the provision of affordable housing to 35% of new housing, split 75% social rented housing and 25% intermediate housing.

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

Policy SC1 of Bolton's Core Strategy states that the council and its partners will identify a range of housing sites for additional provision of 694 dwellings per annum between 2008 and 2026. At least 80% of housing development will be on previously developed land in accordance with the Regional Spatial Strategy; the Transforming Estates programme will provide up to 20% of housing development on Greenfield land.

The Council will ensure that 35% of new housing is affordable, broken down into 75% for social renting and 25% for intermediate housing.

Officers note that national and local planning policies recognise the benefits of new housing on previous developed land in accessible locations, focusing on small households and with a particular focus on Bolton town centre to deliver a significant proportion of the housing targets. The site meets these criteria - it is a brownfield site in an accessible location a few minutes walk from the civic and retail core of Bolton town centre - and is therefore considered to be acceptable and indeed beneficial in terms of delivering affordable housing, consistent with Core Strategy Policy SC1 and the National Planning Policy Framework.

Value Added to the Development

The proposed development was subject to significant pre-application discussions involving planning officers, highway engineers and housing strategy officers.

Conclusion

At 30 units on a relatively small site this is an intensive development. However, many town centre locations can and have already absorbed intensive developments at this level. The design is considered to be acceptable within its context, particularly when this context is considered to be chiefly Topp Way rather than St Georges Road. Concerns over loss of landscaping features and the usability of the amenity areas should be given some weight but are not considered to be justified reasons for refusal as they are outweighed by the benefits of delivering affordable housing on a highly accessible brownfield site. Wickcliffe Street and Back Church Street are substandard but the number of vehicle movements for 15 car parking spaces is unlikely to be excessive.

The proposal represents the beneficial development of affordable housing, insufficient harm has been identified to outweigh this and therefore the application is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- representations of objection have been received from four nearby properties fronting St Georges Road. The grounds of objection include:-

- the disabled access to the main hall at the Salvation Army Citadel is at the back of the building which means cars need to stop at the top of Wickcliffe St/Back Church St to enable disabled people to access the main hall - this will likely be impeded by the level of traffic and width of the road
- the Citadel also needs to load and unload at the back door which will become very problematic for the same reason
- this is a very basic design, not really in keeping with the surrounding Victorian and Georgian properties
- the design does not respect the historical values of the surrounding area - it should be enhanced and brought more in line with use of traditional Georgian and Victorian style black metal railings, Georgian style doors and windows
- the proposed parking provision of 15 spaces is totally inadequate for the 30 occupants of the proposed development
- the current parking provision at the back of offices fronting St Georges Road is already heavily over-subscribed with office workers from 120 Bark St and other local businesses seemingly taking up most of the very limited spaces
- my car has often been blocked in ultimately causing great deal of inconvenience and frustration to my business - if this scheme is passed in the proposed format my business efficiency would suffer greatly
- the proposal is targeted at economically active residents who are likely to own cars - a minimum of 30 spaces would need to be provided
- the proposed development will result in a substantial increase in the number of vehicle movements in the area in comparison to the previous one residential property
- access involves a 90 degree turn from Wickcliffe Street onto Back Church Street into the site
- Wickcliffe Street is narrow and steep and often congested with illegally parked vehicles, even more challenging in winter
- there are a number of trees on the site which should be retained, including a fine specimen Silver Birch

Consultations

Advice was sought from the following consultees: Highway Engineers, GM Police, Landscaping, Environmental Health

Planning History

Planning permission was granted for the erection of an 80-bed hostel in 1980 (14565/80)

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as

amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Reason

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

3. All new window frames to the building(s) shall be recessed a minimum of 0.07 metres behind the external face of the elevations of the development hereby approved.

Reason

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

4. Prior to the commencement of development a detailed specification for all doors and windows shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is [**first occupied or brought into use**] and retained thereafter.

Reason

To ensure the development reflects local distinctiveness.

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

Reason

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

6. Prior to the commencement of development full details of the highway works at Back Church Street comprising widening of Back Church Street to 4.5m, 1.2m footway provision, 2.0m radii, plus VAC crossing 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.

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

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

Reason

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

8. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority [as part of the reserved matters submissions required by condition (number)] prior to the commencement of development. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of tackling climate change.

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

Reason

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

10. 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.

11. Prior to the development hereby approved/permitted being first occupied or brought into use the existing vehicular access onto Back Church Street shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Back Church Street, other than as shown on the approved site plan drawing.

Reason

In the interests of highway safety.

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

Reason

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

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

Reason

To reflect and soften the setting of the development within the landscape.

14. Before the approved/permitted development is first brought into use no less than 15 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with the approved site plan. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

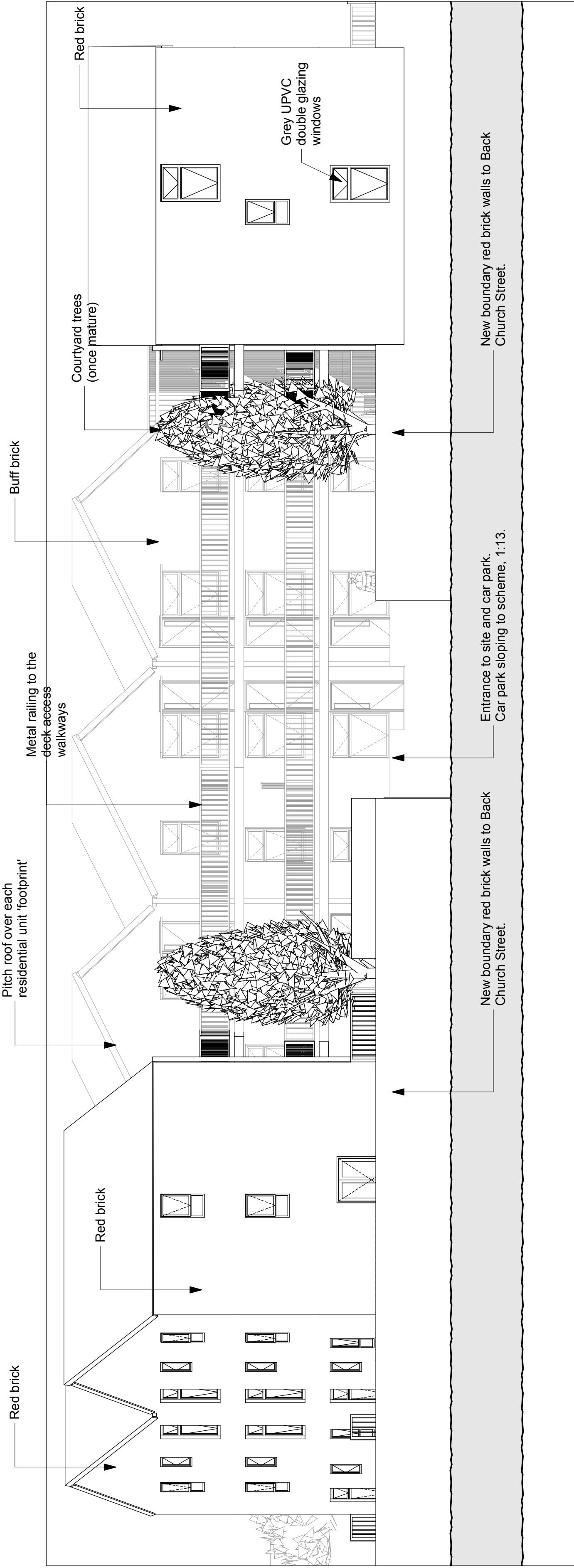
To ensure that adequate provision is made for vehicles to be left clear of the highway and to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

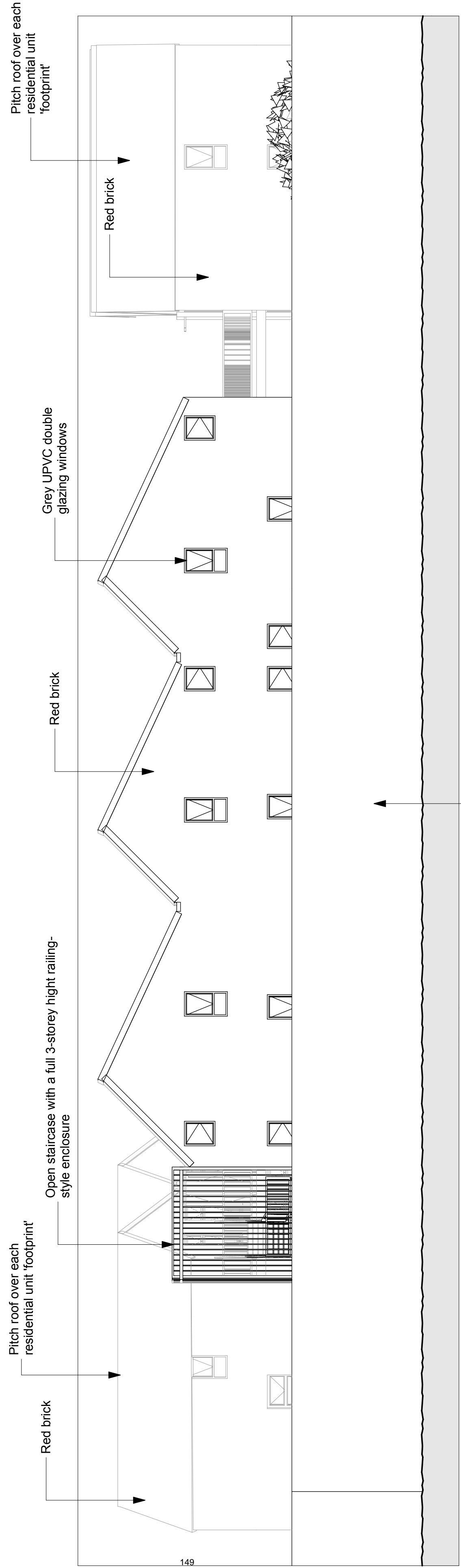
Location & Site Plan 5137_BCS_P01
Site Plan with Proposed 5137_BCS_P02 (subject to condition 6)
Topographic Survey 5137_BCS_TS01
Proposed Site and Ground Floor Plan 5137_BCS_P001
First Floor Plan 5137_BCS_P002
Second Floor and Roof Plans 5137_BCS_P003
Proposed Elevations 5137_BCS_E001
Typical Sections 5137_BCS_S001
Site 3D View 5137_BCS_V01

Reason

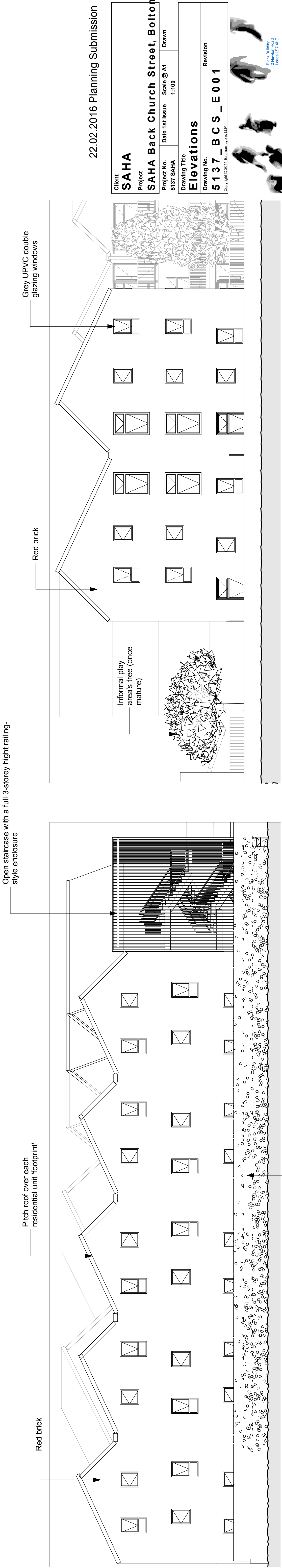
For the avoidance of doubt and in the interests of proper planning.



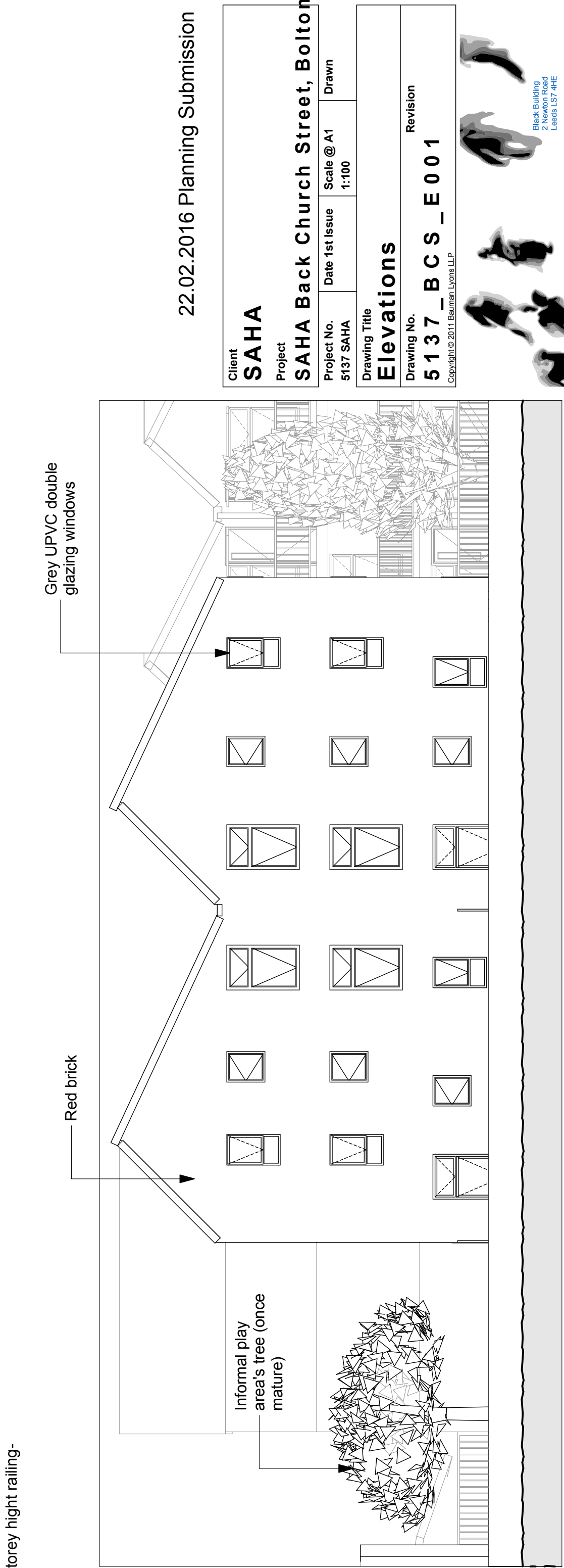
South Elevation (from Back Church Street)



North Elevation (from Topp Way)



East Elevation (viewed from Muamba House rear gardens)



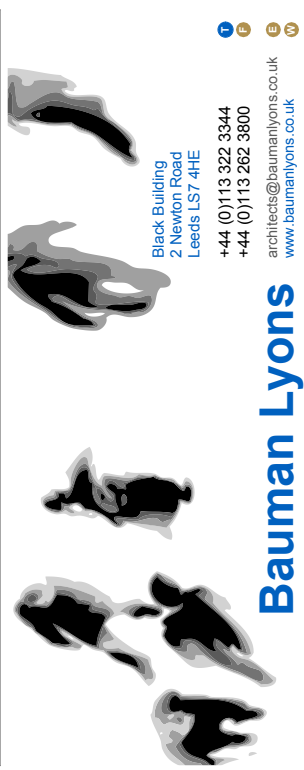
West Elevation (viewed from Mosque car park)



3D North view of scheme (in colour)

22.02.2016 Planning Submission

Client	SAHA		
Project	SAHA Back Church Street, Bolton		
Project No.	5137 SAHA	Date 1st Issue	Scale @ A1
5137 SAHA		1:100	Drawn
Drawing Title	Elevations		
Drawing No.	5137_BCS_E001	Revision	
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Application number 95949/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 12/05/2016

Application Reference: 95949/16

Type of Application: Reserved Matters
Registration Date: 23/02/2016
Decision Due By: 18/04/2016
Responsible Officer: Helen Williams

Location: 598 DARWEN ROAD, BROMLEY CROSS, BOLTON, BL7 9RY

Proposal: VARIATION OF CONDITIONS 2 AND 3 ON APPLICATION 87145/11 TO FACILITATE AN INCREASE IN NUMBER OF CHILDREN TO BE ACCOMMODATED AT THE NURSERY ON ANY SINGLE DAY (FROM 50 TO 66).

Ward: Bromley Cross

Applicant: Eagley School House Nursery
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission was granted at Committee in January 2012 under application 87145/11 for the change of use of the ground floor and part of the first floor of the former dwelling to a children's nursery (the other rooms on the first floor were to remain as residential).

Condition 2 on the approval states that the premises are to be used as a children's nursery with ancillary living accommodation and for no other purposes (including any other purposes in Class D1 of the Use Classes Order).

Condition 3 on the approval states that there are to be no more than 50 children at the premises on any single day.

The applicant (nursery owner) now proposes to vary conditions 2 and 3 of approval 87145/11 to allow the rooms on the first floor of the premises currently used as ancillary living accommodation to be used as additional rooms for the nursery, and to allow up to 66 children at the nursery on any single day.

The applicant has stated within their submission that, owing to the Government's announcement (in February) of funding for 30 hours a week of free childcare for parents of 3 and 4 year olds, there is expected to be an increased demand from existing parents, who currently use the nursery, to use the nursery for additional days. The applicant has stated that the number of places at the nursery will not increase, only the number of days children will attend the nursery throughout the week. It is expected that the Government's funding will be fully rolled out in 2017.

The nursery will continue to be open between the hours of 07:45 and 18:00 Mondays to Fridays. There will be no increase in the number of staff (staffing levels are already sufficient for the proposed increase in children).

Site Characteristics

The application property is a large, detached, two storey former dwelling that has been extended in the past. It has been used since 2012 as "Eagley School House Nursery 2". There is a 14 space car park to the front of the premises which is accessed off Darwen Road and egressed onto Brierholme Avenue. To the rear is a garden area, which is used as play space for the children.

The houses to the rear of the site (2 Brierholme Avenue and 2 Conisber Close) are at a higher ground level than the application property (Brierholme Avenue rises uphill to the east). Immediately neighbouring the site to the south east is the dwelling at 596a Darwen Road. The party boundary between the application premises and 596a Darwen Road comprises a timber fence.

The area surrounding the site is residential in character.

There is a bus stop outside 596 Darwen Road (Bolton bound) and by the war memorial (Egerton bound).

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Accessibility and Transport; S1 Safe Bolton; CG4 Compatible Uses; SC2 Community Facilities.

SPD Accessibility, Transport and Safety.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of the development
- * impact on the amenity of neighbouring residents
- * impact on the highway

Principle of the Development

Policy SC2 of the Core Strategy states that the Council will ensure that community facilities are located in the neighbourhoods that they serve.

Planning permission was granted in January 2012 for a children's nursery at the premises, accommodating up to 50 children a day. The nursery opened in Spring 2012.

Permission is now sought to increase the maximum number of children that could be accommodated at the nursery from 50 to 66 per day. All rooms on the first floor of the building will now be used in association with the nursery (rather than some rooms being used as ancillary living accommodation).

The applicant expects that there will be an increased demand for the children already cared for at the nursery (existing places) to be cared for on additional days of the week, following the Government's announcement of further free childcare funding. The proposal would allow these 'additional days' to be accommodated within the existing facility.

It is considered that the nursery's location (on a main road, accessible by bus and in close proximity to the community it will serve) is highly sustainable and complies with Policy SC2 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

The proposal would allow the existing nursery to accommodate up to 66 children a day. The nursery currently has permission to accommodate up to 50 children a day (under approval 87145/11).

It is acknowledged that the application premises are sited within a residential area and that they have residential neighbours. The rear garden is used as play space for the children and the front curtilage is used as a car park and drop off/pick up facility.

The existing hours of opening for the nursery (between 07:45 and 18:00 hours Mondays to Fridays) are not proposed to be amended, but there is a potential for a further 16 children to be accommodated at the nursery each day.

The applicant has previously confirmed that the children at the nursery are discouraged from shouting and screaming and that staff control this.

Whilst the concerns of the immediate next door neighbour are acknowledged, it is considered that a potential increase in the number of children from 50 to 66 a day would not change the current situation, in terms of impact on neighbouring residential amenity, to such a material degree that the proposal would become unacceptable. The Council's Pollution Control officers have raised no objection to the proposal.

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

Impact on the Highway

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

The nursery benefits from a car park within the front curtilage to the site, which comprises 14

spaces. These are used by both staff and parents picking up and dropping off their children. Staff are however encouraged to travel to the nursery by foot to free up the parking (most live locally).

The Council's car parking standards, set out in Appendix 3 of the Core Strategy, seek a maximum parking provision of 1 space per full time equivalent staff for nurseries and creches. There are currently up to 11 full time staff employed at the nursery. There is no intention of increasing the number of full time staff as a result of the proposal. The 14 space car park will therefore continue to exceed the Council's parking requirements for such a development.

The access and egress to the car park has previously been approved.

The Council's Highways Engineers raise no objection to the proposal and confirm that the increase in number of children proposed should only have a negligible impact on the current highway situation at that location.

It is therefore considered that the proposal would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Conclusion

For the reasons discussed above it is considered that the proposed variation of conditions 2 and 3 on approval 87145/11, to facilitate an increase in the number of children at the nursery from 50 to 66 on any single day, would not result in the amenity of neighbouring residents being unduly harmed and would not jeopardise highway safety. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- One letter of objection has been received from the immediate neighbouring residents on Darwen Road. This letter raises the following concerns:

- * There are cars coming and going throughout the day with the current situation;
- * Have problems with midges over the bin area near to their boundary fence. Will more children result in another bin?;
- * Their quality of life has deteriorated due to noise from the children playing in the garden and another 16 children will make this worse. Sitting out in their garden is becoming a no go;
- * The proposed increase in children is too much for a residential area.

Consultations

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

Planning History

Permission was granted in September 2013 for the retention of decking and ramp to shed (90456/13).

Application 90365/13 for the erection of a post-mounted sign at the entrance to the nursery was approved in September 2013.

Permission was granted in January 2012 for the change of use of part of the existing dwelling to form a children's nursery including staff accommodation together with car parking at the front (87145/11).

An application to extend the time limit for the implementation of application 81472/08 was approved in January 2012 (87016/11).

Outline permission was granted in March 2009 for the demolition of the existing dwelling and the erection of 4 dwellings (layout and means of access only) (81472/08).

Permission was granted in May 1992 for the erection of a two storey lounge, snooker room, play room and conservatory at the side of the house (41026/92).

Permission was granted in November 1988 for the erection of a two storey side extension to form a double garage, dining room and utility room with two beds over and first floor bathroom (32314/88).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The premises shall be used for a children's nursery and for no other purpose (including any other

purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason

For the avoidance of doubt as to what is permitted.

3. There shall be no more than 66 children at the premises on any single day.

Reason

To safeguard the amenity and character of the area and to safeguard the living conditions of nearby residents particularly with regard to noise, disturbance, parking and traffic, and to comply with policies CG3 and CG4 of Bolton's Core Strategy.

4. The nursery shall not be open except between the hours of 07:45 and 18:00 Monday to Friday. No opening shall take place on Saturdays, Sundays and Bank Holidays.

Reason

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

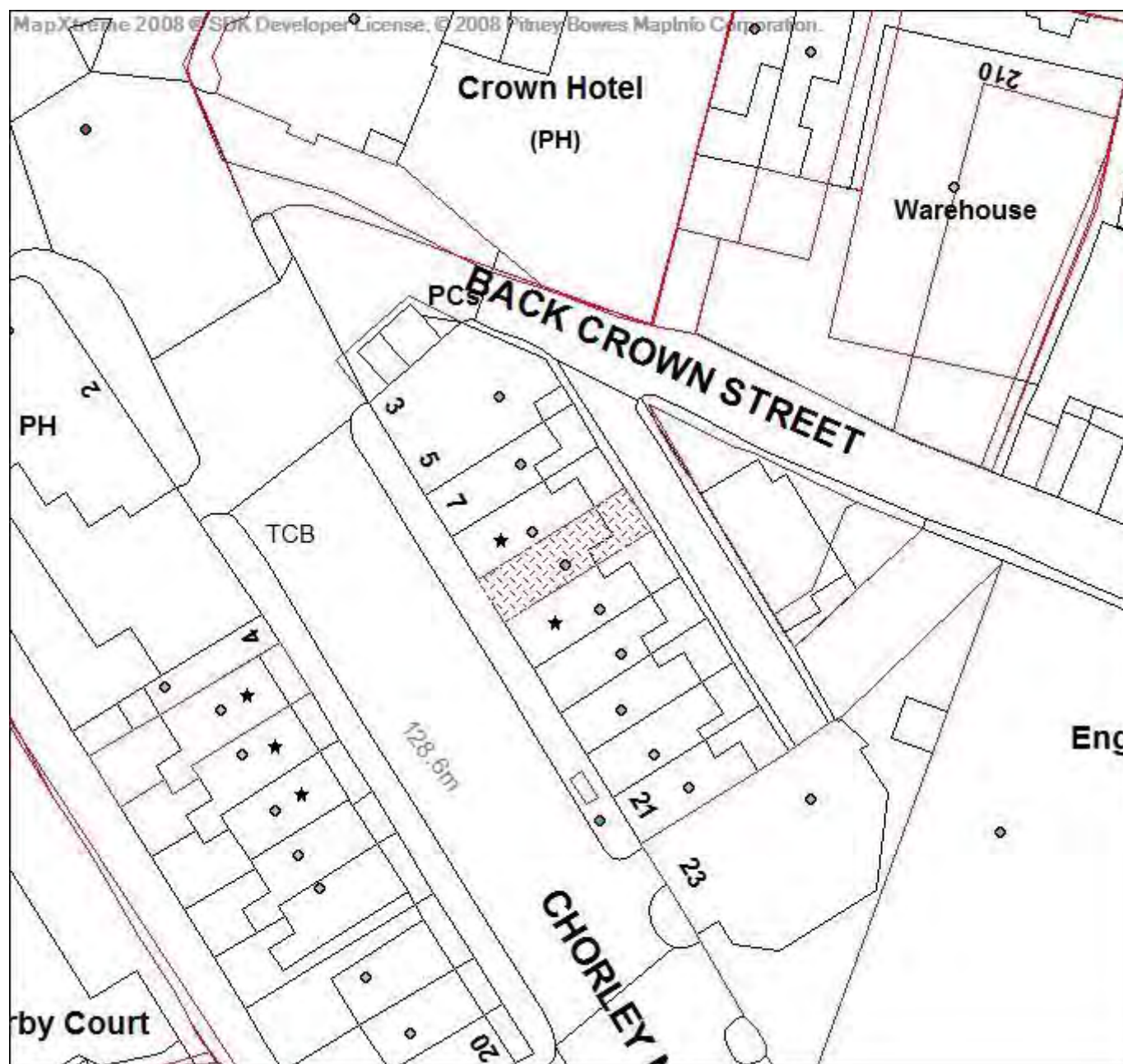
5. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

1198 02; Proposed First Floor Plan; received 11 Mar 2016

Reason

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

**Application number
95975/16**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 12/05/2016

Application Reference: 95975/16

Type of Application: Full Planning Application
Registration Date: 17/03/2016
Decision Due By: 11/05/2016
Responsible Officer: Kara Hamer

Location: 11 CHORLEY NEW ROAD, HORWICH, BOLTON, BL6 7QJ

Proposal: CHANGE OF USE FROM RESIDENTIAL (CLASS C3) TO RETAIL (CLASS A1). TOGETHER WITH INSTALLATION OF LARGE SHOP WINDOW, SIGN AND SHUTTERS TO FRONT AND ERECTION OF DOOR TO REAR.

