

Planning Applications Report

Planning Committee

25 August 2016

**Bolton
Council**

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

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: -

UDP	The adopted Unitary Development Plan 2005
RSS	Regional Spatial Strategy for the North West of England 2008
PCPN	A Bolton Council Planning Control Policy Note
PPG	Department of Communities and Local Government Planning Policy Guidance Note
MPG	Department of Communities and Local Government Minerals Planning Guidance Note
SPG	Bolton Council Supplementary Planning Guidance
SPD	Bolton Council Supplementary Planning Document
PPS	Department of Communities and Local Government Planning Policy Statement
TPO	Tree Preservation Order
EA	Environment Agency
SBI	Site of Biological Importance
SSSI	Site of Special Scientific Interest
GMEU	The Greater Manchester Ecology Unit

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

www.bolton.gov.uk/planapps

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Application number 95548/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 95548/15

Type of Application: Full Planning Application

Registration Date: 10/05/2016

Decision Due By: 08/08/2016

Responsible Officer: Jon Berry

Location: MAKKAH MOSQUE, GRECIAN CRESCENT, BOLTON, BL3 6QU

Proposal: ERECTION OF A MOSQUE AND COMMUNITY CENTRE

Ward: Great Lever

Applicant: Makkah Mosque, Cultural & Community Centre

Agent : Archi-Structure

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought for the erection of a replacement mosque and community centre on land fronting Grecian Crescent. The proposed building is broadly subdivided into two main uses - the mosque areas would be used for Islamic worship and the community centre would provide two community halls with undercroft parking below. A glazed canopy would provide a covered walkway to and from the existing Makkah Mosque building, which would ultimately be demolished. The proposed building would operate on three levels, divided as:-

Ground Floor:	Mosque - main entrance, everyday prayer hall, associated rooms such as morgue and reception. Glazed link to existing building. Community Centre - undercroft parking
First Floor:	Mosque - main Friday and special occasions prayer, ladies ablutions, meeting room Community Centre - multi-purpose community hall, kitchen, plant
Second Floor:	Mosque - balcony providing for ladies prayer and offices Community Centre - multi-purpose community hall

The two separate "halves" of the building are linked by an internal lobby. The design is one of traditional Islamic architecture, featuring strongly arched windows, two minarets and a dome. The community centre element is clearly distinguishable from the worship element - whilst it still has arched windows these are less prominent and the elevations have more of a horizontal emphasis rather than the vertical emphasis of the section used for worship. Materials are proposed to be chiefly brick and artstone with aluminium windows.

The application points out that the two elements of the site are unlikely to be used at the same time as whilst they are both physically linked they have different functions. If the community centre was being used at a time when prayer was called, occupants would vacate the community centre and

move to the mosque for prayer. The reverse is likely to be true as well - the worship area would not be occupied at times outside of prayer, in accordance with the Islamic calendar. The total amount of floorspace proposed for worship is 1,520 square metres and the community centre would be 1,015 square metres. The floorspace of the existing building covers 753 square metres.

The combined vehicular and pedestrian access to the site would remain as existing from Grecian Crescent but would be improved. There would be no other vehicular or pedestrian access to the site. The existing parking area at the front of the existing Makkah mosque would be reconfigured with additional parking provided around the proposed building - in total, 90 spaces are shown at the site, including the undercroft area below the community centre. The application points out that a nearby site at Weston Street is in the ownership of the mosque committee and can provide a further 45 spaces at peak times.

A boundary treatment is proposed that reflects the design of the main building. Parts of the site are allocated for new planting and a landscape scheme would be required by condition.

The Applicant aims to incorporate the following elements into the design, in the interests of sustainable development:-

- provision of a green roof
- water harvesting & recycling
- use of a sustainable urban drainage system, including permeable paving within the paving area to reduce rainwater run-off
- construction from materials designed to absorb, store and release heat, thereby providing passive ventilation and avoiding the need for air conditioning
- effective use of windows for natural light and ventilation
- use of energy efficient boilers, light fittings and low or zero carbon equipment

The application is accompanied by a contaminated land report, a SUDS report, 3D visualisations, a statement of community consultation, a crime impact statement, a design and access statement, a transport statement, a waste management strategy and a proposed travel plan.

Site Characteristics

The site is located south of Bolton town centre fronting Grecian Crescent and is also bounded by Ninehouse Lane and Rigby Court. Parts of the Grecian Mill complex (a Grade II Listed Building) are located immediately to the north of the site.

The site as a whole consists of a largely vacant parcel of land approximately 0.32 hectares together the site of the existing Makkah mosque which measures 0.26 hectares. The entire site is therefore 0.58 hectares, or 5,895 square metres.

The site is currently informally used as an overspill car park to the existing Makkah mosque. Prior to this, it contained a business known as Ross Roofing, now demolished.

Grecian Crescent is a fairly busy road linking much of Great Lever with Bolton town centre. Whilst it is not a classified road it is a bus route and also carries buses to and from the Firstbus depot at Weston Street nearby. It forms part of a route that provides links to Bridgeman Street, Fletcher Street, Lever Street, Rishton Lane, Lever Edge Lane and Green lane. Nearby uses are mixed and strongly distinguished - the majority of land to the north and east is in industrial use (part of a large industrial allocation that stretches from the edge of Bolton town centre to Weston Street) whilst the majority of the land to the south and west is in residential use, much of which is traditional terraced housing.

Policy

National Planning Policy Framework - promoting sustainable transport, requiring good design, promoting healthy communities, meeting the challenge of climate change, conserving and enhancing the natural environment

Core Strategy Objectives

SO2 Access to Education, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO10 Climate Change, SO11 Built Heritage, SO12 Biodiversity, SO16 Community Cohesion and Access

Core Strategy Policies

A1 Education, P5 Transport, S1 Crime and Road Safety, CG1 Biodiversity, Open Space, Flood Risk and Climate Change, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses, SC2 Cultural and Community Facilities, RA1 Inner Bolton

Supplementary Planning Documents

General Design Principles, Building Bolton, Sustainable Design and Construction, Merchant's Quarter, Church Wharf, Trinity Gateway

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area and the setting of the adjacent Grade II listed building (Grecian Mill)
- * impact on the provision of community facilities
- * impact on residential amenity
- * impact on the highway and parking arrangements
- * impact on drainage

Impact on the Character and Appearance of the Area and the Setting of the Adjacent Grade II Listed Building (Grecian Mill)

Section 7 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments; are visually attractive as a result of good architecture and appropriate landscaping. Planning should not

attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. The NPPF does however recognise that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations.

Core Strategy policy CG3 seeks to ensure that development proposals display innovative, sustainable designs that contribute to good urban design, conserve and enhance local distinctiveness and have regard to the overall built character and landscape quality of the area. Furthermore, development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. The Local Planning Authority must conserve and enhance the heritage significance of heritage assets, recognising the importance of sites, areas and buildings of historic, cultural and architectural interest and their settings.

The proposed building has been designed to form a landmark structure within the local area, which contains a wide range of land uses including terraced housing and Grecian Mill. This would be a bespoke development and the architecture has been well informed by the feedback and experiences gained around the operation of the existing facilities. It is considered that the locality is sufficiently diverse in terms of the existing built form to be able to accommodate a project based on the design details being proposed without there being an adverse impact on character. The Grecian Mill complex is listed but this also stands out in terms of scale.

The orientation of the building and ornamental architectural features shown on the plans very much follow the same principles of other mosques that have previously been approved by the Local Planning Authority. The principles have been established in response to the religious needs of the local community. The design is judged to be one of high quality and the new landscaping would provide an appropriate setting.

The proposal is considered to conform to with Core Strategy policy CG3.

Impact on the Provision of Community Facilities

Section 8 of the NPPF recognises the important role of the planning system in facilitating social interaction and creating healthy, inclusive communities. Planning decisions should aim to achieve places which promote opportunities for meetings between members of the community; safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and safe and accessible developments. Decisions should plan positively for the provision and use of shared space, community facilities, including places of worship, and ensure an integrated approach to considering the location of community facilities and services.

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

The proposed mosque would provide replacement facilities and the demand to date demonstrates a local need for the development. It would meet the needs of the current users as well as providing improved and additional facilities for females to meet the requirements of the growing Muslim population in the area.

Impact on Residential Amenity

Core Strategy policy CG4 seeks to ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Development should not generate unacceptable nuisances, odours, noise or pollution. PCPN2 provides guidance on space around dwellings to ensure that adequate levels of privacy, light and residential amenity are achieved.

It is considered that the development has been laid out in a way so that there would be an acceptable relationship with the surrounding properties. This is not a residential property therefore the windows cannot be considered to be principal windows. The building maintains an interface of approximately 21 metres to the surrounding properties, which is considered to be acceptable. The proposal is judged to comply with Core Strategy Policy CG4 and PCPN2.

Impact on the Highway and Parking Arrangements

Section 4 of the NPPF recognises the important role of transport policies in facilitating sustainable development. The transport system should be balanced in favour of sustainable transport modes, giving people real choice about how they travel. Developments that generate significant amounts of movement should be supported by a Transport Assessment. Planning decisions should take into consideration the opportunities for sustainable transport modes; safe and suitable access to the site for all people; and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Development that generates significant movement should be located where the need to travel will be minimised and the use of sustainable modes maximised.

Core Strategy policy P5 seeks to ensure that development takes into account accessibility by different types of transport, prioritising pedestrians, cyclists, public transport users over other motorised vehicle users. The design of developments should enable accessibility by public transport. Core Strategy policy S1 states that the Council will promote road safety in the design of new developments. Maximum parking standards are detailed in Appendix 3 of the Core Strategy.

The development is being undertaken mainly to replace an existing well established mosque and community facility in the same location and the new building would cater for improved worshipping, educational and community facilities for the existing congregation. In terms of access it is to be served from Grecian Crescent/Fletcher Street which is an unclassified road. These sections of the highway provide vehicular access to the town centre from the southern side of Bolton. According to available traffic count data the capacity here is for approximately 9000 two-way vehicle movements over a 24 hour period.

The application is supported by a Transport Statement which indicates that there has been no appreciable accident record across the Grecian Crescent frontage of the site over the last 5 year time period. The Local Highway Authority has substantiated this information as correct from the injury and accident data available. Analysis of the surrounding highway network has revealed an appreciable accident record at the junction of Lever Street and Fletcher Street. The main contributory factor was vehicles protruding over the give way markings into the junction area.

The likelihood is that the new development will generate a lot more traffic onto the highway network in comparison to the existing situation. The access would be improved and the visibility at this point would comply with the requirements indicated in national guidance. The Local Highway Authority does not object to the principle of what is proposed.

The application proposal includes 90 on site spaces and it has been confirmed that an additional 45 spaces are available at the nearby Weston House at Weston Street. These are currently owned and operated by the Applicant and they are available at all times giving a total provision of 135 spaces. The Council's Highway Engineers estimate that up to 400 spaces would be required under the parking standards appended to the Core Strategy. However, it is acknowledged that would be an absolute maximum number which would be unachievable owing to the site constraints.

The Transport Consultant for the Applicant has provided information within the Transport Statement documentation and Travel Plan in order to justify the lower number of spaces that would be created. The site is highly accessible by sustainable transport modes. Studies have found that 53% of the congregation walk to the existing facility and a high percentage of new visitors would live in close proximity. The location is highly accessible on foot from the surrounding residential catchment and Grecian Crescent has frequent bus services with high patronage.

The Transport Consultant has carried out parking surveys around Friday prayers and the Council's Highways Engineers have also made a site inspection on a Friday afternoon during the application process. There are similar findings. As expected parking demand is increased and some overspill around the site was observed. However, it is also the case that a high number of people travel by foot and a number of cars had more than one occupant.

The Applicant has offered various traffic management and parking procedures. At busy times, which are expected to be at Friday prayer times and when special event times such as Eid prayers are happening, there will be dedicated parking supervision. This would involve at least four supervisors being present at different parts of the development. One would be positioned at the main car park entrance to ensure that visitors are guided to available spaces; the second would stand at the main car park facing Rigby Court; the third would be based at the everyday car park facing Grecian Crescent; and the fourth would be placed just outside the main entrance to discourage worshippers from parking on Grecian Crescent and the adjoining streets.

Having entered the car park drivers will be given clear instructions and they will be directed to the parking areas in an organised manner. This would ensure effective arrangements for ingress and egress. Should all parking spaces be filled then double parking could be managed under the instruction of the supervisors.

The management committee already produces and distributes leaflets on a regular basis to advise of these arrangements and the same message is issued verbally at every Friday prayer. Should visitors not follow instructions then the management committee places stickers on the wind screens of their vehicles and persistent offenders are penalised.

Furthermore the Applicant has introduced two prayer sessions on a Friday to split attendance and ease any potential congestion. In terms of Eid prayers there would also be 3 sessions, again to address peak demand for parking.

A Travel Plan has been submitted to support the application and the strategy within that would be a condition of approval.

The Council's Highways Engineers have concluded that there is likely to be an increase in vehicular movements on the highway network as a result of the development. There could also be exacerbated parking problems in the surrounding area at peak times which would have road safety and residential amenity implications. However, the proposed management measures put forward by the Applicant are reasonable and should reduce reliance on the car as a means of travel to the site (though there is always likely to be opportunistic drivers who would park inappropriately so Travel Plan mitigation measures alone can be weak). The Engineers therefore recommend conditions to achieve improved access; 90 on site car parking spaces; betterment of Grecian Crescent; and a review of traffic regulation orders in the locality including the introduction of additional waiting/loading restrictions on Grecian Crescent to be funded at the expense of the developer.

Subject to all of this the Highways Engineers consider that concerns about traffic and parking issues and the potential impact on road safety and residential amenity are insufficient to warrant a refusal

of planning permission. Planning Officers accept this technical view.

Impact on Drainage

The Applicant has submitted a Flood Risk Statement, Drainage Strategy and a Sustainable Urban Drainage System maintenance proposal as requested by the Council's Drainage Management team. Further information will be reported at the meeting.

Conclusion

The design of the proposed development is high quality. It would be an outstanding feature in terms of scale but landmark religious buildings often do. It would be an inspirational structure of distinctive appearance. The principles behind the concept are supported and the accompanying landscaping and boundary treatment would add an appropriate setting. The proposal conforms to Policy CG3 of the Core Strategy.

There would be additional visitors using their cars to travel to the development and there would be more pressure placed on the road network in terms of accessibility and off-site parking. The potential implications for safety and residential amenity have been assessed by the Highways Engineers. Providing that the Travel Plan and the measures put forward by the Engineers are conditioned then it is not considered that planning permission can be reasonably be refused on these grounds or against Policy SC2 of the Core Strategy.

The development is a replacement scheme, albeit larger, that would meet the needs of the local community including current users and new visitors from the nearby female Muslim population.

For these reasons Officers recommend that the Planning Committee agrees to grant planning permission subject to the conditions attached to this report.

Representation and Consultation Annex

Representations

Letters:- representations of objection have been received from 14 properties. Four of these are from outside the area; however, the majority are from the immediate vicinity of the site, including businesses located within Grecian Mill.

The material planning considerations contained within the representations of objection can be summarised as:-

- the proposed development will cause additional noise and disturbance to the residential amenity
- the new building will dominate nearby residential properties, affecting outlook, privacy and causing a loss of light
- the proposed development will double the foot traffic and congestion around the surrounding area during Friday lunchtime, a time when non-worshippers will be working and travelling
- the development will impact highway safety through the generation of extra traffic using quiet residential street
- the proposed development lacks adequate on site parking to accommodate the 500 car users based on a 1200 capacity and 47% modal share. Although the applicants have spaces for ninety cars at present, the new development is twice the size of the original footprint and would require twice as many car parking spaces, the parking is insufficient for the number of worshippers that may attend this mosque. This will force worshippers to park in nearby residential streets affecting highway safety and traffic flow
- the overspill car park is already used to capacity on busy days
- six new businesses have opened up at Grecian Mill and more work is being done on different

- parts of the mill. This will bring an increase of traffic that has not been taken into account
- the additional parking proposed at Weston Street will be insufficient
- the mosque is situated on a very tight bend on a busy main road which already causes traffic problems when in use. Cars park on the main road and outside nearby residents' homes
- the road is small and narrow and is also the main bus route to and from the depot resulting in all buses travelling down the road to commence their shift
- the mosque will be situated in between two junctions, one of which is the 21st worst in the borough
- pedestrians have difficulty in crossing the entrance to the mosque when members are leaving
- the Driving Test Centre is close to the mosque and people trying to pass their test will be inconvenienced if there is congestion
- visitors to the existing mosque do not use public transport
- cars already park on Grecian Crescent, Rishton Lane, Fletcher St, Parkfield Rd, Settle St, the curtilage of Grecian Mill and the surrounding areas
- visitors already come from surrounding towns and cities
- the applicants plan to attract worshippers from outside the area. It is not solely for local worshippers
- our suppliers and customers are unable to deliver and collect goods to and from us due to inappropriate parking by visitors to the Mosque parking around the site, blocking entrances, side streets, parking on double yellow lines and causing inconvenience to local businesses
- the proposed development is far too large in terms of mass and scale, and does not match locally used building styles and materials with two minarets added onto a Victorian building. It is an eyesore, not a landmark
- the proposed development does not promote or enhance local character and distinctiveness
- the site is next to Grecian Mill, a Grade II listed site of historical value
- the mosque would be in the middle of a an industrial building that has approx 20 different businesses and would look odd and out of character - a new build with grand design next to a 171 year old building that is listed for its architecture and historic value
- the Council must protect the mill and its businesses

The following issues have also been raised by objectors, but are not material planning considerations:-

- the proposed development promotes the segregation of females with its specific prayer hall for women only
- the existing site has broken drains emitting toilet waste from them, windows with grills used as a litter bin, obviously no one cares about health and safety on the site
- the need for the proposed development is not proven (Officer's note: it is not necessary for need to be proven for this type of development. The submission of the application is itself considered to be evidence of need)
- the site of the new building is on an old reservoir and would require extensive ground works to allow such a massive weight to be placed on it ((Officer's note: this would be a matter for the Building Regulations)
- it has been said that the owner of the mill originally applied for permission to build houses on the same plot of land and this was refused on the grounds that the surface was uneven, there were drainage problems and that it was listed (Officer's note: no evidence has been found to support this)

Consultations

Advice was sought from the following consultees: Highway Engineers, Pollution Control, Greater Manchester Police; North West Counter Terrorism Unit, Drainage
Consultation letters were sent to commercial and industrial premises at Grecian Mill, Mikar Business

Park and on Weston Street together with residential properties at Rigby Court, Ninehouse Lane, Grecian Crescent, Walton Court, Fletcher Street, Kingthorpe Gardens, Bishopbridge Close and Binbrook Walk. Four site notices were displayed around the site from 27th June.

Planning History

Planning permission was granted in 1984 for the erection of a single storey building for the storage of roofing supplies and a trade counter (23504/84)

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to commencement of development, other than demolition and remediation, a scheme for the phasing of the development shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason

To facilitate the phased development and to safeguard the character and appearance of the area.

3. Prior to the commencement of development hereby approved, all developer obligations shall be fulfilled and funded at the applicants expense to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult, advertise, promote and implement Traffic Regulation Orders around the site including the introduction of additional waiting/loading restrictions on Grecian Crescent to mitigate the likely impact of the development.

Reason

In the interests of highway safety.

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

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

Reason

To ensure the site provides satisfactory means of surface water drainage.

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

Reason

In the interests of tackling climate change.

6. Prior to commencement of development a package of measures shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the recommendations of the submitted Crime Impact Statement have been taken into account. The scheme shall include measures to achieve Secure By Design accreditation. Such measures as are approved shall be implemented in full before the approved development is first brought into use and shall be retained in full thereafter.

Reason

To reduce crime and the fear of crime.

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

Reason

To encourage cycle use and provide adequate facilities for cyclists.

8. Prior to the commencement of development full details of the highway works associated with the access proposals onto Grecian Crescent as indicated on the approved site plan ref 215-125 03 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.

9. Prior to commencement of development, a scheme for the obscure glazing and non-opening of windows to the western elevation of the community centre building hereby approved, of those windows overlooking Rigby Court, shall be submitted to, and approved in writing by, the Local Planning Authority. Before the first occupation of the building hereby permitted the window(s) identified in the approved scheme shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

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

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

12. Prior to the commencement of development samples of the materials to be used for the external walls and roof shall be submitted to, and approved in writing by, the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.

13. Unless otherwise agreed in writing, the development hereby approved shall achieve the "very good" BREEAM rating (or any subsequently adopted set of national sustainable construction standards), details of which shall be submitted to and approved in writing by, the Local Planning Authority. The development shall not be brought into use unless and until a final BREEAM (or equivalent) certificate is provided to the Local Planning Authority.

Reason

To reduce the impact on climate change and to improve the sustainability of the site.

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

Reason

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

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

Reason

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

16. Development shall not commence until any remediation scheme required as a result of the investigation carried out in accordance with the submitted Phase 1 Desktop Study has been prepared, approved in writing by the Local Planning Authority, and implemented as approved. The scheme shall include provision for verifying that the remediation objectives (verification report) have been met and for any subsequent monitoring and maintenance in accordance with Model Procedures for the Management of Land Contamination (CLR 11), details of which should be submitted to, and approved in writing by, the Local Planning Authority before the development is first brought into use or first occupied.

Reason

To ensure the development is safe for use.

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

Reason

To ensure adequate standards of privacy and amenity are obtained and the development reflects the landscape and townscape character of the area.

18. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted to, 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.

19. Before the approved/permitted development is first brought into use no less than 90 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with approved site plan ref 215-125 03. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

20. Notwithstanding the submitted plans, prior to the development hereby approved/permitted being first occupied or brought into use a traffic management plan showing how the entrance/access from Grecain Crescent shall be managed, shall be submitted to, and approved in writing by, the Local Planning Authority. The management plan shall be implemented in full and retained thereafter.

Reason

In the interests of highway safety.

21. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Grecian Crescent shall be constructed entirely in accordance with the approved site plan ref 215-125 03.

Reason

In the interests of highway safety.

22. 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 lighting in the scheme should be erected, directed and shielded so as to avoid nuisance to residential accommodation in close proximity. The approved scheme shall be implemented in full and retained as approved thereafter.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution.

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

Reason

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

24. The development hereby approved shall be carried out in accordance with the submitted Travel Plan, to include the appointment of a Travel Plan Co-ordinator and the submission of an annual monitoring report to the Local Planning Authority for the first three years following completion of the development.

Reason

In the interests of highway safety and promotion of sustainable transport use.

25. There shall be no externally audible or amplified calls to prayer at any time by way of loudspeakers, amplifiers, bells, tannoys, or other similar public address systems sounded, broadcast or otherwise transmitted from the building or the site or in any other way in association with the approved mosque use.

Reason

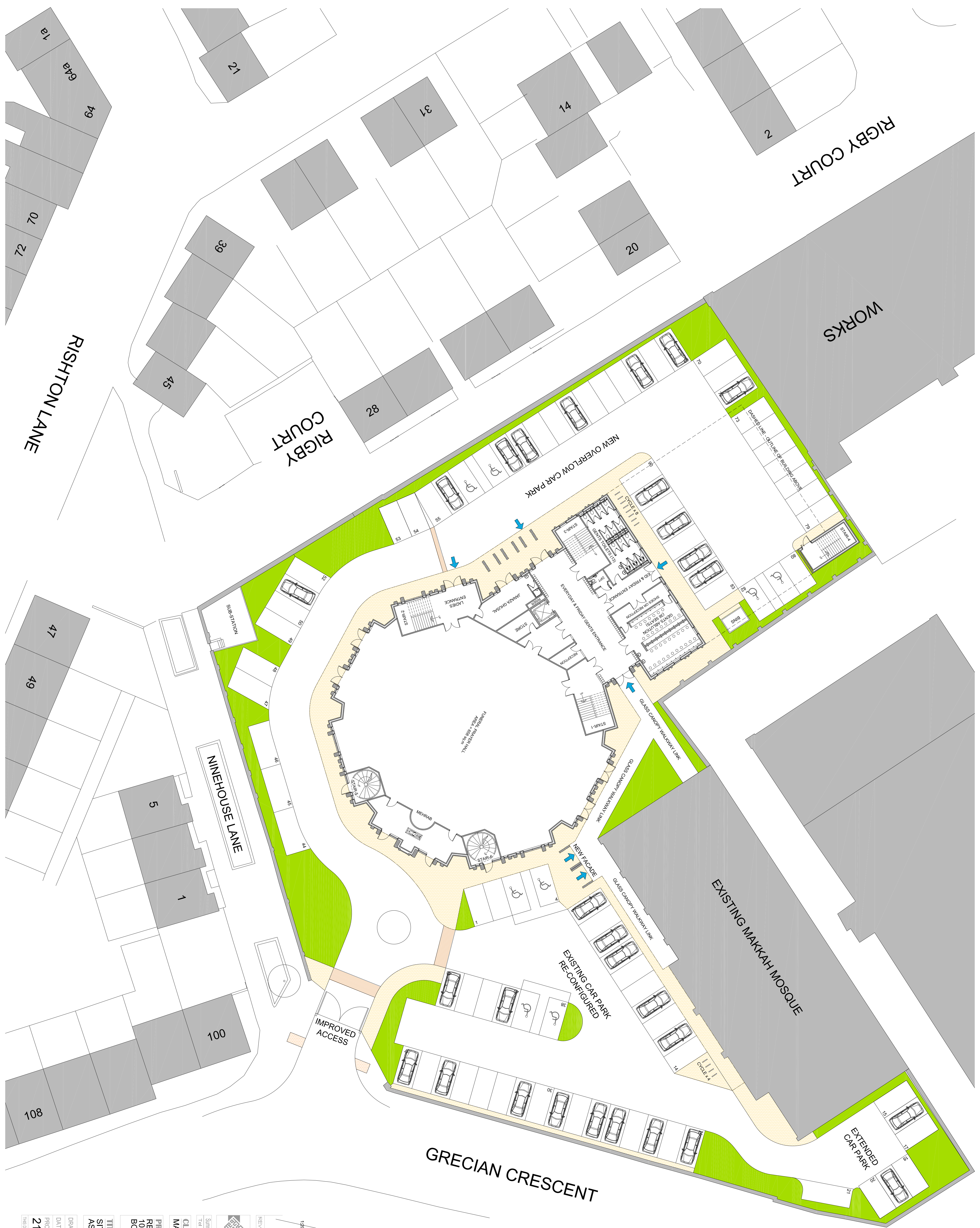
To safeguard the living conditions of nearby residents from noise pollution.

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

215-125 03 proposed site plan
215-125 04 proposed floor plans
215-125 05 proposed ground floor plan
215-125 06 proposed first floor plan
215-125 07 proposed second floor plan
215-125 08 proposed roof plan
215-125 09 proposed elevations

Reason

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



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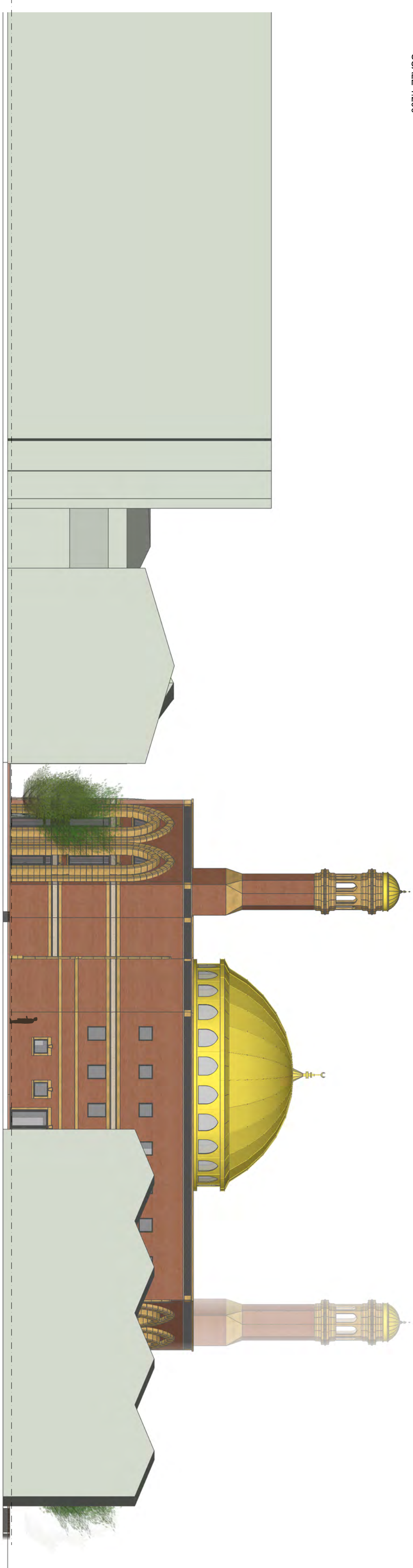
PROPOSED GROUND FFL
105.000m

FRONT ELEVATION TO NINEHOUSE LANE
SCALE 1:200



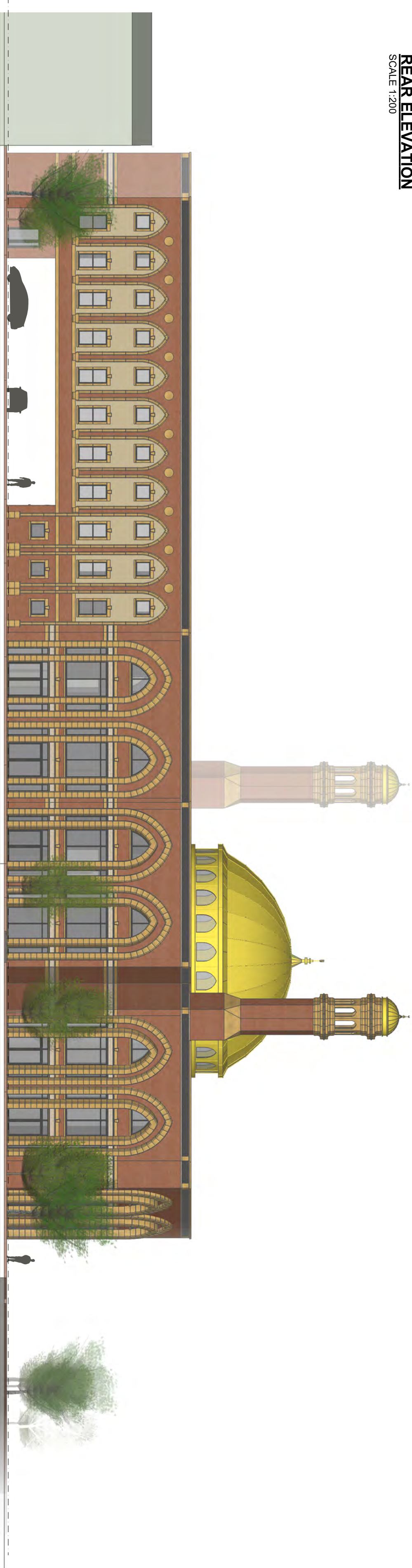
PROPOSED GROUND FFL
105.000m

RIGHT ELEVATION TO GRECIAN CRESCENT
SCALE 1:200



PROPOSED GROUND FFL
105.000m

REAR ELEVATION
SCALE 1:200



PROPOSED GROUND FFL
105.000m

LEFT ELEVATION TO RIGBY COURT
SCALE 1:200

REV	A M E N D M E N T S	DATE



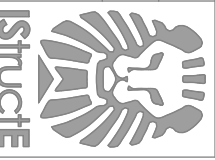
Summersel Woodroffe, Roundwood Road, Bolton, WYK6 5DZ
Tel: 01274-599747 Email: info@archi-structure.co.uk

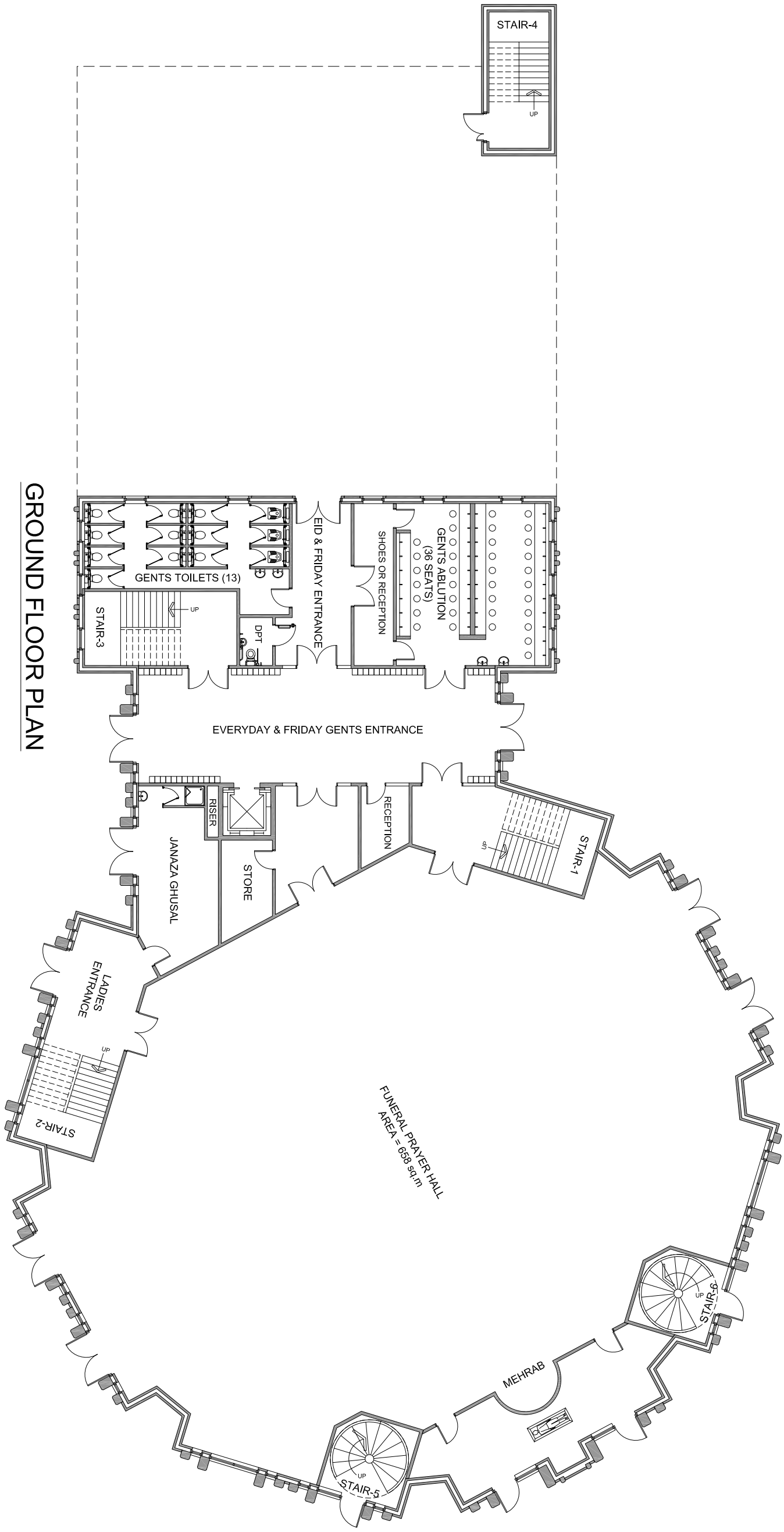
CLIENT
MAKKAH MOSQUE

PROJECT
REPLACEMENT MOSQUE & CENTRE
100 GRECIAN CRESCENT
BOLTON BL3 6QU

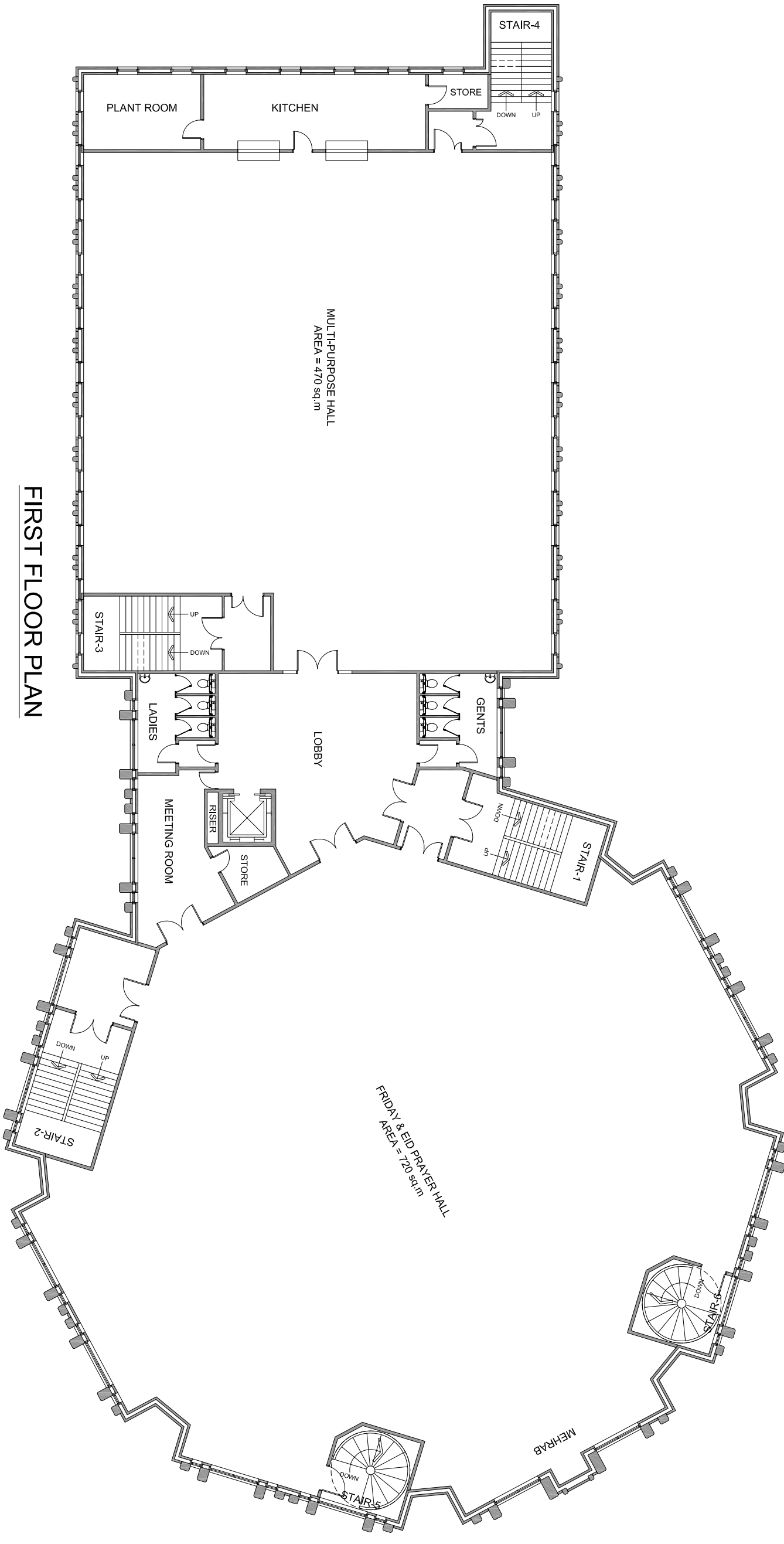
TITLE
PROPOSED ELEVATIONS

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DATE: MAY 2015	SCALE: 1:200@A1
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THIS DRAWING IS COPYRIGHT & SHALL NOT BE REPRODUCED WITHOUT PERMISSION	

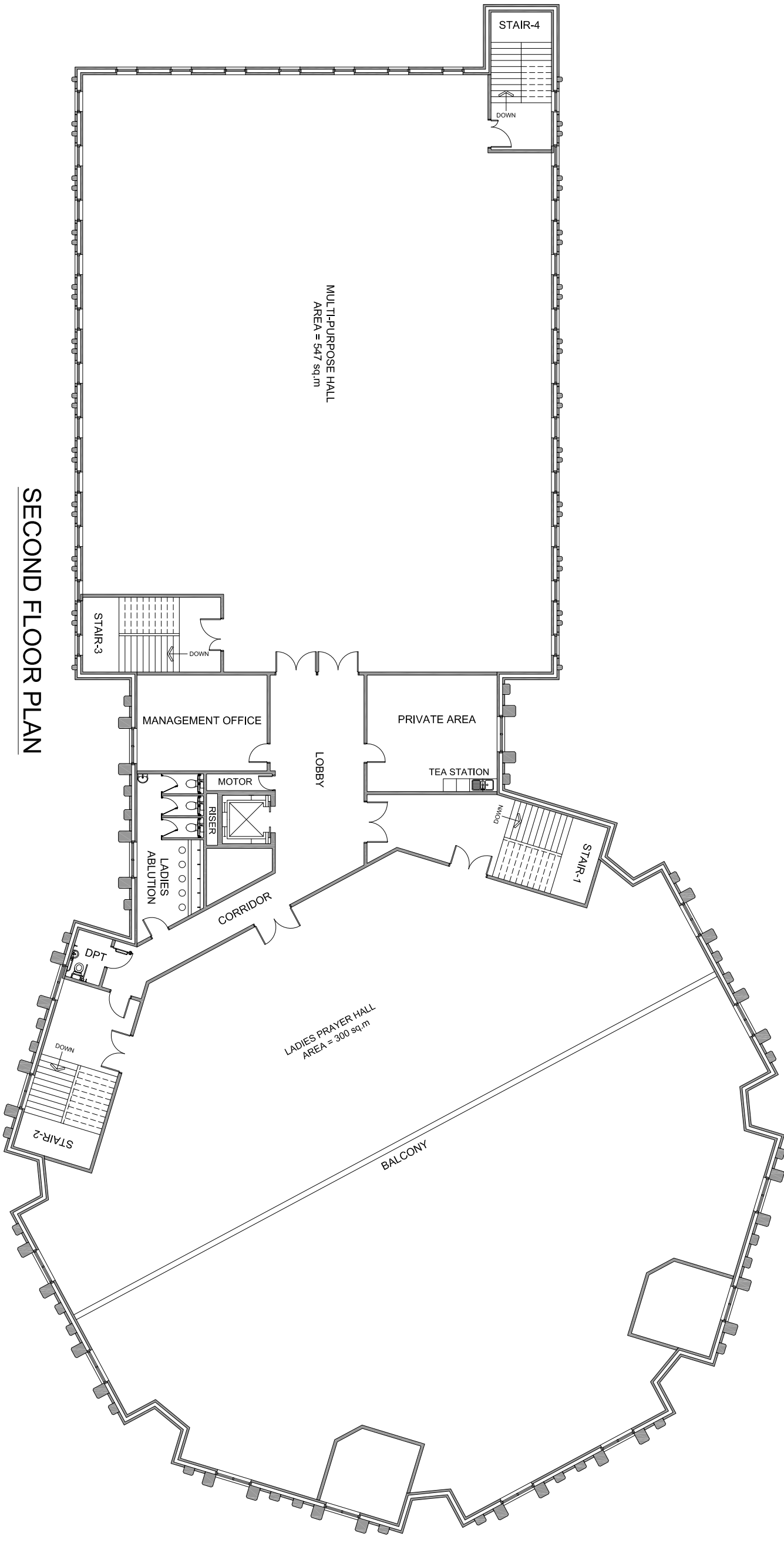




GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



REV	AMENDMENTS	DATE



Sumarsah, Woodlands, Roundwood Road, Bolton, W Yorkshire BD7 8SP
Tel : 01274-589747 E-mail : info@archi-structure.co.uk

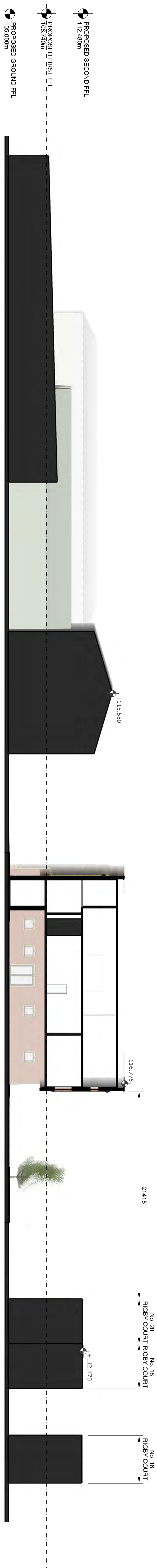
CLIENT
MAKKAH MOSQUE

PROJECT
REPLACEMENT MOSQUE & CENTRE
100 GRECIAN CRESCENT
BOLTON BL3 6QU

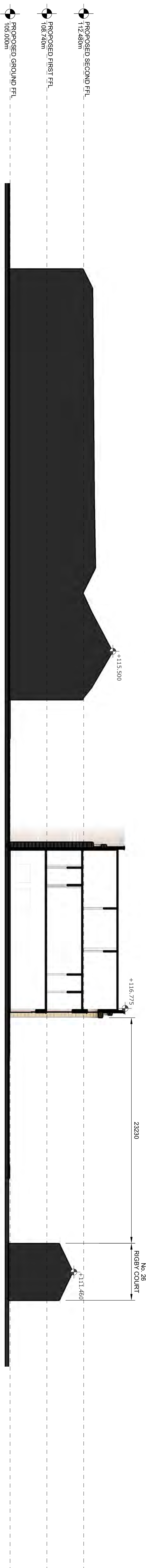
TITLE
PROPOSED FLOORS PLANS

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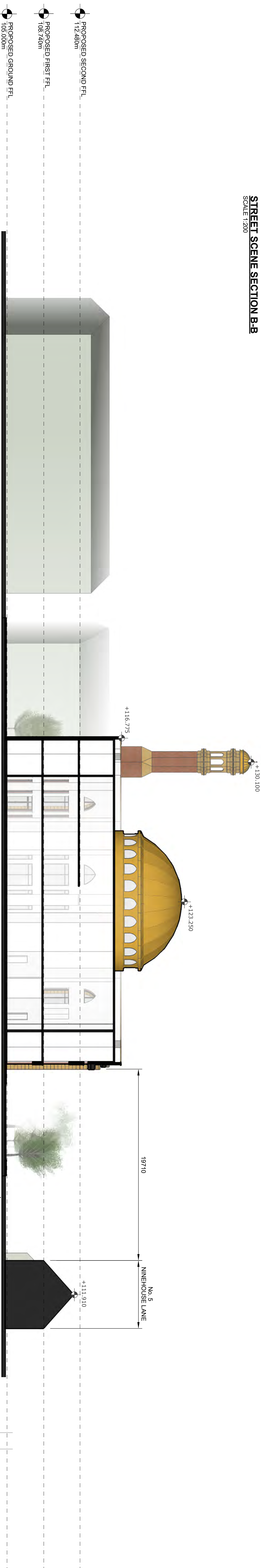
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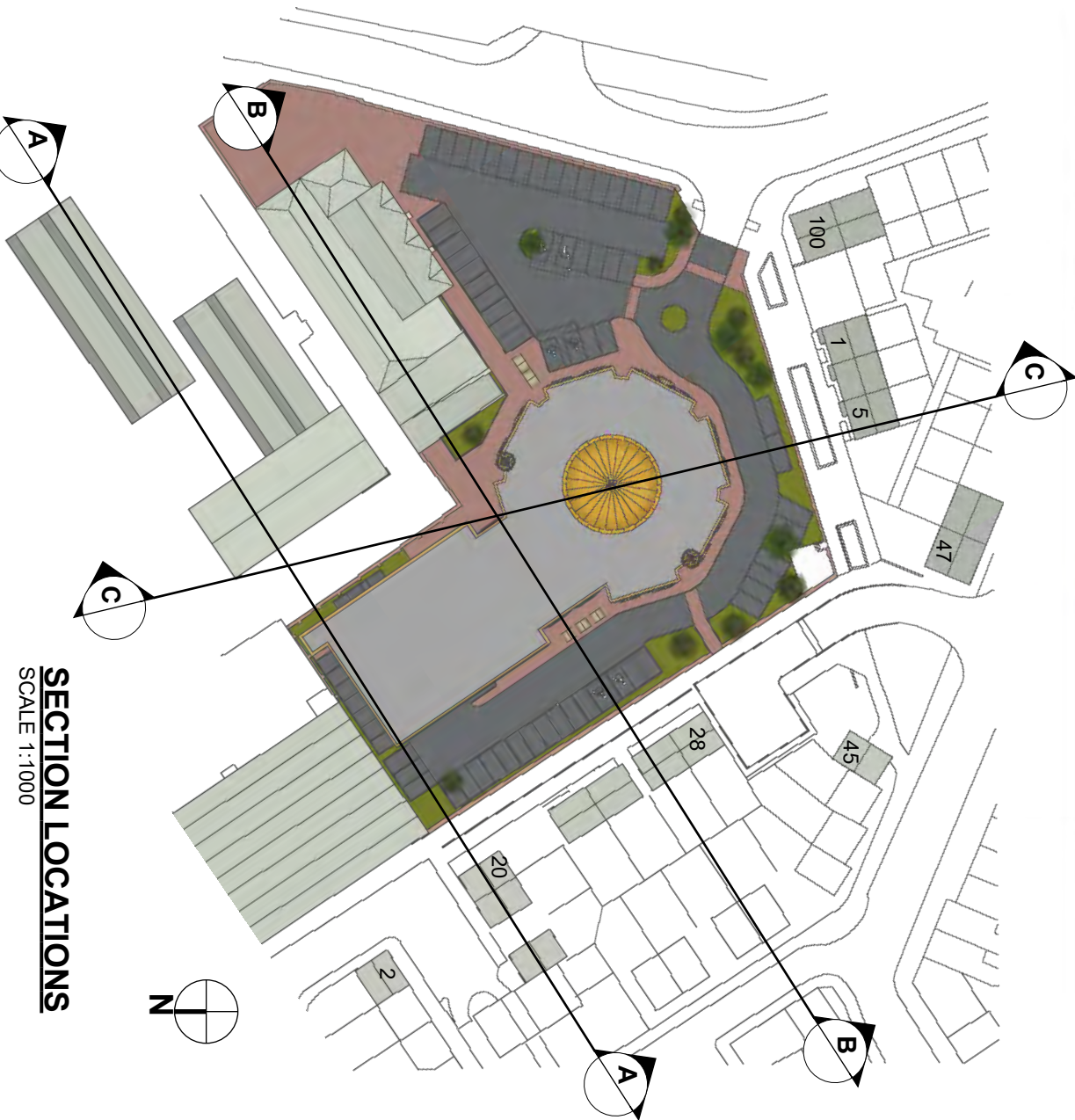
STREET SCENE SECTION A-A
SCALE 1:200



STREET SCENE SECTION B-B
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STREET SCENE SECTION C-C
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SECTION LOCATIONS
SCALE 1:1000

ARCHITECTURE		
Summersel Woodroffe, Roundwood Road, Bolton, WY 14 6LS		
Tel: 01274 599747 Email: info@archi-structure.co.uk		
CLIENT		
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BOLTON BL3 6QU		
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STREETSCENE SECTIONS		
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THIS DRAWING IS COPYRIGHT & SHALL NOT BE REPRODUCED WITHOUT PERMISSION		
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Application number 95600/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 95600/16

Type of Application: Full Planning Application
Registration Date: 26/02/2016
Decision Due By: 26/05/2016
Responsible Officer: Alex Allen

Location: LAND AT MINERVA ROAD, FARNWORTH, BOLTON

Proposal: ERECTION OF 17 THREE-BED HOUSES AND 12 TWO-BED APARTMENTS. FORMATION OF NEW ACCESS ROAD.

