

Planning Applications Report

**Planning Committee
12th November 2020**

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

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

www.bolton.gov.uk/planapps

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87 PLANNING & ENFORCEMENT APPEAL STATISTICS

Application number 06379/19



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Development Management Section

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Bolton Council

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Date of Meeting: 12/11/2020

Application Reference: 06379/19

Type of Application: Full Planning Application
Registration Date: 26/06/2019
Decision Due By: 20/08/2019
Responsible Officer: Franc Genley

Location: THE COPPICE, FIRS ROAD, BOLTON, BL5 1EZ

Proposal: ERECTION OF 1no. THREE STOREY DETACHED DWELLINGHOUSE WITH BASEMENT, ASSOCIATED GARAGE, OUTBUILDING AND LANDSCAPING.
(Amended Plans Received)

Ward: Hulton

Applicant: Mr K Khimani
Agent : Studio Tashkeel Architecture

Officers Report

Recommendation: Refuse

Executive Summary

- House demolished via the Prior Notification process in 2019, Trees were not protected and were removed by previous owner.
- Significant amendments achieved to the design and appearance of the property during the lifetime of the application.
- Landscaping proposals have been revised three times, with streetscene drawings submitted to depict solutions.
- When assessed against adopted policy, the scheme complies with the majority of the policies such as architectural appropriateness, interface distances, privacy and highways matters. However, the position of the building relative to Firs Road and the deficient space set aside for landscaping fails to satisfy policy OA4 or CG3.
- A balanced updated assessment is made, and refusal is recommended.

Proposal

1. Permission is sought for the erection of a three storey dwelling with basement, a 1½ storey high garage to the south side of the dwelling and a 1½ storey outbuilding to the rear (west), both linked to the main house. The applicant is seeking to create a large, single-family dwellinghouse on this plot. The requirements of family members are specific in that some members require 24-hour live-in care assistance, hence a large single house.
2. The house would be set back approximately 9.7m from Shurdington Road and 2.9m from Firs Road. It would be set in 9.6m from the boundary with Old Earth (to the south) on Shurdington Road and the main rear wall would be 21.4m from the rear boundary that abuts properties on Newbrook Road to the west. A 10.2m deep, by 7m wide garage would

sit forward of the new dwelling approximately 3.8m back from the boundary with Shurdington Road. The garage would be connected to the house by a single storey glazed link to the rear. An outbuilding would be erected to the rear of the house, along the Firs Road boundary, set back approximately 4.8m from the road and measure 8.6m wide by 6.4m deep. It would be connected to the house by a single storey glazed link.

3. The house would present its primary (east facing) elevation to Shurdington Road, comprising 2no. three-storey gables set either side of a central two storey central block with lower height ridge (max ground to ridge height of gables, 11.1m; max ground to ridge height above central block, 9.4m). The gables would feature steep ridged roofs and a combination of glazing, render and brickwork. To the north along Firs Road, balconies have been removed and windows reduced in number to present a brick elevation with tiled roof over. Balconies are proposed over ground and a first floor projections on the west facing rear elevation, with the reverse of the front gables. East and West facing elevations contain the primary windows lighting internal rooms, with north and south containing only limited secondary glazing. The southern elevation of the house is similar in appearance to the northern in that only limited secondary glazing interrupts the brick wall. Finish materials are yet to be determined and so only indicative information is given on drawings.
4. The garage would have an offset ridged roof, with steep slope to the rear, and shallow to the front to a max ground to ridge height of 4.75m. The ridge roofed outbuilding presents wider elevation to the road (Max ground to ridge height of outbuilding, 6.1m), with a single roof light. To the south a dormer is proposed across 60% of the roof face. Materials are indicative and can be conditioned.
5. The main vehicle entry would be from the front on Shurdington Road, with the forecourt area and garage providing turning and parking space for 6 cars. A secondary access point is proposed to the Firs Road boundary alongside the outbuilding. The site slopes upwards to the north and west, with the Shurdington Road boundary the lowest point on the site. An indicative landscaping scheme has been prepared, with a species schedule. Trees and landscaping would be positioned along the Firs Road boundary, and to both the south eastern and south western corners of the site. Conditions can control the eventual landscaping solution.
6. The site would be enclosed with a combination of 2m high brick walls and 1.2m high brick walls with 0.8m timber panels above, set between brick pillars. The Landscaping officer suggests that conditions could address this matter.

Site Characteristics

7. The site originally comprised of a modest detached house called 'The Coppice' set over two storeys in the Arts & Crafts style with storage space in the loft. The dwelling was double fronted and addressed both Shurdington Road and Firs Road, with the primary face towards Firs Road, from where the house was addressed. Although now cleared of the building and any trees, photos from 2009-2011 depict that the corner site had become overgrown with trees and plants obscuring the house from general view. The site benefits from a dropped kerb access point to the Firs Road frontage, though the photos show that the use of this ceased sometime between 2009 and 2011 when the foliage was allowed to grow across the entrance / driveway unchecked.
8. Surrounding housing stock comprises predominantly detached buildings of varying styles such as the run of modern mock-Tudor homes along the eastern branch of Firs Road, and

houses on Shurdington Road comprising homes in the Arts and Crafts, faux-Art Deco, 1960s and more recent contemporary architectural styles where first and second floor accommodation is incorporated into high ridged roofs.

9. Adjacent to the site on Shurdington, sits a 2 storey detached house with high ridge, named 'Old Earth'. It is set back approximately 30m from the back edge of the footpath, on land approximately 0.8m higher than the carriageway in a sizeable plot similar to the application site but has undergone a significant 2 storey rear extension. Still on Shurdington, but opposite the site sit a run of plots from different eras. The corner house is named 'Carrick House' on maps but numbered no. 14 Shurdington, but also no.9 Firs Road on Council records. Its age is not known as post 2013 approval it underwent significant modernisation with new glazing, first floor rear extension, and all-over render and a large garage forward of the building line. It also merged with the associated plot on Firs Road (91039/13). The next house along, no 12, is a modern infill plot approved in 2001 (58465/01) and further extended with a first floor front extension in 2018 (03923/18) which also made changes to the external appearance to the ground floor of the house. It too is rendered with flat roofs and a car canopy with rendered pillars. Nos. 10 and 8 along Shurdington are two storey 1960s dwellings that have undergone modernisation.
10. Turning the corner to Firs Road, as the carriageway rises up the slope, opposite the site sit two Victorian houses, one of which is named 'The Grove', the other 'Firs Cottage'. These houses are built on land that sits approximately 1m higher than the host site and have undergone ground floor side and /or rear first floor extensions. A large detached 2 ½ storey house sits to their rear, accessed through the space between the two houses (approved in 2007).
11. To the rear of the application site sit the rear elevations of three houses (173, 175, 177) on the busy Newbrook Road (A579), late Victorian in style. The closest of these by way of rear extension (no.173) has a sizeable flat-roofed rear extension which due to the fall of the land is built upon land raised approximately 0.6m above garden level. Newbrook Road sits between 1.5m-2m above the ground level at the junction of Shurdington and Firs Roads.
12. With the exception of nos. 14 and 12 Shurdington Road the houses facing or sitting adjacent to the boundaries of the site benefit from established hedgerows of significant depth and height. Nos 14 and 12 Shurdington instead have solid rendered walls as their means of creating private space to their frontages, with space behind the walls for planting. The walls themselves are set back from the pavement edge behind 3-4m grassed and landscaped verges.
13. Interface and separation distances are detailed and assessed in the assessment part of this report from para 30.

Policy

Development Plan policies

Core Strategy: CG3 The Built Environment, CG4 Compatible Uses, OA4 West Bolton, SC1 Housing, P5 Transport and Accessibility, S1 Safe Bolton and Appendix 3 Parking Standards.

Other material planning considerations

SPD Accessibility, Transport and Road Safety

SPD General Design Principles

SPD House Extensions

Analysis

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

15. The main impacts of the proposal encompass:-

- Character and appearance of the area
- Residential amenity
- Parking and highway safety
- Contamination
- Ecology & Biodiversity
- Drainage & Flood Risk
- Other Matters

Character and Appearance of the Area

16. Paragraph 124 of the NPPF highlights that good design is a key aspect of sustainable development and is indivisible from good planning. Furthermore, it states that 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.

17. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy CG3.7 states that the Council will maintain and respect the landscape character of the surrounding area and its distinctiveness. any soft landscaping and landscape enhancement scheme should enhance biodiversity and be compatible with the nearby landscape character types identified by the Landscape Character Assessment.

18. Policy OA4 of the Core Strategy relates specifically to developments in West Bolton and states 'new housing should be located on existing sites'. It goes on to state that 'the Council will conserve and enhance the distinctive character of the existing physical and natural environment'; 'pay particular regard to the overall density, plot sizes, massing and materials of the surroundings'; and 'Ensure that development respects the large amounts of open space and lower density development in West Bolton'. Specific mention is made that 'development should take special care to incorporate high quality soft landscaping using native plant species, particularly those identified in the Landscape Character Appraisal'.

19. The site has been residential since its initial development sometime in the early part of the 20th century. Although the original house has since been demolished, the most recent uninterrupted planning use of the site was for residential purposes. Thus the principal of residential redevelopment is compatible with the established use of the site and of the locality, satisfying part of Policy OA4.

20. Amendments have been made to the scale, bulk and appearance of the property. The revised gable projections are now more emphasised and stress the residential heritage of the design, overcoming some of the original concerns about the original simplistic design. The gables reflect some of the Victoriana evident in houses on Firs Road and Newbrook Road; while the garage roof, flat roofed extensions and glazed links to the outbuilding reflect some of the more contemporary and reimagined architecture on Shurdington Road. When compared to the original proposals, the Council's Design and Conservation Officer considers the current scheme to possess a more balanced arrangement of architectural features and more distinguishable as a single domestic house. These amendments are also sufficient to address part of policy OA4 and CG3.
21. Many objections made by neighbours express concern at the appearance of the dwelling, considering it to be out of character with the local character. Many also consider the height to be excessive and overbearing. As set out earlier in this report, there is no one definitive style local of architecture that dominates. The Council has not previously imposed Article 4 restrictions on local development nor has it considered it necessary to protect the local vernacular by designating this area as conservation area. Indeed, over the last 30 years several new or amalgamated buildings have continued to evolve and edit the Victorian, Arts & Crafts and 1960s stock with contemporary extensions, renovations and additions. Even the Victorian buildings opposite the site (Firs Cottage and The Grove) differ in scale, proportion and bulk, and 173 Newbrook Road has a very visible modern flat roofed extension with large panel glazing to the rear (Approved via 82361/09). So whilst it is acknowledged that the proposed structure would have a character and street appearance notably different from other plots, this follows the diverse housing stock 'character' established locally over decades.
22. Whilst officers did ask for further amendments to the proposal, the applicant determined that no further changes would be made and requests that the scheme be assessed as it is now proposed. Regardless of what further changes may be practically possible, the Council must now determine what has been submitted. Although the building remains significant in its stature, it is considered that sufficient architectural articulation design solutions have been incorporated into the appearance to ensure elevations are sufficiently 'broken up'. Small setbacks, staggers and breaks in the elevations; window recesses and variety in material finish will help introduce shadow lines, depth and contextual relief to each elevation sufficient to help a passerby or neighbour interpret the domestic character of the building, and diminish its overall proportions. Secondary windows remain in flank elevations to help break up otherwise featureless walls, but more controversial recessed balconies in those walls have been removed.
23. The development comprises a significant volume of residential development, over several floors and would currently leave a reasonable amount of external space for recreation. Garaging, loft, basement and outbuilding spaces have already been incorporated into the three-storey proposal and it would be prudent to avoid any further uncontrolled building by removing permitted development rights by condition. Because the plot is large, this would avoid the proliferation of further multiple storey extensions, outbuildings or roof extensions without the further explicit grant of planning permission and allow assessment against policy and local consultation should such works be proposed. This condition would help maintain the aims of Policy GC3 and CG4, without removing the applicant's right to seek permission for future extension or alteration.
24. It is accepted that mature trees adjacent to a large building help reduce the perceived

visual proportions of that building. Dense planting is present in front of most of the other houses in the local area. Regretfully, the site was cleared of all trees prior to the submission of this application, removing any scope for designing a new house around those trees. To assist in integrating the new dwelling onto the site and into the neighbourhood, a full landscaping scheme was requested. Notwithstanding the scheme submitted, the Council's Landscape Officers have commented that unless the dwelling is moved to the south to allow broader tree planting, the current landscaping proposals only represent a suitable 'partial screening solution'. The insufficient space (just 2.6m) that would be left between the flank wall of the proposed house and the Firs Road boundary means it would be impossible to plant a tree species capable of achieving a height and crown that is capable of screening or diminishing the scale of the proposed dwelling. The applicant has been asked to increase the space by altering the footprint of the house but has declined. The hedges and 'pleached' lime trees now proposed will offer screening at ground level and part of the first floor but do little to offset the visual scale and impact of the upper levels of the house. The Landscape Officer comments that the 'pleached' trees proposed will require regular maintenance and ongoing management until they mature at the set low height of 4.5-5m. Conditions would be needed in the event of an approval to secure the planting scheme and maintenance.

25. A landscaping condition can be applied to any recommendation for approval, requiring approval of the scheme before commencement of the development, but it will not fully achieve what would be possible were the footprint of the house to be altered to provide 5-6m of space like other properties. Again, the Council must determine what has been submitted, and any condition can only reasonably relate to a scheme that is possible in the space shown on plans. At present, the applicant has not demonstrated that a fully satisfactory landscaping scheme is achievable on site and this must be factored into any balanced final assessment in the conclusion to this report. This aspect fails to satisfy the aims of policy OA4 and CG3.
26. The walls, gates and timber panels shown on drawings have been considered by the Landscape Architect and Planning Officers. While the 1.2m high brick walls set between 2m high brick pillars work on some sections, it is considered that the plot would be better served by the inclusion of some 2m high timber panels, and some 2m high sections of brick wall between the 2m high pillars. In the event of a recommendation to approve the proposal, a means-of-enclosure condition that states 'notwithstanding what is shown on drawings' would enable post approval negotiation to achieve boundary screening that complements the landscaping treatments.
27. It is considered therefore that the design of the proposed building, are acceptable and would be compatible with the existing design of dwellings in the locality in accordance with national and local policies CG3 and CG4. However, the space allocated for landscaping is deficient so that it would not be possible to secure a compatible landscaping scheme capable of softening the impact of the substantial building, contrary to policies OA4 and CG3.

Residential Amenity

28. 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. Whilst the Council's guidance on minimum interface distances between dwellings and private amenity space standards are contained within SPD General Design Principles. The SPD General Design Guide Principles sets the interface distances between

elevations containing principal habitable room windows at 21m. Between

29. Neighbours in surrounding houses have expressed concerns about loss of privacy and overlooking into their habitable rooms and bedrooms from windows in the new house. Along with an assessment of the impact on existing neighbours, the Council must also assess whether the interface distances to existing habitable room windows is sufficient to secure privacy for future residents of the proposal. The assessment must have specific regard for the wording of the adopted design SPD which defines both what a principal habitable room is and when the interface distances of 21m should apply.
30. Newbrook Road: To the rear are properties on Newbrook Road. From the nearest rear windows of the Newbrook houses (the 6.1m deep single storey rear extension to no 173) there would exist a distance of 30.95m to the rear of the closest part of the proposed house or 20.4m to the flank end of the (windowless) proposed rear outbuilding. The Newbrook Road houses are set on ground approximately 1.5m to 2m higher than the site level adjacent to Shurdington Road, meaning that the rear Newbrook view of the three storey proposal will appear similar in height to a two storey dwelling with a high ridge. High ridge roofs already exist to houses along Shurdington and so this will not stand out as unduly prominent from this perspective. The interface distance of 30.95m is from the end wall of the proposed ground floor rear projections/first floor balconies. The distance increases to 32m to the shallower first floor rear projection / second floor balcony and to 33.85m from the main rear wall of the proposed house. The rear outbuilding will also serve to block what views exist from the second floor balcony to the rear gardens of the Newbrook houses.
31. Shurdington Road: [Old Earth:] The southern flank of the new house would sit 11.95m from the windowless end elevation of Old Earth, emulating the 11.15m separation distance Old Earth shares with its detached neighbour to the south (9.71m from proposed wall to boundary). Typically, the detached houses on Shurdington appear to be separated by between 9.93m and 11m of gap and the proposal mirrors this arrangement with Old Earth. There are no primary windows proposed in the southern elevation facing the flank of Old Earth. The outbuilding to the rear would feature a dormer window facing south, with 17m to the boundary of Old Earth's garden. [Houses Opposite:] With regards to the houses opposite, the front wall of the proposed dwelling would sit 26.5m from the closest elevation of no. 14 (Carrick House) containing a window and over 29m from the closest corner of the front car port of no. 12, where no main habitable room windows exist.
32. Firs Road: With regard to The Grove and Firs Cottage on the northern side of Firs Road, these sit on land approximately 0.5m higher than the application site. The proposed house, would present its flank elevation, in a position that would achieve an interface distance of 21.65m to front elevation of 'The Grove', and a shallow angled 21.25m to the closest front windows in Firs Cottage to the west. There are windows in the north facing elevation of the proposed house, but these comprise secondary windows lighting two of the smallest bedrooms. A 21.46m interface would exist between the facing windowless elevation of the proposed outbuilding and the facing elevation of Firs Cottage.
33. While the proposal satisfies all of the 21m interface distances, the SPD typically requires an additional 3m setback between existing and proposed 'facing main room windows' for each additional storey proposed. The dwelling would be three-storey, not two-storey, so the interface distances would need to rise to 24m to comply with the SPD. The distances already described show the proposal can achieve and exceed the majority of these distances. However, in the case of the interfaces to and from the Grove / Firs Cottage and the proposal, further assessment is needed. While the SPD appears to set out a requirement

for a further 3m setback at second floor level, this is only the case where a window is proposed as both the primary outlook and means of daylight, and the room is considered to comprise a principal habitable room. The SPD states that only the 'two largest bedrooms' can be considered to comprise a principal room and as the second floor bedroom is one of the smallest in the house, the SPD does not require the 3m setback. Whilst the SPD cannot predict every situation, it is worth highlighting that the second floor bedroom is primarily lit by a larger, rear facing window (as is the case with the first floor (rear) flank bedroom below. Whilst the exact layouts of the facing houses are not known, both properties sit on land approximately 0.5m higher than the site. This height distance, together with the small size of the second floor window mean that the potential for any loss of privacy or amenity is significantly diminished. Any remaining concern can be satisfactorily addressed by requiring this facing secondary window to that bedroom to be obscure glazed and fixed shut below eye level (1.6m) by way of a condition. Other windows in the northern flank, namely at first and ground floor level are secondary and satisfy the 21m offset. Subject to a condition in respect of the second floor flank window, the aims of the SPD would be satisfied.

34. With regards to the offset distance between the southern flank of the proposed dwelling and the northern flank of 'Old Earth', no main windows sit in the closest part of Old Earth. Only secondary windows are proposed to the first and second floor dressing rooms (behind the front bedrooms on the southern side of the house), with the primary (larger) glazing proposed in the rear (western) elevation. There is no specified distance in the SPD, though it is considered that it would fall between the 9m and 13.5m specified where a principal habitable room to be involved. As such, the 11.95m interface is considered sufficient to satisfy the aims of the SPD to safeguard amenity.
35. Rooflights are proposed in the roof of the outbuilding, facing south and north. There would be 24m between the northern rooflight and the facing elevation of Firs Cottage. From the south facing rooflight, there would be 22.1m to the nearest (windowless) wall of Old Earth. The outbuilding would also have a glazed first floor dormer in the roof facing south, 17.25m from the boundary with Old Earth and 21.6m from the same nearest (windowless) elevation of that house. There would be no harm to neighbouring amenity from any of the rooflights or roof extension, satisfying the aims of the SPD.
36. An early version of the proposal featured balconies to the side of the dwelling facing north, these have subsequently been removed on privacy / amenity grounds. The balconies that remain are proposed to the rear elevation and face the rear of houses on Newbrook Road. Due to the distances involved, the balconies will not result in any loss of privacy to any of the habitable rooms within the Newbrook Road dwellings.
37. The proposed development is considered to be compatible with the surrounding residential dwellings and would not result in an unacceptable loss of privacy, outlook or light.
38. A small number of residents are concerned that the proposal is too large to comprise a single family dwellinghouse. Paragraph 6 of this report addresses this issue, but in order to provide some control, a specific condition can be added to any grant of permission removing any automatic 'permitted' change of use away from the Class C3 single family dwelling hereby being applied for. This will not prevent any future applicant from seeking full permission for change of use, but will provide some assurance that any distinct Class C4 multiple occupancy or C2 assisted living uses will require a the grant of a full change of use application.
39. Similarly, the internal layout of the house, windows and interface distances would produce

outlook, daylight and privacy sufficient to create an acceptable level of habitability and satisfactory residential amenity for future residents of the proposed house. The SPD requires new dwellings include at least 50sqm of private useable amenity space. The proposal includes over 300sqm of such space and satisfies policy.

Parking and Highway Safety

40. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] parking, in accordance with the parking standards set out in Appendix 3. Policy S1.2 states that the Council will promote road safety in the design of new development.
41. The proposed development would provide six car parking space within its curtilage in line with Appendix 3 of Bolton's Core Strategy. The 2 no. proposed dropped kerbs and crossovers will preplace the existing unused crossover. Subject to a condition to secure the closing up and making good, as pavement, of the redundant crossover, conditions can satisfactorily control the delivery and operation of the two crossovers and access/egress points. Officers are satisfied that notwithstanding the changes in site level, level vehicular access to/from the site from Firs Road would be possible if controlled by conditions. Off street parking appears to satisfy policy and space is provided to enable turning within the front of the site so that vehicles can enter and leave in forward gear from the front entrance. Highways officers raise no objections to the proposal and it is considered that the proposed development would be in accordance with policies S1, P5 and Appendix 3 of the Core Strategy.

Contamination

42. Policy CG4 of the Core Strategy, in line with the NPPF, requires all new development to ensure any risk of contamination is identified and adequately managed. The NPPF states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location and that adequate site investigation information, prepared by a competent person, is presented with applications.
43. The presence of contamination is a material consideration when considering planning applications. Development must not create or allow the continuation of unacceptable risk. The standard of remediation to be achieved is the removal of unacceptable risk, making the site suitable for its new use and ensuring that it does not cause pollution of the wider environment. As confirmed by the Council's Pollution Control an assessment of risk should always be carried out by the developer, before the planning application is submitted.
44. The proposal is for a sensitive end-land-use, and significant excavations are likely as a consequence of the size of the proposal and the inclusion of a basement. The previous building on site comprised a fairly low impact dwelling with shallow foundations and the majority of the site as domestic garden. The application is supported by a preliminary Phase I assessment. No known landfill sites exist within 1000m of the location and the Phase 1 Survey concludes that no further Phase II survey is necessary. Mitigations sufficient to ensure the safe development of the site are proposed in section 5 of the Phase I and a condition to require these are implemented into any enacted scheme should be attached to any approval.

Ecology & Biodiversity

45. Core Strategy policy CG1.2 (Urban Biodiversity) seeks to safeguard and enhance biodiversity in new developments.
46. The site was cleared of all vegetation and buildings prior to the submission of this proposal, presenting a cleared site devoid of ecosystem or habitat. No substantive mitigation has been proposed for loss of trees that took place prior to the submission of the proposal, but this would be hard to secure as the removal did not require permission. The proposal offers some landscaping but this would not offer substantive habitats for any local protected species such as bats. Conditions could require mitigations such as bird boxes and bat roost eaves-boxes to be incorporated into the building, but the design of the structure does not readily lend itself to such modifications. To help augment biodiversity, a condition should require the implementation of supplementary tree planting to the rear boundary of the site.
47. Subject to the above condition in respect of rear tree planting, the proposal would satisfy the aims of policy CG1.2

Drainage & Flood risk

48. Paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Paragraph 163 of the NPPF states that when determining planning applications local planning authorities should ensure flood risk is not increased elsewhere.
49. The application site is located within Flood Zone 1 and is therefore within an area defined as having lowest risk of a flooding event occurring (less than 1 in 1,000 annual probability of flooding from rivers or the sea).
50. To avoid flash run off during rain showers it is considered appropriate to attach a condition requiring porous bound surfaces to be used for the parking areas to the front of the house. Because of the limitations of the plot, all domestic permitted development rights in respect of the new dwelling are to be removed by condition. This means that any additional non porous paving, decking, or outbuildings within the curtilage will also require planning permission in their own right.

Value Added to the Development

51. The site is large and subject to the appropriate layout and building scale being achieved, would be capable of hosting a single family dwellinghouse that was broken down to resemble 3 no. detached houses, linked with some architectural innovation. Officers discussed this matter with the applicant, but he declined to embark on such amendments, preferring one large building.
52. Notwithstanding the above, the applicant has made amendments to the scale and layout of the garage to reduce its impact on Old Earth and the street. Revised landscaping proposals have been submitted to help diminish the perception of the building's height at the corner junction of Firs Road and Shurdington Road. Some of the upper floor bulk of the building had been removed and instead provided in a ground level outbuilding to the rear along the Firs Road frontage. The proportion of first and second floor flank glazing facing north has been reduced and/or made secondary glazing. Proportions and indicative materials of the Shurdington Road facing gable features have been reduced to improve the vertical

emphasis and accentuate the residential identity of the house. Additional drawings have been provided to set the proposal in the streetscape context of surrounding buildings.

Local Finance Considerations

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

Summary

54. The proposal seeks to redevelop a large residential development plot formerly occupied by one modest house with a larger property three storeys in height. The external elevations of the proposal successfully incorporate architectural references to the variety of periods represented by houses along Firs Road and Shurdington Road. The proposal would be compatible with the existing design of dwellings in the locality in accordance with parts of local policies OA4 and CG3 and paragraph 124 of the NPPF.
55. The proposed highway, parking and access arrangements would satisfy policies S1, P5 and Appendix 3 of Bolton's Core Strategy.
56. Because insufficient space had been set aside for landscaping alongside Firs Road, the proposal remains incapable of demonstrating that a satisfactory landscaping scheme is achievable on site. Any landscaping scheme required by condition will be unable to mitigate or lessen the impact of the upper portions of the proposed building along Firs Road either at the time of construction or over the lifetime of the building. This aspect fails to satisfy the aims of part of policy OA4 and CG3.7.
57. In all other respects the proposed development would be generally compatible with the surrounding residential dwellings and would not result in unacceptable impacts on neighbouring or future occupant amenity, including privacy, in accordance with policy CG4 of the Core Strategy.

Conclusion

58. Although the building has been designed to be in keeping and respect, reflect and evolve the local vernacular, the siting of the building within the plot fails to sufficiently allow for adequate space for sufficient landscaping to grow. Abundant landscaping growing in generous space on the edge of the plot is a key feature that defines almost every other house in the area. It is true that any landscaping scheme capable of mimicking this local characteristic will take several years to become established, particularly in this case where all trees and vegetation have been removed. But in a crucial point, the lack of adequate space means that even after sufficient time, any landscaping scheme that is planted will never be able to achieve the same quantum and depth of planting that defines the majority of local domestic plots. The long-term impact of this is that the development would remain visually at odds and out-of-kilter with the prevailing character of plots and houses in the locality for the lifetime of the development. The established kerbside appearance of the local sizeable houses is diminished by substantial landscaping, space and set-backs from the public domain. Nos. 12 and 14 Shurdington have sufficient space for planting schemes to grow out, even if they have not yet reached maturity/density. If the new house were built out to this layout and position, the proposal would never overcome this aspect and would be harmful to the character of the area for a lifetime and contrary to policies OA4, CG3 and paragraph 124 of the NPPF.