Ward: Horwich and Blackrod

Applicant: AZH Consultancy
Agent : AZH Consultancy

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for the change of use of the premises from residential (Use Class C3) to a retail shop (Use Class A1).

The application includes the installation of a shop front comprising a new window, roller shutters and fascia sign and, an additional door to the rear elevation. The fascia sign requires a separate application for advertisement consent.

The proposal will relocate the living and dining rooms to the first floor, the second floor will remain as existing thus reducing the number of bedrooms from 4 to 2.

Proposed staff will be 1 full time position and 2 part time positions. The opening hours have not been submitted.

Site Characteristics

The application property is a red brick, two storey mid terrace currently in residential use (Use Class C3). The properties in the row have small, dual pitched dormers on the front elevation. The application property and the adjacent property at no. 9 have original bay windows at ground floor level, other properties in the row have replaced the bay windows with modern, flat windows.

The property is sited within Horwich Local Town Centre and is sited within a terraced row of predominantly residential use. There is a newsagent at no. 7 (next door but one) and a restaurant (Leo's) at the end of the row to the north. Diamond Flooring occupies a single storey unit at the end of the row to the south.

Facing the application site is a terraced row of two storey stone properties all in residential use.

At the rear of the application site is a paved back street and a cluster of business units of varying size, age and design sited on Back Crown Street.

Policy

National Planning Policy Framework

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

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

Impact on the Character and Appearance of Horwich Town Centre

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

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

The application premises are currently in residential use. The applicant seeks to change the use of the premises to a retail shop (Use Class A1). The premises are located on the periphery of Horwich town centre which is predominantly residential, also in the immediate vicinity is a mix of shops, restaurants, cafes, public houses, hair and beauty salons, a fireplace shop and light industry/business units. It is not considered that the proposed additional A1 use along this stretch of Chorley New Road and on the periphery of Horwich town centre would affect the character of the town centre.

The Applicant has worked with the Local Planning Authority and removed the proposed roller shutter on the front elevation and maintained the feature stone heads and cill to the entrance doorway and proposed new shop window. It is considered that no real weight can be given to the frontage of the properties in the row in terms of heritage or character as the majority of the ground floor bay windows have been replaced over time with modern, flat windows of varying styles and architectural features including architraves have been removed from the majority of the properties. Similarly, brick elevations on several of the properties in the row have been replaced with new bricks.

No proposed use of the retail shop has been submitted to the Local Planning Authority. Proliferation of A1 use (retail) in a local designated town centre is not a planning concern. Opening hours can be conditioned as part of planning consent.

For these reasons it is considered that the proposed change of use of the premises would not harm the character or appearance of Horwich town centre and is therefore compliant with Policies CG3 and OA1 of the Core Strategy.

Impact on Residential Amenity

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

The application premises is sited mid row of a residential terraced row and has a similar residential terraced row facing. The application site is however located within a designated local shopping centre and therefore residents should accept some amount of disturbance. Opening hours can be conditioned as part of planning consent.

It is not considered that the proposed change of use (with the condition previously mentioned) would unduly harm the amenity of nearby residents, compliant with Policy CG4 of the Core Strategy.

Impact on Highway Safety

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

The application property is located within Horwich Local Town Centre. There is onstreet parking provision along the frontage of the terraced row and the terraced row opposite and along both sides of Chorley New Road to the south. The application site is on a busy sustainable public transport corridor. The Council's Highways Engineers have been consulted and have commented that the proposed change of use is likely to lead to increased competition for the limited amount of onstreet car parking that is available. Notwithstanding this Highways comment, it is considered that the proposal for an additional retail premises in this town centre location is compliant with Policies P5 and S1.2 of the Core Strategy.

Conclusion

For the reasons discussed above it is considered that the proposed change of use of the residential premises to retail (Use Class A1) use would not harm the character and appearance of Horwich town centre, would not unduly harm the amenity of nearby residents, is located on a sustainable transport corridor and therefore complies with the aforementioned national and local planning policies.

Members are therefore recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- 4 letters have been received from nearby residents objecting to the proposal on the grounds of;

- Difficulty in parking for customers and nearby residents as this is a busy section of Chorley New Road;
- Proposal is sited close to a notoriously dangerous junction of 4 major roads;
- This is a predominantly residential area;
- Further traffic congestion and increased risk of traffic accidents and potential fatalities;
- Residents are unable to use the back street due to past damage to residents vehicles and the road surface caused by delivery vehicles to Diamond Flooring, request for surface repairs to back street should the application be approved;
- The pavement in front of the proposed shop is narrow, the neighbouring properties are pavement terraces;
- No opening hours provided;
- Likely nuisance/noise pollution;
- Ongoing issues of anti social behaviour, noise, industrial detritus and commercial waste in this location;
- Likely increase in crime;
- Future change of use of existing newsagents (at no. 7);
- Highway safety as there is a bus stop close by which children use;
- Negative visual impact of new shop front and roller shutter in this victorian terraced row;
- Diamond Flooring was denied permission to install roller shutters;
- Increased risk of rats/vermin as Leo's restaurant and the existing newsagent (at no. 7) sell perishable goods;
- Litter dropped by customers using the existing newsagents (at no. 7), request for additional bins should the application be approved;
- Potential buyer is the tenant of present newsagent and is unwilling to pay rent increase or the purchase price of said shop. It is unfair for residents to have another shop forced on them simply because buyer finds the asking price of his current premises not to his liking;
- Negative impact on nearby house values;
- The upper floors may be used as flats;
- Two similar uses next door but one to each other is excessive;
- Possible future application for a liquor licence;
- Internal party walls offer no sound insulation, the proposed living room would be sandwiched between two bedrooms (at no.'s 9 & 13).

Officer comment - The issues raised by objectors have been addressed in the report. Property/land values and possible future liquor licence applications are not material planning considerations. Sound insulation is a Building Control matter.

Horwich Town Council:- raised objections at their meeting of 21/04/16, considering the proposal to be inappropriate development in a residential area.

Consultations

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

Planning History

None.

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

[06:00am - 10:00pm] Mondays – Fridays

[06:00am - 08:00pm] Saturdays

[06:00am - 06:00pm] 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.

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

Proposed front and rear elevations, Drwg. No 04/01 Rev C, 13/04/16 (scanned to file 13/04/16)

Site location and layout plans, Drwg. No 01/01 Rev A, 20/02/16 (scanned to file 18/03/16)

Proposed ground and first floor layouts, Drwg. No 05/01 Rev A, 20/02/16 (scanned to file 18/03/16)

Proposed second floor layouts, Drwg. No 06/01 Rev B, 20/02/16 (scanned to file 18/03/16)

Reason

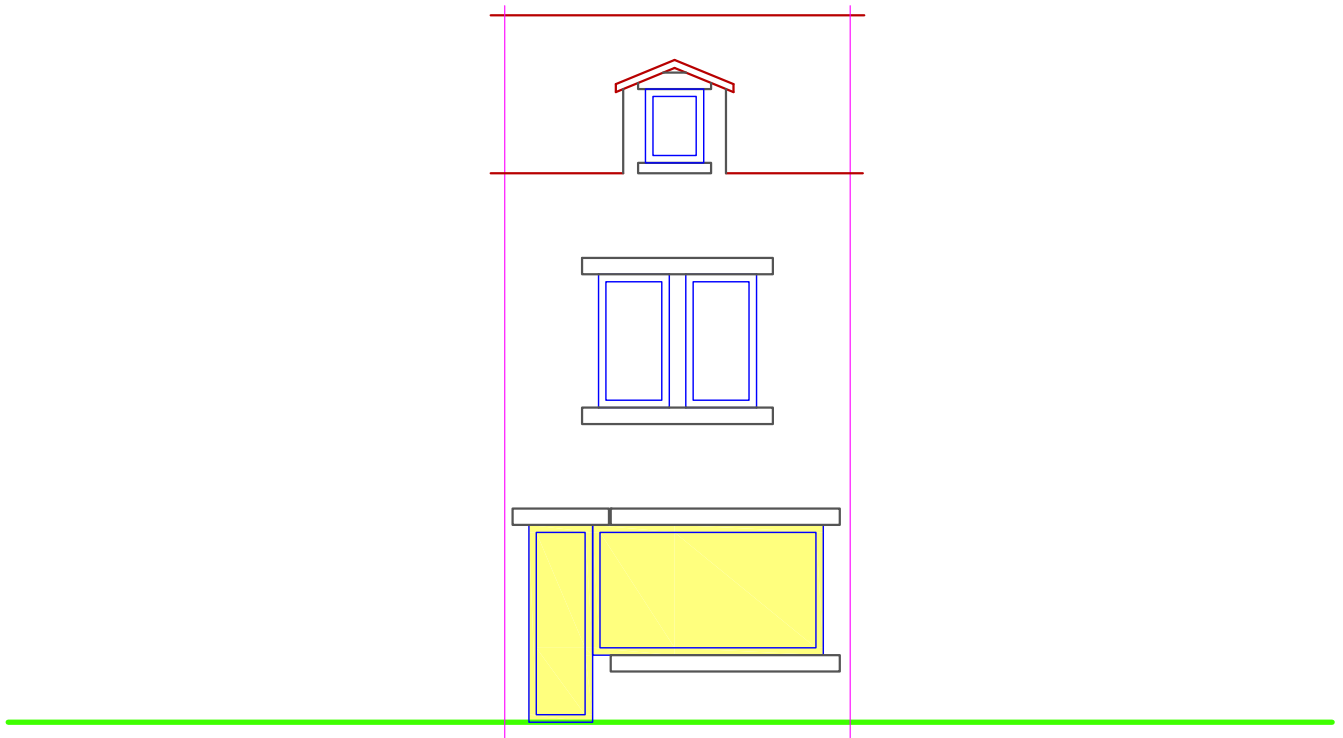
For the avoidance of doubt and in the interests of proper planning.

DRAWING ISSUE SHEET

Project: 11 Chorley New Road, Bolton	Status of Drawings: PLANNING		
	Project No: 2015/103/		
Drawing Title: SITE LOCATION AND LAYOUT PLANS	Date: 20/02/2016	Drawing No: 01/01/	Rev: A
Drawing Title: EXISTING ELEVATIONS	Date: 20/02/2016	Drawing No: 02/01/	Rev: A
Drawing Title: EXISTING GROUND & FIRST FLOOR LAYOUTS	Date: 20/02/2016	Drawing No: 03/01/	Rev: A
Drawing Title: PROPOSED ELEVATIONS	Date: 13/04/2016	Drawing No: 04/01/	Rev: C
Drawing Title: PROPOSED GROUND AND FIRST FLOOR LAYOUTS	Date: 20/02/2016	Drawing No: 05/01/	Rev: A
Drawing Title: EXISTING AND PROPOSED SECOND FLOOR LAYOUTS	Date: 20/02/2016	Drawing No: 06/01/	Rev: B

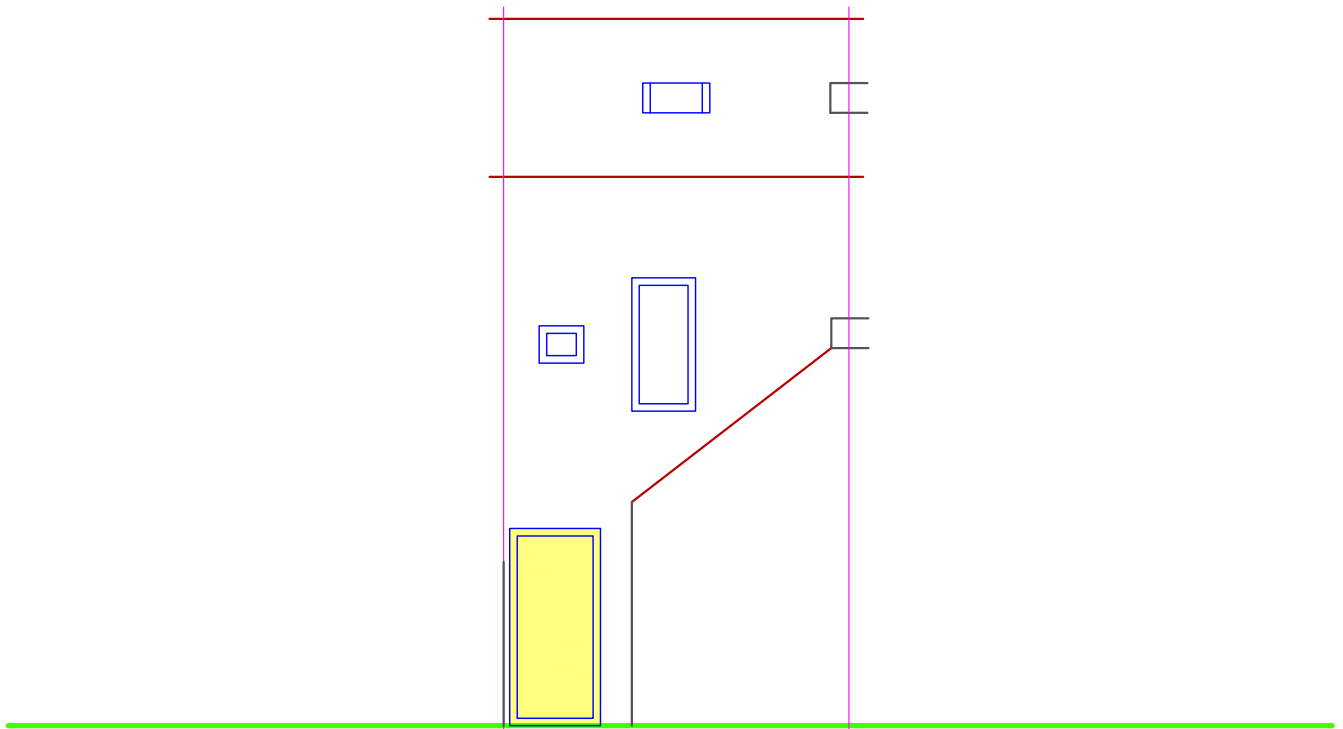
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10 - PROPOSED REAR ELEVATION

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Scale 1:100



PLANNING, HIGHWAYS AND

azh
consultancy

CONSTRUCTION SERVICES

YUNUS JIVA
07552 715009

Client:
Mr Y. Jiva
190 Armadale Road
Bolton, BL3 4TP

Project:
11 Chorley New Road, Bolton

Drawing Title:
PROPOSED ELEVATIONS

- Drawing and all contents subject to copyright laws.
- Drawing to be reviewed as a part of the complete set.
- All building work subject to Planning Conditions and Building Regulations Approvals.
- Existing and proposed dimensions and specifications are shown for Planning and Building Regulations approval only. Contractor to check for any errors in the plans prior to appointment and commencement of works and clarify the position with client.

Date:
13/04/2016

Scales shown:
at A3 plot

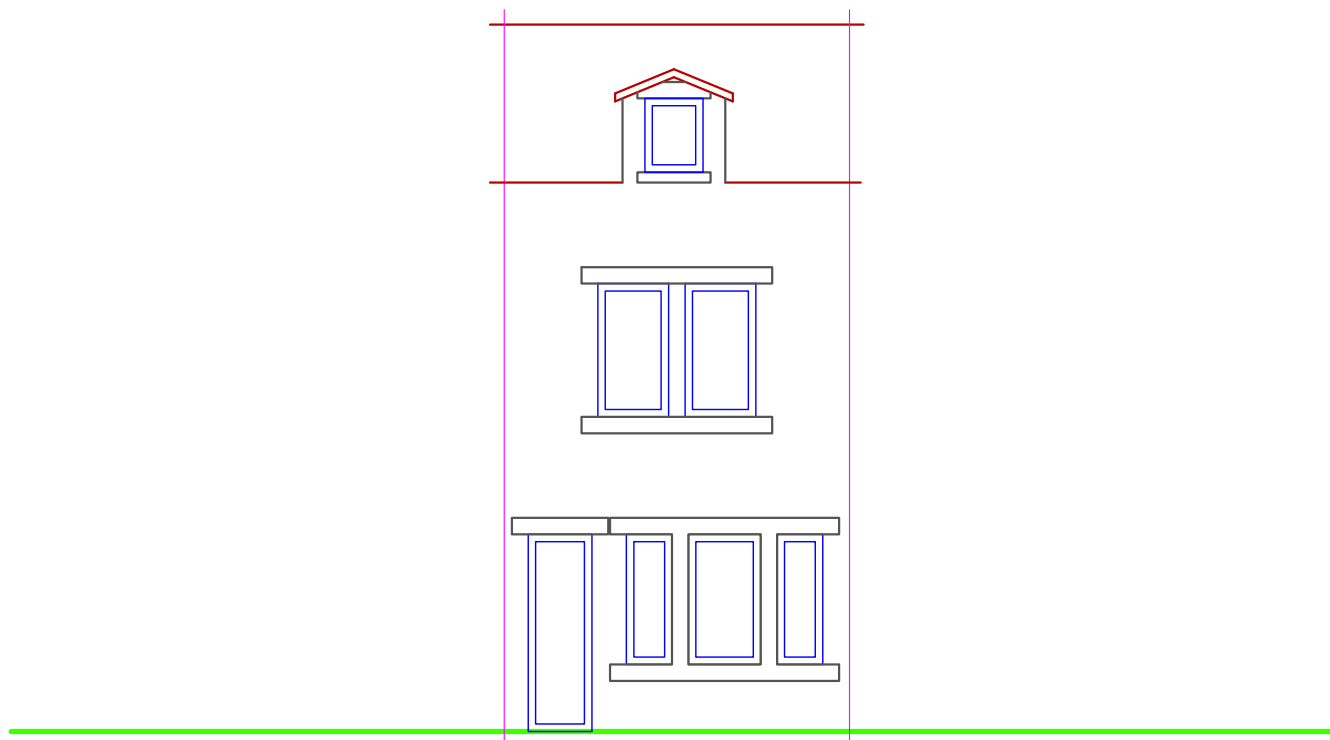
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Drawing No: 04/01/
Rev: C

Drawing Status:
PLANNING

Page 4 of 6

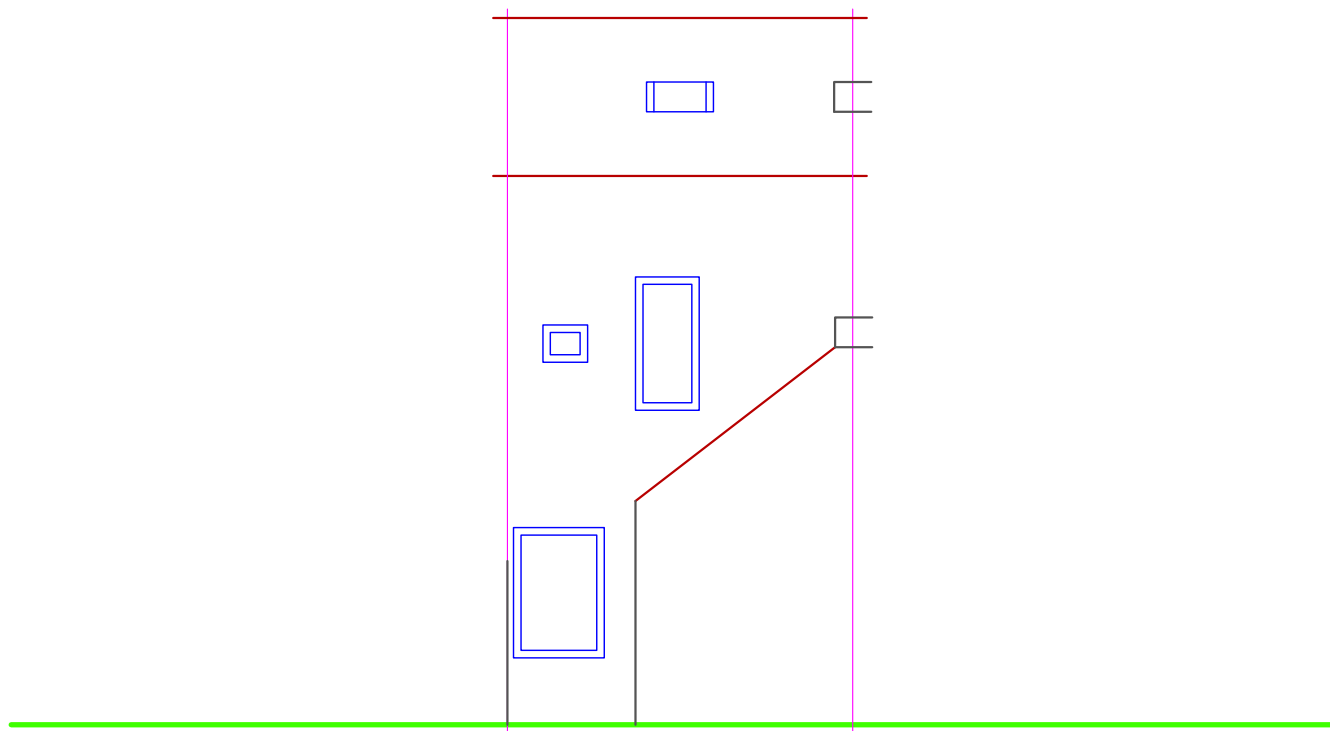
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4 - EXISTING REAR ELEVATION

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Scale 1:100



PLANNING, HIGHWAYS AND

azh
consultancy

CONSTRUCTION SERVICES

YUNUS JIVA
07552 715009

Client:
Mr Y. Jiva
190 Armadale Road
Bolton, BL3 4TP

Project:
11 Chorley New Road, Bolton

Drawing Title:
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Date:
20/02/2016

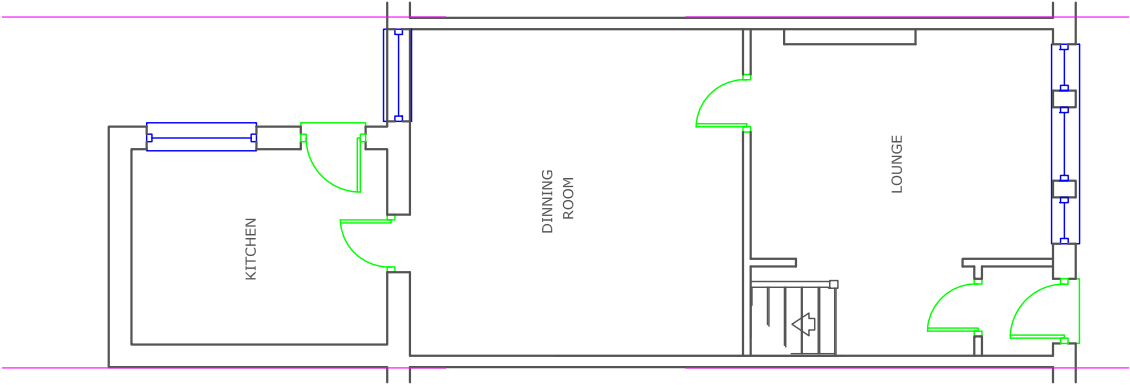
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Rev: A