Ward: Harper Green

Applicant: Dorbcrest Homes Ltd
Agent : Sedgwick Associates

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the redevelopment of the application site to enable the erection of 17 three bedroomed houses and 12 two bedroomed apartments, a density of 40.2 dwellings per hectare. The proposal involves the removal of the eastern embankment together with the loss of the existing protected trees which are located on the embankment. The applicant seeks to provide replacement tree planting within the new development, in particular concentrating them along the eastern boundary of the site.

The road layout of the scheme would be identical to that previously approved with the main spine road off Minerva Road running along the western edge of the development site thus enabling the proposed new residential development to occur within the eastern part of the site.

The mix of housing proposed within the site would be predominantly mews / terraced style dwellings and would also include three blocks of two storey apartments and one pair of semi detached properties. The apartment units would take on the appearance of a pair of semi detached houses with gable features within the proposed front elevation. All the new properties would be two storey in height.

Site Characteristics

The site is a broadly rectangular plot of land bordering Minerva Road. It lies at the eastern extremity of the Royal Bolton Hospital and forms a buffer between the hospital and the residential area to the south and east. The site is part of the former Bolton - Salford railway line, disused for many years. Levels rise very steeply towards the south-eastern part of the site which also contains a number of Willow, Silver Birch, Sycamore, Ash and Hawthorn Trees which are the subject of a Tree Preservation Order.

The site occupies a prominent position just before the start of the Royal Bolton Hospital site to the west. Minerva Road serves as one of the main vehicular access points to the Hospital (the other being Redgate Way).

Policy

National Planning Policy Framework

Core Strategy H1 Healthy Bolton, A1 Achieving Bolton, SC1 Housing, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, P5 Accessibility, S1 Safe, RA2 Farnworth and IPC1 Infrastructure and Planning Contributions.

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

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development;
- * impact on the character and appearance of the area;
- * impact on the living conditions of existing/future residents;
- * impact on highway safety;
- * impact on trees;
- * impact on drainage/land stability; and
- * impact on sustainability;
- * impact on ecology;
- * impact on infrastructure.

Principle of residential development

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

Core Strategy Strategic Objectives 14, 15 and 16 and policy SC1 seek to provide housing which meets the needs of everybody and the growth in the number of households. Core Strategy policy SC1 seeks to ensure a total of 694 dwellings are completed per annum in the Borough with a concentration of new build on previously developed sites (80%). Up to 20% of new build is to be provided on Greenfield land as part of the Transforming Estates programme. Core Strategy policy RA2.9 seeks to develop new housing throughout the area on a combination of brownfield sites and

on a limited number of greenfield sites in existing housing areas.

Members will note that the site had outline planning consent and reserved matters approval for residential development in the form of 45 apartments on the site in 2003 and 2005. These permissions have now expired. However, as part of the adoption of the Core Strategy Allocations Plan the site is now an allocated site for residential development.

The principal of residential development of this site is therefore considered to be appropriate and fully complies with policy.

Impact on the Character and Appearance of the Area

Guidance contained within NPPF and Core Strategy policies CG3 and OA4 seek to ensure that new development proposals are compatible with the surrounding area in terms of scale, massing, grain, form, architecture, landscape treatment.

It is noted that the proposal would result in the loss of the existing protected trees located within the site in addition to the removal of the existing steep embankment. It is noted by the applicant and the Council's Trees and Woodland officer that the loss of the protected trees would have a detrimental impact on the character and appearance of the area.

In addition, the Council's Landscape Officers have commented as follows:

Removal of the embankment and associated trees will make a significant change to the local landscape, but there would be both positive and negative impacts should this development proposal gain permission and go forward. The site does presently look, overall, tatty and abandoned, although the trees are a very strong 'green' feature. For residents backing on to the site, more light to their back gardens may be welcome, although some may like the trees and the privacy they afford. There can be no clear cut answer in landscape terms as to whether this development would improve or detract from the local townscape.'

Furthermore, the Council's Landscape officer also comments:

*'Given the sensitive nature of the proposal and the impact of the site on the local landscape, I advise that a **detailed soft landscape scheme be submitted** before a decision can be made as to whether this scheme is acceptable for approval on landscape grounds & before it goes to committee'.*

The applicant has subsequently provided a revised landscape scheme which now meets with the approval of the Council's Landscape architect.

In terms of the physical appearance of the proposed new residential properties they can be seen as an improvement to the originally approved apartment scheme (apart from the loss of trees). The apartment scheme was in itself a result of the requirement to provide a balance between the retention of the more prominent trees located within the site and provide a scheme which was financially viable. The approved scheme was also a reflection of the housing market at the time which favoured apartment led schemes. This resulted in scheme which had a high density. The design and layout of the submitted scheme is considered to be good with properties facing towards Minerva Road with windows located within a number of the gable elevations overlooking the internal road creating an active street scene.

In addition, since the previously approved scheme had commenced on site, development subsequently stalled / was held in abeyance. As a result the appearance of the site has deteriorated detracting from the overall character of the wider area. The proposed redevelopment of the site

would enhance the current overall character and appearance of the area and complement and broaden the existing housing stock in the area.

The impact of the proposal is balanced with both benefits and disadvantages as a result of the loss of the existing embankment and trees in addition to the complementary nature of the proposed new residential development per se.

Impact on the living conditions of existing/future residents

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. The General Design Principles SPD provides guidance for conventional housing layouts where houses face each other to provide for 21 metres between principal room elevations overlook each other. Where principal/main room elevations overlook at blank gable this distance can be reduced to 13.5 metres.

The proposed development would create a new relationship between the existing properties on Kingsland Road and the proposed new dwellings with the removal of the existing embankment. It is appreciated that the outlook from the rear elevations of properties on Kingsland Road would change significantly, creating a new outlook of the proposed newly created development. The removal of the existing embankment would result in a reduction in the existing site levels by a maximum of between 4 and 4.6 metres.

The majority of the new dwellings would have their gable/side elevations facing the existing rear elevations of properties on Kingsland Road. The apartment building in the centre of the site would have the rear elevation facing the rear elevation of No's 46/48 Kingsland Road. The new dwellings in the southern part of the site (Plots 20 to 29) would be gable on to the rear elevation of No's 58 and 60 Kingsland Road and would also have a rear to rear relationship with No's 64 and 73 Colchester Drive.

Plot Relationship	Distance recommended	Distance achieved
Plot 7 (gable) to 38/40 Kingsland Rd (rear)	13.5 metres	15.2 metres - 18.8 metres
Plots 8 - 11 (rear) to 46/48 Kingsland Road (rear)	21 metres	32 - 35 metres
Plot 19 (gable) to 50/52 Kingsland Rd	13.5 metres	15.08 metres
Plot 21 (gable) to 58/60 Kingsland Rd	13.5 metres	15.08 - 19.92 metres
Plots 20 to 27 (rear) to 64/73 Colchester Drive	21 metres	23.37 metres

As can be seen from the above table, the proposed development would achieve the recommended interface distances as detailed within the General Design Principles SPD. When taking account of the general fall in levels from the eastern edge of the application site and the finished floor levels of properties on Kingsland Road the recommended interface distances would be complied with.

The relationship between Plots 20 to 29 and No's 64 and 73 Colchester Drive would require a gabion retaining structure to be constructed along the southern boundary of the application site. This structure, in addition to the difference in levels (Colchester Drive is on a higher level) would ensure that the living conditions of both existing and proposed residents would be maintained/safeguarded.

It is also noted that only 2 of the 16 owners/occupiers of properties on Kingsland Road and Colchester Drive have raised objection to the proposal.

The applicant has attempted to provide replacement planting along the eastern edge of the development site to soften the impact of the proposal on existing local residents. It is envisaged that the existing boundary treatment i.e. rear garden fences of properties on Kingsland Road would be retained with the developer/applicant providing new boundary treatment along the eastern edge of the site.

Whilst the proposal would be a fundamental change in the outlook of residents on Kingsland Road creating a new view of the proposed new housing, it is considered that the relationship between the two areas is acceptable in planning terms with the overall new layout respecting the living conditions of existing residents to the east and south.

The proposal is considered to comply with Core Strategy policy CG3 and RA2 and guidance contained within the General Design Principles SPD.

Impact on Highway Safety

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

Access to the proposed new access road would be from Minerva Road to the north. The residential spine road would run along the western edge of the site with two culs de sac at right angles to the spine road providing access and parking provision for the new dwellings.

Parking levels would be in accordance with the maximum car parking standards as detailed within Appendix 3 of the Core Strategy. The Council's Highways Engineers have commented that the proposed layout would comply with the Council's standards for adoption, the proposal would generate negligible traffic volumes onto the highway network and poses limited road safety implications. The existing bus stop on Minerva Road may need relocating to facilitate access improvements.

Therefore, subject to appropriate planning conditions which secure the necessary highway improvements the proposal would comply with Core Strategy policies P5 and S1 and guidance contained within the Accessibility, Transport and Safety SPD.

Impact on Trees

Core Strategy policy CG1 seeks to safeguard and enhance biodiversity by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development. The development would result in the loss of a number of small trees none of which are considered essential to retain or indeed worthy of a Tree Preservation Order.

The Council's Trees and Woodland officer (TWO) has commented on the proposal which would result in the loss of the protected trees within the site. They comment as follows:

'The previous application 72716/05 for the development of this site with apartments resulted in the loss of a percentage of the trees on the site but ensured the retention of the belt of trees along the embankment which are highly visible over a considerable distance and are of high amenity. The trees were subsequently protected with a Tree Preservation Order. The scheme gave a realistic clearance to these trees and the adjoining trees at the hospital site. The prominent landscape feature continues north of Minerva Road.'

The previously approved scheme sought to achieve a balance between development whilst retaining the prominent trees.

The TWO does not consider that the replacement tree planting as proposed will mitigate for the loss of the existing protected trees. Many of the proposed trees would be smaller growing species due to the closeness of the proposed houses and would also be at a lower level and therefore not be seen in the wider landscape.

The applicant has submitted a full landscape plan for the proposal - the Council's TWO does not consider the replacement trees to be adequate mitigation for the loss of the protected trees. However, the Council's Landscape officers consider that the proposed landscaping plan is satisfactory.

Whilst it is considered that elements of the current proposal would improve the existing appearance of the site providing appropriate replacement landscaping for the site, it is considered that the proposal would not comply with Core Strategy CG1 due to the loss of the protected trees.

Impact on Drainage/Land Stability

Core Strategy policies CG1 and CG2 seek to ensure that new development proposals reduce the risk of flooding in Bolton by minimising surface water run-off. In addition, Core Strategy policy CG4 seeks to ensure that development proposals do not cause detrimental impacts upon water, ground or air quality. In addition, where proposals may be affected by contamination or ground instability, appropriate surveys should be provided.

Subject to the usual planning condition relating to the provision of a remediation strategy and subsequent validation upon completion of the development it is considered that the development could be safely developed from a construction and end user perspective. It is also noted that the Council's Drainage team require further information to provide for adequate surface water run-off from the site. It is considered that both these aspects can be secured through appropriately worded planning conditions.

The proposal would comply with policy CG1 and CG4.

Impact on Sustainability

Core Strategy policy CG2 seeks to ensure that new residential development proposals of 5 dwellings or more are Code for Sustainable Homes Level 3 compliant, provide low carbon energy sources to reduce Carbon Dioxide emissions by 10% from regulated and unregulated energy use and to ensure surface water run-off from the site should be no worse than the original conditions. It is noted that the requirement for Code for Sustainable Homes has been superseded and is no longer a planning requirement.

The applicant has stated that the requirement to reduce CO2 emissions above Building Regulations requirements would render the development unviable. Based on the submitted viability information and subsequent verification from the Council's Surveyor it is considered that the requirement for

further reductions in CO2 emissions from the proposed dwellings be relaxed in this case.

The proposal would ensure that surface water run-off would not exceed the existing conditions and would be conditional upon any approval to ensure the proposal complies with policy.

Impact on Ecology

Core Strategy policy CG1.2 seeks to safeguard / enhance urban biodiversity.

The applicant has provided an Ecological Survey and Assessment of the site which states that it is of low ecological value with no protected species located within the site. The applicant has recommended a number of mitigation measures to ensure that biodiversity is enhanced as a result of the development including the provision of new planting and landscaping to enhance habitat provision for birds and pollinating insects. In addition, bat / bird boxes within the development and no site clearance in between the months of March to August inclusive.

The Council's Wildlife Liaison Officer has agreed with the proposed measures. It is intended that these measures are conditional upon any approval.

The proposal would comply with policy CG1.2.

Impact on Existing Infrastructure

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

At the outline planning application stage in 2003 Members at Planning Committee considered that one of the key reasons why outline planning permission should be granted was to ensure/enable the NHS Hospitals Trust to use the funds generated by the sale of the land for improvements/additions to parking within their site to resolve what was accepted as an acute car parking problem. Therefore, in order to maximise the funds that the Trust would receive it was considered appropriate not to place conditions on the outline approval with regard to the provision of on/off site contributions as listed above. At the time the Trust confirmed that the income received from the land sale contributed to the provision of an additional 183 car parking spaces at the Royal Bolton Hospital.

The site was subsequently sold on the basis that no on / off contributions would be provided.

Notwithstanding the above, the current owners of the site (applicant) have provided a detailed viability report which clearly shows that current scheme would not be viable if any s.106 contributions were sought. The Council's Surveyors have assessed the report and concur with its findings. Furthermore, it is noted that the previously approved development has commenced on site and that the implemented scheme could be completed without any requirement to provide on/off site contributions.

Taking into consideration the above facts it is considered that the proposed development would not be applicable for the provision of any s.106 contributions. This would comply with the requirements of Core Strategy policy IPC1.

Local finance considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material.

The applicant is in the process of confirming any local financial considerations which are relevant in the assessment of this application. These will be reported directly at the meeting.

Conclusion

The proposal would result in the loss of a belt of protected trees which would fundamentally change the overall character of the area and the outlook of residents. However, the proposal would also have a number of significant benefits including:

- housing delivery on a previously stalled site provided much needed new dwellings;
- improvements to the character and appearance of a prominent site which is need of improvement/regeneration;
- improved design solution for the site, resulting in a development which would be less dense than the previous approval and arguably a more appropriate design / house types;
- the development would respect the living conditions of existing residents whilst maintaining highway safety;
- provision of a replacement new landscaping scheme for the site.

Therefore, in the context of paragraph 14 of the NPPF it is considered that the negative impacts of the proposal would be, on balance, outweighed by the benefits of the proposal. The current proposal is therefore recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- 3 objection letters (two letters from the same address) have been submitted by local residents of Kingsland Road raising the following concerns:

- House was bought as it was not overlooked. The protected trees restrict overlooking. Has the removal of the protected trees been given full consideration;
- Lack of clarity regarding the regrading of the site and the height of new buildings;
- The visual amenity of the existing protected trees has been undervalued;
- The site would be overcrowded, more low value housing is not required;
- The type/style of housing is not in keeping with the area. There are no flats or terraced properties in the immediate vicinity;
- The housing is too close to existing properties on Kingsland Road;
- Housing would be overbearing on Kingsland Road residents with existing gardens becoming completely overlooked and overshadowed;
- The existing banking and protected trees should be retained and maintained in a better way rather than allow complete removal.

Consultations

Advice was sought from the following consultees: Ramblers Association, Greater Manchester Ecology Unit

Planning History

In 1978, the Council was consulted under Circular 7/77 (Development by Government Departments) regarding the reduction in height of the railway embankment and the construction of a 196 space visitors car park. The Council raised no objection to the proposal (09383/78).

Outline planning permission was granted by Planning Committee in February 2004 (Ref: 66431/03) for residential development of the current application site. Means of access was the only reserved matter considered at the outline stage.

A reserved matters application was approved in June 2006 (Ref: 72716/05) by Planning Committee for the siting, design, external appearance, means of access and landscaping for the erection of 45 x 2 bedroomed flats.

The eastern side of the site was included in The Bolton (Minerva Road) Tree Preservation Order 2003.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development the details (samples if required) of the type and colour

of materials to be used for the external walls and roof to be agreed with the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

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

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

Reason

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

4. Prior to the commencement of development full details of the highway works at the footway across the Minerva Road site frontage comprising of the resurfacing of the footway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

5. No vegetation clearance or demolition of buildings should take place between the months of March and August inclusive unless the area to be cleared has been surveyed by an ecologist as to the presence of breeding birds. If an active nest is identified this area should be left undisturbed until nesting activity has finished.

Reason

The site has the potential to support breeding birds. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds whilst they are breeding.

6. Prior to the commencement of the development:-

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

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

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

Reason

To safeguard the amenity of the future occupants of the development and to comply with Core

Strategy policy CG4.

7. No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter retained, managed and maintained in accordance with the approved details. Those details shall include:

- 1) A timetable for its implementation, and
- 2) A management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason

To ensure the site provides satisfactory means of surface water drainage.

8. Before the approved/permitted development is first brought into use no less than ** car parking spaces with minimum dimensions of ** metres by ** metres shall be (marked out and**) provided within the curtilage of the site, in accordance with [Drawing Ref:] details to be submitted to and approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Reason

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

10. Within 4 months from the commencement of development an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority which provides the following ecological enhancements:

- Bat and bird boxes within the development.

Reason

To mitigate against the loss of existing nesting facilities and informal open space within the site and to provide ecological enhancement as a result of the development.

11. Within 3 months of the commencement of development hereby approved/permitted, a scheme which makes provision for:

- no waiting restrictions at the junction of the new residential site access road with Minerva Road;
- no waiting restrictions within the site;
- 20 mph speed limit within the site.

shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 3 months of the completion of the development.

Reason

In the interests of highway safety.

12. Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme [Drawing reference: 2052_01 Revision B] 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.

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

Reason

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

14. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the drawing ref: 14-077-1000.

Reason

In the interests of highway safety.

15. Prior to the occupation of the dwelling houses hereby permitted provision shall be made for the parking or garaging of (a) motor vehicle(s) adjacent to (the (each of the) dwelling house(s)) in the area identified for that purpose on the approved plan. Those areas shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order) other than (a) garage(s), no extensions, porches, outbuildings, sheds, greenhouses, oil tanks, wind turbines or satellite antennae shall be erected within that area.

Reason

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

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

Drawing No. 1000 - Proposed Site Layout - dated June 2015;
Drawing No. 1001 - Proposed House Type A - 3 beds dated June 2015;

Reason

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

general notes:
do not scale the drawing,
all dimensions to be checked on site prior to commencement of work and any
discrepancy shall be immediately reported and resolved prior to work commencing
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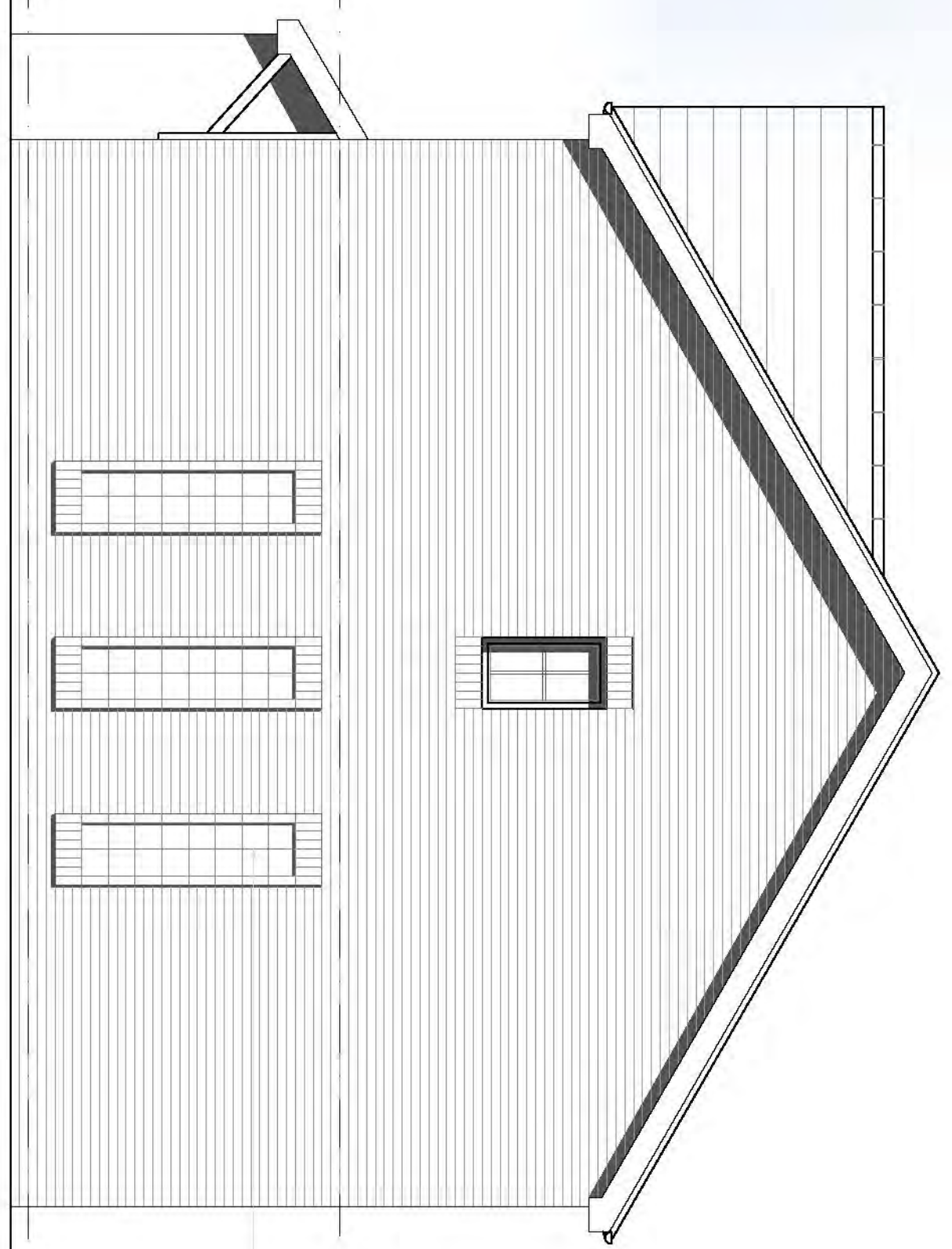
SCHEDULE OF ACCOMMODATION					
House	Types	Sq.Ft.	NO.	Total	
	Type A	3 Bed House	780	17	13260
	Type B	2 Bed Apartment	700	12	8400
TOTAL					21660

TOTAL 58 NO. CAR SPACES - PROVIDING 200 percent

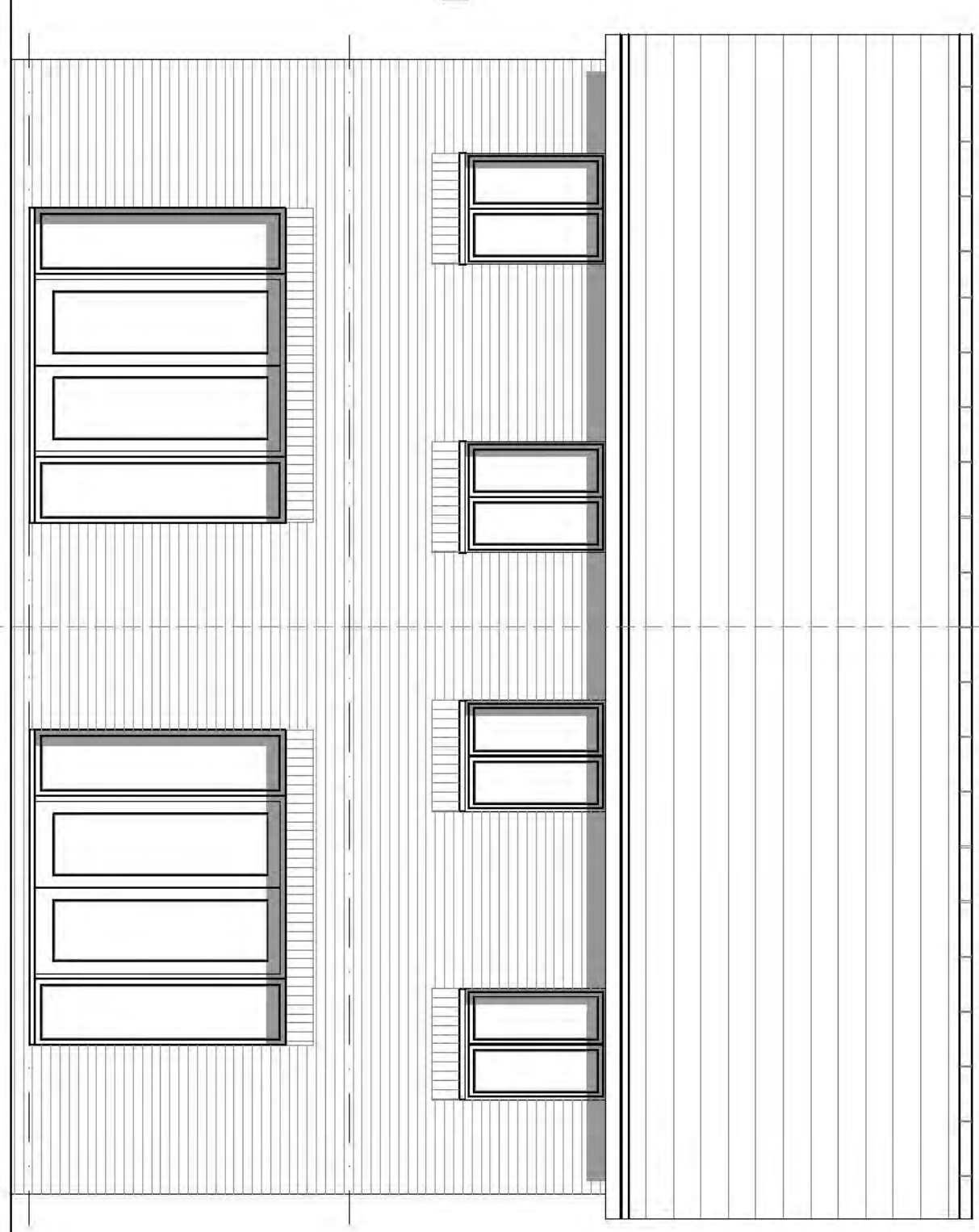
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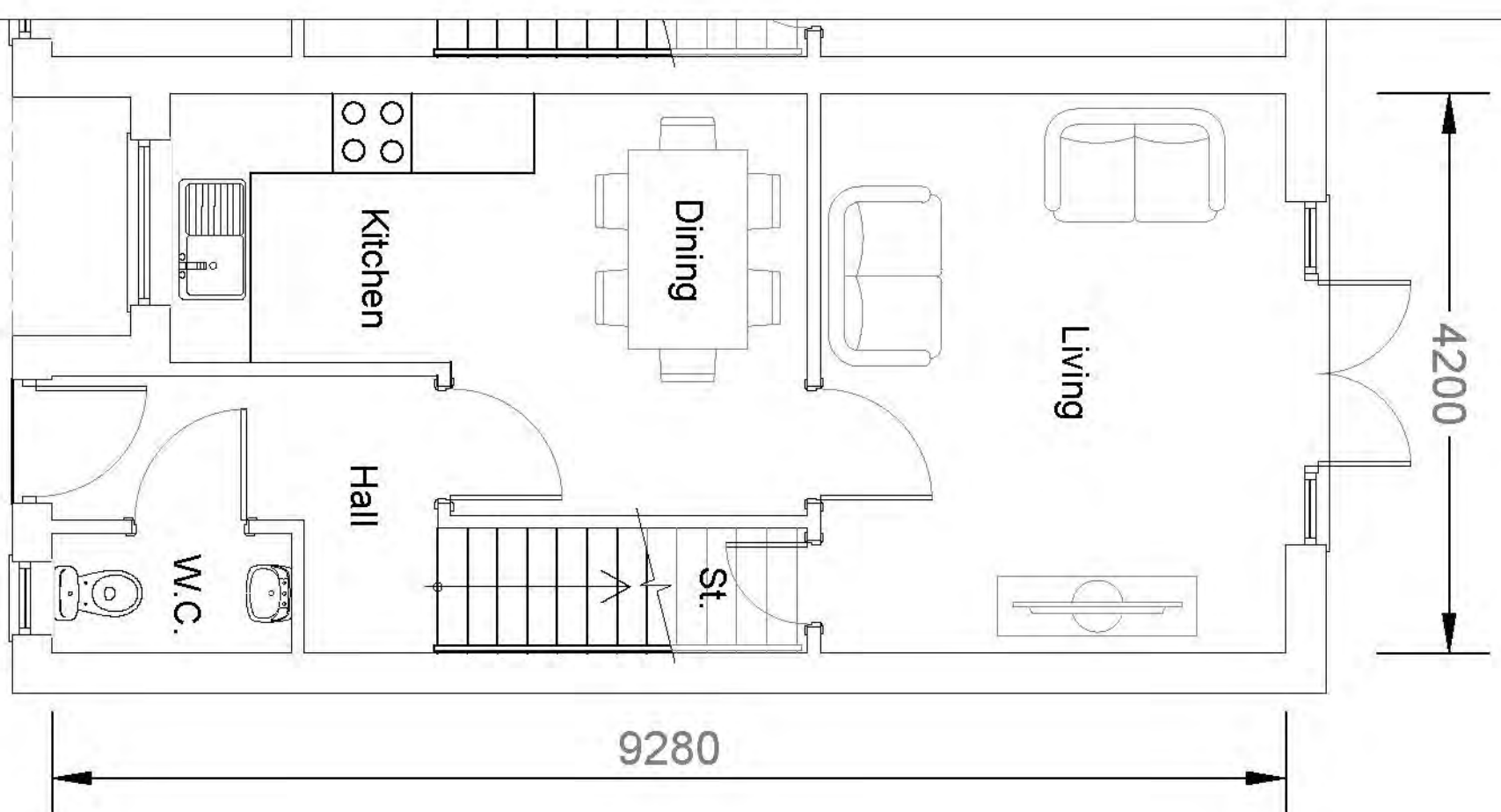
FRONT ELEVATION (TYPICAL PAIR)



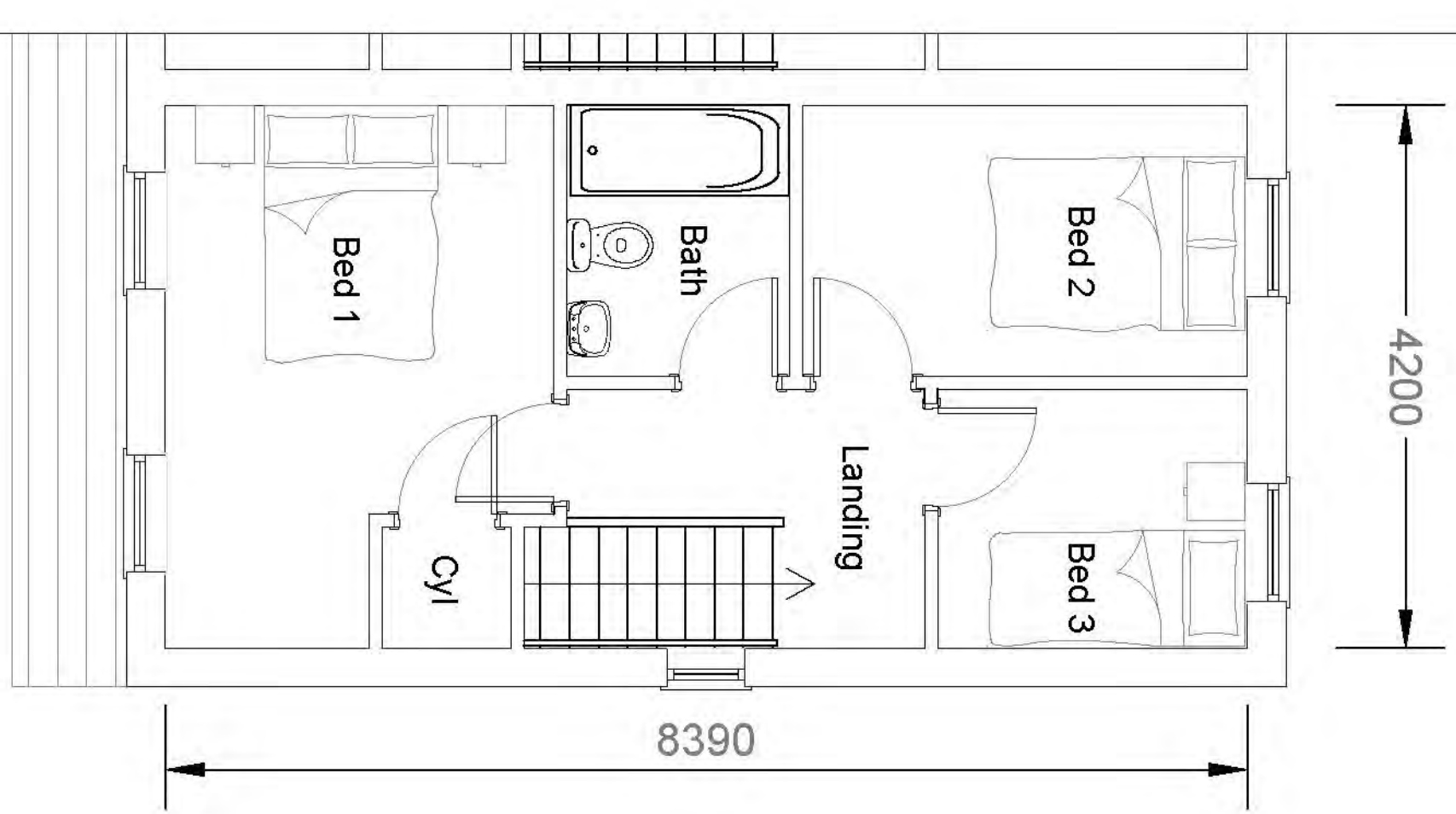
GABLE ELEVATION (ROAD FACING)
no detail panels to boundary facing gables



REAR ELEVATION (TYPICAL PAIR)



GROUND FLOOR PLAN



FIRST FLOOR PLAN

- MATERIALS SCHEDULE**
(all materials approved by LPA prior to commencement on site)
- ROOFS** - to be Marley 'modern' or equal approved concrete interlocking roof tiles - colour: slate grey
- WALLS** - to be red clay facing brickwork generally, with contrasting heads to side/rear elevations, and artstone heads and cills to front elevations as indicated
- GABLE PANELS** (road facing) - to be 20mm projecting tile/brick detail in contrasting colours - sample panels to be built on site for approval by LPA
- WINDOWS** - to be white upvc
- DOORS** - to be metal clad 5 point locking security type
- FASCIAS** - to be white upvc
- RAINWATER GOODS** - to be black upvc generally



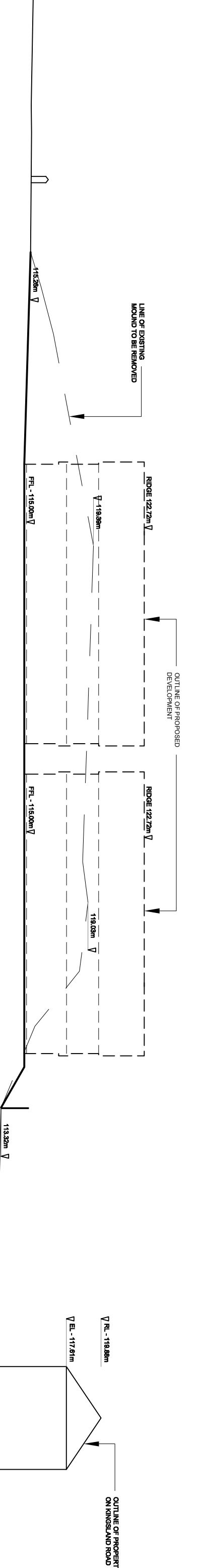
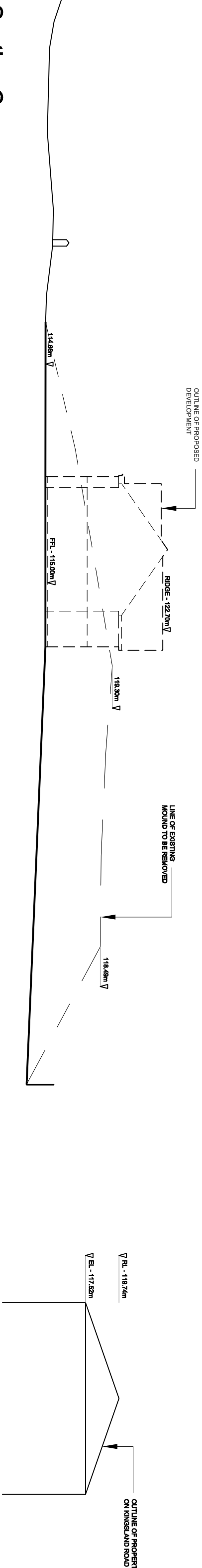
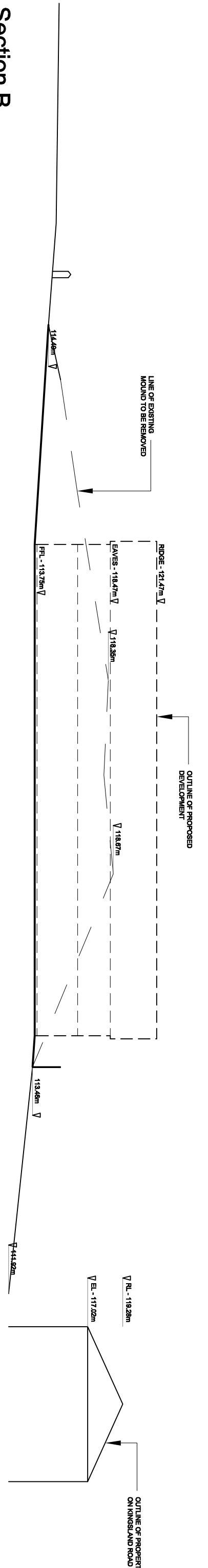
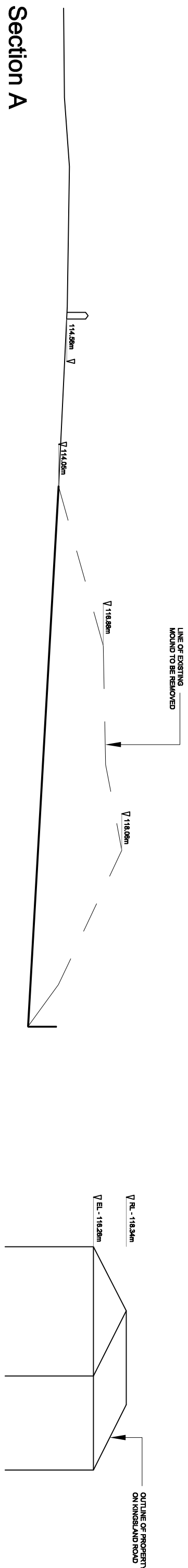
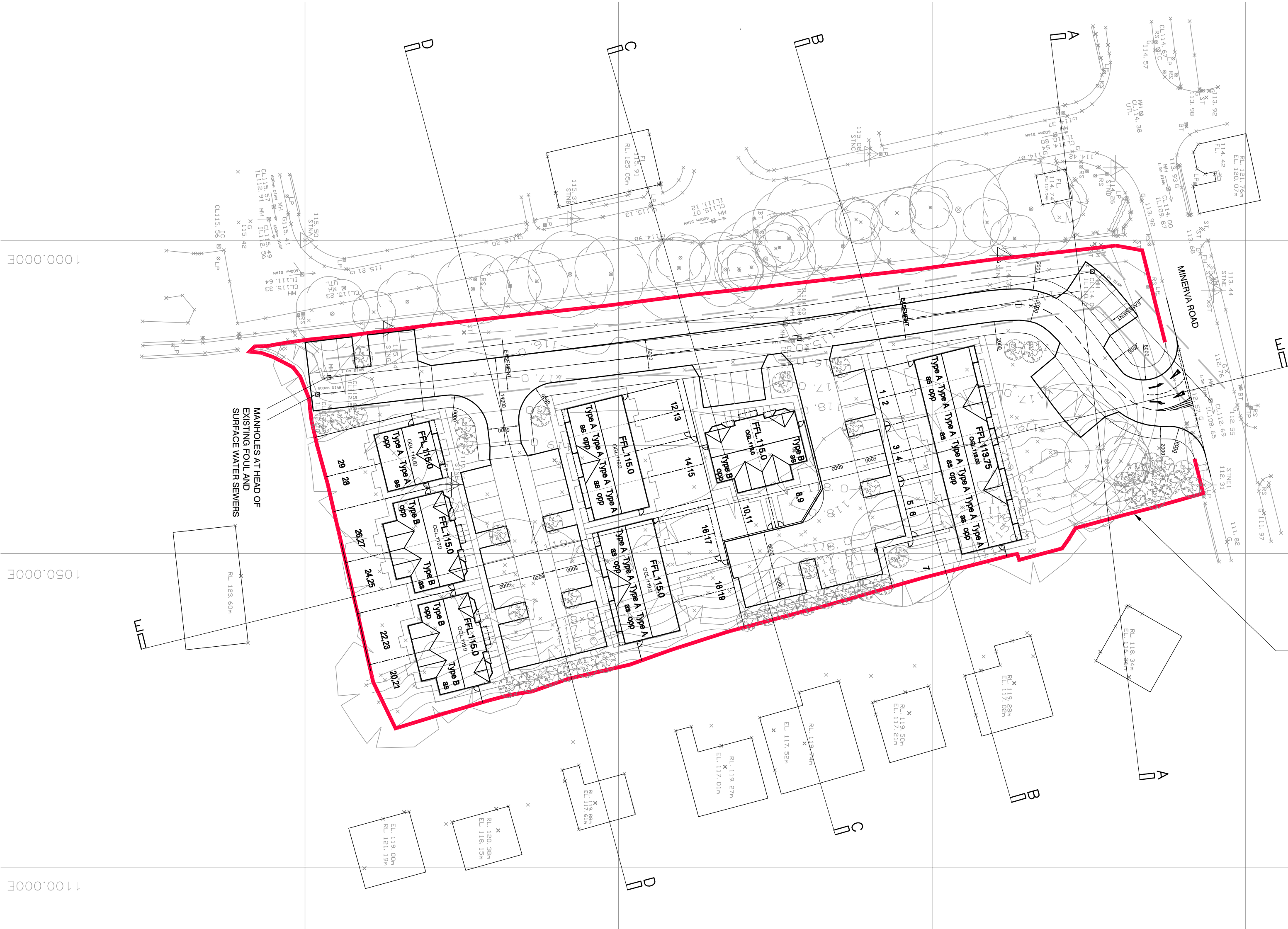
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tel: 01752 774510 fax: 01752 774511 email: mck@mckassociates.co.uk

Proposed Residential Development
Minerva Road
Farnworth

Proposed House Type A - 3 beds
72.45 sq.m. (780 sq.ft.)