59. Notwithstanding the planning merits of the scheme regarding inter-plot amenity and privacy, and the benefit to the applicant who would be able to house his family in a single dwelling, the abrupt visual impact of the proposal on the exposed Firs Road boundary would harm the established streetscene and fail to be consistent with the manner in which the majority of individual plots orientate and present themselves to the public domain via substantial landscape buffers at their boundaries. The visual dominance of the dwelling would jar with the prevailing pattern of development in this locality for the lifetime of the development, fundamentally harming its character.
60. In a balanced conclusion the benefits of the scheme do not outweigh the harms to the locality and it is recommended that the application be refused.
61. If members are minded to come to a different conclusion in respect of the previous paragraph and grant planning permission then officers recommend the application of conditions to control and regulate the other matters raised in this report, namely:
- 3 year implementation Time Limit;
 - Build in Accordance with Approved Plans;
 - Removal of Permitted Development Rights;
 - Landscaping to secure Tree planting front, sides and rear (with a maintenance and management programme for the pleached trees along Firs Road);
 - Obscure Glazing / Non opening below 1.6m FFL to flank windows;
 - Samples of all Materials;
 - Notwithstanding plans, Design Details and materials of all Boundary Treatments to be approved and implemented;
 - Requirement to use porous hardstanding;
 - Class C3 restriction (no Permitted change to any other C-Class use);
 - CEMP;
 - Implementation of Phase 1 (Contamination) Mitigations; and
 - Standard range of highways conditions, regarding access, parking, visibility, and closing-up redundant access

Representation and Consultation Annex

Representations

Letters:- Objections have been received from at least 20 local households on surrounding roads.

- Plans are inaccurate and do not show correct site levels;
 - Hard to place house in context of area as no streetscene drawings were provided;
 - Totally out of character with local housing stock;
 - Overbearing, much higher than surrounding dwellings;
 - Height will cause loss of light to neighbouring windows and blight the view;
 - Position of house and windows will compromise privacy;
 - Position and presence of balconies will undermine privacy to neighbouring houses;
 - Size of property seems excessive for one family, concerns that building will operate as care home, HMO or meeting place, and will generate unreasonable levels of noise and activity;
 - Size of property will generate car parking needs for 8 cars, with site incapable of hosting, causing overspill onto road;
 - Road is already heavily used by tradespeople parking their vans while having their lunch;
 - Two access points seems excessive and will reduce parking and cause a danger to pedestrians;
 - Future ability to extend the property in any way should be legally removed;
 - Public opinion on design should outweigh that of planning officers and committee members;
-
- Complaints that Website Portal for comments has not always allowed comments to be submitted;
 - Concerns that trees were removed without permission, resulting in no established screening;
 - Concern that neighbours were not consulted on all iterations of plans; and
 - Demolition has taken place without consent from the Council;

Non Planning objections:

- Size and appearance of proposal will harm values of surrounding houses, inhibiting sale and price;
- Applicants have no regard for the existing neighbours; and
- Offensive and inappropriate comments have been received from one neighbour.

Officer comments: - The application has been amended several times, with reconsultation taking place each time. The portal for submitting online comments has thus re-opened and closed in tandem with this process as is Council procedure. Neighbours have nonetheless been able to submit comments via the case officer or departmental email address throughout this process. Applicant provided streetscene drawings showing levels. Highways was reconsulted on the revised levels information with regards to the second access point to the rear of the site, returning no concerns. The site is not in a Conservation Area, nor were any of the trees protected by a TPO. As such no permissions were needed from the Council for removal of the trees. With regards to the demolition of the house, A Prior Notification Application was submitted (06200/19) and approved detailing the demolition method.

Petitions: - None

Elected Members: - The applicant has written directly to several Councillors, none of which

have registered any comments with the Planning Service.

Consultations: - Advice was sought from the following consultees: Greenspace Neighbourhood Services; Highways & Engineering; United Utilities; Pollution Control

Planning History

06200/19 - Prior Notification of proposed demolition of existing two storey building - Approved 25 July 2019

01614/17 - Demolition and Erection of detached house and detached garage with hobby room in roofspace together with relocation of access to firs road – Withdrawn 06 Sept 2017

Recommendation: **Refuse**

Recommended Conditions and/or Reasons

1. With insufficient space available to host or grow a landscaping scheme of sufficient depth and height along the Firs Road Boundary to satisfactorily screen the proposed dwelling, the proposal would have an abrupt visual impact on the junction of the two roads bounding the site and fail to be consistent with the manner in which the majority of individual plots orientate and present themselves to the public domain via substantial landscape buffers at their boundaries. The proposal would thus remain visually at odds with prevailing pattern of development and the local streetscene character for the lifetime of the development and this would be contrary to Core Strategy policies OA4, CG3 and paragraph 124 of the NPPF.

PLANT SCHEDULE

TREES		Size/Specification
No.	Species	
3	Acer campestre	14-16cm girth EHS RB
1	Acer griseum	14-26cm girth EHS RB
1	Malus sp.	14-16cm girth EHS RB
18	Tilia x euchlora	180cm clear stem
HEDGES & SHRUBS		180cm frame
No.	Species	Height/Specification
48	Buxus sempervirens arborescens	40-60cm 2L PG
7	Pyracantha 'Orange Glow'	80-100cm 3L PG
SPRING BULBS		
No.	Species	
50	Galantus nivalis	
50	Narcissus pseudonarcissus	

KEY: RB=Rootballed/root wrapped PG=Container/pot grown L= litre pot size EHS=Extra Heavy Standard tree

Trees (Extra heavy standards)



Trees (Pleached Limes)



Box Hedge



Proposed Lawn



Spring Bulbs



NOTES:

All plant material should comply with the minimum requirements of BS 3936 1-1992 'Nursery stock. Specification for trees and shrubs'. Material to be procured, handled and maintained in accordance with best practice in BS 8545: 2014 'Trees: from nursery to independence in the landscape'.

Extra Heavy Standard trees (EHS) to be supplied rootballed and supported with 2 no. tanalised softwood square stakes, cross member and appropriate ties. Pleached Lime trees (Tilia) to be supplied by a specialist tree nursery such as Barcham (or similar). The Malus (Apple) of a local provenance species.

Tree pits to be approximately 1 x 1 x 1 deep and the base of the pit to be broken up to a depth of 150mm to aid drainage where necessary. Backfilled with a minimum of 300mm broken up sub-soil with 300mm of lightly compacted top soil.

Buxus (Box) hedge to be planted in a single row at 300mm spacings.

Grass and reinstated areas shall be excavated to remove compaction and builder's rubble etc. and have a minimum of 150mm of topsoil over a minimum of 150mm of loose and free draining sub soil and cultivated to a fine lith. Planting areas to have a minimum of 150mm of topsoil over a min of 150mm of loose and free draining sub soil.

If heavily clayed, include approx. 200m depth of a mixture of sand, silt and 50% organic matter and mix well into planting area and tree pit backfill.

New grass areas or areas to be made good by using good quality meadow turf or sown with Germinall A19 'All Purpose Landscape seed mix' (or similar) sown at 50g m2 suitable for clay soils. If necessary, imported soils shall conform to BS 3882: 2015.

The gravel area to be constructed with no fines aggregate (pea gravel or similar) over a permeable base incorporating a weed suppressant membrane. Retain gravel edges with timber boards & driven timber pegs to grass borders.

For pleached trees and other areas where trees are located adjacent to services or structures, install an approved root barrier such as Green-Tech or GreenBlue (or similar) installed in accordance with the manufacturers recommendations.

Spring bulbs to be planted randomly in 5 to 7 same species within the grass around trees.

All shrubs, trees & hedge planting shall be maintained weed free. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.



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Client:

Mr. Kantilal Khimani

Project:

Firs Road/Shurdington Road, Over Hulton, Bolton

Dwg Title:

Landscape Proposals

Scale

1:250@A3

Date

09/20

DB

AC

Dwg No

ACLA/BLK 01

Rev

A

FIRS ROAD

SHURDINGTON RD.

Old Earth

Garage

Dwelling

Timber decking

New drop kerbs

18 Tilia x euchlora (pleached trees)

Ex. footpath

2m high brick pillars with reconstituted/natural stone copings. 1.2m high red brick wall infill with 0.8m high solid composite fence panels above

Root protection barrier along inner edge of wall foundations

Post Box

Road name

1 Acer campestre

New drop kerbs

48 Buxus semp. arborescens

Tactile paving (permeable construction. Max fall 1:12)

reconstituted/natural stone copings. 1.2m high red brick wall infill with 0.8m high solid composite fence panels above

1 Acer campestre

Root protection barrier along inner edge of wall foundations

1 Acer campestre

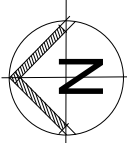
1 malus sp. (local provenance)

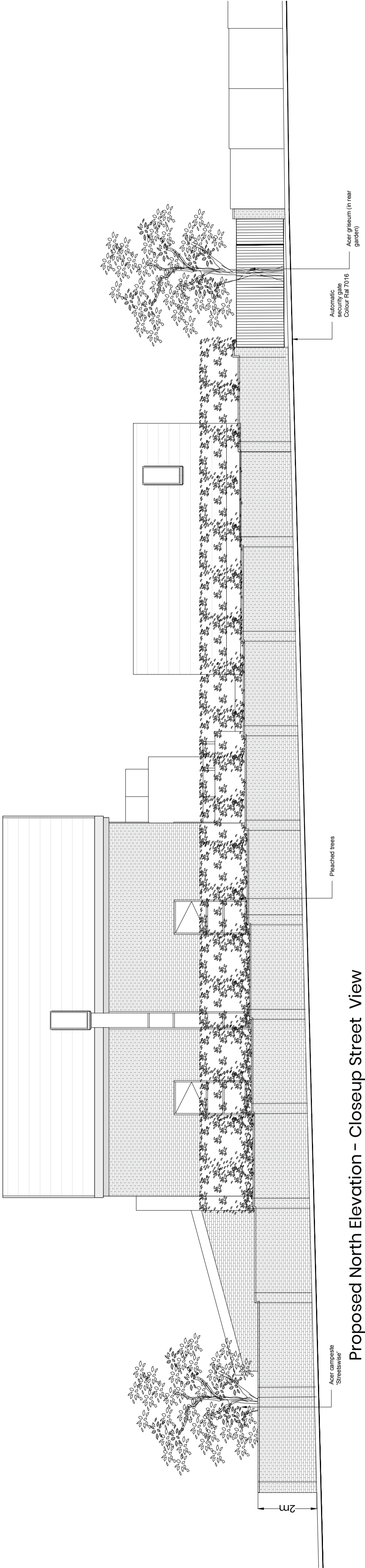
Bulbs in grass

1 Acer griseum (feature tree)

Bulbs in grass

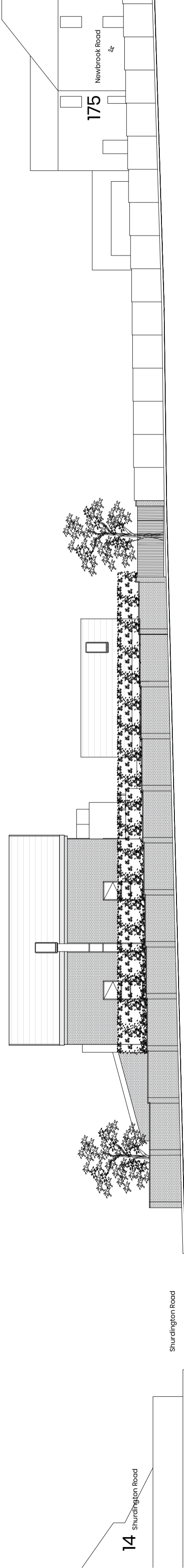
Retain/refurbish boundary 1.8m high timber fencing





Proposed North Elevation - Closeup Street View

Scale 1:100 @ A2



Proposed North Elevation - From Firs Road

Scale 1:200 @ A2



Photos of the existing site

General Notes:

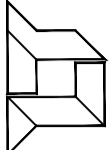
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Rev	Description	Date	By	App'd by
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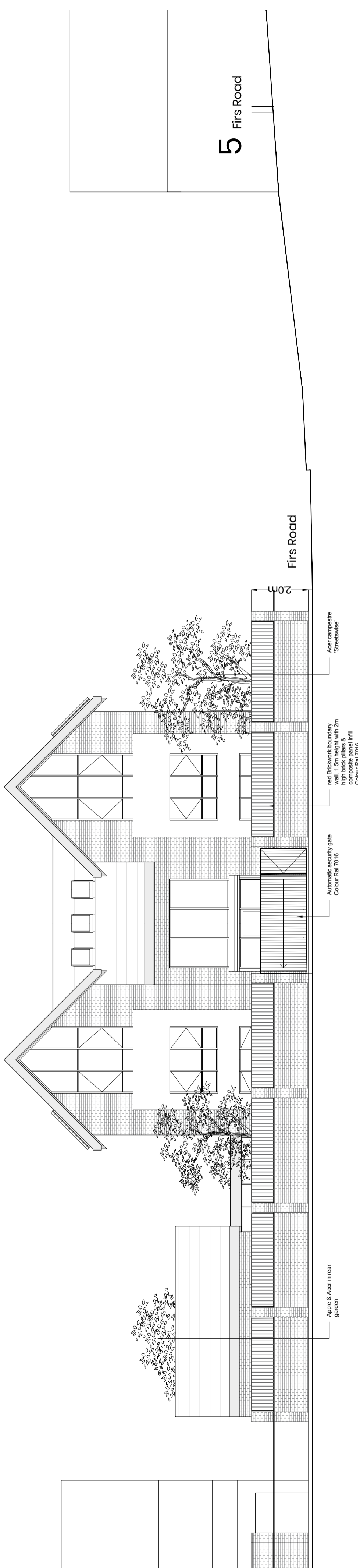


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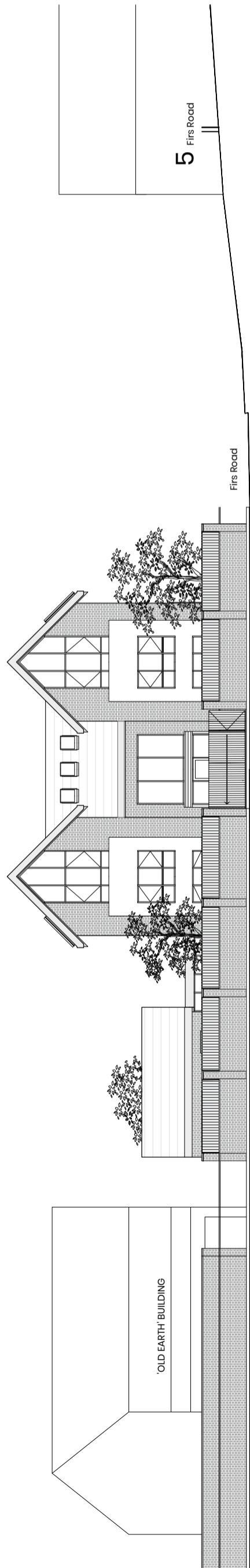
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Project	Firs Road		
drawing	Proposed Street Elevation I		
project number	193302	scale	VARIES @ A2
drawing number	PL_205	rev	B
issue status	PLANNING	rev	B

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Proposed East Elevation - Closeup Street View

Scale 1:100 @ A2



Proposed East Elevation - From Shurdington Road

Scale 1:200 @ A2



Photos of the adjacent properties

General Notes:

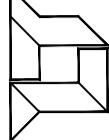
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	Rev	Description	Date	BC	AM
-		PLANNING	26.03.20	BC	AM



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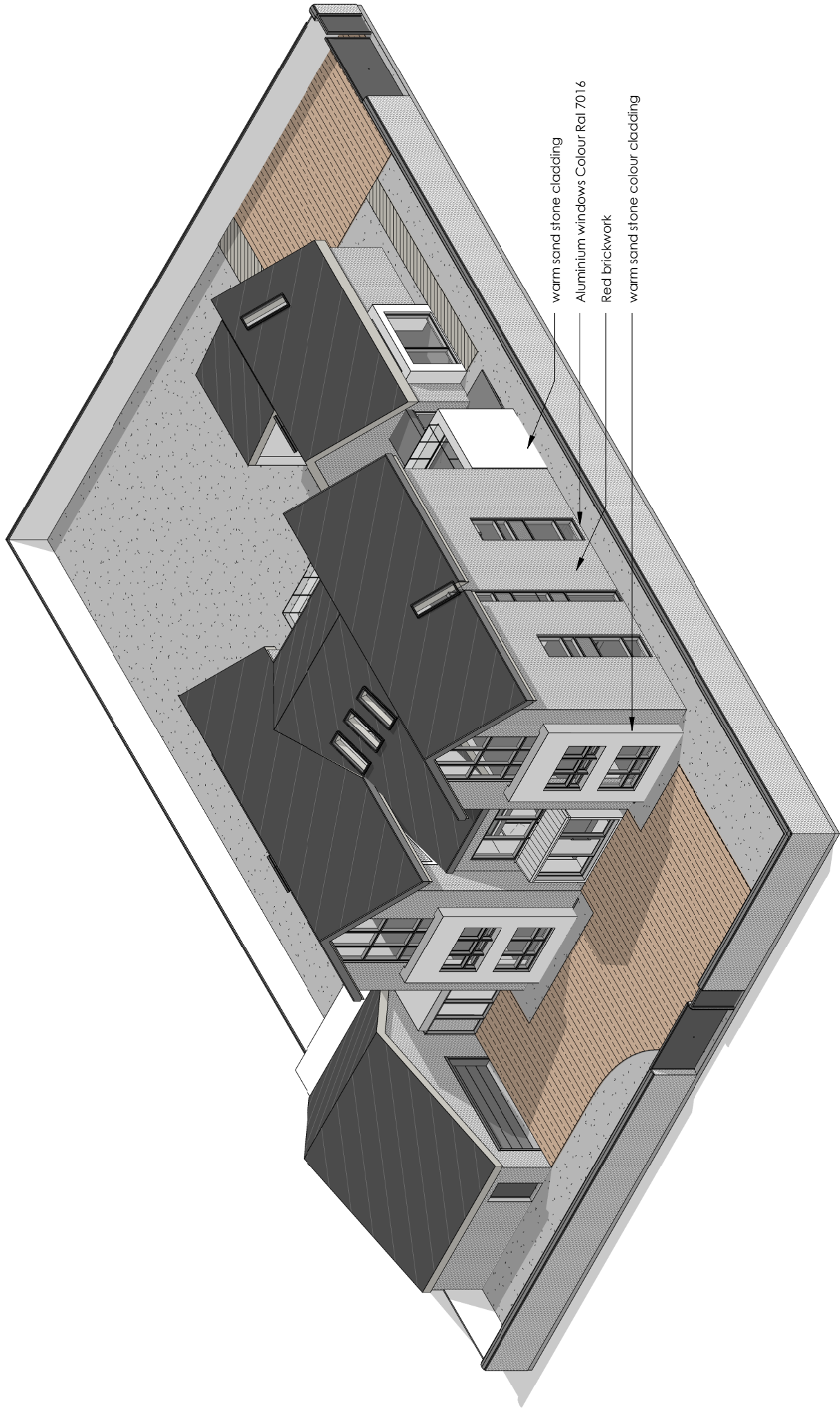
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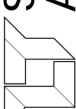
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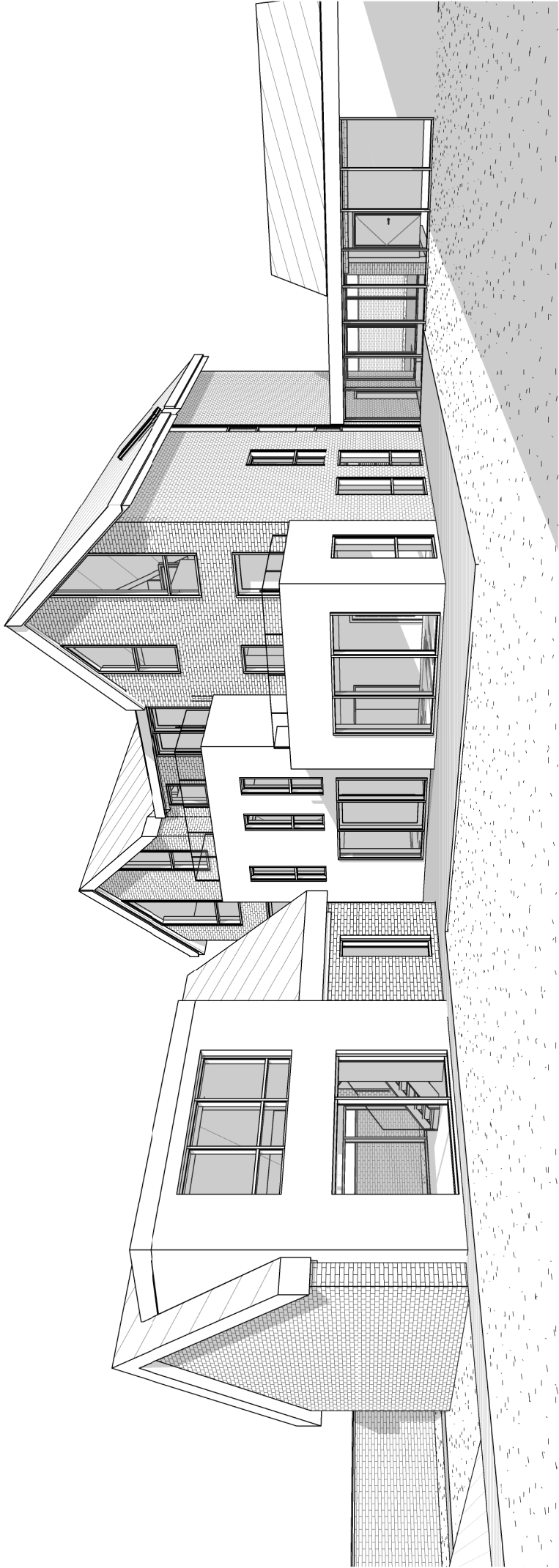
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project	Firs Road		
drawing	Proposed Street Elevation II		
project number	195302	scale	VARIES @A2
drawing number	PL-206	rev	B
		issue status	PLANNING

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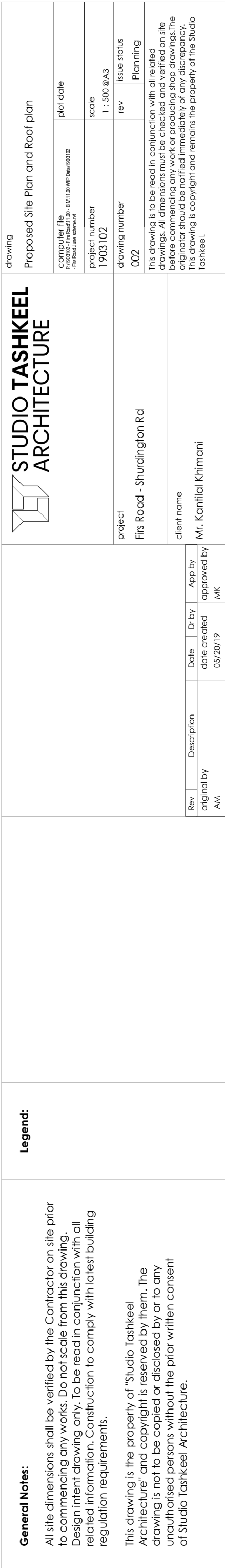


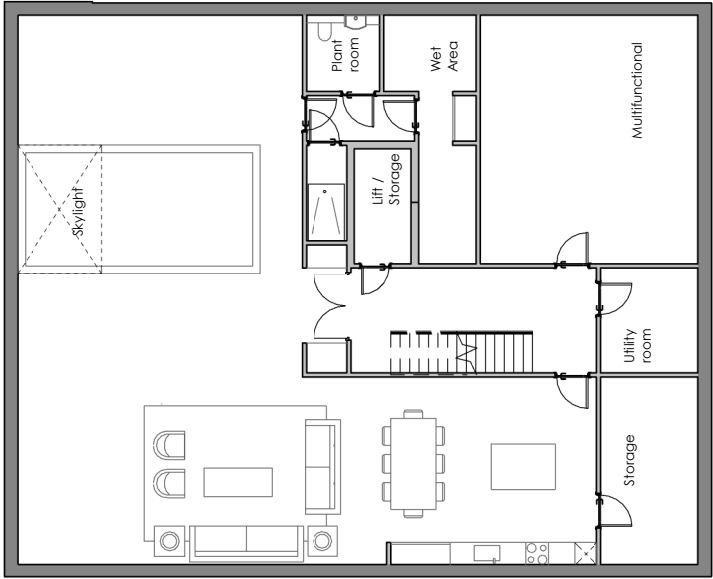
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	project number 1903102		drawing number 900-03		scale @A3	
	project Firs Road - Shurdington Rd		drawing number 900-03		issue status Draft	
	client name Mr. Kantilal Khimani		This drawing is to be read in conjunction with all related drawings. All dimensions must be checked and verified on site before commencing any work or producing shop drawings. The originator should be notified immediately of any discrepancy. This drawing is copyright and remains the property of the Studio Tashkeel.			