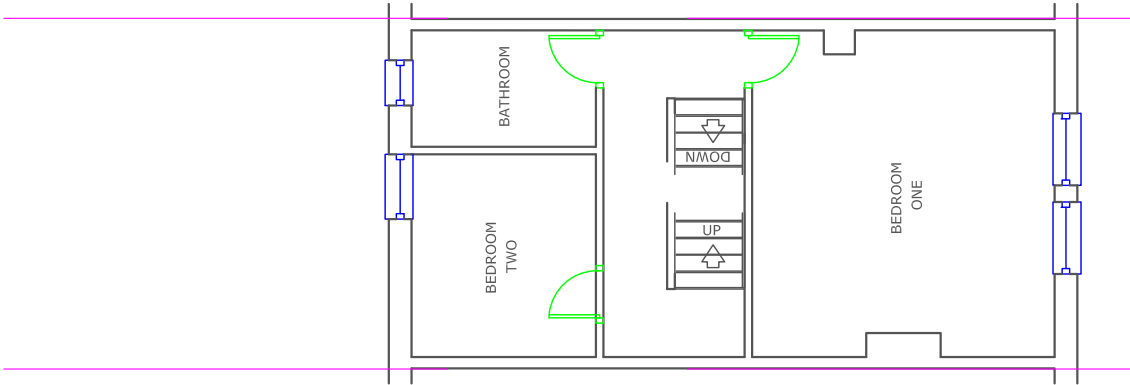
Drawing Status:
PLANNING

Page 2 of 6


8 - EXISTING GROUND FLOOR



7 - EXISTING FIRST FLOOR



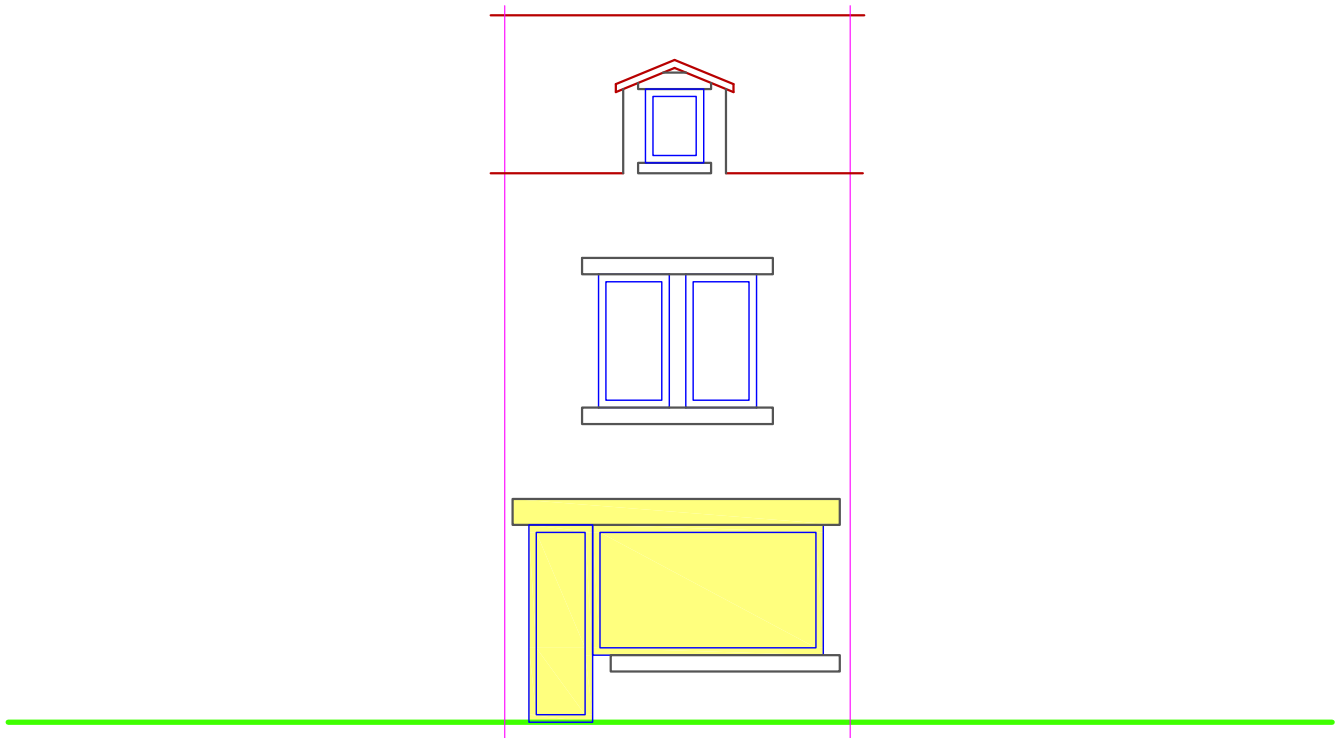
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<div>PLANNING, HIGHWAYS AND</div> <div><div>azh</div><div>consultancy</div></div> <div>CONSTRUCTION SERVICES</div>		<div>Client:</div> <div>Mr Y. Jiva</div> <div>190 Armadale Road</div> <div>Bolton, BL3 4TP</div>	<div>Project:</div> <div>11 Chorley New Road, Bolton</div>
<div>07552 715009</div> <div>YUNUS JIVA</div> <div></div>		<div>Drawing Title:</div> <div>EXISTING GROUND &</div> <div>FIRST FLOOR LAYOUTS</div>	
<div>- Drawing and all contents subject to copyright laws.</div> <div>- Drawing to be reviewed as a part of the complete set.</div> <div>- All building work subject to Planning Conditions and Building Regulations Approvals.</div> <div>- Existing and proposed dimensions and specifications are shown for Planning and Building Regulations approval only. Contractor to check for any errors in the plans prior to appointment and commencement of works and clarify the position with client.</div>		<div>Date:</div> <div>20/02/2016</div>	<div>Project No:</div> <div>2015/103/ 03/01/ A</div>
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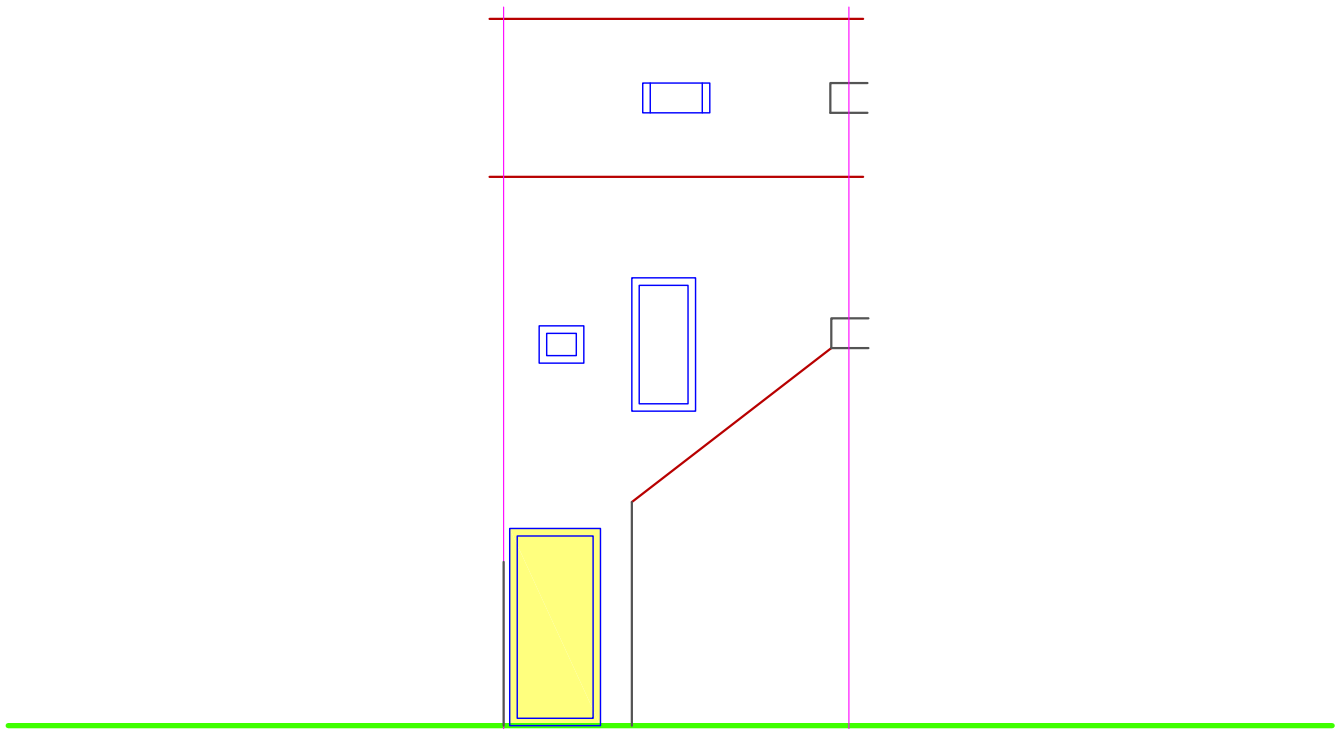
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10 - PROPOSED REAR ELEVATION

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Scale 1:100



PLANNING, HIGHWAYS AND

azh
consultancy

CONSTRUCTION SERVICES

YUNUS JIVA
07552 715009

Client:
Mr Y. Jiva
190 Armadale Road
Bolton, BL3 4TP

Project:
11 Chorley New Road, Bolton

Drawing Title:
PROPOSED ELEVATIONS

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09/03/2016

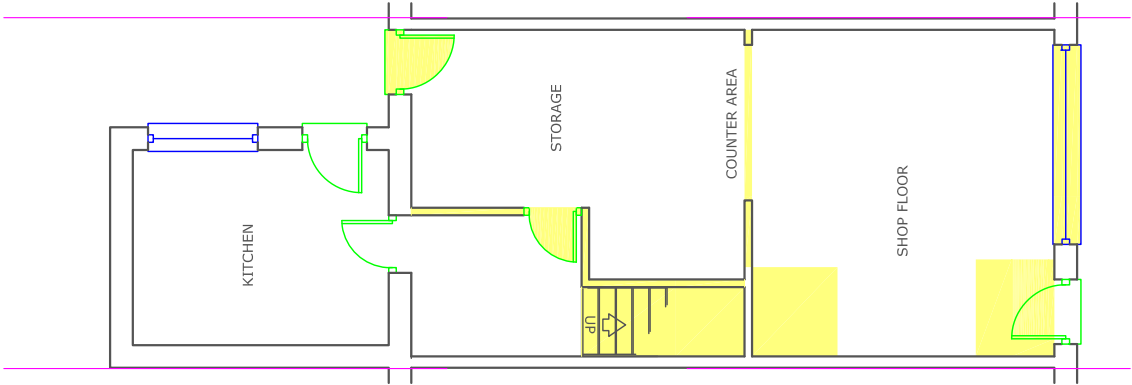
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Rev: B

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Drawing Status:
PLANNING

Page 4 of 6

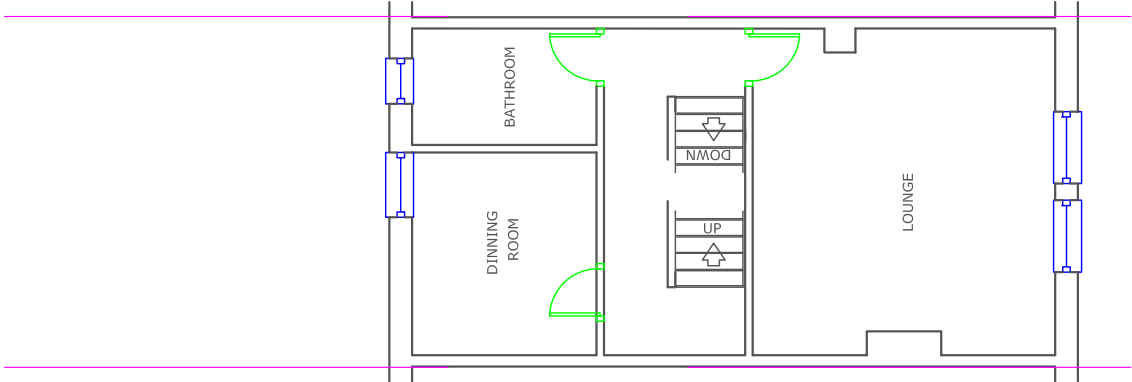
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12 - PROPOSED FIRST FLOOR



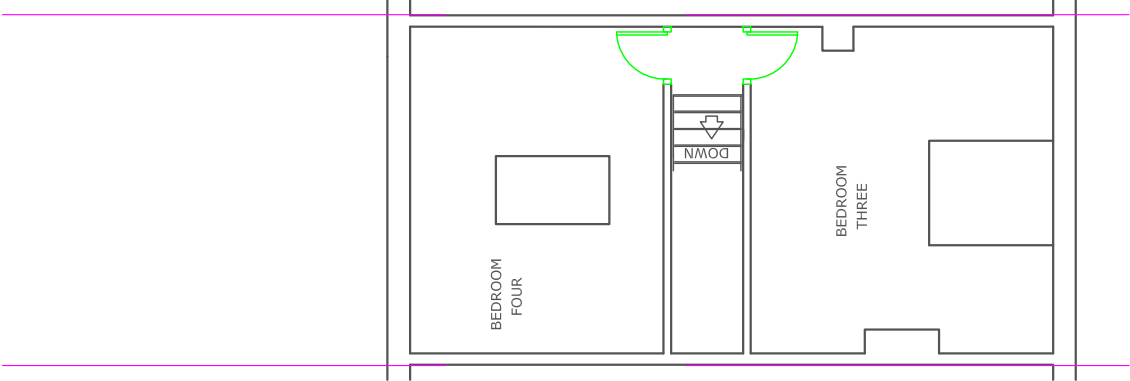
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Notes:	2015/103/ 05/01/ A
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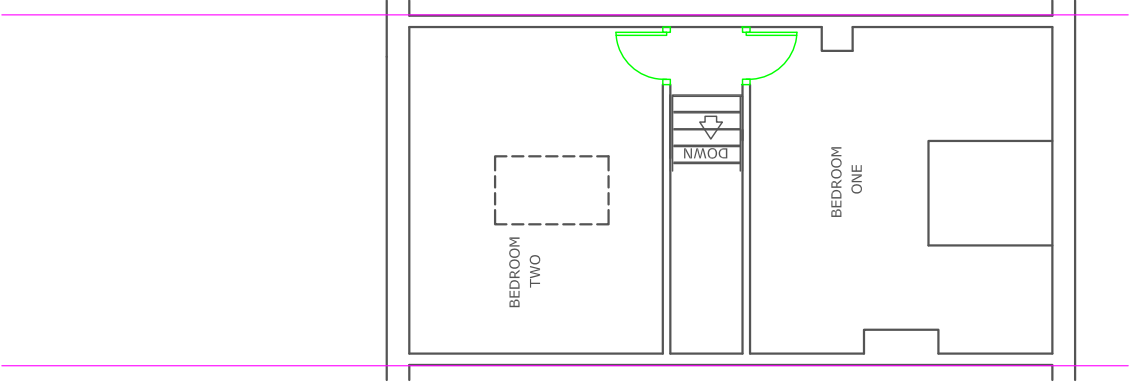
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<div>07552 715009</div> <div>YUNUS JIVA</div> <div></div>		<div>Drawing Title:</div> <div>PROPOSED GROUND AND</div> <div>FIRST FLOOR LAYOUTS</div>	
<div>- Drawing and all contents subject to copyright laws.</div> <div>- Drawing to be reviewed as a part of the complete set.</div> <div>- All building work subject to Planning Conditions and Building Regulations Approvals.</div> <div>- Existing and proposed dimensions and specifications are shown for Planning and Building Regulations approval only. Contractor to check for any errors in the plans prior to appointment and commencement of works and clarify the position with client.</div>		<div>Date:</div> <div>20/02/2016</div> <div>Project No:</div> <div>2015/103/</div> <div>Drawing No: Rev:</div> <div>05/01/ A</div> <div>Scales shown:</div> <div>at A3 plot</div> <div>Drawing Status:</div> <div>PLANNING</div>	

15 - EXISTING ATTIC/ROOF



14 - PROPOSED ATTIC/ROOF

NO CHANGES PROPOSED (SAME AS EXISTING)



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<div>PLANNING, HIGHWAYS AND</div> <div><div>azh</div><div>consultancy</div></div> <div>CONSTRUCTION SERVICES</div> <div>YUNUS JIVA 07552 715009</div>		Client: Mr Y. Jiva 190 Armadale Road Bolton, BL3 4TP		Project: 11 Chorley New Road, Bolton	
<div>- Drawing and all contents subject to copyright laws. - Drawing to be reviewed as a part of the complete set. - All building work subject to Planning Conditions and Building Regulations Approvals. - Existing and proposed dimensions and specifications are shown for Planning and Building Regulations approval only. Contractor to check for any errors in the plans prior to appointment and commencement of works and clarify the position with client.</div>		Drawing Title:		EXISTING AND PROPOSED SECOND FLOOR LAYOUTS	
		Date:		Project No:	
		20/02/2016		2015/103/	
		Scales shown:		Drawing No: Rev:	
		at A3 plot		2015/103/ 06/01/ B	
		Drawing Status:		PLANNING	

Page 6 of 6

EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION



PLANNING, HIGHWAYS AND

azh
consultancy

CONSTRUCTION SERVICES

YUNUS JIVA
07552 715009

Client:
Mr Y. Jiva
190 Armadale Road
Bolton, BL3 4TP

Project:
11 Chorley New Road, Bolton

PHOTOGRAPHS

Project Number:
2015/103/

Application number 95993/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 12/05/2016

Application Reference: 95993/16

Type of Application: Full Planning Application

Registration Date: 16/03/2016

Decision Due By: 10/05/2016

Responsible Officer: Jeanette Isherwood

Location: WINIFRED KETTLE HOUSE, WASHACRE, WESTHOUGHTON, BOLTON, BL5 2NG

Proposal: CHANGE OF USE FROM CARE HOME/DAY CARE CENTRE TO DAY CARE, NHS CLINIC AND ASSOCIATED OFFICES TOGETHER WITH INTERNAL AND EXTERNAL ALTERATIONS AND ADDITIONAL PARKING SPACES.

Ward: Westhoughton North

Applicant: Bolton M B Council

Agent : Darren Curry Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

Winifred Kettle was previously utilised as a residential Care Home and Day Care facility, however due to the closure of the Care Home element, there has been a requirement to consider the future of the site with the opportunity to refurbish the existing Day Care services.

It is intended that the Day Care services within the building will be self-contained so allowing the rest of the building to be utilised for other uses. To enable this, a new dedicated Day Care entrance (with canopy) on the Washacre frontage is proposed.

The remaining building space is to be utilised by Bolton Council and Bolton NHS Foundation Trust. A new NHS clinic facility is to be provided within the remainder of the ground floor containing 3 main consulting rooms and associated facilities. At first floor supporting office space is proposed which will be shared between NHS / Bolton Council.

The proposed floor space allocation of the building is as follows:-

- Day care facility - 434m²
- NHS Clinic - 400m²
- Associated office space - 560m²

Opening hours for the centre is proposed as 8:30 - 17:00

Minor elevational alterations to some existing windows and doors are required to allow for the reuse

of the building. Other than the new Day Care entrance, these are located to the rear of the building. A new day care entrance will be provided with a level threshold and suitable ramp access.

The existing site access points are not being changed, or any new access points proposed by this application.

Parking provision has been increased to suit the new use of the building with the introduction of 24 spaces incorporating 3 for disabled spaces. New cycle and motorcycle provision is being provided to encourage more sustainable methods of transport

Provision for day care transport is maintained with turning within the site and a dedicated drop-off area identified (giving good access to the new entrance).

Site Characteristics

The site is currently occupied by the existing Winifred Kettle House Day Care and Care Home facility. The development site is located to the south-east of Westhoughton town centre. The site is bordered to the north by residential properties off the B5235 Leigh Road, to the east by the B5235 Leigh Road and to the south and west by Washacre Close. and to the west by the private section of Washacre Close.

The area around the site is predominantly residential where a majority of the properties are two storeys with brickwork and tiled pitched roof. Winifred Kettle House is in keeping with these local characteristics.

The site is currently accessed via a private access off the adopted section of Washacre

Policy

National Planning Policy Framework 2012

Core Strategy Objectives - SO1 Healthy Bolton; SO9 Reduce Crime and Fear of Crime

Core Strategy Policies CG3.2 Conserve and Enhance Local Distinctiveness; CG3.3 Scale, Massing, Grain and Form; CG3.5 Inclusive Design; CG4.1 Compatible Uses; CG4.2 Pollution; P5 Accessibility; S1.1 Reduce Crime and Fear Of Crime; H1.1 Health Facilities in Renewal Areas; OA3 Westhoughton and Appendix 3

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the use on residential amenity
- * impact on the visual appearance and character of the area and crime
- * impact on highway safety and parking provision

Impact of the use on residential amenity

Policy CG4.1 requires new development to be compatible with surrounding land uses and ensure neighbouring occupiers have sufficient privacy and amenity. Policy CG4.2 states that development should not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.

One objection has been received from a resident concerned that the hours of operation are not clear and that the buildings use could result in disturbance to neighbours on Washacre Close.

However the applicant has supplied additional information to confirm the proposed hours of opening to be 8:30 - 17:00 which is not considered an excessive opening period. It will still ensure neighbouring residents can expect a reasonable degree of privacy and amenity during evening hours. These hours are appropriate and expected from this use.

Furthermore the main entrance to the building will be to the front, away from residential properties on Washacre Close

Alterations to windows and doors to the rear elevation, overlooking residential properties are contained to ground floor level and involve in the main changes from window to door to allow access from the rear. These alterations are minor in nature and are not thought to result in privacy or overlooking issues.

Policy H1.1 supports the development of new health facilities in accessible locations, and in renewal areas. Policy OA3 also states that the Council will continue to develop expanded medical and health facilities in Westhoughton.

The proposal complies with Core Strategy policies H1.1, CG4 and OA3

Impact on Visual Appearance and Character of the Area and Crime

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. (NPPF, para. 56) CS policies CG3.2, CG3.3 require proposals to respect and enhance local distinctiveness, be compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment, including hard/soft landscaping and boundary treatment. Policy OA3 seeks to conserve and enhance the character of the existing physical environment.

Ramped access and a new canopy is proposed to the front of the building - these will be visible from the street. However they are small scale additions to the property. The style is functional and respectful to the existing architecture, street scaping, scale and massing. Minor alterations are proposed to some windows.

Policy S1.1 strives to reduce crime and the fear of crime. PCPN10 in paras 12 and 13 refers to development proposals taking into account the need for design to minimise the possibility of crime. The ethos is around maximising natural surveillance. The site benefits from an open frontage. No additional boundary treatment is proposed. The property is surrounded by residential houses and adjacent to a main thoroughfare. Occupying the building will also enhance security and provide ownership. Adding external security features could give the building a utilitarian appearance - this is

not compatible with the street scene and it could attract crime, rather than hinder it. The proposal is considered to comply with policy S1.1

The proposal complies with guidance within the NPPF and Core Strategy policies CG3.2, CG3.3, S1.1 and OA3.

Impact on Highway Safety and Parking Provision

Policy S1.2 promotes road safety in new developments, whilst policy P5 states that developments should take into account accessibility by different types of transport, prioritising pedestrians, cyclists, public transport users over other motorised vehicle users.

The proposal provides the following:-

- 21 car parking spaces
- 3 disabled parking spaces
- 2 motor cycle bays
- 10 cycle bays

Appendix 3 gives the maximum required standards for various uses. The information provided by the applicant does not allow for an accurate calculation of the required spaces due to insufficient detail with regards to staff employed within the separate aspects of the clinic. However a balanced judgement has been made to the probable requirements based on the information to hand. This would be the following:-

- Office space of 560 m2 would require approximately 16 spaces (1 per 35 m2)
- NHS Clinic would require 9 based on 3 spaces per consulting room

An assessment for the requirement with regards to the staff of the Day Centre and NHS Clinic is not possible with the information provided. However it is noted that there will be a shortfall in available parking spaces.

The Highways Officer had the following comments to make:-

'There is no information on the number of staff that would be employed in the offices, day care centre or NHS clinic and no information on the number of patients or visitors that would be attending the various parts of the building at any one time. Whilst the Transport Statement assesses peak hour impact on the road network, there is no evidence to demonstrate that the car park would have adequate capacity throughout the day to accommodate all users, particularly considering that delays in seeing patients at clinics can sometimes result in long waiting times'

Although the applicant submitted a further list of employees they omitted details with regards to possible numbers of visitors.

The applicant has since submitted the following information in mitigation:-

'The Centre employs 68 members of staff with a range of working practices and roles within the organisation. The first 21 members of staff do not require a car parking space at the site for one reason or another. These either car share (not necessarily with other members of staff), walk to work or travel to work by bus.

Of the remaining 47 members of staff, 17 of these are district nurses who occasionally drop into the facility but are based off site. It is understood that there is likely to be only 2 to 3 district nurses

who require a car parking space at any time and this is likely to be early in the morning.

Similarly the staff who carry out home visits (11 of the 47 members of staff) are also based off site and a similar number of staff, ie 2 or 3, would require a parking space at any one time and again this is likely to be only in the morning.

The final body of staff are 'intermittent' staff. These are generally staff who 'intermittently' work at the facility. There are 19 members of staff in this category who as a default have been listed as requiring a car for work and therefore a car parking space at the site. Five car parking spaces will be made available on a day by day basis for these members of staff to utilise but it is understood that these are rarely required as most of these members of staff do not work everyday at the facility.

The requirement for staff car parking at the site is likely therefore to be a maximum of around 10 spaces.'

Objections have been raised by a nearby resident with regard to :-

- Access
- Road safety
- parking
- loss of access to elderly bungalows on Washacre Close for emergency vehicles

It is noted that there will be a shortfall of parking provision on the site and the following suggestions could alleviate the concerns:-

- Condition that any approval is monitored with a view to reviewing and resolving any parking issues that may arise
- Defer the proposal to seek additional parking to the rear of the building

Although the maximum car parking standards are not currently met the applicant makes a case for mitigation due to the ad hoc use of the employees on the site and the fact that the site is set in a highly accessible location on foot, train and bus. The site could be monitored for future issues with a view to seeking additional car parking within the site.

Conclusion

It is considered that the proposed change of use would provide a new mixed use health care, day care and office accommodation which would make efficient use of the existing building with only minor changes in the external appearance of the property. It is noted that based on the sustainable location of the property and the way the property would be used in reality the proposal is unlikely to result in highway safety issues. Notwithstanding this view the applicant remains committed to ensuring highway safety is not compromised and would extend the proposed car parking area if required in the future. This would require the benefit of a future planning application/permission.

It is considered that the proposal is compliant with Core Strategy policies CG4, CG3, H1, S1.1, OA3 and on balance, with suggested conditions is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- one letter of objection has been received with the comments outlined within the main body of this report

Petitions:- none

Town Council:- no objections

Consultations

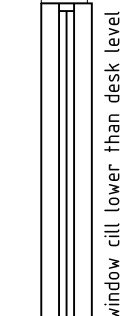
Advice was sought from the following consultees: Highways, Drainage, GMP, Greenspace, Trees, Wigan and Bolton Health Authority

Planning History

None relevant

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons



job no.	387
dwg no.	201
revision	5

site name	Winifred Kettle Westhoughton BL5 2NG
drag title	Proposed First Floor Plan

scale 1:500a0
date 19/10/15
drawn by dc

larren curry
180 Jack Lane
Chesham
Northwick
Cheshire
CW9 8B
T: 01693 535024 M: 07288 204640
enquiries@larrencurryarchitects.co.uk
www.larrencurryarchitects.co.uk



employers' requirement design only. OSHA's new rule requires that the contractor's sub-contractor's trade professionals be trained in accordance with the contractor's safety program. The contractor's proposed analysis and design must be submitted for the contractor's approval. The contractor's proposed analysis and design must be submitted for the contractor's approval. The contractor's proposed analysis and design must be submitted for the contractor's approval.