Drawn	Checked	Scale	Date
PS	PS	1:50 (A1)	June 2015
14-077	1001		

SITE AREA = 7167 sq.m. (1.77 acres)



SCHEDULE OF ACCOMMODATION			
House Types	Sq.Ft.	NO.	Total
Type A	3 Bed House	780	17
Type B	2 Bed Apartment	700	12
TOTAL		29	21660
TOTAL 58 NO. CAR SPACES - PROVIDING 200 percent			

General notes:
1. All dimensions to be checked on site prior to commencement of work and any discrepancy shall be immediately reported and resolved prior to work commencing.
2. This drawing is to be read in conjunction with all relevant drawings and specifications relating to the job work or not indicated on the drawing.
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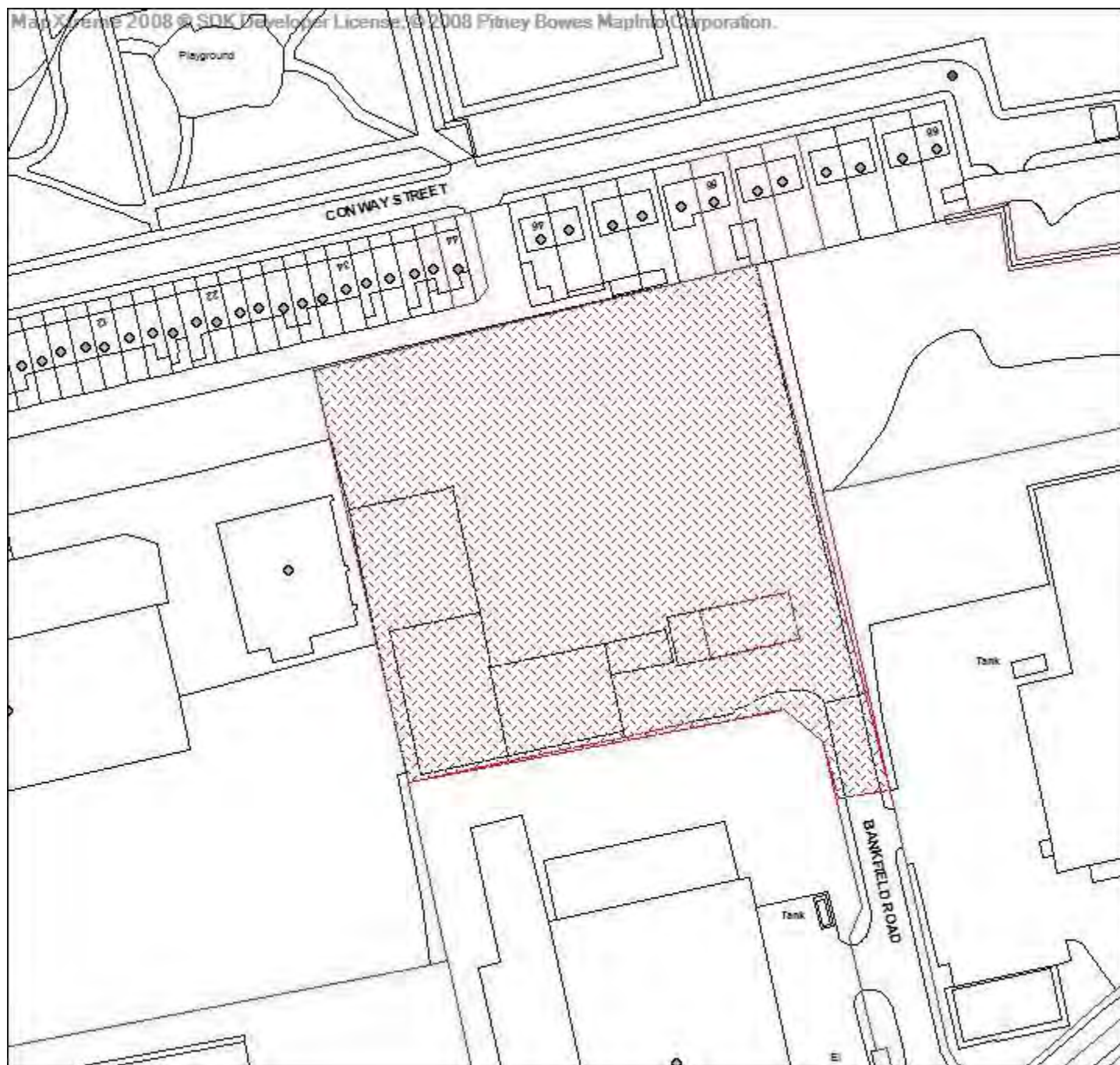
burinbyr villa ■ 48 wealing street road ■ alwood ■ pleson ■ pz 20p
tel: 01772 774510 fax: 01772 774511 email: mck@mckassociates.co.uk

Proposed Residential Development
Minerva Road
Farnworth

Proposed Site Layout & Site Sections
as Proposed

Drawn	Checked	Scale	Date
PS	PS	1:500, 1:250 (A1)	March 2016
14-077	2000		

Application number 95785/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 95785/16

Type of Application: Full Planning Application

Registration Date: 08/02/2016

Decision Due By: 03/04/2016

Responsible Officer: Paul Bridge

Location: LAND EAST OF BLOOMFIELD ROAD, FARNWORTH, BOLTON

Proposal: CHANGE OF USE OF LAND AS COACH HIRE STORAGE DEPOT,
ERECTION OF ACOUSTIC FENCE AND RETENTION OF BUNDED
FUEL TANK

Ward: Kearsley

Applicant: Tyrers Coaches

Agent : De Pol Associates

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the retention of the use of the land as a coach hire storage depot, retention of a bunded fuel tank and the erection of an acoustic fence. The site will accommodate no more than 25 coaches/buses.

The application site will effectively be split into three zones. Zone 3 would be located on the main yard area to the north of the site, and would accommodate 12 coaches, Zone 2 would be located on a lower level to the north of the existing building and would accommodate 5 coaches. Zone 1 would be located to the south of the main building and adjacent to the southern boundary. Zone 1 would accommodate 8 coaches.

The main operation of the business provides transport to and from local schools and colleges. As such, the core hours of operation are between Monday to Friday, within the hours of 07:00-10:30 and 14:30-17:30, during term time only. The business also provides transportation for Bolton Wanderers FC football matches, which typically involves around 10 coaches in service on a Saturday afternoon transporting local fans to and from home games. Tyrers also provide transportation for evening home matches, with no more than seven games per season kicking-off in the evening and thereby requiring coaches to return to site between 22:00 and 23:45. In this regard, the proposals seek permission for the operation of the site between 07:00 and 23:00 hours only, other than on no more than seven occasions per year where operations need to be extended to 23:45hrs to cater specifically for BWFC evening games.

Vehicular access to the site is via both Bloomfield Road and Bankfield Road. The coaches access and leave the site via Bankfield Road, whilst Bloomfield Road is used for staff vehicles only. There would be approximately 26 staff parking spaces.

The bunded fuel tank is located within Zone 1 on the northern side of the site. The tank is approximately 8m in length, 3m in width and approximately 3.1m in height.

The proposed acoustic fence would be set in approximately 4m from northern boundary of the site. The fence will be 3.5metres in height at his highest point and sited approximately 16.3 metres from the rear elevation of the closest residential properties to the application site. The fence also reduces to 2.5 metres in height towards the western side of the proposed fence. In addition to the fence soft landscaping is proposed between the existing northern boundary treatment and the proposed acoustic fence.

The proposal would potentially employ the equivalent of 23 full time employees.

Site Characteristics

The application site is located within an allocated protected employment area. The application site comprises of a parcel of land located to the east of Bloomfield Road and north of Bankfield Road and is located within an established employment site in Farnworth, known as Express Industrial Estate. The site extends to 0.87ha and is split on two levels, with the southern half of the site on a lower level to the northern section. The built development on site comprises a two storey office building, which provides staff facilities and office accommodation, and two large vacant warehouse units. The site was previously in uses as builders merchants (class B8).

Various employment units are located to the south and south-east of the site including builder's merchants to the west, who were formerly in occupation of the subject site. The northern boundary is defined by a narrow access road/ginnel, beyond which are residential properties fronting on to Conway Street. The subject site is set within a wider concentration of employment uses including the Lyon Industrial Estate to the south east and Oakhill Trading Estate to the south of the M61.

Policy

Core Strategy Policies: CG3 The Built Environment, CG4 Compatible Uses, P5 Accessibility, RA2 Farnworth, S1 Safe and P1 Employment.

Allocations Plan

General Design Principles SPD

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of development
- * impact on character and appearance of the area
- * impact on residential amenity
- * impact on highway safety/parking provision
- * impact on land contamination
- * impact on drainage
- * impact on Trees

Principle of development

The NPPF has a presumption of sustainable development. The subject of "achieving sustainable development" in the Framework has 3 dimensions, which are economic, social and environmental roles that are expected to be delivered equally. The application site is located within a mixed use area and was previously used as a vehicle maintenance and car hire place.

The site is allocated within a protected employment area. Policy P1(2) states that the council will safeguard existing employment sites where they are compatible with residential amenity and contribute to the sustainability of communities in which they are situated. Where they are not compatible, mixed uses will be encouraged to retain an element of employment. Employment uses are defined as B1, B2 and B8 uses. The use of the site as a coach/bus depot does not fall within a B1, B2 and B8 use class and therefore does not fall within the definition of an employment use.

Notwithstanding this Paragraph 3.7 of the adopted Allocations Plan states that proposals for non-B1/B2/B8 uses on safeguarded employment sites would be required to meet one of three criterion. It is considered that the use of the site is in line with the first criterion in that there would be no harm to the economic function of the locality. The proposed use is a highly compatible use with existing employment uses adjacent to the site and is considered that the continued use of the site as a coach/bus depot would not prejudice the continued operations of any neighbouring employment uses. In addition the proposal would provide employment for the equivalent of approximately 23 full time staff.

It is considered that the principle of the continued use of the use as a coach/bus depot is considered appropriate in an allocated protected employment area. It is considered therefore that the principle of the development in this location is acceptable.

Impact on character and appearance of the area.

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

There would be no new operational development required in order to facilitate the development. The proposal would however make provision for the retention of the bunded fuel tank, provide for the erection of an acoustic fence and the external storage of coaches/buses. Each element is now considered:

Bunded Fuel Tank - the bunded fuel tank is located on the northern area of the site and is relatively small in scale and has been powder coated green. Given the size and siting of the tank it is not considered to have an unacceptable impact on the character and appearance of the immediate and wider surrounding area.

Acoustic Fence - as stated above the fence would be set in approximately 4m from northern boundary of the site. The fence will be 3.5metres in height at his highest point and sited approximately 16.3 metres from the rear elevation of the closest residential properties to the

application site. The fence also reduces to 2.5 metres in height towards the western side of the proposed fence. In addition to the fence soft landscaping is proposed between the existing northern boundary treatment and the proposed acoustic fence. The properties on the western side of Conway Avenue are set on a slightly higher ground level than the proposed fence, in addition the properties along Conway Avenue are separated from the site by way of a rear access ginnel and also their rear boundary wall. It is considered that the siting of an acoustic fence in this location and of this size would not have a detrimental impact on the character of the immediate surrounding area and is wholly appropriate within this context.

Storage of Coaches/Bus - the site would accommodate a maximum of 25 coaches/buses which may be single or double decker. Whilst it is noted that the site is located within a predominantly commercial/industrial area, there are residential dwellings located to the north of the site along Conway Avenue. The storage of vehicles on the site is considered appropriate in visual amenity terms, bearing in mind that the lawful use of the site (B8 Storage and Distribution) would allow the storage of vehicles without the need for planning permission. In addition the buses within Zone 1 would be located approximately 25m from northern boundary of the site and would be effectively screened by the proposed acoustic fence and planting. It is considered that the proposed fence would not have a detrimental impact on the character of the immediate and wider surrounding area.

It is therefore considered that the proposal, subject to conditions, would not unduly affect the character and appearance of the immediate and wider surrounding area, in accordance with policy CG3 of the adopted Core Strategy.

Impact on residential amenity

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

Noise

Whilst the site is located within an industrial site and an allocated employment area, there is a row of terraced and semi-detached residential dwellings located approximately 13m from the northern boundary of the site along Conway Avenue.

Given the previous/lawful use of the site and the fact that the dwellings are located adjacent to an industrial estate, it is reasonable for the occupiers of these dwellings to expect that ambient noise levels would be higher than you would normally expect within a solely residential area, however this is not to be at an unacceptable level. In support of the application the applicant has submitted a Supplementary Noise Assessment (dated 20th July 2016) produced by Miller Goodall and a detailed Noise Management Plan produced by Miller Goodall which outlines a suite of noise mitigation measures proposed by the applicant. The Noise Management Plan (NMP) proposes a number of measures to be implemented to reduce the likelihood of noise disturbances arising from the operation of the site.

The NMP contains

- An assessment of the risks of noise problems, from normal and abnormal situations, including worst case scenarios, for example of weather, temperature or breakdowns and accidents,
- The appropriate controls (both physical and management) needed to manage those risks,

- Suitable monitoring,
- Actions, contingencies and responsibilities when problems arise,
- Regular review of the effectiveness of noise control measures

Whilst not exhaustive the main mitigation from noise would be controlled via the hours of operation, the erection of an acoustic fence and the operation of zones within the site. Table 1 below identifies the zones on the site and the time they will be operational.

Table 1: Identification of zones on the site.

Zone	No. of coaches to be stored in this area	Hours of Operation		
		Weekday	Saturday	Sunday and Bank Holidays
1	8 Coaches	07:00 to 23:00* hours	07:00 to 23:00 hours	08:00 to 22:00 hours
2	5 Coaches	07:00 to 23:00 hours	07:00 to 23:00 hours	08:00 to 22:00 hours
3	12 Coaches	07:15 to 23:00 hours	07:00 to 23:00 hours	08:00 to 22:00 hours

*Other than on no more than seven nights per year where up to 8 coaches will arrive between 23:00 and 23:45 hours.

Early Morning

- 2 coaches leave the site daily between 07:00 and 07:10 and shall move away from zone 1.
- Up to 11 coaches leave the site between 07:00 and 07:15, these will leave from Zones 1 and 2
- Up to 12 coaches leave the site between 07:15 and 07:45, these will leave from Zone 3.

Late Evening

Tyrers Coaches currently have a contract with Bolton Wanderers Football Club where there are between 3 and 7 nights per year where up to 10 coaches return to the site late in the evening in the following manner:

- 2 coaches arrive before 23:00 hours and shall be parked straight into Zone 2
- 8 coaches arrive between 23:00 and 23:45 hours and shall be parked straight into Zone 1.

In addition to the above the coaches will access and leave the site via Bankfield Street to the south of the site and away from the residential dwellings.

At the time of writing the report a response has not been received from the Environmental Health Team. The response will be reported to the committee and actioned accordingly. However, a number of conditions have been attached to ensure appropriate mitigation measures are put in place should Environmental Health response be favourable.

Air Quality

NPPF identifies 12 core planning principles one of which indicates that planning should

“contribute to....reducing pollution.” To prevent unacceptable risks from air pollution, planning decisions should ensure that new development is appropriate for its location. The NPPF states that the effects of pollution on health and the sensitivity of the area and the development should be taken into account.

The applicant has submitted an Air Quality Assessment (AQA) in support of the planning application. The site is located within the Greater Manchester Air Quality Management Area. The AQA provides an assessment of the effects associated with changes in traffic levels on local roads and the effects on future residents from emissions from the buses. The report concludes that in accordance with EPUK and IAQM guidance on air quality significance criteria, the local air quality impact of emissions from traffic associated with the proposed development on the road network surrounding the site is predicted to be negligible. At the time of writing this report a response has not been received from Environmental Health in respect of the AQM report. The response will be reported to the committee and actioned accordingly.

Siting of Acoustic Fence

Given the size and siting of the fence and the interface distances in relation to the closest residential dwellings along Conway Avenue, it is not considered that the proposal would result in an unacceptable impact in terms of loss of light/overbearing.

Impact on highway safety/parking provision

Policy P5 of Bolton’s Core Strategy (CS) states that the Council will ensure that developments take into account, amongst other things, parking provision that should be in accordance with the parking standards in Appendix 3. Given the sui-generis use of the proposal no maximum parking standards are listed and therefore each case will be judged on its own merits.

In support of the application a Transport Statement has been supplied by PSA Design. The site would be occupied by no more than 25 coaches/buses at any one time. All the buses have their own parking space within the site and will leave and enter the site via Bankfield Lane only. The staff would enter and leave the site via Bloomfield Road and the submitted plans indicated that 25 spaces would be provided. Given the ‘sui generis’ use of the site there is maximum car parking standards and therefore it has to be considered on its own merits. As such given the maximum number of buses on site and the number of employees it is considered that adequate parking provision is provided within the site.

In respect of highway safety, the Council Highway Engineers have been consulted and, subject to conditions, have advised that the continued use of the site would not result in a noticeable change in traffic in both the morning and evening peak periods compared with existing lawful use. Consequently, the LPA find no substantive evidence that the proposal would lead to a significant increase in on-street parking or have any consequential impact upon highway safety.

In respect of parking provision, it is considered there is enough space within the front forecourt area to accommodate the proposed vehicle sales and also communal staff/visitor parking in accordance with policy P5 of the adopted Core Strategy.

Impact on crime reduction

The applicant has not submitted any supporting information to suggest that the development has taken into account the need to reduce crime and fear. The site is located in an industrial area. The site is secured by way approximately sized boundary treatment around the site which as well as offering a visual deterrent also improves the security of the site. In addition the site also has a number of other security measures including CCTV and lighting. Given the above the proposal is considered to be in accordance with policy S1 of the adopted Core Strategy.

Impact on land contamination

The site is covered in a concrete hardstanding and the proposed use of the site would not result in a sensitive end use. No new buildings are being constructed and therefore no ground breaking will occur. Therefore it is considered that the development would not result in any unacceptable land contamination.

Impact on drainage

The use would not result in the creation of any further hardstanding or building and therefore it is considered that the proposal would not result in the risk of further surface water run off either on or elsewhere. The Councils drainage engineers have been consulted and have no objection to the proposal. However, given the proposed use on site a condition has been attached to ensure that all surface water shall be passed through an oil interceptor prior to its discharge into the mains system.

Impact on Trees

The use of the site does not have any impact in the existing trees within or adjacent to the site. The Tree and Woodland Officer has been consulted and, subject to a landscaping scheme has no objections to the continued use of the site of a coach depot.

Conclusion

The use of the site, (subject to Environmental Health comments in respect of noise and AQM) is considered to be acceptable and subject to conditions is in accordance with policy and guidance. The committee is therefore recommended to conditionally approve the application.

Representation and Consultation Annex

Representations

Letters:- 15 individual letters have been received in response to the planning application publicity and who have raised the following concerns:-

- Loss of Privacy,
- Impact on air quality;
- Noise;
- Hours of operation;
- Increase in traffic;
- Lack of detail of acoustic fence;
- Loss of outlook;
- Drainage;
- Landscaping;
- Loss of Trees;
- The above issues have been addressed in the appraisal;
- Breach of Human Rights. *Response. In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention;*
- Other details such as the CCTV, flood lighting and bus washing facility should be included on the application. *Response. The Local Planning Authority can only determine the planning application as submitted. In this case the erection of the CCTV, flood lighting has been investigated by the planning Enforcement Team and no breach of planning control has occurred. In respect of the bus wash this is a portable structure and therefore planning permission is not required for the use of this facility on the site;*
- False statements within the supporting information. *Response. The case officer is satisfied that the supporting information represent an accurate reflection of the application.*
- Publicity of the application - *Response. The Local Planning Authority has fulfilled its statutory publicity requirements in respect of applications of this type of application;*
- CCTV overlooks adjacent dwellings - *Response. Any potential issues in respect of the CCTV cameras positions is a civil matter and would not fall within the jurisdiction of the Local Planning Authority;*
- Damage to house due to the use of the site – *Response. No evidence has been submitted into any alleged structural damage to property;*
- Located in Coal Mining Area – *Response, whilst the site is located with a Coal Area defined as high risk, the application is principally for the use of the site and not for the construction of any buildings which would require the Coal Authority to be consulted in this case;*
- The use is affecting neighbours health – *Response, In determining this application regard has been given to the health implications, however, there is no evidence to suggest that the application is likely to have a significant adverse impact on the neighbours health and well being;*
- Loss of property value – *Response, the loss of property value is not a material planning consideration;*
- Conflict of interest due to Tyrers having a contract with Bolton Council. *Response, The case officer is not aware of any contractual arrangements between the applicants and Bolton MBC. Notwithstanding the planning application has been determined in line with NPPF, relevant local planning policies and any other material planning considerations.*

Petitions:- Two petitions which object to the application have been received with a total of approximately 90 signatures.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: Drainage and Bridge Maintenance, Environmental Health, Highways, design for security and Tree and Woodland Officer

Planning History

16988/81 – Change of use of land and buildings from a builders storage yard to a trade builders timber merchants. Approved July 1981.

18238/81 – Erection of warehouse for the storage of building materials and plumbing equipment. Approved February 1982.

43629/93 – Erection of single storey extension at side of building. Approved October 1993.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Existing Site Plan 1665-P-101

Proposed Site Plan and Elevations 1665 -P-102-C

OS Map 1665-P-103

Block Plan 1665-P-104

Operational Zoning Plan 1665 -P-105-B

Reason

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

2. The site shall operate between the hours of 07:00 and 23:00hrs only, other than on no more than seven occasions per year when the site can operate between 07:00hrs and 23:45hrs. A record shall be kept of these occasions by the operator and made available within 28 days of a request in writing by the LPA.

Reason

In the interests of residential amenity

3. No more than 25 coaches shall operate, enter and leave the site within a one hour period.

Reason

In the interests of residential amenity

4. Coach/bus access and egress to/from the site shall be via Bankfield Road only. There shall be no access/egress to/from the site from Bloomfield Road other than for cars/staff/maintenance vehicles.

Reason:

In the interests of residential amenity and highway safety.

5. Within one month of the date of this a decision, the technical specification of the acoustic fence along the northern boundary of the site shall be submitted to the Local Planning authority. Once approved in writing by the Local Planning Authority the acoustic fence shall be erected and sited in accordance with approved drawing. no 1665-P-102-C, within 1 months of the date of the written approval.

Reason:

In the interest of residential amenity

6. The site shall at all times operate in accordance with the approved Operational Zoning Plan, drawing no: 1665-P-105-B and the provisions of the submitted Noise Management Plan (dated 20th July 2016), prepared by Miller Goodall Ltd.

Reason:

In the interests of residential amenity

7. A landscaping scheme for the land on the northern site boundary, to the north of the acoustic fence, to be submitted and approved by the Local Planning Authority within 3 months from the date of this decision. The approved scheme of planting shall be carried out during the first available planting season and thereafter shall be retained for the lifetime of the development. Any trees and shrubs dying within 5 years shall be replaced with an equivalent species unless otherwise agreed in writing with the LPA.

Reason:


In the interests of visual amenity of the area.

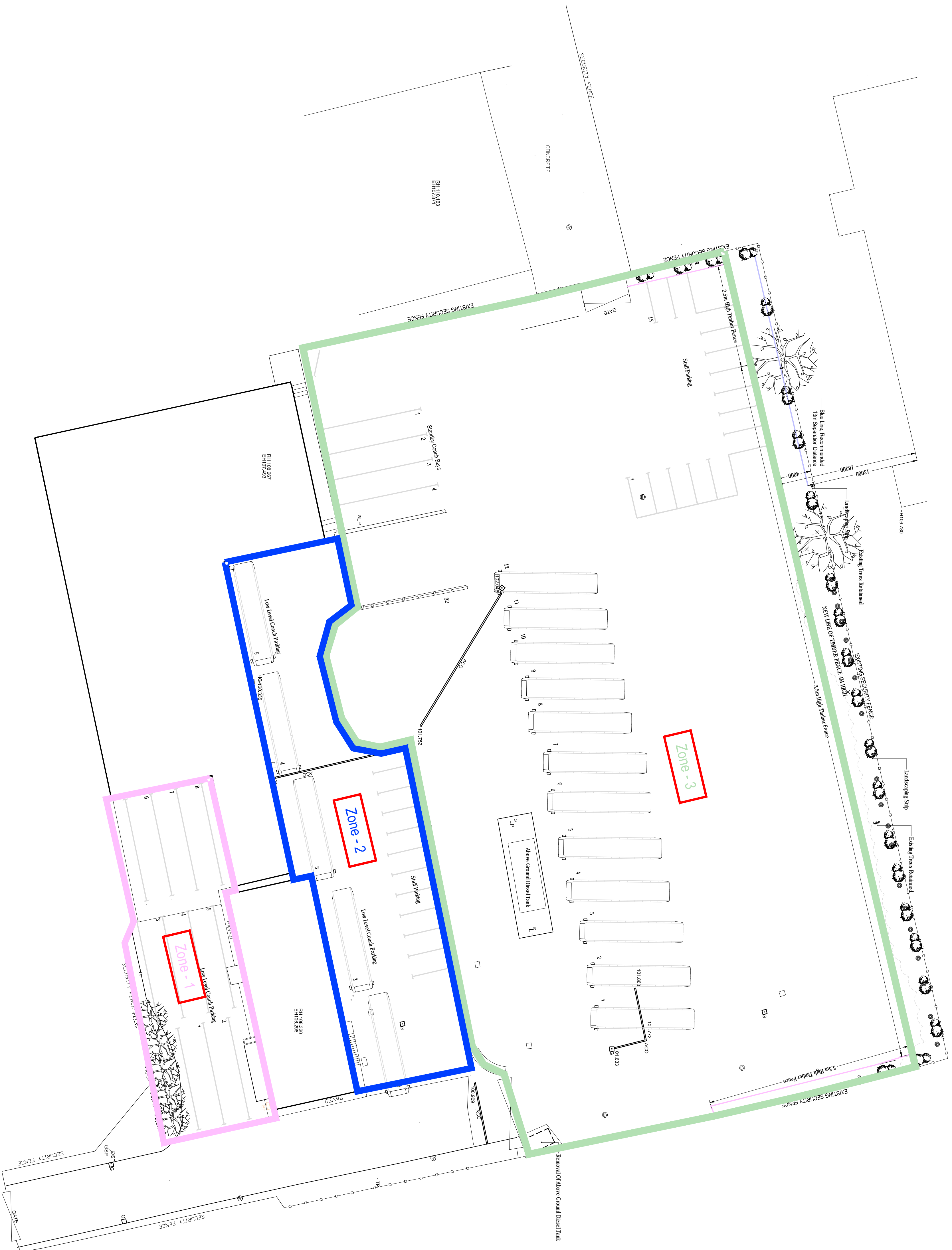
8. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from the development shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained.

Reason

In the interest of preventing contamination of surface water drainage and to comply with policy CG4.3 of Bolton's Core Strategy.



R.S TYRER LTD CLIENT	BLOOMFIELD ROAD, FARNWORTH BOLTON PROJECT	EXISTING SITE PLAN TITLE	1 665 -P-101 DRAWING NO.	1 :250 SCALE@A1	SW DRAWN	 WALKERDESIGN UNIT B, FIRST FLOOR, BLOOMSBURY OFFICE PARK, LYNETHURST, BOLTON, BL6 4BG TELEPHONE: 01204 357822 EMAIL: INFO@WALKER-DESIGN.NET
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SCALE 1:250

R.S TYRER LTD
CLIENT

BLOOMFIELD ROAD, FARNWORTH
BOLTON
PROJECT

OPERATIONAL ZONING PLAN

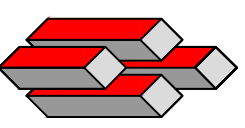
TITLE

1665 -P-105-B
DRAWING NO.

AS SHOWN
SCALE@A1

PJO/SW
DRAWN

WALKERDESIGN
UNIT B, FIRST FLOOR, LOBBY OFFICE PARK, LYNSHOTT WAY, BOLTON, BL6 4EG
TELEPHONE: 01204 357822 EMAIL: INFO@WALKER-DESIGN.NET





SCALE 1:250

SCALE 1:50

Typical Fence Section

Typical Fence Elevation

R.S TYRER LTD
CLIENT

BLOOMFIELD ROAD, FARNWORTH
BOLTON
PROJECT

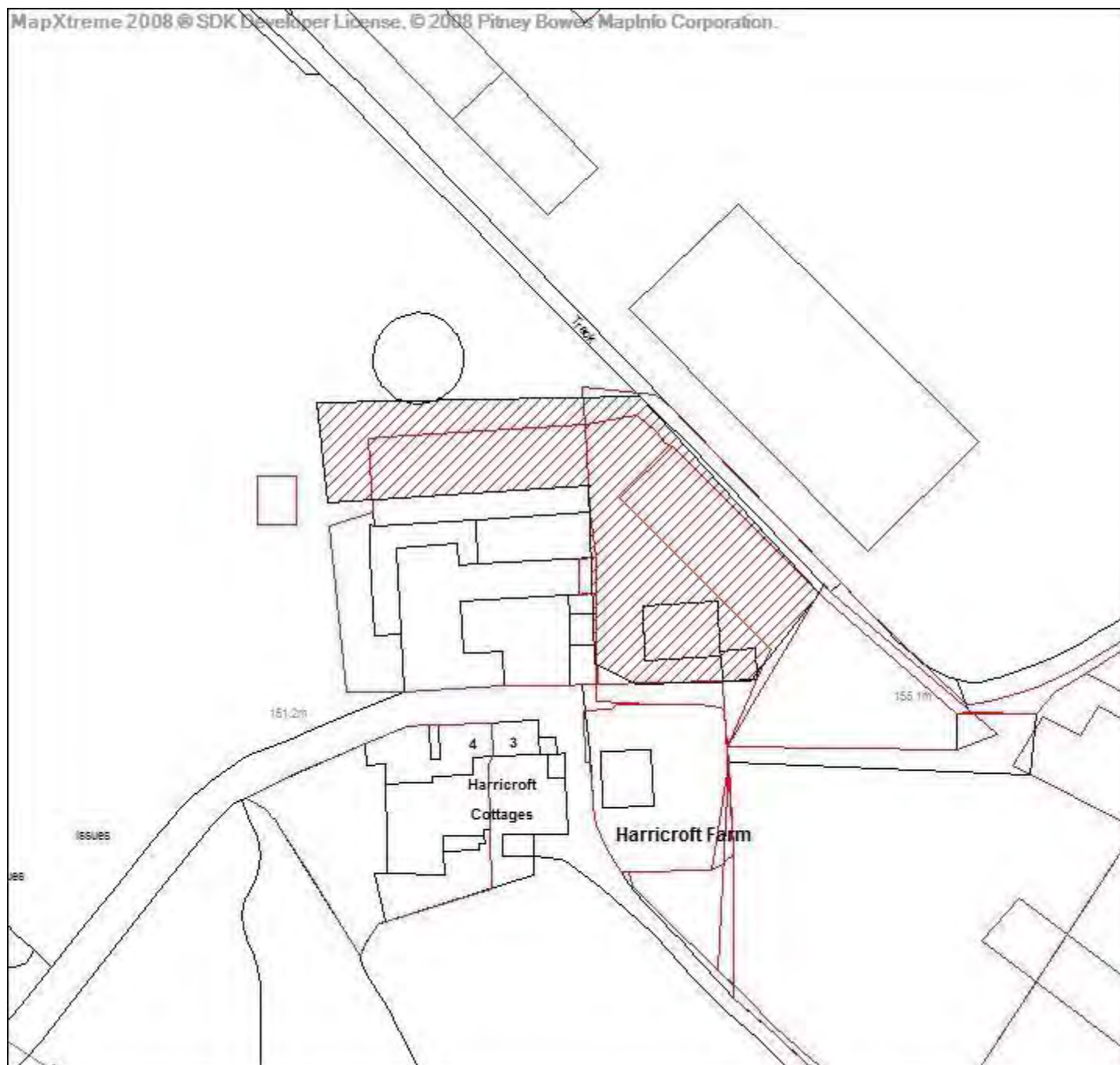
PROPOSED SITE PLAN & ELEVATIONS
TITLE

1665 -P-102-C
DRAWING NO.

AS SHOWN
SCALE@A1

PUD/SW
DRAWN

Application number 95964/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 95964/16

Type of Application: Full Planning Application

Registration Date: 23/03/2016

Decision Due By: 21/06/2016

Responsible Officer: Helen Williams

Location: SMITHILLS OPEN FARM, SMITHILLS DEAN ROAD, BOLTON, BL1 7NS

Proposal: DEMOLITION OF EXISTING TIMBER STRUCTURES AND ERECTION OF PORTAL FRAMED AGRICULTURAL BUILDING INCLUDING CAFE AND SEATING AREA.

Ward: Astley Bridge

Applicant: Mr A Grimshaw

Agent : Mr S Wilson

Officers Report

Recommendation: Refuse

Proposal

Permission is sought for the erection of a large, two storey, portal-framed building to be sited to wrap around the north and east of the listed stone barn and attached outbuildings. The proposed building would accommodate an open barn (within half of the building), retail and educational space on the ground floor and a new cafe on the first floor. The erection of the building would follow the proposed demolition of the existing outbuildings in this area, which include the single storey breeze-block shop, small animal building, metal livestock building and petting area.

The proposed new building will have a total gross internal floorspace of 3,443 sqm. The western elevation would be 29.108 metres in length, the northern elevation 42.672 metres in length, and the northern eastern elevation approximately 58 metres in length. The elevations of the building facing the listed farm building are to be constructed from stone, with the other elevations being proposed to be metal clad. The roof to the building is proposed to be profiled roof sheeting, slate blue in colour.

The proposed building is intended to provide visitor accommodation to the open farm under one roof rather than within a mix of buildings as it currently is. Visitors would therefore not need to move between buildings and be "exposed to the elements". The applicant states that the proposed improved facilities would:

- * enhance the visitor experience;
- * hopefully inspire return visits throughout the year;
- * provide more practical space allowing for greater adaptability to the open farm facilities;
- * provide easier movement by families with young children and disabled visitors.

The car parking at the open farm will remain as existing.

The uses currently within the existing barn and attached buildings will be relocated to the new building. The applicant currently has no firm plans for the use of the existing buildings but has confirmed that they will not remain vacant. They have stated that they would be happy to work with the Council to find a suitable use for these buildings should the proposed building be approved.

Site Characteristics

The application site is within Smithills Open Farm, which is open daily to visiting members of the public. The site where the new building is proposed currently accommodates a single storey breeze block shop and small animal building and a metal livestock building and petting area.

The application site wraps around the Grade II Listed stone barn, shippens and stables. The barn is dated 1832, with the shippens and stable range being possibly earlier. The barn is currently used as a cafe.

Harricraft Cottages (nos 3 and 4) opposite the barn to the south are also Grade II Listed.

Land to the east and north of the application site is at a higher level (approximately a single storey in level higher). There are large modern agricultural livestock sheds to the north east of the site. A visitor car park is to the south east of the application site.

Public Right of Way BOL081 runs to the south (east) of the application site and BOL063 runs immediately to the north east. Restricted Byway BOL086 runs along the access road into the site and ends where it meets BOL081.

The application site is located within the Green Belt.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; OA5 North Bolton.

Allocations Plan Policies: P8AP Public Rights of Way; CG7AP Green Belt.

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the purposes and openness of the Green Belt
- * impact on the setting of the adjacent listed buildings
- * impact on the highway
- * impact on biodiversity
- * impact on drainage
- * impact on the adjacent public rights of way

Impact on the Purposes and Openness of the Green Belt

Section 9 of the National Planning Policy Framework (NPPF) concerns protecting Green Belt land. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to Green Belt and should not be approved except in very special circumstances.

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this are [amongst other things]:

- * buildings for agriculture and forestry;
- * limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

Policy CG7AP of Bolton's Allocations Plan reflects the national guidance on the Green Belt.

The application site, Smithills Open Farm, is both a working farm and a visitor/tourist attraction. The proposed building is intended to accommodate both farm animals (within the proposed barn part of the building) and visitor facilities (shop, cafe and educational space within the other half of the building). Only half of the building is therefore proposed for agricultural use.

The proposed building is intended to replace a number of existing buildings on the site that accommodate the visitor attraction and also to improve the facilities for visitors. The half of the building that is for visitors to the open farm (the shop, cafe and educational space) is not a use that is considered to be "not inappropriate" development in the Green Belt. However, as the proposed building will be replacing existing buildings within a previously developed site in the Green Belt, and therefore it is considered that the non-agricultural part of the building would fall within the "limited filling/redevelopment" criterion of paragraph 89 of the NPPF.

It is not considered that the proposed larger footprint of the building would have a more harmful impact on the openness of the Green Belt in this location than the existing buildings given that building is to be contained within the lower (that is, lower ground level) part of the site and will not be encroaching any further into the undeveloped part of the farm. The increase in height of the development will have a greater impact on the openness of the Green Belt, however this harm is considered to be relatively limited given the presence of surrounding buildings.

It is also not considered that the proposed use of the building (improved visitor facilities) would have a materially greater harm on the purposes of the Green Belt than the existing buildings, given that the application site is an existing tourist attraction (an existing inappropriate use within the Green Belt).

It is therefore considered that the proposed development would not harm the purposes and openness of the Green Belt to a materially greater extent than the existing development, compliant with the guidance contained within section 9 of the NPPF and Allocations Plan Policy CG7AP.

Impact on the Setting of the Adjacent Listed Buildings

Section 12 of the NPPF concerns conserving and enhancing the historic environment. Paragraph 128 of the NPPF states, in determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 129 continues that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 132 states, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Core Strategy Policy CG3 states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy CG3.4 states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings. Policy 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.

Grade II Listed Harricraft Farm and Harricraft Cottages

The proposed building will wrap around the Grade II Listed barn, shippens and stables (Harricraft Farm). The two-storey barn and single-storey attached shippens and stables are sited in an L-shape around a central courtyard. The barn is dated 1832 (it contains a date stone on its southern elevation) and it is thought that the shippens and stables are earlier.

To the immediate south of the listed barn (across the access road) are the Grade II Listed Harricraft Cottages (nos 3 and 4). These are a two storey pair of cottages dating back to the early nineteenth century.

The applicant has submitted a Heritage Assessment, which addresses the significance of the adjacent listed buildings and the impact of the proposed development on their setting (as required by paragraph 128 of the NPPF). The author of the assessment (an historic building consultant) notes that the buildings to be demolished (the animal housing building, petting area, small animals building and the shop/reception building) are a piecemeal collection of modern single storey agricultural buildings used primarily as livestock accommodation, with no architectural interest. The author considers that the present immediate setting of the listed barn, shippens and stables is characterised

by these structures.

The author of the submitted Heritage Assessment recognises that the proposed building will be taller than the present structures (to be demolished) and therefore would have a more notable presence within the setting of the listed barn, shippon and stables. They believe, however, that given that the immediate existing setting makes a minimal contribution to the listed buildings' significance, the impact of the proposed development upon this significance is low.

The Council's Conservation Adviser however considers that the impact of the proposed development on the setting of the listed barn, shippons and stables is significant (not low, as stated by the applicant's consultant). They consider that the height, scale and sheer bulk of the proposed building would dwarf the listed buildings and be overbearing in the context of the listed buildings. Indeed the height of the new two storey building is proposed at approximately 7.7 metres to the eaves and 11.5 metres to the ridge, and the proposed footprint is very large at 3,443 sqm (the western elevation would be 29.108 metres in length, the northern elevation 42.672 metres in length, and the northern eastern elevation approximately 58 metres in length). This impact on the setting of the listed buildings is made even greater by the close proximity of the new building with the listed buildings (there is only an approximately 4 metre gap between the new building and the listed building) and by the new building 'wrapping around' the north and east elevations of the listed building.

The design of the proposed large building is also considered to detract from the listed building owing to the massing of the walls and uninspiring design of the building.

As Planning Officers (following advice from the Council's Conservation Adviser) take the view that the proposed development will lead to substantial harm to the significance of the listed barn, shippons and stables (by the harm to its setting), paragraph 133 of the NPPF should be applied, which states that local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm.

The applicant has put forward the following as public benefits in this case:

- * the benefits to the local economy that will result from increase visitors;
- * the provision of improved visitor facilities, particularly for young families and the mobility-impaired;
- * an increase in employment, which is estimated to be 20 new full or part time posts;
- * the contribution the attraction makes to the education of its young visitors, for which letters of support have been received from local schools and nurseries.

Officers would question whether the public benefits put forward by the applicant would be "substantial". In any event, it is considered that the development is not necessary in its proposed form (its proposed scale, design and siting) to achieve the benefits listed by the applicant. It is not considered that the benefits listed by the applicant would outweigh the harm caused to the setting of the Grade II Listed barn, shippon and stables.

The applicant's conservation consultant argues that as they consider the impact on the significance of the listed buildings is only low then paragraph 134 of the NPPF should instead be applied. Paragraph 134 states, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. If paragraph 134 is to be applied rather than paragraph 133, Officers are still of the opinion that benefits listed above would not outweigh the harm the proposed building would have to the setting of the listed buildings.

For these reasons, it is considered that the proposed development would substantially harm the

setting of the Grade II Listed barn, shippon and stables (Harricroft Farm) and the benefits of the proposal do not outweigh this harm, contrary to section 12 of the NPPF and Policies CG3 and OA5 of Bolton's Core Strategy.

Grade I Listed Smithills Hall and Grade II Listed Smithills Coaching House

The proposed development also represents development within the wider settings of the Grade I Listed Smithills Hall and the Grade II Listed Smithills Coaching House. Officers agree with the applicant's conservation consultant that these are secondary issues given that these listed buildings lie at greater distance from the application site. It is not considered that the proposed development would affect the setting of either of these two listed buildings.

Impact on the Highway

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

No alterations are proposed to the access into the site or to the existing on site parking.

The Council's Highways Engineers have raised no objection to the proposed development and therefore it is considered that the proposal complies with Policies P5 and S1.2 of the Core Strategy.

Impact on Biodiversity

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

Trees

There is a large mature tree to the west of the listed stone barn. The Council's Tree Officers have confirmed that the proposed development will not impact on any trees.

Bats and Nesting Birds

A survey and assessment in respect of bats and nesting birds has been submitted with the application as the proposal involves the demolition of buildings. The survey reports no evidence of the existing buildings being used for roosting bats and the Council's Wildlife Liaison Officers have recommended that the precautions and enhancements outlines within the report should be followed, should permission be granted.

It is considered that the proposed development would not adversely affect biodiversity on the application site, compliant with Policy CG1.1 of the Core Strategy.

Impact on Drainage

Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk. Policy CG1.2c seeks to ensure that all non-residential proposals over 500sqm demonstrate the sustainable management of surface water run-off from developments. On brownfield sites the rate of run-off should be 50% less than conditions before development.

The applicant has submitted a surface water management and SuDS analysis with their application. This report concludes that the post-development surface water run-off rates will be reduced to 50% of the pre-development surface water run-off rates. They state that due to the anticipated ground

conditions, it is anticipated that infiltration of surface water will not be feasible so other SuDS methods of rain harvesting and below ground attenuation structures would be most appropriate and feasible for the development site.

The report also states that owing to the nature of the existing and post development site, any above-ground flooding may increase the risk of flooding to the proposed and existing buildings, therefore it is proposed to have a below-ground attenuation structure of 22 cubic metres in order to attenuate the surface water for all storms.

Further information in relation to the surface water management analysis has been forwarded to the Council's Drainage Officers. Any further comments received from the Drainage Officers will be reported directly to the meeting.

Should the application be approved, the proposed drainage of the development site would need to be suitably conditioned.

Impact on the Adjacent Public Rights of Way

Allocations Plan Policy P8AP states that the Council will permit development proposals affecting public rights of way, provided that the integrity of the right of way is retained.

Public Right of Way BOL081 runs to the south (east) of the application site and BOL063 runs immediately to the north east. Restricted Byway BOL086 runs along the access road into the site and ends where it meets BOL081.

The Council's Public Rights of Way Officers have commented that, due to the likely increase in vehicle numbers and the potential conflict with cars, the line of public right of way BOL081 should be clearly marked by means of surface markings or physical kerbs to allow for safe and unobstructed pedestrian access. Officers also advise that consideration should be given to vehicle speed controls.

Should planning permission be granted, it is recommended that these requirements are secured by a condition.

Other Matters

The application site falls within the defined development high risk area for coal. The applicant has submitted a coal mining risk assessment to address this and the Coal Authority has raised no objection to the proposal.

The Council's Strategic Development Unit have confirmed that Smithills Open Farm is an important visitor attraction and that the new structure would provide a welcome level access for visitors, which would be a big improvement on the current makeshift ramps.