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				AM					04/02/19	MK



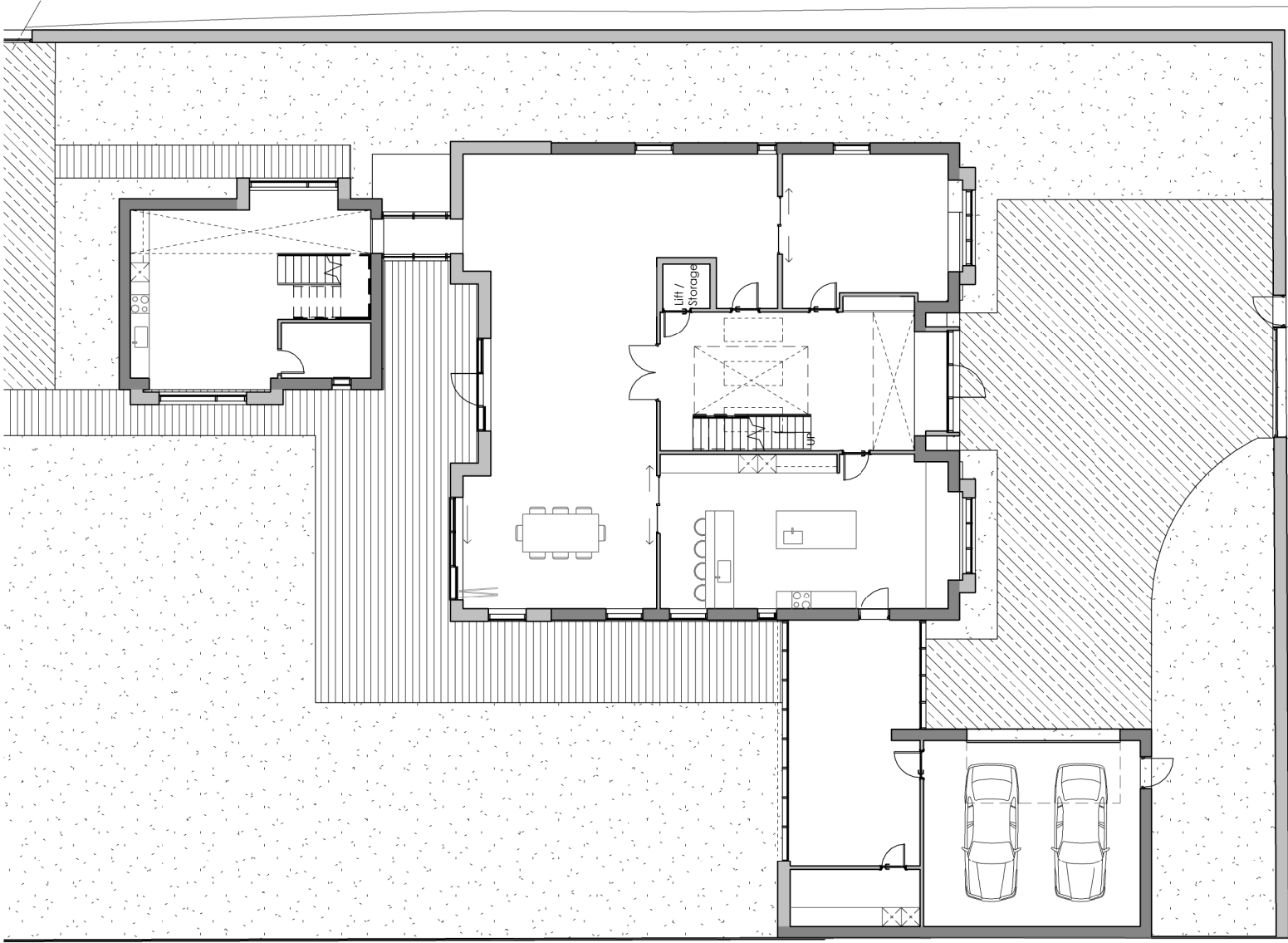
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00 - LEVEL_Basement

1 : 200



01 - LEVEL_Ground Floor

1 : 200

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Legend:



drawing

Ga Plans

computer file
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plot date

project number
1903102

scale

1 : 200 @A3

drawing number
100-01

rev

issue status

Planning

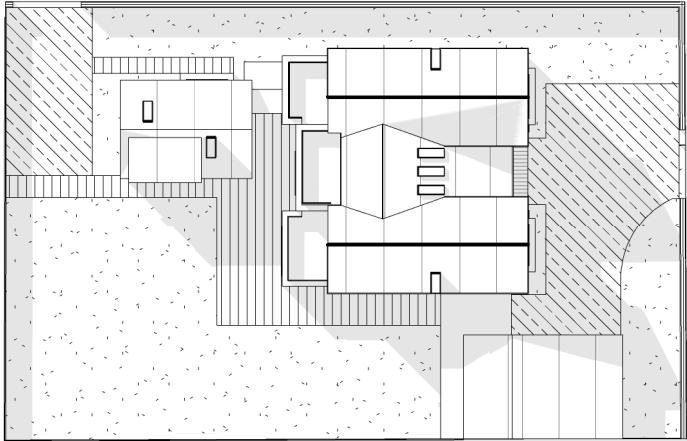
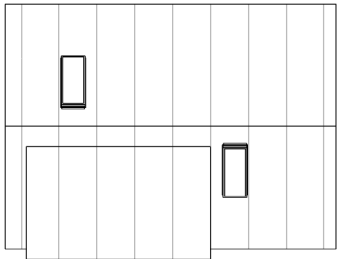
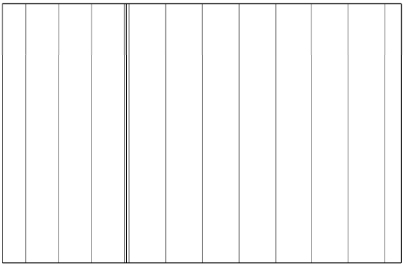
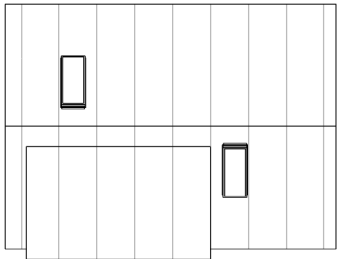
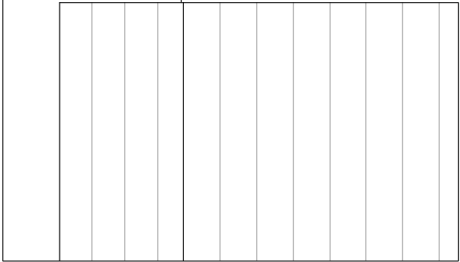
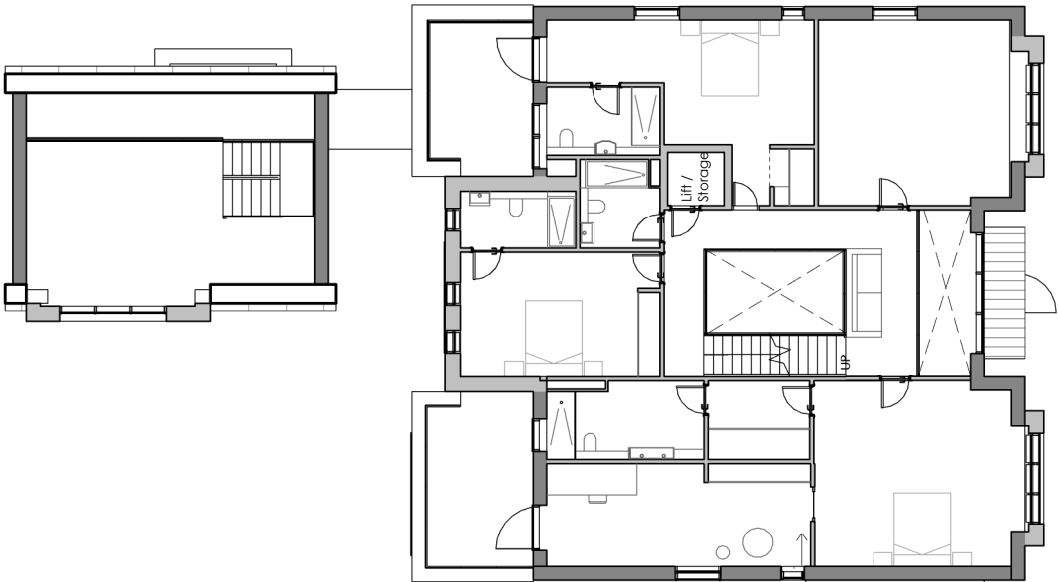
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client name

Mr. Kantilal Khimani

Firs Road - Shuradigton Rd

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Roof plan
1 : 500

02 - LEVEL_First Floor

1 : 200

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Legend:

03 - LEVEL_Second Floor

1 : 200



drawing

Ga Plans

computer file
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plot date

project number
1903102

scale
As indicated

drawing number
100-02

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issue status
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project
Firs Road - Shuradington Rd

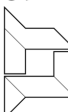
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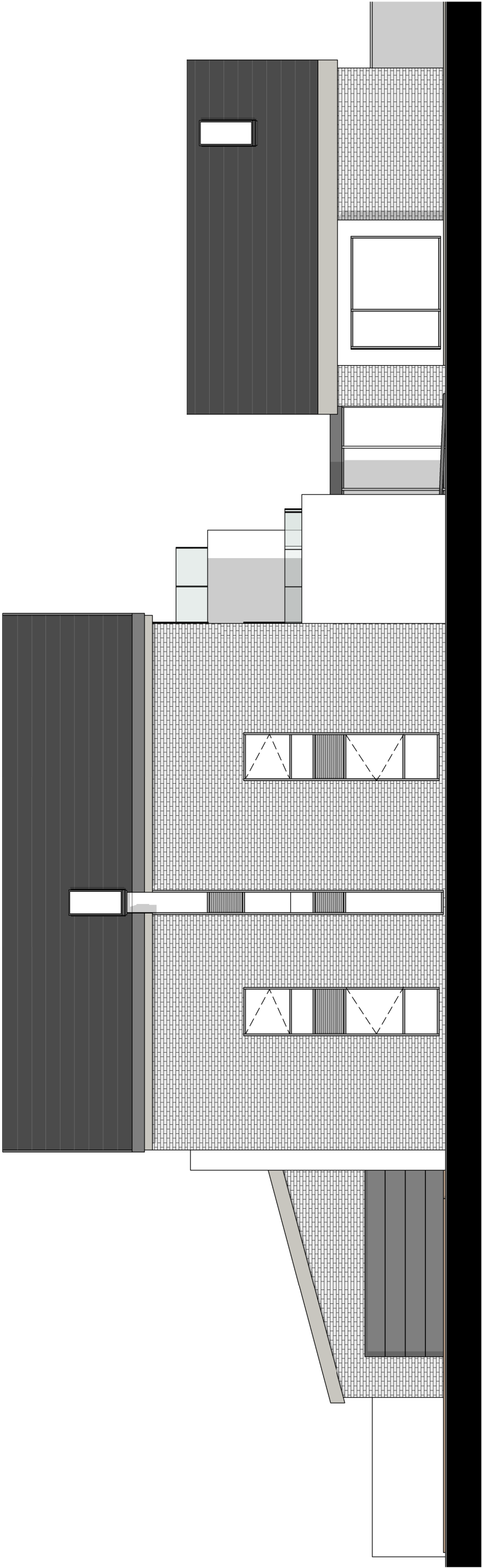
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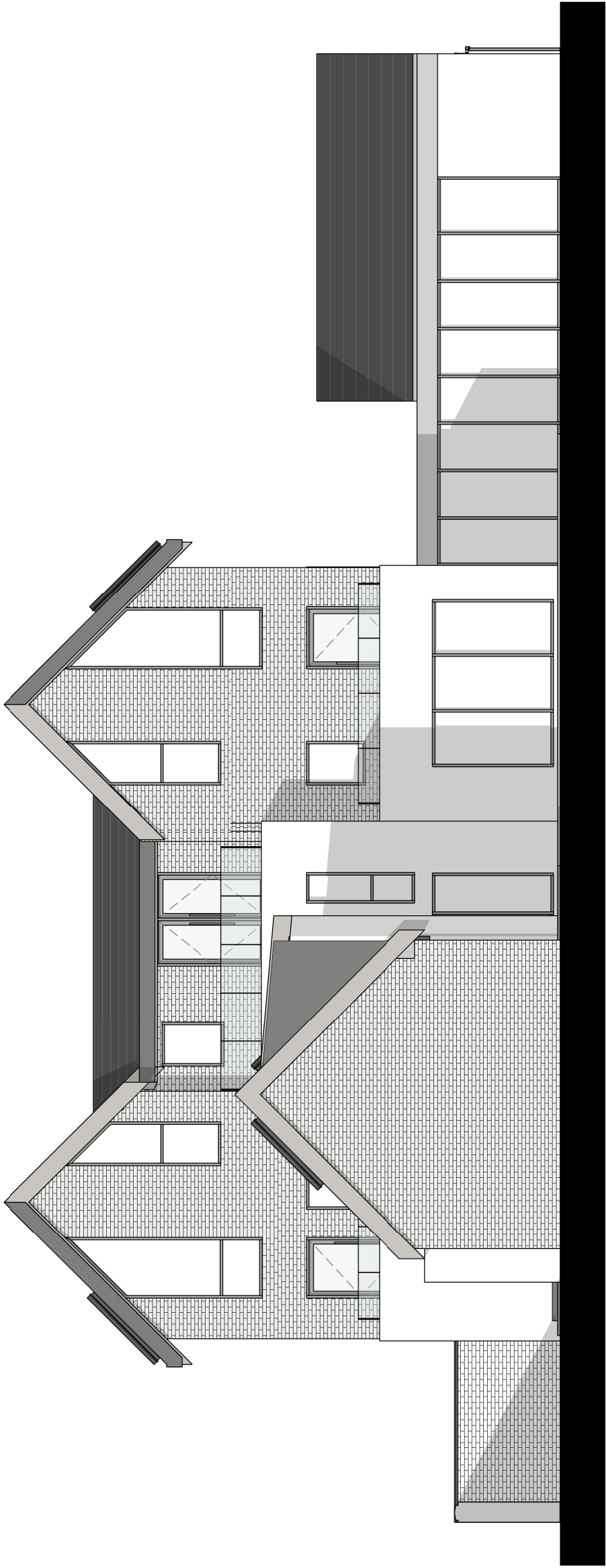
Front Elevation - East
1 : 100

<div><div></div><div>STUDIO TASHKEEL ARCHITECTURE</div></div> <div><div>drawing</div><div>Front Elevation -East</div></div> <div><div>Computer file P:\1903102 - Firs Road\11.00 - BIM\11.00 WIP Draw\1903102 - Firs Road - Jumeirah Apartment</div><div>plot date</div></div> <div><div>project number 1903102</div><div>scale 1 : 100 @A3</div></div> <div><div>project Firs Road - Shurdington Rd</div><div>drawing number 200-01</div><div>issue status Planning</div></div> <div><div>client name Mr. Kantilal Khimani</div><div>This drawing is to be read in conjunction with all related drawings. All dimensions must be checked and verified on site before commencing any work or producing shop drawings. The originator should be notified immediately of any discrepancy. This drawing is copyright and remains the property of the Studio Tashkeel.</div></div>	<div><div><p>General Notes:</p><p>All site dimensions shall be verified by the Contractor on site prior to commencing any works. Do not scale from this drawing. Design intent drawing only. To be read in conjunction with all related information. Construction to comply with latest building regulation requirements.</p><p>This drawing is the property of "Studio Tashkeel Architecture" and copyright is reserved by them. The drawing is not to be copied or disclosed by or to any unauthorised persons without the prior written consent of Studio Tashkeel Architecture.</p></div></div>	<div><p>Legend:</p></div>	<table><tr><td>Rev</td><td>Description</td><td>Date</td><td>Dr by</td><td>App by</td></tr><tr><td>original by AM</td><td></td><td>date created 04/02/19</td><td></td><td>approved by MK</td></tr></table>	Rev	Description	Date	Dr by	App by	original by AM		date created 04/02/19		approved by MK
			Rev	Description	Date	Dr by	App by						
			original by AM		date created 04/02/19		approved by MK						



Side Elevation - North
1 : 100

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Rear Elevation - West
1 : 100

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Legend:



STUDIO TASHKEEL
ARCHITECTURE

project
Firs Road - Shuradigton Rd

client name
Mr. Kantilal Khimani

drawing

Rear Elevation - West

computer file
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plot date

project number
1903102

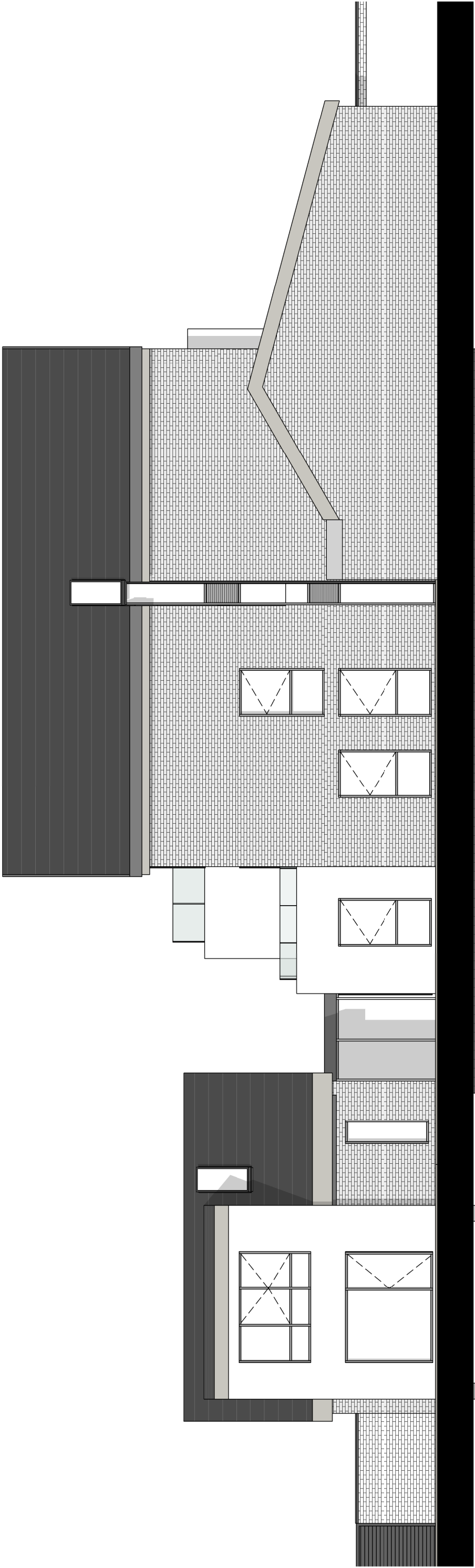
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200-03


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Planning

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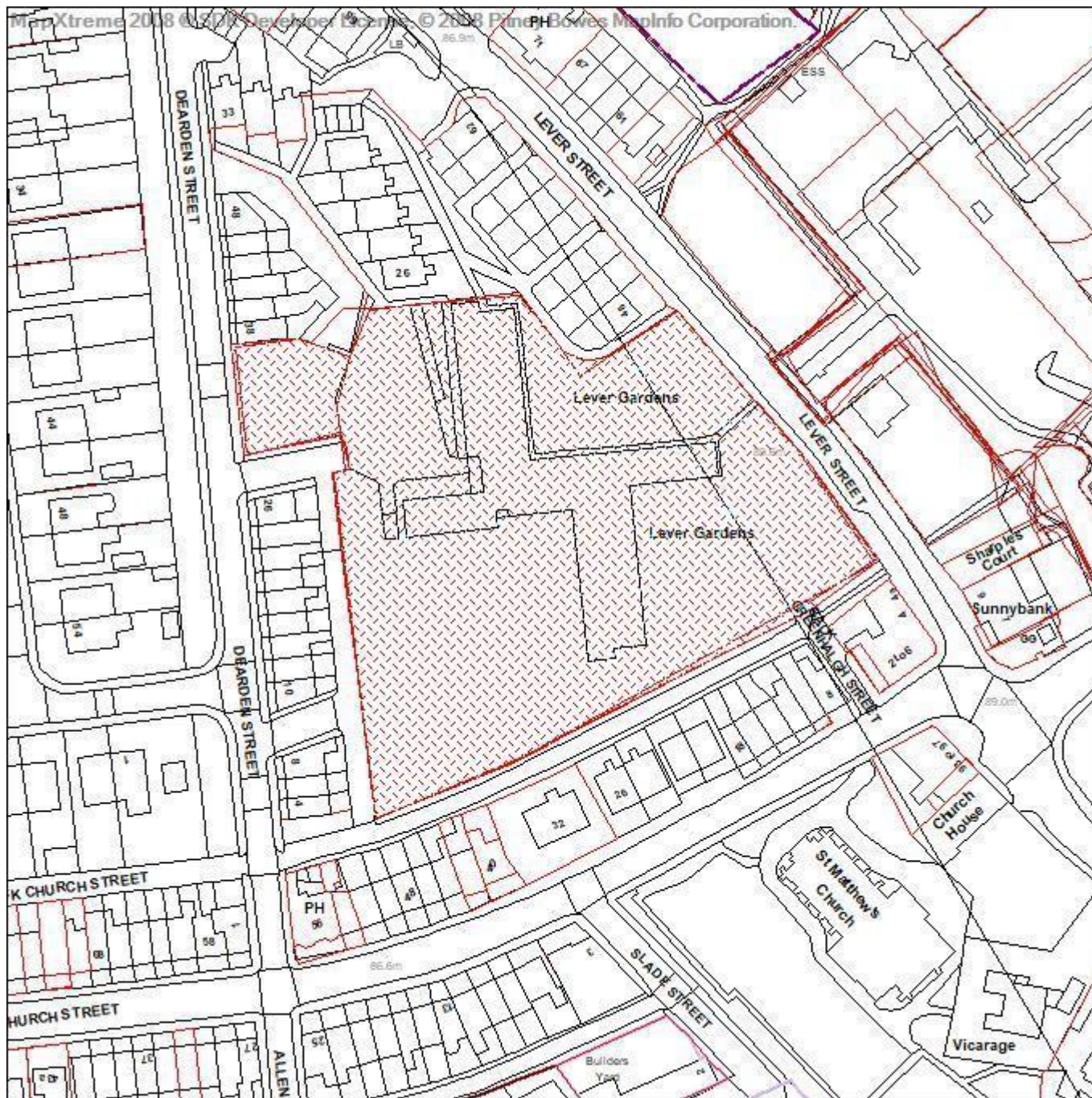
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Side Elevation - South
1 : 100

<div>drawing</div> <div>Side Elevation - South</div>	<div><div></div><div>STUDIO TASHKEEL ARCHITECTURE</div></div>	<div>project</div> <div>Firs Road - Shurdington Rd</div>	<div>client name</div> <div>Mr. Kantilal Khimani</div>	<div>Rev</div> <div>original by</div> <div>AM</div>	<div>Description</div>	<div>Date</div> <div>date created</div> <div>06/04/19</div>	<div>Dr by</div> <div>approved by</div> <div>MK</div>	<div>App by</div> <div>approved by</div> <div>MK</div>	<div>computer file</div> <div>P:\1903102 - Firs Road\11.00 - BIM\11.00\WIP Dwg\1903102 - Firs Road June scheme.rvt</div>	<div>plot date</div>			
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Application number 08816/20



Directorate of Place
Development Management Section

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

Bolton Council

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Date of Meeting: 12/11/2020

Application Reference: 08816/20

Type of Application: Full Planning Application
Registration Date: 27/07/2020
Decision Due By: 25/10/2020
Responsible Officer: Jodie Turton

Location: LEVER GARDENS, LITTLE LEVER, BOLTON, BL3 1HL

Proposal: ERECTION OF EXTRA CARE ACCOMMODATION COMPRISING 62NO APARTMENTS AND 6NO BUNGALOWS, BISTRO, STAFF FACILITIES, COMMUNAL AREAS AND ANCILLARY ACCOMMODATION TOGETHER WITH ASSOCIATED PARKING AND LANDSCAPING.

Ward: Little Lever and Darcy Lever

Applicant: Bolton at Home

Agent : Pozzoni

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- The application proposes the erection of a part 2-storey, part 3-storey extra care building which will comprise of 62 apartments, as well as a bistro and communal areas for the residents. Six 2-bedroom bungalows are also proposed. The development is to be delivered by Bolton at Home.
- The site is close to the centre of Little Lever and accessible to the shops and local amenities.
- The site formerly accommodated a sheltered housing scheme and is allocated for housing in the Bolton Allocations Plan (54SC).
- The buildings are well designed and will sit comfortably within the established character of the area (paras 20-24).
- The extra care apartments have been designed to meet the Nationally Described Space Standards (para 37).
- A large, accessible amenity area will be provided to the rear of the extra care building, as well as balconies for the majority of apartments. The bungalows all have private rear gardens (para 38).
- The development has been designed to accord with interface distance guidance (para 39).
- The development will result in the loss of trees from the site, notably a Category A Willow tree on the Lever Street frontage. Officers have worked with the Applicant to retain trees where possible (paras 28-31).
- Landscaping will be required to mitigate for the loss of trees on the site (para 31).
- Access will be from the existing vehicular access off Dearden Street.
- Thirty three parking spaces are proposed for the extra care facility, which complies with maximum parking space guidance. On space per dwelling is proposed for the bungalows, which

falls below the parking space guidance. The site is sustainably located, close to the centre of Little Lever (paras 46-47).

- No infrastructure contribution is required as the development falls within the C3 use class (para 52-53).
- The proposal complies with policy with regard to sustainable construction, flood risk/drainage, land stability and contaminated land (paras 55-58).
- The site is before Committee for decision as although the site is owned by Bolton at Home, Bolton Council have made a capital contribution to the scheme and will provide some care element at the scheme (para 7).
- One letter of comment has been received from a nearby resident.
- The application is considered to comply with policy and Members are recommended to approve the application subject to recommended conditions.

Proposal

1. The application proposes the erection of an extra care unit close to the centre of Little Lever District Centre. The facility and bungalows are being developed and operated by Bolton at Home.
2. A large purpose built building will provide 62 apartments, comprising fifty-three 1-bedroom units and nine 2-bedroom units. The apartment building will also include communal facilities, comprising a large lounge and bistro open space and additional communal lounges distributed at locations throughout the building. In addition, six 2-bedroom bungalows are proposed.
3. Access to the site is from the existing pedestrian and vehicular access off Dearden Street. Thirty-nine car parking spaces are proposed: 33 for the extra care apartments (53% provision) and 6 bungalow parking spaces – one per dwelling.
4. The extra care building is largely three-storey, with a two-storey section facing Lever Street due to the increase in site levels towards the Lever Street frontage. The building has been designed in a U shape with a central section facing onto the car park and two wings at either side, one facing Lever Street and the other Dearden Street. This will create a central, private garden area to the rear of the building, which will benefit from natural surveillance from the overlooking apartments. Access to the gardens will be from the ground floor communal lounge at the rear of the building. Each apartment will have either a private balcony or for ground floor units, a private patio area.
5. The bungalows are to be sited in the north eastern section of the site, close to existing residential units which will form part of the wider Bolton at Home complex. Two of the bungalows will face directly onto Dearden Street, adjacent to the site access. The other four dwellings are sited within the complex and will face to the south, onto the car park. Each bungalow will have a dedicated parking space and a private garden to the rear.
6. The site is allocated for housing in the Allocations Plan (54SC).
7. The site is before Committee for decision as although the site is owned by Bolton at Home, Bolton Council have made a capital contribution to the scheme and will provide some care element at the scheme.

Site Characteristics

8. The site was formerly a 24 unit sheltered housing scheme, which was recently demolished. The site is currently vacant, having been cleared of previous buildings in 2019.
9. The site is situated to the north west of Little Lever town centre and is bound by Dearden Street to the west, Lever Street to the east and Back Dearden Street to the south. The application site

forms part of a wider residential social housing site, with the previous sheltered housing building having been demolished, however the bungalows in the northern section of the site have been retained. The total site area is 1.2ha, of this 0.84 ha forms the development site subject of this application.

10. The topography of the site is varied, with the eastern side along Lever Street being over 3 metres higher than the west where the site joins Dearden Street.
11. There are a number of trees on the site, with the majority along the south and west boundaries and notably a mature willow tree on Lever Street.

Policy

The Development Plan

Core Strategy: CG1 Cleaner and Greener, CG2 Sustainable Development, CG3 Built Environment, CG4 Compatible Uses, OA6 Little Lever and Kearsley, SC1 Housing, P5 Accessibility, S1 Safe Bolton and Appendix 3 - Parking Standards.

Other material considerations

National Planning Policy Framework (NPPF)

National Planning Policy Guidance

Living with Beauty, January 2020

Technical housing standards - nationally described space standard

Draft Greater Manchester Spatial Framework (2019) - The status of the draft GMSF is as follows: The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016. A revised consultation draft was published in January 2019. The weight to be given to the GMSF as a material consideration will normally be limited given the early stage in the adoption process.

SPD General Design Principles

SPD Accessibility, Transport and Road Safety

SPD Sustainable Design and Construction

Analysis

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

13. The main impacts of the proposal are:-

- * principle of development
- * impact on the character and appearance of the area
- * impact on trees and biodiversity

- * impact on residential amenity
- * impact on the highway and parking
- * other matters

Principle of Development

14. The site is allocated in Bolton's Allocations Plan as a housing site (54SC). The site was formerly used for sheltered housing accommodation. Bolton at Home in conjunction with Bolton Council have identified a need for extra care residential accommodation in the local area. The site was identified as a future development site in the recently consulted on Little Lever Masterplan.
15. A letter of support has been received from Strategic Housing stating that, *"In December 2019 Bolton Council formally approved our housing strategy for older people. ... One aspect of the strategy is to develop a range of new housing for older people, Extra Care is one priority. As our population ages we will see a huge increase in the number and ratio of people over the age of 65. Extra Care offers people the chance to live independent lives whilst at the same time can benefit from support services as required. This development will be at the heart of the community and will be a resource for the whole community. It also fits our strategy as it will see the re-development of an existing scheme which does not have long-term viability."*
16. The principle of the residential development of the site is therefore already established and the proposal will contribute to a much needed accommodation type in the local area.

Impact on the Character and Appearance of the Area

17. 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.
18. Local area policy OA6 of the Core Strategy seeks to concentrate sites for new housing within the existing urban area (OA6.3), conserve and enhance the character of the existing physical environment (OA6.9) and respect and enhance the built form and pattern of existing development (OA6.10).
19. The proposal comprises of two main elements, a large format residential extra-care building and six 2-bedroom bungalows.
20. The bungalows are to be sited to the north of the extra care building, two facing the site entrance (Dearden Street) and four facing the extra care building. There are other existing bungalows sited to the rear (north) of these which form part of the wider site. The layout allows for the bungalows to benefit from private residential gardens, whilst being close to the site access and car park for accessibility issues. The position of the bungalows will maximise natural surveillance and provide a positive relationship with the extra care accommodation and the facilities offered here for residents.
21. The bungalows are modest in design, utilising red and buff brick to add interest to the elevations and the fenestration is well proportioned. The bungalows are single storey (no dormers), gable features to the front elevation will add elevational interest and the rear elevations incorporate french doors to maximise light and accessibility to the gardens. The bungalows are considered to be well designed and reflective of their local setting.
22. The extra care building is a large format, flat roof building which has been designed in a

horseshoe formation, with a large frontage facing into the site onto the car park and facing the proposed bungalows. Two wings will extend to the rear of the building from the eastern and western sides. The layout of the building will result in a large private garden area to the rear (south). The proposed building is largely three storeys, however due to the levels change to the east towards Lever Street, the building will be two-storey along this frontage.