WC Provision: Workplace Regulations 1992

regulation 20 & 21

- 1 WC & WHB 1 to 5 persons
- 2 WC & WHB 6 to 25 persons
- 3 WC & WHB 26 to 50 persons
- 4 WC & WHB 51 to 75 persons
- 5 WC & WHB 76 to 100 persons

FIRE KEY

30 MINUTES FIRE RATING

30 MINUTES FIRE RATING

Door reference D_{max}
FOXS SC VP KS

Fire rating = FD
Smoke Seals = S (after fire rating)

Self-closing = SC
Vision Panel = VP

 $S_X = 1\text{msec}$

ROOM NUMBER	AREA	Team	Zone	OCCUPANCY
01001	4.2	Entrance Lobby		
01002	4.2	Entrance Lobby		
01003	3.11	Excavation		
01004	3.11	Excavation		
01005	3.11	Excavation		
01006	4.7	Restroom	High-Rise, All Staff	
01007	2.23	Excavation		
01008	2.23	Excavation		
01009	3.02	Waiting 11		11
01010	4.0	Storage		
01011	4.0	Storage		
01012	3.8	Storage		
01013	5.1	Storage		
01014	5.1	Storage		
01015	5.1	Storage		
01016A	1.8	Storage		
01017	4.7	Storage		
01018	4.7	Storage		
01019	3.11	Restroom		
01020	3.11	Restroom		
01021	4.7	IT Room		
01022	4.7	IT Room		
01023	3.11	Excavation		
01024	3.11	Excavation		
01025	3.8	Excavation		
01026	3.8	Excavation		
01027	11.6	Therapies		
01028	3.8	Community		
01029	3.8	Community		
01030	3.8	Community		
01031	5.0	Bank Food		
01032	5.0	Bank Food		
01033	4.5	McAlphey Change		
01034	6.5	McAlphey Change		
01035	4.5	McAlphey Change		
01036	1.8	Storage		
01037	0.1	Storage		
01038	2.4	Storage		24

Actual WC Provision:

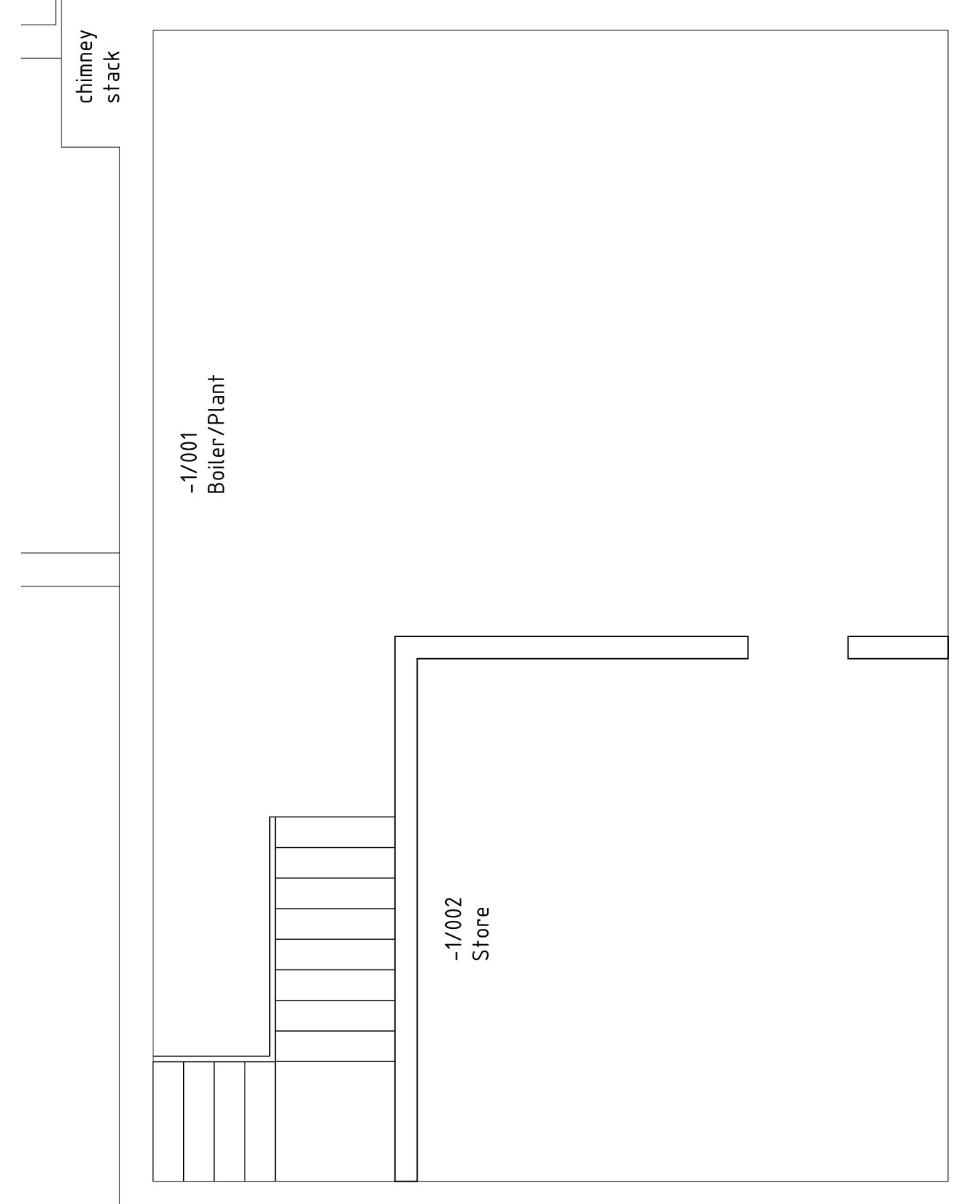
BIBAC - Day Care Team Zone			USE	OCCUPANCY
ROOM NUMBERS	AREA			
01005	4.7		Todd Policy	
01006	4.8		Diaper Station	
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Actual WC Provision:
Staff WC & WHB 1 to 5 persons
+ Staff and Visitor WC & WHB 51 to 75 persons
total capacity of 80 persons)

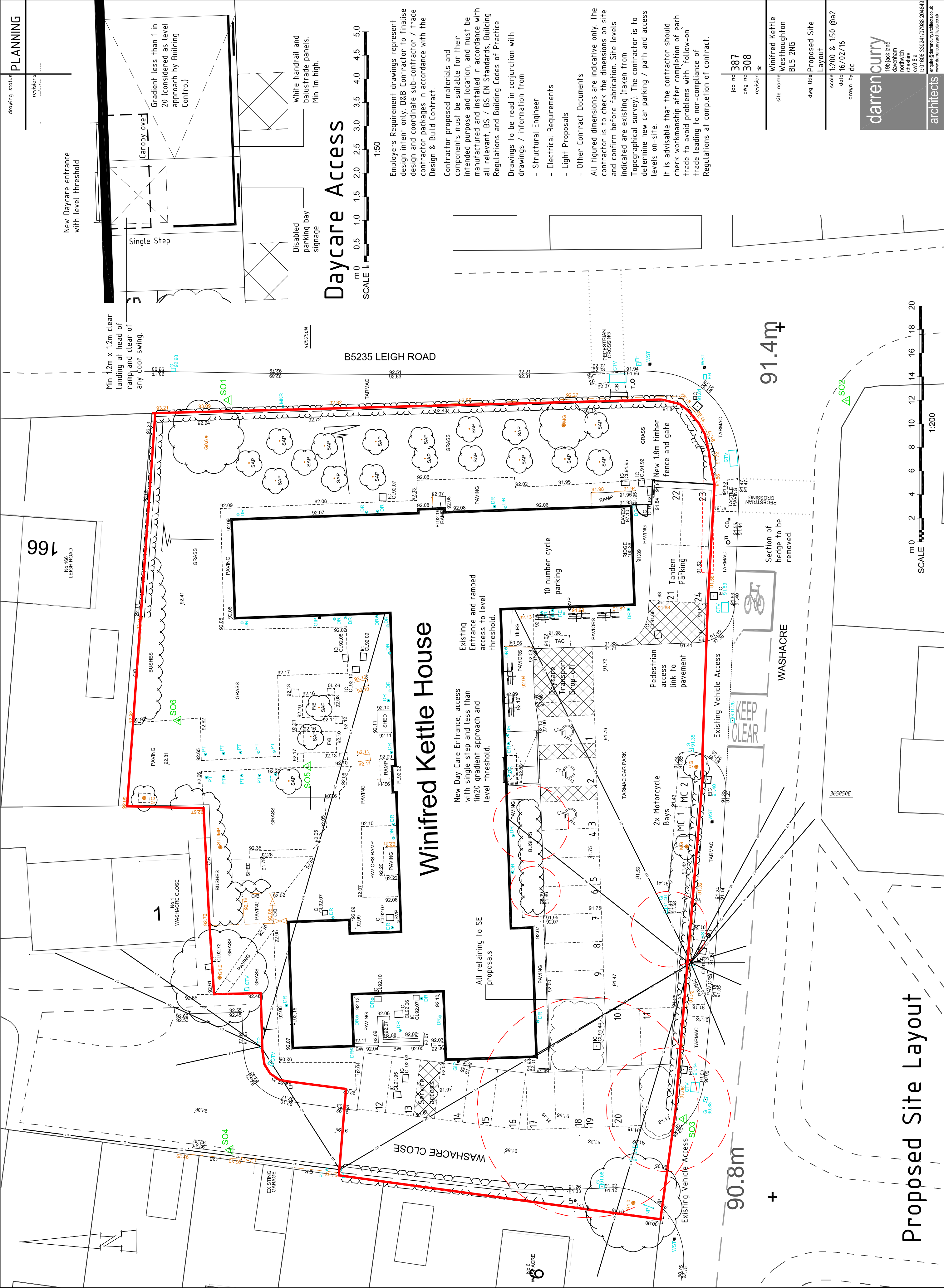
ACTUAL OCCUPANCY
STAFF (43 TOTAL)

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Proposed Ground Floor Plan



Proposed Basement Floor Plan



Application number 96121/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 12/05/2016

Application Reference: 96121/16

Type of Application: Full Planning Application
Registration Date: 07/04/2016
Decision Due By: 01/06/2016
Responsible Officer: Helen Williams

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

**Proposal: VARIATION OF CONDITION 12 ON APPLICATION 91779/14
AMENDMENTS TO ROOF PLAN TO ALLOW ADDITIONAL VELUX
WINDOWS.**

Ward: Heaton and Lostock

Applicant: Dr M Sidda
Agent : Mr A Chapman

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought to vary condition 12 (the approved plan condition) of planning approval 91779/14 to give retrospective planning permission for the additional rooflights that have been installed within the side and rear roof planes of the new dwelling.

- * Two additional rooflights are proposed/have been installed in the side roof plane facing Milldale Close (one rooflight was approved here under approval 91779/14);
- * Three new rooflights are proposed/have been installed in the side roof plane facing Tilside Grove (no rooflights were approved here under 91779/14);
- * Two new rooflights are proposed/have been installed in the rear roof plane (no rooflights were approved under 91779/14).

The rooflights have been installed to allow more natural light into the room proposed within the roofspace. The room proposed within the roofspace is labelled on the approved plans (91779/14) as a bedroom however the applicant now refers to this room (within their application form) as a "reading room".

This application has been submitted following an enforcement complaint.

Site Characteristics

The two storey detached dwelling approved under application 91779/14 is currently being constructed on the application site. At the time of the officer's visit (April) the external walls and roof had been completed. The roof lights subject to this application have been installed within the roof.

The application site is located on a residential road within a residential area of the borough. Regent

Road is characterised by large dwellings set in sizable plots. The dwellings differ in design, scale and character.

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

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

Policy

National Planning Policy Framework (NPPF)

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

SPD House Extensions; SPD General Design Principles.

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

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

Retrospective permission is sought for the installation of additional rooflights in both side roof planes and in the rear roof plane of the new dwelling. The approved plans (under application 91779/14) only showed one rooflight in the side roof plane facing Milldale Close.

Condition 11 of approval 91779/14 removed permitted development rights from the dwelling, for any

extension to the dwelling and any alteration to the roof. The presence of a condition removing permitted development rights from a dwelling does not mean that an extension or alteration would automatically be unacceptable at the dwelling owing to the presence of the condition; it instead gives the local planning authority the opportunity to formally assess any extension or alteration to the dwelling that would otherwise not require the benefit of planning permission.

Whilst the number of rooflights proposed within the roof of the application dwelling has been noticeably increased, they are relatively small in scale and are not considered to be a prominent feature to the dwelling. They do not alter the bulk or overall design of the dwelling, particularly as they are quite elevated within the roof planes.

There are existing examples of rooflights (and also dormer windows) on dwellings along Regent Road, therefore it is not considered that the proposed rooflights would be out of character with the area.

It is therefore considered that the proposed additional rooflights would not unduly harm the character and appearance of the dwelling or the street scene, compliant with Policies CG3 and OA4 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Section 3 of SPD General Design Principles sets out the Council's minimum interface distances between dwellings.

The proposed rooflights will serve a room proposed within the roofspace of the dwelling. The plans approved under application 91779/14 show this room to be a bedroom (one of five bedrooms) whereas this room is now referred to in this current submission as a "reading room". Either way it is not considered that the rooflights would create any overlooking concerns for neighbours given that they are sited in the slope of the roof and therefore at an angle. Furthermore, the rooflights will not face any main windows in the side elevations of 47b or 51 Regent Road (no. 47 only has an entrance door and two, small, non-main windows in the side elevation and no. 51 only has a ground floor kitchen window in side elevation, which is not classed as a main window), and will be over 40 metres away from the dwellings to the rear.

It is therefore considered that the proposed rooflights would not unduly harm the amenity of any neighbouring resident, compliant with Policy CG4 of the Core Strategy.

Impact on Off-Street Parking

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

Third parties have raised concern that the room within the roof could be used as a bedroom (rather than a reading room as now suggested), which would increase the need for on-site/off-street parking. The approved application was however assessed as a five bedroom dwelling (with the room within the roof being counted as a bedroom) and therefore the amount of parking within the site has already been deemed as being sufficient. The current proposal would not affect this or the amount of space available within the curtilage for parking. The approved on-site parking is therefore not affected by the proposal.

It is therefore considered that the proposal would comply with Policies P5 and S1.2 of the Core

Strategy.

Conclusion

For the reasons discussed above it is considered that the proposal to vary the approved plan condition (condition 12 attached to approval 91779/14) to allow for the retention of the additional rooflights that have been installed at the dwelling would not harm the character and appearance of the dwelling or the surrounding area, would not harm the amenity of any neighbouring resident, and would not impact on the level of on-site parking previously approved. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- Five letters of objection have been received (two from residents of Regent Road, one from a resident of Tilside Grove, one on behalf of a resident of Regent Road and one from Lostock Residents Group). These letters raise the following concerns:

- * The windows overlook 51 and 47b Regent Road and the houses to the rear;
- * Two additional windows in the roof will potentially enable it to become habitable, therefore more residents and therefore increased car parking requirement; they are converting the loft into a bedroom as why would a reading room require seven windows;
- * Lack of adequate parking;
- * The house does not sit well in its grounds like the other houses on Regent Road; it is more appropriate to a town centre area;
- * Permitted development rights have been removed for any alterations to the roof (officer's comment: permitted development rights to the roof were removed under application 91779/14, not to prohibit altogether any future alterations to the roof, but to allow the local planning authority to formally assess whether any alterations (that would not normally require the benefit of planning permission) would be permissible/acceptable or not);
- * A non-material amendment cannot be used to overturn conditions imposed by a previous planning consent; it would be maladministration (officer's comment: this application is to vary a condition (a "minor-material amendment"));
- * The proposal is a breach of condition; abuse of the planning system; disregard of planning rules (officer's comment: the submitted application seeks to formally address this breach);
- * This breach cannot be accepted as a genuine misunderstanding (officer's comment: the reason/s why the applicant has not complied with the approved plans is not a material planning consideration).

Concerns have also been raised regarding the applicant's intention to amend the boundary treatment around the site, however this proposal is not included within this submitted application.

Consultations

Advice was sought from the following consultees: None given the nature of the proposal.

Planning History

Planning application 91779/14 for a substitute of house type was approved at Committee in November 2014.

The pruning of one sycamore and one beech tree was approved in May 2014 (91798/14).

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

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

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

Retrospective planning application 89055/12 for the erection of one detached dwelling was refused by Planning Committee in February 2013. An appeal against the enforcement notice to demolish the

unauthorised dwelling (issued 13th June 2013) was dismissed on 17th April 2013 (the enforcement notice was upheld).

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

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

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

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

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

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

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

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

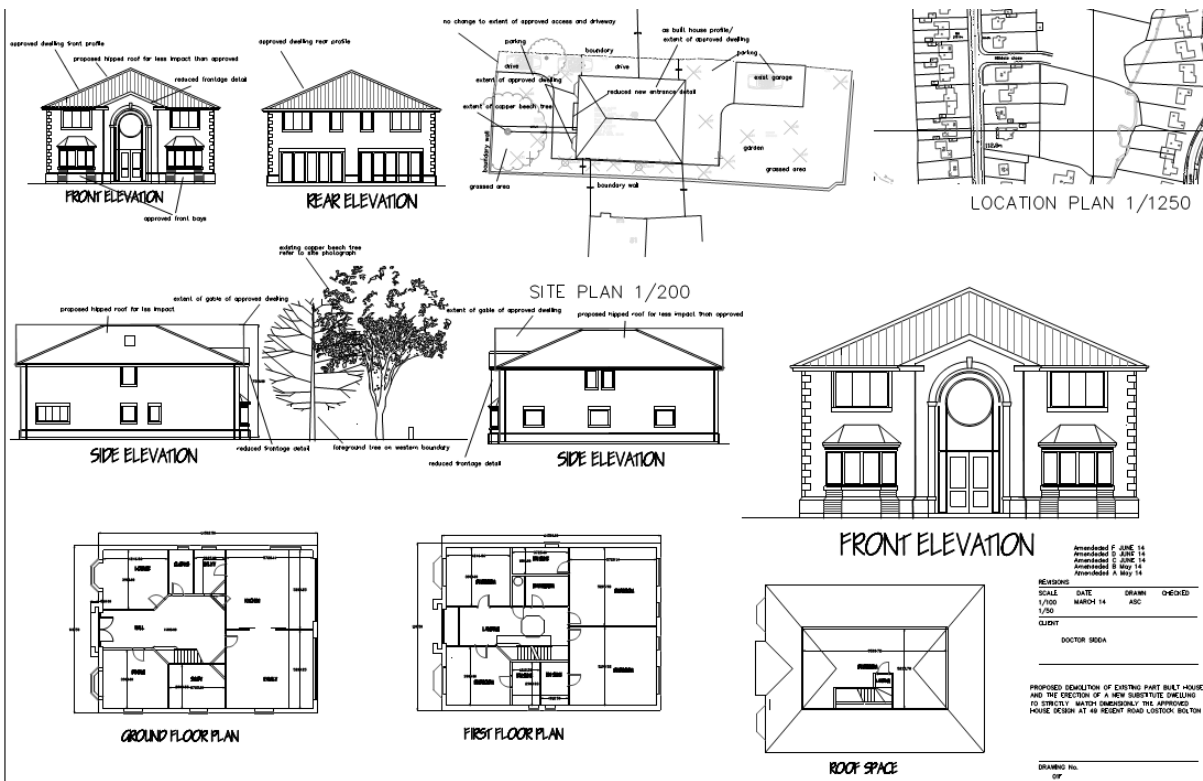
01G; "Replacement Dwelling Proposed Additional Roof Lights to Roof"; received 16 Mar 2016

01G; "Site Layout"; dated March 14 and received 8th August 2014 for application 91779/14

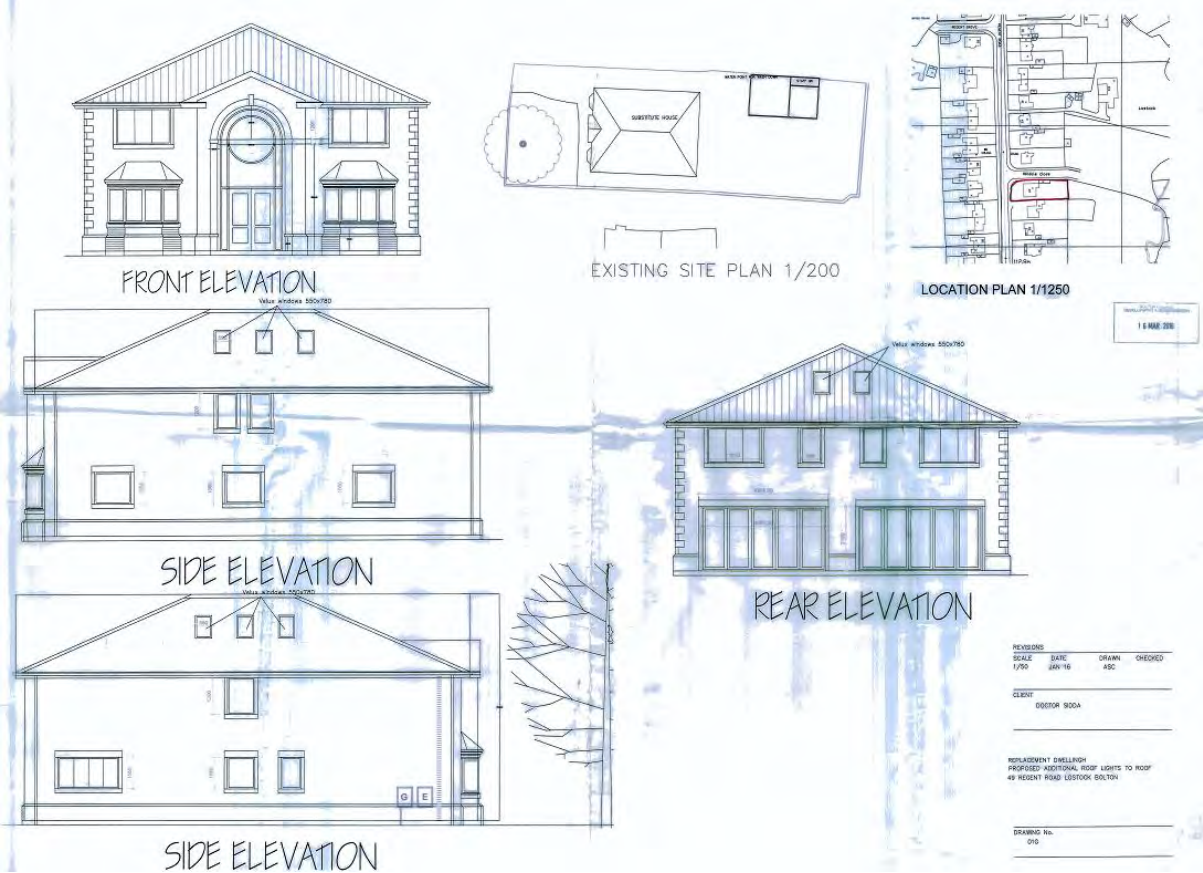
Reason

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

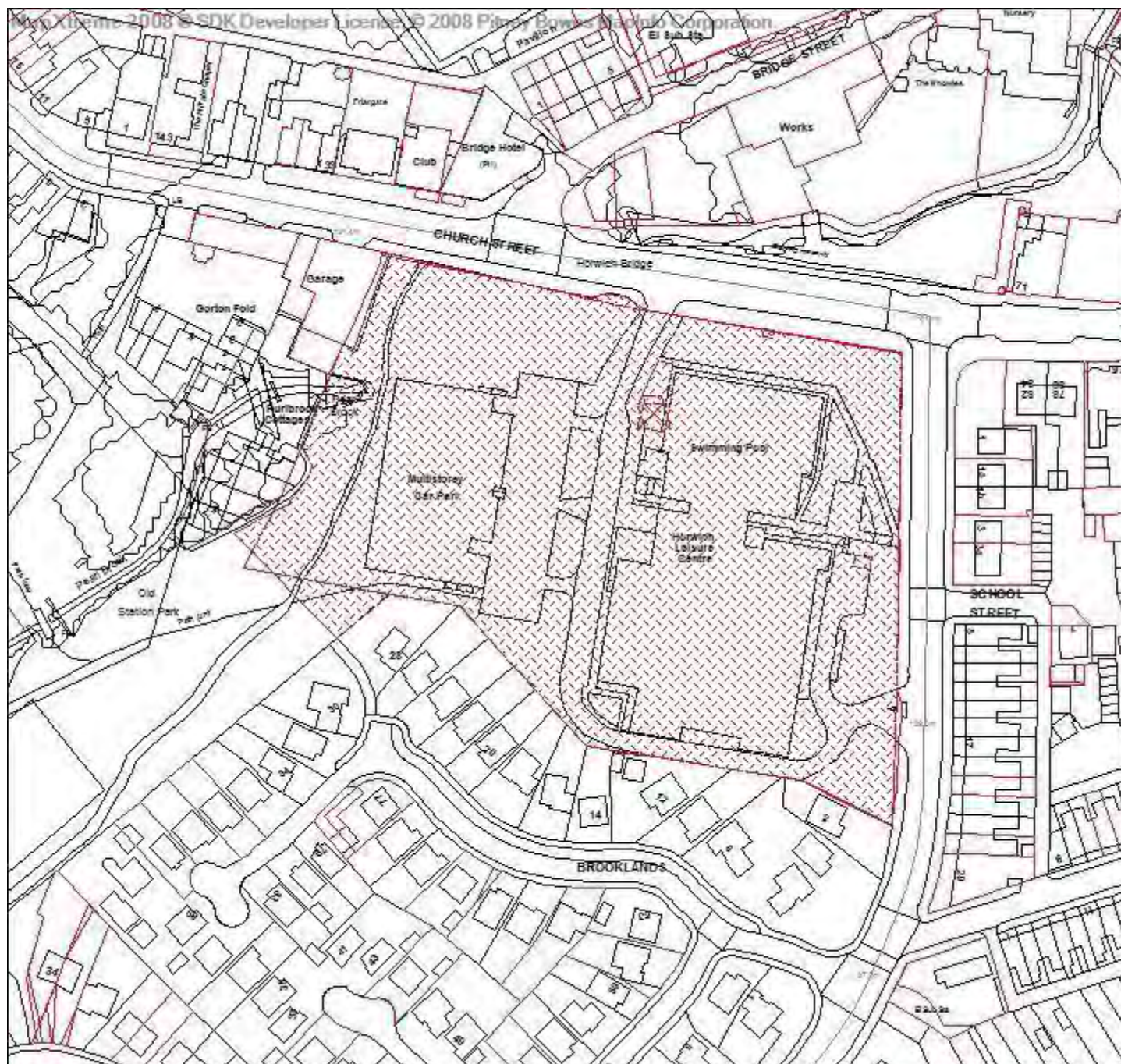
Plan approved under application 91779/14



Plan submitted with latest application 96121/16 (showing rooflights as installed)



Application number 96141/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 12/05/2016

Application Reference: 96141/16

Type of Application: Local Authority Applications\Development

Registration Date: 18/03/2016

Decision Due By: 16/06/2016

Responsible Officer: Helen Williams

Location: HORWICH LEISURE CENTRE, VICTORIA ROAD, HORWICH, BOLTON, BL6 5PY

Proposal: PART A - FULL APPLICATION - ERECTION OF NEW LEISURE CENTRE FOLLOWING DEMOLITION OF EXISTING CAR PARK
PART B - OUTLINE APPLICATION (ALL MATTERS RESERVED) - ERECTION OF PRIMARY CARE CENTRE FOLLOWING DEMOLITION OF EXISTING LEISURE CENTRE

Ward: Horwich and Blackrod

Applicant: Bolton Council/Bolton Community Leisure Trust

Agent : GT Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

This planning application, for a new leisure centre and primary care centre at the current Horwich Leisure Centre site, has been submitted in two parts.

Part A

Part A of the application is for full planning permission and proposes the demolition of the existing multi-storey car park on the western half of the site and the erection of a new leisure centre. The new leisure centre will replace the existing leisure centre on the eastern half of the site, which is to be demolished once the new centre is operational. It is a key aim of the proposal to maintain the function of the existing leisure centre throughout the construction of the new centre in order to maintain the leisure provision.

The proposed building will comprise two floors, an upper ground floor and a lower ground floor. Owing to the existing levels at the western half of the application site, and owing to the design of the building, the building will appear only as single storey along its eastern elevation (the proposed entrance to the centre) and as part single, part two storey along its northern elevation (facing Church Street).

153 parking spaces (148 car parking spaces and 5 mini bus spaces) will be provided on the eastern half of the application site once the existing leisure centre has been demolished.

51 car parking spaces are proposed to be provided on-site during the construction phase. These are

to be located around the existing leisure centre building and on a grassed area adjacent the current vehicular exit on Victoria Road.

Vehicular access into the site is to be retained as existing off Church Street, to the north (and centre) of the application site, and will be used for access and egress. The existing exit onto Victoria Road will operate as "access only" rather than "exit only" as it currently is.

A service access is proposed off Church Street at the north western corner of the site, which will run down the western side of the new leisure centre.

New landscaping is also proposed around the new building.