Local finance considerations

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

- * The improved facilities could cater for increased numbers of school children visits (potentially up to 500 per day) and increased family and group visits (Officer comment: the improved facilities have the potential to attract more visits to Bolton, which is considered to be a material benefit of the proposal);
- * The extended catering facilities for the increase in numbers will provide additional employment opportunities. Proposed increase in staff employed from 15 full time and 30 part-time to 25 full

time and 40 part-time (Officer comment: this is considered to be a material benefit of the proposal);

- * The existing stone and outbuildings will be put into a new use and will contribute to the success of the enterprise overall and ultimately the visitor experience. The potential additional job opportunities cannot be quantified at this stage (Officer comment: this proposal does not form part of the current planning application and therefore is not material to this current proposal);
- * Increased employment means increased income being spent in the local economy (Officer comment: this is considered to be a material benefit of the proposal);
- * During the construction stage employment will be increased due to the various trades being brought in together with a considerable amount of additional revenue to local suppliers in respect of material supplies. Boost to the local economy during the construction phase of approximately six months (Officer comment: this is considered to be a material benefit of the proposal);
- * The improved facilities will require additional resources in servicing the day to day requirements of the enterprise. Local businesses will therefore benefit (Officer comment: this is considered to be a material benefit of the proposal).

It is not considered that the material benefits to the local economy listed above carry sufficient enough planning weight to outweigh the harm identified within this analysis.

Conclusion

For the reasons discussed above it is considered that the proposed development, by virtue of its scale, height, siting and design, would substantially harm the setting of the Grade II Listed barn, shippon and stables (Harricraft Farm) and the benefits of the proposal do not outweigh this harm, contrary to section 12 of the National Planning Policy Framework and Policies CG3 and OA5 of Bolton's Core Strategy. Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters:- Seven letters of support have been received, which support the proposal for the following reasons:

- * The proposal will better serve existing customers and attract new ones from all over the region;
- * It will create an all-weather venue;
- * It will be beneficial to the community and to the education of children;
- * As a school we have used the facilities on numerous occasions;
- * The changes would improve the experience for children and also the chance for them to learn in a practical way about farming and agriculture;
- * The development of an education centre would enhance children's learning experiences and would allow teachers to incorporate even more activities into their visits;
- * The educational facility will encourage schools from further afield to visit;
- * The proposal would greatly enhance the business;
- * As the farm's popularity has grown it is becoming to feel crowded;
- * Improved health and safety;
- * Boost to tourism in Bolton as it will increase the number of visitors.

Consultations

Advice was sought from the following consultees: Council's Conservation Adviser, Highways Engineers, Public Rights of Way Officer, Pollution Control Officers, Tree Officers, Wildlife Liaison Officer, Drainage Officers, Strategic Development Officers, Coal Authority, Ramblers Association, the Open Spaces Society and Peak and Northern Footpath Society.

Planning History

95287/15 - Erection of agricultural building for housing livestock - approved January 2016.

92093/14 - Erection of single storey toilet block/washroom facilities with ice cream kiosk to side - approved July 2014.

87013/11 - Erection of livestock building - approved December 2011.

84805/10 - Extension to livestock building - approved October 2010.

81114/08 - Construction of manege and erection of two stable blocks with associated tack rooms and store rooms - refused January 2009.

81190/08 - Erection of agricultural livestock building - approved December 2008.

60193/01 - Rebuild and change of use of silage pit to form covered stable block and formation of manege - approved November 2001.

58349/00 - Additional use of working farm buildings to incorporate an "open farm" with associated car parking - approved February 2001.

51114/97 - Erection of replacement farmhouse - approved July 1997.

49656/96 - Erection of timber cubicle building extension for 30 young dairy cows - approved December 1996.

47553/95 (and listed building consent 47583/95) - Erection of replacement kitchen and utility room to farmhouse - approved November 1995.

46649/95 - Listed building consent to resurface yard area with natural stone - approved May 1995.

45592/94 (and listed building consent 45591/94) - Alteration to elevations of milking parlour to install new doors - approved September 1994.

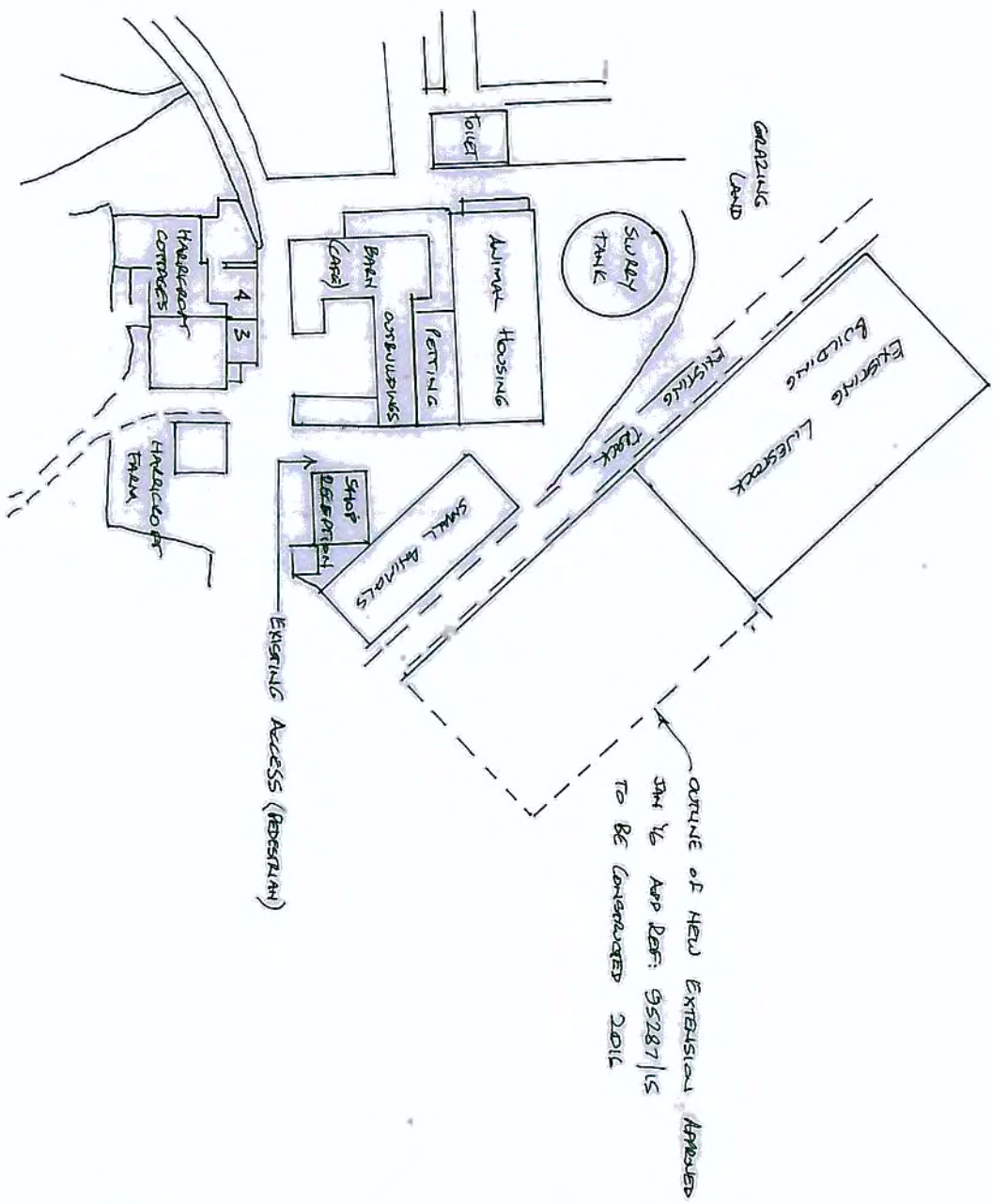
43463/93 (and listed building consent 43580/93) - Erection of building to house livestock - approved August 1993.

34181/89 (and listed building consent 34182/89) - Erection of timber framed cubicle building for housing cattle and slurry store - approved August 1989.

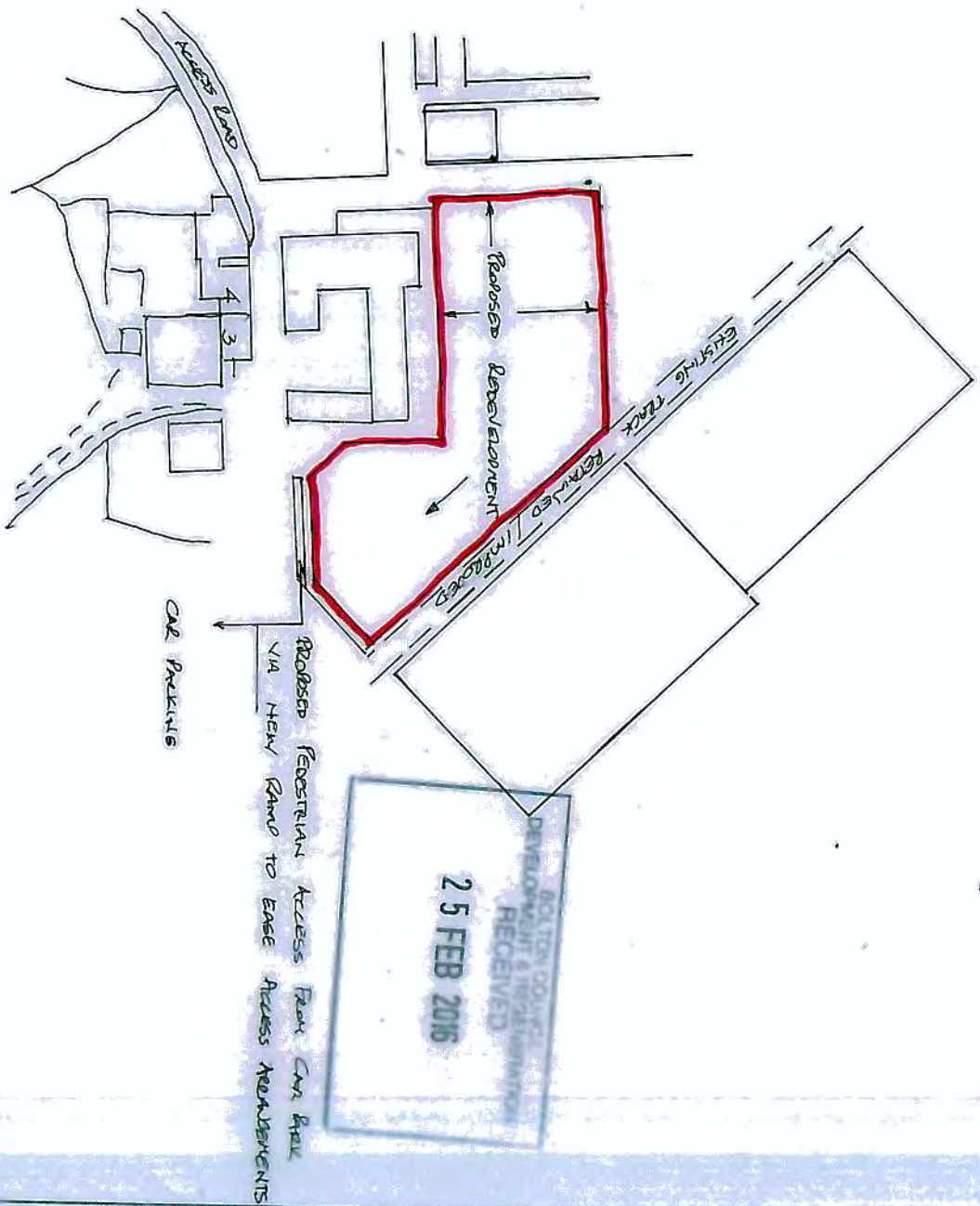
Recommendation: Refuse

Recommended Conditions and/or Reasons

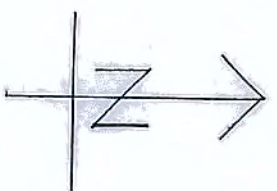
1. The proposed development, by virtue of its scale, height, siting and design, would substantially harm the setting of the adjacent Grade II Listed Barn, Shippens and Stables (Harricraft Farm) and the public benefits of the proposal would not outweigh this harm, contrary to section 12 of the National Planning Policy Framework and Policies CG3 and OA5 of Bolton's Core Strategy.



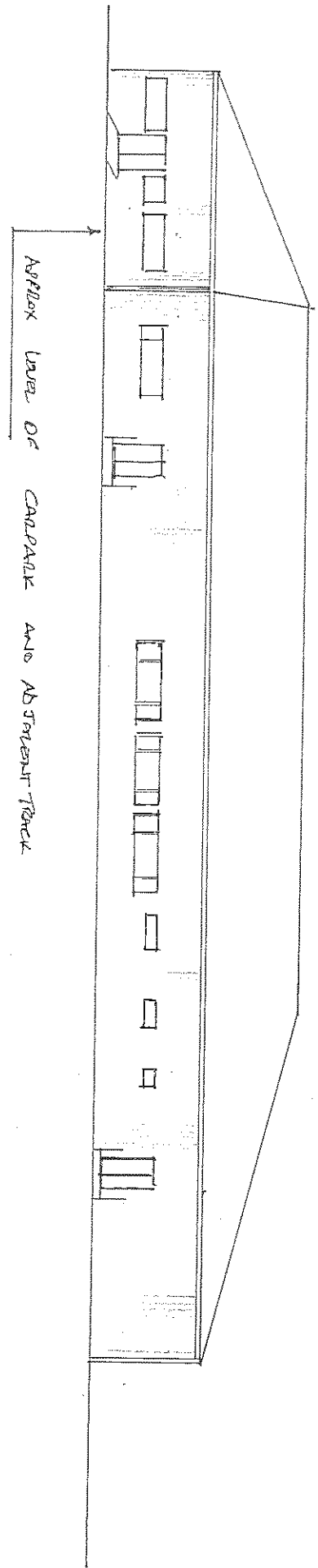
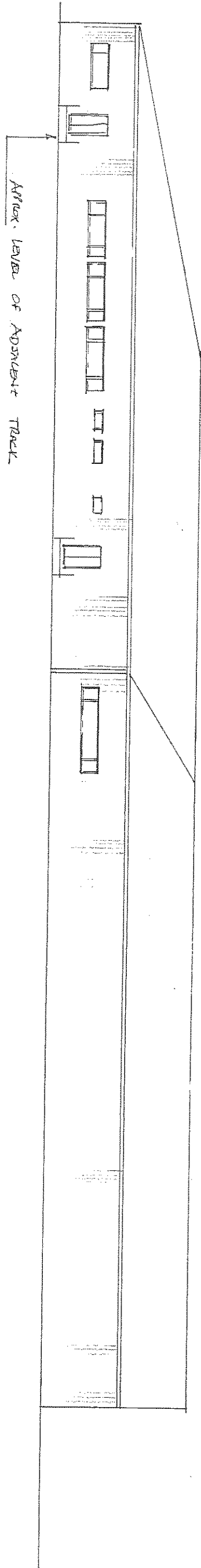
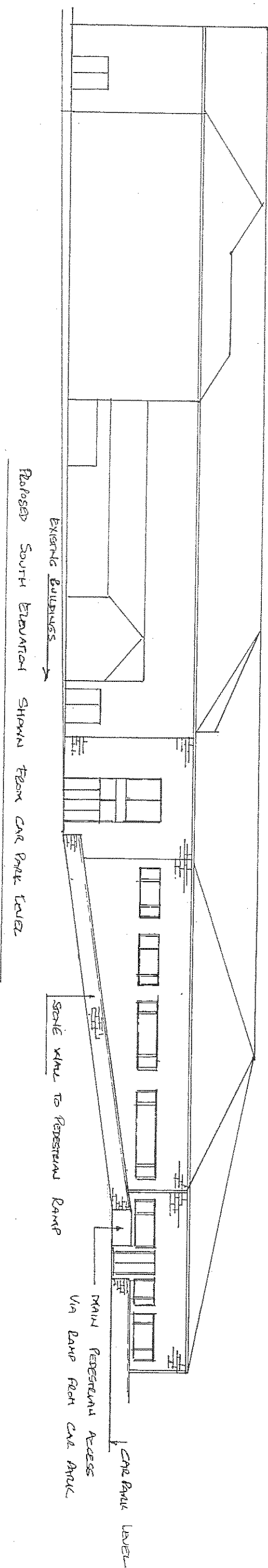
Existing site plan 1/1250



Proposed site plan 1/1250



Proposed redevelopment of Smithills Open Farm		
Proposed redevelopment of Smithills Open Farm Smithills Dean Road, Bolton, BL1 7NS		
for - Mr A. Grimsshaw		
Scale - as shown	Drawn - Jan 2016	Dwg no 1 of 2

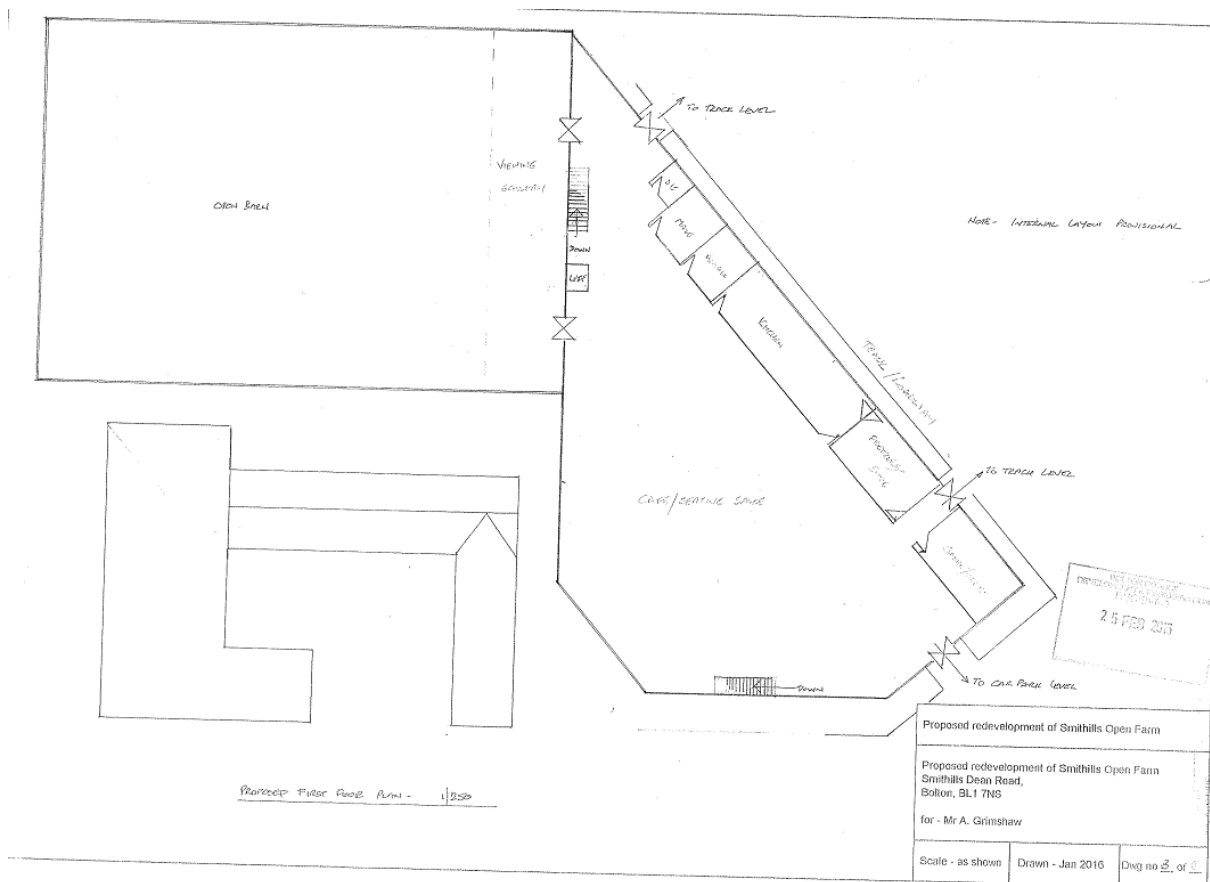
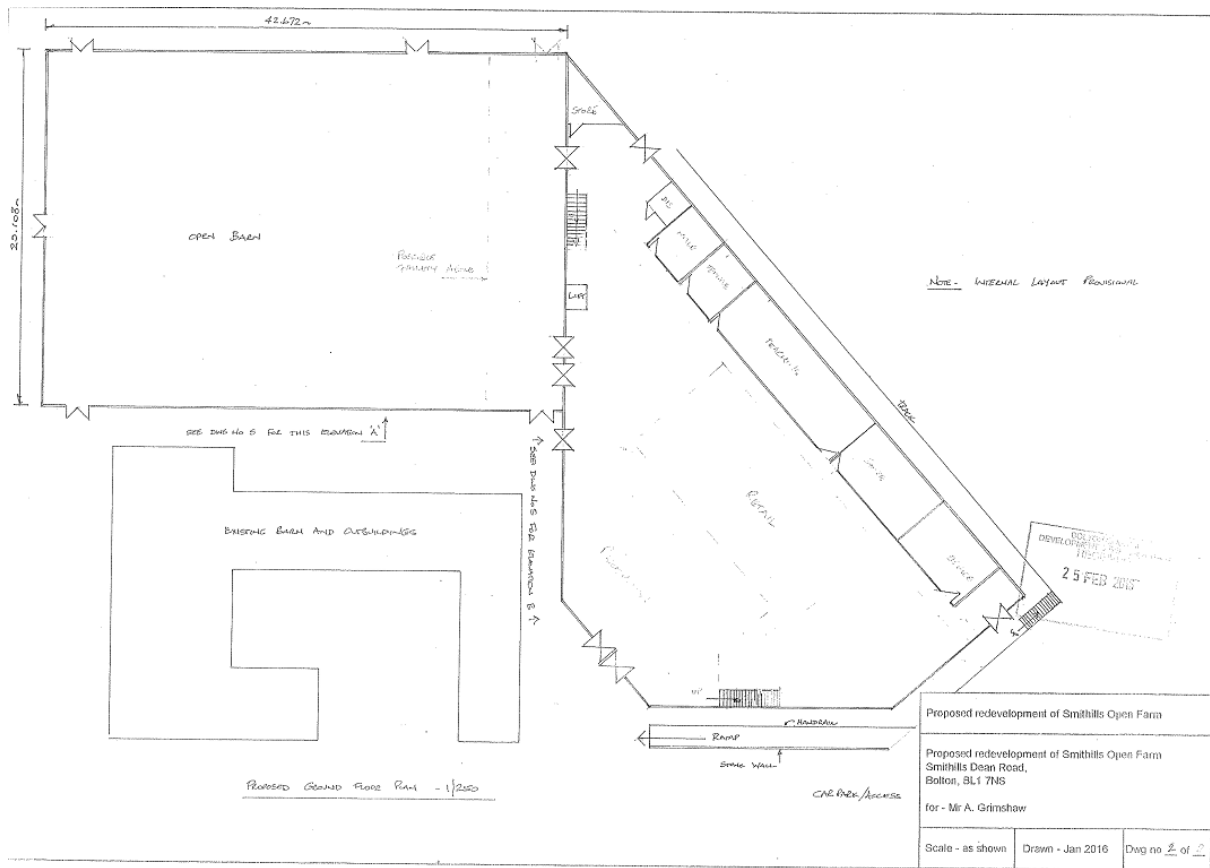


Proposed Elevation - 1/250

FOR THE PROPOSED DEVELOPMENT OF SMITHILLS OPEN FARM

25 FEB 2016

Proposed redevelopment of Smithills Open Farm		
Proposed redevelopment of Smithills Open Farm Smithills Dean Road, Bolton, BL1 7NS		
for - Mr A. Grimshaw		
Scale - as shown	Drawn - Jan 2016	Dwg no 2 of 3



Application number 96357/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 96357/16

Type of Application: Full Planning Application

Registration Date: 18/04/2016

Decision Due By: 17/07/2016

Responsible Officer: Alex Allen

**Location: DERELICT POCKETS SNOOKER CLUB, MARKET STREET,
WESTHOUGHTON, BOLTON, BL5 3AZ**

Proposal: ERECTION OF 15NO. TWO BEDROOM TERRACED DWELLINGS.

Ward: Westhoughton South

Applicant: Molloy Hale Ltd

Agent : Howard & Seddon ARIBA

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the redevelopment of the former Gaiety Club/Pockets Snooker Hall to provide 15 x 2 bedroomed houses with associated parking and landscaping. Five of the new properties would face Market Street with pedestrian access directly from the main road. A further ten dwellings would be sited with the proposed front elevations facing the Wheatsheaf car park to the west. Car parking for the new dwellings would be served off the public house car park with pedestrian access both from the front doors of each property and also at the rear of the properties via the back gardens. A communal access path would run along the eastern edge of the site. Each property would be two storey.

Plot 1 in the northernmost part of the site would have its outlook to the east over the rear garden together with views to the south.

Site Characteristics

The application is currently a derelict site which was formerly the Gaiety Club. The former Club building was demolished some years ago and has lain vacant and unused ever since. The application site is currently fenced off from direct access on all sides by Herras fencing.

Directly to the west is the Wheatsheaf public house and associated car park. Located in the north east corner of the pub building is a outdoor drinking/smoking area. Directly adjacent to the application site is a small office / workshop which is currently used by Bolton Electronics Limited. To the north of the application site is the Westhoughton telephone exchange building whilst to the east is No. 88 Market Street which is currently vacant but has permission to convert to a micro pub. On the opposite side of Market Street are a broad range of commercial uses including hot food takeaways, estate agents and a variety of shops.

A bus stop and shelter are located adjacent to the application site. The site is within Westhoughton town centre.

Policy

National Planning Policy Framework

Core Strategy CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, S1 Safe, P5 Accessibility, OA3 Westhoughton, Appendix 3 Car Parking Standards.

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

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development;
- * impact on the character and appearance of the area;
- * impact on the living conditions of existing/future residents and adjoining uses;
- * impact on highway safety;
- * impact on drainage/land stability; and
- * impact on sustainability;
- * impact on existing infrastructure;
- * local finance considerations.

Principle of Residential Development

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

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

The site is located within Westhoughton town centre with Core Strategy policy OA3.1 clearly stating

that "the Council and its partners will continue to promote Westhoughton town centre as being suitable for a mix of retailing, leisure, employment and housing uses".

The principle of residential development in this location is therefore considered to be appropriate and to comply with policy.

Impact on the Character and Appearance of the Area

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

It is noted that prior to the demolition of the Gaiety Club the building had lain vacant for a number of years. Since the demolition of the building the site has also lain vacant and derelict for a number of years. The site in its current state detracts from the overall character and appearance of the site and the wider area.

The proposal has been designed in such a way as to address both Market Street and the adjoining Wheatsheaf car park. The overall design of the new properties are simple. The applicant is proposing railings and a hedge along the site frontage which would provide a strong boundary adjacent to Market Street.

The proposed development would raise the overall character and appearance of the site with the potential to assist in regenerating the western end of Market Street / Westhoughton town centre and thus complying with Core Strategy policies CG3 and OA3.

Impact on the Living Conditions of existing /future residents and adjoining uses

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. The General Design Principles SPD provides guidance for conventional housing layouts where houses face each other to provide for 21 metres between principal room elevations overlook each other. Where principal/main room elevations overlook at blank gable this distance can be reduced to 13.5 metres.

In addition, guidance is also contained within the adopted "Location of Restaurants, Cafes, Drinking Establishments and Hot Food Takeaways in Urban Areas" SPD. One of the objectors has raised concerns over whether the proposed new residential development would be appropriate adjacent to the existing public house and also within close proximity to other late night uses such as the takeaways which are on the opposite side of Market Street.

There is the potential for noise disturbance to be caused to new residents by the customers of the adjacent public house and takeaways. It is also noted that a new micro pub has also been approved at the adjacent building (No.88 Market Street). Due to this relationship the Council's Environmental Health Officers have commented that this relationship is undesirable.

However, it is considered that the proposed development could mitigate against the impacts of the adjoining uses. The overall design and layout of the proposed new dwellings are such that the impact of existing uses would be limited due to the following factors:

- The front of the new properties all face the noise generating uses e.g. hot food takeaways, Wheatsheaf public house. These elevations can be protected / enhanced by using acoustic glazing combined with sound attenuated ventilation systems.
- The external areas of the properties i.e. front and rear garden can be protected from noise generated by existing uses by way of acoustic screens / boundary treatment;

- There is a general expectation that residential properties within town centre locations should live with an amount of noise generating activity; and
- When potential purchasers are considering buying a property they will have the knowledge that the site is located adjacent to potentially noise generating activity.

It is noted that the Council's EHO's have recommended conditions regarding noise attenuation if Members are minded to grant approval for this scheme.

Officers consider that the effects of the adjoining uses can be sufficiently mitigated against to ensure that the occupants of the proposed new dwellings would have appropriate living conditions both within the new dwellings and their wider curtilage. It is considered that sufficient mitigation would be put in place also so as not to prejudice the operations of existing business within the local area.

On this basis, the proposal is considered to be acceptable in policy terms.

Impact on Highway Safety

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

Each new property would have the ability to park one car off-road. Given that the site is located within a town centre location, close to local facilities including Westhoughton railway station, this level of car parking is considered to be appropriate.

The Council's Highways Engineers raise no objections to the proposal.

The applicant has subsequently confirmed that they have (a) access rights to serve the development from the Wheatsheaf car park (b) it would be their intention to refurbish and re-line the current retained car park providing a more efficient car parking layout and (c) the existing car park is private and for the sole use of customers of the Wheatsheaf pub and the owner of the current application site.

Whilst the applicant is proposing a number of improvements to the existing Wheatsheaf car park it is considered that this is a private matter between the two landowners. It is not considered appropriate to condition any improvements to the existing pub car park.

For the above reasons it is therefore considered that the proposal complies with policy.

Impact on Drainage/Land Stability

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

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

The proposal would comply with policy CG1 and CG4.

Impact on Sustainability

Core Strategy policy CG2 seeks to ensure that new residential development proposals of 5 dwellings or more are Code for Sustainable Homes Level 3 compliant, provide low carbon energy sources to reduce Carbon Dioxide emissions by 10% from regulated and unregulated energy use and to ensure surface water run-off from the site should be no worse than the original conditions. It is noted that the requirement for Code for Sustainable Homes has been superceded and is no longer a planning requirement.

The requirements of Core Strategy policy CG2 would be conditional upon any approval to ensure the proposal complies with policy.

Impact on Existing Infrastructure

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

The applicant has submitted a viability report which details that the proposed development would not be viable to enable the payment of s.106 contributions. The Council's Surveyors have assessed the submission and whilst the applicant has not provided comprehensive information the surveyor considers that even if the information was provided the scheme would not be viable.

Taking into consideration the above facts it is considered that the proposed development would not be applicable for the provision of any s.106 contributions. This would comply with the requirements of Core Strategy policy IPC1.

Local finance considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material.

The applicant is in the process of confirming any local financial considerations which are relevant in the assessment of this application. These will be reported directly at the meeting.

Conclusion

It is considered that the benefits of the scheme including increased housing provision, redevelopment and regeneration of a derelict and vacant site with a design that complements the character and appearance of the area without compromising highway safety would comply with policy. It is considered that the potential impacts of the uses adjacent to the site could be mitigated against successfully. These elements would be secured by condition.

The proposal is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- four objection letters have been received raising the following concerns:

- The proposal would not ensure the vitality and viability of town centres nor would it safeguard existing businesses in the area;
- Would result in parking and access problems;
- The application is inaccurate;
- New shops should be developed on Market Street rather than new homes;
- The proposal would not benefit the local community;
- Is adjacent to the Wheatsheaf Public House and the new residential use would be incompatible with the pub use and the hot food takeaway uses which are also located on Market Street;
- Seeking clarification over whether the application site area and whether this includes the existing Wheatsheaf car park and car park adjacent to Casa Nostra on Church Street - **Officer comment:** *the applicant has provided an amended application site area which excludes the existing pub car or restaurant car park. It is understood that the applicant has access rights over the land to enable the proposed development to be served.*
- The proposal would limit existing customers using the Wheatsheaf pub car park - the proposal would result in the loss of a number of spaces which are located adjacent to the application site. Officer comment:- the impact on the existing pub car park are considered to be a 3rd party / separate legal matter between the applicant and the owner of the public car park.
- Whether the proposal would block access to the r/o 12-20 Church Street - *Officer comment - the proposed red edge has been amended to exclude the existing car park or land at the r/o 12-20 Church Street;*
- Reference is made to the Council's SPD on new restaurants, pubs, cafes and hot food takeaways stating that where these applications are located adjacent to existing residential properties this relationship would not be acceptable - the current application is the reverse situation - should a new residential development be located adjacent to an existing pub and within close proximity to a number of hot food takeaways and other late night uses - Officer comment - this issue is examined in more detail within the main body of the report.
- Car parking - the development would be served via private property i.e. the pub car park. The existing car park is used by a variety of users, There is insufficient capacity for more parking and additional traffic/vehicular movement
- The development would result in the loss of 12 car parking spaces from the private pub car park. **Officer report:-** *Issues of car parking, access and private property issues are assessed in the main report.*

Petitions:- no petitions have been submitted.

Town Council:- raise no objections. Request someone takes responsibility for the maintenance of the proposed acoustic fence.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: Westhoughton Town Council, the Council's Highways Engineers, Drainage/Flood Risk team, Environmental Health officers, Landscape Architects, Strategic Development Unit, Housing and Public Health officers, United Utilities, Bolton Primary Care Trust and Greater Manchester Police - Design for Security.

Planning History

Planning permission was granted in July 2016 (Ref: 96691/16) for the change of use of the adjoining building at No. 88 Market Street to change from a vacant shop premises to a micro pub together with an off license.

Outline planning permission (all matters reserved) was granted in June 2009 for the erection of a retail food store on the site of the former Gaiety club site which included the adjoining car park (Ref: 82170/09). This permission was renewed in July 2012 by way of an Extension of Time application. This latest permission for the application site has now time expired (Ref: 88044/12).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development a scheme which specifies the provision to be made to protect future occupants of the dwellings hereby approved using the standards detailed within BS 8233 for amenity space such as garden and patio areas shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme should seek to achieve an average noise level of 50 dBA against externally generated noise. The approved details shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

To minimise the impact of noise disturbance on the residential amenity of the area.

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

Reason

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

4. Prior to the commencement of the development:-

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

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

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

Reason

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

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

Reason

To enhance the sustainability of the development and to reduce the reliance on fossil fuels in order to comply with Core Strategy policy CG2.

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

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

Reason

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

7. Before the approved/permitted development is first brought into use no less than 15 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with Drawing Ref: 11 Rev. C. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

8. Prior to the development hereby approved being first occupied or brought into use, a scheme detailing how parts of the site to be used by vehicles are to be laid out, constructed, surfaced, 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.

9. Before the first occupation of the dwelling(s) hereby approved, the windows of all habitable rooms to the west, south and east elevations facing The Wheatsheaf Public House (No. 106 Market Street), No's 91 to 103 Market Street (odds only), 100 Market Street (Bolton Electronics) and No. 88 Market Street shall be acoustically double glazed and ventilated in accordance with the 'good' standard laid down in BS8233:1999 of LAeq/T living rooms 30dB and bedrooms 30 dB. Alternative means of ventilation, which must be sound attenuated shall be provided. The design criteria of the windows and ventilation should be to achieve the standards laid down in BS8233:1999 of LAeq/T living rooms 30-40 dB and bedrooms 30-35dB.

Reason

To minimise the impact of noise on residential amenity.

10. 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.

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

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

**Drawing No. 10 Rev. C - Proposed Floor Plans, dated 16.06.16;
Drawing No. 11 Rev. C - Proposed Site Plan dated 16.06.16; and
Drawing No. 12 Rev. B - Proposed Elevations, dated 16.06.15**

Reason

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

NOTES

ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.



PLANNING ISSUE

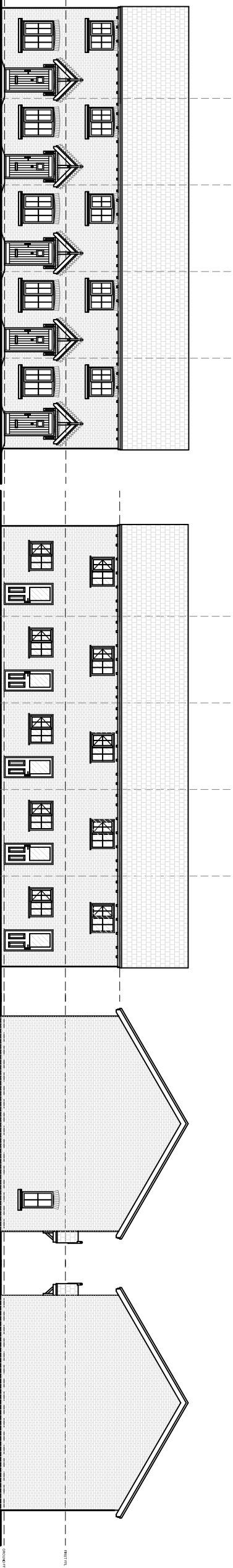
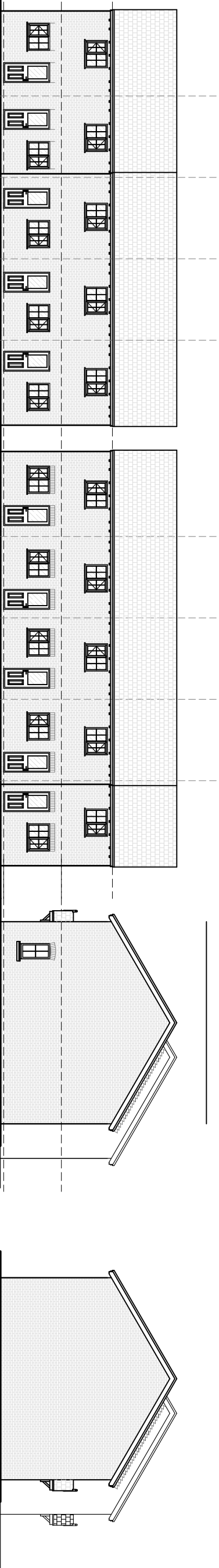
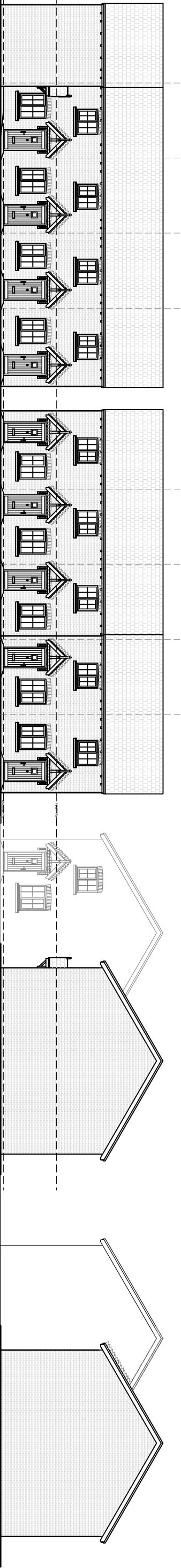
SUBJECT TO LOCAL AUTHORITY APPROVAL

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CHECKED			SCALE	1:250 (A1)
APPROVED				
HOWARD & SEDDON A.R.I.B.A.				
CHARTERED ARCHITECTS				
64 WASHWAY ROAD,				
SALE, CHESHIRE M33 7RE.				
TEL No. 0161 - 973 8296				
FAX No. 0161 - 962 3485				
e-mail : admin@howardandseddon.co.uk				
JOB NO.	11,718	DWG NO.	11	REVISION
				F

REV	AMENDMENTS	BY	DATE
A	FIRST ISSUE	TB	16.05.15
B	DWG REVISED TO SITE PLAN	BLW	19.01.16
C	RED EDGE REVISED	BLW	29.03.16
D	RED EDGE REVISED	BLW	20.05.16
E	BOUNDARY ALTS	BLW	24.05.16
F	PLANNING OFFICER COMMENTS ADDED	BLW	10.08.16

NOTES

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SCALE 1:100

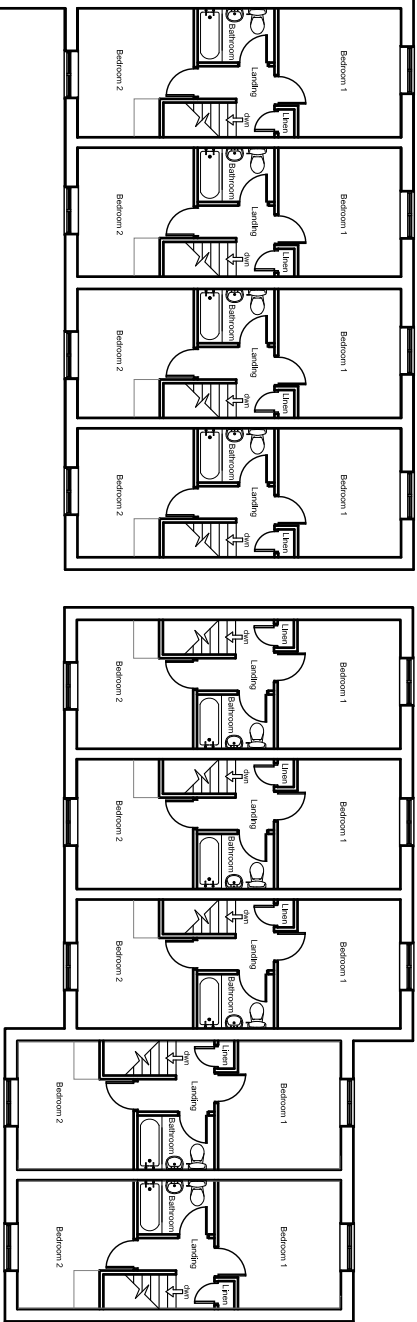
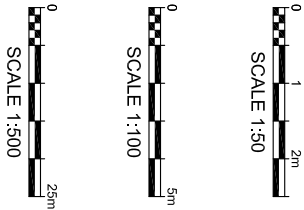
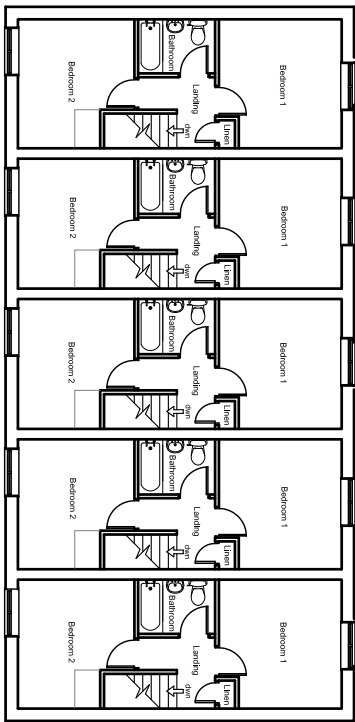
PLANNING ISSUE

SUBJECT TO LOCAL AUTHORITY APPROVAL

PROJECT		PROPOSED MIXED USE DEVELOPMENT LAND FORMER GAIETY CLUB MARKET STREET WESTHOUGHTON, BOLTON.	
CLIENT		MS SIOBHAN MOLLOY	
DRAWING TITLE		PROPOSED ELEVATIONS	
DRAWN		DATE	16.06.15
CHECKED		SCALE	1:100 (A1)
APPROVED			
HOWARD & SEDDON A.R.I.B.A.			
CHARTERED ARCHITECTS			
64 WASHWAY ROAD,			
SALE, CHESHIRE M33 7RE.			
TEL No. 0161 - 973 8296			
FAX No. 0161 - 962 3485			
e-mail : admin@howardandseddon.co.uk			
DWG No.	11,718	REV No.	12
REVISION			C

NOTES

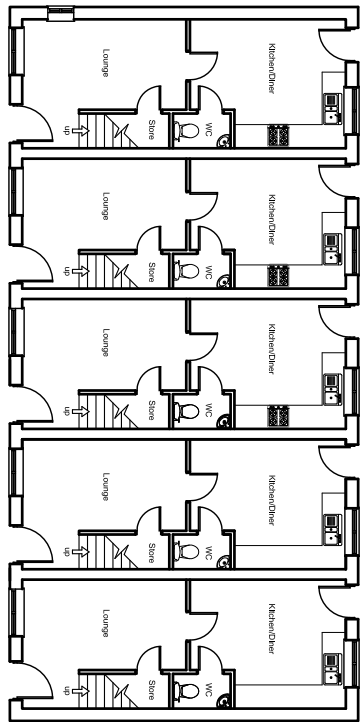
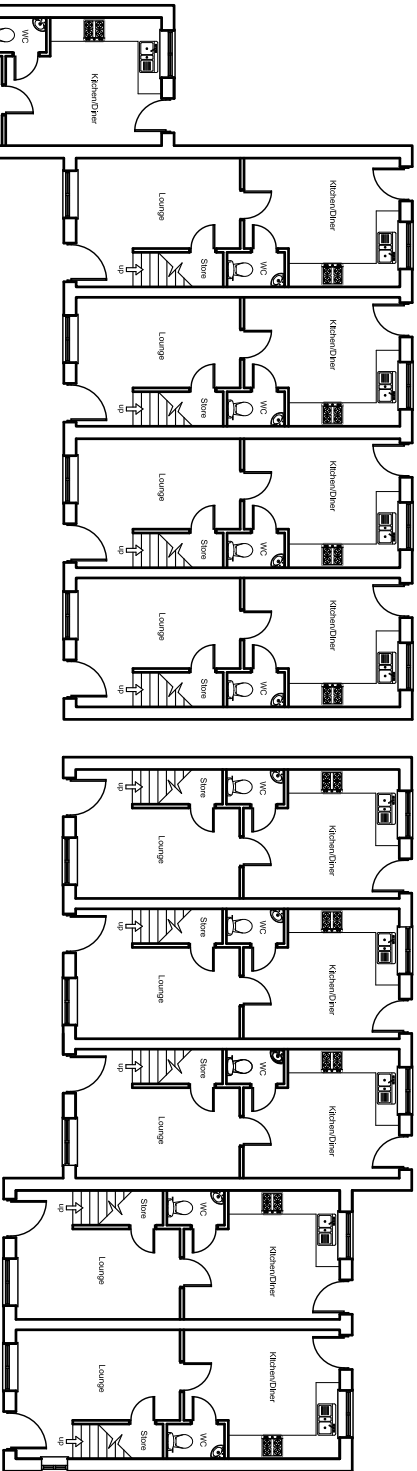
ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.