23. Overall, the building is well designed, the large windows and balcony details will serve to break up the long frontages. The frontage facing Lever Street has been designed to appear as a modern terrace, the fenestration detail will provide good vertical emphasis and the pitched roof on this section of the building will enhance the more residential terrace appearance.
24. The Council's Design Officer has been consulted on the proposal and they consider the proposal to present a well designed and considered layout which respects the character of the area. They do raise some reservations about the flat roof and feel this should be pitched which would be consistent with other buildings in the area. However it is acknowledged that the frontage facing Lever Street does benefit from a pitched roof and the other elevations face largely internally within the site.
25. A Crime Impact Statement has been submitted with the application recommending various security measures which will be built into the design of the buildings, complying with Core Strategy policy S1.
26. The proposal is considered to comply with Bolton's Core Strategy policy CG3 and SPD General Design Principles.

Impact on Trees and Biodiversity

27. Core Strategy policy CG1.2 seeks to, "safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees ... from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats."
28. The site benefits from 31 trees, a majority of which are in good condition and worthy of retention. There are some trees within the central area of the site, however a large proportion of the trees are clustered around the perimeter of the site, along the boundaries with Back Dearden Street and Back Church Street, as well as a very prominent and mature Willow tree on Lever Street.
29. The original submission showed the removal of a large proportion of trees on the site. Officers have worked with the Applicant to make amendments to the layout of the scheme to ensure the retention of a good proportion of the trees. There are some trees within the centre of the site, however it was accepted that these will be lost due to the redevelopment of the site.
30. Unfortunately, the layout proposed will result in the loss of the category A Willow tree on Lever Street, which does make a valuable contribution to the streetscene and the environment of Lever Street. Officers have accepted this loss as to retain this tree would result in a quite significant redesign of the scheme.
31. An amended landscape plan has been submitted which at the time of writing is being assessed by the Council's Tree and Landscape Officers to ensure that sufficient replacement tree planting is proposed, as well as adequate landscaping proposals across the site. Comments will be reported to Members at the meeting.
32. A Preliminary Ecological Appraisal has been submitted with the application. The Council's

Greenspace Officer has reviewed this and identifies opportunities for enhancement and development of habitat is suggested with tree planting, hedgerow creation, long grass habitat and bat roost provision. A condition will be required to secure the biodiversity benefits as well as encouraging the introduction of native trees within the new tree stock and native hedgerow. Further details of the biodiversity benefits and biodiversity enhancements will be secured by condition.

33. Recognising the benefits to housing provision and the need for the type of accommodation proposed, on balance, the proposal is considered to comply with policy in this respect.

Impact on Residential Amenity

34. 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, nor cause detrimental impacts upon water, ground or air quality.
35. Policy S1 of the Core Strategy seeks to ensure that the design of new development takes into account the need to reduce crime and the fear of crime. Policy RA2.17 seeks to ensure that development, "make[s] efficient use of land in inner Bolton due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach."
36. SPD General Design Principles sets out the Council's minimum interface standards between dwellings and amenity space standards.
37. The apartments have been designed to meet the Nationally Described Space Standards.
38. The layout of the building will result in a large private garden area to the rear (south) which will provide private and useable amenity space for future residents. In addition, most of the apartments will have access to a private balcony. The proposed bungalows will have private rear gardens.
39. The development has been designed to meet interface distances. There is a distance of approximately 24 metres from the rear of properties on Dearden Street and the facing elevation of the apartment building which contains principal room windows, this distance is policy compliant. Interface distances are exceeded to the rear of properties on Church Street. Within the site, there is a minor shortfall between the apartment building and the bungalows at plot 5 and 6, a distance of 21.8m has been achieved, however due to the 3-storey height of the apartment building this should be 24m. This is however a minor shortfall given that it is within the site and divided by the car park, as well as the apartment building being flat roofed which will reduce any loss of light.
40. As the apartment scheme will include a communal lounge/bistro a scheme for odour and flue will be required for submission via condition.
41. Bin storage is sited close to the main entrance of the extra care building and a second bin store close to the site entrance. The size and location of the bin stores are adequate for the bin requirements of the development.
42. The proposal complies with Bolton's Core Strategy CG3 and SPD General Design Principles.

Impact on Highways and Car Parking

43. Policy P5 of the Core Strategy states that the Council will ensure that development takes into account [amongst other things] accessibility by different types of transport, prioritising pedestrian, cyclists, public transport users over the motorised vehicles users, servicing arrangements and parking. Policy S1.2 seeks to promote road safety in the design of new development. Appendix 3 of the Core Strategy sets out the Council's maximum parking standards.
44. Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
45. The development proposes 33 parking spaces for the extra care facility and one space per dwelling for the bungalows. In addition, secure cycle parking is proposed. Access to the development is from the existing vehicular access from Dearden Street.
46. A Transport Statement has been submitted with the application and has been assessed by the Council's highway engineers. Engineers confirm that, *"The TS appears robust in its assessment and appears to indicate that the level of associated traffic impact will be minimal when off-set against the extant use of the site. This impact should be accommodated with minimal additional detriment/severity to the operational capacity of the surrounding highway network posing minimal potential road safety and residential amenity issues. The development appears compliant with the requirements indicated in current planning policy guidance (Para 108/109 NPPF)."*
47. The maximum parking standards contained at Appendix 3 of the Core Strategy for C3 Use Class requires 1 parking space per 4 bedrooms. This works out as 18 parking spaces. The nature of the type of accommodation, independent apartments will inevitably lead to more demand for parking spaces and therefore the 33 spaces proposed is considered appropriate. The site is adjacent to the centre of Little Lever and within easy walking distance of the shops and services. The originally submitted site plan did show a pedestrian access from Lever Street, which would have provided a positive and easily accessible route to Tesco and the wider Little Lever centre, however this has been deleted from the application proposal.
48. One space per dwelling is proposed for the bungalows, although these are 2-bedroom units and the parking standard guidance states 2 parking spaces, however given the nature of the accommodation and needs of future residents one space is considered sufficient. Highway engineers consider the parking provision for the site to be acceptable, especially given the sustainable location of the site.
49. The proposal is considered to comply with Bolton's Core Strategy policies P5 and S1.

Infrastructure Contribution

50. Policy IPC1 of the Core Strategy states that the Council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or to mitigate the impact of that development. In doing so, the Council will ensure that a scheme is made acceptable in planning terms and achieves the objectives of sustainable development. In determining planning applications the Council will apply a threshold of 15 dwellings in assessing whether planning contributions will be required from proposed housing developments.
51. Policy IPC1 continues that for new residential development specific contributions will be sought for:

- Affordable housing
- Open space provision and maintenance
- Health and well-being
- Education
- Community facilities

52. SPD "Affordable Housing" (adopted February 2013) provides further detail to the policies in the Core Strategy that concern affordable housing.

53. The development proposes 62 extra care apartments and 6 bungalows and therefore exceeds the threshold for planning contributions. However, an appeal decision in 2018 (APP/U1105/W/17/3177340) considered which use class extra care accommodation fell into and due to the facilities provided and the level of support available for residents placed this into the C2 Use Class (residential institutions) rather than C3 (dwelling house). On this basis, the infrastructure contribution is not applicable.

54. Furthermore, the accommodation will be provided by a Registered Social Landlord (Bolton at Home). The residential scheme will provide for an identified need within the local community as highlighted in the Council's "Care and Support Strategy within Extra Care Housing 2018 – 2025".

55. Policy IPC1 also states that, *"the council also expects public art from all development above one hectare in area or from the construction of buildings containing the threshold of 2500sqm of floor space"*. The floor area of the proposed development exceeds the floorspace threshold and therefore a condition for public art is recommended.

Other Matters

56. Floodrisk (CS policy CG2.2c) – A floodrisk assessment and drainage strategy have been submitted with the application, these have been assessed by the Council's Floodrisk team and a condition is recommended to secure sustainable urban drainage at the site.

57. Sustainable Construction (CS policy CG2.2b) – a sustainability statement has been submitted with the application which demonstrates how the development will achieve a 10% reduction in predicted CO2 emissions above the predicted level measured against Building Regulations Part L. A condition is recommended to ensure that these measures are incorporated into the scheme.

58. Contaminated Land (CS policy CG4.3) – a land contamination report has been submitted with the application, this highlights elevated levels of heavy metals and non-volatile PAH compounds. Some ground gas monitoring has been carried out, but further monitoring is required, the preliminary results indicate that measures will be required to provide ground gas protection. Pollution control officers have therefore recommended that a remediation strategy is required and secured by condition and a condition requiring a soil testing methodology for any soil brought onto site to ensure it is uncontaminated.

59. Land Stability (CS policy CG4.3) – the site is in an identified high risk area for coal mining and hazards. The Coal Authority are satisfied with the submitted information and do not recommend any conditions due to the level of work that has been investigative work that has been undertaken prior to the submission of the application.

Local finance considerations

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

61. New Homes Bonus for the 68 proposed dwellings – this is not a material planning consideration.

Conclusion

62. The proposed extra care accommodation and six bungalows will provide a much needed development within the Little Lever area. The site previously accommodated a sheltered housing development and is allocated for housing in the Bolton Allocations Plan, the principle of residential development is therefore established. The scheme has been well designed to present a congruous development which will sit comfortably within the established character of the area, complying with CS policy CG3. The development complies with interface distance guidance and ample amenity space is proposed for both the extra care apartments and the bungalows.

63. The proposal also complies with policy in terms of highway impact, parking provision and sustainability requirements. There will be some loss of trees at the site, notably the Category A Willow tree on Lever Street, however the applicant has worked to retain trees where possible and the awaited landscape plan should show replacement tree planting of suitable native species.

64. Overall, the proposal is considered to comply with policy and Members are recommended to approve the scheme.

Representation and Consultation Annex

Representations

Letters:- one letter of comment has been received from a local resident, raising the following issues:

- Concern over the flow/control of traffic – as the flow of traffic is busy throughout the day.
- Concern that if the café/bistro are to be open to members of the public this will increase traffic to the site (*Officer comment – although it was originally planned that the café and bistro would be open to the public this has now changed and will only be available to residents*).
- Limited parking on Dearden Street – Bolton Council should consider turning the grass verges on Dearden Street into parking spaces for residents (*Officer comment – this is outside of the application site, an existing parking issue and not a matter for consideration with this application*).
- The trees to the rear of Dearden Street cause nuisance and are dangerous for residents.
- The bin store and substation are sited to the rear of properties on Dearden Street and this will cause issues of vermin, smells and flies (*Officer comment – the Applicant has looked at various options for the siting of bin stores on the site and this is considered the most accessible and optimum siting*).

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees:

Bolton Council: Urban Design and Conservation, Economic Strategy, Pollution Control, Greenspace, Landscape, Tree and Woodland, Adult and Community Services, Floodrisk, Highways, Strategic Development.

External Consultees: Coal Authority, Primary Care NHS, GM Police.

Planning History

Prior notification application approved in 2019 for the demolition of the former sheltered housing accommodation (06896/19).

Application for the erection of metal fencing to boundary approved in 2002 (60945/02).

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. **SITE LEVELS**

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

Reason

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

Reason for Pre-Commencement Condition:

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

3. **CONSTRUCTION MANAGEMENT PLAN**

Prior to the commencement of construction (including groundworks), a plan detailing how fugitive dust and noise emissions are to be mitigated against during the construction phase together with the proposed working hours shall be submitted to and approved in writing by the local planning authority.

Reason

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

Pre Commencement Reason

Any works on site, particularly ground works have the potential to cause noise and disturbance to existing residents and would be contrary to Core Strategy policy CG4, and need to be mitigated for via a construction management plan.

4. **TREE PROTECTION**

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

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

Reason

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

Reason for Pre-Commencement Condition:

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

5. **SURFACE WATER DRAINAGE WORKS**

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

- 1) Provide information about the design storm period and intensity, the method employed to delay

and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.

2) Include a timetable for its implementation, and

3) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime

The approved works shall be implemented in full prior to the occupation of the buildings hereby approved and those works as approved shall be retained thereafter.

Reason

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

Reason for pre-commencement condition:

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

6. **HIGHWAY WORKS**

Prior to the commencement of any above ground construction works full details of the highway works at Lever Gardens/Dearden Street comprising the repair/reinstatement of highway surfaces arising from the demolition/construction phases of development. To include to implementation of a vehicle access crossing to facilitate access to parking provision to Plot 1 indicated from Dearden Street and potential relocation of traffic calming feature to facilitate shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

7. **MATERIALS**

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

Reason

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

8. **WINDOW AND DOOR SPECIFICATION**

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

Reason

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

9. **EXTERNAL LIGHTING**

Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting. The lighting shall be designed to an illumination value of no greater than 5 lux at the nearest residential property. The beam angle of any lights directed towards any potential observer should be kept below 70 degrees. Spill shields should also be fitted. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

10. VEHICLE CHARGING POINTS

Recharge points for electric vehicles shall be provided within the development to comply with the following criteria:

Residential	Non- residential units
1 electric vehicle 'fast charge' point shall be provided per unit (dwelling with dedicated parking)	1 electric vehicle 'fast charge' point where 10 or more parking spaces are provided.
1 electric vehicle 'fast charge' point per 10 spaces where the individual units have no allocated parking	
For non-residential units and multi-dwelling buildings (e.g. apartments): To prepare for increased demand in future years, appropriate cable routes should be included in scheme design and development in agreement with the local authority. This would normally be cable routing for electric vehicle charge points for one in five spaces.	

Details of the electric vehicle charging points to be provided shall be submitted and approved in writing by the Local Planning Authority prior to occupation. The electric vehicle charging points shall be provided in accordance with the approved scheme prior to occupation and shall be maintained for the life of the approved development.

Reason

To safeguard the amenity of the occupiers of the proposed development in respect of atmospheric pollution in compliance with policy CG4 of Bolton Core Strategy.

11. CONTROL OF NOISE/ODOUR

Before the use hereby permitted begins, a scheme for the installation of equipment to control the emission of fumes and noise from the communal kitchen / bistro shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 14 days of the use commencing and retained thereafter. The requirements of the scheme shall be in line with EMAQ "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" 2018 (and any amendments thereafter).

Reason

To safeguard the living conditions of residents and the amenity and character of the area regarding odour and/or disturbance and in order to comply with Bolton's Core Strategy policy CG4.

12. BOUNDARY TREATMENT - BUNGALOWS

Prior to the bungalows hereby approved being first occupied, details (including a brick or masonry specification and colour scheme) of the treatment to all boundaries of the plots 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. **PARKING PROVISION**

Before the approved/permitted development is first brought into use no less than 33 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be marked out and provided within the curtilage of the site, in accordance approved plan drawing ref: **Planning - Site Layout Plan, 4900_1800, Rev A, dated 08/10/20**. Such spaces shall be made available for the parking of cars at all times.

Reason

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

14. **VEHICLE AREAS**

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

Reason

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

15. **BIODIVERSITY ENHANCEMENT MEASURES**

Prior to the commencement of any above ground construction works, a scheme for biodiversity enhancement measures shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall include provision for bat roosting and bird nesting, as well as other biodiversity enhancement measures.

Reason

To deliver on site biodiversity enhancement in accordance with Bolton's Core Strategy policy CG1 and chapter 15 of the National Planning Policy Framework.

16. **ENERGY ASSESSMENT**

The development hereby approved shall be carried out in full accordance with the recommendations/conclusion of the submitted Part L2 Compliance Report by TACE, revision B, dated 18.06.20. As detailed in the report, the proposed works shall include passive measures, high efficiency mechanical and electrical systems, along with renewable energy (Photovoltaics). The works shall be carried out in full prior to the first occupation of the development and retained thereafter.

Reason

In the interests of tackling climate change and in order to comply with policy CG2.2 of Bolton's Core Strategy and the Sustainable Design and Construction SPD.

17. **SOIL TESTING METHODOLOGY**

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

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

Reason

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

18. **CONTAMINATED LAND REMEDIATION**

The development hereby approved shall be carried out in full accordance with the approved **Site Investigation: Geoenvironmental Site Assessment, dated January 2020 (ref:13-684-R1) by e3P.**

1. Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.
2. During the period of construction, should any unforeseen contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate remediation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed remediation measures.
3. 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 no unforeseen contamination was found that all remedial works undertaken on site were completed in accordance with those agreed by the Local Planning Authority.

The discharge of this planning condition will be given in writing by the Local Planning Authority on completion of the development and once all information specified within this condition and other requested information have been provided to the satisfaction of the Local Planning Authority and occupation/use of the development shall not commence until this time, unless otherwise agreed by the Local Planning Authority.

Reason

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

19. **PUBLIC ART**

Prior to the first occupation of the development hereby approved, details regarding the provision of public art (including timescale) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason

In order to comply with the requirements of Bolton's Core Strategy policy IPC1.

20. **FIXED PLANT AND EQUIPMENT NOISE RATING**

The rating level (LAeqT), as determined by BS4142:2014+A1:2019 Methods for Rating and Assessing Industrial and Commercial sound, from all sources associated with the development, when operating simultaneously or individually, shall not exceed the background sound levels (LA90) that are specified in **Table 4 of the report by Cundall ref: 1024586 CDL -XX – XX -SU -AS -45100**, when measured 4m from the boundary of any noise sensitive receptors.

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area and in order to comply with Bolton's Core Strategy policy CG4.

21. **APPROVED PLANS**

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

Site Layout Plan, drawing no. 4900_1800, Rev A, dated 08.10.20

Proposed Site Plan, drawing no. 4900_1801, Rev B, dated 08.10.20

C2 Bungalow Plots 1&2 - Proposed Plans, drawing no. 4900_1210

C2 Bungalow Plots 1&2 - Proposed Elevations, drawing no. 4900_1310

C2 Bungalow Plots 3&4 - Proposed Plans, drawing no. 4900_1211

C2 Bungalow Plots 3&4 - Proposed Elevations, drawing no. 4900_1311

C3 Bungalow Plot 5&6 - Proposed Plans, drawing no. 4900_1212

C3 Bungalow Plots 5&6 - Proposed Elevations, drawing no. 4900_1312

Extra Care Elevations Sheet 1, drawing no. P4900_1300, dated 24.05.20

Extra Care Elevations Sheet 2, drawing no. P4900_1301, dated 24.05.20

Extra Care Floor Plans, drawing no. P4900_1200, dated 02.24.20

Street Elevations, drawing no. 4900_1350, dated 24.06.20

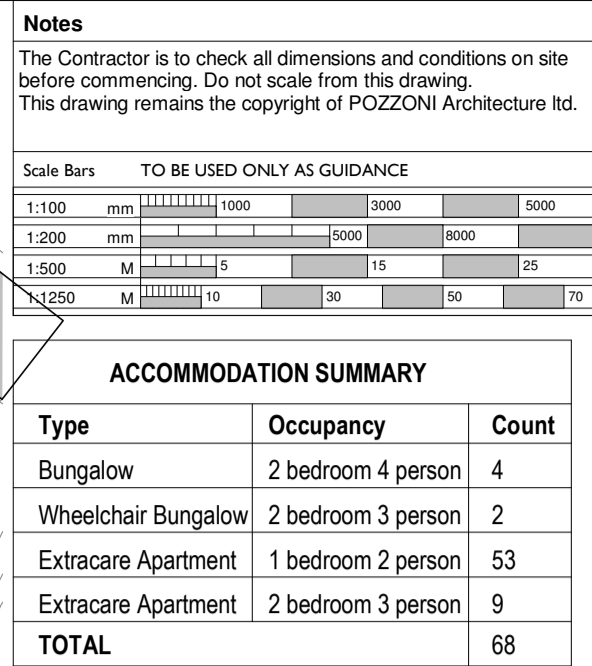
Communal Areas, drawing no. P4900_1201, dated 06.15.20

Site Location Plan, drawing no. 4900_1100

Site Layout - Tree Comments, drawing no. 4900_SK023, Rev C, dated 08.10.20

Reason

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



- KEY

- ## PROJECT SUMMARY

SITE AREA

Full site area (within solid red line) = 1.2 hectares / 3.0 acres
Developable site area (up to dash-dot line) = 0.9 hectares / 2.1 acres

PARKING PROVISION

Bungalows: 100% (1 spaces per dwelling)
Extracare Apartments: 53% (33 spaces) 3 of which are disabled accessible.

ITEMS TO NOTE

ITEMS TO NOTE
- Proposed landscaping is indicative only. Refer to Landscape Architects drawings for full design.

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Notes

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Scale Bars

TO BE USED ONLY AS GUIDANCE

1:100

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0 10 20 30

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KEYPLAN

A PLANNING - GA ELEVATION FACING GARDEN AND BACK GREENHALGH STREET

1:200

MATERIALS	
1.	Main Facing Brick - Red
2.	Facing Brick - Brown
3.	Facing Brick - Buff
4.	Pitched roofs - Fibre Cement Rendalite
5.	Slate, grey
6.	Flat roof material - single ply membrane, grey
7.	Rainwater goods - aluminium, black
8.	Parapet - PPC aluminium, grey
9.	UPVC window/door
10.	Flat vertical metal bar
11.	Balustrade for Juliet balconies - flat vertical metal bar
12.	Staircase with back glass
13.	PPC aluminium sliding entrance door
14.	PPC aluminium double glazed canopy with system
15.	PPC boarded panel
16.	Double solidier course band
17.	Dry riser inlet
18.	PPC aluminium door
19.	External Louvered door

B PLANNING - GA ELEVATION FACING CAR PARK

1:200

C PLANNING - GA ELEVATION FACING LEVER STREET

1:200

D PLANNING - GA ELEVATION FACING REAR OF DREARDEN ST PROPERTIES

1:200



Rev

Description

By

Date

Client

SEDDON CONSTRUCTION LTD ON BEHALF OF BOLTON AT HOME

Job

LEVER GARDENS, LITTLE LEVER, BOLTON

Drawing

PLANNING - EXTRA CARE ELEVATIONS SHEET 1

Rev

P4900_1300

BLN

PCZ

RAI

PAL-00-ZZ-DRA-A-1300

Date

24/06/20

Scale

As indicated

@ A1

Planning

Design

Approved

As Built

Design

Contract

Construction

As Built

Physical

Design

Contract

Construction

As Built

Physical

Design

Contract

Construction

As Built

London House

115 Gadder Lane

Warrington

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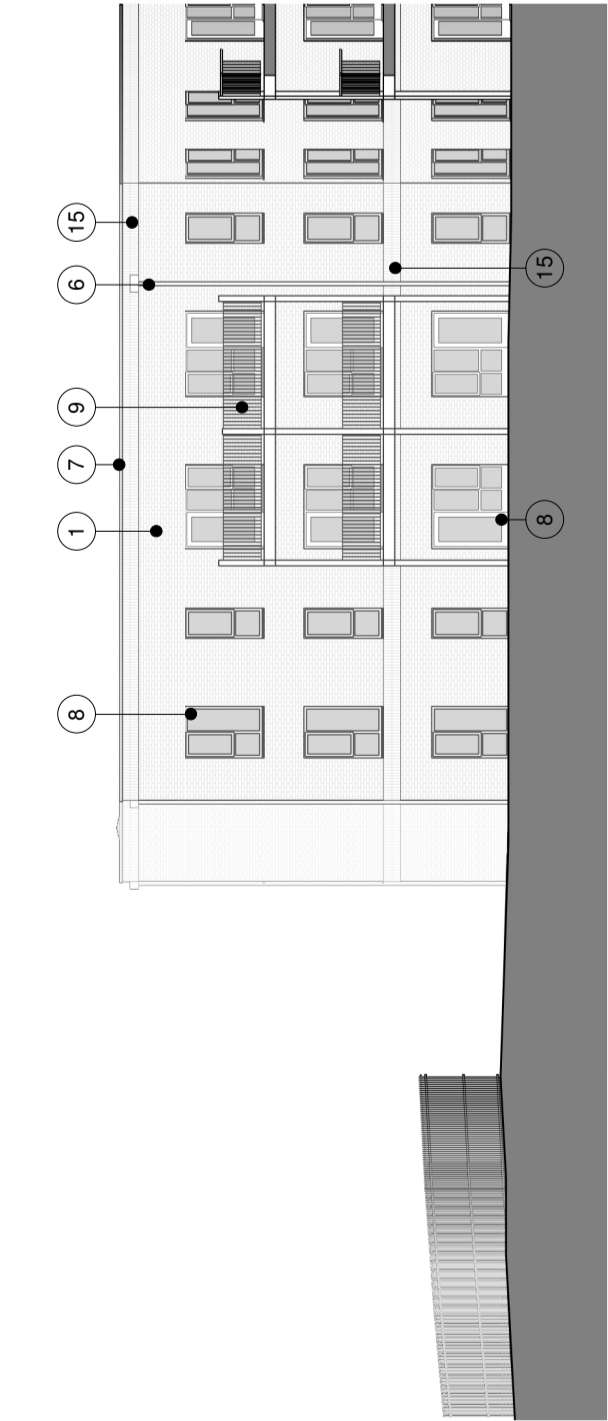
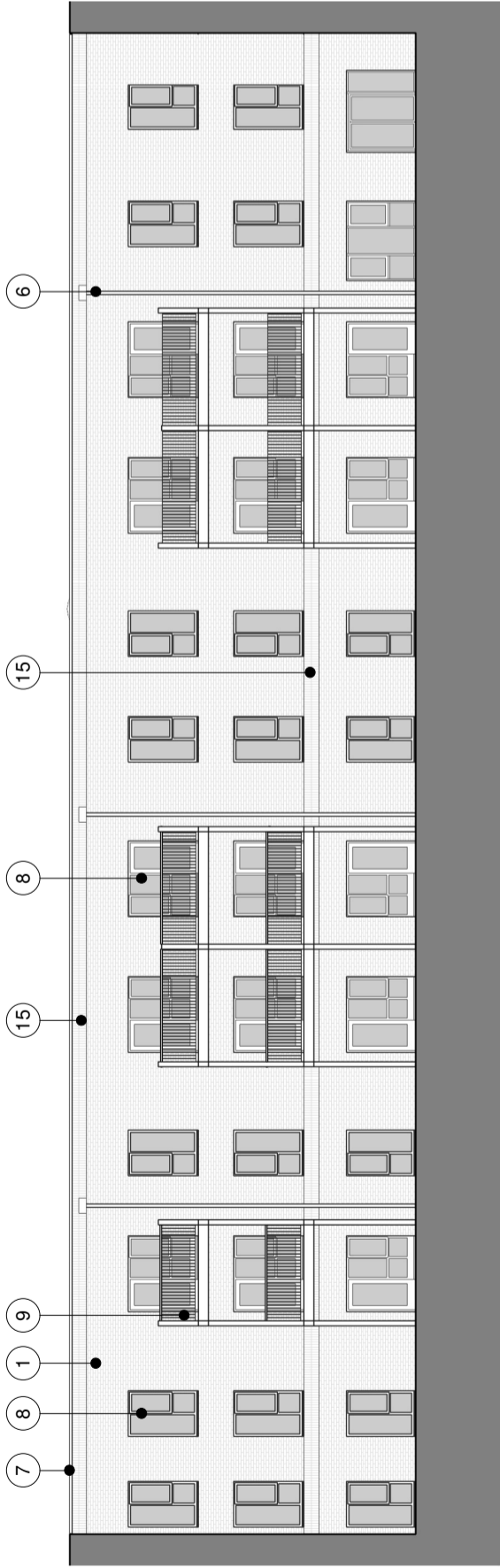
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KEYPLAN

MATERIALS	
1.	Main Facing Brick - Red
2.	Facing Brick 2 - Brown
3.	Facing brick 3 - Buff
4.	Pitched roofs - Fibre Cement Rivendale Slate grey
5.	Flat roof material - single ply membrane, grey
6.	Rainwater goods - aluminium, black
7.	Parapet - PPC aluminium, grey
8.	UPVC window door
9.	Flat vertical metal bar
10.	Balustrade for Juliet balconies - flat vertical metal bar
11.	Spandrel with back glass
12.	PPC aluminium sliding entrance door
13.	PPC aluminium curtain walling system
14.	PPC louvred panel
15.	Double soldier course band
16.	Dry riser inlet
17.	PPC aluminium door
18.	External Louvred door