Facilities to be provided within the new leisure centre include:

- * A 6-lane swimming pool measuring 25 metres in length (1 to 2 metres deep);
- * A high level viewing area/spectator seating to the 6-lane pool;
- * A learner pool (12 metres by 8 metres with a 0.9 metre constant depth) and a viewing area to this;
- * A four court sports hall (34.5 metres by 20 metres and 7.5 metres height to internal eaves);
- * Fitness suite measuring 520 sq. metres and comprising a 100 station gym and spin studio;
- * 140 sq. metre studio
- * 140 sq. metre multi-function room;
- * Combined wet and dry change areas for male, female and family/accessible/group areas and dry change areas for the fitness suite and studio;
- * Vending areas;
- * Offices, ancillary space, buggy store and first aid room.

Part B

Part B seeks outline planning permission (all matters reserved) for the erection of a primary care centre, following the demolition of the existing leisure centre building. As the application is "all matters reserved", further details of the scale, siting, appearance and landscaping of, and the parking and access for the health centre would need to be applied for through a subsequent Reserved Matters application. The principle of the application site also accommodating a primary care centre is therefore only applied for here.

The new leisure centre and the primary care centre will form a health and wellbeing hub for Horwich. It is expected that a reserved matters application for the health centre will be submitted sometime next year.

Site Characteristics

The application site is the site of Horwich Leisure Centre, which comprises the red brick leisure centre building (sited at the eastern half of the site) and a concrete multi-storey car park (sited at the western half of the site). The swimming pool (the tallest part of the development) is located at the north eastern corner of the site, adjacent the junction of Church Street with Victoria Road. Both the leisure centre and car park are set at a lower ground level than the adjacent Church Street and Victoria Road, with the car park being a split level structure owing to the fall of the site to the west. An access road off Church Street divides the application site in two, which runs behind the leisure centre building and exits onto Victoria Road.

Grassed verges (which slope down from the road to the buildings) bound the site along its eastern and northern frontages.

There are a number of tall, mature trees within the site, which are mainly located around the existing

leisure centre building. These are not formally protected.

A culvert crosses the application site underground, to the north west corner of the car park. This joins onto Pearl Brook to the west of the site. The area immediately adjoining the brook is a Flood Zone 2/3.

A path runs down the western side of the multi-storey car park, providing pedestrian access between Church Street and Station Park to the south west of the site. This is not a public right of way, and neither is the path to the rear of the car park (which links Station Park with Victoria Road).

The site is bordered to the south by the rears of the detached, two storey houses on Brooklands, which are sited at a lower ground level than the application site. To the west are the cottages at Purlbrook Cottages and Gorton Fold.

To the north of the application site runs Church Street (B6226), which is a main thoroughfare into Horwich Town Centre. Opposite the site is Horwich Bridge, and to the north of this is part of Wallsuches Conservation Area.

To the east of the site is Victoria Road, which is predominantly residential in character.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: H1 Healthy Bolton; P2 Retail and Leisure; P5 Accessibility and Transport; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG1.5 Reduce the Risk of Flooding; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC2 Cultural and Community Provision; OA1 Horwich and Blackrod.

SPD General Design Principles; SPD Accessibility, Transport and Safety.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of the proposed development
- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring residents
- * impact on on-site parking and the highway
- * impact on biodiversity
- * impact on flooding and drainage

Principle of the Proposed Development

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

Core Strategy Policy OA1.1 of the Core Strategy states that the Council will continue to promote Horwich town centre as being suitable for a mix of retailing, leisure, employment and housing uses. Policy OA1.12 states that the Council will develop new or expanded medical and health facilities at both Horwich and Blackrod.

Policy H1.1 of the Core Strategy states that the Council will support the development of new health facilities in accessible town centre locations, and in renewal areas.

The proposed new leisure centre and health centre will be sited just outside the allocated town centre of Horwich, on a main road through the town centre. The application site is in a highly sustainable location, on a bus route, in walking distance from the town centre and the neighbouring communities the proposed development will serve. It is therefore considered that the proposed development complies with Policies SC2, OA1.1, OA1.12 and H1.1 of the Core Strategy.

The new leisure centre will replace the current "tired" centre, replacing it with a more attractive, vibrant, compact and welcoming building with new leisure facilities.

The new health centre is intended to co-ordinate and combine the existing three Horwich GP surgeries (new primary care premises), with the two new buildings (the leisure centre and the health centre) forming a health and wellbeing hub for Horwich. It is considered that the co-location of the leisure centre with the health centre will be beneficial to the community as community health facilities will be provided all at one site. More details regarding the set up of the proposed primary care facility will be submitted at a later date, with the submission of a reserved matters application for this part of the proposal.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA1 of the Core Strategy refers specifically to developments in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment and ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.

New leisure centre

The proposed new leisure centre building is to be sited on the same footprint as the existing multi-storey car park. Proposed to contain of two floors (lower and upper ground floors), the building will comprise two storeys but will have the appearance of a single storey building along its eastern (entrance) elevation owing to the steep gradient of the site (which slopes steeply to the west).

The building has been designed to be functional but to have the appearance of a fun and vibrant building (to match the recreational activities that will take place inside). The building is to vary in heights (to facilitate the different internal spaces), which in turn helps to break up the massing of the building and gives the building more architectural interest. Particular focus is given to the north eastern corner of the building (extending forward of the main part of the building and

accommodating the fitness suite on the upper level), which incorporates a large feature window fronting Church Street, that is to be framed with a bold colour (a feature that the architect refers to as the building's "shop front").

The submitted plans show how the elevations of the building could be treated with different colours, either by render or through cladding/panels. This is proposed to add to the vibrancy of the building. The colours and treatment have not been finalised and would need to be agreed with the local planning authority (via a planning condition) prior to commencement of development (to ensure that the development is finished to a high quality).

Although the proposed building does not replicate the surrounding architecture and building materials (as encouraged by Core Strategy Policies CG3 and OA1), the design of the building instead reflects its functionality and it is considered that the building will be a feature (landmark) building at the gateway to Horwich town centre.

New health centre

Part B of this planning application only applies for outline planning permission for the new health centre (primary care centre) and all matters have been reserved. As only the principle of the site being able to accommodate a health centre is being applied for, details of the siting, scale and appearance of the centre would need to be submitted with a subsequent reserved matters planning application. The impact of the proposed health centre on the character and appearance of the area would need to be assessed at this reserved matters stage.

The indicative plan site plan shows that a health centre could be accommodated, possibly within the centre of the eastern part of the application site, surrounding by parking areas for both the health centre and the leisure centre. This would continue to enable there to be substantial landscaping along the northern and eastern boundaries of the site.

It is considered that the proposed development will be of good urban design and therefore is compliant with local design policies.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution. Section 3 of SPD General Design Principles sets out the Council's recommended interface distances between dwellings.

Brooklands

The rears of 22 to 28 Brooklands face the rear of the existing multi-storey car park and will face the rear of the new leisure centre building. 26 and 28 Brooklands will have the closest relationship with the new leisure centre. Both of these properties have been extended at the rear with a conservatory (conservatories are not classed as main rooms within the Council's policy guidance). The rear elevation of no. 28 will be approximately 20 metres away from the rear elevation of the new leisure centre, and the rear elevation of no. 26 will be approximately 24 metres away. Both of these dwellings will not 'directly' overlook the rear elevation of the new centre, as their rear elevations face north eastwards.

The rear elevation of the leisure centre building (the part behind no. 26 and 28) will be approximately 9.2 metres in height, which is equivalent to a three storey building. No windows are proposed in this part of the rear elevation. SPD General Design Principles advises that where two dwellings face (where one is three storeys in height and main windows do not overlook) an interface

distance of 16.5 metres. The proposed leisure centre is not a dwelling, however it is considered that the guidance contained within the SPD is a good rule of thumb. The proposed interface distances between the rears of no. 26 and 28 and the new building exceed this guidance. It is noted that no. 26 and 28 are also at a lower ground level than the application site by approximately 1.5 metres, which equates to about half a storey. Adding this notional additional half storey onto the interface recommendations within the SPD would give a recommended interface distance of 18 metres (or 19.5 metres if one was to class it as an additional storey). Again the proposed interface distances would exceed these recommendations.

It should also be noted that the rears of no. 26 and 28 are not 'directly' facing the proposed rear elevation of the leisure centre building and that these rear elevations (and the rear gardens to these dwellings) face north to north eastwards, therefore it is not considered that the rear windows or rear gardens would be unduly affected by a loss of sunlight.

22 and 24 Brooklands will be approximately 20 and 25 metres away, respectively, from the rear elevation of the leisure centre building. This part of the rear elevation will be taller at approximately 11.3 metres. Again, using the guidance within SPD General Design Principles, the proposed interface distances between the rears of no. 22 and 24 and the proposed building will be met/exceeded. Also again the proposed new building will be sited to the north of these dwellings, meaning that natural light should not be unduly lost by the development.

Concern had been raised by a resident of Brooklands that the window proposed in the rear elevation of the leisure centre will cause overlooking and a loss of privacy. This window is a high level window to an office, therefore it is considered that there would not be any undue overlooking.

Purlbrook Cottages

1 to 5 Purlbrook Cottages are sited to the west of the application site and have main windows in their rear elevations facing the proposed leisure centre building. The nearest property at 1 Purlbrook Cottages will be approximately 30.5 metres away from the western side elevation of the new leisure centre. The part of the rear elevation at this point will be approximately 11.3 metres in height, which equates to somewhere between a 3 and 4 storey dwelling, and will contain corridor windows. It is not considered that the corridor windows should be considered as "main windows" as it is unlikely that users of the centre would spend time looking out of these window (unlike they would with windows to the functional rooms). It is noted that Purlbrook Cottages are at a lower ground level than the application site.

SPD General Design Principles recommends an interface distance of 16.5 metres between dwellings and three storey properties where a main window faces an elevation without a main window and 19.5 metres between dwellings and four storey properties where a main window faces an elevation without a main window; this interface recommendation is therefore exceeded in this case, even when taking into account the difference in ground levels.

Light pollution

Concern has been raised from residents on Brooklands regarding potential light pollution from external lights to the proposed car park and also from the leisure centre development. A statement on the method of external illumination has been submitted with the application. This statement confirms that lighting to the south of the development will have special luminaires to avoid light spill to neighbouring properties. The Council's Pollution Control Officers have requested that further details of all external lighting is submitted prior to the development first being brought into use, to ensure that standards are met.

Noise

A noise survey and assessment has also been submitted with the planning application. Background noise measurements were taken at sensitive locations surrounding the application site and the expected noise generated from the new development has been assessed. The assessment concludes that a worst case scenario would be a predicted LAeq 45 dBA from the new centre, but that this would not affect the use of neighbouring outdoor amenity areas. The Council's Pollution Control Officers have assessed this information and raise no objection to the proposal, but recommend that a further assessment is carried out once the specific plant for the centre has been selected (this will be secured by condition).

Impact of the new health centre on neighbouring residents

The siting and scale of the proposed new health centre has not been proposed within this planning application. Full details of the health centre would need to be submitted with a subsequent reserved matters application and it would be during the determination of this application that the impact of this building on neighbouring residents would be fully assessed. The indicative site plans however show that the site could accommodate a health centre building without unduly impacting upon the amenity of neighbouring residents.

For the reasons discussed above it is therefore considered that the proposed redevelopment of the application site would not unduly impact on the amenity of any neighbouring resident, compliant with Policy CG4 of the Core Strategy and the guidance contained within SPD General Design Principles.

Impact on On-Site Parking and the Highway

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements, parking (in accordance with the parking standards set out in appendix 3), the transport needs of people with disabilities, 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.

A Transport Assessment has been submitted with the planning application, which addresses both the proposed new leisure centre and the principle of the new health centre.

Access

Vehicular access into the site is to be retained as existing off Church Street (to the north (and centre) of the application site) and will be used for access and egress. The existing exit onto Victoria Road will operate as "access only" rather than "exit only" as it currently is. It is considered that this will improve upon the existing access arrangements by allowing vehicles two points of entry into the development site. Traffic accessing the development from the east will have the option of using the Victoria Road access. The Council's Highways Engineers are in agreement with the applicant that this new arrangement will positively impact upon the existing highway network and that rat-running issues through the site should be negligible because drivers will not be gaining much of an advantage at that location.

Impact on the highway network

It is anticipated that the new leisure centre will cater for a similar level of services as the current leisure centre. Highways Engineers are therefore in agreement with the applicant that there will potentially be no associated increase in vehicle movement onto the highway network as a result of the proposed new leisure centre, which would impact on operational capacity or pose additional road safety implications.

The Transport Assessment also considers the principle of erecting a new health centre on the application site, and bases the assessment on the initial proposals of amalgamating the existing three

doctors surgeries in Horwich into the proposed facility. As the proposal would be a like for like replacement of existing facilities within the locality of Horwich, Engineers consider that there would be no net increase in traffic generation onto the network. At the reserved matters stage the applicant would need to submit a detailed and revised Transport Assessment to demonstrate the potential impact of the health centre on the highway network (including any mitigation measures).

The development site is also accessible to sustainable modes of transportation and is within walking distance of Horwich town centre and surrounding residential areas.

Proposed parking for the completed development

153 parking spaces (148 car parking spaces and 5 mini bus spaces) will be provided on the eastern half of the application site once the existing leisure centre has been demolished. This complies with the Council's parking standards within appendix 3 of the Core Strategy for indoor sports and recreation developments. The Council's Highways Engineers also note that the proposed level of parking is above the maximum parking numbers observed at the existing facility when the parking accumulation survey was undertaken as part of the Transport Assessment.

14 disabled parking bays are proposed and a three vehicle drop-off bay is proposed directly opposite the main entrance of the leisure centre.

At reserved matters stage the applicant will need to submit a Transport Assessment for the proposed health centre, which will need to justify what level of parking will be required for the scale of the health centre (as the Council's parking standards are based on the number of staff and consulting rooms; numbers which are not currently available). The application site has the capacity to accommodate further parking spaces, potentially through a two storey car park of modular construction, but this would need to be fully assessed and considered at the reserved matters application stage.

Proposed temporary parking whilst the new leisure centre is being constructed

As the new leisure centre will be constructed on the site of the existing multi-storey car park and as the existing leisure centre will continue to be operational whilst the multi-storey is being demolished and the new centre is being constructed, the existing on-site car parking provision will be lost. It is therefore proposed to construct temporary car parking around the immediate vicinity of the existing leisure centre (as shown on the drawing labelled "Proposed temporary parking during construction period of new leisure centre" attached to this report). 51 temporary car parking spaces are to be provided.

It is acknowledged that 51 temporary spaces falls short of the existing car parking demand and below the Council's parking standards. This however will only be a temporary situation. To lessen any adverse impact on on-street parking on surrounding roads (and on the amenity of neighbouring residents) it is the applicant's intention to inform leisure centre users in advance of the works that they may need to use alternative car parking within Horwich town centre during peak demand (which occurs when the shops have closed) and to ask leisure centre staff to use alternative transport (that is, not use the temporary spaces during the construction period).

Construction access

The applicant is proposing to utilise Drinkwater Lane (a private road) that runs from Chorley New Road and the rear of the leisure centre to facilitate vehicular movements associated with the demolition and construction phase, so not to conflict with vehicular movements of users of the leisure centre. The Council's Engineers have stated that, although this proposed route is used as a maintenance route for the existing centre, it is also used as a pedestrian route for access to the park, sports ground and tennis court. Engineers comment that access onto Chorley New Road is

inadequate to support the level of HGV movement that could be encountered and the access would need upgrading to facilitate this. They therefore recommend that the applicant will need to develop some form of traffic management options to aid access onto the highway network at this location: it is proposed that this will be a condition of any approval.

The Council's Highways Engineers raise no formal objection to the proposed development, subject to suggested conditions, and therefore it is considered that the proposal complies with Policies P5 and S1.2 of the Core Strategy.

Impact on Biodiversity

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

Trees

There are a number of tall, mature trees within the site, which are mainly located around the existing leisure centre building. These are not formally protected.

An Arboricultural Impact Assessment and a Tree Survey have been submitted with the application.

The trees around the existing car park will need to be removed to demolish the existing multi-storey car park and to construct the new leisure centre building. A further tree to the south west of the existing car park will also need to be removed to accommodate the new building.

The majority of the trees along the Church Street and Victoria Road frontages of the site will however be retained, and these are the trees that are considered to be of most amenity value (that is, to the street scenes).

The Council's Tree Officers have not raised an objection to the proposed development and comment that the proposed layout of both the leisure centre and the health centre ensure that there would be reasonable greenspace within the development for both existing and new landscaping. They suggest conditions requiring a landscaping scheme and protective fencing around the trees that are to be retained (to protect them during the construction period).

Ecology

An ecology report and a bat survey have been submitted with the planning application and the Council's Wildlife Liaison Officer and Greater Manchester Ecology Unit have been consulted on the proposals.

No evidence of bats were found within the buildings and all but one tree (a poplar, which is to be retained) on the application site was assessed as less than low risk for bat roosting.

The Ecology Unit have recommended that a condition be attached to any approval for a method statement to protect Pearl Brook from any accidental spillages, dust or debris during the construction period, to safeguard water quality and any ecological potential within the brook.

The Ecology Unit have also confirmed that the application site has a relatively low ecological value and recommended that there is replacement tree planting (this will be conditioned through a the requirement of a landscaping scheme).

It is therefore considered that the proposed development will not result in the unacceptable loss of trees from the site and will not harm the ecology of the site, compliant with Policy CG1.2 of the Core

Strategy.

Impact on Flooding and Drainage

Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk. Policy CG2.2 seeks to demonstrate the sustainable management of surface water run-off from major developments.

The applicant has submitted a flood risk assessment and a drainage strategy with the planning application.

Pearl Brook runs through the application site at its north western corner: Pearl Brook is culverted underneath the site and under Horwich Bridge. There are no changes to the culvert proposed and the proposed leisure centre building will be sited 8 metres away from the centre of the culvert. The Environment Agency was consulted on the proposal prior to the planning application being submitted and has raised no objection to the application proposal (given that the building is to be sited more than 4.55 metres from the centreline of the culvert and that there will be no new surface water connections to the brook).

The application site is located within Flood Zone 1 (low probability of flooding) with the main source of potential flooding being Pearl Brook. The majority of the site has been identified as being at very low risk of surface water flooding.

The proposed drainage system for the new leisure centre will comprise separate foul and surface water gravity systems.

Following additional information from the applicant regarding the proposed drainage of the site, the Council's Drainage Officers raise no objection to the proposed development.

Other Matters

The majority of the concerns raised within the objection letters refer to a perceived lack of public consultation prior to the plans being drawn up (at pre-application stage) and to a perceived deficient provision of facilities within the new leisure centre.

Consultation

The Localism Act only requires pre-application consultation with communities where a proposed non-residential development will provide more than 10,000 sq. metres of new floorspace or the application is over 2 hectares in size. The application proposal here is for just less than 4,000 sq. metres of new floorspace and the site is 1.78 hectares, therefore there was not a statutory planning requirement for the applicant to consult the community prior to the planning application being submitted.

To coincide with the submission of the planning application two open evenings were held at the leisure centre (22nd and 23rd March) for residents (who were notified prior to the application being submitted by leaflet) and customers to view the proposals and raise any concerns. Boards displaying the proposed plans were erected at the centre, and these have been retained at the centre during the planning application process.

Furthermore, the intention to build a new leisure centre on the site has been public knowledge since the Cabinet Report in March 2015 and the plans to build a new health building on the site since June 2015, both being reported/publicised in the local press.

Proposed facilities

It has always been a key aim of the proposal that the existing leisure centre would continue to function throughout the construction of a new centre (in order to maintain the leisure provision) and that a new health centre would be provided on the same site, to create a health and wellbeing hub within the centre of Horwich.

The design and internal layout of the proposed new leisure centre has been dictated by a number of site constraints, including the siting of the existing leisure centre, Pearl Brook culvert and the proximity of the neighbouring residential properties on Brooklands and Purlbrook Cottages. The upper ground floor layout has been dependent on the layout of the lower ground floor, with the pool and sports hall having to be predetermined sizes (including the voids above). Rather than looking at spaces that are in the existing leisure centre the applicant has looked at the activities that do/could take place and has endeavoured to provide multi-functional areas within the new centre that can be used for a range of activities, as opposed to dedicated spaces that would lie idle at times as is the case with the current centre.

Listening to concerns raised by objectors during the application process (and by further consulting the ASA and swimming club), the applicant has made some internal amendments to the leisure centre, including increasing the number of seats within the viewing gallery from 52 to 102 (with two spaces for wheelchairs) and increasing the area around the main pool (the plinth) to 4 metres in width to accommodate galas.

Value Added to the Development

Following the comments received from third parties, the applicant has made the following amendments to the proposal:

- * Lowering the height of the parapet wall on the rear elevation of the leisure centre building, to lessen the impact on the neighbours at the rear;
- * Reorganising the admin rooms on the first floor of the leisure centre so that the only window proposed on the rear elevation now just serves the manager's office (amended following overlooking concerns from residents at 22 Brooklands);
- * Increasing the number of seats within the viewing gallery from 52 to 102 (with two spaces for wheelchairs);
- * Increasing the area around the main pool (the plinth) to 4 metres in width to accommodate galas.

Conclusion

For the reasons discussed above it is considered that the proposed redevelopment of the application site for a new leisure centre and health centre (a health and wellbeing hub) would not harm the character and appearance of the area, would not unduly harm the amenity of any neighbouring resident, would not jeopardise highway safety, would not harm the biodiversity of the site, and would not increase the risk of flooding either to the site or the local area. Members are therefore recommended to approve this application subject to the suggested conditions.

Representation and Consultation Annex

Representations

Letters:- 54 letters of objection have been received, which raise the following concerns:

- * Lack of consultation with users of the existing leisure centre and local residents when drawing up the plans/deciding what facilities are to be proposed (*officer's comments: this was not a statutory planning requirement, however this is addressed in the analysis above*);
- * Concerns about the facilities being proposed within the new leisure centre:
 - * amount of seating proposed in the viewing gallery to the pool is insufficient;
 - * the pool is not suitable for leisure and competitive swimming;
 - * the size of the centre is too small/smaller than the existing centre;
 - * the size of the centre will not cope with an increase in population;
 - * reduction in the number of badminton courts;
 - * loss of squash courts;
 - * no health spa;
 - * sports hall is too small;
 - * no indoor bowling;
 - * no cafe;
 - * roller skating club will have to relocate;
 - * health and safety concerns about layout;
 - * the proposal is a missed opportunity;(*officer's comment: these are not material planning considerations but are however addressed in the analysis above*)
- * Lack of temporary parking during the demolition of the car park, whilst the new leisure centre is being constructed, and before the new parking area has been constructed;
- * Lack of parking provision for the proposed new development;
- * Impact on on-street parking in the surrounding residential streets if there is insufficient parking on-site;
- * The public park should not be used as an access to the development;
- * Impact on road safety and pedestrian safety;
- * The Transport Assessment should have been undertaken on a weekend or during a special event at the centre;
- * Impact on the amenity of residents on Brooklands, owing to:
 - * height of the proposed leisure centre building - loss of light;
 - * overlooking/loss of privacy from windows at the rear of the new building;
- * Loss of privacy and light to Purlbrook Cottages;
- * Light pollution to neighbouring properties;
- * Increase in noise;
- * The proposed bright colours to the building will not integrate into the surroundings;
- * Could the footpath to Station Park be closed or diverted?;
- * Security concerns;
- * Impact on wildlife;
- * Pollution from the proposed extraction fans;
- * Loss of trees;
- * The doctors surgery is being squeezed into a small area of the site;
- * There is no guarantee that the health centre will be built;
- * The elderly are going to find it hard to get to the health centre as all the GPs are in one place;
- * Disturbance from the construction (*officer's comment: this concern only carries limited planning weight given that it is inevitable that there will be some disruption during demolition and construction and as this disruption will only be temporary*);
- * Damage to the wall adjoining Brooklands (*officer's comment: this is not a material planning*

consideration: it is instead a private, civil matter between the parties involved);

- * Effect on TV reception (*officer's comment: this is not considered to be a material planning consideration in this case. Ofcom would have powers to deal with any interference under the Wireless and Telegraphy Act 1949*)
- * Concerns about the replacement of the astro turf pitch with a 3G pitch (*officer's comment: the astro turf pitch is not located within the application site and therefore does not form part of this planning application*);
- * There are better locations for the development (*officer's comment: a planning application has been submitted for the application site and therefore must be determined on its own merits*).

1 letter of support has been received from a local resident/business.

Petitions:- 7 circular-style letters of objection have been received (that is, same letter with different addresses added). The concerns raised are included in the list of objections above.

Horwich Town Council:- raised an objection to the proposal at their meeting of 21st April 2016 on the grounds of a lack of adequate consultation with the public and users. Request that there is full consultation with users and the wider community before the plans are heard before Planning Committee.

Consultations

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Pollution Control Officers, Tree Officers, Greenspace Officers, Economic Strategy Officers, Strategic Development Officers, Corporate Property Officers, the Environment Agency, Greater Manchester Ecology Unit, Greater Manchester Police's Architectural Liaison Officers and United Utilities.

Planning History

The replacement and enlargement of two windows and the formation of a new window were granted permission in July 2007 (77472/07).

Free standing directional signs were approved in March 2006 (73333/06).

Advertisement consent application 71946/05 for three 40 sheet hoardings was refused in October 2005.

New wall panels in the car park were approved in April 1985 (24734/85).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. The development hereby permitted under Part A 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. Application for the approval of 'Reserved Matters' for Part B 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.

3. Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") for Part B 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

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

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

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

Reason

To protect the health and appearance of the trees and to comply with policy CG1.2 of Bolton's Core Strategy.

5. No development, site clearance or earth movement shall take place, or material or machinery brought on to the site, until a method statement to protect Pearl Brook from any accidental spillages, dust and debris has been submitted to and approved in writing by the local planning authority. All measures will be implemented in full and maintained for the duration of the construction period of the leisure centre in accordance with the approved details.

Reason

To protect the water quality and the ecology of the adjacent Pearl Brook and to comply with policies CG1.2 and CG4.2 of Bolton's Core Strategy.

6. Prior to the commencement of demolition of the multistorey car park no less than 51 car parking spaces shall be provided within the curtilage of the site, in accordance with drawing ref: 240-RYD-XX-XX-DR-L-0003. Such spaces shall be made available for the parking of cars at all times prior to the permanent parking being first made available for public use.

Reason

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

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

the assessment provided to the Local Planning Authority. Where a sustainable drainage system is to be provided, the submitted details shall:

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness and to comply with policies CG3 and OA1 of Bolton's Core Strategy.

9. Prior to the commencement of development full details of the highway works at the accesses at Church Street and Victoria Road shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

10. Prior to the commencement of development full details of the highway works at the junction of Drinkwater Lane/Chorley New Road to facilitate the service vehicle access shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

11. Prior to the commencement of development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult, advertise, promote and implement Traffic Regulation Orders to mitigate the likely impact of the development.