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FIRST FLOOR PLANS PLOTS 6 to 10

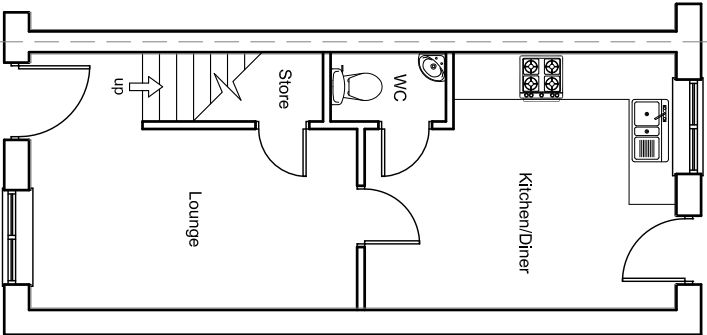
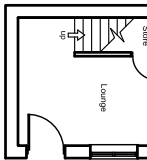
FIRST FLOOR PLANS PLOTS 11-15



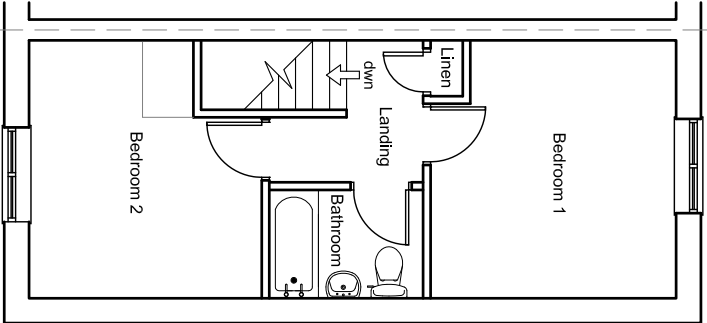
GROUND FLOOR PLANS PLOTS 1 to 5

GROUND FLOOR PLANS PLOTS 6 to 10

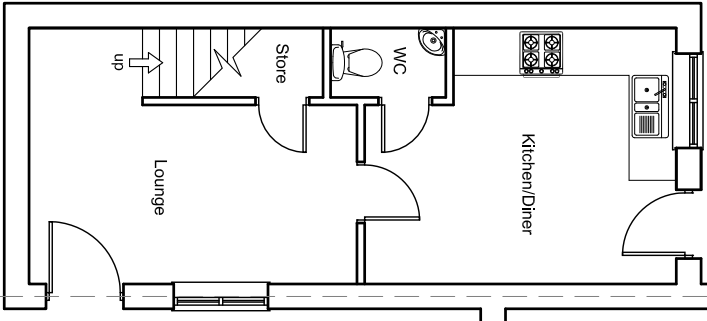
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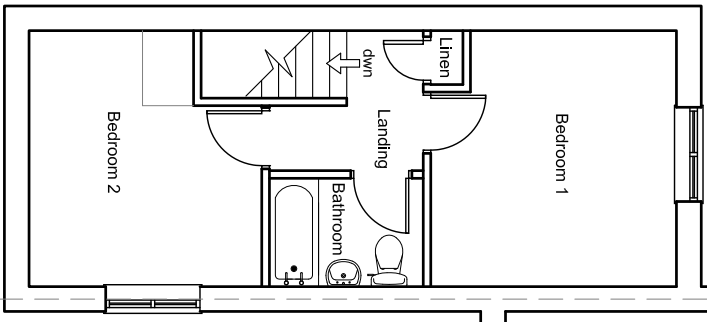
TYPICAL PLOT
TYPE A 1:50



TYPICAL PLOT
TYPE A 1:50



TYPICAL PLOT
TYPE B 1:50



TYPICAL PLOT
TYPE B 1:50



SITE PLAN - 1:500

PLANNING ISSUE

SUBJECT TO LOCAL AUTHORITY APPROVAL

D		PLANNING OFFICER COMMENTS ADDED		BLW	10.08.16
C		RED EDGE ALTS		BLW	29.03.16
B		LAYOUT ALTS		BLW	19.01.16
A		FIRST ISSUE		TB	16.05.15
REV		AMENDMENTS		BY	DATE
PROJECT					
PROPOSED MIXED USE DEVELOPMENT LAND FORMER GALEITY CLUB MARKET STREET WESTHOUGHTON,BOLTON.					
CLIENT					
MS SIOBHAN MOLLOY					
DRAWING TITLE					
PROPOSED FLOOR PLANS					
DRAWN		TB		DATE	
CHECKED				16.06.15	
APPROVED				1:50, 1:100 1:500 (A1)	
HOWARD & SEDDON A.R.I.B.A. CHARTERED ARCHITECTS 64 WASHWAY ROAD, SALE, CHESHIRE M33 7RE. TEL No. 0161 - 973 8296 FAX No. 0161 - 962 3485 e-mail : admin@howardandseddon.co.uk					
JOB No.		11,718		DWG No.	
		10		REVISION	
		D			

Application number 96385/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 96385/16

Type of Application: Full Planning Application
Registration Date: 20/04/2016
Decision Due By: 14/06/2016
Responsible Officer: Simon Coles

Location: 17 MADISON PARK, WESTHOUGHTON, BOLTON, BL5 3WA

Proposal: DEMOLITION OF EXISTING DETACHED GARAGE AND
ERECTION OF PART TWO STOREY PART SINGLE STOREY
FRONT AND SIDE EXTENSION INCLUDING ATTACHED GARAGE
AND DORMERS TO REAR.

Ward: Westhoughton North

Applicant: Mr K Patel

Agent : RA Design & Project Management Ltd

Officers Report

Recommendation: Refuse

Background

The application was deferred for a site visit at the Planning Committee meeting on 28 July 2016.

Proposal

Permission is sought for the erection of a part two storey/part single storey extension at side, together with the installation of two flat roof rear dormer extensions.

The two storey element is to provide a bedroom, lounge, W.C. and utility at ground floor and new bedroom, extended bedroom, bathroom and a walk-in wardrobe and en suite in the first floor.

The further single storey element is to provide a garage space.

A small front entrance is proposed to provide a double door entrance to the hallway.

Site Characteristics

The application property is sited on the Metal Box Estate, a fairly modern housing estate. Madison Park is accessed from Metal Box Way. Within this area there is a mix to the character of the dwellings, ranging from similar detached properties to mews and town houses.

The neighbouring property to the side is an three storey semi-detached townhouse. (Officers have been made aware that the applicant is the owner of this property also).

The opposite property at number 19 is a detached two storey dwelling.

To the rear, whilst there are no properties directly facing, there is a fairly short distance to each property in this location.

To the front the property looks over recreational land.

It was noted on site that there are some properties within the area that had been originally built with pitched and flat roof dormers to their fronts and rears, although none are of a scale proposed here.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses and OA3 Westhoughton.

SPD House Extensions and SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA3 of the Core Strategy relates specifically to developments in Westhoughton and states that the Council will conserve and enhance the character of the existing physical environment.

SPD House Extensions provides general advice on house extensions and offers guidance relating to the effect of extensions on the appearance of the dwelling itself and the effect of extensions on the street scene and the character and appearance of the area.

Side extensions

The part two storey/part first floor side extension extends approx. 7.4 metres in width. The single storey garage element extends a further approx. 4.1 metres. The element of the extension containing bedroom no.4 (specified on plans) incorporates a front gable design which is similar to the

design of the existing dwelling. The first floor element above the proposed garage incorporates a side gable. The rear element of this extension is splayed along the corner. The single storey extension is also splayed as it follows the boundary of the site.

Side extensions in particular can have a prominent visual impact on the appearance of the dwelling and therefore should be appropriately scaled, designed and sited so as to ensure that they do not appear unacceptably prominent nor detract from a dwellings character.

It is considered that the current proposal is excessively wide and does not appear subordinate to the host dwelling. It is considered that the proposed extension would result in an overdevelopment of the plot. The proposal would run flush with both the front elevation and the ridge line of the host dwelling and would be more than half the width of the original dwelling. Having assessed the overall character of the immediate and wider surrounding area it is considered on balance, that the proposed dwelling would create a strident feature to the street scene that would have a negative impact on the overall built character of the area, contrary to policy CG3 of the Council's Core Strategy.

Rear dormer

The rear dormer was amended prior to the previous committee meeting to split it into two dormers. However the extension stills extends across more or less the full width of the rear roof plane (including the new extension) and incorporates a flat roof design. The dormers therefore represent a large addition to the rear of the property which is considered to result in an incongruous feature to the property and the character and appearance of the surrounding area, which appears over dominant in this locality. Furthermore the windows do not match up to those windows at first floor level and thus the dormer is contrary to the design guidance contained within SPD House Extensions (2012).

Front extension

The front extension provides a new double entrance door accessing the hallway. The size and massing of this extension is considered to be fairly modest and thus is considered to be an acceptable addition to the dwelling.

Further to the above, it is considered that the proposed side extensions and rear dormer are of a size and massing that would result in a detrimental impact on the character and appearance of the dwelling and the surrounding area and thus the application is considered to be contrary to Policy CG3 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking.

The neighbouring property closest to the side extensions is a three storey semi-detached town house (No. 15). This property is north facing and is slightly angled towards the rear garden of the application property. It is considered that, given the siting of the extension, there would be some impact on the rear garden area of this property in respect to the loss of light (early mornings) with a resultant overbearing presence. It is noted that the applicant also owns this property.

In respect of the dormer extension, although there are no properties directly facing, it is considered

that given the large size of the structure (even the amended structure which is has spilt the dormer into two separate structures), there would be a overbearing presence to the rear amenity areas of the dwellings to the rear, particularly as the properties are fairly close to one another.

Further to the above, it is considered that the proposed side extensions and rear dormer are of a size and massing that would result in a detrimental impact on the amenity of the neighbouring residents and thus the application is considered to be contrary to Policy CG4 of the Core Strategy and policy guidance contained within SPD House Extensions (2012).

Impact on Parking

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.

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on highway safety.

The property would retain or gain adequate off road parking provisions for the size of the property, so there are no highway issues.

Other details

Officers requested amendments to bring the development in accordance with planning policy, however the applicant was not forthcoming with these changes.

Local finance considerations

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

Conclusion

The proposal is not consistent with the guidelines contained in SPD - House Extensions (2012) by reason of the impact that the side extension and rear dormer would have on the living conditions of the neighbouring residents. Similarly, the proposal is not consistent with Bolton's Core Strategy (2011) by reason of its scale and massing. Officers have requested amendments to gain a more suitable solution however, the applicant prefers to proceed with these plans.

Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters:- None

Town Council:- Westhoughton Town Council raised no objections.

Elected Members:- Councillor Chadwick requested that this application be determined by the Planning Committee.

Consultations

Advice was sought from the following consultees:

Highways: - for a 5 bedroomed house, the Council's parking standards should be met in full ie 3 driveway parking spaces. These can be accommodated in front of the property and the site plan should be amended accordingly.

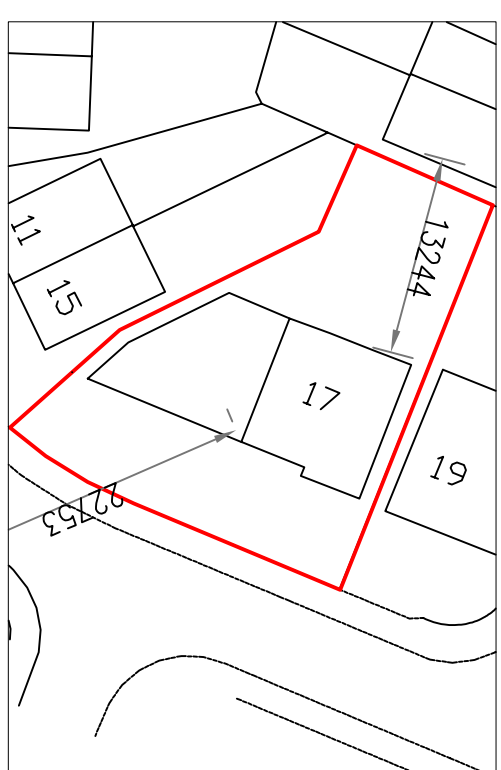
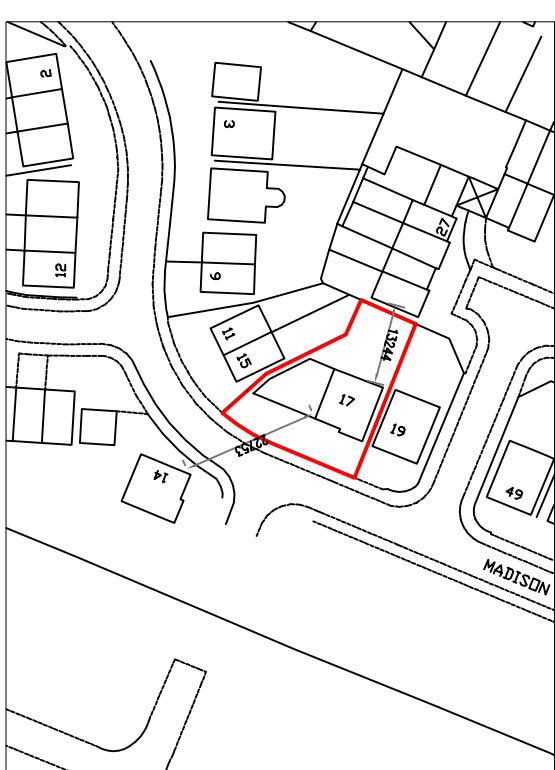
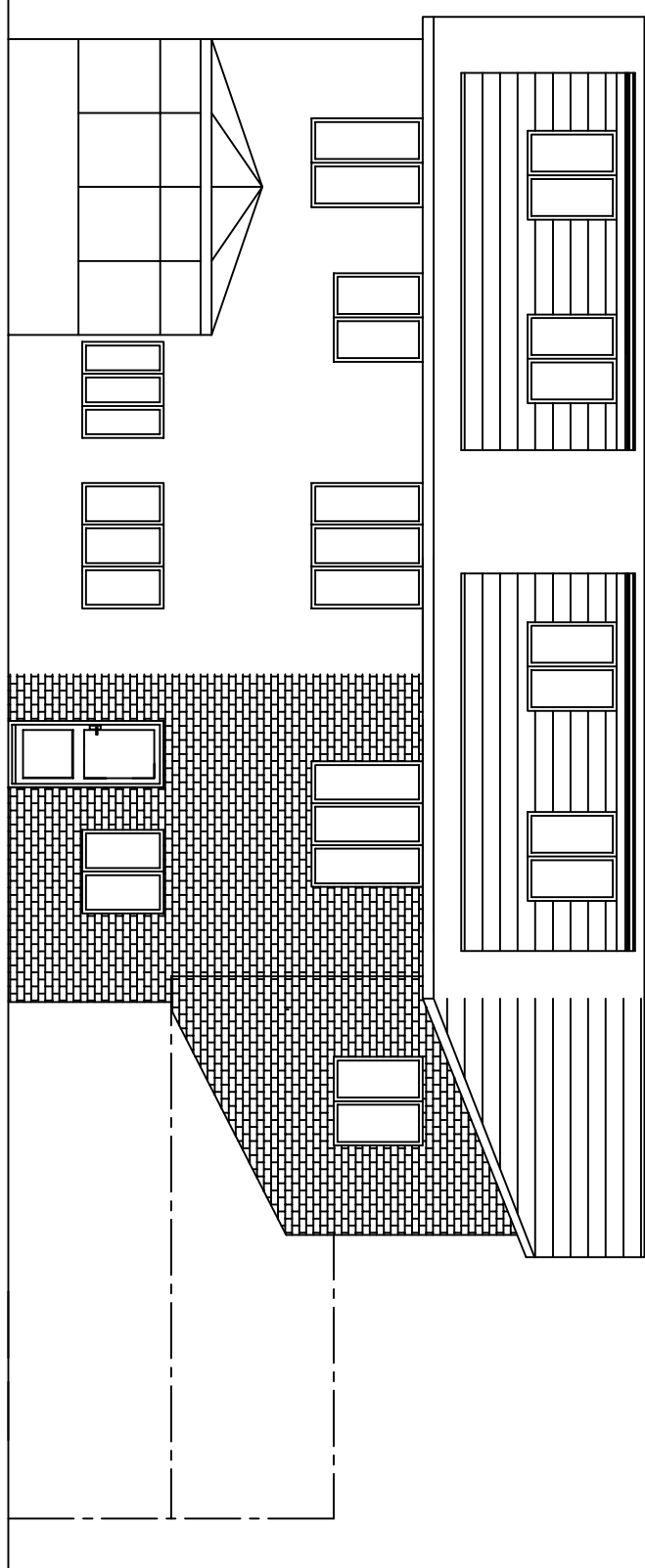
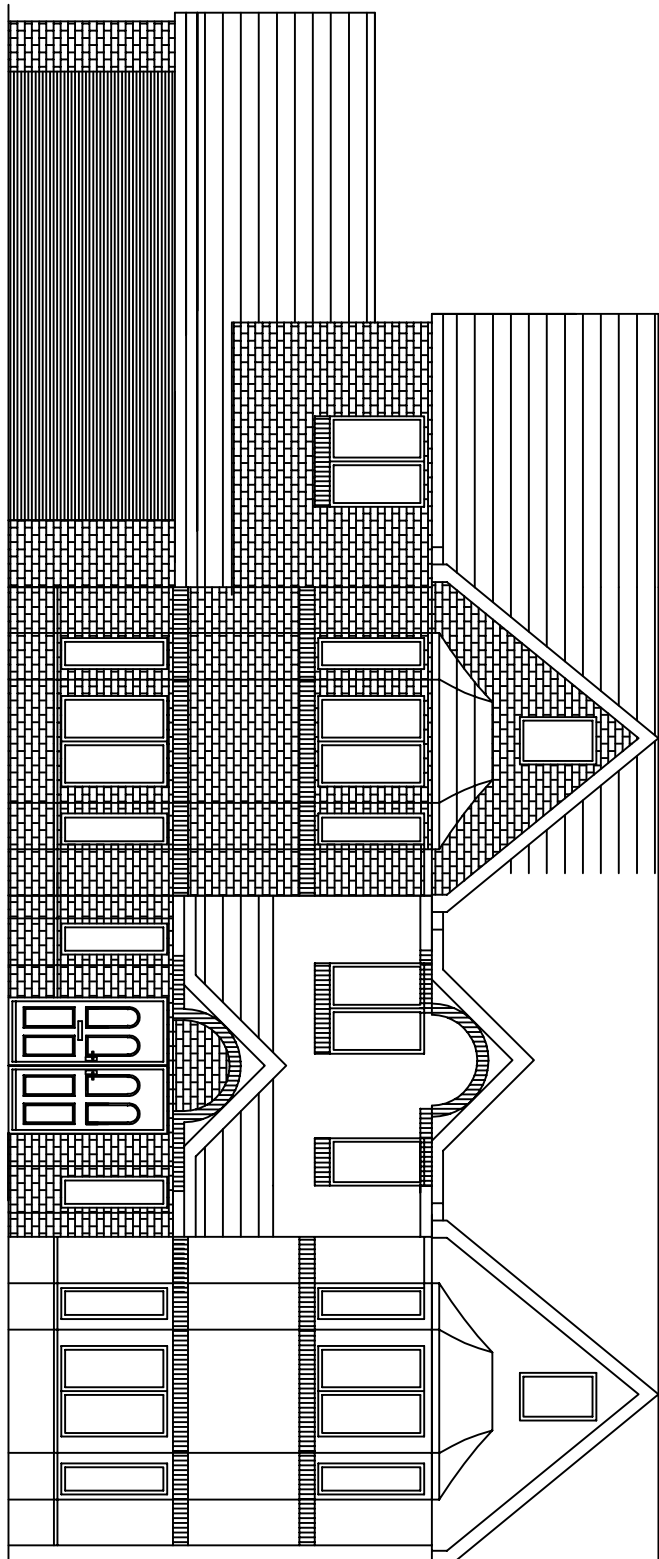
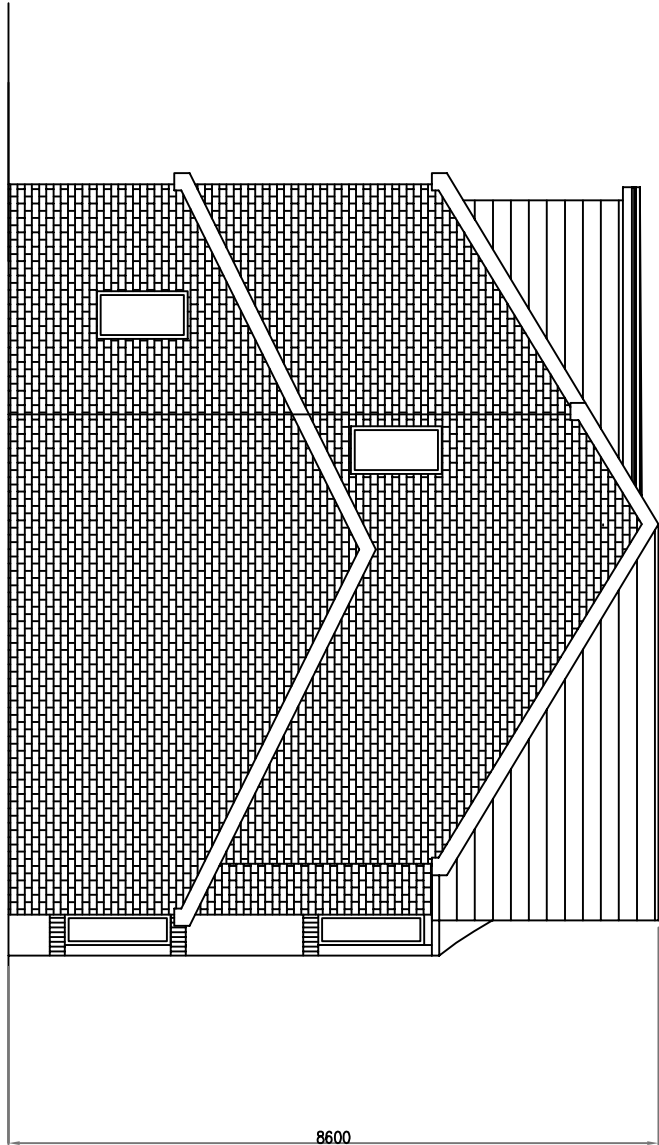
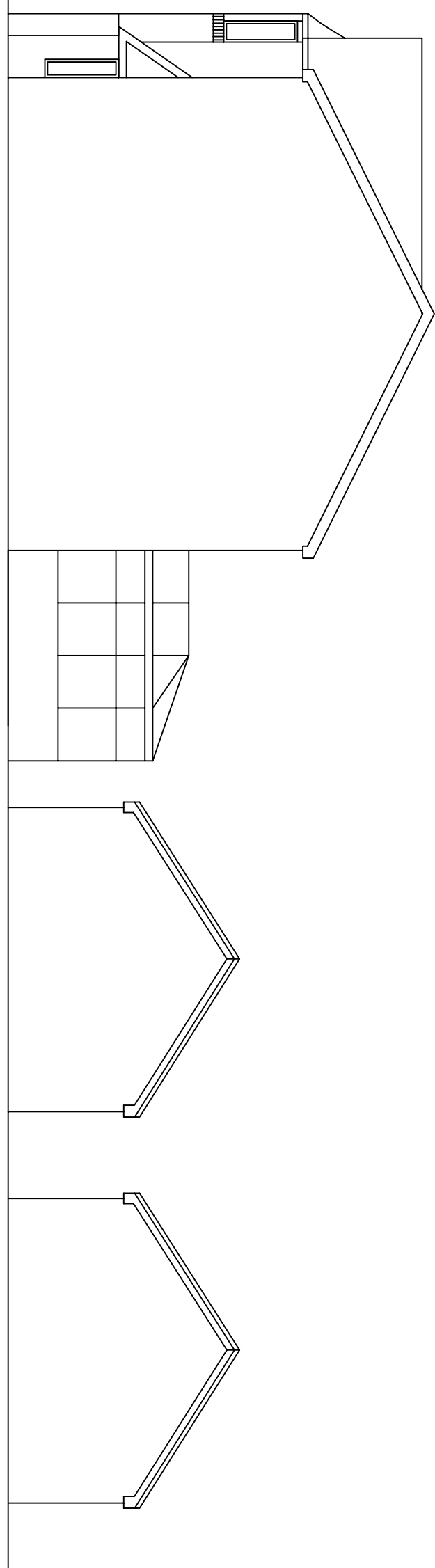
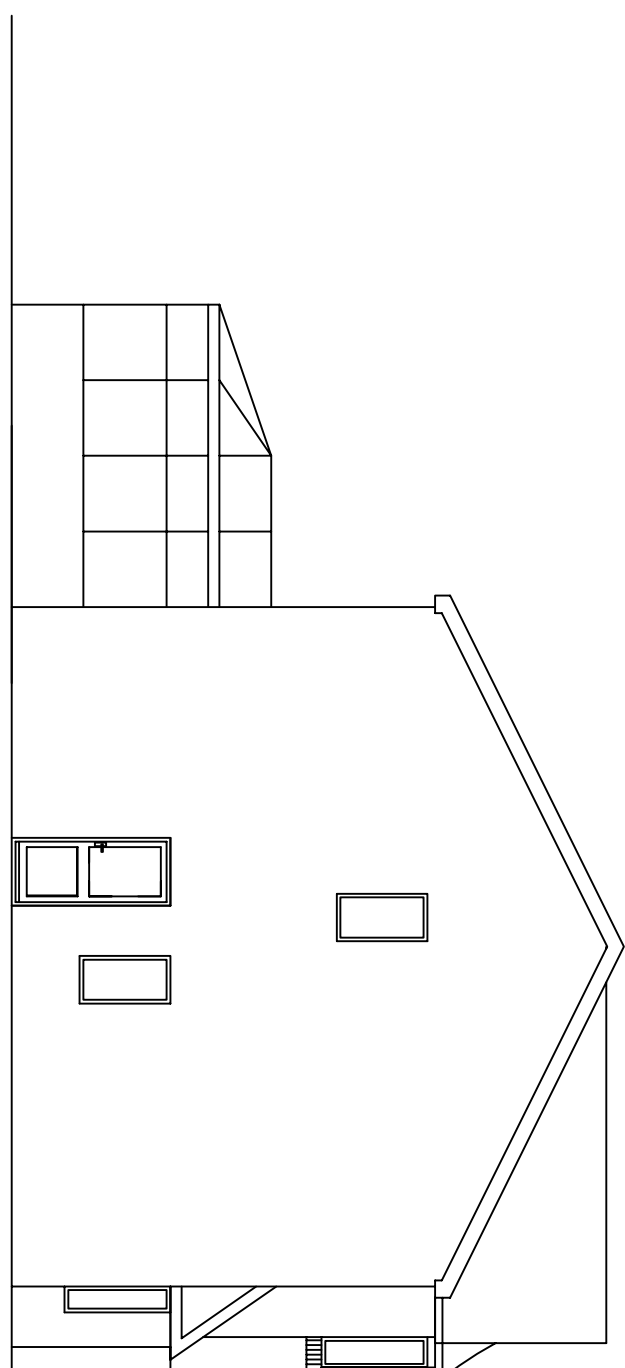
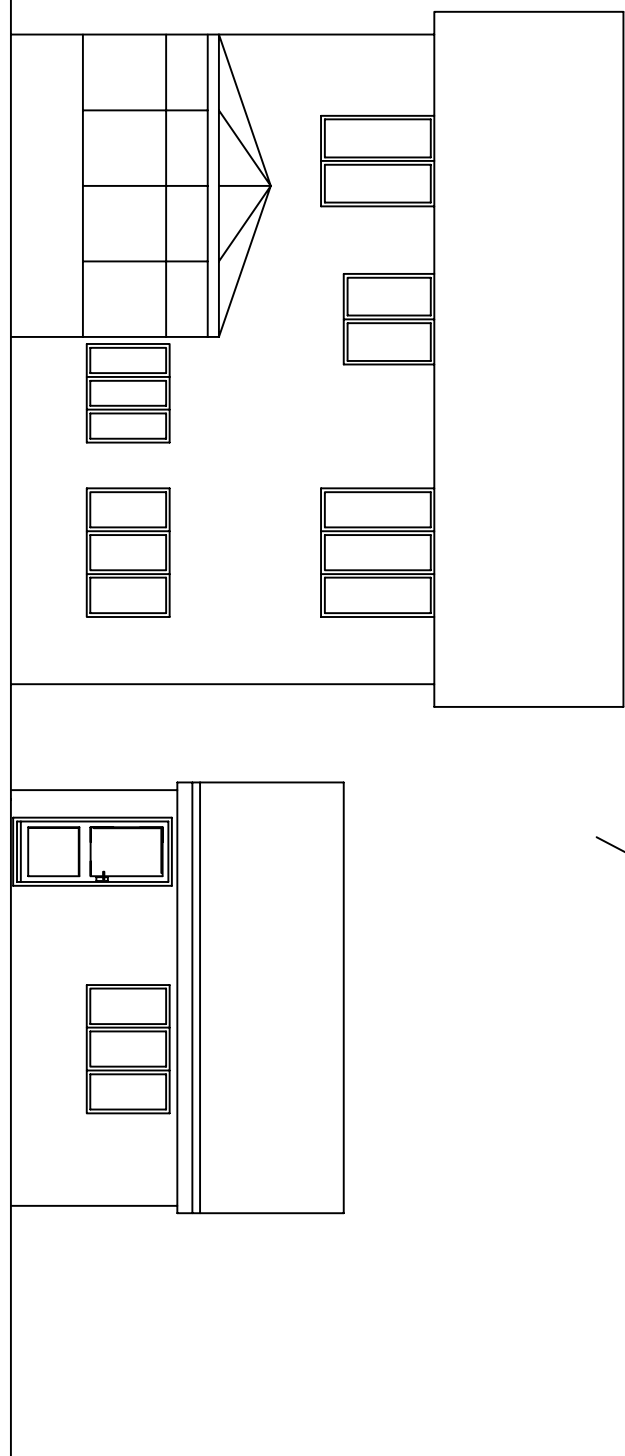
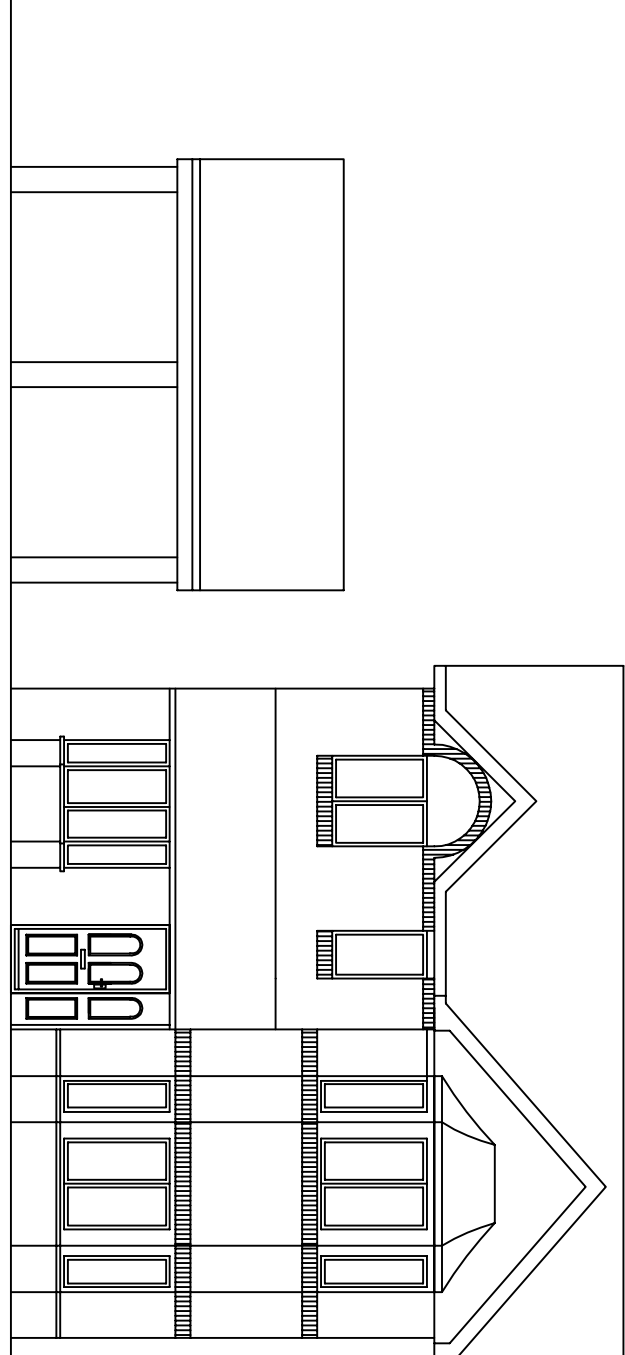
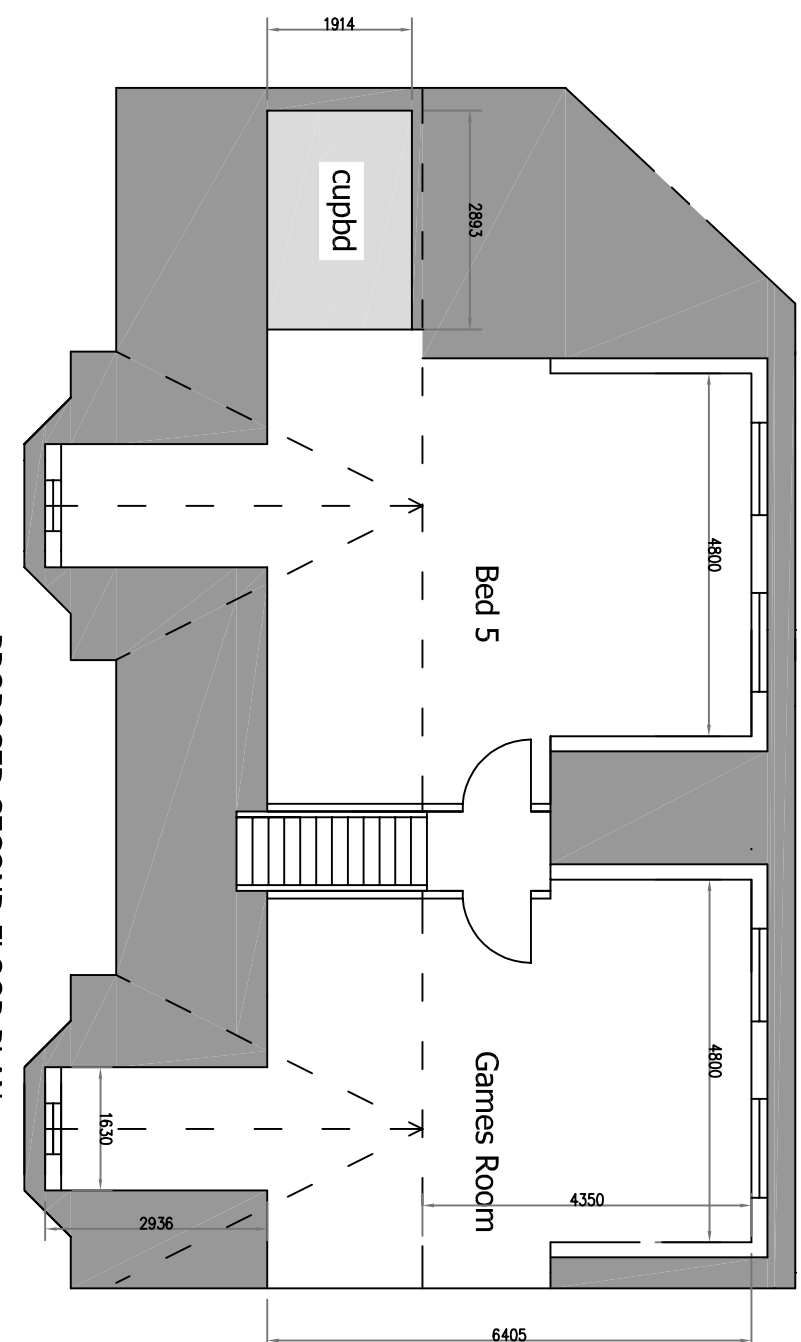
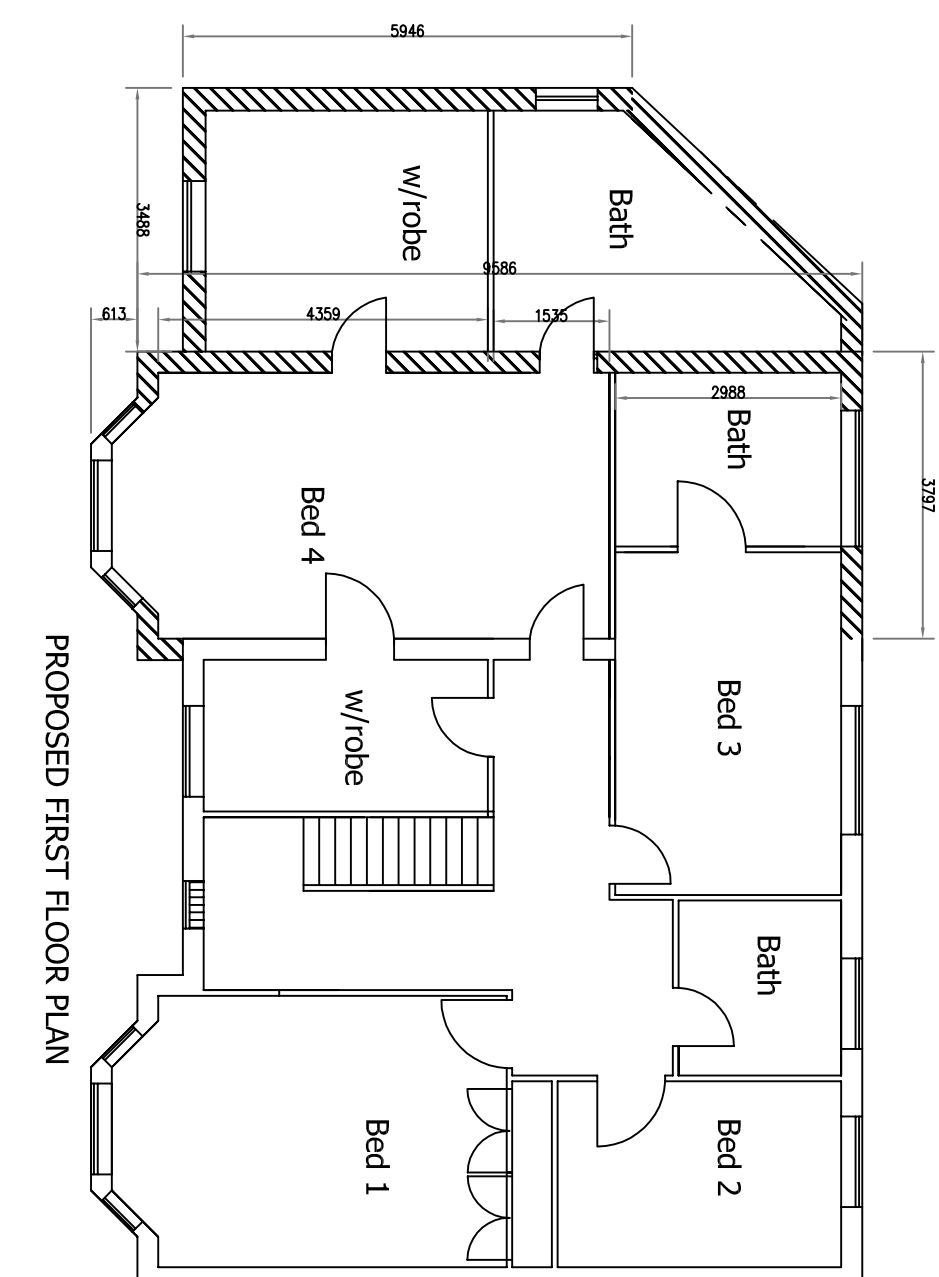
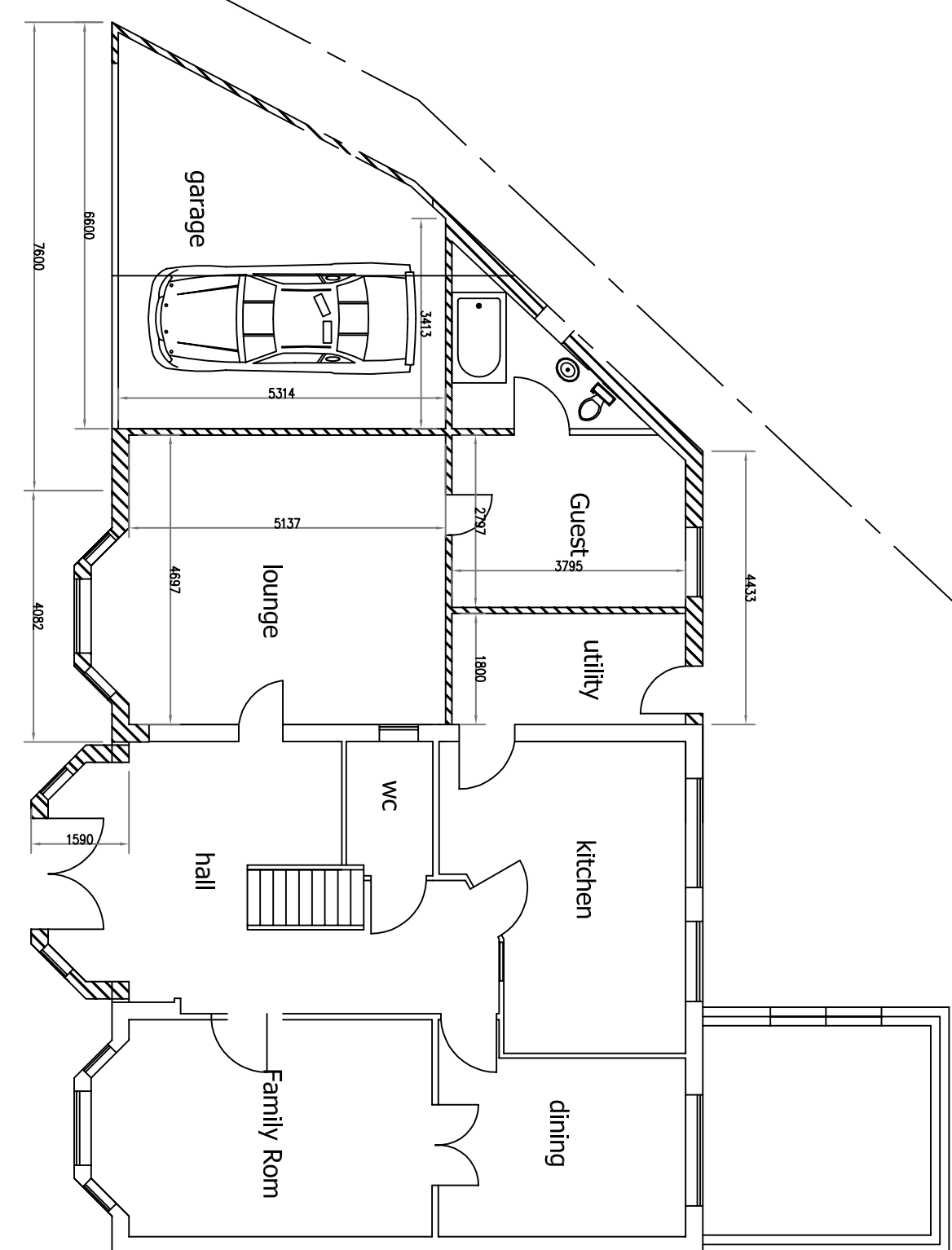
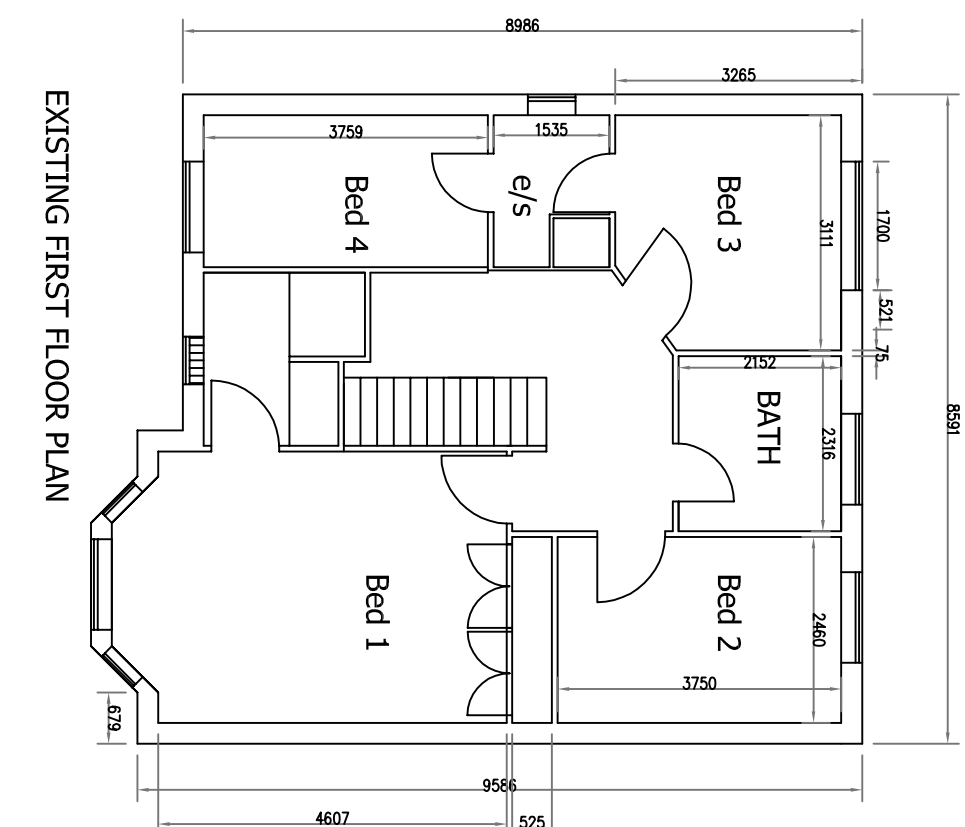
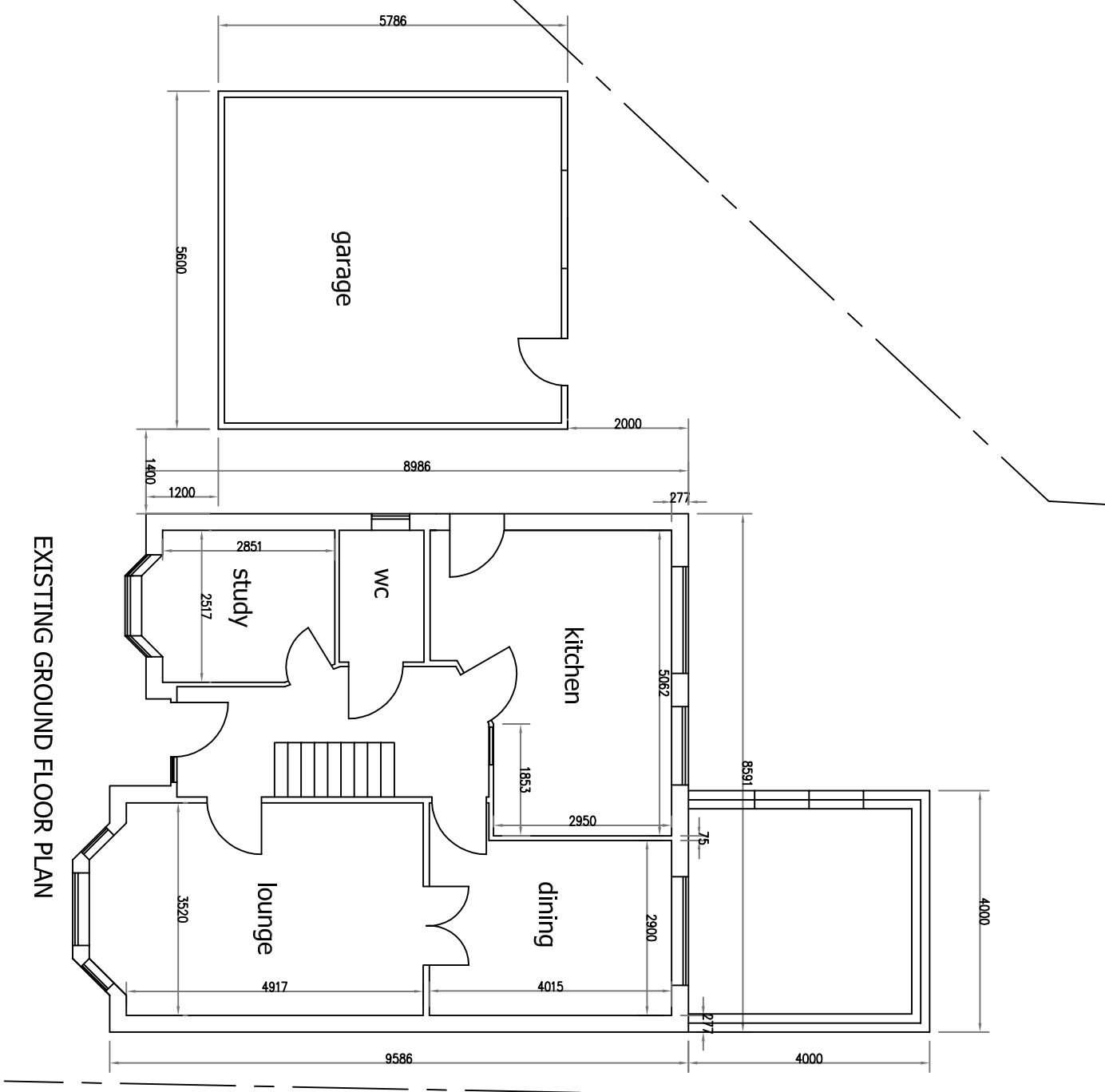
Planning History