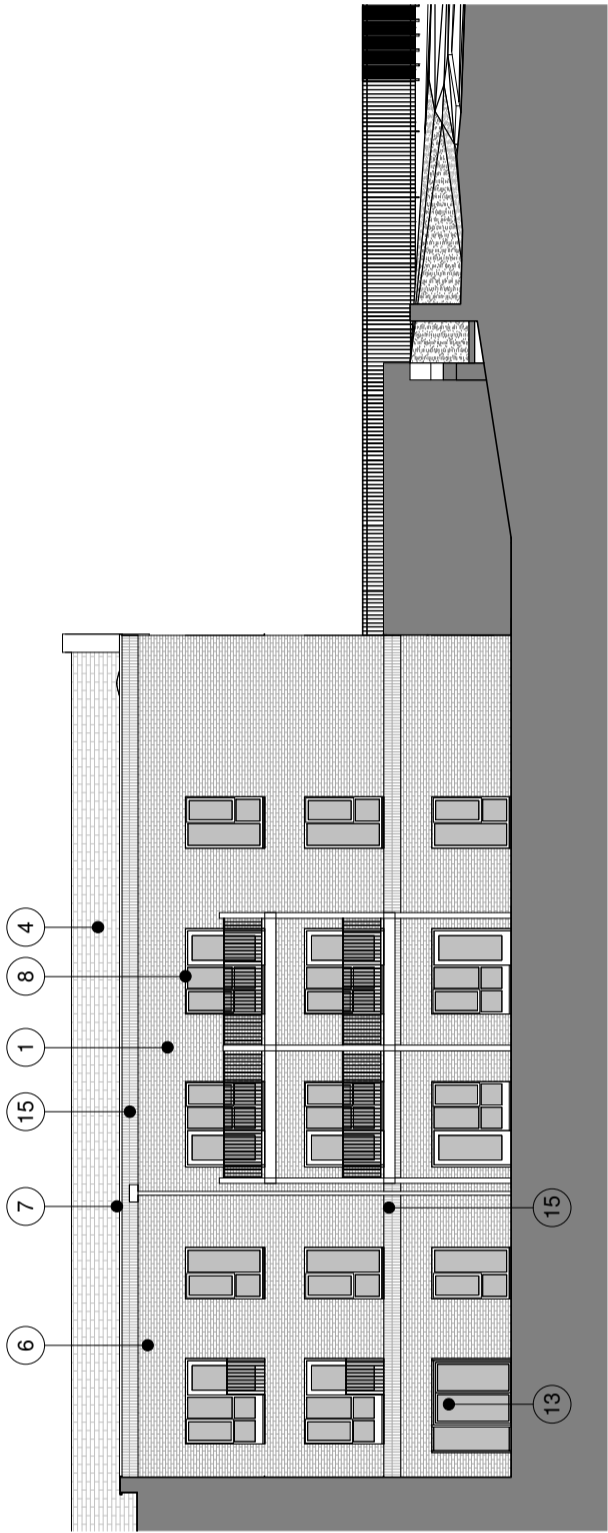
E PLANNING - GA COURTYARD ELEVATION 1

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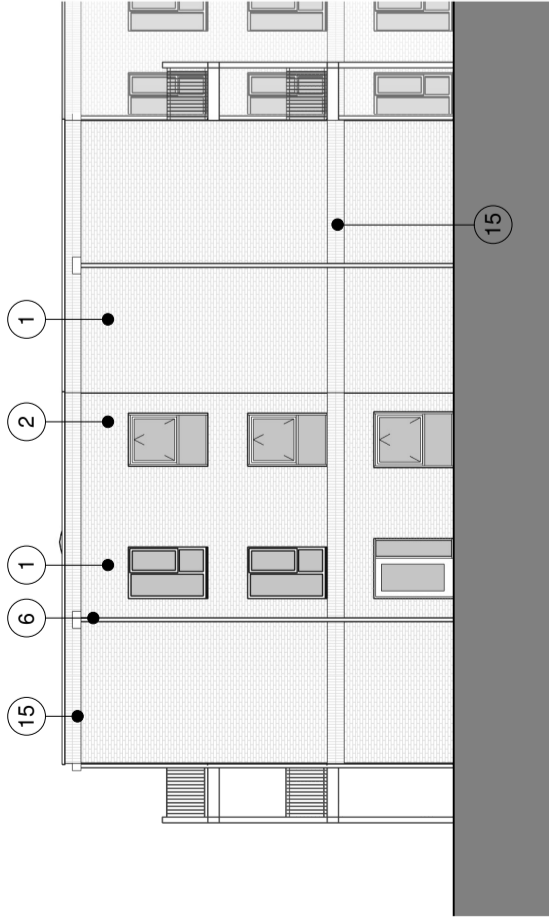
F PLANNING - GA COURTYARD ELEVATION 2

1 : 200



G PLANNING - GA COURTYARD ELEVATION 3

1 : 200



H PLANNING - GA SIDE REAR ELEVATION

1 : 200



Rev	Description	By	Date
	SEDDON CONSTRUCTION LTD ON BEHALF OF BOLTON AT HOME		
	LEVER GARDENS, LITTLE LEVER, BOLTON		
PLANNING - EXTRA CARE ELEVATIONS SHEET 2			
P4900_1301		Rev	
1301			
Date	24/06/20	As indicated	@ A2
2D CoOrd	EMc	ALM	EMc
	Approved		
3D CoOrd	Planning	Tender	Construction
	Design	Contract	As Built

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MATERIALS

Walls

Main Facing Material – brick, Red
Contrasting Brick – buff
Soldier Course - in main facing brick
Structural Post - timber with steel detailing. To engineers design

Roof

Pitched roof – slate effect tile with thin leading edge, grey
Rainwater goods - UPVC, black
Fascia - UPVC, black

Windows, Doors and Curtain Walling

Windows and patio doors - UPVC, Grey externally, white internally, opaque glazing to bathroom
Entrance door - Composite door with toughed glass panel, colour to c

External Surface Treatments

(please refer to landscape proposals for details)
Entrance pathway - tarmacadam
Driveway/parking - concrete set paving, grey
Patio - concrete flag paving, natural in colour

P/L

PLANNING - ELEVATION B

1 : 100

P/L

PLANNING - ELEVATION D

1 : 100

PLANNING - ELEVATION A

1 : 100

PLANNING - ELEVATION C

1 : 100

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VIEW FROM LEVER STREET



MAIN ELEVATION VIEW

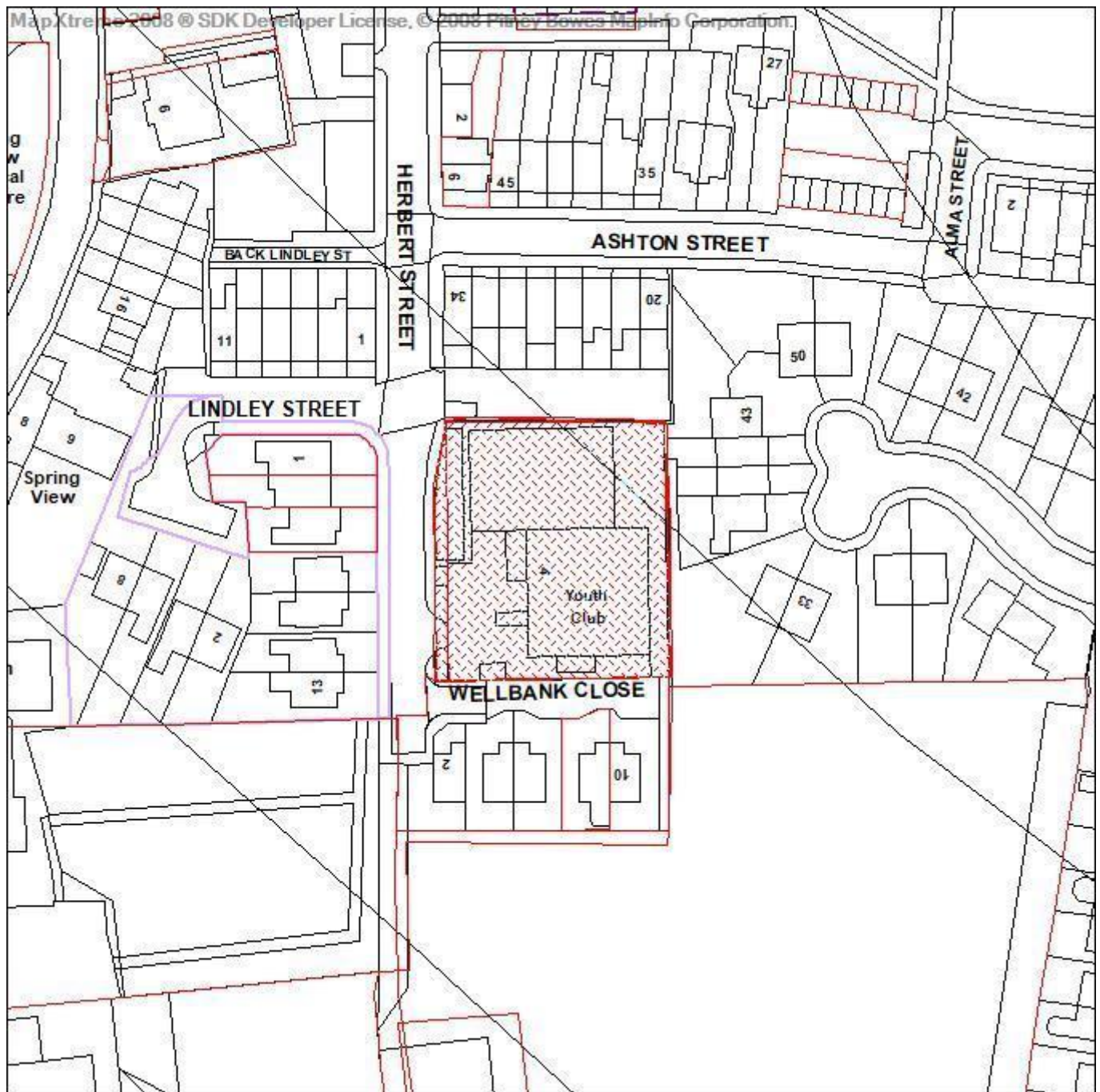


VIEW ALONG LEVER STREET



VIEW OF RESIDENTS' GARDEN

Application number 08990/20



Directorate of Place
Development Management Section

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

Bolton Council

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Date of Meeting: 12/11/2020

Application Reference: 08990/20

Type of Application: Full Planning Application

Registration Date: 12/08/2020

Decision Due By: 06/10/2020

Responsible Officer: Franc Genley

Location: LITTLE LEVER YOUTH CENTRE, HERBERT STREET, LITTLE LEVER, BOLTON, BL3 1LU

Proposal: SITING OF CANOPY TO REAR, REMOVE SHRUBBERY TO THE RIGHT OF THE FRONT GATES, INSTALL A DROPPED CURB BY TAKING BACK THE PAVEMENT AND WIDEN THE GATES BY 5M. TO ALLOW FOR MINIBUS ACCESS

Ward: Little Lever and Darcy Lever

Applicant: Robertson FM LTD

Agent : Mr G Kelly

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- The applicant proposes minor changes to the existing vehicular access gates at the front of the site and the addition of a canopy at the rear;
- The application is brought to Planning Committee for determination as the proposal is a Council proposal;
- The proposal is in character with the area;
- The proposal would enhance vehicular access to the site to enable safe drop off and pick up of pupils using a minibus;
- No objections have been received;
- The proposal complies with policy and is recommended for approval subject to conditions.

Proposal

1. The applicant proposes to amend the existing access arrangements at the sole access point off Herbert Street by increasing the width of the existing double gates from a total 3.18 metres wide to new gates which would be 5.21 metres in total width. In addition, a canopy would be formed at the rear of the building which would project c. 2.8 metres from the rear elevation. The areas underneath the canopy would be used as outdoor space for the two classrooms which are located at the rear part of the building.
2. The proposed changes to the vehicular access would enable a mini bus which drops off and picks up children to enter and leave the centre car park and also to enable the minibus to park within the curtilage of the Centre to allow safer dropping off and picking up of school children.

Site Characteristics

3. The application relates to an existing former Childrens Centre in Little Lever which is now currently used as an educational establishment/school in the daytime whose use is shared by staff and pupils from Mytham Primary School and Greenfold Special School together with community use out of schools hours. The building is a single storey detached property located on Herbert Street which has a number of car parking spaces located within the curtilage.
4. The application site is bounded by residential properties to the north (Ashton Street), east (Nandywell), west (Herbert Street) and south (Wellbank Close).

Policy

The Development Plan

5. Core Strategy: A1 Achieving, P5 Accessibility, S1 Safe, CG3 Built Environment, CG4 Compatible Uses and , OA6 Little Lever and Kearsley and Appendix 3 - Parking Standards.

Other material considerations

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

Analysis

8. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.
9. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.
10. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.
11. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.
12. The main impacts of the proposal are:-
 - * impact on the character and appearance of the area;
 - * impact on highway safety / on street parking;
 - * impact on the living conditions of adjoining owner/occupiers.

Impact on the character and appearance of the area

13. The principle of an educational use has been established previously for the site with the proposed adaptations to the property being the only proposed changes. Core Strategy policies CG3 and OA6 seek to ensure that the Council ensures developments are in character with both the property it relates to and the wider area. The character of the existing Centre is a relatively modern single storey building whose curtilage is demarcated by weldmesh fencing around the perimeter.
14. The widened gated access would use the same weldmesh fencing / gates whilst the proposed canopy at the rear is a modest structure which complements the existing use and character of the property.

15. It is therefore considered that the proposal complies with CS policy CG3 and OA6.

Impact on highway safety / on street parking

16. Core Strategy policy P5 and the maximum car parking standards as detailed within Appendix 3 of the Core Strategy seek to ensure developments provide sufficient car parking provision together with consideration to accessibility by different types of transport, prioritising pedestrians, cyclists, public transport users over other motorised vehicle users.

17. As detailed above the use of the Centre will not change with the proposed minor changes to facilitate enhanced access by pupils being dropped off by a minibus from the Greenfold Special School. If approved drop off and pick up could be completed within the curtilage of the site rather than on the adjoining road.

18. The proposal would be to the benefit of the free flow of traffic on Herbert Street and would also promote road safety.

Impact on the living conditions of adjoining owner/occupiers

19. Core Strategy policy CG4 seeks to ensure that new development is compatible with the surrounding land uses and occupiers by way of amenity, privacy, safety and security. The proposed canopy would be a modest structure which would be sited away from the closest windows on Nandywell. The canopy would also be viewed against the back drop of the Centre. In addition, the closest residential property on Nandywell has a timber fence erected along the boundary together with a weldmesh fence which has been erected along the boundary of the Centre.

20. From a noise perspective the land at the rear of the property is partially used for external play and the additional use of the area as potentially external play / classroom space would have a limited noise generation impact on the adjoining residential property. This would also be experienced within the context of an existing educational facility which has the usual noise emanating from it.

21. It is considered that the proposal is compatible with the current use of the site and the surrounding residential uses.

Conclusion

22. Officers consider that the proposed changes to the Centre are relatively modest, improving vehicular access to the site and external classroom space whilst being in character with the existing Centre without compromising the living conditions of existing residents who adjoin the site. It is considered that the proposal complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters/Petitions:- no representations received.

Elected Members:- no representations received.

Consultations

Advice was sought from the following consultees: the Council's Highways Engineers.

Planning History

Planning permission was granted for the erection of a pram store at the front of the Centre (Ref: 83409/09).

Full planning permission was granted in August 2007 for the erection of a single storey extension with external alterations to facilitate the use as a Children's Centre. This included the erection of a 2.4 metre high weldmesh fence around the perimeter of the site (Ref:77672/07).

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 new gates hereby approved shall be similar in height, appearance and colour as the fencing and gates to which they replace and retained thereafter.

Reason

To ensure the development reflects the landscape and townscape character of the area and in order to comply with Bolton's Core Strategy policies CG3 and OA6.

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

**Drawing No. 02090 - Proposed canopies and gate widening as submitted.
A and L Landscape - Motivo Mono specification sheet as submitted.**

Reason

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



Note: All Dimensions to be checked on site.

Amendments



CORPORATE PROPERTY SERVICES

UNITS 9 - 11, BOLTON TECHNOLOGY EXCHANGE
QUEENSBROOK, off SPA ROAD, BOLTON BL1 4AY
TELEPHONE (01204) 331234
FAX (01204) 331365

Location
Little Lever
Childrens Centre

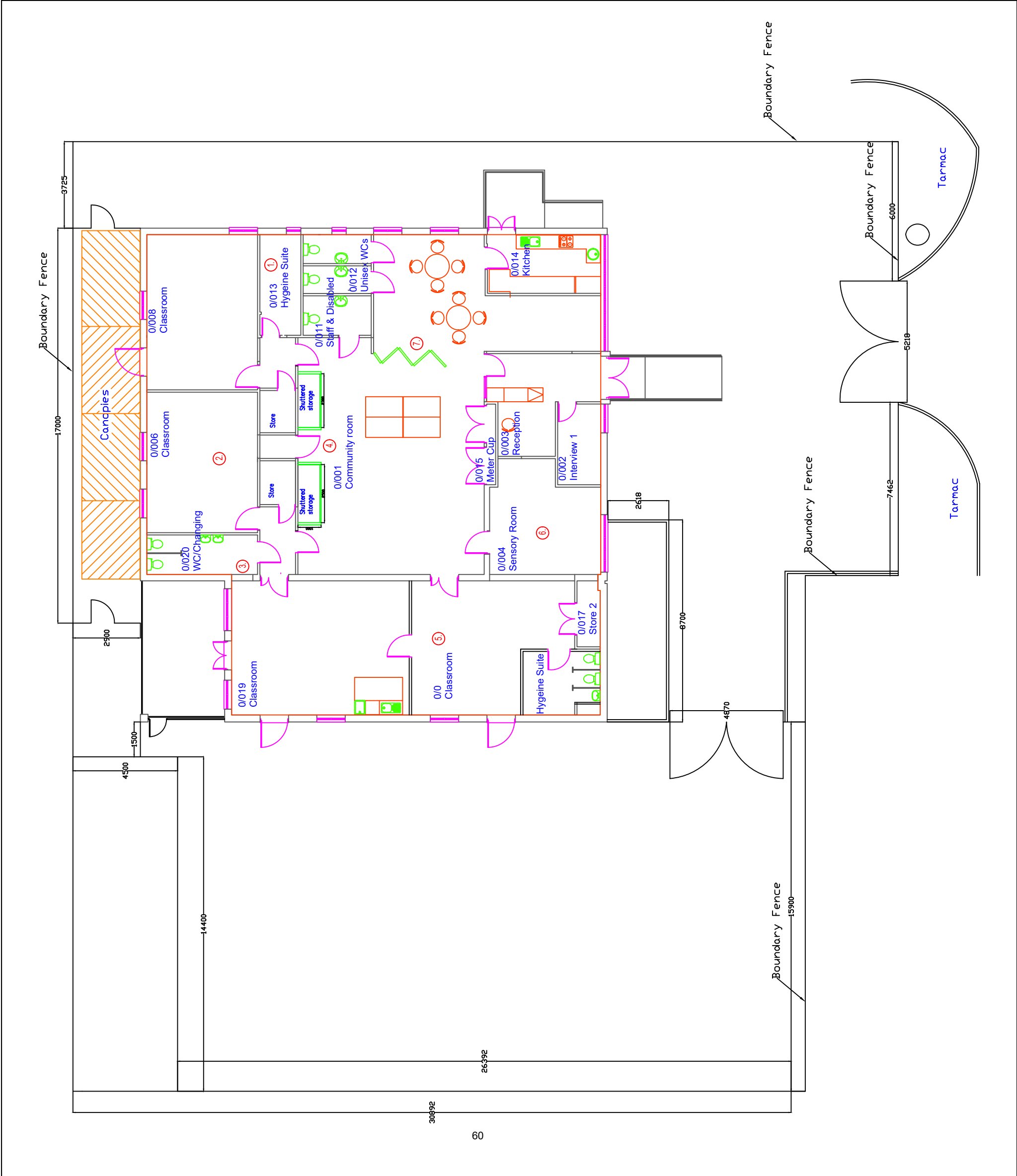
Ground Floor 1 of 1
Existing Building and Externals

Scale	Drawn by	Checked by	Date
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Job number 02090

Revision number

Note: All Dimensions to be checked on site.		
Amendments		
Bolton Council CORPORATE PROPERTY SERVICES		
UNITS 9 - 11, BOLTON TECHNOLOGY EXCHANGE, QUEENSBROOK, off SPA ROAD, BOLTON BL14AY TELEPHONE (01204) 331234 FAX (01204) 331365		
Location Little Lever Childrens Centre		
Description Proposed Canopies & Gate widening		
Scale NTS	Drawn by	Checked by
Date		
Job number 02090	Drawing number	
Revision number		





Motiva Mono™

The Motiva Mono™ is a versatile and expertly designed alternative to our Motiva Linear™. Featuring a monopitch (asymmetric) curved roof (with one side higher than the other) it provides robust and long-lasting shelter all year-round. Its stunning modern design means that it is one of our most popular canopies and can be used for a wide variety of applications including: - positioning against the building, outdoor seating areas and covered walkways.

- ✓ Solid steel framework
- ✓ Freestanding contemporary design
- ✓ Asymmetric curved polycarbonate roof design
- ✓ Framework finished in Dura-coat™ finish
- ✓ Wide range of sizes
- ✓ Longest guarantees on the market
- ✓ Bespoke designs on request to enclose the space



Appearance

Steelwork on the Motiva Mono™ canopy is finished in Dura-coat™ colour finish to any RAL colour. The aluminium gutters and downpipes are also finished to match. Our superior polycarbonate roof covering can either be clear or opal as standard.

Side panels in polycarbonate or glass.
Wide range of door options
Post pads can be any colour, often contrasting with the structure.

Services

A & S Landscape recommend early consultation to consider all aspects of the installation of our Motiva Mono™. We provide free quotations, technical information and drawing files (at design stage) to allow effortless incorporation into Architects' drawings. Our service to you includes: - comprehensive site surveys, CAD Drawings and project management. Early technical involvement often improves design, aesthetics and cost.

BESPOKE PRODUCTS

Our ability to extensively customise our products ensures that we can meet any specialist requirements that you may have. Our flexible modular system often allows this to be done very economically whilst retaining all of our superior performance characteristics.

Specification

TYPICAL APPLICATIONS

The Motiva Mono™ is ideal for –

Positioning against a building | Covered walkways
Alfresco dining and recreational areas | Plazas | Schools | Colleges
Universities | Outdoor play | Outdoor learning | Hospitals

MATERIALS

Structure – All steel
Roofing – Genuine polycarbonate
Finish – Galvanised only or Dura-coat™ colour finish

DIMENSIONS

Virtually any available, most cost-effective widths for the Motiva Mono™ canopy are in meter increments. Standard lengths are at 700mm increments but any length is possible. Post centres are typically 4000mm (up to 5000mm). If you require different dimensions, then in all instances please contact us - we can accommodate nearly any situation.

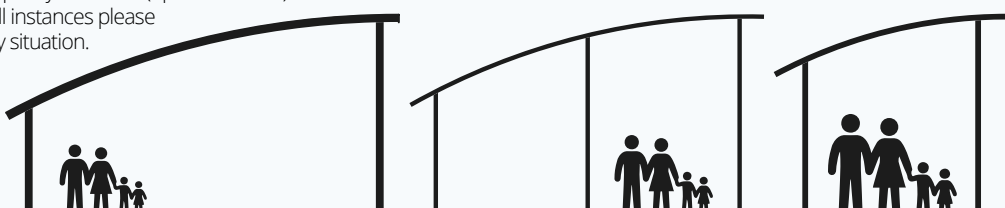
OPTIONS

- Side panels with various infill options
- Clear or opal roofing
- Aluminium guttering and downpipes

- Wall brackets
- Wide span beams
- CHS uprights
- Post pads

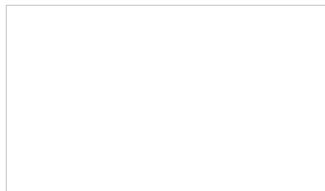
SPECIFICATION CLAUSE

To supply and install to manufacturer's recommendations: Motiva Mono™ canopy to overall size — mm X — mm (or as per drawing no——) to include for clear/opal roof, Alu-Tuff™ gutters and downpipes all in Duracoat™ finish to RAL — as manufactured by A&S Landscape, March Way, Battlefield Enterprise Park, Shrewsbury, SY1 3JE
T: 01743 444100 E: sales@aandslandscape.com



Colours

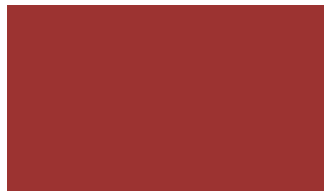
Standard steel colours (any RAL colour available)



White (9010)
- RAL NO. 9010



Signal Yellow
- RAL NO. 1003



Brown Red
- RAL NO. 3011



Traffic Red
- RAL NO. 3020



Squirrel Grey
- RAL NO. 7000



Ultramarine Blue
- RAL No. 5002



Gentian Blue
- RAL NO. 5010



Sapphire Blue
- RAL NO. 5003



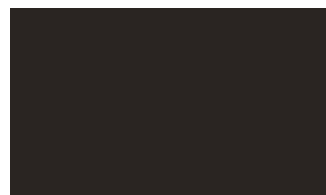
Slate Grey
- RAL NO. 7015



Moss Green
- RAL NO. 6005



Signal Green
- RAL NO. 6032



Jet Black
- RAL NO. 9005

Polycarbonate Colours

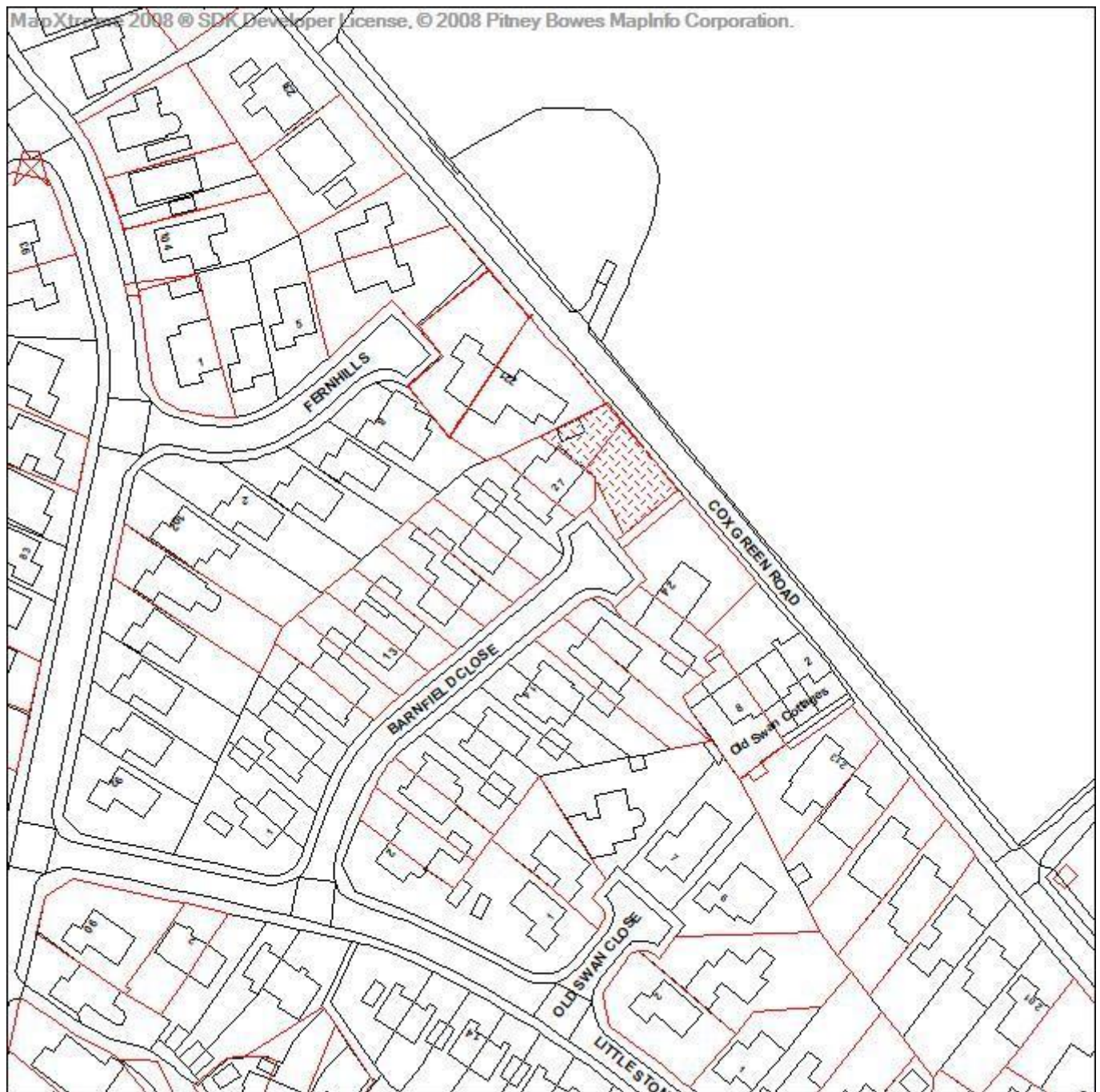


Transparent



Opal

Application number
09074/20



Directorate of Place
Development Management Section

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

Bolton
Council

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Date of Meeting: 12/11/2020

Application Reference: 09074/20

Type of Application: Full Planning Application

Registration Date: 12/08/2020

Decision Due By: 06/10/2020

Responsible Officer: Lauren Kaye

Location: GARDEN AREA, 27 BARNFIELD CLOSE, EGERTON, BOLTON, BL7 9UP

Proposal: ERECTION OF 1NO. RESIDENTIAL DETACHED DWELLING

Ward: Bromley Cross

Applicant: Neil Pike Architects

Agent : Neil Pike Architects

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- Cllr. Greenhalgh has requested that the application be heard before Committee.
- Twelve objection letters have been received from neighbouring residents. These are summarised within the annex.
- A previous outline application for the erection of a detached dwelling on the site, with access details only from Cox Green, was refused under delegated powers and subsequently dismissed at appeal.
- This application is a full application for the erection of one detached dwelling and Officers consider that the Inspector's concerns have now been fully addressed.
- The application is therefore recommended for approval, subject to conditions.