Reason

In the interests of highway safety and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

12. Prior to the commencement of the development:-

- A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to

receptors focusing primarily on risks to human health, property and/or the wider environment; and

- The details of any proposed remedial works shall be submitted to, and approved in writing by the Local Planning Authority. The approved remedial works shall be incorporated into the development during the course of construction and completed prior to occupation of the development or the development being first brought into use; and

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

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

Reason

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

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

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

Reason

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

14. Prior to the leisure centre hereby approved/permitted being first brought into use the means of vehicular access to the site from Church Street shall be widened in accordance with the drawing ref. 240-RYD-XX-XX-DR-L-0002.

Reason

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

15. Before the new leisure centre is first brought into use no less than 153 car parking spaces shall be marked out and provided within the site, details of which shall to be submitted to and approved in writing by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

16. Prior to the leisure centre hereby approved being first 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 to comply with policies P5 and S1.2 of Bolton's Core Strategy.

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

Reason

To reflect and soften the setting of the development within the landscape and to comply with policies CG1.2 and CG3 of Bolton's Core Strategy.

18. 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 5 lux at the nearest residential property. The beam angle of any lights directed towards any potential observer should be kept below 70 degrees. Spill shields should also be fitted. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

19. The leisure centre shall not be first brought into use until the access roads and footpaths leading thereto have been constructed and completed in accordance with the drawing ref. 240-RYD-XX-XX-DR-L-0002.

Reason

In the interests of highway safety and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

20. Demolition is to be carried out in accordance with the details contained in the Inspection Report on existing trees and buildings for Bat Species dated 3rd February 2016 (section 5.1 and 5.2) as submitted and approved with the planning application.

Reason

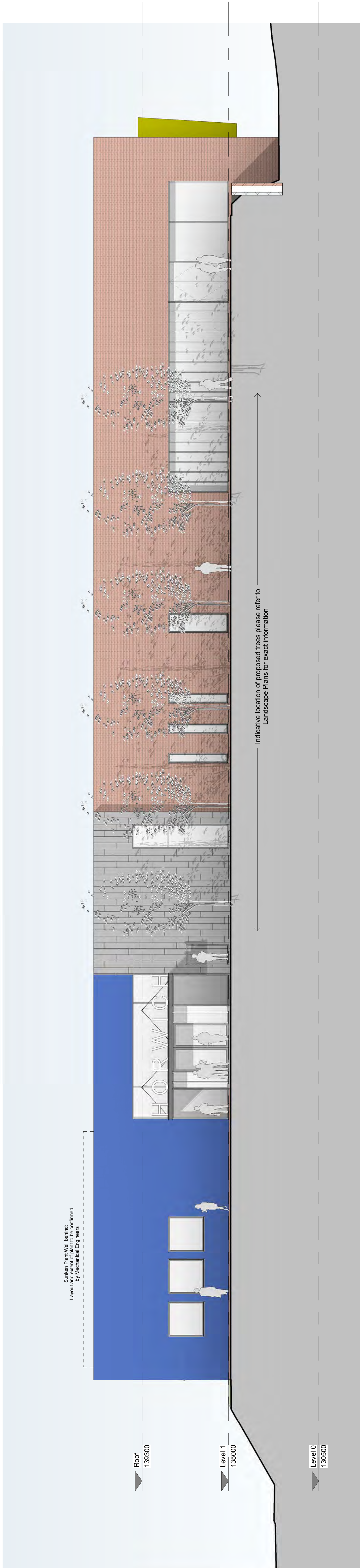
To safeguard bats and to comply with policy CG1.2 of Bolton's Core Strategy.

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

240-RYD-XX-XX-DR-L-0002; "General Arrangement"; received 18/03/16
240-RYD-XX-XX-DR-L-0003; "Parking General Arrangement During Construction"; dated 23.02.16
(08)005 Rev 2; "Lower Ground Floor GA Plan"; dated 27/04/16
(08)006 Rev 2; "Upper Ground Floor GA Plan"; dated 27/04/16
(08)007 Rev 2; "Roof GA Plan"; dated 27/04/16
(08)008 Rev 2; "East and South Elevations"; dated 27/04/16
(08)009 Rev 2; "North and West Elevations"; dated 27/04/16
(08)010 Rev 2; "Building Sections 1"; dated 27/04/16

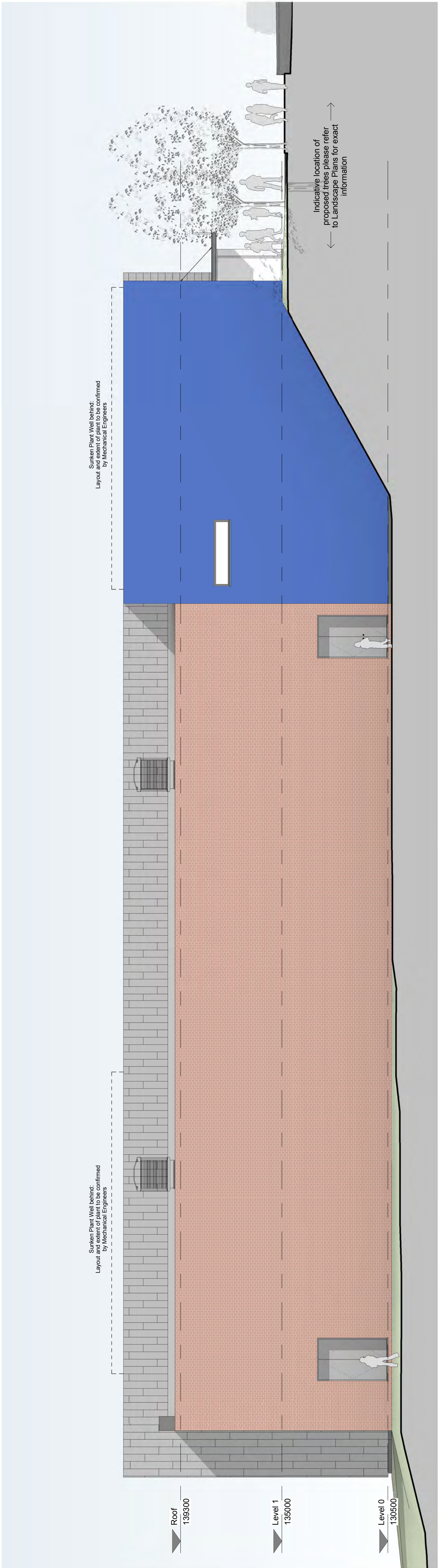
Reason

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



East Elevation - Planning

Scale:- 1 : 100



South Elevation - Planning

Scale:- 1 : 100

Rev	Description	Date	Drawn By
2	Planning Issue Revision 2	27/04/16	JTr
1	Planning Issue	11/03/16	JTr

Stage 3

Owner
Horwich Leisure Centre
Victoria Rd, Horwich, BL6 5PY

East and South Elevations

JOB NO: 15018
DWG NO: (08)008
SCALE: 1:100 @ A1
DRAWN BY: JTR

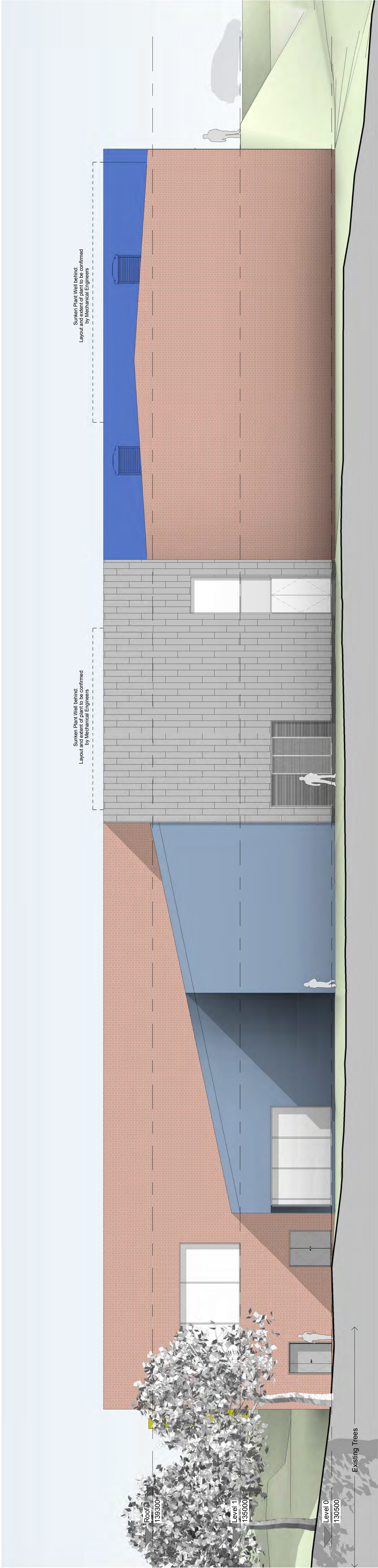
DO NOT SCALE
ALL DIMENSIONS TO BE VERIFIED ON SITE



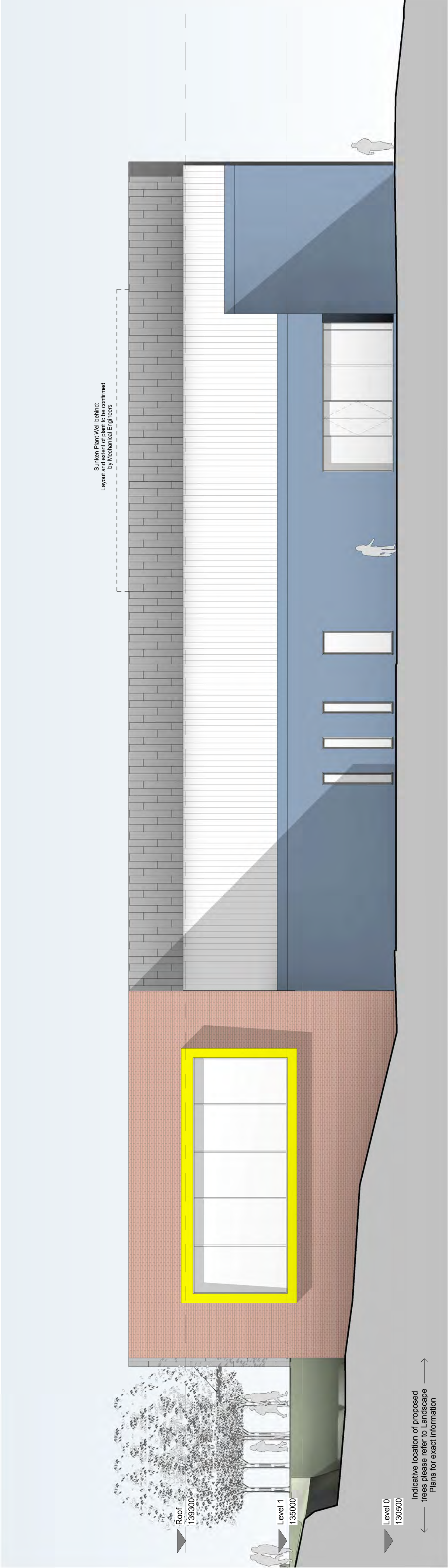
2nd Floor TWO
Jasmond Three Sixty
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West Elevation - Planning
Scale- 1:100



North Elevation - Planning
Scale- 1:100

2	Planning Issue	27/04/16	JTr
1	Planning Issue	11/03/16	JTr
Rev	Description	Date	Drawn By

Stage 3
Owner:
Horwich Leisure Centre
Victoria Rd, Horwich, BL6 5PY

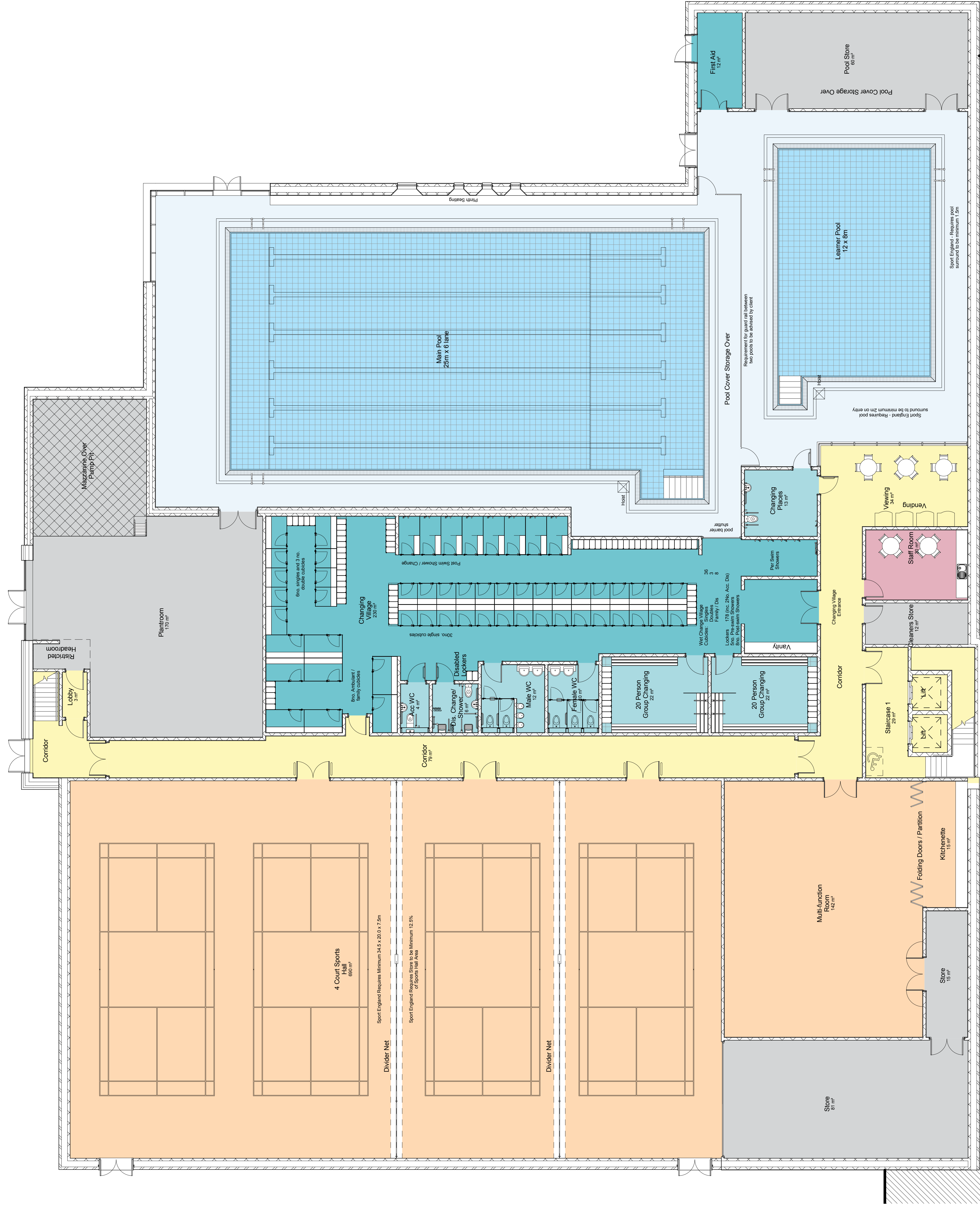
North and West Elevations
JOB NO: 15018
DWG NO: 08/009
DRAWN BY: JTr

DO NOT SCALE
ALL DIMENSIONS TO BE VERIFIED ON SITE



2nd Floor, 7th Floor
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 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500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 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2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2

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2	Planning Issue	27/04/16	JTR
1	Planning Issue	11/03/16	JTR
Rev	Description	Date	Drawn By

Stage 3
Owner:
Horwich Leisure Centre
Victoria Rd, Horwich, BL6 5PY

Lower Ground Floor GA Plan
JOB NO: 15018
DWG NO: 08/005
DRAWN BY: JTR

DO NOT SCALE
ALL DIMENSIONS TO BE VERIFIED ON SITE



2nd Floor, 7th Floor
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 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Do not scale this drawing. Use figured dimensions in all cases. Check all dimensions on site. Report any discrepancies to GTS Architects before proceeding.

Rev	Description	Date	Drawn By
2	Planning Issue Revision 2	27/04/16	JTr
1	Planning Issue	11/03/16	JTr

Stage 3

Owner
Horwich Leisure Centre
Victoria Rd, Horwich, BL6 5PY

Upper Ground Floor GA Plan

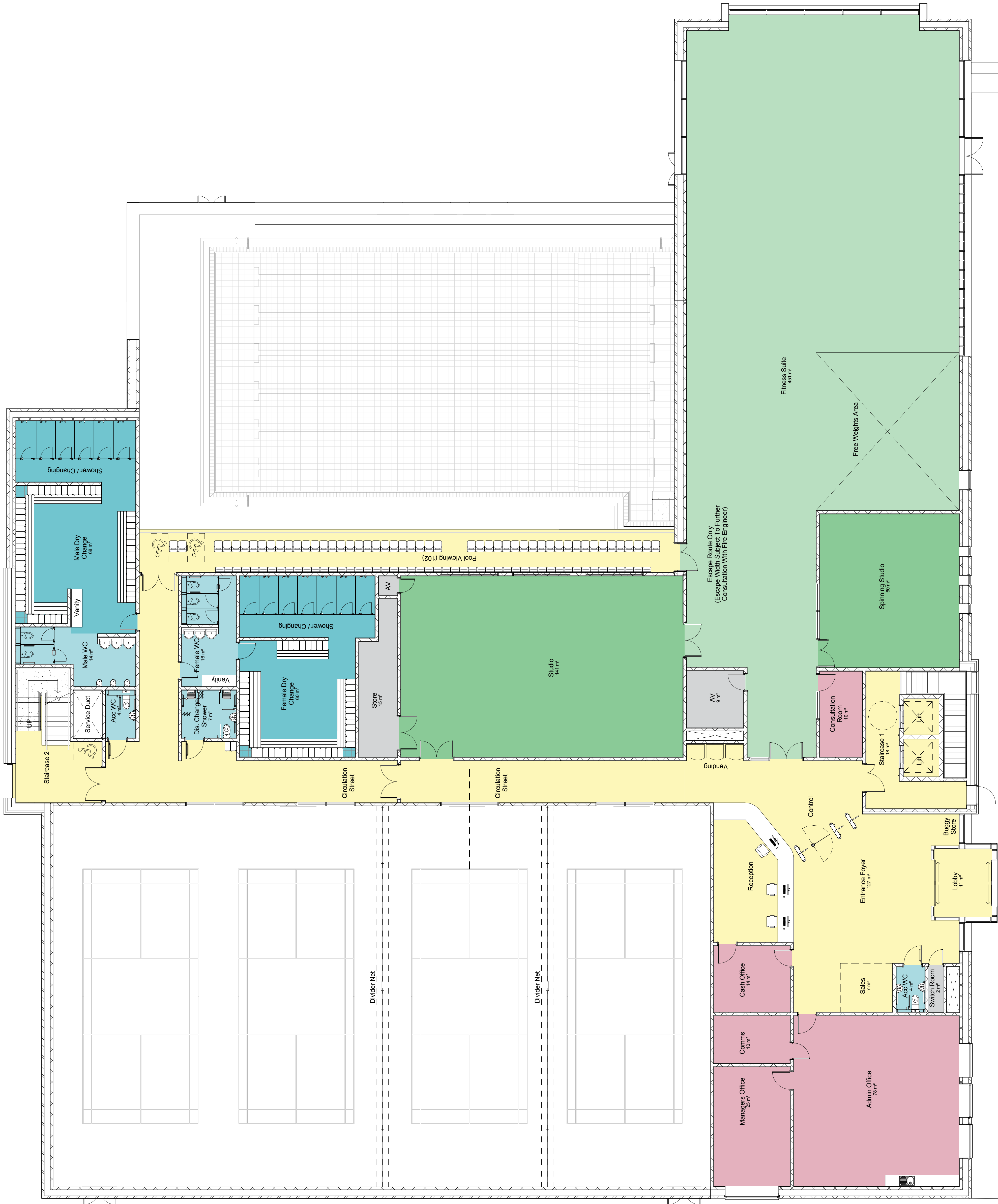
JOB NO: 15018
DWG NO: (08)006
SCALE: 1 : 100 @ A1
DRAWN BY: JTR

DO NOT SCALE
ALL DIMENSIONS TO BE VERIFIED ON SITE



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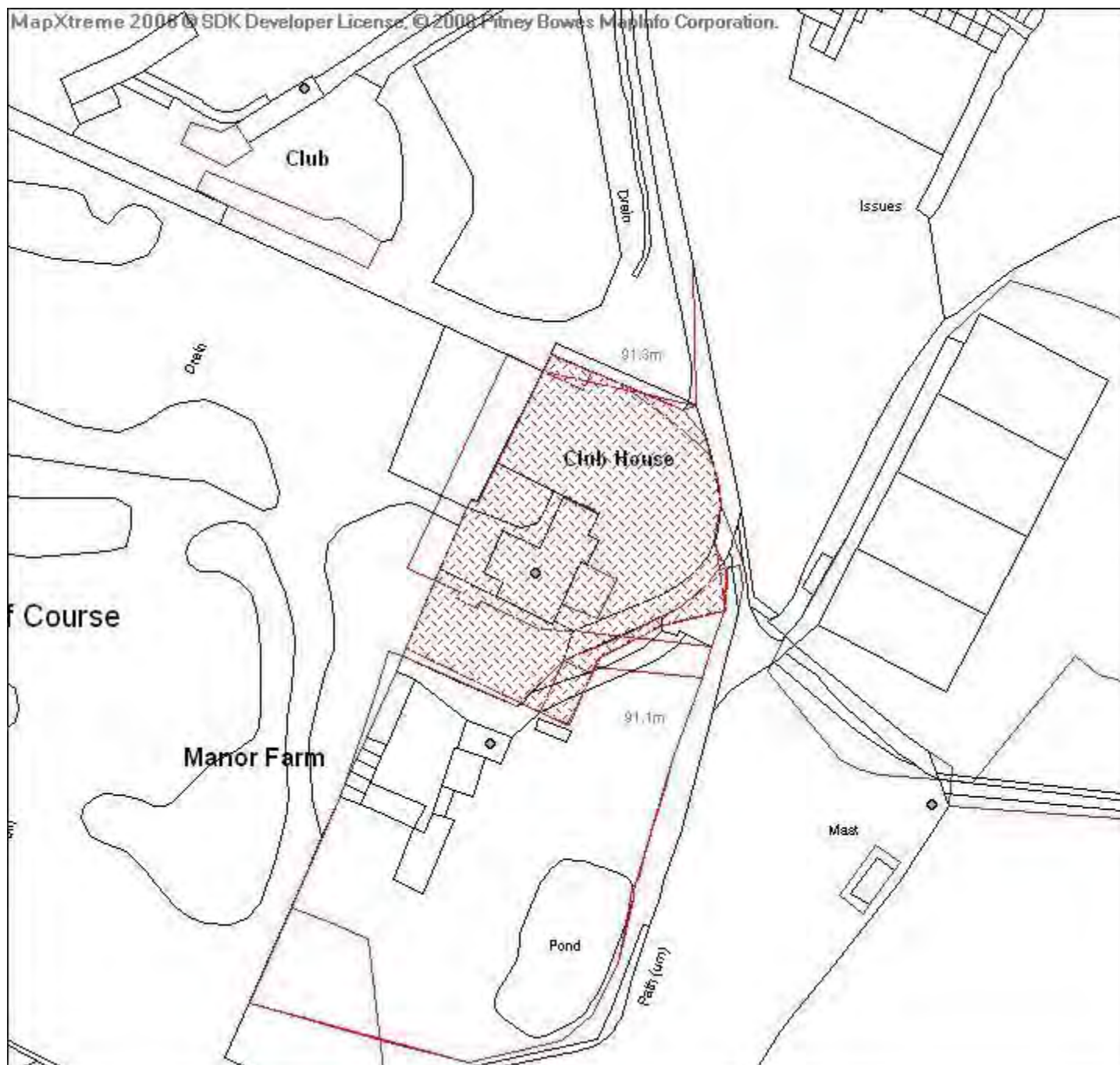


Level 1 - Planning
Scale:- 1 : 100

Proposed temporary parking during construction period of new leisure centre



Application number 96142/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 12/05/2016

Application Reference: 96142/16

Type of Application: Full Planning Application
Registration Date: 29/03/2016
Decision Due By: 23/05/2016
Responsible Officer: Jeanette Isherwood

Location: MANOR GOLF CLUB , MANOR ROAD, KEARSLEY, BOLTON

Proposal: CHANGE OF USE TO A BUDDHIST TEMPLE WITH LIVING ACCOMMODATION

Ward: Kearsley

Applicant: Mr P Pilapan
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the change of use of a golf club house (D2) to a Bhuddist temple with four monks residing at the property on a full time basis.

The proposed hours of opening are:

- Monday to Saturday 08:00 - 21:00
- Sunday and Bank Holidays 08:00 - 21:00

The proposed number of car parking spaces at the site will be 38 for visitors and 2 for the monks' own vehicles.

No external alterations to the building are proposed.

The interior of the building will be converted from its current restaurant format to provide four bedrooms, two shower rooms, one bathroom, a kitchen and living space, visitor toilets and a meditation / ceremony area.

Site Characteristics

The site is located within the Green Belt and is currently vacant. The previous use was for an Indian restaurant that has since closed down. The property is of single storey construction with a large car parking area. The site is accessed via Moss Lane that is narrow and unmade in parts. Moss Lane also serves housing, a primary school and a farm. The immediate area surrounding the golf club house is open land or land used for car parking.

Policy

National Planning Policy Framework 2012

Core Strategy CG3.2 Respect and Enhance Local Distinctiveness; CG3.3 Scale, Massing, Grain and Form; CG4.1 Compatibility with Surrounding Land Uses; S1 Safe; P5 Accessibility and Appendix 3 - Car parking standards

Allocations Plan Policy - CG7AP Green Belt

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the purposes and openness of the Green Belt
- * impact on the character and appearance of the area
- * impact on the highway
- * impact on the public right of way

Impact on the purposes and openness of the Green Belt

Policy CG7AP of the Allocations Plan reflects the national guidance on Green Belt contained within the NPPF. It states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt.

Paragraph 90 of the NPPF states that certain forms of development are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. These include [amongst other things] the re-use of buildings provided that the buildings are of permanent and substantial construction.

The proposed development involves the change of use of an existing building. It is not considered that the proposed new use would have any more of a material impact on the purposes and openness of the Green Belt than the existing restaurant use (last use of the clubhouse).

It is therefore considered that the proposal complies with policy CG7AP of the Allocations Plan.

Impact on the character and appearance of the area

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.

No external alterations are proposed other than those required to refurbish the building. The re-use of the property would be advantageous to the character and appearance of the area in that it would ensure its general up keep and avoid the vacant building falling into a state of disrepair.

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

Impact on residential amenity

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.

The Council defines adjacent to mean both that which is next to or adjoining and also that which has an obvious close relationship to. The definition also includes residential properties that are separated from the site in question, but considered to relate closely to it. In this case there are no properties adjacent to the site.

However objections have been received with the concerns being that the temple will generate numerous visitors to the site between the hours of 08:00 and 21:00 leading to general disturbance of the near by residents.