None

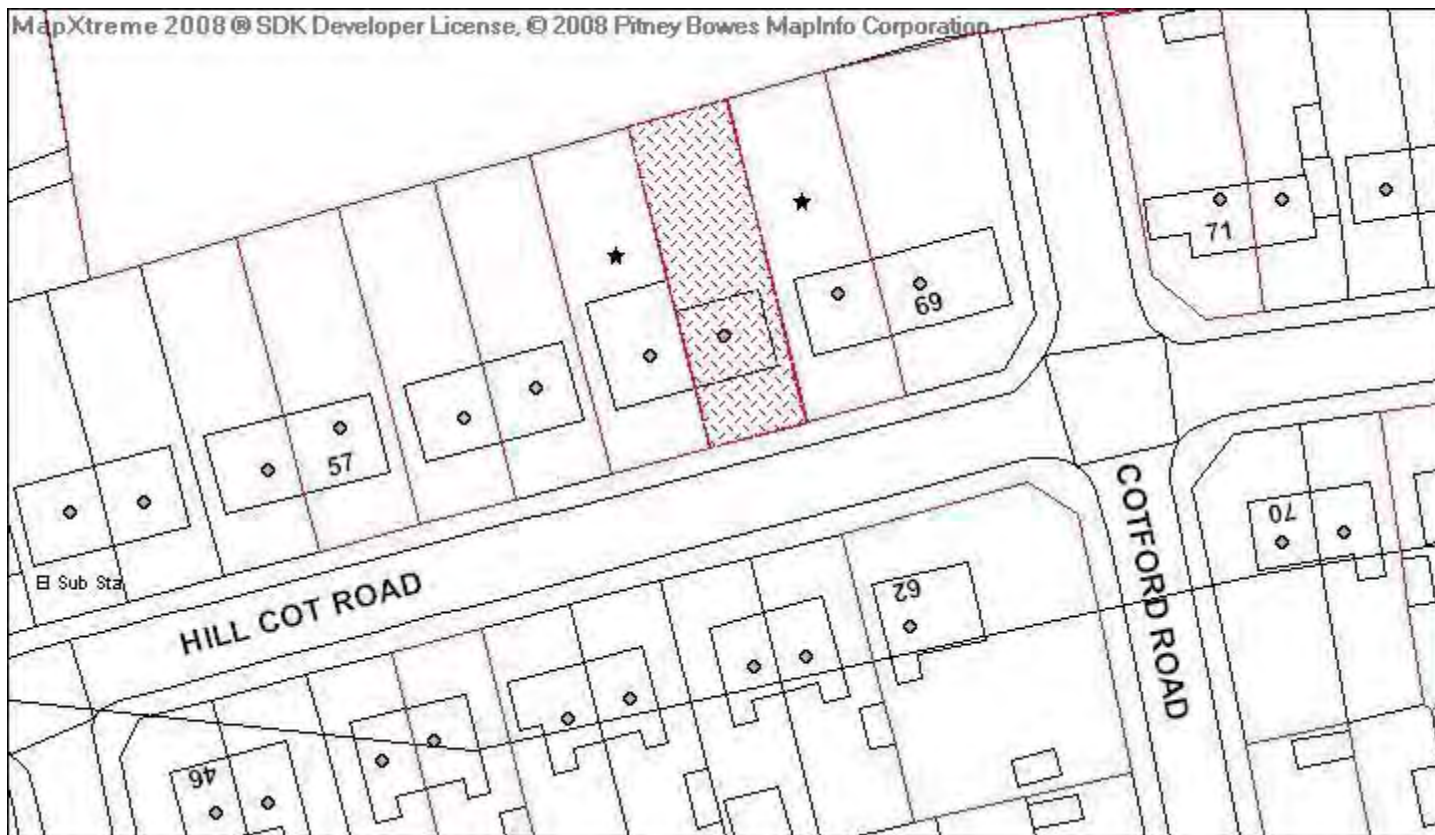
Recommendation: **Refuse**

Recommended Conditions and/or Reasons

1. The proposal represents an over development of the site and would be out of character with the surrounding locality and is thus contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions'.
2. The proposed side extension and rear dormer extension would, by virtue of its design, height and siting, be detrimental to the character and appearance of the area and in particular would impact detrimentally on the living conditions with regard to the loss of privacy/over dominant impact on adjacent neighbouring residents, particularly 15 and 19 Madison Park and thus is contrary to Policies CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

[illegible]

Application number 96551/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 96551/16

Type of Application: Full Planning Application
Registration Date: 03/06/2016
Decision Due By: 28/07/2016
Responsible Officer: Paul Williams

Location: 65 HILL COT ROAD, BOLTON, BL1 8RL

Proposal: RETENTION OF SINGLE STOREY REAR OUTBUILDING

Ward: **Astley Bridge**

Applicant: Mr BAX

Agent : RA Design & Project Management Ltd

Officers Report

Recommendation: **Refuse**

Background

This retrospective application has been submitted in response to the following enforcement cases -

11/0247/09 Variance with plans and conditions – single storey rear extension – approved with lean-to roof but added a gable pike to the roof too and windows and large bi-fold doors inserted which were not on original plans. Different materials used in front alterations – (22.06.2011).

12/0172/09 Ongoing building works appear to vary from plan – It was determined that the development accorded with planning policy (12.04.2012).

12/0180/09 Development varies to approved plans – 86905/11 – front alterations to create a porch and canopy - It was determined that the development accorded with planning policy (14.05.2012).

16/005709 - Variance with plans – rear outbuilding – increased roof height – This current retrospective application was requested.

Proposal

This application seeks retrospective planning permission for the retention of a single storey rear outbuilding in the back garden of 65 Hill Cot Road in North Bolton, which is already a dwelling that has been significantly extended in the past. The full planning history is included in this report. Planning permission (93661/15) was originally approved on 26.06.15 for a single storey outbuilding in the rear garden of this semi-detached dwelling measuring 9.5m wide, 6.7m deep, 3m eaves height and 4.5m roof ridge height. However, the brick outbuilding, as built, is 9.06m wide, 6.17m deep, 3m eaves height and 4.7m ridge height. Therefore, whilst the rear outbuilding is narrower in width and not as deep with the same eaves height as previously approved, it is 0.2m higher to ridge height than the original approved plan.

There are also several other differences between the original approved plans (93661/15) and the completed outbuilding, including the insertion of 2 rear facing roof slope windows facing the playing fields to the rear of this property, a 5m wide/2m high opening in the front elevation facing the small remaining rear garden inserted with bi-folding doors, and the deletion of the previously approved entrance door in the same elevation. A new internal first floor level has also been created with access from an internal staircase which was not in the original approved plan. As such, these differences constitute a materially different outbuilding to the one previously approved and hence the requirement for this latest retrospective application for its retention.

Site Characteristics

The host dwelling in this application is a semi-detached two storey dwelling house situated in a predominantly residential area characterised by similar properties in North Bolton. This application site is also bordered to the north of its back garden by playing fields. The dwelling has been

considerably extended to the front and rear already with the benefit of the applications listed in the planning history of this report, although the most recent application for a single storey rear conservatory (95621/15) was refused on 01.03.16. This latest application is the 7th application at this address since January 2010. A first floor flat roof side extension was also previously added to this property prior to 2009.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.

SPD House Extensions

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the dwelling and the surrounding area
- * impact on the amenity of neighbouring residents
- * local finance considerations

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.

Policy OA5 of the Core Strategy relates specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment and will require special attention to be given to the massing and materials used in new development.

The Council's SPD on House Extensions also provides general advice on house extensions and offers guidance relating to the effect of extensions on the appearance of the dwelling itself and the effect of extensions on the street scene and the character and appearance of the area.

This rear outbuilding, as built, has a narrower width and shallower depth than originally approved, and the same eaves height. It would, however, be 20 centimetres higher to its ridge height than previously approved. Associated with this change has been the creation of an internal first floor and it is considered that this has taken the scheme beyond what would usually be acceptable for a new

domestic outbuilding on a plot of this size. The nature of the development is now excessive and the outcome so far would prejudice the amenities and outlook enjoyed by the neighbouring residents. The additions have been carried out without the benefit of planning permission and therefore at risk by the developer. This is despite the advice issued by the Council's Enforcement Officers that works should have ceased at the site. The development is now judged to be contrary to Policies CG3 and OA5 of the Core Strategy and the general design principles contained in the SPD on House Extensions.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.

The Council's SPD on House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking.

The patio glazed bi-folding doors, which have been inserted in the front elevation of this outbuilding facing into the remaining rear garden of this property, are not considered to be creating any adverse overlooking or loss of privacy implications for adjoining neighbours. There are 1.8m high timber panel fences situated on both the party boundaries at the rear with 63 and 67 Hill Cot Road, which provide a reasonable level of screening. In addition, the insertion of the two rooflights in the rear roof slope of this larger outbuilding do not create any adverse overlooking or loss of privacy problems as they directly face and overlook the playing fields situated to the rear.

Other matters

The adjoining neighbours have also commented that the ground level of the site has been raised but there is no reference to this in the application. This could further exacerbate the visual impact of this outbuilding and the effect on the outlook and living conditions of adjoining neighbours. The arrangement between the existing and proposed structures both within and adjoining the application site is also not correctly shown on the plans. Therefore the information submitted is insufficient.

Local finance considerations

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

Conclusion

The outbuilding as constructed is higher than has been approved by the Local Planning Authority and the creation of a first floor has been done without consent. This has resulted in a development which is considered to be beyond what can reasonably be expected by the neighbours in terms of their enjoyment of their properties and for an application plot of this size. There is a lack of clarity on the plans in terms of what has happened with the ground levels and what the exact relationship is between the outbuilding and the immediate properties. Overall, it is considered that this retrospective application significantly contravenes the residential amenity provisions of Core Strategy Policy CG4 and the similar neighbour amenity guidance contained in the SPD on House Extensions and the information provided is insufficient. It is recommended that planning permission should be refused on these two grounds.

Representation and Consultation Annex

Representations

Letters:- Two letters of objection have been received from adjoining neighbours raising the following concerns:

* The submitted drawing that the applicant states is the original approved outbuilding is incorrect. It significantly differs from the original approved plans which had a single door and window on the front elevation but now has a set of four glass bi-fold doors in this elevation not on the initial plans. This is misleading as it leads anyone who has not seen the original plans to assume that this information is correct and only a minor adjustment (to add two more bi-fold doors) in the "as built" front elevation drawing. The rear elevation is missing two "as built" velux roof windows overlooking the school playing fields. The submitted block plan is misleading and for the wrong site at no.62 Hill Cot Road, not 65 Hill Cot Road. This also happened with the previous refused application and may lead to assumptions that the plot is much larger than is actually the case.

* The smaller block plan on the architectural drawing shows the correct property, but does not show the neighbouring single story rear extension. The distance of the outbuilding from 67 Hill Cot Road stated on this plan is therefore incorrect. This omission is misleading on the impact this building has on the outlook from the rear of 67 Hill Cot Road.

(Officer Comment - The applicant's agent has been asked to provide amended drawings and site plan to more accurately reflect the size, location and appearance of this "as-built" outbuilding. One of the recommended reasons for refusal is due to insufficient information).

* The application states "retention of a single story rear outbuilding" but it is a two storey building with a staircase installed. The floor plans simply show a single room entitled "gym/store" and without the current internal plan being documented this application is again misleading showing no second floor in this building.

(Officer Comment - This forms the basis of the other recommended reason for refusal).

* The application form also states that building work has been started without planning permission, and not complete, but the building is structurally sound, watertight with all its windows and doors installed, and although the internal layout may not be completed, this building was structurally complete by the end of March 2016.

(Officer Comment - This application is entirely retrospective, as the width, depth and height of the "as-built" outbuilding differs from the originally approved plans).

* The applicant has answered "No" to the questions "Are there any trees or hedges on your own property or on adjoining properties which are within falling distance of your proposed development?" and "Will any trees or hedges need to be removed or pruned in order to carry out your proposal?" There is a 13m high horse chestnut tree within a very close 1m proximity in the neighbours garden, trees and hedges were removed at the back of this site prior to the building work and the neighbour's tree had branches lopped that were not overhanging the application site. The same answers were also given to application 95621/15, but neighbours were unable to object to these incorrect answers at the time because it had been removed from the planning department website.

(Officer Comment - There are no surrounding or nearby protected trees which have been directly affected by this outbuilding and the rear boundary hedge was removed to enable the construction of the outbuilding previously approved. This did not require the formal approval of the local planning authority).

* The height of the outbuilding on the submitted drawing is incorrect as this only shows a 20cm height increase above the eaves which indicates a different roof and minimal impact on the neighbouring properties. However the height has been added below the eaves, meaning the walls of the property are higher than in the plan and the building has an overbearing presence on the neighbouring properties. The ground level of this building plot has also been raised to significantly higher than the 20cm that the plan suggests the actual height.

(Officer Comment - The height, width and depth of the outbuilding as built have been measured by council officers to compare the differences in relation to the original approved plans. The height has been determined to be 4.7m above ground level and 20cm higher than the 4.5m ridge height originally approved. The eaves height of this outbuilding as built was measured at 3m above ground level, the same as originally approved. In terms, of the increased ground level which neighbours have stated has occurred, this would as such accentuate the height and visual dominance of the outbuilding in comparison to the original approval. Insufficient clarification has been provided by the applicant and their agent in regard to this matter).

* The outbuilding overshadows the neighbours, just like the rear roof dormer. The application site is also on a higher plot than neighbours gardens. It was previously stated that the height of the roof would stay the same but it's ridge was then raised, causing overshadowing. The size of this further outbuilding means there is a minimal amount of the neighbour's gardens which are not in constant shadow from these extensions. The actual size of the outbuilding exceeds the documented submitted plans and increases overshadowing.

* The large glass doors and window directly overlook into the rear dining/family room of the neighbours house at 67 Hill Cot Road and the outer wall of this room also contain two sets of double glass patio door and two single windows. 80% of this wall is glazed and the loss of privacy will be much more apparent and further impacted by the additional raised ground level at 65 Hill Cot Road.

(Officer Comment - It is considered that the 1.8m high boundary fences along the sides of the rear gardens with 63 and 67 Hill Cot Road provide a reasonable level of screening and that there is not such a significant over-looking and loss of privacy problem).

* This outbuilding will have a detrimental visual impact upon residential amenities, although the original report stated that it would be set well back and would not have an unacceptable outlook for neighbours. It is now considered to be the size of another house in this back garden and is unacceptable in such close proximity to neighbours houses and not in keeping with the character, appearance and traditional property styles in this area. There are no garden buildings of this scale in the area and whilst 69 Hill Cot Road has a brick built double garage on their plot, this is a large corner plot and it is not as high and comparable as the outbuilding at 65 Hill Cot Road, which dominates the plot and has already been substantially over-developed (converted garage and loft, rear dormer, second storey extension, front porch, rear single storey extension). There is also unauthorised rear decking and all these additions have been styled

differently, with a mix of brick types, window and roof materials.

(Officer Comment - The directly adjoining dwellings to this application site, 63 and 67 Hill Cot Road, have both previously built single storey additions which are estimated to project approximately 3m to the rear of those dwellings - conservatory to no.63 and family room to no.67. The use of this outbuilding has been indicated as an ancillary Gym and Store for the main dwelling house and these uses are also not main habitable rooms. It is also judged to be situated approximately 9m away from each of the single storey rear additions at the neighbouring dwellings, 63 and 67 Hill Cot Road. Paragraph 4.7 of the SPD - House Extensions prescribes a minimum privacy interface of 9m between a neighbouring elevation which contains a main room window and a facing wall of a single storey extension which does not. There is no prescribed minimum privacy interface between facing windows which both serve rooms which are not main habitable rooms. It is also considered that the 1.8m high timber panel boundary fences on both sides of the rear garden to 65 Hill Cot Road provide a reasonable level of privacy screening. In addition, if the outbuilding was to be used as a completely separate self-contained dwelling, then this would require a separate and completely different type of application.

* In the 1970s some pile driving was done in the adjoining field and running sand was found and the land deemed unsuitable for building, so now there are only playing fields behind these houses and no buildings. In addition, there are no water supply or rainwater run off drainage provisions on the rear of this outbuilding, so rain now drains directly onto the fields behind this property. 67 Hill Cot Road is lower down and during heavy rain this causes flooding in this neighbour's back garden.

(Officer Comment - These are not material planning considerations, but are civil matters upon which private agreement would need to be reached, and may also require building regulations involvement).

* Neighbours have been in constant contact with planning with photographs and detailed accounts of daily work. They have noticed that upon those reports being made the matters were rectified the following day. These issues should have been investigated and not passed on for them to cover up and implies that all our communications have been relayed. It asks the question if this proposal had been submitted originally, would it ever have been approved ? In addition, neighbours have been regularly advised that enforcement orders had been issued but the work carried on and given the number of requests for honest and correct plans to be submitted, the applicants and their agent seem either unable to comply or are simply using delay tactics. Just how many chances are they to be given?

(Officer Comment - On occasions when these matters have been reported to planning, enforcement investigations have been undertaken to determine whether a planning breach had occurred and officers visited the site on a number of occasions to measure this outbuilding, as built and in the process of being built. As such, in this case it was found that the width, depth and height of this outbuilding differed from the original approved plans. The applicants and their agent were therefore asked to submit a retrospective application to regularise this situation).

Elected Members:- This application is to be presented for determination by the Planning Committee, following an advanced site visit by Members, at the request of Councillor Fairclough.

Consultations

None.

Planning History

83579/10 - Erection of a single storey rear extension - Approved 22.03.2010.

85203/10 - Alterations to flat roof elevation to create a gable + installation of rear dormer - Approved 10.12.2010.

85751/11 - Erection of gable roof to kitchen at rear - Withdrawn 16.03.2011.

86905/11 - Alterations to frontage together with erection of a porch and canopy - Approved 21.11.2011.

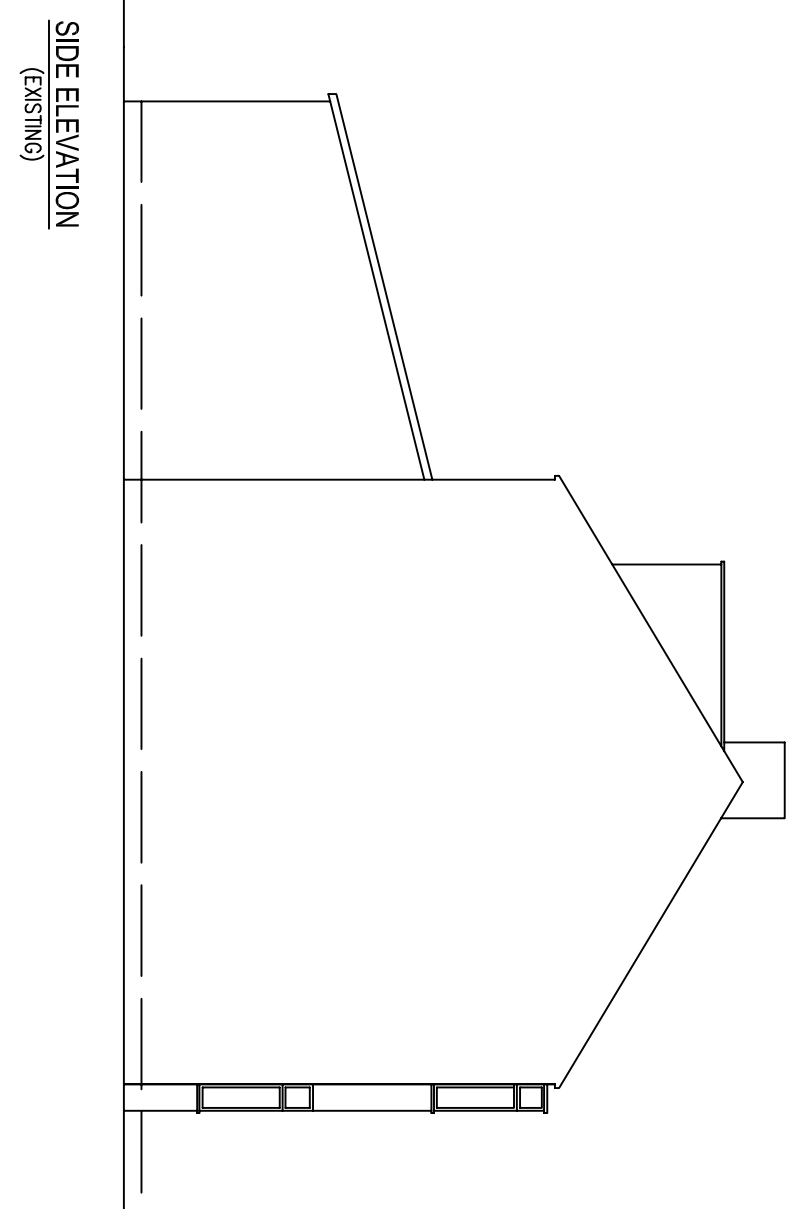
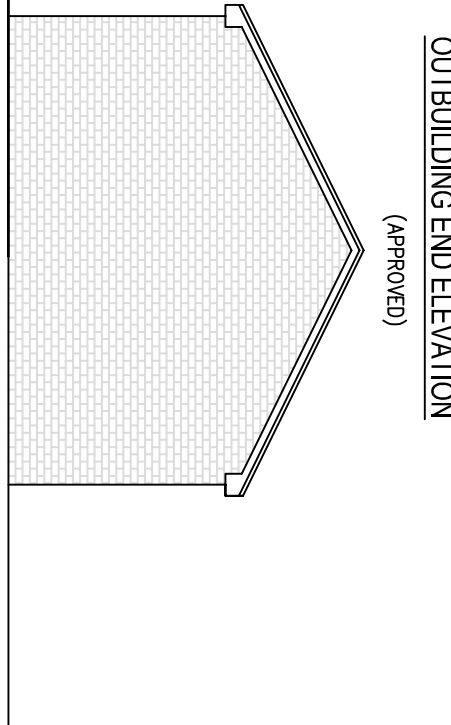
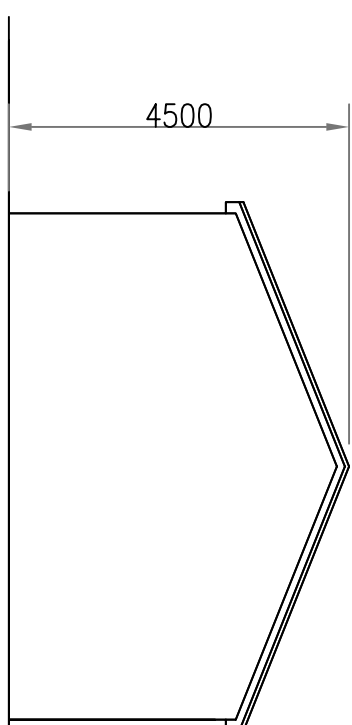
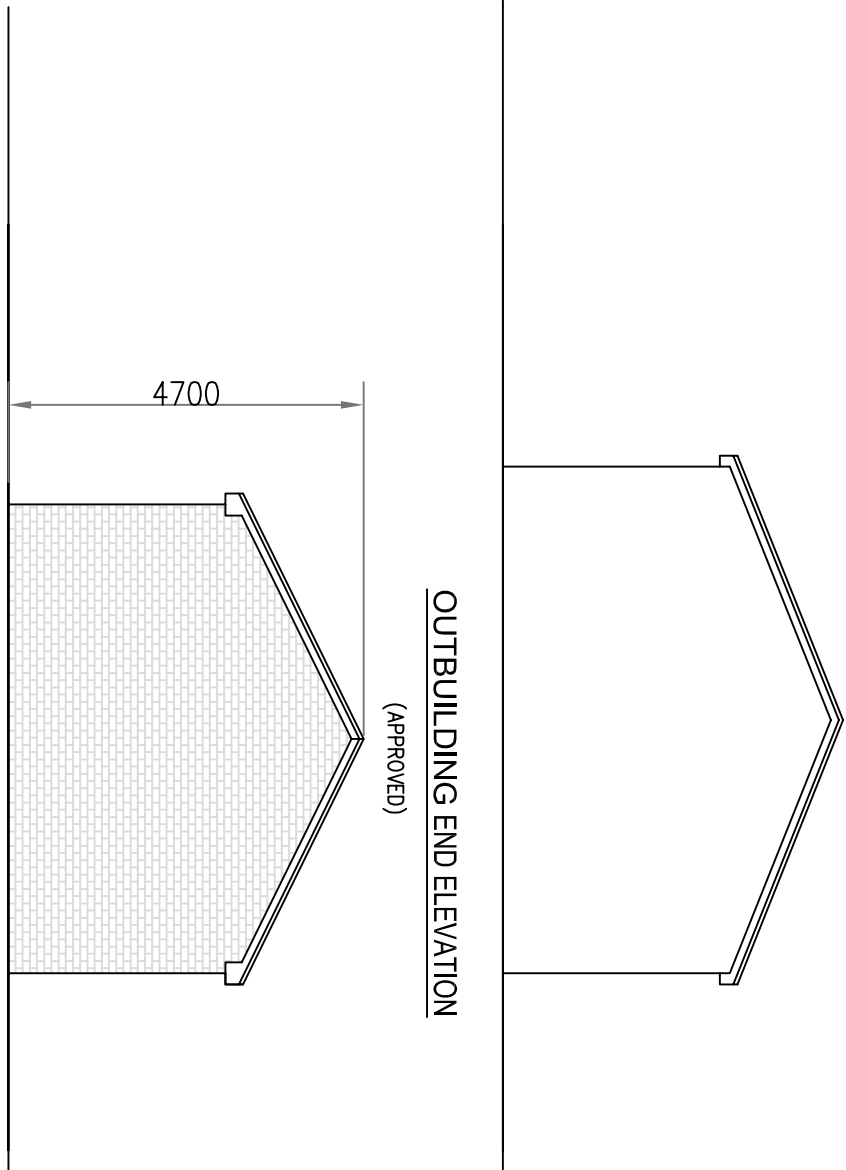
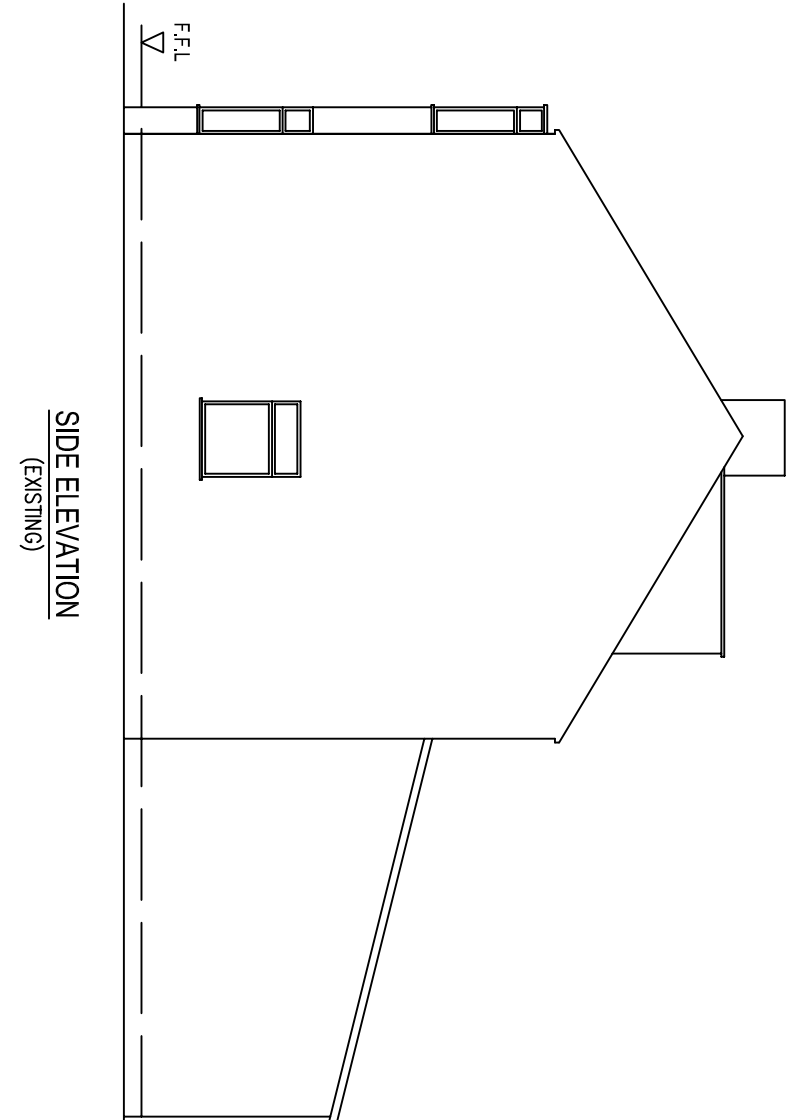
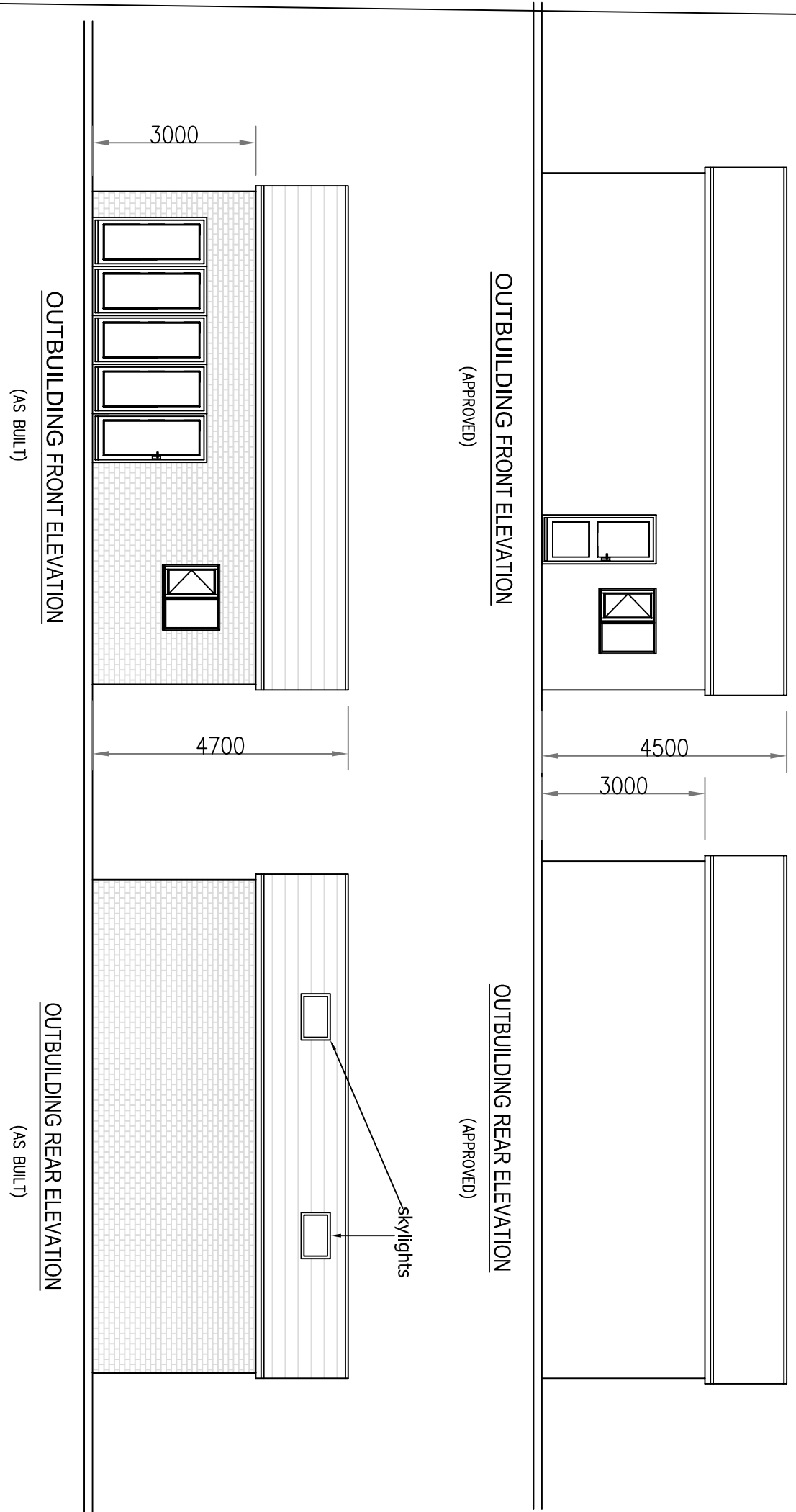
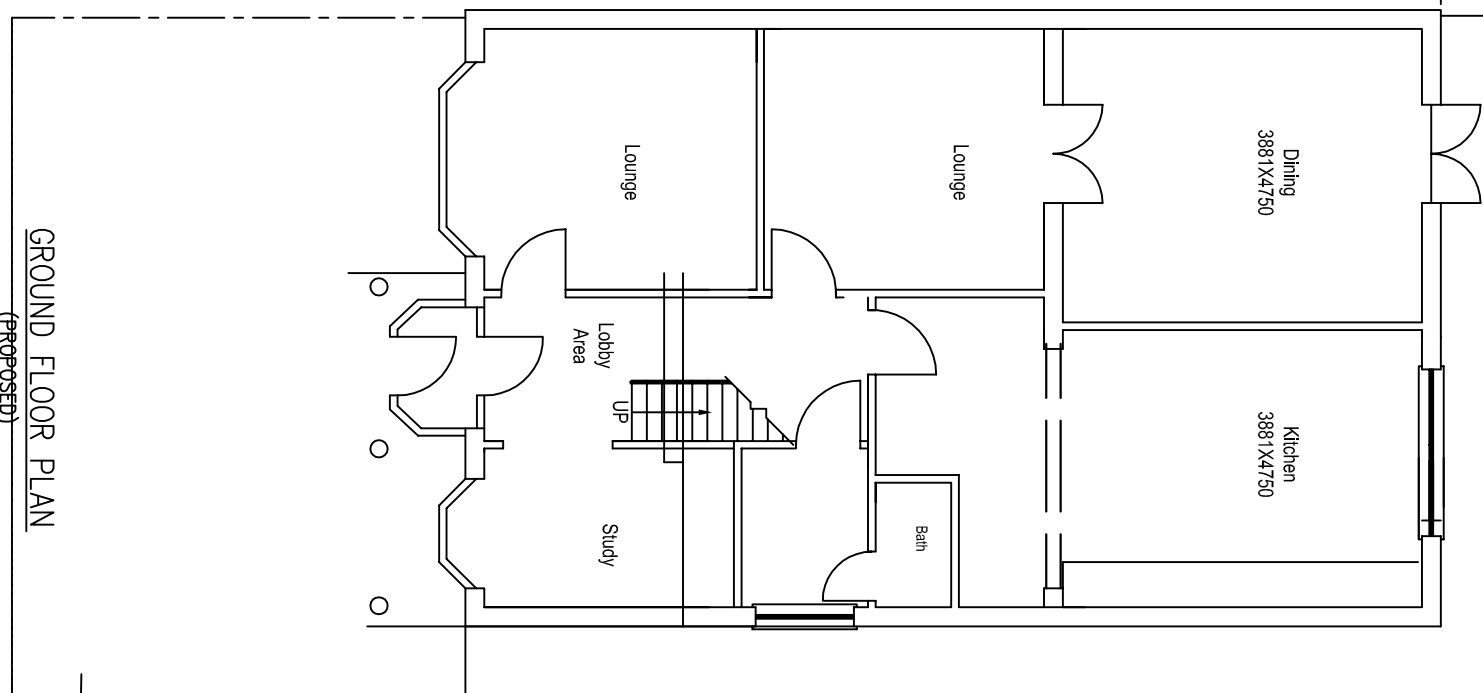
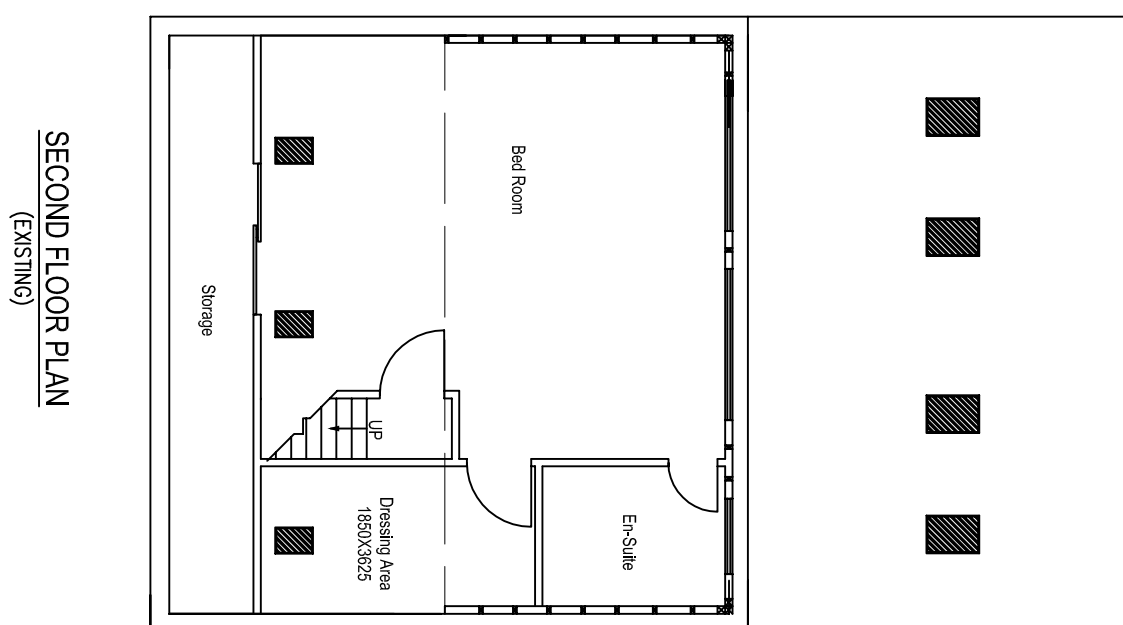
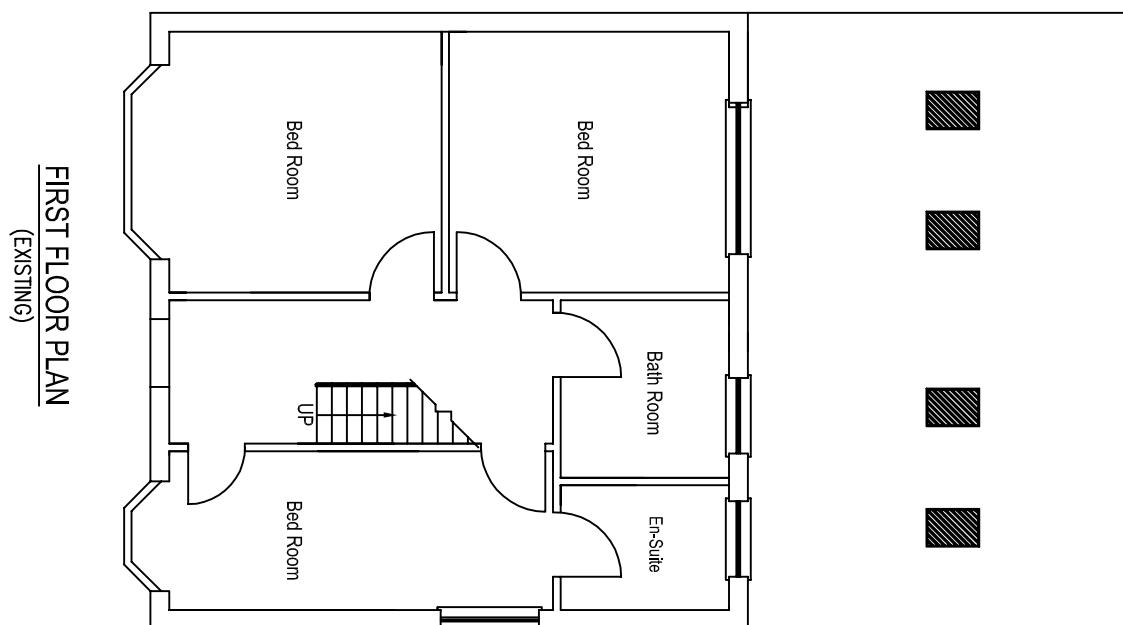
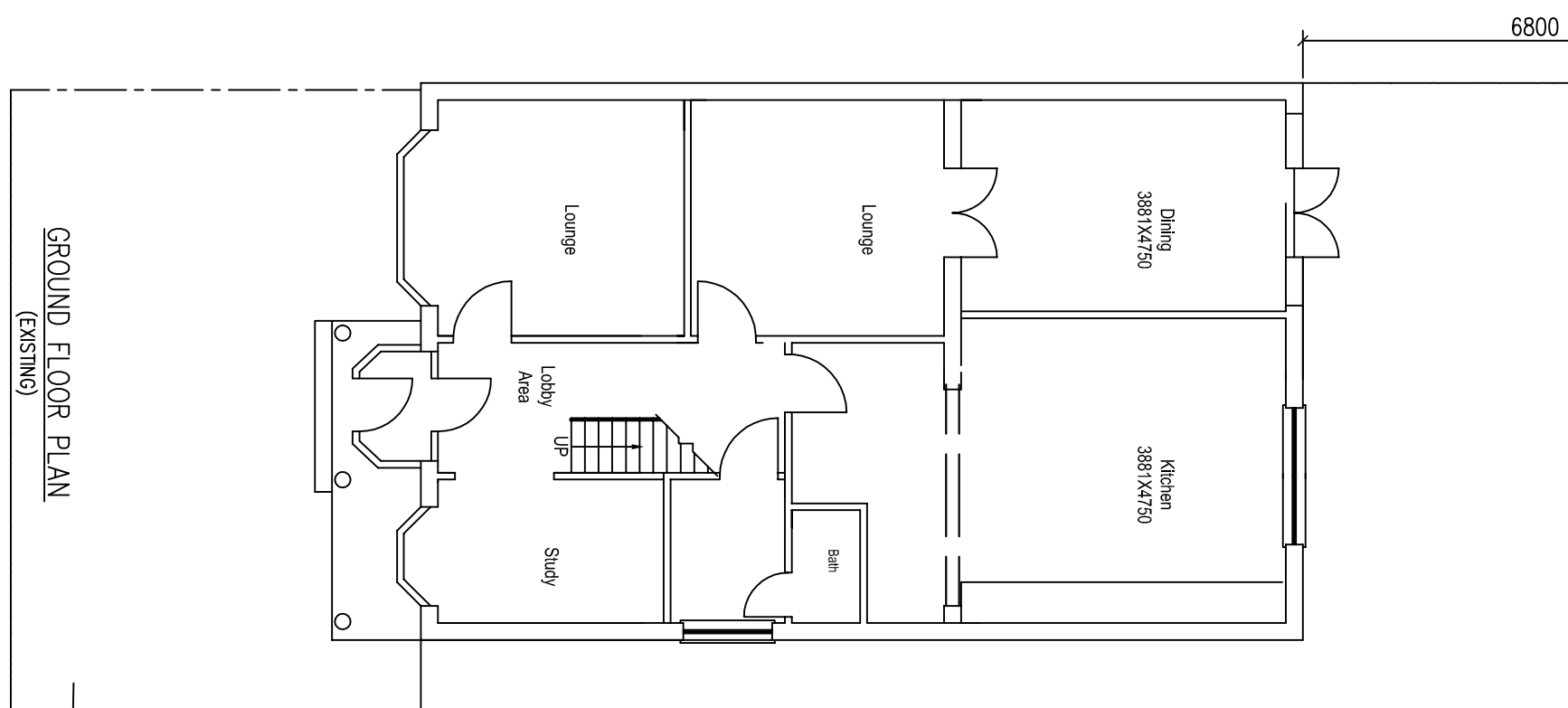
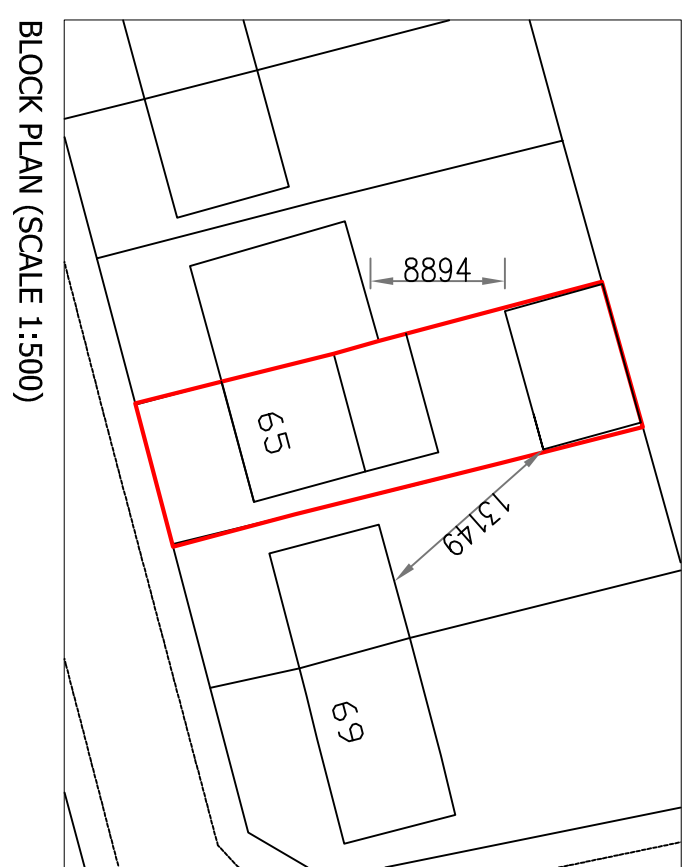
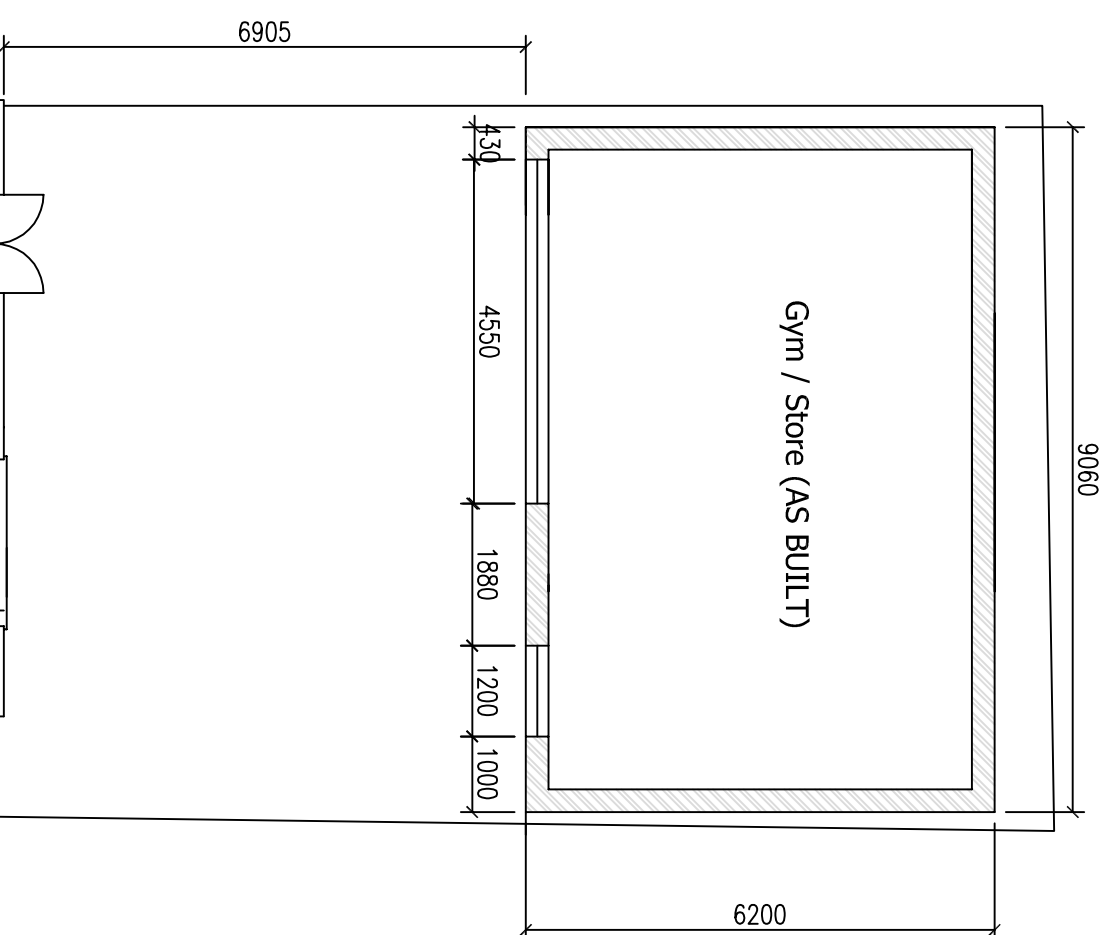
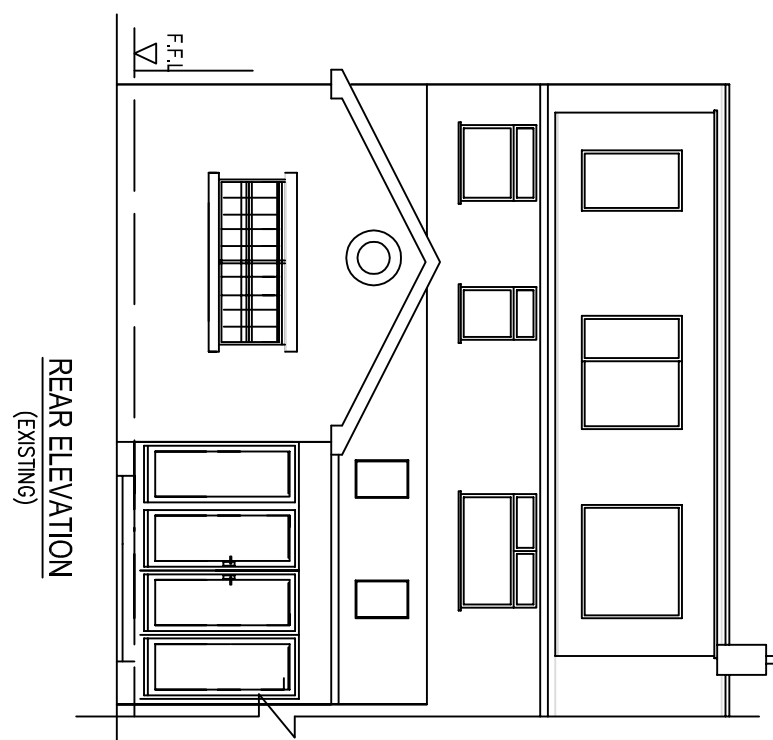
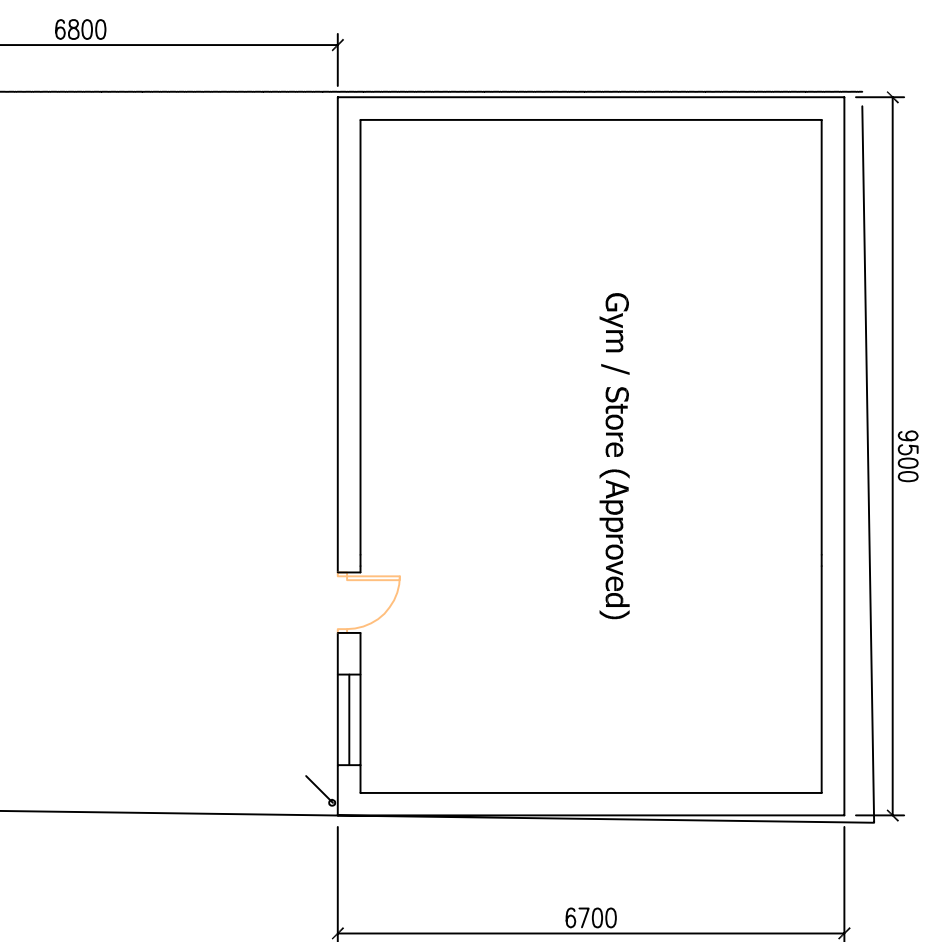
93661/15 - Proposed outbuilding in rear garden - Approved 26.06.2015.