Proposal

1. Outline application 06961/19 for the erection of one dwelling on the application site was refused under delegated powers on the 11th November 2019 for the following two reasons:

1. The erection of a dwelling on the application site would be detrimental to the character and appearance of the area as it would not, owing to the scale and siting of the proposed plot and its relationship to neighbouring dwellings, be able to respect the existing built character and form of the area, contrary to Policies CG3 and OA5 of Bolton's Core Strategy and Supplementary Planning Document "General Design Principles".

2. A proposed dwelling, by virtue of the size and location of the application site, would impact detrimentally on the outlook and living conditions of neighbouring residents at 24 and 27 Barnfield Close and is contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Document - General Design Principles.

2. A subsequent appeal (APP/N4205/W/18/3242464) was dismissed by the Planning Inspectorate in March 2020. A copy of this decision notice is attached to this report.
3. This current application has been submitted in full (rather than just outline) and revises the proposed layout of the development, repositioning the proposed dwelling and relocating the vehicular access and amenity space. This allows for soft landscaping and a low wall (no higher than 1 metre) at the head of the cul-de-sac where the driveway will be, and an enclosed amenity space to the opposite side/rear of 27 Barnfield Close without impacting on Barnfield Close and Cox Green Road. The proposal also includes the proposed external appearance and scale of the dwelling for assessment. The dwelling would be a three bedroom detached property with an en suite and family bathroom. At ground floor there would be an entrance hall, WC, open plan lounge and dining room and separate kitchen. The proposed materials and roof tiles would match those of 27 Barnfield Close.
4. There would be off-road parking for two vehicles in association with the new dwelling. Off-road parking for two vehicles would also be provided for 27 Barnfield Close at the head of the cul-de-sac.

Site Characteristics

5. The application site is the front/side garden to the residential property of 27 Barnfield Close. The site slopes down to the front of the site to Barnfield Close with a public footpath running along the south east boundary and Cox Green Lane running along the north east boundary with a random stone boundary wall.
6. The neighbouring property no. 24 Barnfield Close benefits from a similar plot on the opposite side of the footpath with a driveway sited within part of the front garden.
7. Barnfield Close is a modern residential cul-de-sac set on steeply inclined land rising towards the appeal site which is located adjacent to the turning head. The road features consistently designed and regularly spaced semi-detached houses set behind open landscaped front gardens with side drives. Private garden areas are provided to the rear. The properties are built of similar materials (brickwork, render and cladding).
8. The properties along Cox Green Road are mainly semi-detached bungalows of similar materials to those on Barnfield Close with several stone cottages located along the road.

Policy

Development Plan policies:

9. Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA5 North Bolton.

Other material considerations:

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

Analysis

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

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

13. The main impacts of the proposal are:-

- * principle of residential development on the site
- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring residents
- * impact on highways
- * impact on land contamination/pollution
- * other matters

Principle of Residential Development on the Site

14. Policy OA5.1 of the Core Strategy states that the Council will concentrate sites for new housing in North Bolton within the existing urban area. Paragraph 10 of the National Planning Policy Framework (NPPF) states that so sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

15. It is considered that the application site is within a sustainable location, located within a settlement area benefiting from local services and amenities. Bus stops are also located on both sides of Blackburn Road within 10 minutes walk of the application site. The proximity to local services and amenities, and the proposal's contribution to the delivery of housing the Borough was noted by the Planning Inspector within their appeal decision for application 06961/19.

16. The application site is a greenfield site in that it is the front/side garden to 27 Barnfield Close. Paragraph 70 of the NPPF states that plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. The Council does not have a local policy relating specifically to the development of gardens, however Core Strategy Policy CG3 seeks to conserve local distinctiveness and requires development to be compatible with the surrounding area, which is assessed below.

Impact on the Character and Appearance of the Area

17. Although the appeal was dismissed, the Inspector's decision established the following points in support of a dwelling on the site:

- The subdivision of the unusually large plot of 27 Barnfield Close would result in plot sizes that are commensurate with the size of other plots in the vicinity. The proposed layout would see the building's primary elevation set back behind a front garden onto the Close in a manner comparable to those of the existing houses. It would retain a similar degree of separation to the nearest unit and a sense of space about it.
- The arrangement of development would reflect that of other culs-de-sac found locally and would sit comfortably in the irregular line of development fronting Cox Green Lane.

18. The Inspector however concluded that there would be conflict with the development plan on the basis of two discrete areas of concern, that are summarised below:

- The plot has three frontages along which views into the site are readily available. Consequently, in order to provide a suitable standard of private amenity space for prospective occupiers of the dwelling, the layout plan shows that it would be necessary to introduce high screen fencing forward of No.27 along the proposed dividing boundary. In the context of a predominantly open fronted estate this would appear incongruous within the streetscene and contrast with its prevailing open character.
- Furthermore, the position of the building would be such that it would cover a large part of the open garden space of No 27 and encroach significantly into the open vista at the head of the Close. Policy OA5 of the Bolton Local Development Framework Core Strategy Development Plan Document (2011) (CS) seeks to ensure that new development protects views from public areas to the surrounding landscape. However, along with the proposed screen fencing, its encroachment into the open space beyond the existing rows of houses on the Close would close down the open character at the head of the cul-de-sac. This would interfere with the open views of the landscape beyond and be particularly evident on approach due to the curved alignment of the lower part of the Close. Although the gaps either side of the building would retain some sense of spaciousness, the effect would be to significantly change the existing character of the cul-de-sac and unbalance the arrangement of development about it.

19. These two points and whether this application addresses them, therefore forms the basis of the determination of this application. The local planning authority should not reassess elements already found to be acceptable by the Planning Inspectorate. Indeed, the National Planning Practice Guidance (PPG) at paragraph 16-049 provides a list of examples whereby local planning authorities will be at risk of a substantive award of costs in appeals and this includes the following: "persisting in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable."

The introduction of high screen fencing forward of no.27 along the proposed dividing boundary in the context of a predominantly open fronted estate would appear incongruous within the streetscene and contrast with its prevailing open character.

20. 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.

21. The proposed layout would see the building's primary elevation set back from Cox Green Road. The associated access and hardstanding would be located to the south east side elevation along the public footpath along with off-road parking for no. 27 Barnfield Close. The proposal would therefore not require any high fencing. The proposal instead now includes soft landscaping such as a beech hedge along the boundary line and a low wall (no higher than 1 metre) which is similar to the existing retaining wall to the driveway of no. 24 Barnfield Drive. It is therefore now considered acceptable and in keeping with neighbouring properties. The amenity space of the site would be located to the side elevation (north west) to allow for the enclosing of the space without restricting the open aspect of the cul-de-sac and would be enclosed by a 1.8 metre high timber fence which would be set back at the least 1.6 metre and the most 2.5 metre from the existing low boundary stone wall on Cox Green Road, with landscaping in between. Therefore it is considered that the proposed boundary treatment would not have an overbearing impact on Cox

Green Road.

22. Officers are recommending that permitted development rights are taken away from the dwelling for any extension, outbuilding or enclosure to ensure that the site retains its open character and maintains the existing views from the cul-de-sac to the fields on the other side of Cox Green Road. A condition to ensure that the proposed wall is no more than 1 metre in height is also suggested. It is therefore considered that the proposal has fully addressed this concern of the Inspector.

The position of the building would be such that it would cover a large part of the open garden space of no.27 and encroach significantly into the open vista at the head of the Close.

23. The layout of the dwelling has been re-sited and it would sit forward of the building line of no. 27 Barnfield Close but behind the building line of no. 25 Barnfield Close and other properties along the close which are staggered in nature. The distance between the side elevation and the public footpath/boundary would be approximately 10.4 metres (currently approximately 15 metres). This is a larger distance than between neighbouring culs-de-sac with similar openings (Torra Barn Close – 6.7 metres, Fern Hills 7.6 metres) and between no. 24 Barnfield Close and the public footpath/boundary which is approximately 9.9 metres. It is therefore considered that the proposed siting of the dwelling would be in character with the existing urban grain and character of the cul-de-sac and neighbouring cul-de-sac.
24. The current distance between no. 24 and no. 27 at the head of the cul-de-sac is approximately 28 metres, however with the additional proposed dwelling, the distance would be approximately 23 metres. This is considered to be a sufficient distance to retain the distinctive open aspect of the cul-de-sac, Barnfield Close. It is considered due to its proposed siting that the proposed dwelling would not encroach significantly into the open vista as it is sited in conjunction with the staggered building line of the existing properties along Barnfield Close and it is considered it would have limited impact on the semi-rural characteristic of the Close as the open aspect will be retained and will differ no more than the neighbouring cul-de-sacs. The arrangement of development would reflect that of other culs-de-sac found locally and would sit comfortably in the irregular line of development fronting Cox Green Lane (as previously mentioned by the Inspector).
25. The proposed dwelling would sit forward of the building line of the nearest properties on Cox Green Road, however Cox Green Road is characterised by a mix of housing which exhibits considerable variety in their age, style, design and building line. Some of the properties sit immediately adjacent the highway therefore the proposed which is set back approximately 1 metre is considered acceptable. It is considered that given that the property would front onto Cox Green Road, it would sit comfortably given that the proposed materials would match those of 27 Barnfield Close and the neighbouring properties to the north west, 221 and 223 Cox Green Road, whilst also sympathetic with its design given the mixed nature of properties along the road.
26. It is therefore considered that the proposal has fully addressed the Inspector's concern and thus now accords with Core Strategy Policy CG3 and OA5.

Impact on the Amenity of Neighbouring Residents

27. 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.
28. The General Design Principles SPD, section 3 sets out recommended interface distances aimed at

ensuring that the spaces around new dwellings are related to the character of the existing area. It also states that new developments should not have an overbearing or overly dominant effect on adjoining dwellings, or on other sensitive uses. Given the nature of much suburban development it is likely that some overlooking from upstairs rear windows into and across neighbouring garden or other amenity space will inevitably occur.

29. The proposed dwelling would be sited on an area of garden to the east of the existing property, 27 Barnfield Close. There would be no main room windows proposed within the rear elevation or the south east facing side elevation.
30. The interface distance between the side elevation containing no main room windows and the neighbouring property no. 24 Barnfield Close is over 23 metres which is considered acceptable.
31. No. 27 Barnfield Close benefits from an extension to the side with a dual aspect. Whilst the proposed dwelling would impact on the side elevation, it is considered acceptable owing to the dual aspect, and given that no. 27 Barnfield Close is sited to the south of the proposed dwelling it is considered that it would not cause significant overshadowing or loss of light.
32. The main room windows within the west elevation would face the side elevation of the neighbouring no. 221 Cox Green Road (nearest point being the garage) therefore it is considered that the proposed would not impact on this neighbouring property. The main room windows looking out to the north east across Cox Green Road would not impact on any neighbouring residents as there are no residential dwelling at this point.
33. With regards to the amenity of the future occupiers of the property, the General Design Principles SPD states that new properties should have at least 50 sq. metres of private amenity space. This has been met by the applicant. It is noted that the private amenity space to the rear of no. 27 Barnfield Close will also retain 50sq. metres of private amenity and is therefore considered acceptable.
34. Officers note that with regards to the internal layout of the proposed, each habitable room would be provided with a least one window that would provide an adequate level of light and outlook and the size of the dwelling complies with the Nationally Described Space Standards.
35. In terms of potential noise generation, it is not considered that a new dwelling in this location is likely to result in any significant increase in noise generation. The new dwelling would be built to modern building regulations standards which includes noise attenuation within the fabric of the building.
36. It is considered that the proposed new house would not have detrimental impact on the living conditions of neighbouring residents or the existing occupants of no. 27 Barnfield Close and would comply with Core Strategy policy CG4 and OA5 and guidance contained within General Design Principles SPD.

Impact on Highways

37. 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.
38. A driveway is proposed off Cox Green Road for the new dwelling. The plans show that the site could accommodate two parking spaces. A driveway would also be provided for no. 27 Barnfield Close, off Barnfield Close, with two parking spaces.

39. The Highways department has been consulted and they have advised that there are no reasonable objections on highway grounds to what is being proposed under this application.

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

Impact on Land Contamination/Pollution

41. Policy CG4.3 of the Core Strategy states that development proposals on land that is (or suspected to be) affected by contamination of ground instability must include an assessment of the extent of the issues and any possible risks. Development will only be permitted where the land is, or is made, suitable for the proposed use.

42. Paragraphs 178 and 179 of the NPPF states where a site is affected by contamination or land stability, the responsibility for securing the safe development rests with the developer and/or landowner.

43. The Council's Pollution Control officers raised no objections given that the site is already in residential use. A Preliminary Risk Assessment has been submitted which the Pollution Control officer accepts and notes the consultant recommends further CS2 Gas Protection measures and has recommended condition and if a further site investigation is required to ensure that the proposal is capable of being safely developed subject to site remediation.

44. In view of the above and subject to planning condition, it is considered that the proposal complies with Policy CG4.3 of the Core Strategy.

Other Matters

45. It is acknowledged that the Council is not able to demonstrate a 5-year supply of deliverable housing sites. This represents a housing shortfall. In this circumstance paragraph 11 of the NPPF indicates that the policies that are most important for determining the application should be regarded as out-of-date and that there is a 'tilted balance' in favour of granting permission. The proposed development of one dwelling to the housing undersupply/delivery position would be a positive albeit small social and economic contribution and therefore moderate weight can be given to this benefit.

Conclusion

46. It is considered that the proposed development fully addresses the matters/material considerations outlined by the Planning Inspector for the previous appeal and would accord with all relevant policies.

47. Members are therefore recommended to approve the application, subject to the recommended conditions.

Representation and Consultation Annex

Representations

Letters:- 12 objection letters have been received on the following grounds:

48. The proposed dwelling will continue to block the view of houses on the west of Barnfield Close, one of the reasons for the rejection by the Inspector in September 2019. The distances from the centre of the path leading from Barnfield Close to Cox Green Road is immaterial as it still blocks the view of the houses on the west of the close (*Officer comment: addressed above in the analysis*);
- It is beyond the existing building line on Cox Green Road and will impair their view as it would be the only detached two storey dwelling in the immediate area (*Officer comment: addressed above in the analysis*);
- The inspector rejected the appeal not only because of the restricted view but because the development was out of character for the area (*Officer comment: addressed above in the analysis*);
- Nothing has changed other than it being moved a few metres to the west and north (*Officer comment: addressed above in the analysis*);
- The proposed plans refer to 27 Barnfield Close but show no access from Barnfield Close but access to the proposed dwelling is from Cox Green Road and the frontage faces Cox Green Road. Is this one property or two separate properties? (*Officer comment: the proposed plans shows an access of Barnfield Close for no.27 with 2 off-road parking spaces. The access for the proposed dwelling will be off Cox Green Road with 2 off-road parking space. The application is for a dwelling and not an annexe to no. 27 therefore the two properties will be separate*);
- What would be the address of the dwelling? (*Officer comment: this is not a material planning consideration.*)
- What happens to the existing garage? Why are gates proposed on the plan at the rear? (*Officer comment: the existing garage is to be demolished. The proposed gates to the rear are typical of a gated access to a rear garden*);
- The dwelling is too close to no. 27 Barnfield Close and there are no windows and doors in the rear. If permission was granted these could be introduced at a later stage. 27 Barnfield Close has windows and a Juliet balcony in the side elevations as well as the front and rear which the objector considers to be the principal windows and therefore does not meet required interface distances (*Officer comments: the rooms within no. 27 are dual aspect and the windows/Juliet balcony would not be considered the main windows serving these rooms. The inspector also acknowledged that due to the positioning of no. 24 and 27, although the proposal would feature strongly in the outlook of No 27 this would not be an unusual relationship for development arranged about the head of a cul-de-sac and that the siting would therefore retain a suitable standard of living conditions for occupiers of that property*);
- The property would only have a small amount of recreational area at the side adjacent to 221 Cox Green Road (*Officer comment: sufficient amenity space is provided in line with SPD General Design Principles*);
- The dwelling is far too imposing and would take natural light away from 221 Cox Green Road (*Officer comment: addressed above in the analysis*);
- 27 Barnfield has already had 3 extension built to its original footprint and the proposed dwelling would significantly decrease the open space and would increase the percentage of built on land which is not in keeping with the open aspect;
- The proposed dwelling will have an adverse visual impact on the landscape, locality and the community;
- The parking spaces at the top of Barnfield Close will affect the turning area and affect the current residents' safety either on foot or in vehicle (*Officer comments: highways have been*

consulted on relevant matters and have no objections to the access and off-road parking arrangements);

- Will cause drainage problems for neighbouring residents;
- Overdevelopment of the plot (*Officer comment: addressed above in the analysis*);
- The dwelling would overshadow and overlook the cul-de-sac (*Officer comment: the proposed dwelling is sited to the north of the cul-de-sac and therefore would not result in the loss of light due to the sun rising in the east and setting in the west in a southerly arc*);
- The garden would back onto Barnfield Close and cause noise pollution from people gathering in the garden (*Officer comment: the amenity space is sited away from the cul-de-sac and to the side/rear of no. 27 Barnfield Close in the location of the existing side/rear garden*);
- The occupier of no. 27 has previously planted a boundary hedge row between no. 25 and 27 that is currently not being maintained to a reasonable height and is in breach of a covenant on the title deeds (*Officer comment: this is not a planning matter. Title deeds are a civil matter with the land owner*).

Elected Members:- Cllr Greenhalgh has requested that the application be heard before Committee due to the negative impact on the street scene, destroying the openness of the close and effecting the overall symmetry and creating a dangerous precedent of overdevelopment of a site.

Consultations

Advice was sought from the following consultees:

- Drainage - commented: *Due to the topography of Cox Green Road flooding may occur on it during prolonged or heavy rainfall immediately adjacent the site. Adequate precautions should be made to ensure that any flood water gathering on Cox Green Road is contained within the road and not channelled through the site as a result of changes to the environment.* (Officer comment: it has been recommended to the applicant that they may want to consider a solid gate to the access along Cox Green Road.)
- Pollution Control – no objections
- Greenspace Management – commented : *Whilst the location is within the risk zone for West Pennine Moors SSSI, the nature of this development is unlikely to have any impact upon the designated site. The proposed development would not cause any significant impact upon biodiversity of the area, if consent is granted.*
- Highways – no objections.
- Design For Security Greater Manchester Police – provided recommendations.
- United Utilities – no objections

Planning History

62148/02 - ERECTION OF FIRST FLOOR EXTENSION AT SIDE TO FORM BEDROOMS AND ENSUITE. RECTION OF SINGLE STOREY REAR EXTENSION TO FORM BATHROOM AND ENLARGED KITCHEN. ERECTION OF FRONT PORCH - Approved

05966/19 - OUTLINE APPLICATION FOR THE ERECTION OF A DETACHED DWELLING (ACCESS DETAILS ONLY) – Withdrawn by the applicant.

06961/19 - OUTLINE APPLICATION FOR THE ERECTION OF A DETACHED DWELLING (ACCESS DETAILS ONLY FROM COX GREEN). – Refused under delegated powers then dismissed at Appeal.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. The development hereby approved shall be carried out in full accordance with the following approved **Preliminary Risk Assessment: Land North of 27 Barnfield Close Egerton Bolton, dated September 2020 (ref: A200905-RO1) by Adeptus Consulting.**

Prior to commencement and before any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration. Provision of a comprehensive site investigation and risk assessment examining identified potential pollutant linkages in the Preliminary Risk Assessment should be presented and approved by the Local Planning Authority.

Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.

Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.

Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

Reason

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

Reason for Pre-Commencement Condition:

Any works on site could affect contamination which may be present and hinder the effective remediation of any contamination causing a risk to the health of future occupiers and harm to the environment, hence the initial investigation must be carried out prior to the commencement of any works on site.

3. Prior to the commencement of development full details of the highway works at Cox Green Road and Barnfield Close comprising vehicular access crossing (VAC) to facilitate access to the parking provision indicated on the approved plan (**Proposed Site Plan, Drawing no. PL K959/01 Rev A, Date scanned 27.10.2020**) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

4. 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 be submitted to and approved in writing by

the Local Planning Authority.

Reason

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

5. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from the development shall be constructed in accordance with the drawing ref **Proposed Site Plan, Drawing no. PL K959/01 Rev A, Date scanned 27.10.2020.**

Reason

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

6. Prior to the development hereby approved/permitted being first occupied or brought into use the existing vehicular access onto Cox Green Road shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from the development, other than as shown on drawing ref: **Proposed Site Plan, Drawing no. PL K959/01 Rev A, Date scanned 27.10.2020 .**

Reason

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

7. Before the approved/permitted development is first brought into use no less than 4 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be provided within the curtilage of the site, in accordance approved plan (**Proposed Site Plan, Drawing no. PL K959/01 Rev A, Date scanned 27.10.2020**). Such spaces shall be made available for the parking of cars at all times.

Reason

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

8. Before the approved/permitted development is first occupied or brought into use the turning area as indicated on the approved plan (**Proposed Site Plan, Drawing no. PL K959/01 Rev A, Date scanned 27.10.2020**) shall be provided within the curtilage of the site. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

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

Reason

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

Transport and Road Safety'.

10. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 2.4 metres at the back of the footway shall be provided at the junction of Barnfield Close with the driveway of no. 27 Barnfield Close, and subsequently remain free of all obstructions between the height of 0.6 metres and 2 metres (as measured above carriageway level).

Reason

To ensure traffic leaving the site has adequate visibility onto the footway and in order to comply with Bolton's Core Strategy policy S1, P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

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

Proposed Site Plan, Drawing no. PL K959/01 Rev A, Date scanned 27.10.2020
Proposed Elevations and Section - Drawing no. PL K959/04 Rev A, Date drawn 07.10.2020

Reason

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

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, fences, gates, walls, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed.

Reason

To safeguard the character and appearance of the dwelling and the surrounding area, and to comply with policies CG3 and OA5 of Bolton's Core Strategy.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) the approved wall sited between the parking spaces for the hereby permitted dwelling and for 27 Barnfield Close shall not have an overall height greater than 1 metre.

Reason

To maintain the open aspect of the application site and open views across the site, and to comply with policies CG3 and OA5 of Bolton's Core Strategy.

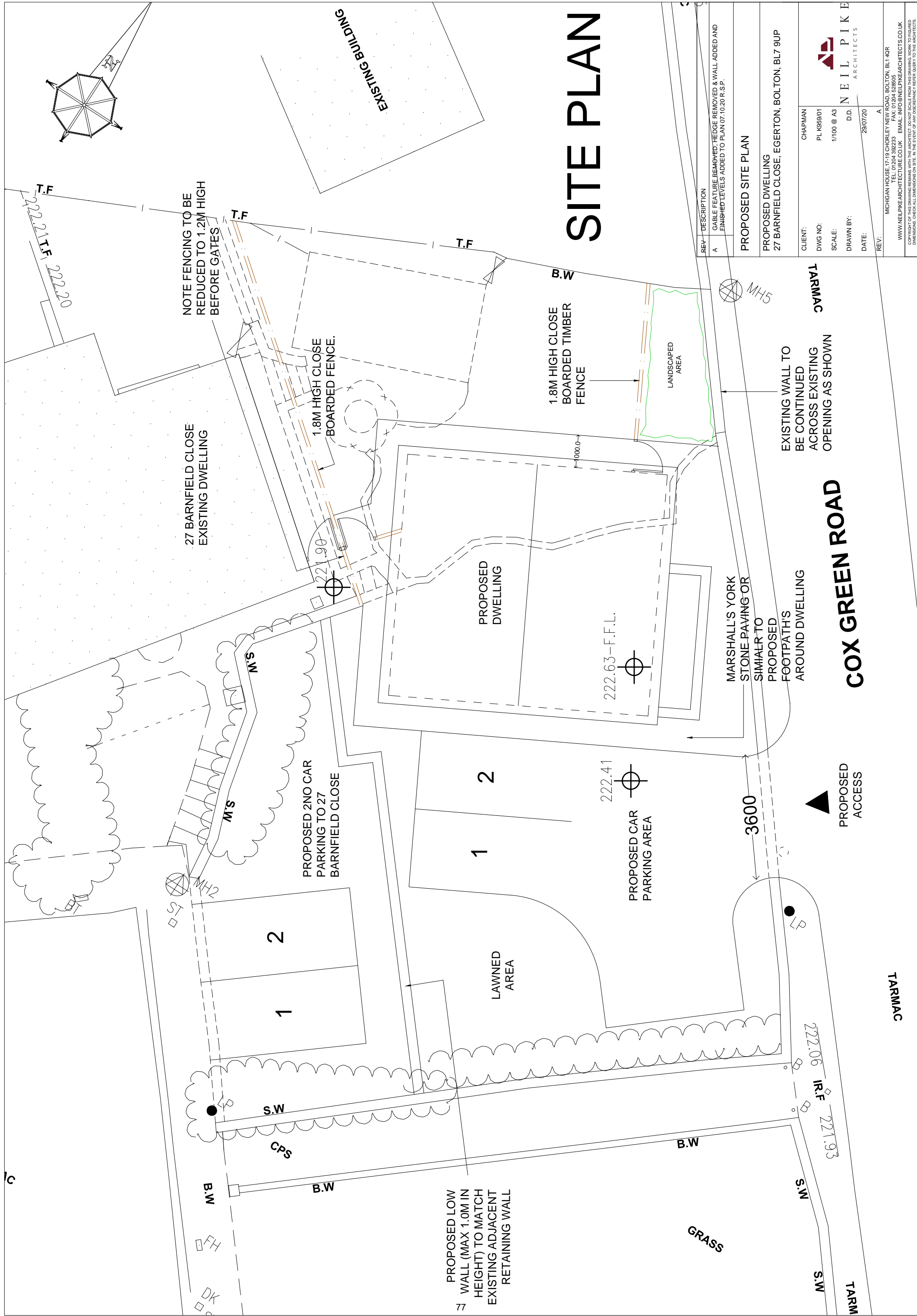
14. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Proposed Site Plan, Drawing no. PL K959/01 Rev A, Date scanned 27.10.2020
Proposed Site Plan 1-200, Drawing no. PL K959/01 Rev A, Date scanned 27.10.2020
Proposed Ground Floor, Drawing no. PL K959/02, Date drawn 29.07.2020
Proposed First Floor and Roof Plan, Drawing no. PL K959/03 Rev A, Date drawn 07.10.2020
Proposed Elevations and Section - Drawing no. PL K959/04 Rev A, Date drawn 07.10.2020

Reason

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






SITE PLAN

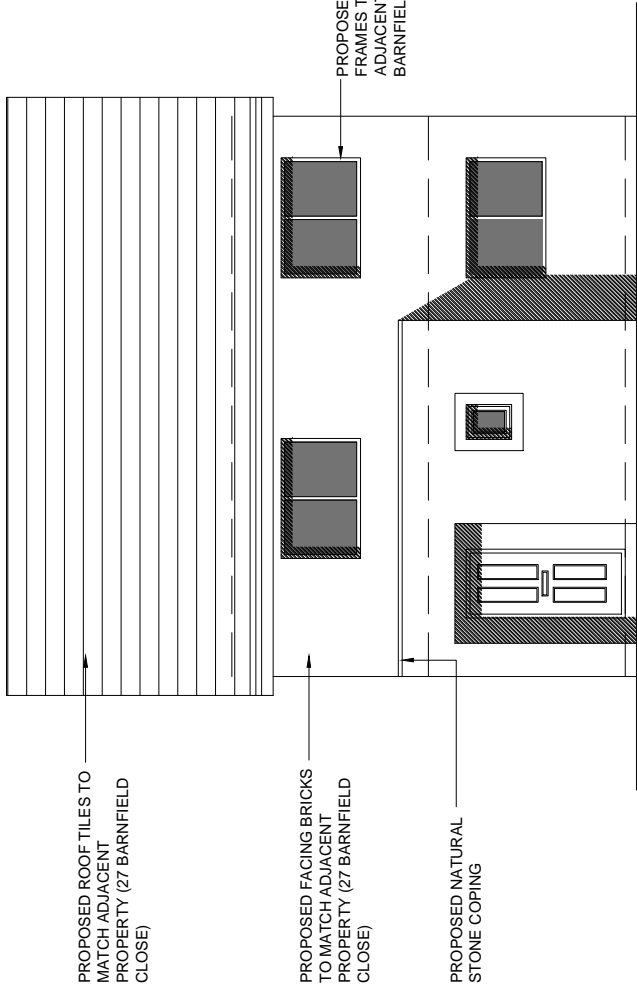
REV	DESCRIPTION	
A	GABLE FEATURE REMOVED, HEDGE REMOVED & WALL ADDED AND FINISHED LEVELS ADDED TO PLAN 07.10.20 R.S.P.	