The applicant submits the following:-

- The site would be visited on a regular basis by local Bhuddists with 3 trips before midday and 3 in the evening.
- Caterers will visit the site twice a day to provide meals for the four residents.
- The number of vehicles at any one time is expected to be 5
- The Temple does not have specific prayer times and therefore visitors would be evenly spread throughout the day rather than large numbers of attendees at any one time
- There will be 6 festivals throughout the year on Sundays and these will also see visitors evenly spread throughout the day.

On balance it is considered that the proposal would generate less disturbance than the previous use as an Indian Restaurant, with more sociable opening hours than previously.

It is considered the proposal would not adversely affect the amenity and well-being of residential occupants. The proposal complies with Core Strategy policy CG4.

Impact on the highway

Policy S1 of the Bolton Core Strategy promotes road safety in the design of new development.

Residents have raised concerns about the potential increase in traffic and vehicle movements along Moss Lane. The road is unmade and narrow in parts but the Council's Highway Engineers have raised no objection to the proposal and Officers consider that there would be no significant increase in vehicle movements to warrant refusal of the application. The road is also used by users of the golf club.

Moss Lane is an unadopted highway from Manor Street through to the access to the Bungalow/Piggery. From this point to the Club House the road has no status and likely to be privately owned. The road has been improved slightly across the frontage of Spindle Point Primary School with the introduction of footways and a 20mph zone.

The Highway Engineers commented that the Transport Statement submitted in support of the

Application demonstrated that the development would generate a negligible number of trips on a day to day basis. The number of trips would be less than the trip generation of the extant restaurant use and the trips would operate in different peak periods to those of Spindle Point Primary School.

The car park has ample spaces to serve the use and is in accordance with Appendix 3 of the Core Strategy.

They did note the legalities of the access to the site, however, this is not a planning concern.

It is not considered that there would be such a significant increase in traffic that would warrant refusal of the application and the proposal is considered to comply with Core Strategy policies S1, P5 and Appendix 3 of the Bolton Core Strategy.

Impact on the Public Right of Way

Bolton Council's Public Rights of Way Officer commented that a section of public footpath Kearsley 049 will lead through the proposed parking spaces located within the Northern end of the site. The applicant must ensure that no parking spaces obstruct this public footpath.

However the car park is existing and the proposal does not include any changes to the existing layout.

An advisory note will be added to any approval informing the applicant of the need to avoid any obstruction to the public right of way.

Conclusion

The proposed change of use from a restaurant to a residential Bhuddist Temple is considered to be acceptable given its isolated location, existing access, parking facilities and proposed hours of operation the proposal is considered to comply with policy and guidance.

Members are therefore recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- 3 letters of objection were received with the concerns being as follows:-

Objections:

- General disturbance from additional traffic generation
- Additional traffic will have an adverse impact on the use of Kearsley Golf Range
- Existing traffic problems from the primary school, golf range and farm will be exacerbated
- Noise disturbance
- There are existing issues of anti-social behaviour that will be exacerbated;

Consultations

Advice was sought from the following consultees: Highways, Public Rights of Way Team, Ramblers Association, BMBC Drainage and Bridge Maintenance, Peak and Northern Footpaths Society GMP, Counter terrorism and Environmental Health.

Planning History

88870/12 - Change of Use from Clubhouse to Indian Restaurant. Approved with conditions.

46752/95 - Erection of ball trap netting to tee no. 3. Approved with conditions.

38124/90 - Erection of a clubhouse comprising changing rooms pro-shop and lounge laying out of car-park and landscaping. Approved with conditions.

35269/89 - Erection of a single storey extension at side and rear of house to form hall study and dining room together with a garage in rear garden. Refused.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Before the approved/permitted development is first brought into use no less than 38 car parking spaces with minimum dimensions of 2.4 metres by 5 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: 925/1B approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

3. Before the approved/permitted development is first brought into use no less than 3 disabled car parking spaces with minimum dimensions of 2.4 metres by 5 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: 925/1B approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

4. 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

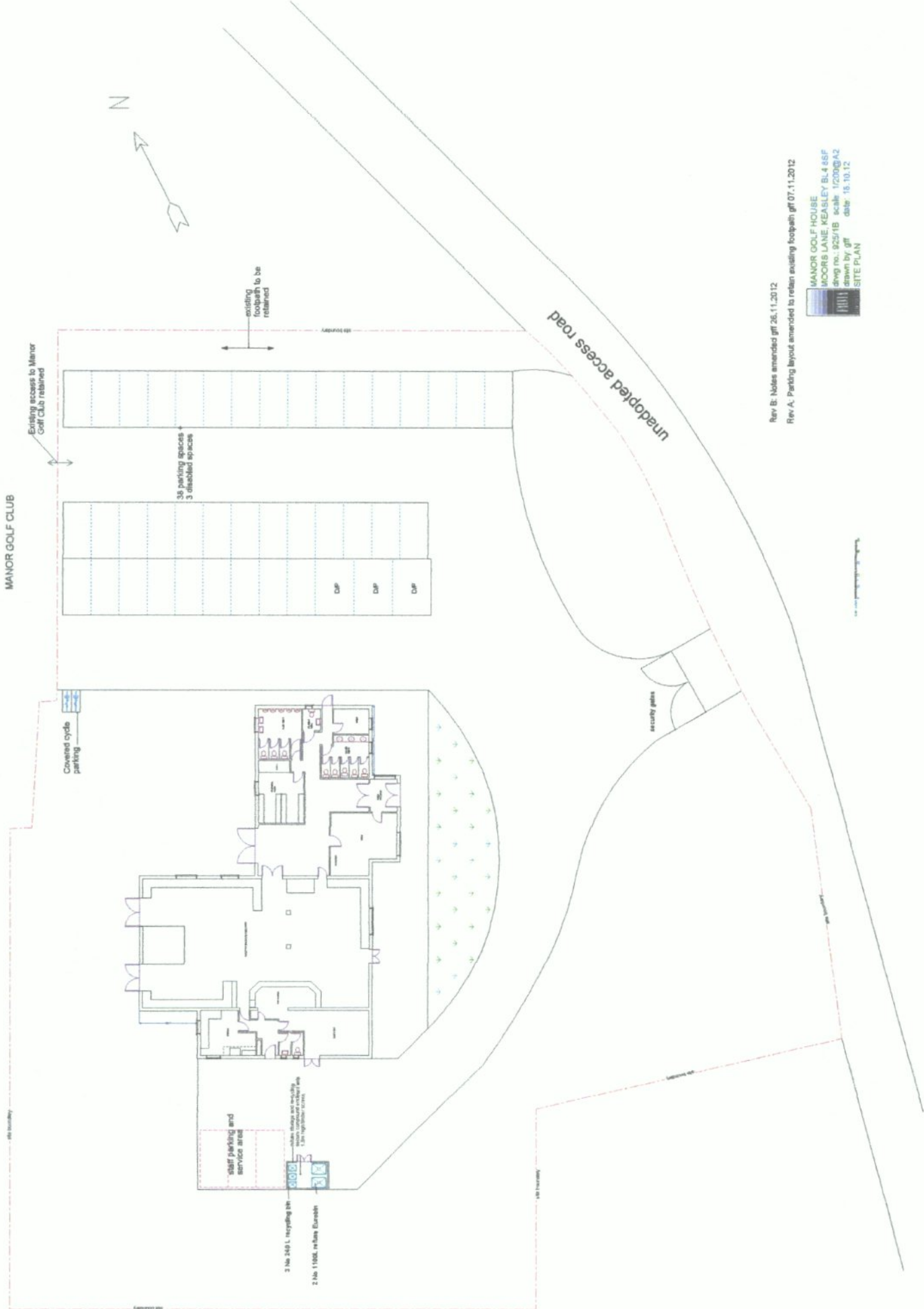
To encourage drivers to make use of the parking and circulation area(s) provided.

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

Drawing Proposed Layout - Scanned to Council System 22nd March 2016
Site Plan - 0925/1B - dated 18.10.12

Reason

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



MANOR GOLF CLUB

Existing access to Manor Golf Club retained

Covered cycle parking

38 parking spaces
3 disabled spaces

existing footpath to be retained

3 No 240 L, varying 8m
2 No 1100L, where Eureka

staff parking and service area

where shops and facilities have been removed to allow for a new layout

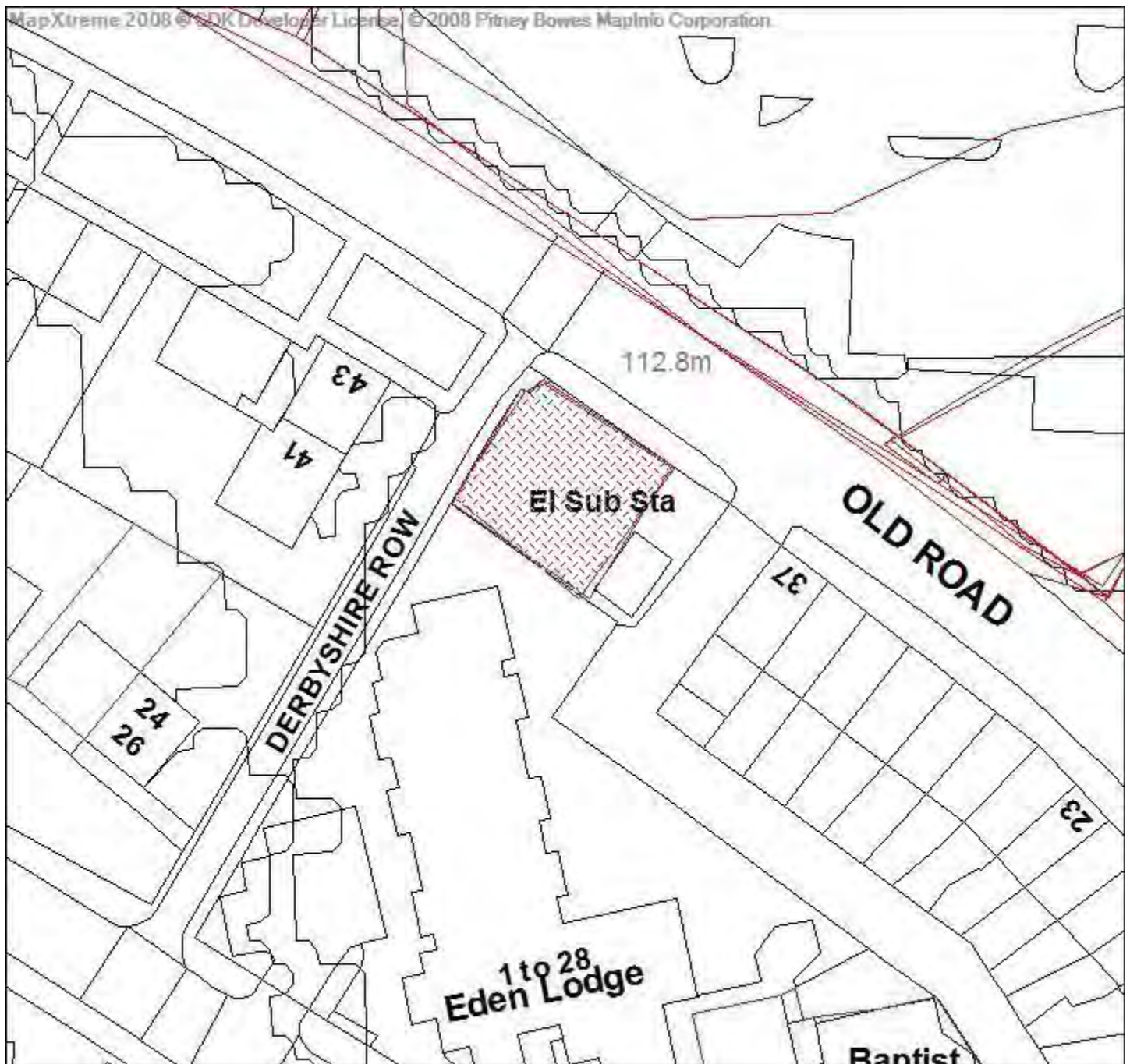
unadopted access road

security gate

Rev B: Notes amended gff 26.11.2012
Rev A: Parking layout amended to retain existing footpath gff 07.11.2012

MANOR GOLF HOUSE
MOORS LANE KEASLEY BL 4 6SF
dwg no: 925/1B scale: 1/2000 A2
drawn by gff date: 18.10.12
SITE PLAN

**Application number
96154/16**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 12/05/2016

Application Reference: 96154/16

Type of Application: Local Authority Applications\Development

Registration Date: 21/03/2016

Decision Due By: 15/05/2016

Responsible Officer: Paul Bridge

Location: VACANT LAND ADJ SUB STATION, OLD ROAD, BOLTON

Proposal: OUTLINE APPLICATION FOR 1NO. DETACHED RESIDENTIAL DWELLING (ALL MATTERS RESERVED)

Ward: Astley Bridge

Applicant: Bolton Council
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Outline consent is sought for the erection of one detached dwelling with all matters reserved. An indicative layout has been submitted with the application which demonstrates how the proposed dwelling could be accommodated within the site. This shows the dwelling sited towards the front of the site following roughly the same building line as the adjacent properties to the east along Old Road. A private garden area could be provided to the rear.

Site Characteristics

The application site is square in shape and is approximately 0.02ha in size. The site is located with a predominately urban area and comprises a vacant piece of grassed land. The site is bounded by residential properties to the south, east, and west.

There are a number of evergreen trees located along the rear boundary of the site.

Policy

National Planning Policy Framework (NPPF).

Core Strategy Policies: P5 Transport and Accessibility; S1.2 Promote Road Safety; CG1.2 Urban Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing

SPD Accessibility, Transport and Road Safety.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of proposed development
- * impact on the character and appearance of the area
- * impact on neighbouring properties/residential amenity
- * impact on land contamination
- * impact on parking and access/highway safety
- * impact on flood risk

Principle of Residential Development

At the heart of national policy within the NPPF is a presumption in favour of sustainable development. The NPPF maintains the importance of supporting sustainable economic development and delivering homes (paragraph 17). The NPPF sets out a presumption in favour of sustainable development.

The proposed dwelling will be located on a relatively square shaped piece of greenfield land which is vacant and may be considered to have a negative effect on the amenity of the immediate area. Taking these factors into account and giving due weight to the fact that should the siting, scale, layout, landscaping and design of the proposed dwelling be appropriate within the surrounding residential context, the proposal is considered to constitute a sustainable form of development in a sustainable location for the purposes of the NPPF and therefore the principle of the proposed development is considered to be acceptable.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, conserve and enhance local distinctiveness and be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.

Paragraph 65 of the NPPF explains that local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design. Paragraph 56 of the NPPF highlights that good design is a key aspect of sustainable development and is indivisible from good planning. Permission should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposed development would comprise a single dwelling house, no detail other than an indicative siting has been submitted. The area immediately surrounding the site consists of residential dwellings with a difference in terms of size, type and designs. The dwellings immediately adjacent to the site consist of a row of terraced dwellings to the east, two storey block of flats to the west and a two/three storey residential block (Eden Lodge) to the south. Whilst no elevational details have been

provided it is considered that subject to a sensitively design dwelling, in terms of size, type, tenure and affordability within the surrounding area. The proposal will be deemed to accord with the policies set out in the Housing Planning Guidance. Having regard to the above, and subject to an acceptable final design, the proposal is considered to accord with the guidance set out in the National Planning Policy Framework.

Impact on Residential Amenity

The thrust of policy CG4 of the Core Strategy which relates to new development is to provide potential users and neighbours with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. The Council's guidance on minimum interface distances between dwellings and private amenity space standards are contained with the Design SPD.

Given that this is an outline application, such an impact cannot be fully assessed until all reserved matters have been submitted. However from the indicative information submitted it is considered that an acceptable layout in terms of impact on neighbouring properties can be achieved. It is considered that an acceptable level of amenity for existing neighbouring occupiers and future residents could be achieved with this quantum of development and the proposed development would therefore accord with policy CG4 of the adopted Core Strategy.

Impact on Land Contamination

A Desktop Contamination Study has been submitted in respect of the land contamination. Pollution Control Officers have reviewed the submitted report and considering the sensitive end use, the Local Planning Authority has attached a condition require further appropriate site investigations to be undertaken prior to the commencement of the development. It is considered therefore that subject to conditions the land would be suitable for the proposed use in accordance with policy CG4.3.

Impact on Highway Safety

The NPPF requires that development seeks to minimise travel. Where development will generate significant traffic it should be located within sustainable locations, maximising the use of sustainable transport modes.

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

The proposed site plan does not indicate any car parking provision. It is considered that given the quantum of development on the site, adequate off street parking could be provided for the plot within the curtilage of the proposal. There is unrestricted parking directly to the front of the site and it is not considered that inadequate parking provision would justify a reason for refusal in this case.

The Council's Highway Engineers have been consulted and have no objection to the proposal, subject to the preferred vehicular access being from Derbyshire Row.

In addition the National Planning Policy Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The proposed development could provide sufficient on-site parking and it is not considered that the addition of a further dwelling would generate significant additional traffic movements.

As a result, it is considered that the proposed development would not have an unacceptable impact on highway safety in accordance with policy P5 of the Core Strategy.

Impact on Flood Risk/Drainage

The entire site is shown to lie within 'high probability' Flood Zone 3 (Check) which represents an annual probability of greater than 0.5% of a tidal flood occurring in any one year or greater than 1% of a fluvial flood occurring in any one year. The site is not designated as functional floodplain and is therefore located within Flood Zone 3a.

Contrary to the submitted FRA the proposal the construction of new dwellings are not considered to be minor development.

Paragraph 100 of the NPPF states 'Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by applying the Sequential Test and if necessary, applying the Exception Test.

In terms of the exception test there are two parts detailed within the NPPF, which need to be satisfied:

1. It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk; and
2. A site specific FRA must demonstrate that the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall.

The application site is located within an existing residential area and is in close proximity to local services/amenities and employment areas which are accessible by public transport links which are situated close to the site.

The site is currently overgrown and is not in any beneficial use. It appears to have subject to fly tipping and it is considered, therefore, that as well as contributing towards the delivery of a sustainable supply of housing, the development of the site will enhance the surrounding area by utilising a site which in its current state detracts from the residential amenity of the area.

The EA have been consulted and have advised that the NPPF sequential test is carried out. However, given the proposed mitigation measures proposed in the FRA and the ability to attach a condition to control the finished floor levels of the dwellings, it is considered that the development will provide a safe environment for future occupiers. In addition, it will be no worse than the existing situation for the dwellings currently present along Old Road and given the proposal is for one dwelling, it is likely that the dwellings will tie into any appropriate rescue operations for the surrounding residential district if the area were to be subjected to flooding.

The EA has recommended a number of conditions to be attached should the application be approved. The recommended conditions have been attached.

It is considered, therefore that in this instance the proposed development is acceptable in terms of flood risk subject to the attachment of the conditions recommended by the EA.

Conclusion

For the reasons discussed above it is considered that the proposed development would accord with all relevant policies and is therefore recommended for outline approval.

Representation and Consultation Annex

Representations

Letters:- letters have been received in response to the planning application publicity who have raised the following issues:-

- I do not want a residential dwelling to the rear of my property
- There is not enough land to build a dwelling
- Neighbouring dwellings will be overlooked
- Loss of privacy

The above issues have been addressed in the appraisal;

The proposal would be in close proximity to an electricity substation and could cause health problems. *Response:- There is no evidence to suggest that the future occupiers of the dwelling would suffer any adverse health impacts due to the siting of the dwelling.*

Impact of existing tree roots on the future building. *Response:- The potential impact on the roots of the trees can be addressed in the reserved matters application.*

Consultations

Advice was sought from the following:- Highways Engineers, Environmental Health, Drainage, Design for Security and Environment Agency.

Planning History

None relevant

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. Application for approval of reserved matters shall 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 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:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. No development shall commence until full details of the following reserved matters have been submitted to and approved by the Local Planning Authority:

- a) access
- b) appearance
- c) landscaping,
- d) layout
- e) scale

Reason:

The application is for outline permission only and these matters were reserved by the applicant for

subsequent approval.

3. Prior to the commencement of the development hereby approved, samples and details of the materials for the walls, roof and windows of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out using the approved materials, unless agreed otherwise in writing by the Local Planning Authority.

Reason:

To safeguard the amenity of the area in accordance

4. Development shall not commence until a site investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:

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

5. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Bolton Council (March 2016) and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 400mm above the road level or 113.4m above Ordnance datum whichever is the higher.
2. Sealing of service ducts below ground to prevent ingress of water.
3. No basement construction


The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To reduce the risk of flooding to the proposed development and future occupants.



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	DEPARTMENT: CHIEF EXECUTIVES SECTION: ASSET MANAGEMENT	N ↑ scale 1:1250

Application number 96175/16



Development & Regeneration Dept
Development Management Section

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

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Date of Meeting: 12/05/2016

Application Reference: 96175/16

Type of Application: Full Planning Application

Registration Date: 24/03/2016

Decision Due By: 18/05/2016

Responsible Officer: Kara Hamer

Location: PLOT 5, HAWTHORN BANK, BOLTON

Proposal: ERECTION OF 1No DWELLING WITH DETACHED GARAGE, PARKING AREA AND ACCESS

Ward: Bradshaw

Applicant: ICS Construction (Bolton) Limited

Agent : Frank Whittaker Town Planning

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application site has been the subject of numerous planning applications for housing development since 2003. The latest being 93662/15 which granted permission in May 2015 for the erection of a detached house and garage. 93287/14 granted permission for the erection of 3 detached houses and integral garages, associated access and car parking.

Planning permission is sought for the erection of a detached dwelling. The proposal would complete the development of properties at Hawthorn Bank. The dwelling comprises a 2 storey 4 bedroomed detached house with an attached double garage and has an 'L' shaped configuration. Tandem parking for 2 vehicles and a double detached garage 'compound' will be sited outside the fenced plot to the north for use by residents of the cottages at Nos. 9 and 7 Hawthorn Bank.

The proposed materials used for the construction of the dwelling would be Roxley Red Multi brick and Rathmore Devenish (Lakeland Blue/Grey) concrete tile for the roof. The driveways would be constructed out of plaspave block paving (Sorrento Carrara). The residents parking 'compound' would be based in MoT hardcore and topped with limestone gravel drained to ground soakaway.

The proposed boundary with no. 14 Hardy Mill Road will be 1.8m timber panel fencing along the line of retained trees, the northern boundary will be replacement timber panel fencing to the watercourse interface, the western boundary with no. 9a Ruins Lane is unchanged and the existing timber panel screen fencing between the site and the public footpath has been improved by the replacement of panels and posts with proposed adaptations to improve visibility at the site entry point. A 1.8m brick wall will separate the 'residents parking area' from plot 5 with a gated entry into plot 5.

Access to the site would be via Hawthorn Bank.

Site Characteristics

The last use of the application site was as a commercial nursery garden with a domestic bungalow. It is accessed via an unmade road at Hawthorn Bank and is bounded by residential properties. At the time of the case officer's site visit construction work was complete on plots 1 - 4 and the road surface was awaiting a final course.

At the rear is a large detached dwelling at no. 14 Hardy Mill Road which occupies a generous plot and is set at a higher ground level than the application site.

The plot is bounded to the south east by a Public Footpath, to the north east are Nos. 14 and 16 Hardy Mill Road, to the north is 5b Ruins Lane and a weir and no. 9a Ruins Lane is sited to the west.

Policy

National Planning Policy Framework

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

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on urban regeneration;
- * impact on the character of the surrounding area;
- * impact on existing surrounding land uses and occupiers;
- * impact on the highway;
- * impact on drainage;
- * land contamination.

Impact on Urban Regeneration

National policy on residential development is contained in the National Planning Policy Framework. In order to promote more sustainable patterns of development, NPPF makes it clear that the focus for additional housing should be on existing towns and urban areas. It is important that new housing is located where it is accessible to jobs, shops and services by modes of transport other than the car. The inefficient use of land should be avoided and to this end maximum use should be made of previously developed land. This is consistent with advice contained within Core Strategy policy SC1 - Housing.

At the heart of national policy within the NPPF is a presumption in favour of sustainable

development. The NPPF maintains the importance of supporting sustainable economic development and delivering homes (paragraph 17). The proposed dwelling will be located on a generous sized plot which was overgrown and may have been considered to have a negative effect on the amenities of the immediate area. The application site is located on previously developed land within the urban area.

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

Impact on the Character of the Surrounding Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA5 of the Core Strategy relates specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, and will require special attention to be given to the massing and materials used in new development.

The proposed development comprises a detached two storey dwelling house providing four bedrooms. The area immediately surrounding the site comprises residential dwellings with 3 and 4 bedrooms and a row of cottages along Hawthorn Bank. The design and external materials of the proposed dwelling is similar to the newly constructed plots at 1 - 4 Hawthorn Bank and therefore the proposed dwelling is considered to be wholly compatible with the immediate area and would not form an incongruous feature within the streetscene.

The proposed dwelling would have a mixture of turf and hard standings, and the driveway would be constructed out of plaspave block paving 'Sorrento Carrara' which is considered acceptable. The submitted Design and Access Statement details that there would be planting of a Laurel hedge along the boundary with the residents parking area and in front of the brick wall which would offer some greenery and help soften the appearance of the development.

The boundary treatment to the dwelling would consist of 1.8m high timber fencing sited against existing established trees to boundaries. Given the above, it is considered that proposed landscaping both hard and soft is considered acceptable.

Having regard to the above, the proposal is considered to accord with the guidance set out in the National Planning Policy Framework and Policies CG3 and OA5 of the Core Strategy.

Impact on Existing Surrounding Land Uses and Occupiers

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with the surrounding land uses and occupiers.

Guidance contained within SPD General Design Principles provides interface distances between 2 storey properties, being 21 metres between main room windows and 13.5 metres from a main window and a blank gable window.

The dwelling immediately to the rear of the application site at no. 14 Hardy Mill Road is sited at a higher ground level to the proposal. There would be an interface distance in excess of 34m between principal windows of the proposal and principal windows at no. 14 Hardy Mill Road and adequate

screening would be provided by way of 1.8m high timber fencing. Similarly the two storey dwelling at no. 16 Hardy Mill Road is also sited at a higher ground level to the proposal and there would be a similar interface distance though principal windows will not directly face the proposal and adequate screening would be provided by way of 1.8m high fencing.

The bungalow to the front of the application site at no. 9a Ruins Lane is sited at a lower ground level to the proposal. There would be an interface distance in excess of 34m between principal windows of the proposal and no. 9a Ruins Lane and adequate screening is provided by way of existing 1.8m high timber fencing and mature foliage. The residents parking area will be sited between the proposal and the boundary of no. 9a Ruins Lane and given the existing screening of 1.8m high timber fencing and mature foliage it is considered that there will no detrimental harm caused to the privacy of the residents of no. 9a Ruins Lane.

The proposal does not provide for principal windows in either of the side elevations, the property to the north at no. 5b Ruins Lane would have an interface distance in excess of 25m and the property to the south at no. 8 Ambleside Close, beyond the Public Right of Way, would have an interface distance in excess of 22m.

It is therefore considered that the proposal complies with Core Strategy policies CG4 and guidance contained within SPD General Design Principles.