95621/15 - Proposed single storey rear conservatory - Refused 01.03.2016.

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The size, height, scale, massing and siting of this two storey rear outbuilding has a detrimental impact on the character and appearance of the wider surrounding residential neighbourhood in this locality and the amenities enjoyed by the neighbours at 63 and 67 Hill Cot Road. This is therefore contrary to Policies CG3 and CG4 of Bolton's Core Strategy and to the design guidance and residential amenity provisions contained in the Supplementary Planning Document - "House Extensions".
2. Insufficient information has been provided by the applicant, particularly with regard to changes in ground levels and the exact relationship between the outbuilding and the surrounding structures within and adjoining the application site, to enable the proposal to be properly judged against the policies CG3 and CG4 of Bolton's Core Strategy and the Supplementary Planning Document - "House Extensions".



Date	Rev.	Initials
28/6/16	A.	PA
11/7/16	B.	PA

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Figured dimensions take precedence over scaled measurements from the drawing.

All dimensions to be checked by Contractor and discrepancies clarified with the Client prior to commencement.

The whole of the works to comply with current Building Regulations. No work to commence without Building Regulations approval. Owner to ensure compliance with Party Wall Act 1969 - further info available at <http://www.communities.gov.uk/documents/planningandbuilding/pdf/332214.pdf>

Notes

RAD

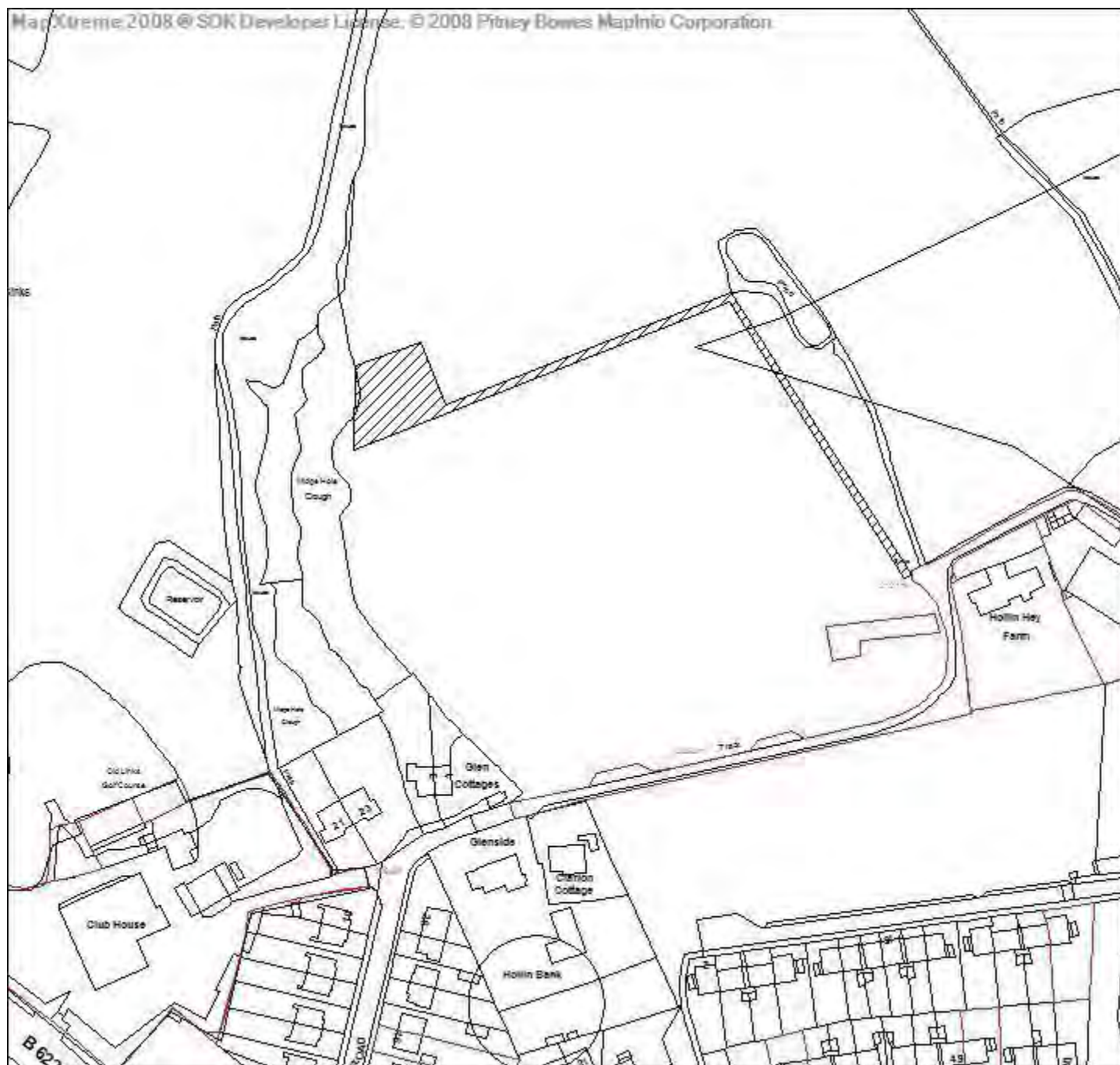
The White House,
42-44 Chorley New Road,
Bolton
BL1 4AP

Tel : 01204 3522196
Fax : 01204 214110
Mob: 07790 361104
Email: info@radesignprojects.co.uk

Project	65 HILL COT ROAD BOLTON BL1 8RL
Title	RETENTION OF OUTBUILDING

Client	MUBARAK BUX
Drawn	RA
Date	MAY 2016
Scale	1:100
Drawing Number	RAD/13

Application number 96601/16



Development & Regeneration Dept
Development Management Section

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

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Date of Meeting: 25/08/2016

Application Reference: 96601/16

Type of Application: Full Planning Application

Registration Date: 23/05/2016

Decision Due By: 17/07/2016

**Responsible
Officer: Kara Hamer**

**Location: LAND ADJACENT HOLLIN HEY FARM, ROMNEY ROAD,
BOLTON, BL1 5TS**

**Proposal: ERECTION OF AGRICULTURAL BUILDING FOR HOUSING OF
LIVESTOCK AND STORAGE TOGETHER WITH ASSOCIATED
ACCESS.**

Ward: Smithills

Applicant: Mrs S Slater-Court

Agent : Mr S Wilson

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the erection of an agricultural building measuring 30ft by 30ft on land adjacent to Hollin Hey Farm, with associated ground work. The proposed building will house livestock. The building will also provide internal storage of feed, hay, straw and associated agricultural equipment.

An access track will be formed to the site with a hardstanding for parking, turning vehicles and equipment used when visiting the site.

The applicant also seeks permission for the siting of a caravan to provide welfare facilities.

Site Characteristics

The application site consists of a parcel of agricultural land adjacent to Hollin Hey Farm, located off Chorley Old Road. The applicant submits that the site has historically been part of the farm and used for grazing.

The site and the farm are accessed via a private road directly off Romney Road. Hollin Hey Farm House is situated to the east of the application site. Open countryside lies to the north. Old Links Golf Course lies to the west and Johnson Fold Housing Estate lies to the east and south.

The application site is located within Green Belt. The site is located approximately 190 metres from Chorley Old Road, the main road between Horwich and Bolton. The land slopes steeply upwards to the north and as such the farm and the site is sited at a greatly elevated position above Chorley Old Road and the surrounding area to the south.

There is a small, portable, flat roof, timber stable facility on site.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: CG1.1 Rural Biodiversity; CG1.5 Reduce the Risk of Flooding; CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.

Allocations Plan policies - CG7AP Green Belt.

A Landscape Character Appraisal of Bolton (October 2001).

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the Green Belt
- * impact on the character of the wider area
- * impact on the amenity of adjoining uses
- * impact on drainage

Impact on the Green Belt

Section 9 of the National Planning Policy Framework (NPPF) concerns the protection of Green Belt land and confirms that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 continues that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, however exceptions to this are [amongst other things] buildings for agriculture and forestry provision.

Allocations Plan policy CG7AP states that the Council will not permit inappropriate development and the erection of new buildings within the designated Green Belt except for [amongst other things]:-

- agriculture or forestry uses

The proposed agricultural building will house livestock. The building will also provide internal storage

of feed, hay, straw and associated agricultural equipment. As such the use of the building is considered to be conducive with NPPF and Allocations Plan policy CG7AP and is therefore appropriate development within the Green Belt.

The proposal would be located within a wider agricultural (grazing) setting with the Farm House sited 160m to the east. The proposed new building has a shallow dual pitched roof measuring 12ft to eaves and would be relatively low in the skyline as it would be sited in a natural dip in the existing ground level. Mature trees screen the site to the west. Hedging partially screens the site from the existing farm access track (continuation of Romney Road) along the southern boundary.

The impact on the openness of the Green Belt in this location would be fairly low with the proposed new building being compatible with the overall character and appearance of the agricultural setting and the immediate agricultural area.

The proposal is considered to be compliant with the NPPF and Allocations Plan policies CG7AP Green Belt.

Impact on the Character of the Wider Area

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

The design of the proposed agricultural building utilises standard construction materials for typical new and modern agricultural buildings with portal frame construction and profiled metal cladding to the walls and roof to be coloured green, which will match other agricultural buildings in the local area.

The proposal would be located within a wider agricultural (grazing) setting with the Farm House sited 160m to the east. The proposed new building has a shallow dual pitched roof measuring 12ft to eaves and would be relatively low in the skyline as it would be sited in a natural dip in the existing ground level. Mature trees screen the site to the west. Hedging partially screens the site from the existing farm access track (continuation of Romney Road) along the southern boundary.

The choice of external colour for the roof and side cladding will ensure the building blends into its surroundings whilst meeting the functional need and is therefore not thought to have a detrimental impact on the visual appearance of the wider area complying with policies CG3 and OA5.

The proposed access track will utilise porous materials (natural stone) to allow drainage and grass growth to minimise visual impact. No additional entrance points are required.

The applicant submits that an additional length of new hedging has been planted alongside the existing unmade private access which will eventually help screen the development from Hollins Hey Farm House.

The caravan is, by design, not in keeping with either the character of the wider area nor that of the

site and existing farm house and this form of development would not be acceptable as a permanent fixture. The Council fully understand the economic climate and at an appropriate time, the applicant does/may need to install a permanent facility. It is acknowledged that the site is generally well screened however a permanent consent for the caravan cannot be supported. A Condition granting temporary siting for 2 years is therefore recommended.

It is considered, subject to the condition only granting temporary consent for the caravan, that the proposal complies with Policies CG3 and OA5 of the Core Strategy.

Impact on the Amenity of Adjoining Uses

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

The nearest residential properties to the application site are approximately 95 metres away to the south and are sited at a considerably lower ground level. It is therefore not considered that the proposal would unduly affect the amenity of these neighbouring residents. Hollin Hey Farm House is sited approximately 162 metres away from the application site to the south east.

Impact on Drainage

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

The Council's Drainage Team have been consulted and have raised no objections. It is therefore considered that the proposed development complies with Policy CG1.5 of the Core Strategy.

Local finance considerations

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

- * The Applicant submits that there will be no financial benefit to the Local Authority.
- * There will be post decision benefits to the business community (during construction) (officer comment: this consideration should only be given limited planning weight).
- * The annual ongoing costs would continue as long as stock is on the site (officer comment: this is not considered to be a material planning consideration).
- * Market valuation could only be tested when realistically placed on the open market and a successful buyer found, it would be reasonable to assume that its value should increase by the costs incurred to develop the site (officer comment: this is not considered to be a material planning consideration).

Conclusion

For the reasons discussed above it is considered that the proposal is appropriate development in the Green Belt and is compliant with the NPPF, Allocations plan policy CG7AP and Core Strategy Policies CG1, CG3, CG4 and OA5. Therefore, Members are recommended to approve the application.

Representation and Consultation Annex

Letters:- 3 letters have been received from nearby residents objecting to the proposal on the grounds of;

- Traffic - along the narrow track at the end of Romney Road from early morning to late evening. The restricted byway is unsuitable for agricultural vehicles and is already in a poor state of repair. *Officer comment - this is private land and a civil matter.*
- Misuse of on-site caravan - for leisure use and overnight stays, the parking up of various unused or rarely used unrelated vehicles.
- The applicant only lives 5 minutes from the proposed development, also we have had a caravan on this site before, which was used for overnight stays, would overnight stays be allowed? *Officer comment - Use will be Conditioned.*
- The scale of the proposed application - is totally out of proportion to what has always been a quiet and tranquil Green Belt grazing field, which has never needed large buildings in it for animal welfare and a caravan for "supposed washing facilities". The original application was for grazing only.
- The size of the proposed agricultural building both excessively large and will therefore be visible from quite a distance, this, according to the land owner is for housing of livestock and storage, however there are at present only about 3 number horses on the land. *Officer comment - the proposed agricultural building measures 30ft by 30ft.*
- With regard to storage, I would not expect a great deal of equipment/silage, certainly not a building of 83.61 square meters!
- The planning application and applicant needs to look closely and carefully at the boundary line - as one side of the line belongs to 3 Glen Cottages which my husband pointed out last year and received verbal abuse when barriers were placed and drainage directed into the valley and brook. *Officer comment - this is a civil matter.*
- The possibility of added drainage of water, litter and more serious of all sewage into the brook - which flows to a small culvert and the rear of 3 Glen Cottages. We clear the culvert regularly to keep a clear flow so avoid a risk of flooding and serious pollutants. *Officer comment - The Council's Drainage Team have been consulted and have raised no objections.*
- There is a small brook next to the proposed agricultural building which, in the last year been contaminated with silage from the existing land, also the water from this brook has been used to water horses (with consent from united utilities?).
- With regard to storage this would, I presume be limited to material used solely in connection with "livestock" to be grazed there?
- This proposed agricultural development would be totally out of charter with the historical use of this land i.e. grazing land for animals.
- Access to the site is over a narrow single track that is constantly eroded by ground water draining from the field owned by the applicant.
- We own the track and have to maintain it entirely at our own expense despite frequent use by the applicant. *Officer comment - this is a civil matter.*
- Since planning permission was granted for the stables last year, vehicular movements have increased significantly.
- Parking associated with the stables occurs on the track, as the required access track, which was stated to be for equipment and feed deliveries and parking of owner's vehicle, has not been constructed in breach of condition 7 of the planning permission (ref: 94867/15). If planning permission is granted for the current proposal, the existing problems will be exacerbated to the detriment of our amenity and ability to access our own property. *Officer comment - ref: 94867/15: the proposed hard standing for access and parking was not constructed. The new proposal is sited away from the farm house/barns and as such provision of the access track with parking/hardstanding/turnaround is essential and will be removed from the current location.*
- The fact that the access is poor and sub-standard was recognised by the Council as long ago as 2005 when planning permission was granted for the conversion of our barn to form two

dwellings. A condition was attached to that planning permission which required that the access track be properly surfaced and that three passing places be constructed along the length of the track between Clarion Cottage and Hollin Hey Farm. If planning permission is to be granted for the current proposal, we strongly believe that a similar condition should be imposed to require the provision of passing places at the cost of the applicant and in full agreement with ourselves as the lane owners, we would ask that this work be carried out before any further development.

Officer comment - proposed use of the site will remain as existing.

- The recent grant of planning permission for the stables (ref: 94867/15) was unrestricted in terms of hours of use. In practice, this has resulted in 24 hour use with the owners of the stable arriving on site after midnight on a regular basis. This is a source of great disturbance to our family and particularly our elderly parents who occupy a bedroom immediately adjacent to the access track. It is noted that the current proposal seeks 24-hour use and the noise and disturbance will only be exacerbated if permission is granted, as the applicant has to access through her sisters gates and field to get into hers. *Officer comment - in the interests of animal welfare I would advise against conditioning hours of use.*
- The applicant claims that some landscaping has already been put in place which we would dispute. In fact we have tried to plant a screen hedge but the horses eat it and consequently it has failed to flourish. If permission is granted, we feel that a condition should be imposed to require the provision of a more substantial landscaped screen.
- The applicant proposes the construction of a substantial length of new field track to access the proposed agricultural building and also a large area of hardstanding. It is essential that this is put in place prior to the construction of the building and also that only clean stone is used and that is laid correctly to avoid it being washed back down our lane.

Consultations

Advice was sought from the following consultees: The Council's Drainage and Bridge Maintenance and The Coal Authority.

Planning History

94867/15 - CONVERSION OF EXISTING MOBILE FIELD SHELTER INTO STABLES TOGETHER WITH EXTENSION FOR HAY/EQUIPMENT STORAGE, AND ASSOCIATED GROUND WORKS - approved October 2015.

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 permission for the siting of the Caravan shall be for a temporary period expiring on **16th July 2018** when the use of the land and the siting of the Caravan hereby approved shall be discontinued and completely removed and the land reinstated on or before the expiry date.

Reason

The Caravan is a temporary and mobile structure which the Local Planning Authority would not normally grant permanent consent for, and to comply with policies CG3 and CG7AP of Bolton's Core Strategy.

3. Prior to the development hereby approved/permitted being first brought into use the means of vehicular access to the site shall be constructed in accordance with the drawing ref Proposed site and location plan, Drwg. No. 2/2, May 2016 (scanned to file 23/05/16).

Reason

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

4. The caravan hereby approved shall not be used for human habitation.

Reason

In light of the applicants circumstances where development would not normally be permitted, and to comply with Policy CG7AP of Bolton's Allocations Plan.

5. Notwithstanding the approved plans, the hereby approved agricultural building shall be painted Juniper Green RAL 160 20 10. The agricultural building shall remain so coloured thereafter.

Reason

To safeguard the character and appearance of the surrounding area and to comply with Policy CG3 of Bolton's Core Strategy.

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

Proposed plan and elevations, Drwg. No. 1/2, May 2016 (scanned to file 23/05/16)
Proposed site and location plan, Drwg. No. 2/2, May 2016 (scanned to file 23/05/16)

Reason

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

EXISTING POST AND RAIL FENCE

TO BE GRAD
ACCESS

9.144 m (30')

9.144 (20')

EXIST OF NATURAL STONE
HANDSTAMPING
(FOR TRAILING PARKING)

HANDSTAMPING FOR PARKING OF WILDLIFE FACILITY (CAVANA)

EXISTING SITE BOUNDARY - POST AND RAIL STOCK FENCE

Part

BOLTON COUNCIL
DEVELOPMENT & REGENERATION
23 MAY 2016

NEW NATURAL STONE
TRACK

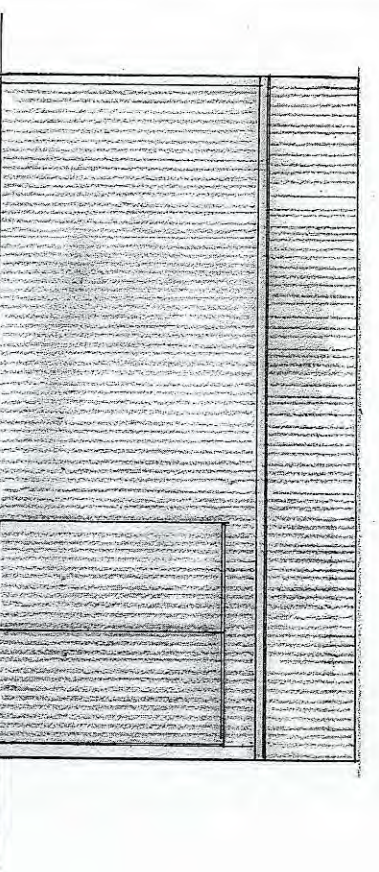
PROPOSED RM AND ELEVATIONS - 1/100

Proposed agricultural building
Land adjacent Hollin Hey Farm, Romney Road,
Bolton, BL1 5TS
for Mrs S. Slater-Court

Scale - as shown

Drawn - May 2016

Dwg no 1 of 2



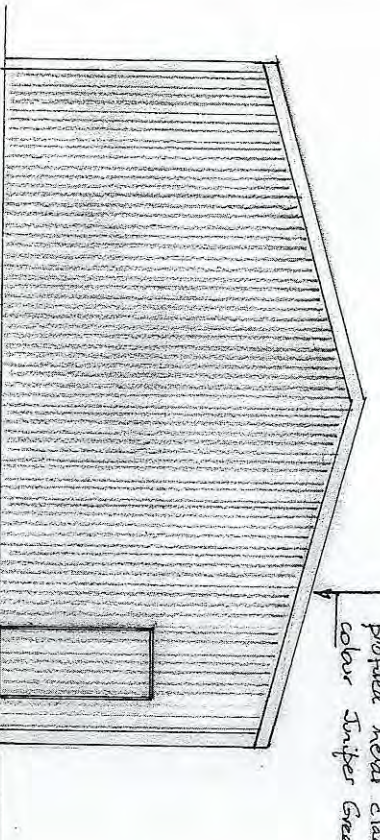
FRONT ELEVATION (E)

roofs incorporate rooflights
2.1m per side

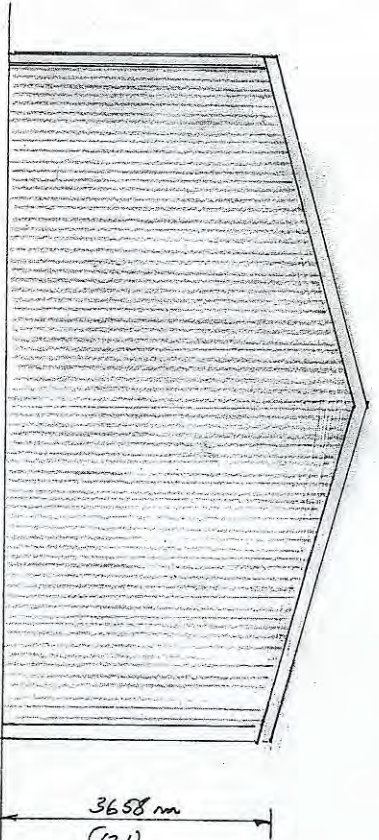


REAR ELEVATION (W)

walls and roof to be
profiled metal cladding
colour similar green

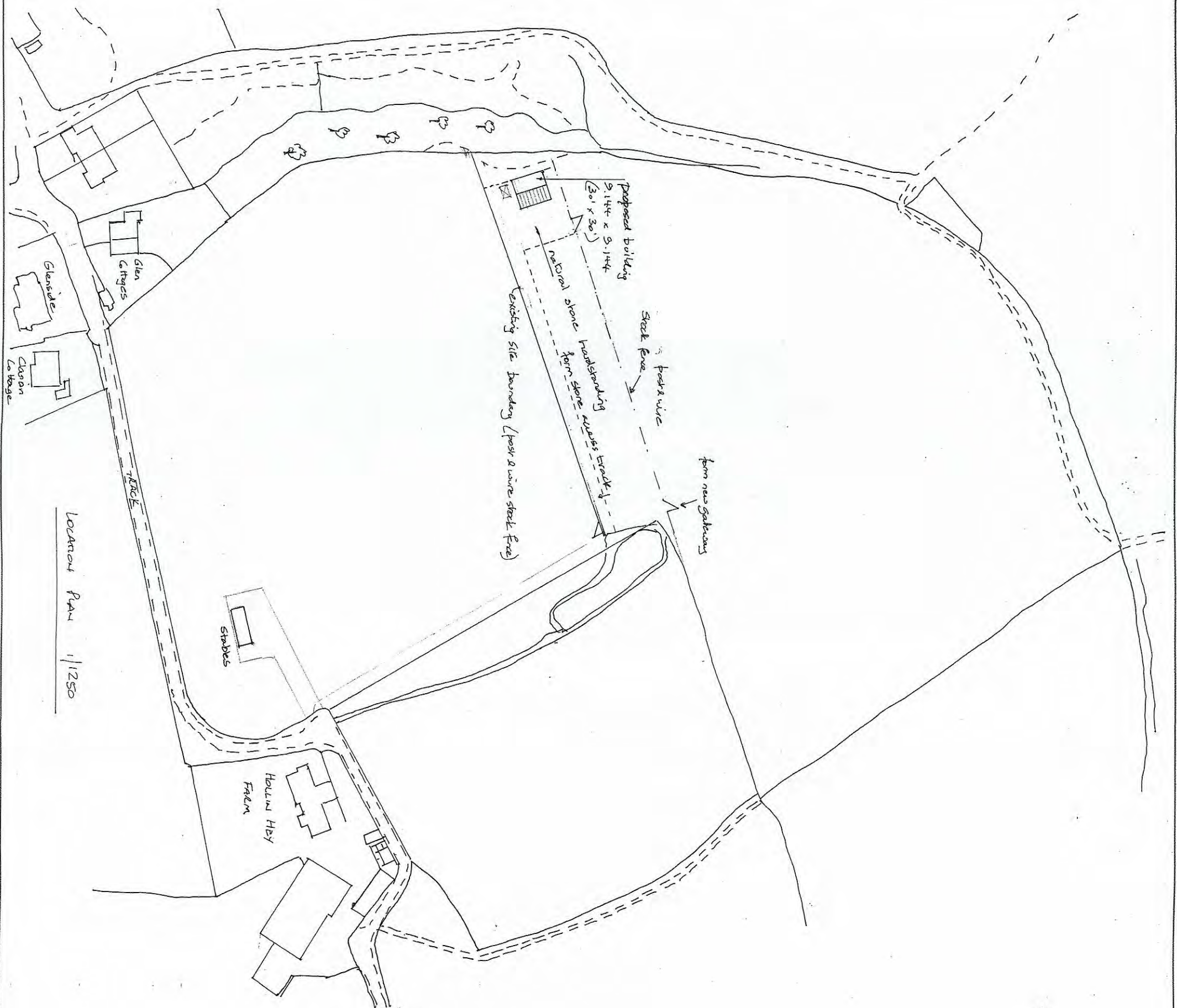


SIDE ELEVATION (S)



SIDE ELEVATION (N)

36.58 m
(12')



BOLTON COUNCIL
DEVELOPMENT & REGENERATION
23 MAY 2016

Proposed site plan 1/12/50 & location plan 1/12/50

Proposed agricultural building
Land adjacent Hollin Hey Farm, Romney Road,
Bolton, BL1 5TS

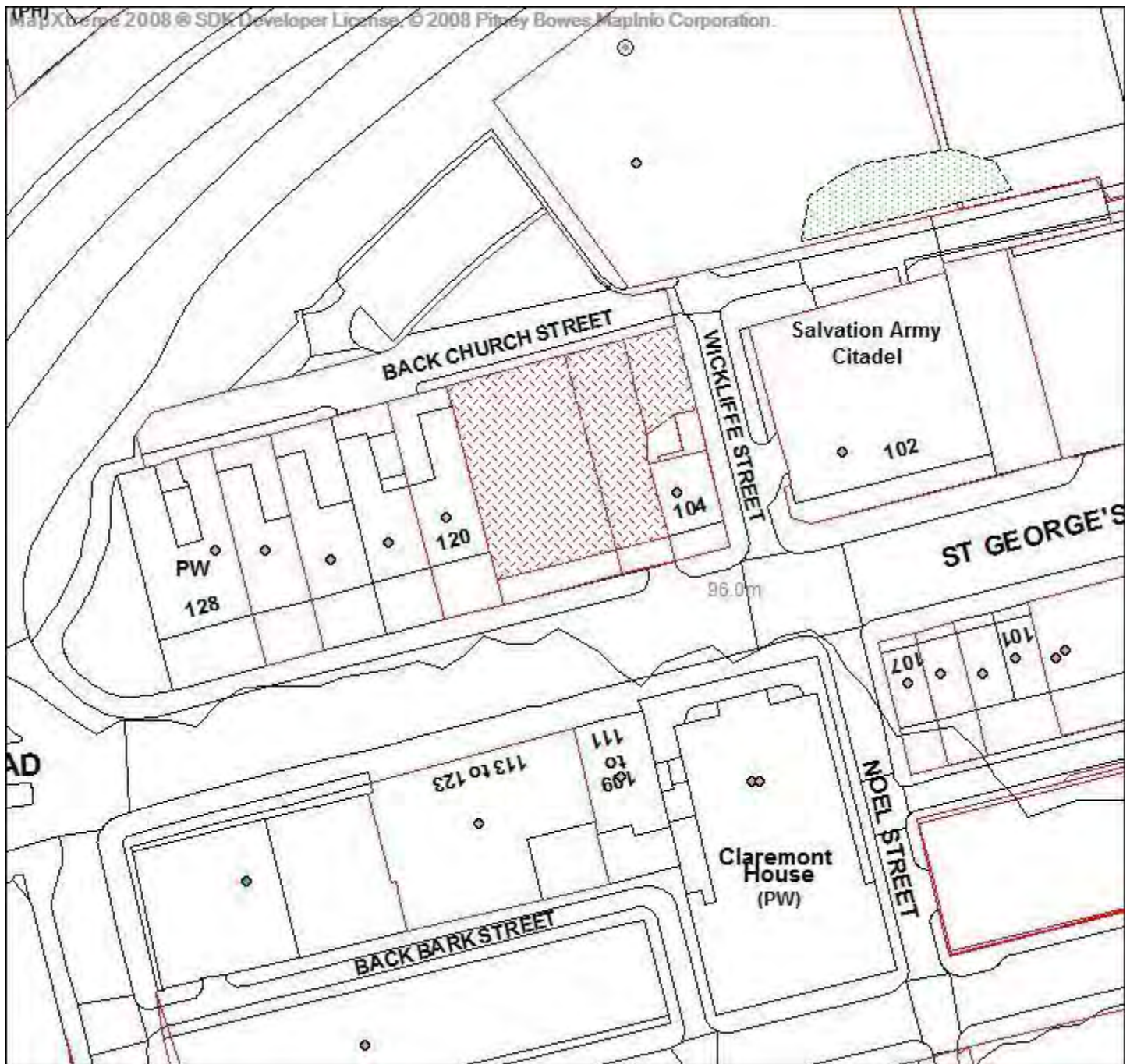
for Mrs S. Slater-Court

Scale - as shown

Drawn - May 2016

Dwg no 2 of 2

**Application number
96632/16**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 25/08/2016

Application Reference: 96632/16

Type of Application: Full Planning Application

Registration Date: 25/05/2016

Decision Due By: 23/08/2016

Responsible Officer: Martin Mansell

Location: 106-110 ST GEORGES ROAD, BOLTON, BL1 2BZ

Proposal: ERECTION OF FIVE STOREY BUILDING COMPRISING 14NO. TWO BEDROOM FLATS.

Ward: Halliwell

Applicant: St Georges Housing Ltd.

Agent : Holborow & Ormesher LTD

Officers Report

Recommendation: Approve subject to conditions

Background

Members deferred the decision in order to carry out a site visit.

Proposal

Consent is sought for the erection of 5 storey apartment building fronting St Georges Road, consisting of one block containing 14 2-bedroomed apartments. Eleven car parking spaces are proposed with access from St Georges Road via Wickcliffe Street and Back Church Street with the proposed building materials comprising of a dark red brick with a contrasting brick central area on the front elevation. Head and cills are proposed to be reclaimed stone and windows frames would be blue aluminium. The top floor is set back from the building edges and would be finished in Kingspan cladding. Balcony features are shown on the front elevations, though their projection is so little that they can still be considered as Juliet balconies. Two landscaped areas are shown either side of the building.

Site Characteristics

The site is a brownfield site following the demolition of the former Moonlight Club approximately 10 years ago. The long-term vacancy of the site is considered to be harmful to the character and appearance of the area. The site lies outside of the amended boundary of the St Georges Conservation Area which lies to the east, beginning at Duke Street. The site is within the boundary of Bolton town centre, in the Little Bolton character area (TC9).

Uses in the area are mixed, typical of the periphery of the town centre. Two storey terraces typically front St Georges Road, generally in office or residential use, with "set-piece" buildings such as Spinners Hall and the Claremont Church. In recent years, larger buildings have been constructed - the offices at 120 Bark Street, the NCP car park and the Salvation Army accommodation at Muamba House. Consent was recently granted for a three-storey block of apartments on land at the former

Gilead House to the north-east. Number 104 St Georges Road, immediately to the east of the site and outside of the ownership of the applicant, means that the site has an irregular but generally square shape. Land at the rear contains public parking, used by local commercial occupiers and the Medina Mosque.

Policy

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

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

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

Supplementary Planning Documents: General Design Principles, Building Bolton, Sustainable Design and Construction

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

Impact on the character and appearance of the area

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

The National Planning Policy Framework recognises the role of the planning system in creating a high quality built environment and notes that well-designed buildings and places can improve the lives of people and communities. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in peoples quality of life, including replacing poor design with better design. The Framework contains 12 core land-use

planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

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

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

The application site has a prominent frontage to St Georges Road located between the last row of terraces on St Georges Road and No. 104. The building would be taller than its neighbours by approximately a storey and a half, though it is considered that the set back of the top floor would reduce this visual difference by some degree. In any case, whilst the dominant built form still remains two-storey buildings of a domestic scale, other larger flat-roofed buildings have altered the

character to one where 120 Bark Street and the NCP car park are now accepted features of the area. The regularity of the front elevation is not dissimilar to the regular frontages of the other properties fronting St Georges Road. Furthermore, similar development were approved at this site in the mid to late 2000's, though these consents lapsed unimplemented.

The proposed development is relatively intensive but Policy TC11 states that the Council will make efficient and effective use of land in the town centre due to the existing levels of high density development, whilst ensuring that development provides adequate amenity space and privacy. It is considered that the development strikes this balance appropriately - densities are generally higher in a town centre context. Furthermore, in order to construct needed housing, the development must be viable for the developer.

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

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

Impact on the Road Network

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

The proposed housing development consists of relatively small two-bedroomed units. The development is therefore not aimed at expanding families or families with adult children. It would be sited within Bolton town centre in a sustainable location close to town centre uses, though it is accepted that it is on the opposite side of the town centre from the interchange. The parking provision, at 0.78 spaces per unit, is considered to be acceptable for this particular development in this location. The Council's Highway Engineers accept this approach.

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

The access via Wickcliffe Street is not currently well-engineered but 11 car parking spaces is unlikely to result in an excessive amount of vehicle movements per day, even if the 15 spaces at the approved Salvation Army affordable housing scheme are developed, and this has therefore been accepted by the Council's Highway Engineers. Highways also require highway improvements at Wickcliffe Street to facilitate improved access in and out of the site and this will be required by a condition.

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

Impact on Housing Provision

The National Planning Policy Framework recognises the role of the planning system in providing the supply of housing required to meet the needs of present and future generations and the need to

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

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

The Housing Market Assessments have provided an evidence base to inform the required mix of housing types. This shows that there is a requirement to construct more larger houses than has recently been the case, as well as to continue to provide for the increasing proportion of small households. The Bolton Housing Needs Survey, which is part of the Housing Market Assessment, shows that there is a need to increase the provision of affordable housing to 35% of new housing, split 75% social rented housing and 25% intermediate housing.

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

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

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

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

Impact on Sustainability

Core Strategy policy CG2 seeks to ensure that new residential development proposals of 5 dwellings or more are Code for Sustainable Homes Level 3 compliant, provide low carbon energy sources to reduce Carbon Dioxide emissions by 10% from regulated and unregulated energy use and to ensure surface water run-off from the site should be no worse than the original conditions. It is noted that the requirement for Code for Sustainable Homes has been superceded and is no longer a planning requirement.

The proposal would also have to ensure that surface water run-off would not exceed the existing conditions in addition to a reduction in CO2 emissions. The requirements of Core Strategy policy CG2 would be conditional upon any approval to ensure the proposal complies with policy.