<h2>PROPOSED SITE PLAN</h2>	
<h3>PROPOSED DWELLING</h3>	
<p>27 BARNFIELD CLOSE, EGERTON, BOLTON, BL7 9UP</p>	

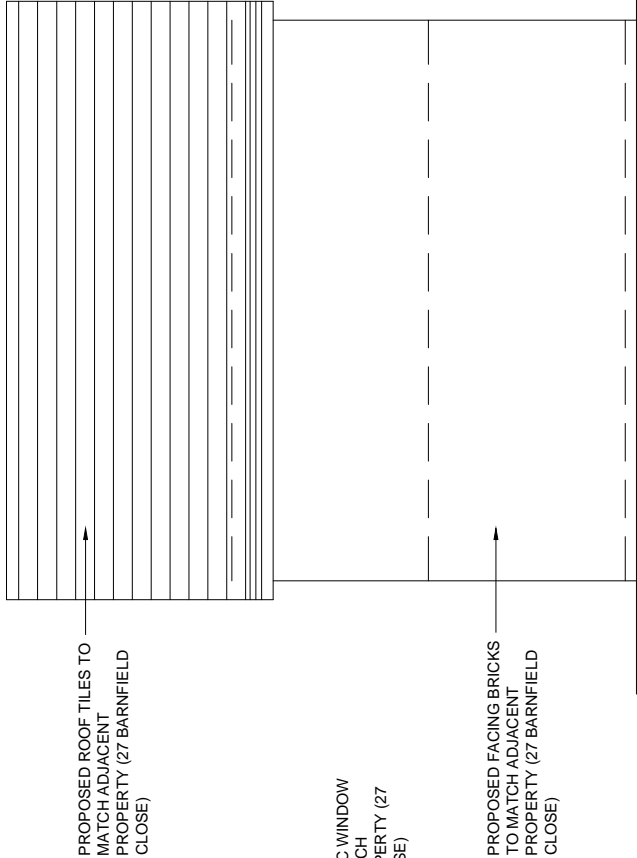
CLIENT:	CHAPMAN	 NEIL PIKE ARCHITECTS
DWG NO:	PL K959/01	
SCALE:	1/100 @ A3	
DRAWN BY:	D.D.	
DATE:	29/07/20	
REV:	A	

MICHIGAN HOUSE 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR TEL: 01204 392233 FAX: 01204 528505 WWW.NEILPIKEARCHITECTURE.CO.UK	EMAIL: INFO@NEILPIKEARCHITECTS.CO.UK
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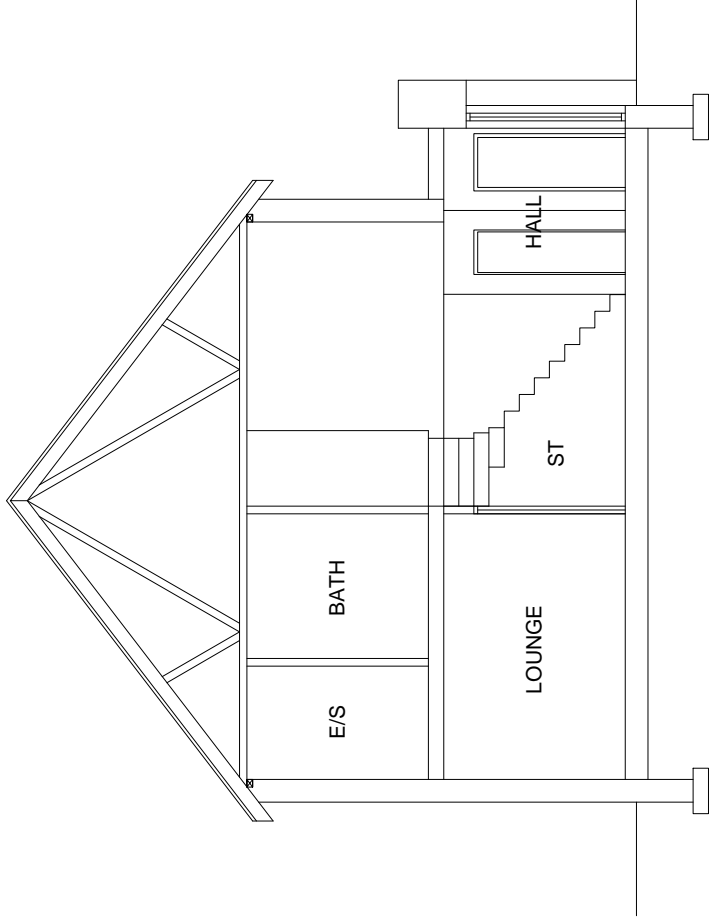
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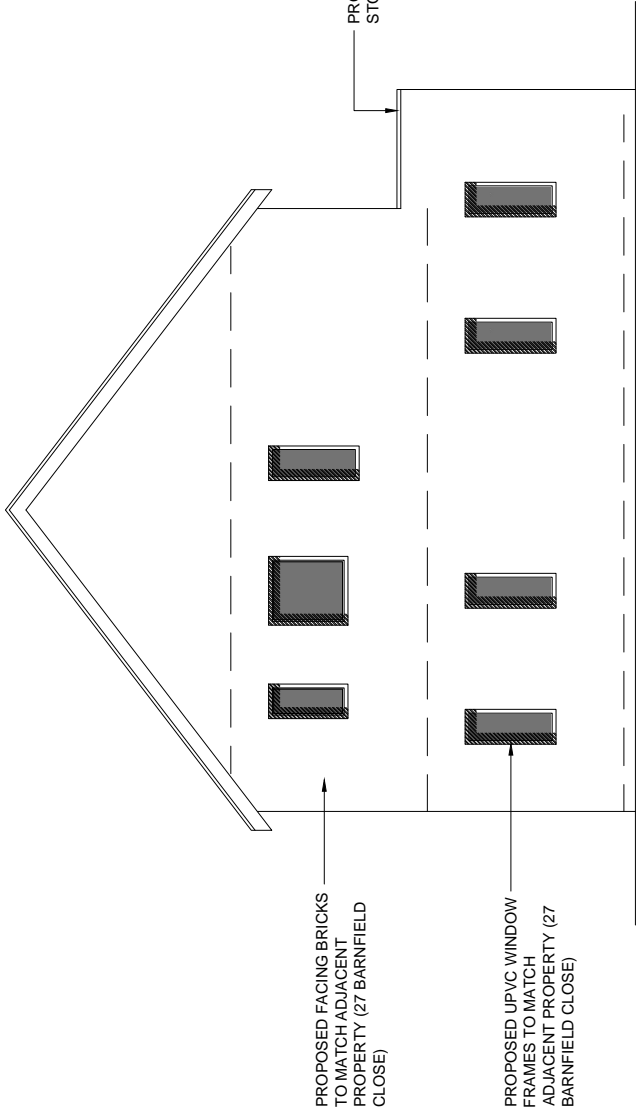
FRONT ELEVATION



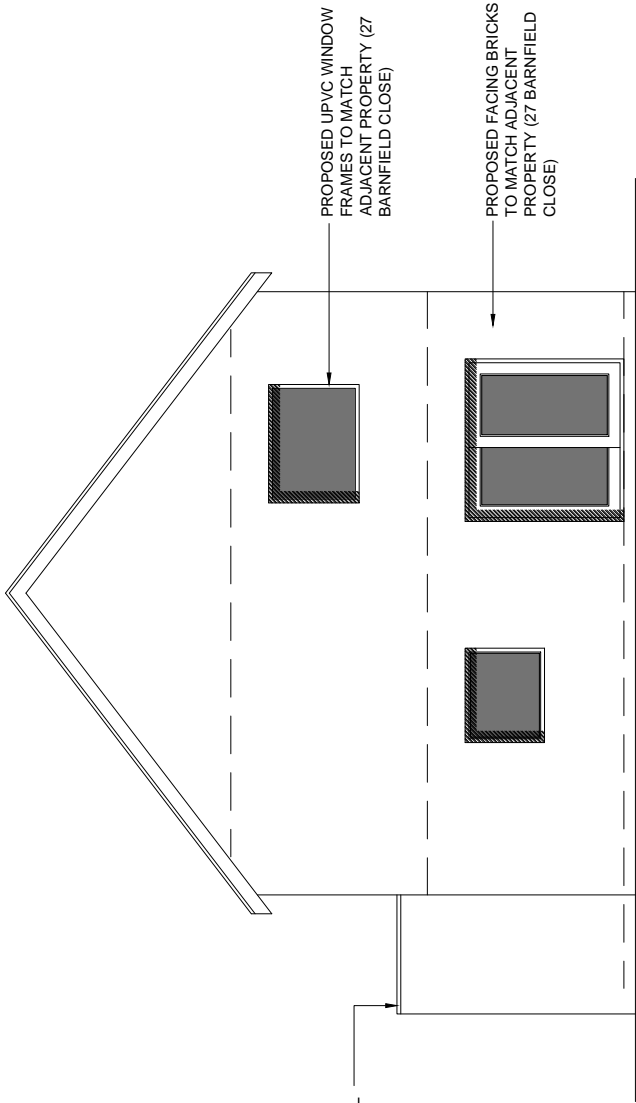
REAR ELEVATION



SECTION



SIDE ELEVATION




SIDE ELEVATION

REV	DESCRIPTION
A	GABLE FEATURE REMOVED 07.10.20 R.S.P.

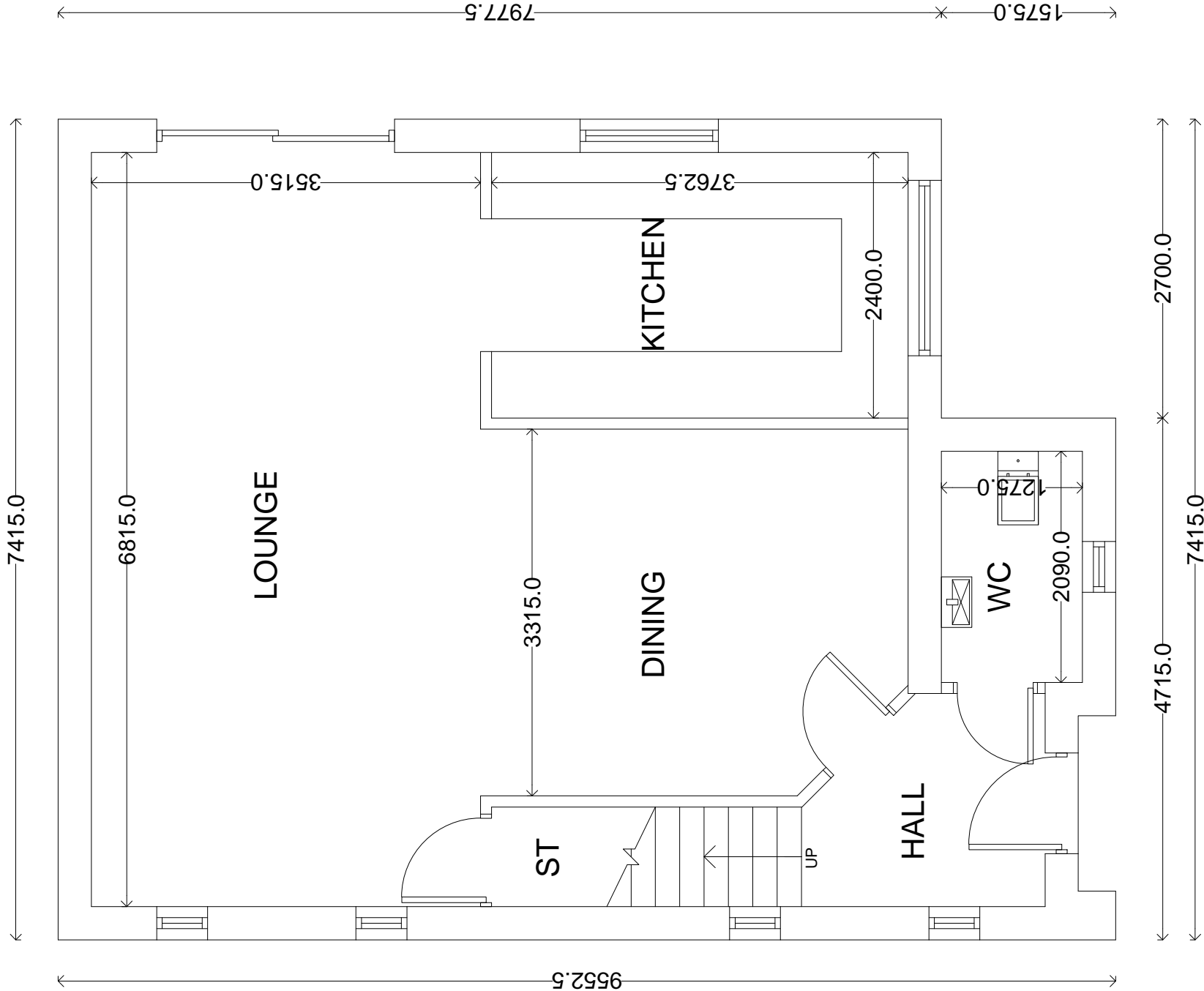
PROPOSED ELEVATIONS AND SECTION

PROPOSED DWELLING
27 BARNFIELD CLOSE, EGERTON, BOLTON, BL7 9UP

CLIENT:	CHAPMAN	 NEIL PIKE ARCHITECTS
DWG NO:	PL K959/04	
SCALE:	1/100 @ A3	
DRAWN BY:	DD.	
DATE:	29/07/20	
REV:	A	

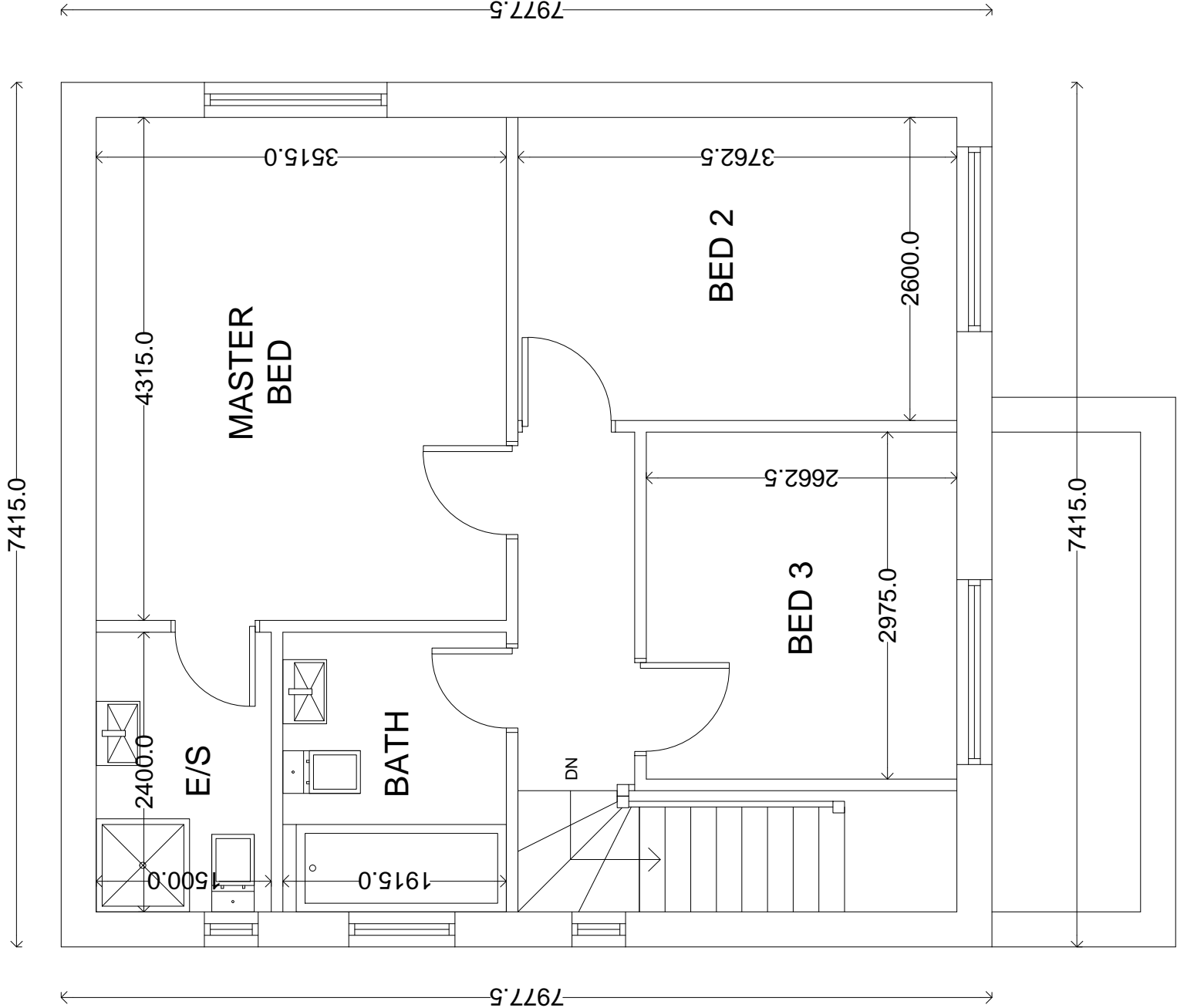
MICHIGAN HOUSE 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4OR
TEL: 01204 382233 FAX: 01204 528505
WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTS.CO.UK
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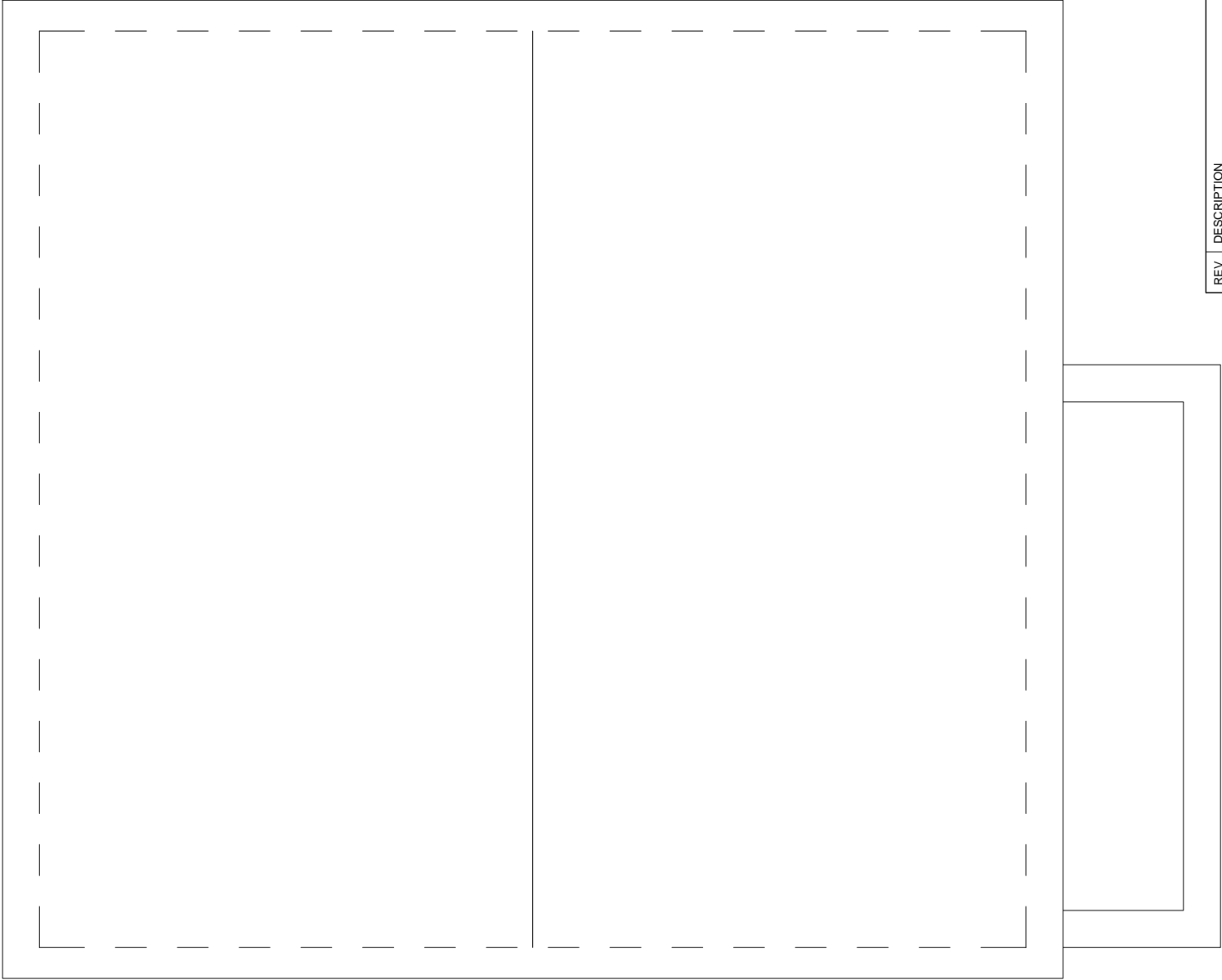


REV	DESCRIPTION
PROPOSED GROUND FLOOR PLAN	
PROPOSED DWELLING	
27 BARNFIELD CLOSE, EGERTON, BOLTON, BL7 9UP	
CLIENT:	CHAPMAN
DWG NO:	PL K959/02
SCALE:	1/50 @ A3
DRAWN BY:	D.D.
DATE:	29/07/20
REV:	
MICHIGAN HOUSE 17, 19 CHORLEY NEW ROAD, BOLTON, BL1 4OR	
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GROUND FLOOR PLAN



FIRST FLOOR
PLAN



ROOF PLAN

REV	DESCRIPTION
A	GABLE FEATURE REMOVED 07.10.20 R.S.P.
PROPOSED FIRST FLOOR AND ROOF PLAN	
PROPOSED DWELLING	
27 BARNFIELD CLOSE, EGERTON, BOLTON, BL7 9UP	
CLIENT:	CHAPMAN
DWG NO:	PL K959/03
SCALE:	1/50 @ A3
DRAWN BY:	D.D.
DATE:	29/07/20
REV:	A
MICHIGAN HOUSE 17,19 CHORLEY NEW ROAD, BOLTON, BL1 4QR	
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Appeal Decision

Site visit made on 10 March 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 March 2020

Appeal Ref: APP/N4205/W/19/3242464

27 Barnfield Close, Egerton, Bolton, Greater Manchester BL7 9UP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr A Chapman against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 06961/19, dated 5 September 2019, was refused by notice dated 15 November 2019.
 - The development proposed is a vehicular access and layout to allow erection of a detached dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline but with details of access and layout included. I have had regard to the location plan and detailed site plan showing the access point and layout. I have determined the appeal on that basis. Plans submitted showing a potential appearance of the building and ground levels are indicative only.

Main Issues

3. The main issues are the effect of the development on:
 - the character and appearance of the locality; and,
 - the living conditions of neighbouring residents at 24 and 27 Barnfield Close with particular regard to outlook and privacy.

Reasons

Character and appearance

4. Barnfield Close (the Close) is a modern residential cul-de-sac set on steeply inclined land rising towards the appeal site which is located adjacent to the turning head. The road features consistently designed and regularly spaced semi-detached houses set behind open landscaped front gardens with side drives. Private garden areas are provided to the rear. The appeal site is one of two open garden areas at the end of the road surrounded by low stone walls which provide an open aspect and allow views from the Close to open countryside beyond. A public footpath runs between the gardens on to Cox Green Road.

5. Cox Green Road defines the edge of the built-up area of the residential estate in which the appeal site is located. Land on its north-eastern side is rising open grazing land. In contrast to the Close, the south western side of Cox Green Road is characterised by a mix of housing which exhibit considerable variety in their age, style and design. The appeal site and the adjacent open garden area provide a visual break within the Cox Green Road frontage and an open greenspace at the head of the Close, albeit private land.
6. This provides a semi-rural characteristic to the Close, which is continued along Cox Green Lane. On approach along the Close, the open aspect of the site provides views of the dramatic landscape beyond framed by the existing rows of development. This arrangement contributes significantly to the character of the locality and the distinctiveness of the Close.
7. The subdivision of the unusually large plot of 27 Barnfield Close would result in plot sizes that are commensurate with the size of other plots in the vicinity. The proposed layout would see the building's primary elevation set back behind a front garden onto the Close in a manner comparable to those of the existing houses. It would retain a similar degree of separation to the nearest unit and a sense of space about it.
8. However, unusually, the plot has three frontages along which views into the site are readily available. Consequently, in order to provide a suitable standard of private amenity space for prospective occupiers of the dwelling, the layout plan shows that it would be necessary to introduce high screen fencing forward of No27 along the proposed dividing boundary. In the context of a predominantly open fronted estate this would appear incongruous within the streetscene and contrast with its prevailing open character.
9. Furthermore, the position of the building would be such that it would cover a large part of the open garden space of No 27 and encroach significantly into the open vista at the head of the Close. Policy OA5 of the Bolton Local Development Framework Core Strategy Development Plan Document (2011) (CS) seeks to ensure that new development protects views from public areas to the surrounding landscape.
10. The arrangement of development would reflect that of other culs-de-sac found locally and would sit comfortably in the irregular line of development fronting Cox Green Lane. However, along with the proposed screen fencing, its encroachment into the open space beyond the existing rows of houses on the Close would close down the open character at the head of the cul-de-sac. This would interfere with the open views of the landscape beyond and be particularly evident on approach due to the curved alignment of the lower part of the Close.
11. Although the gaps either side of the building would retain some sense of spaciousness, the effect would be to significantly change the existing character of the cul-de-sac and unbalance the arrangement of development about it.
12. For the above reasons, I conclude that the proposed development would fail to preserve the local distinctiveness and therefore conflict with Policies OA5 and CG3 of the CS as they seek to preserve the character and appearance of the location of new development.