Impact on the Highway

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

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

Hawthorn Bank is a Private Road and Public Footpath. Public footpath Turton Bradshaw South 043 leads through the application site, this public footpath will be affected by the granting of planning permission. The Public Rights of Way Team have been consulted and comment as follows;

Advice to be attached to any grant of consent as an informative notice to ensure the applicant is aware of the need to safeguard people using this public footpath and that it must not be damaged, width altered, or obstructed either during or as a result of the development. At common law a highway may be of any width and is a question of fact. In this instance where the path leads between existing fences or walls, the current width must be maintained. If the applicant wishes to carry out work on the public footpath, then permission must be given from Bolton Council (the Highway Authority) who are responsible for the maintenance of the surface of Public Rights of Way and ensuring that they are fit for the public to use. If a temporary obstruction of public footpath Turton Bradshaw South 043 is unavoidable, no development must take place until a temporary closure order has been made by Bolton Council.

The applicant proposes a small pedestrian refuge at the point of emergence from Public Footpath Turton Bradshaw South 043 onto Hawthorn Bank and alterations to the newly replaced 1.8m timber panel/post fencing to provide a stepped reduction in height of the last 2 panels down to 1.2m to afford visibility at the emergence point for both motorists and pedestrians.

The proposal would provide four parking spaces, comprising two spaces within the integral double

garages and two spaces directly in front of the garage. Given that the dwelling would be four bedroomed, the number of parking spaces is acceptable.

The applicant has worked with the Council's Highways Engineers and the residents of Hawthorn Bank most affected by the proposal and have provided a residents parking area which would accommodate 4 off street parking spaces in total and would be sited between the proposal and the boundary of no. 9a Ruins Lane. This parking area is for the residents of Nos. 7 and 9 Hawthorn Bank.

It is considered that the proposed development is in accordance with aforementioned planning policies. The Council's Highways Engineers have confirmed that the submitted scheme is acceptable and raise no objections and add that this proposal completes the level of development at this location that can be served from Hawthorn Bank.

Impact on Drainage

The site is not located within a flood risk area or critical drainage area.

The application site is located on an existing brownfield site and is below the threshold of 5 or more residential units for policy CG2 of the Core Strategy to be applicable. As established on the main development the surface water to be derived from roofs and paved driveways/paths will be separated from any foul discharge and will be directed to the originally approved (and completed) outfall via a 225mm surface water drain into the open watercourse located within the garden of 9A Ruins Lane.

United Utilities have been consulted and have no objections to the proposal. The Council's Drainage and Technical Support Team have been consulted and have raised no objections to the proposal. It is considered therefore that the proposed development is acceptable in terms of drainage.

Land Contamination

The applicant has submitted a Preliminary Risk Assessment (Desk Top Study/Walk Over Inspection) in support of the application prepared by The Arley Consulting Company Limited Report No 14687/2 March 2016. The PRA adequately assesses the historical, environmental and geological information on site. The Report concludes that with a land use history of "open agricultural land" and later "domestic garden" and no proximate source for ground contamination – the risks from contamination or ground gases are considered to be "Very Low". Such lack of risk leads the report to conclude that neither further investigation (PRA2) nor site remediation is required.

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

Conclusion

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

Representation and Consultation Annex

Representations

Letters:- One letter has been received objecting to the application on the grounds of:

- * The plot is several feet higher than the land at no. 9a Ruins Lane;
- * The proposed garage is close to the boundary fence with no. 9a Ruins Lane and is considerably higher than the fence;
- * Any surface water if not adequately drained will run onto land at no. 9a Ruins Lane;
- * Concerns regarding existing drainage running alongside of and under the garden at no. 9a Ruins Lane.

Officer comment; the matters raised have been addressed in the report.

One letter has been received from a resident of Hawthorn Bank neither objecting to or supporting the Planning Application and commenting;

- * There is no Right of Way to this plot of land. There is no Deed of Grant of Right of Access entered into. It does need creation of Right of Way;
- * The road surface in front of the cottages has been covered by a layer of bits of crushed tarmac. We were told that this was temporary surface until the better weather came. It is not in accordance with the wishes of the cottage residents. It is not in accordance with the Deed of Grant of Right of Access and not in accordance with planning passed.

Officer comment; the access road is a private road and the issues raised are civil matters. The proposal states that the final layer of the road surface will be applied once the development is complete.

One letter has been received from a resident of Hawthorn Bank neither objecting to or supporting the Planning Application and commenting;

- * Design access statement 2.3: states court development completed and occupied when actually only 50% occupied;
- * 2.5 Re fence: photos online and from knowledge this fence was replaced on what I presume was council land not where original fence was;
- * 2.6 and 3.5: State improved private road. This road is not completed and this temporary surface was only put on when this application went in;
- * 7.4.3 Off road parking for residents: Discussions have not been with all residents and find it unfair that 2 residents get 2 parking spaces each and then the other 3 have to share 2 spaces;
- * The last development: The conditions placed by the planning committee were not adhered to, the condition stated that the houses should not be occupied before the road was completed, last September this was reported to the enforcement officer. The road has still not been completed as agreed with the applicant. It clearly stated that the footpath had not to be damaged but it was horrendous. On one occasion we came home to find our cars were totally blocked in due to trench being dug without us being notified.

Officer comment; the access road is a private road and the issues raised are civil matters. The Public

Rights of Way Team have been consulted and their comments are in the report above.

Petitions:- None.

Elected Members:- No comments received.

Consultations

Advice was sought from the following consultees:- The Council's Highways Management, Public Rights of Way, Drainage and Technical Support, Greenspace Management, The Ramblers Association, The Open Spaces Society, Peak and Northern Footpath Society and Design for Security GM Police

Planning History

Planning permission was granted in May 2015 for the erection of a detached house and garage (93662/15).

Planning permission was granted in February 2015 for the erection of three detached houses (93287/14).

Planning permission was granted in May 2014 for the erection of three detached houses and garages with associated access and parking. (91986/14)

Planning permission was granted in August 2005 for the erection of five detached houses and garages with a variation to Condition 10 on the consent referenced 64613/03 relating to 5 car parking spaces (71257/05).

Planning permission was granted in October 2003 for the demolition of greenhouses and a chalet bungalow and the erection of 5 detached houses and garages together with improvements to the access (64613/03).

A planning application was withdrawn in October 2002 for the demolition of greenhouses and a chalet bungalow and the erection of 5 detached houses and garages together with improvements to the access (62427/02).

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. No dwelling shall be occupied until the access road leading to the development hereby approved has been constructed and completed in accordance with the plan P1186/16/2.

Reason

In the interests of highway safety.

3. No dwelling shall be occupied until the associated provision for off street parking has been completed and made available for the use of no.'s 7 and 9 Hawthorn Bank, Harwood, Bolton. Such spaces shall be available at all times for the parking of private motor vehicles.

Reason

In the interests of highway safety.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, shall be constructed on the dwelling hereby approved.

Reason

To safeguard the character and appearance of the dwelling.

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

House Plot 5, Drwg. No. FW/P1186/16/03, March 2016 (scanned to file 04/04/16)
Site Plan Plot 5, Drwg. No. P1186/16/2, March 2016 (scanned to file 24/03/16)
Location Plan, Drwg. No. FW/P1186/ICS/1, March 2016 (scanned to file 24/03/16)
Double Garage, Drwg. No. P1186/ICS/16/05, March 2016 (scanned to file 24/03/16)

Reason

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

6. The site shall be treated in accordance with the approved landscape scheme detailed in drawing no' s P1186/16/2. The scheme including all details of trees and shrubs to be planted, walls, fences, boundary and surface treatment shall be carried out within 12 months of the commencement of development. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

Reason: To safeguard the amenity of the area

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

Brick Photo/Spec : Weinerburger – Loxley Red Multi-Brindle
Roof Photo/Spec : Rathmore Devenish (Lakeland Blue/Grey)
Floor Paving Photo/Spec : Sorrento Carrara Stone.

Reason

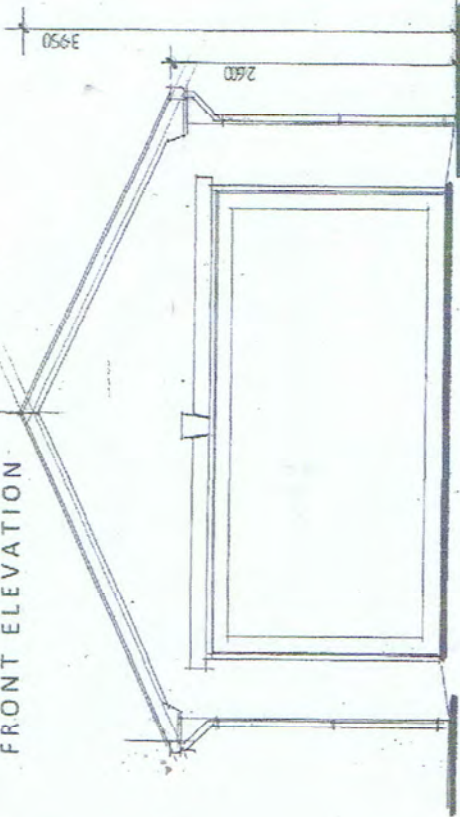
For the avoidance of doubt as to what is permitted.

8. The garage hereby approved shall be made available at all times for the parking of motor vehicles.

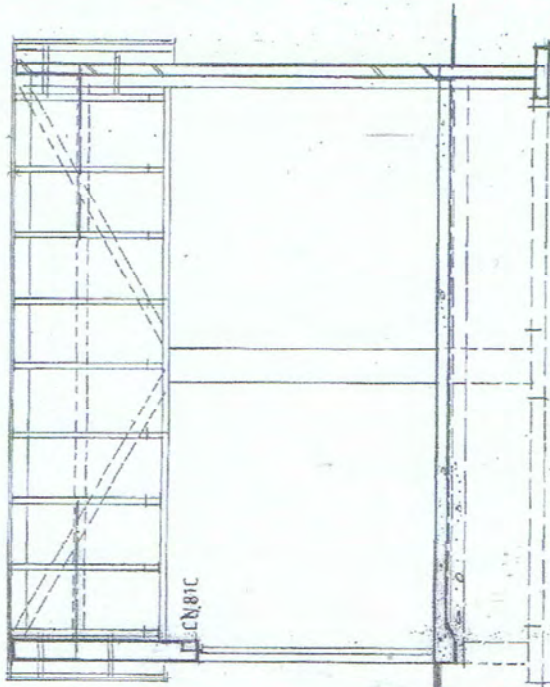
Reason

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

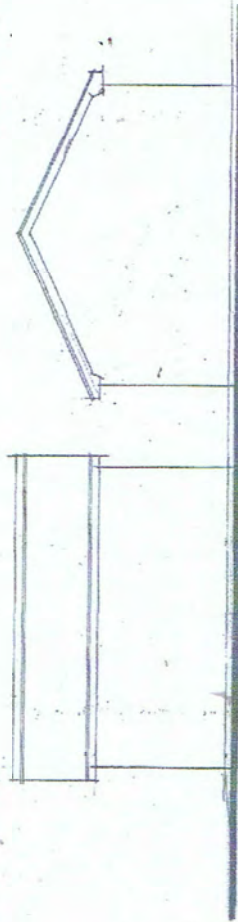
FRONT ELEVATION



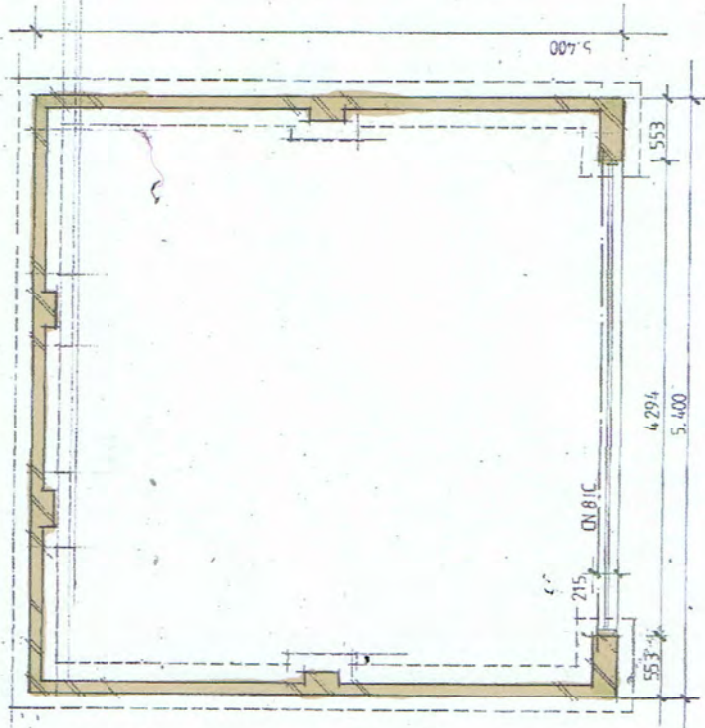
SECTION



REAR



SIDES



PLAN

DOUBLE GARAGE

Frank Whittaker

PLANNING CONSULTANTS

P1186/CS/16/05
Scale 1:50 & 1:100 @ A3
March 2016

It is the Contractor's responsibility to report any discrepancies in this drawing, or between drawings, to the Engineer at least clarification and resolution before proceeding.

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understand the description



Suite 26, Douglass House
196, Belmont Road

312AR

4834 0367 1077 3161 924

mailto:water@tassilord.it

www.abnrcr.com

CLIENT

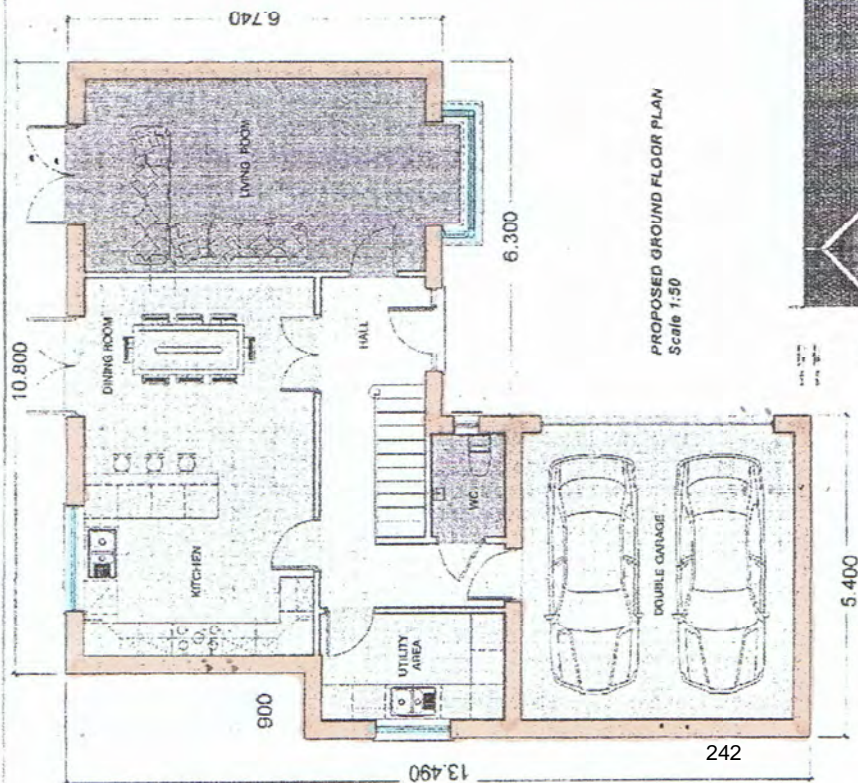
MR. IAN CARPENTER
ICS CONSTRUCTIONS

PROJECT

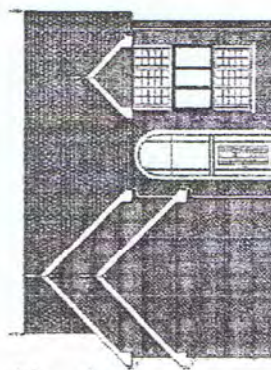
HAWTHORN BANK,
RUINS LANE, TURTON,
BOLTON. BL2 3JB

Still

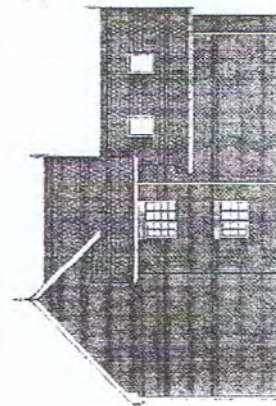
HOUSE PLOT 5
FW/P1186/16/03
MARCH 2016



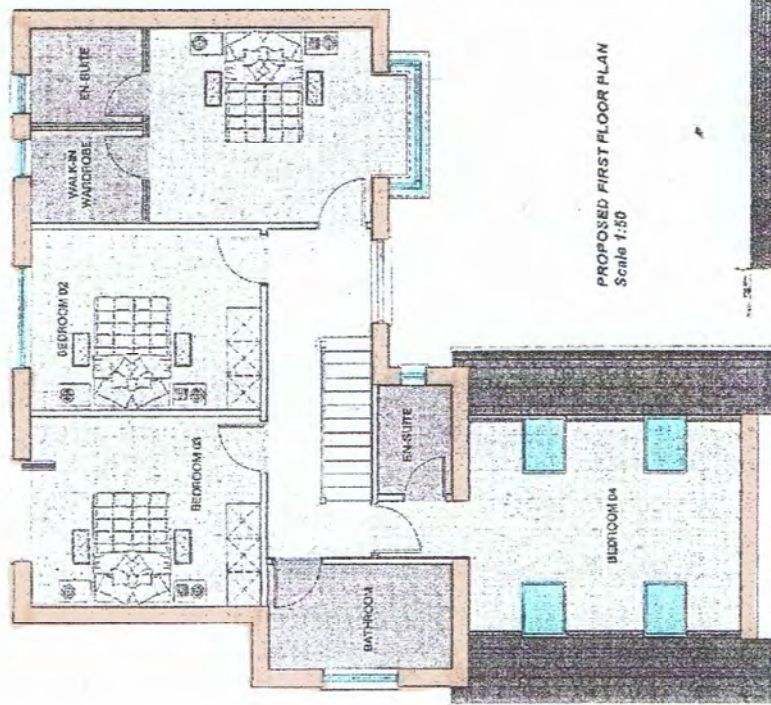
PROPOSED GROUND FLOOR PLAN
Scale 1:50



PROPOSED FRONT ELEVATION
Scale 1:100



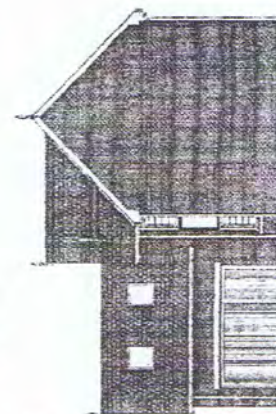
PROPOSED SIDE ELEVATION
Scale 1:100



PROPOSED FIRST FLOOR PLAN
Scale 1:50



PROPOSED REAR ELEVATION
Scale 1:100

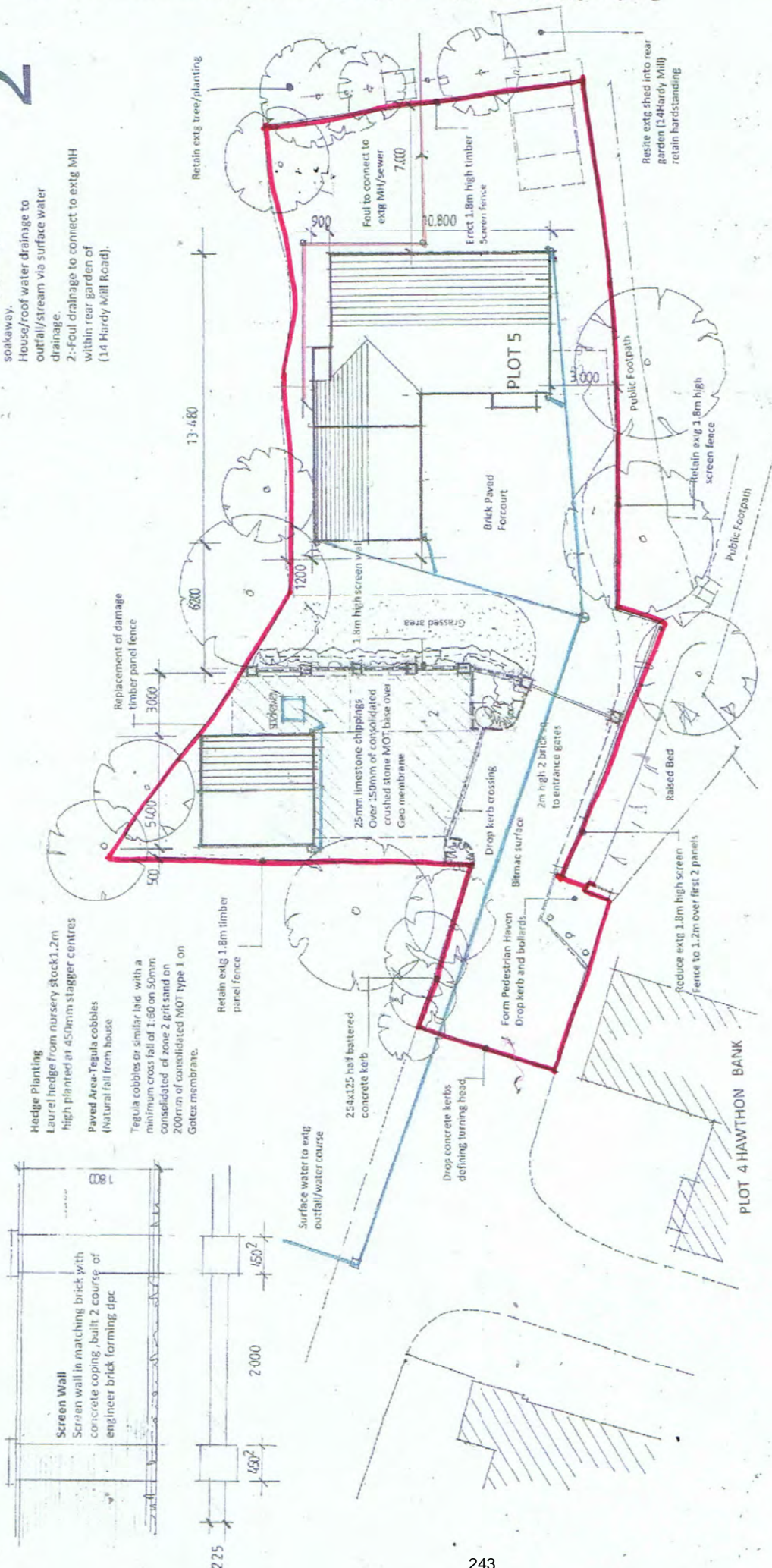


PROPOSED SIDE ELEVATION
Scale 1:100



DRAINAGE

- 1.- sw/garage/parking to new soakaway.
House/roof water drainage to outfall/stream via surface water drainage.
2.-Foul drainage to connect to exlg MH within rear garden of (14 Hardy Mill Road).



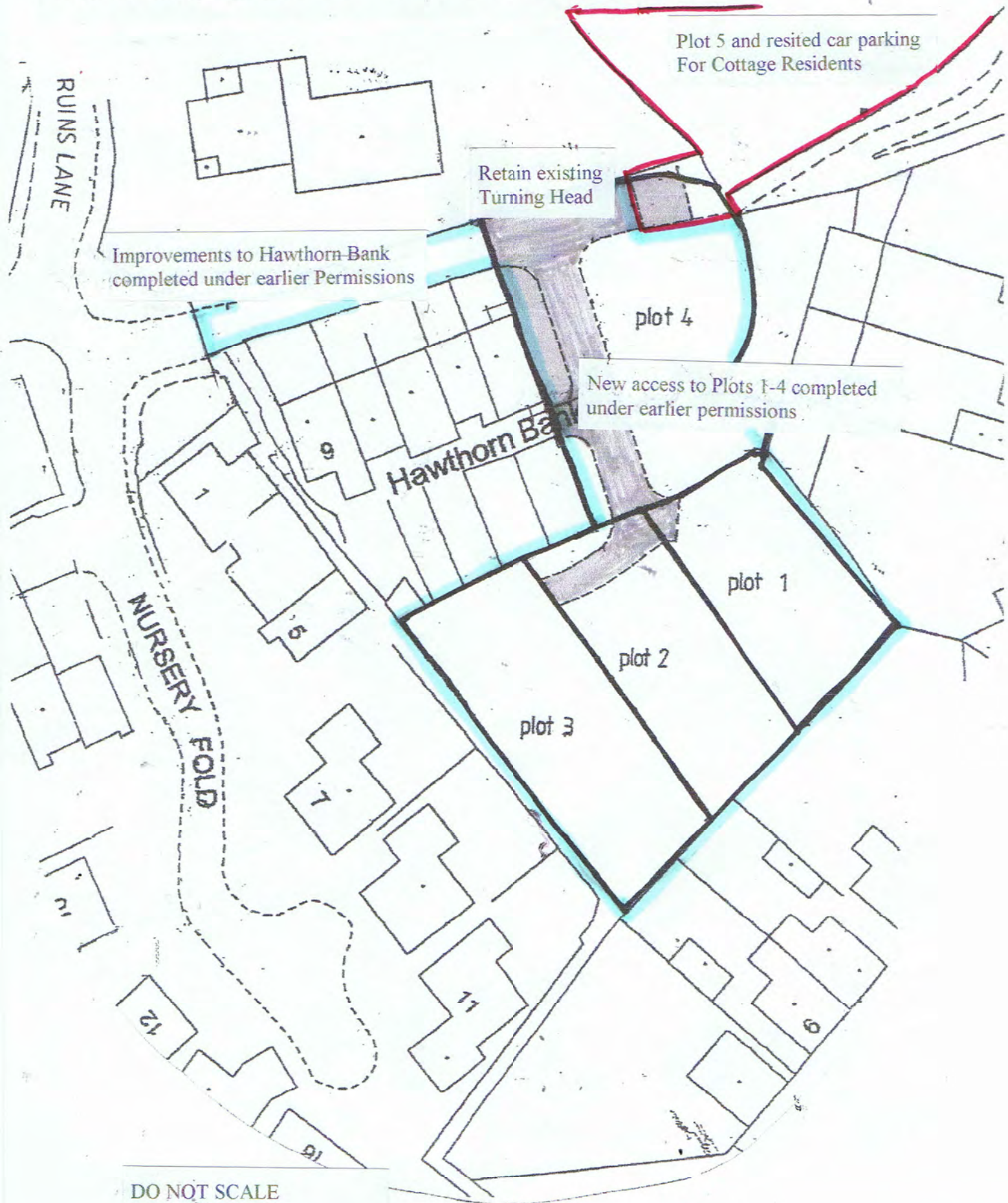
SITE PLAN PLOT 5

Ref P1186/16/2
Scale 1.200 @ A3
March 2016

Frank Whitaker

PLANNING CONSULTANTS

PLAN REFERRED TO : SITE CONTEXT



DO NOT SCALE

REF : FW/P1186/ICS/16/03
DATE : MARCH 2016