Living conditions

13. The proposed siting of the dwelling is such that the main elevation fronting Barnfield Close would roughly align with the north-eastern side elevation of No 27. The buildings would be set at 90° to each other and there would be some distance between them. This arrangement is visible in other cul-de-sac development nearby and demonstrates that it is capable of retaining suitable levels of privacy for adjacent residential properties and within the proposal itself. Subject to detailed design and placement of windows and/or use of obscure glazing, I conclude that a suitable standard of privacy could be retained/provided in association with the proposal.
14. Both No 27 and No 24 have been extended on their north-eastern sides. These extensions include openings purposefully designed to maximise the view to the open countryside on the opposite side of Cox Green Road. Those properties therefore benefit from dual aspects. Although the proposal would feature strongly in the outlook of No 27 this would not be an unusual relationship for development arranged about the head of a cul-de-sac. The intervening distance to the main habitable rooms of No24 and the offset position of the proposed dwelling would ensure that the effect on the outlook from that property would also be limited. The siting would therefore retain a suitable standard of living conditions for occupiers of that property.
15. For those reasons, I conclude that the development would retain suitable standards of privacy and outlook for neighbouring residents and would therefore comply with Policy CG4 of the CS as it seeks to protect the standard of living conditions for nearby residents with regard to outlook and privacy.

Other Matters

16. The proposal would be located within a settlement area benefitting from local services and amenities and would contribute to the delivery of housing within the Borough. Furthermore, it would achieve a suitable level of parking and provide for safe means of pedestrian and vehicle access and egress. Whilst I acknowledge the social and economic benefits such a development would provide, I do not consider that these matters would outweigh the harm I have identified above.
17. I have noted the objections from local residents and third parties to the proposal. However, in the light of my findings on the main issues of the appeal, my decision does not turn on these matters.

Conclusion

18. Whilst I have found in favour of the appellant with respect to the effect of the proposals on the living conditions of nearby residents, I do not consider this matter outweighs the identified harm in relation to the effect on the character and appearance of the locality. I therefore conclude that the appeal should be dismissed.

R Hitchcock

INSPECTOR

1. FENCE LINE REVISED TO MATCH PREVIOUS SITE SOUNDINGS AT THE SPECIFIC REQUEST OF BMD. PLANNING
KATHERINE TAYLOR

PUBLIC FOOTPATH

Nº: 24

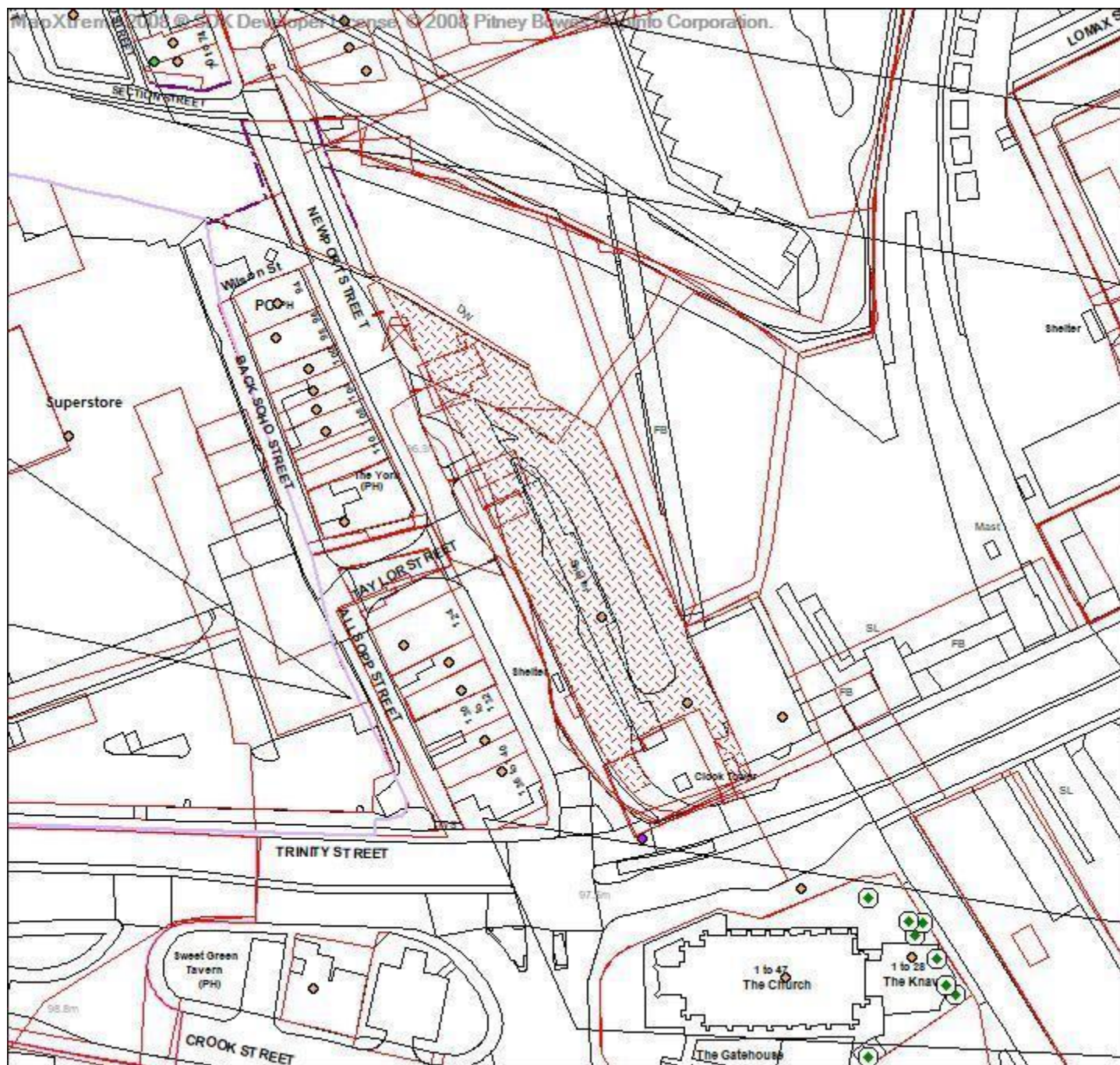
23 SEP 2019

242 FIELD CLOSÉ

PROPOSED DWELLING	At scale	Job No	dwg
27 BARNFIELD CLOSE	1:100	7605	3A
BOLTON	BL79UP		
SITE LAYOUT PLAN		R POTTER 01204	
PROPOSED		707720	
		9/6/2004 11:04	
		FARNWORTH POLICE	

18:27

Application number 09252/20



Directorate of Place
Development Management Section

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

Bolton Council

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Date of Meeting: 12/11/2020

Application Reference: 09252/20

Type of Application: Full Planning Application

Registration Date: 15/09/2020

Decision Due By: 09/11/2020

Responsible Officer: Beth Bradburn

Location: BOLTON INTERCHANGE GMPTE, TRINITY STREET, BOLTON, BL2 1BE

Proposal: REDEVELOPMENT OF REDUNDANT RAIL / BUS INTERCHANGE INCORPORATING DEMOLITION OF BUS STATION CONCOURSE BUILDING AND CONSTRUCTION OF NEW CARRIAGEWAY INCLUDING TAXI RANK, TWO-WAY CYCLE WAY AND RELOCATION OF VEHICLE DROP OFF AND LOADING BAY FROM TRINITY STREET TOGETHER WITH ERECTION OF BOLLARDS AND 8M HIGH LIGHTING COLUMNS.

Ward: Great Lever

Applicant: Transport for Greater Manchester

Agent : Bolton Council

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- The land is not owned by the Council; however the project is being delivered by Bolton Council in partnership with Transport for Greater Manchester.
- The Application seeks permission for the redevelopment of the redundant rail/bus interchange incorporating the demolition of the bus station concourse building and construction of new carriageway including taxi rank, two-way cycle way and relocation of vehicle drop-off and loading bay from Trinity Street.
- One statement of support and one general comment from Councillor Howard has been received.
- There are no objections from any Statutory Consultees subject to conditions.

Proposal

1. The application seeks permission for the redevelopment of the redundant rail/bus interchange at the junction of Newport Street and Trinity Street incorporating the demolition of the bus station concourse building and construction of a new carriageway including taxi rank, two-way cycle way and relocation of vehicle drop-off and loading bay from Trinity Street. Five 8 metre lighting masts and twelve black illuminated bollards are also proposed. The application site measures 0.45 hectares.
2. These works would form part of the Salford Bolton Network Improvements Programme (SBNI).

This is a programme being delivered by Bolton Council, Salford City Council and Transport for Greater Manchester (TfGM) and is aimed principally at improving journey times and reliability for buses and general motorists along a strategic corridor linking Bolton and Salford with the Regional Centre.

3. The scheme also aims to improve on existing facilities for cyclists and pedestrians. As part of this scheme (though not the subject of this application) the junctions at Newport Street / Trinity Street and Manchester Road / Trinity Street in Bolton will be upgraded to include enhanced cycle facilities with CYCLOPS (Cycle Optimised Protected Signals) layouts. The upgrade to these junctions has given rise to an opportunity for a cycle route from Manchester Road along Trinity Street then down Newport Street through the redundant interchange site to the cycle hub at the new interchange and Bolton town centre beyond. Newport Street has always been a barrier to gaining cycle access from the south of Bolton to the town centre as it is a one way street travelling south.
4. The area will be developed as a drop-off for the rail station for both private vehicles and taxis. This will enable the often misused drop off area on Trinity Street to be removed and a two way cycle track put in its place between the junctions, improving traffic flow along Trinity Street. This cycle track will then go through the newly developed interchange site and along Newport Street towards the town centre.
5. The existing concourse building will be removed and no other buildings are proposed with the site as it would be used as a dedicated highway, illuminated by way of streetlights and illuminated bollards to highway standards.
6. The application site is not council-owned however, the Council's Constitution currently requires that development involving the Council be presented to Planning Committee (the development is being delivered by Bolton Council and TfGM).

Site Characteristics

7. The site was used as a transport interchange until 3rd September 2017 when the new interchange opened nearby. After this, only the taxi rank remained in permanent use with the bus station concourse building and stands only being used for occasional rail replacement services.
8. The application site is sited within the town centre sub-areas Trinity Gateway and the Knowledge Quarter on the Council's allocation map.

Policy

The Development Plan

9. Core Strategy Objectives: SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety
10. Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses; RA1 Great Lever; S1 Safe Bolton; P5 Transport and Accessibility; P2 Retail and Leisure; CG1 Cleaner and Greener Bolton; H1 Healthy Bolton; CG2 Sustainable Design and Construction.
11. Bolton Allocations Plan: Bolton Innovation Zone TC4 Trinity Gateway, TC6 Knowledge Quarter, P7AP Strategic Route Network.

Other Material Considerations

12. Supplementary Planning Documents: SPD General Design Principles; SPD Accessibility, Transport

13. National Planning Policy Framework - Building a strong and competitive economy, Ensuring the vitality of town centres, Promoting sustainable transport, Promoting healthy communities.

Analysis

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

15. The main impacts of the proposal are:-

- impact on the character and appearance of the area
- impact on the amenity of neighbouring residents
- impact on the highway and highway safety
- land contamination
- drainage/flood risk
- ecology

Impact on the Character and Appearance of the Area

16. 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.

17. Policy T4 relates to Trinity Gateway and TC6 specifically relates to the Knowledge Quarter. The Core Strategy states that the Council should improve pedestrian access between this area, the Civic and Retail Core and the rest of the town centre.

18. The current area comprises a bus station concourse building on Newport Street which adds little value to the character and appearance of the area.

19. The new footway would be constructed to match the existing Marshall Perfecta paving and diamond sawn sandstone paving, the new carriageway would also be constructed in materials to match the existing. The segregated cycle way would be finished with green coloured tarmac.

20. With regards to any potential for landscaping, it is not possible to plant trees into the ground at this location due to the unregulated historic complexity of underground services, utilities, fill material and voids. At present there are four poor tree specimens in meagre planting containers, mostly used as litter bin receptacles.

21. The intention is to retain the four trees but in unknown locations at present.

22. The Council's Landscape Team has been consulted and has recommended planting more and larger trees in larger containers. This is due to the fact that the space will become more open following removal of the bus shelters and because trees can break up the large open space, reduce the micro-climate winds that funnel through the area, provide points of reference and

gain environmental improvement increasing the well-being aesthetic 'feel' of the area.

23. These comments were taken on board by the Applicant, however as it is not certain where the most suitable locations for the planting would be at this stage, it will be conditioned for a landscaping scheme to be submitted prior to the first use of the site.
24. Further to the above assessment and recommended conditions, the redevelopment of the site would positively contribute to the character and appearance of the area in accordance with Policy CG3 of Bolton's Core Strategy.

Impact on the Amenity of Neighbouring Residents

25. 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.
26. The upgrading of the highway network and enhanced cycle facilities will have no additional impact onto the amenity of surrounding uses and residents.
27. It is noted that the proposed lighting scheme will slightly exceed 5 LUX levels to the properties along Newport Street; however given the location of the existing column lighting currently present at the application site, the background luminance levels of Bolton town centre and that the proposed lighting columns will be finished to highways standards, in this instance the proposed lighting scheme is considered to be acceptable.
28. Further to the above assessment, the proposal would accord with policy CG4 of Bolton's Core Strategy.

Impact on the Highway and Highway Safety

29. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements, parking (in accordance with the parking standards set out in Appendix 3), and the requirement for a Transport Assessment and Travel Plan with major trip generating developments. Policy S1.2 states that the Council will promote road safety in the design of new development.
30. Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. The Council has also adopted the Accessibility, Transport and Road Safety SPD which notes that the provision of a safe, high quality transport network is vital to the economic prosperity of the borough and the ability of residents to safely access potential new jobs being created together with health, education, community facilities and housing. The SPD also seeks to ensure that the use of transport does not adversely affect the climate and therefore requires new development to reduce the need to travel by car, and encourage people who live, work and visit to walk, cycle and use public transport.
31. The National Design Guide states that successful development depends upon a movement network that makes connections to destinations, places and communities, both within the site and beyond its boundaries. A well-designed movement network defines a clear pattern of streets that are, safe and accessible for all; functions efficiently to get everyone around, takes account of the diverse needs of all its potential users and provides a genuine choice of sustainable transport modes, limits the impacts of car use by prioritising and encouraging walking, cycling and public transport.

32. The application is aimed principally at improving journey times and reliability for buses and general motorists along a strategic corridor linking Bolton and Salford with the Regional Centre. The scheme also aims to improve on existing facilities for cyclists and pedestrians. As part of this scheme, the junctions at Newport Street / Trinity Street and Manchester Road / Trinity Street will be upgraded to include enhanced cycle facilities with CYCLOPS (Cycle Optimised Protected Signals) layouts. The upgrade to these junctions has given rise to an opportunity for a cycle route from Manchester Road along Trinity Street then down Newport Street through the redundant interchange site to the cycle hub at the new interchange and town centre beyond.
33. The illuminated bollards and street lighting will ensure the site will be safe and accessible for pedestrian and cyclists.
34. It is therefore considered, that the proposal would promote highway safety and improve accessibility through removing a barrier for cyclists to access the town centre from the south and will improve congestion issues on Trinity Street caused by the existing limited waiting / drop-off area and improving traffic flow in accordance with Policies P5 and S1.2 of Bolton's Core Strategy.

Land Contamination

35. Policy CG4.3 of the Core Strategy, in line with the NPPF, requires all new development to ensure any risk of contamination is identified and adequately managed. Paragraphs 178 to 179 of the NPPF state that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location and that adequate site investigation information, prepared by a competent person, is presented with applications.
36. The Council's Environmental Health department has been consulted and recommended that a watching brief should be undertaken by a suitably qualified person and that if during construction and prior to completion of the development hereby approved, contamination is found or suspected, the developer shall contact the Local Planning Authority immediately and submit proposals for investigation and remediation of the contamination within seven days from the date that it is found or suspected to the Local Planning Authority for approval in writing. However, as the proposal is not a sensitive use, and that the applicant is responsible for the safe development of the site, an advisory note will be attached to the decision warning the applicant of these risks and the necessary action required should contaminants be discovered.
37. It is therefore considered, subject to the recommended advice, that the proposal would be compliant with Policy CG4 of the Core Strategy.

Impact on Land Drainage and Flood Risk

38. Policy CG1 states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk. Policy CG2 relates to sustainable design and construction.
39. The proposed site lies within a Flood Risk Buffer Zone. The Council's Drainage and Flood Risk department were consulted and noted that the application is designated as a brownfield site requiring a 50% reduction in surface water run-off as per Bolton Council's Local Development Framework - Core Strategy - Policy CG2.2. The updated Flood Map for Surface Water (uFMfSW) maps produced by the EA predicts that surface water flooding during a 1 in 100 year event just encroaches into the site via flooding from Newport Street. However, the Environment Agency note that advice should be sought from the EA if the site lies in flood zone 1 or a critical surface water flood area which this site is not.

40. Furthermore, United Utilities were also consulted and recommended that in accordance with national guidance, a surface water drainage scheme shall be submitted and must include an investigation of the hierarchy of drainage options. This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water, an agreed restricted rate of discharge of surface water and a timetable for its implementation.
41. Subject to the necessary surface water drainage scheme, the proposal is considered to be in accordance with both Policy CG1 and CG2.2 of the Core Strategy and the National Planning Policy Framework.

Impact on Ecology

42. Strategic Policy CG1.2 notes that the planning system should contribute to and enhance the natural and local environment by: Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures states that the planning system should contribute to and enhance the natural and local environment.
43. The proposal involves the demolition of the bus depot, therefore GMEU was consulted and have provided the following comments:
44. *The existing bus station appears to have fairly limited potential to support roosting bats. The sides of the building are made predominantly of glass and are open to the weather, and the roof is flat and made from pre-fabricated materials. Coupled with the location in a highly urbanised environment surrounded by hard standing/roads, I would consider it to be sub-optimal for roosting bats, and I would not consider it reasonable to require a bat survey to be submitted to support the submitted application.*
45. *However, bats and other protected species can turn up in unexpected places. An informative should therefore be used so that the applicant is aware of the legal protection that certain species receive and that the granting of planning permission does not negate the need to abide by the laws that are in place to protect biodiversity.*
46. The above advice will be communicated on the decision via an informative.

Conclusion

47. For the reasons discussed above it is considered that the proposed redevelopment would not harm the character and appearance of the area, would not result in adverse environmental impacts, would not unduly impact on the amenity of neighbouring residents and would not increase the risk of flooding. The proposal would also improve the highway network and highway safety and therefore accords with policies S1, P5, CG4, CG3, CG1, CG2 and TC4 and TC6 of Bolton's Core Strategy and the guidance contained within the Accessibility, Transport and Road Safety SPD, the National Design Guidance and the NPPF.
48. Members are therefore recommended to approve this application subject to conditions.

Representation and Consultation Annex

Representations

Letters:- 1 letter of support and 1 general comment have been received from Councillor Howard noting the following:

- There will be 14 vehicle spaces for pick up and drop off that replaces the spaces on Trinity Street. Many people drop off and pick up members of their family at the rail station, some on a daily basis such as students going to colleges and universities outside of Bolton and workers travelling daily to central Manchester and further afield into Cheshire, Stockport and the Airport jobs including Airport City.
- There is a reduction of 2 taxi spaces planned from 12 to 10. This is currently a black cab rank. The population of Bolton is growing with a growth in the working age population.
- Whilst the loss of 2 spaces is small, its decrease it is notable. An objection will be raised if anything changes and the 10 taxi spaces get reduced.

Officer's Comments: The above comments are noted, however the proposal would principally aim at improving journey times and reliability for buses and general motorists along a strategic corridor linking Bolton and Salford with the Regional Centre. For cyclists it is removing a barrier to access the town centre from the south. For Trinity Street it is removing congestion issues caused by misuse of the existing limited waiting drop off area and improving traffic flow. Despite the removal of the two drop off/taxi spaces, the scheme would improve movement and accessibility for both private vehicles whilst encouraging sustainable modes of transport and fully accords with policy P5 and S1.2 of Bolton's Core Strategy.

- Statement from the Bolton Active Travel Forum Technical Review and in general support of the application.

Elected Members:- One comment from elected member Councillor Howard as detailed above.

Consultations

Advice was sought from the following consultees: The Council's Highways Engineers, Landscape Officers, Pollution Control Officers, United Utilities, Flood Risk and the Environment Agency.

Planning History

87438/12 Part a - demolition of unity centre, new bus station and ancillary facilities, pedestrian bridge to the rail station, 2 detached operators buildings, cycle centre, public realm, landscaping, highway works and amendments to the Bolton interchange on Newport Street. Part b - future commercial development approved under outline application 83971/10 which will be the subject of a future reserved matters planning application. Decision: Approved with conditions

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

of this permission.

Reason

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

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

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

The approved works shall be implemented in full prior to the occupation of the buildings hereby approved and those works as approved shall be retained thereafter.

Reason

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

Reason for pre-commencement condition:

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

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

Reason

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

4. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan ref: Proposed Block Plan, Drawing no. 933066/06, Street Lighting, Drawing no. 933066/02/SL.

Reason

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

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

approved plans:

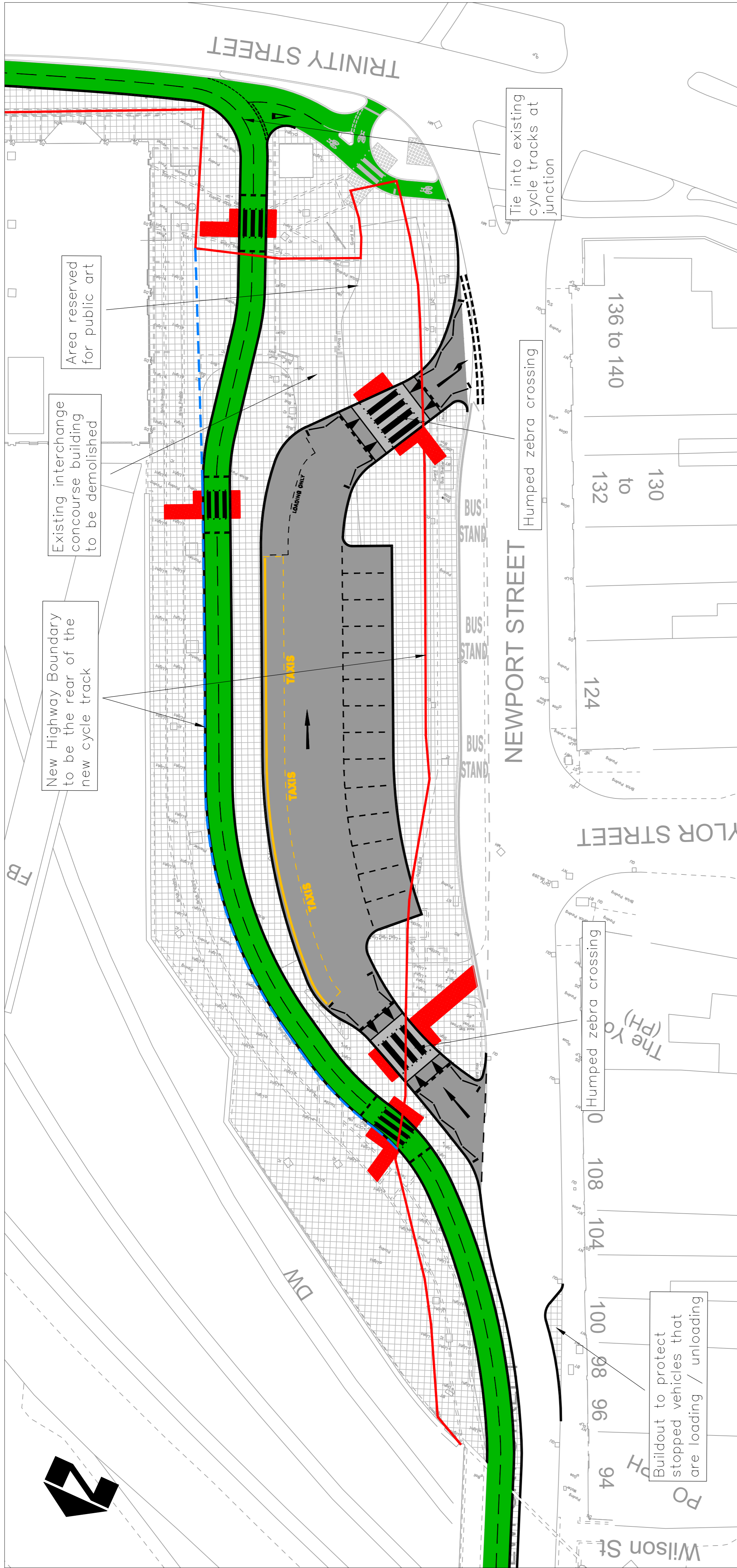
Site Plan, Drawing no. 933066/03


Proposed Block Plan, Drawing no. 933066/06

Street Lighting, Drawing no. 933066/02/SL

Reason

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



Rev	Amendments	By	Date	Chkd
 <div> <div> HIGHWAYS AND ENGINEERING DIVISION </div> <div> Council </div> </div>				
<div> <div> <i>'KEEPING PEOPLE MOVING SAFELY'</i> </div> <div> DIRECTORATE OF PLACE Director: Gerald Brough BSc (Hons), MBA, Dip MI </div> </div>				
<div> <div>BOLTON STATION DROP OFF IMPROVEMENTS</div> <div>PROPOSED BLOCK PLAN</div> </div>				
<div> <div>Status</div> <div>PLANNING</div> </div>				
Date	JULY 2020	Drawn-by	DG	
Scale	1:250	Checked by	MF	
<div> <div>Drawing Size: A1</div> <div>CAD ref: N:\EP\Project\Highway\2729\933066</div> </div>				
<div>Drawing No.</div> <div>933066/06</div>		<div>Revision</div>		

RECEIVED PLANNING APPEALS from 07/10/2020 to 28/10/2020

08277/20 **9 ERSKINE CLOSE, BOLTON, BL3 4UG**

CONVERSION OF BUNGALOW INTO TWO STOREY DWELLING INCLUDING ERECTION OF FIRST FLOOR
EXTENSION, TWO STOREY EXTENSION AT SIDE, RE-LOCATION OF FRONT PORCH
TOGETHER WITH ENLARGEMENT OF SINGLE GARAGE INTO A DOUBLE GARAGE

Decision date: **31-Jul-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **27-Aug-20**

Appeal ref: **APP/N4205/D/20/3257574**

07207/19 **70A-72 ST HELENS ROAD, BOLTON, BL3 3NP**

CHANGE OF USE OF GROUND FLOOR FROM OFFICE (CLASS A2) TO RESTAURANT/CAFE (CLASS A3)
INCLUDING ERECTION OF FLUE AT REAR.

Decision date: **23-Dec-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **25-Aug-20**

Appeal ref: **APP/N4205/W/20/3254719**

DECIDED PLANNING APPEALS from 07/10/2020 to 28/10/2020

08277/20 **9 ERSKINE CLOSE, BOLTON, BL3 4UG**

CONVERSION OF BUNGALOW INTO TWO STOREY DWELLING INCLUDING ERECTION OF FIRST FLOOR
EXTENSION, TWO STOREY EXTENSION AT SIDE, RE-LOCATION OF FRONT PORCH
TOGETHER WITH ENLARGEMENT OF SINGLE GARAGE INTO A DOUBLE GARAGE

Decision date: **31-Jul-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **13-Oct-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/D/20/3257574**

07207/19 **70A-72 ST HELENS ROAD, BOLTON, BL3 3NP**

CHANGE OF USE OF GROUND FLOOR FROM OFFICE (CLASS A2) TO RESTAURANT/CAFE (CLASS A3)
INCLUDING ERECTION OF FLUE AT REAR.

Decision date: **23-Dec-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **13-Oct-2020**

Appeal decision: **Withdrawn**

Appeal ref: **APP/N4205/W/20/3254719**

Summary of decided planning appeals

	Dismissed	Withdrawn	Total
Total	1	1	2

RECEIVED ENFORCEMENT APPEALS from 07/10/2020 to 28/10/2020

Appeal start date:

Appeal ref:

DECIDED ENFORCEMENT APPEALS from 07/10/2020 to 28/10/2020

Decision date:

Decision:

Appeal ref:

Summary of decided enforcement appeals