Conclusion

At 14 units on a relatively small site this is an intensive development. However, many town centre locations can and have already absorbed intensive developments at this level. The design is considered to be acceptable within its context, particularly when this context is considered to include the larger buildings of 120 Bark Street and the NCP car park. The set back of the upper floor will further reduce any visual difference between neighbouring properties. Wickcliffe Street and Back Church Street are substandard but the number of vehicle movements for 11 car parking spaces is unlikely to be excessive.

Pollution Control colleagues recommend a condition for acoustic glazing; however, given the context the standards of the Building Regulation are considered to be sufficient in this instance.

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

Representation and Consultation Annex

Representations

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

- the height and roof design of the proposed development is out of keeping with other properties in the conservation area. The development should be restricted to three stories with a traditional slated roof structure (Officer's note: the site now lies outside of the amended boundary of the Conservation Area)
- the proposed modern style flat roof with residential balconies is not in keeping with any other building in the conservation area
- the height of the building will dwarf no 104 St Georges Road which is to remain under this application.
- the single width carriageway of Wickliffe Street serves as access to the parking areas at the rear
- such a large building with the proposed number of tenants will cause an undue amount of traffic on Wickliffe Street and this will result in obstructions and delays given the present width of this road which requires widening for any viable build of the size being proposed
- a further nuisance will be caused to the members of the community centre who use their parking site at the rear of St Georges Road. The additional traffic that will be generated by the proposed build requires a two-way carriageway
- there is a private car park belonging to the Mosque but there is also a significant area of free unrestricted parking area which is very useful to us as a church in the evenings and weekends
- access to the development will affect access to the car parks and any future residential development on the land belonging to the Salvation Army which is also served by Wickliffe Street and proposed to be developed for affordable housing
- the colour chosen for the windows is not in keeping with the conservation area
- mine is a business premises and i believe that having such a large residential block (5 storeys) will cause obstruction and potentially detract from future clients using my business.
- for construction work to start on the proposed site will require the whole of our office to become effectively inaccessible given that the proposed plans are to build around our offices. The main road entrance will be blocked off leaving only a small path for our clients to enter the building, that is if they are able to see our offices (Officer's note: a certain amount of disruption is to be expected during construction and is rarely of such a scale that consent should be resisted on this issue)
- the proposed build would be an eyesore and would look alien at this end of St Georges Road opposite Claremont Church.
- the build would overshadow the other buildings on this block such as mine at no.104 and in my opinion further detracting from their value given the unnatural look

Consultations

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

Planning History

Planning permission was granted in February 2009 for the erection of a five storey building to accommodate 30 apartments together with 12 basement level car parking spaces (81192/08). The site included No. 104 St Georges Road.

Planning permission was refused in July 2008 for the erection of a five storey building for 31 apartments (79811/08) on the basis of inappropriate scale and design together with insufficient parking. The site included No. 104 St Georges Road.

Planning permission was granted in June 2007 for the erection of a five storey building (including basement storey) together with sixth storey in roof space to provide 24 units (77046/07)

Planning permission was granted in February 2007 for the erection of a four storey building comprising 18 apartments (76153/06).

An application to erect a building comprising 18 apartments was withdrawn in March 2007 (75365/06).

Conservation Area Consent to demolish in respect of the buildings comprising 106 - 110 St. George's Road together with land at the rear of 104 St. George's Road (but excluding the building at No. 104) was granted in July 2006 (74382/06).

Planning permission was granted in July 2006 for the erection of a building comprising 15 apartments (73988/06).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development full details of the highway works at Wickliffe Street adjacent to no. 104 St Georges Road comprising 4.5m wide carriageway and 2 no. 1.5m wide footways and carriageway resurfacing shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

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

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

2) Include a timetable for its implementation, and

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

Reason

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

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

Reason

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

5. Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting/floodlighting. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

6. Prior to the commencement of development 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.

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

Reason

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

8. Prior to the commencement of the development:-

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

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

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

Reason

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

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

Reason

In the interests of highway safety.

10. Prior to the commencement of development full details of the highway works at highway works at Wickliffe Street / Back Church Street radius comprising improvement to 3m radius 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.

11. Prior to the commencement of development full details of the highway works at Wickliffe Street adjacent to the application site comprising 5.5m wide carriageway and 2 no. 1.5m wide footways and carriageway resurfacing 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.

12. Prior to the development hereby approved/permitted being first occupied or brought into use the existing vehicular access onto St Georges 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 St Georges Road.

Reason

In the interests of highway safety.

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

Reason

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

14. Before the approved/permitted development is first brought into use no less than 11 car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be marked out and provided within the curtilage of the site, in accordance with the approved drawing. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

19. The mullions, cills and heads to the window and external doors of the development shall be in natural reclaimed stone of a colour and texture to match to those of the existing building.

Reason

To ensure the development safeguards the visual appearance of the building.

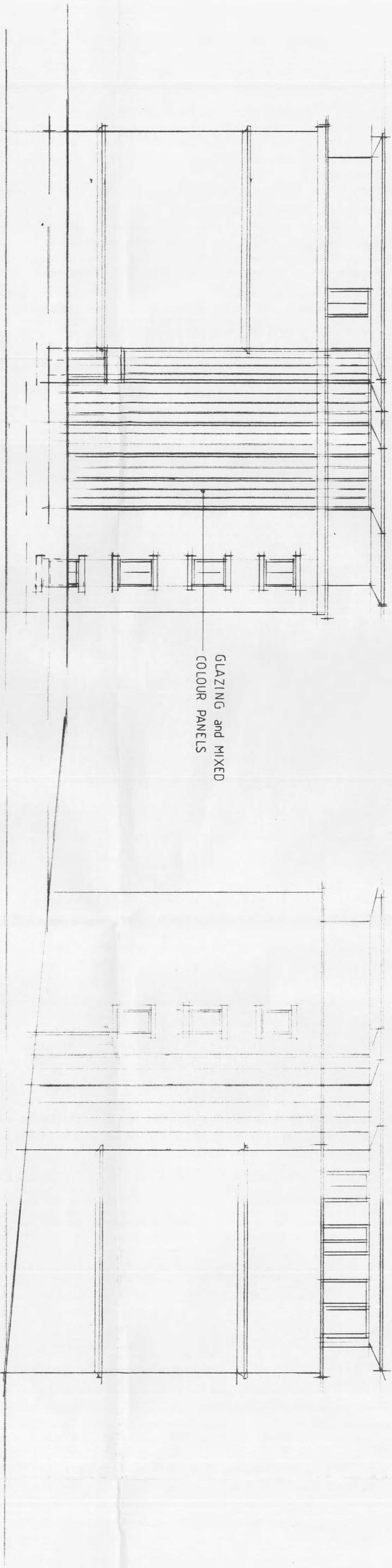
20. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

1612/15/01 rev A

1612/15/02
1612/15/03

Reason

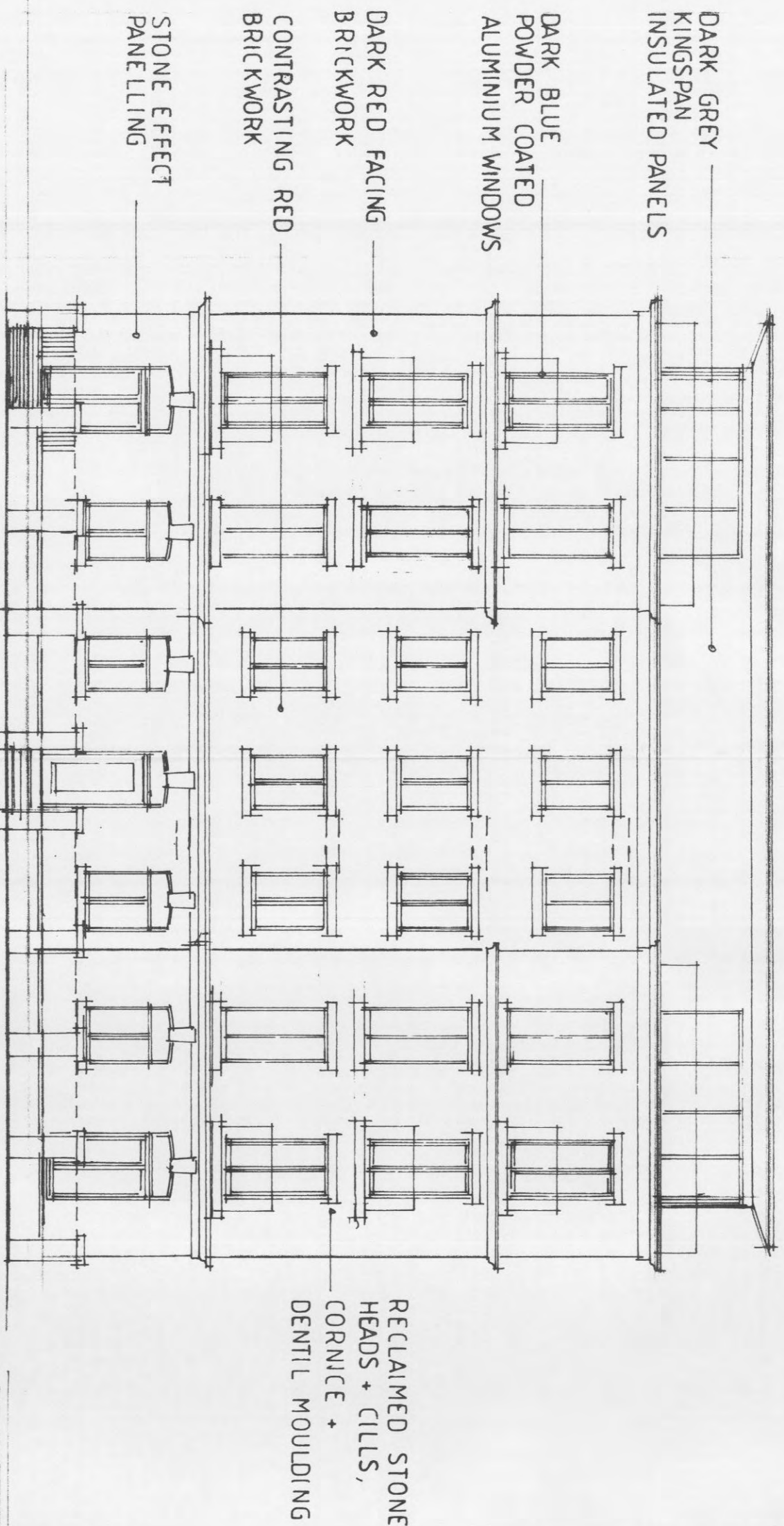
For the avoidance of doubt and in the interests of proper planning.



REAR ELEVATION

SIDE ELEVATION

GLAZING and MIXED
COLOUR PANELS



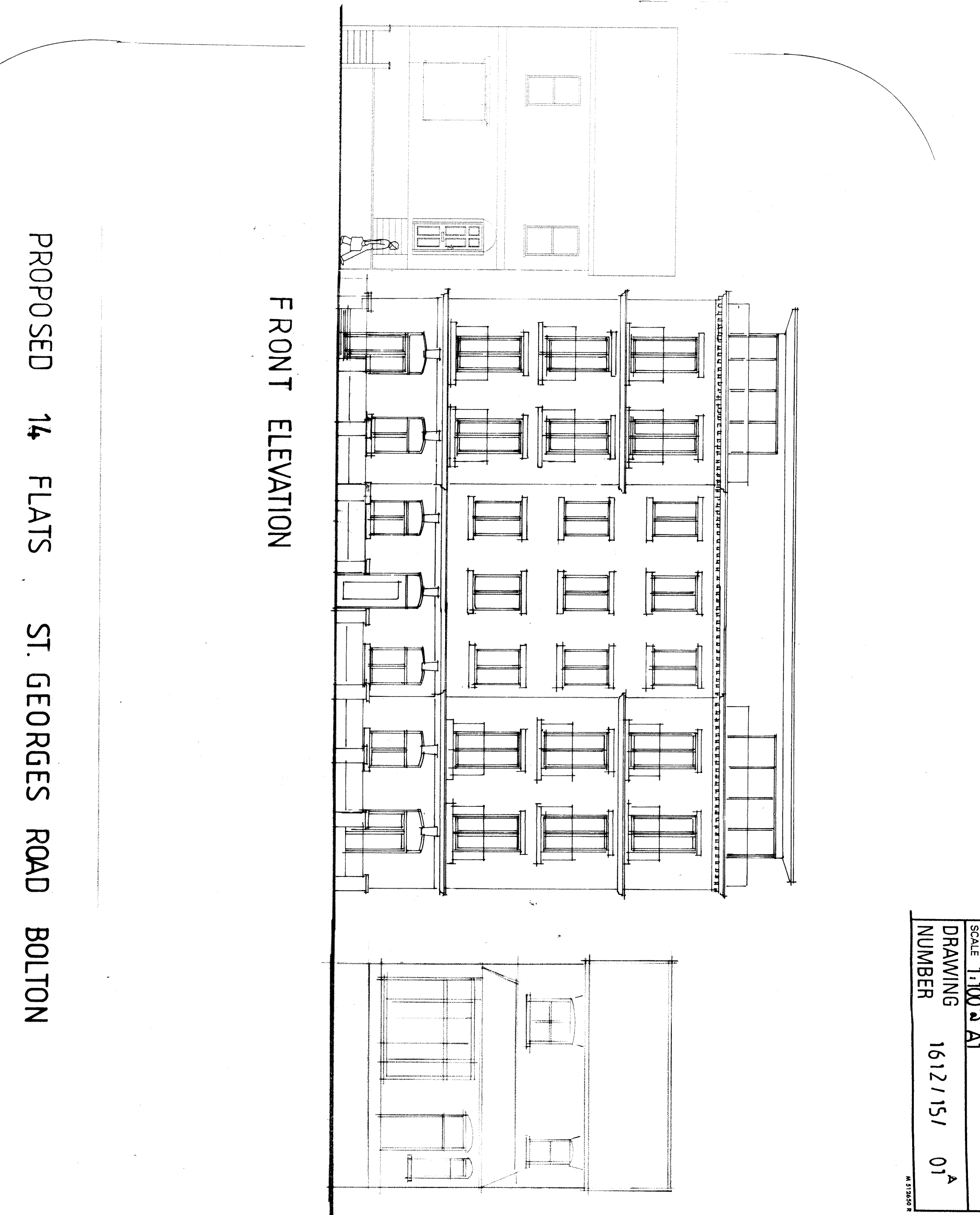
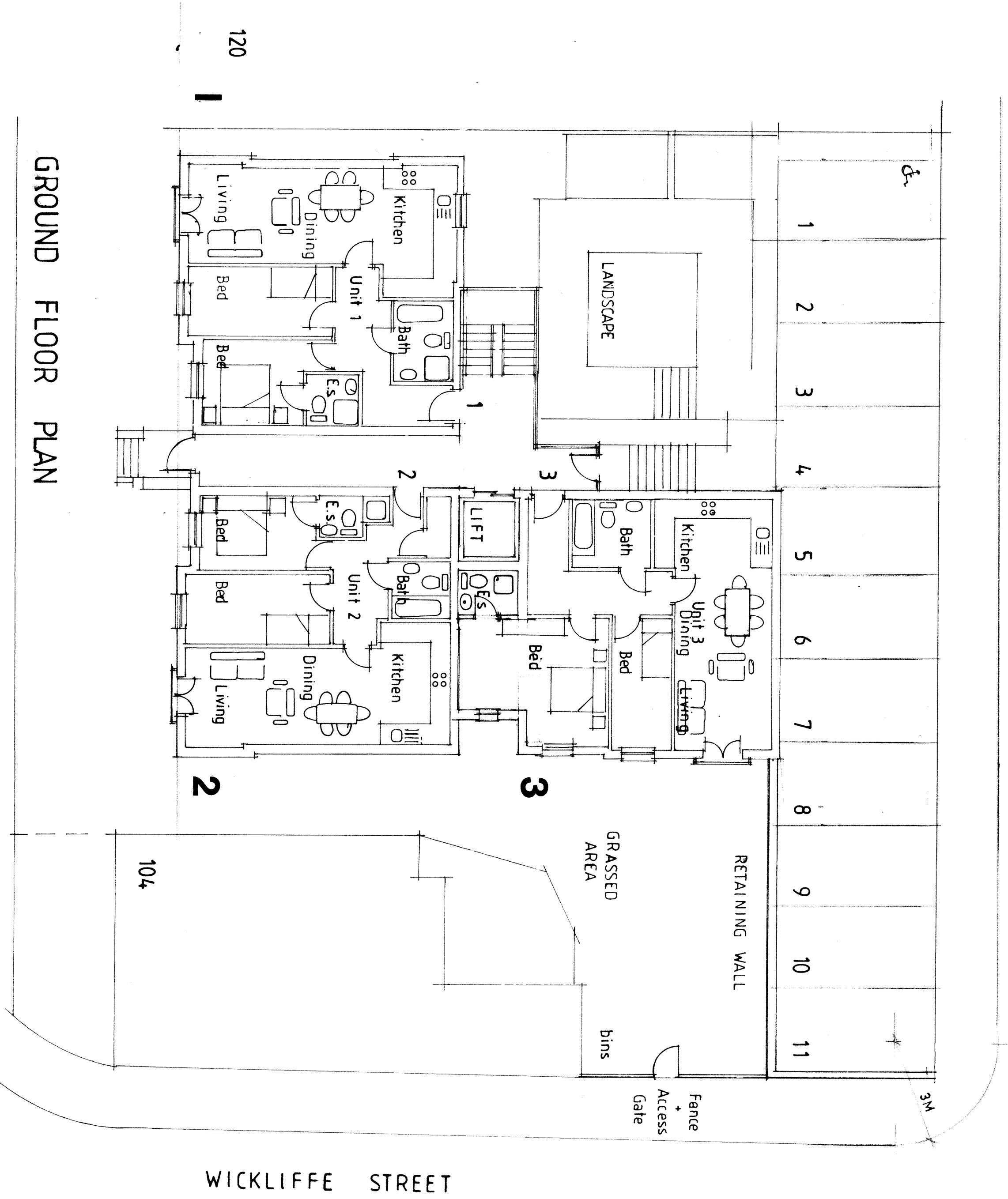
FRONT ELEVATION

SIDE ELEVATION

WICKLIFFE STREET

BOLTON COUNCIL
DEVELOPMENT & PRESERVATION
RECEIVED
25 MAY 2016

CLIENT		106-110, St. Georges Road BOLTON						
JOB TITLE		PROPOSED FLATS ELEVATIONS						
DRG. TITLE		ELEVATIONS						
HOLBOROW + ORMESHER Limited architectural & interior design		Station House Adams Hill Knutsford WA16 6DN Cheshire : 01565 652275 telephone : 01565 750501 fax :						
ISSUE	ORIGINAL	1	2	3	4	5	6	7
REVISION								
DATE								
DRAWN								
CHECKED								
APPROVED								
SCALE	1 : 100 - A1							
DRAWING NUMBER	1612/15/03							



CLIENT

ST GEORGES SWARN HOUSING LTD

423, HOLCOMBE ROAD

BURY BL8 4HB

JOB TITLE

106 - 110, St Georges Road

BOLTON

DRG. TITLE

G / A

HOLBOROW +

ORMESHER

Limited

architectural &
interior design

Station House

Adams Hill

Knuttsford

Cheshire WA16 6DN

telephone : 01565 652276

fax : 01565 750501

ISSUE	ORIGINAL	1	2	3	4	5	6	7
REVISION	A							
DATE	10/1/15							
DRAWN	MLC							
CHECKED								
APPROVED								

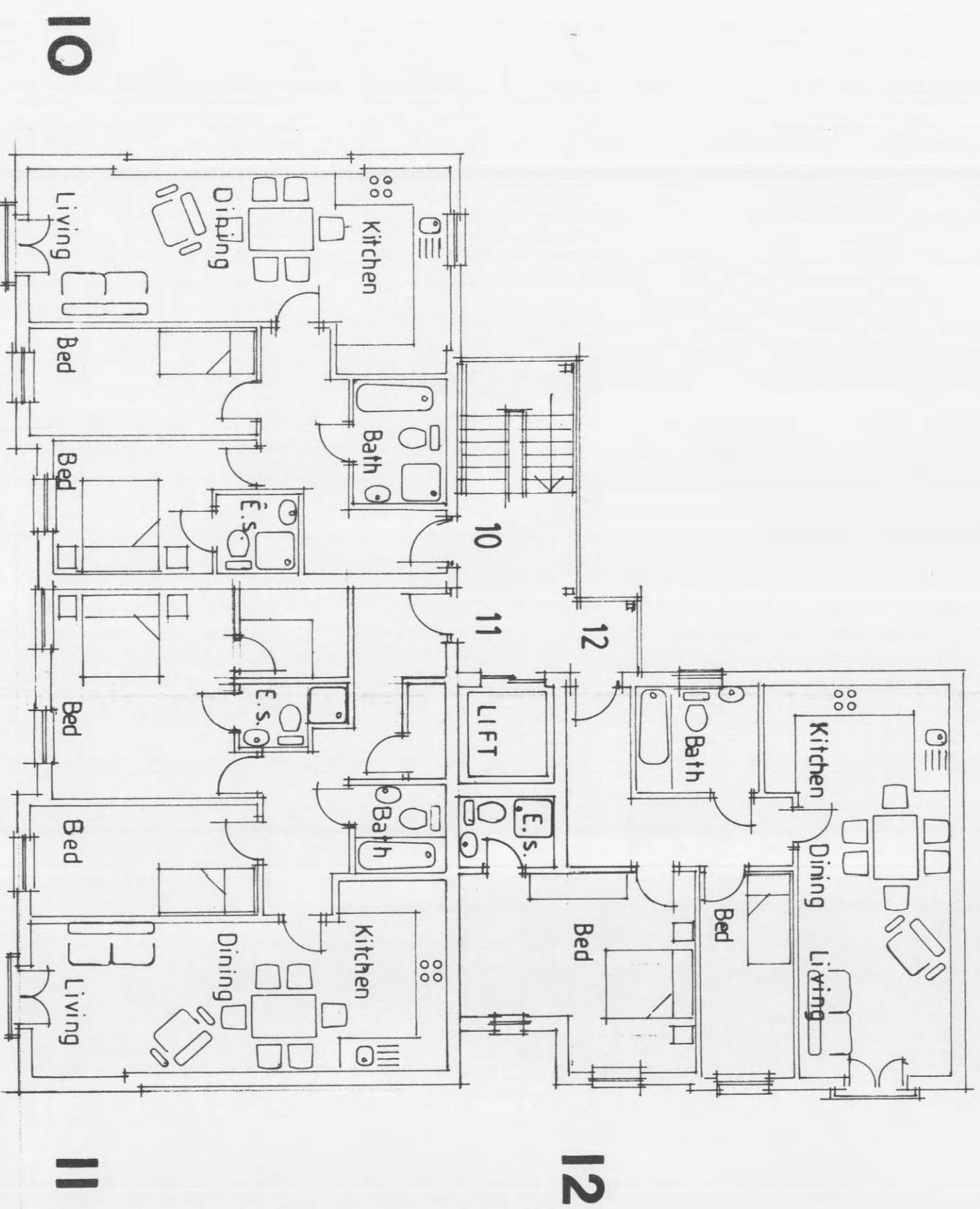
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NUMBER

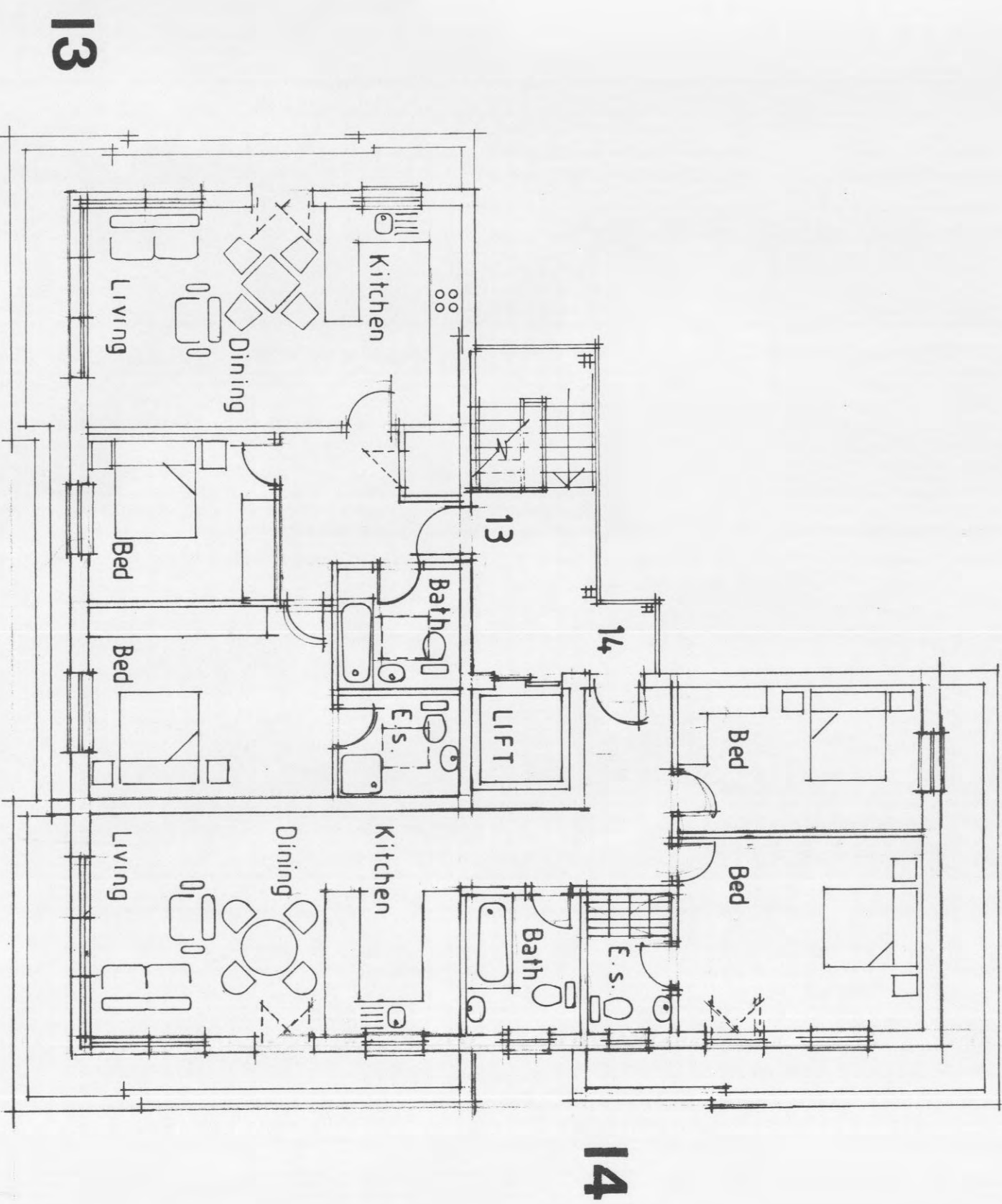
1612/15/

01 A

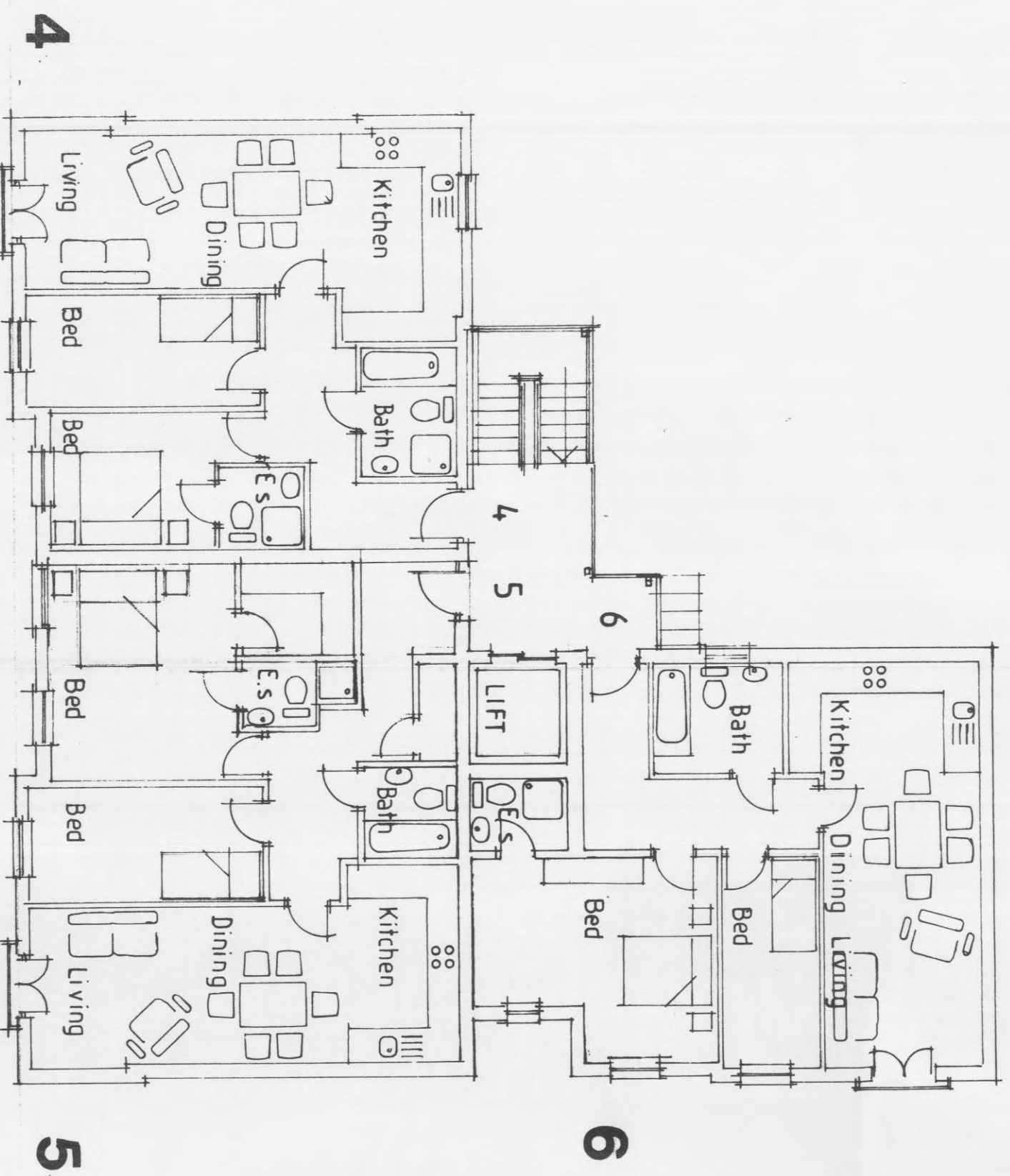
119



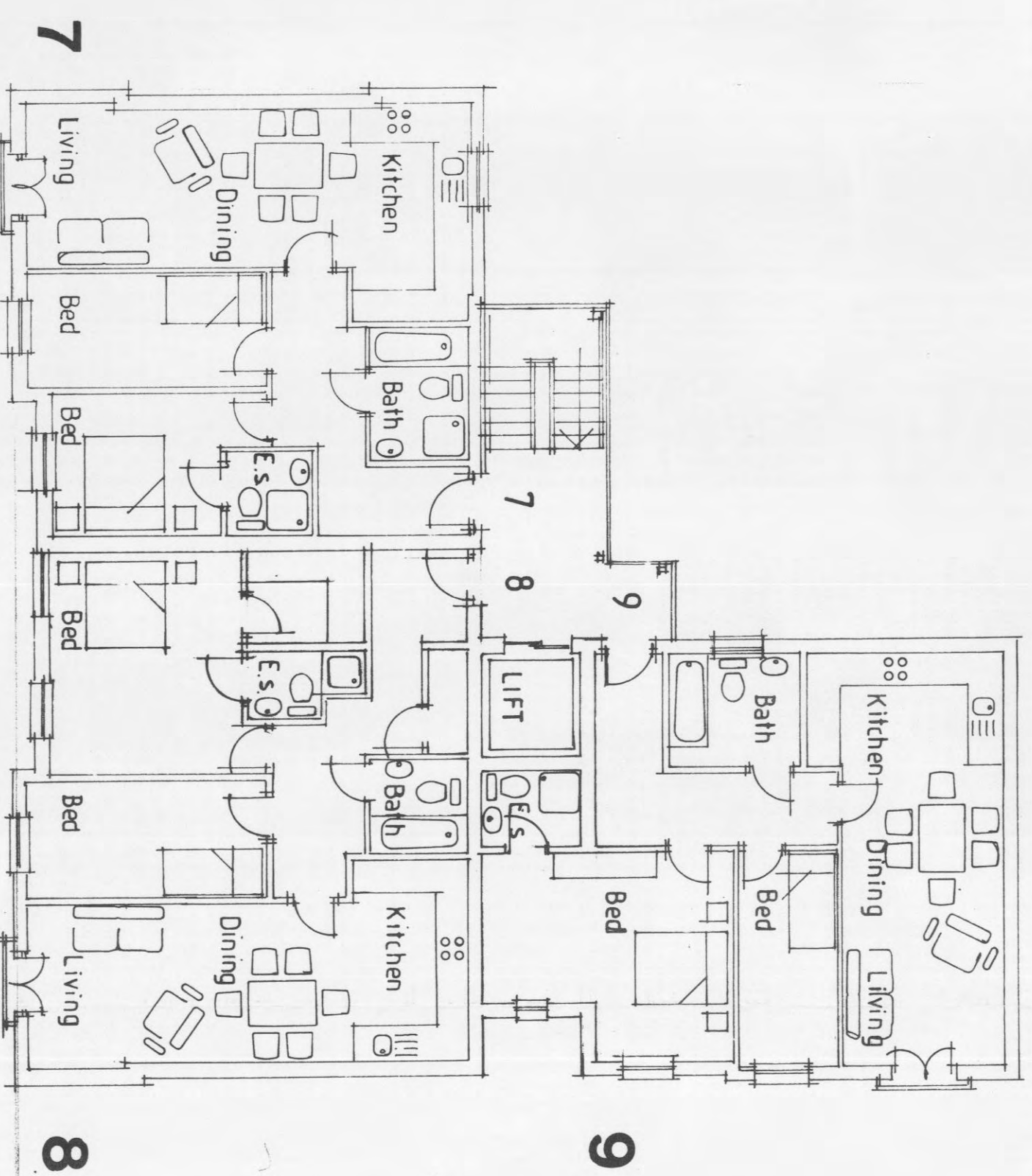
THIRD FLOOR



FOURTH FLOOR



FIRST FLOOR

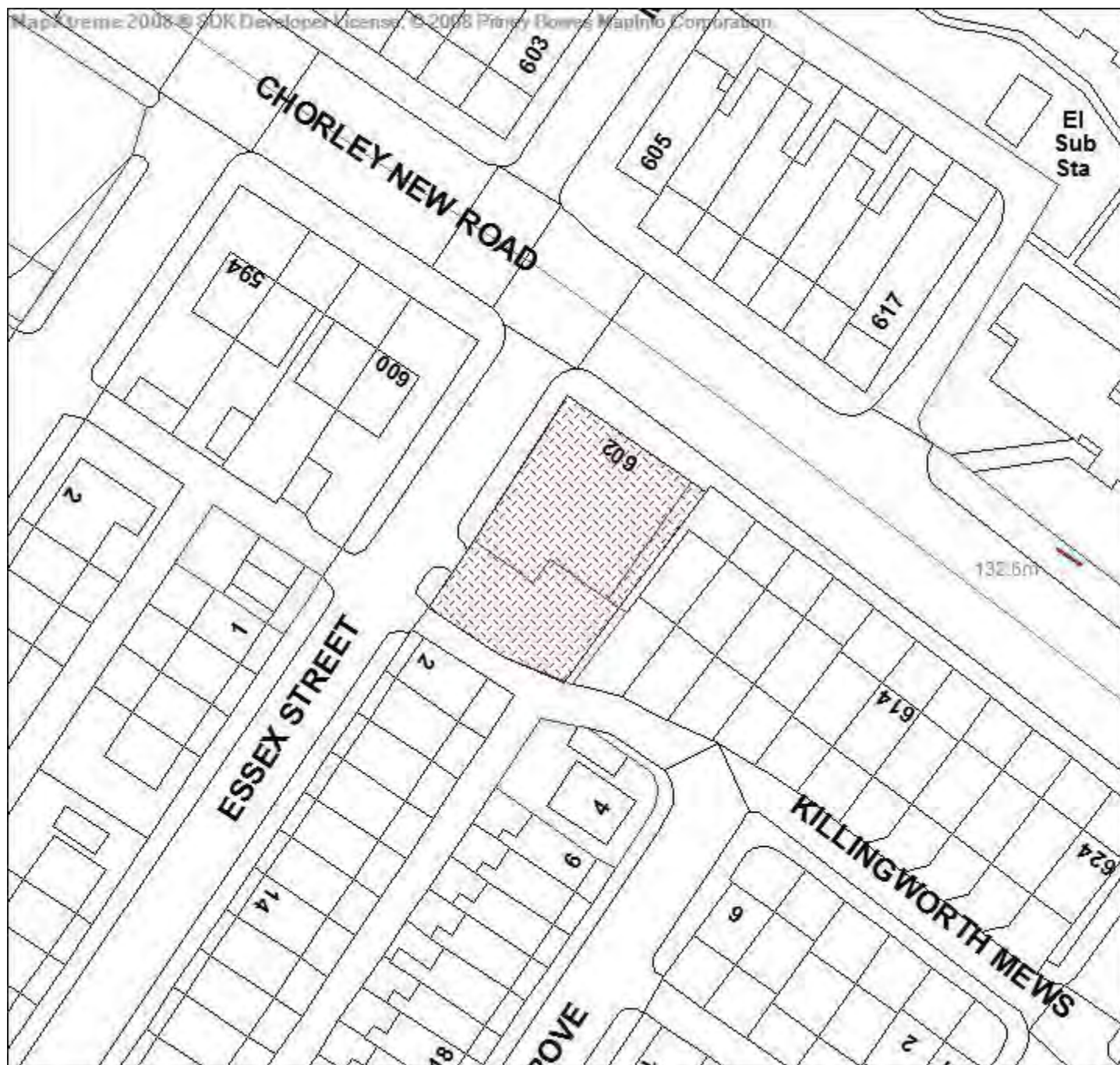


SECOND FLOOR

BOLTON COUNCIL
DEVELOPMENT
RECEIVED
25 MAY 2016

CLIENT 06-110, St Georges Road BOLTON	
JOB TITLE PROPOSED FLATS	
DRG. TITLE UPPER FLOOR PLANS	
HOLBOROW + ORMESHER + Limited architectural & interior design Station House Adams Hill Knutsford WA16 6DN Cheshire W.A16 6DN telephone : 01565 652275 fax : 01565 750501	
ISSUE	1 2 3 4 5 6 7
REVISION	
DATE	
DRAWN	
CHECKED	
APPROVED	
SCALE 1 : 100 A1	
DRAWING NUMBER 1612/15/02	

**Application number
96678/16**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 25/08/2016

Application Reference: 96678/16

Type of Application: Full Planning Application
Registration Date: 31/05/2016
Decision Due By: 25/07/2016
Responsible Officer: Kara Hamer

Location: 602 CHORLEY NEW ROAD, HORWICH, BOLTON, BL6 6EX

Proposal: CHANGE OF USE FROM GROUND FLOOR RETAIL (CLASS A1) TO RESTAURANT (CLASS A3) INCLUDING FIRST FLOOR.

Ward: Horwich and Blackrod

Applicant: PKR Properties
Agent : Neil Pike Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application seeks permission for a change of use of the ground floor of the premises from A1 retail (coffee shop) to an A3 restaurant. Change of use to A3 is also sought for the first floor.

No details of proposed staff numbers have been submitted with this application. Opening hours are proposed as 10:00 - 23:00 Monday to Sunday.

No external alterations to the frontage, side or rear elevations or alterations to floor plans have been submitted with this application.

Site Characteristics

The application site is a part two storey part single storey detached property located on Chorley New Road at the junction of Essex Street. Chorley New Road is a main thoroughfare linking Bolton to Horwich. The premises is located within a predominantly residential area. To the west is residential two storey semi detached property with small front gardens. The adjacent terraced row to the east comprises modern two storey dwellings with small front gardens. Facing the application site is traditional garden fronted terraced property and to the rear of the application site is traditional garden fronted terraced property.

The property previously traded as "Farnells" Bar and Coffee Lounge (which did not benefit from planning permission). There is a car park to the rear providing three parking spaces.

Policy

National Planning Policy Framework

Bolton's Core Strategy Policies P5 Transport and Accessibility; S1 Safe Bolton; CG3 The Built

Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.

SPD Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas; SPD General Design Principles; SPD Accessibility, Transport and Safety.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on residential amenity
- * impact on the character and appearance of the site and area
- * impact on the road network

Impact on Residential Amenity

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

The SPD "Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas" states at paragraph 8 that applications for restaurants, cafes, public houses, bars and hot food takeaways will normally be approved within the Borough's designated shopping centres. Paragraph 9 continues that shopping centres are considered to be appropriate locations for these types of uses, since they contain only a limited amount of residential accommodation. Paragraph 10 states that in predominantly residential areas applications for restaurants, cafes, bars, public houses and hot food takeaways will not normally be permitted.

The application premises is sited close to the periphery of Horwich Town Centre in a predominantly residential area. The current permitted use of the application site as an A1 use is well established. No residential properties adjoin the premises.

Opening hours are proposed as 10:00 - 23:00 Monday to Sunday. The opening hours are in line with SPD Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas, which advises on time restriction conditions where residential properties are within 50m of any part of the application site.

It is suggested that the proposed opening hours are Conditioned and details of any means of extraction from the restaurant are approved by the Local Planning Authority, in order to help protect the amenity of nearby residents and limit the impact of any noise, disturbance and smells.

Subject to the suggested Conditions, it is not considered that the proposed change of use would

unduly harm the amenity of neighbouring residents, compliant with Policy CG4 of the Core Strategy.

Impact on the Character and Appearance of the Site and Area

The National Planning Policy Framework states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Core Strategy Policy CG3 seeks to ensure that development proposals display innovative, sustainable design that contributes to good urban design, respects and enhances local distinctiveness, and has regard to the overall built character and landscape quality of the area. Proposals should also be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment including hard and soft landscaping and boundary treatment. Historical associations should be retained where possible.

No external alterations to the frontage, side or rear elevations or alterations to floor plans have been submitted with this application. The appearance of the front and side elevation is suited to the current and the proposed use of the premises and is considered to be compatible with the established character of the immediate area and thus consistent with the principles of good urban design.

The proposal is considered to comply with policies CG3 and OA1 of Bolton's Core Strategy.

Impact on the Road Network

Core Strategy policy S1 seeks to promote road safety in the design of new development. Core Strategy policy P5 seeks to ensure that development is accessible by different types of transport, prioritising pedestrians, cyclists and public transport over the motorised vehicle.

The site is situated on a busy, commercial public transport corridor close to the centre of Horwich and has a car park to the rear providing three parking spaces for staff/customers. In addition there is ample on street parking in the immediate vicinity.

The property has been trading as a coffee shop with seating (though without planning permission) and the A3 use proposed is not thought to have any further detriment on highway safety than at present.

The Council's Highway Engineers have been consulted and comment; *the number of car parking spaces falls below the Council's maximum standards, however the site is accessible to sustainable transport modes and has had a previous A1 Use Class. There is a potential for overspill parking on the highway but the issue could be considered minimal at that location.*

It is therefore considered that the proposal complies with policies P5 and S1 of the Core Strategy.

Local finance considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material.

The applicant has submitted;

The social benefits are based upon the location in that the site has frontage on a busy main road being therefore highly visible and readily accessible. The locality is a high density residential area with some business and commercial premises in close proximity. All these factors are fundamental to

the financial appraisal and business plan for the proposed use. *Officer comment - considered not material to the planning decision.*

The commercial benefits associated with this use relate directly to the local economy. The Restaurant use will generate several full and part-time jobs; Chefs, Food prepping staff, Front of House Staff, Waiters and general cleaning and maintenance staff totaling approximately 15 jobs, mainly for local people. *Officer comment - this is considered to be a material benefit.*

The financial benefits are extensive, in that companies supplying the Restaurant Business benefit commercially and this is a cascade of benefits through a network of local services and suppliers, food, drinks, promotional materials, expenses etc. Tradesmen and maintenance companies will have long-term benefits through contracts with the business in terms of industrial cleaning, provision of crockery, cutlery, napkins etc. *Officer comment - this is considered to be a material benefit.*

A detailed description of this pyramid style distribution of financial benefits is extensive; however it is clear that the proposed use will bring distinct, widespread benefits to the local Economy as described from Lawyers, Architects, and Builders through to H.M. Revenue and Customs to part time preparation and Kitchen Cleaning Staff. *Officer comment - this is considered to be a material benefit.*

Conclusion

For the reasons discussed above it is considered that the proposed change of use of the premises to a restaurant would not harm the character and appearance of the area, would not unduly harm the amenity of neighbouring residents and would not jeopardise highway safety, complying with Policy S1, P5, CG4, CG3 and OA1 of the Core Strategy and the guidance contained within SPD "Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas".

Representation and Consultation Annex

Representations

Letters:- None.

Town Council:- Horwich Town Council objected to the proposal at their meeting of 23/06/16 due to concerns about parking issues which would be detrimental to nearby residents.

Consultations

Advice was sought from the following consultees; the Council's Highways Engineers and Design for Security GM Police:-

- Any new external fittings (i.e. shutters, windows or doors) should be certified to Secured by Design standards.
- If cash is to be kept within the property overnight then a time delay safe certified to LPS 1183 should be installed and kept within a secure room that is only accessible by the members of staff.
- Any staff areas that are to be included within the property should be access controlled and restricted to members of staff only.
- Dusk till dawn lighting should be installed to all external doors.
- Opening hours should run in line with other businesses in the area.

Planning History

None relevant.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Before the use hereby permitted begins, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 14 days of the use commencing and retained thereafter.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance and to comply with policies CG3 and CG4 of Bolton's Core Strategy.
3. The premises subject of this consent shall not be open for trade outside the following hours:-

10:00 - 23:00 Monday to Sunday

Reason

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

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

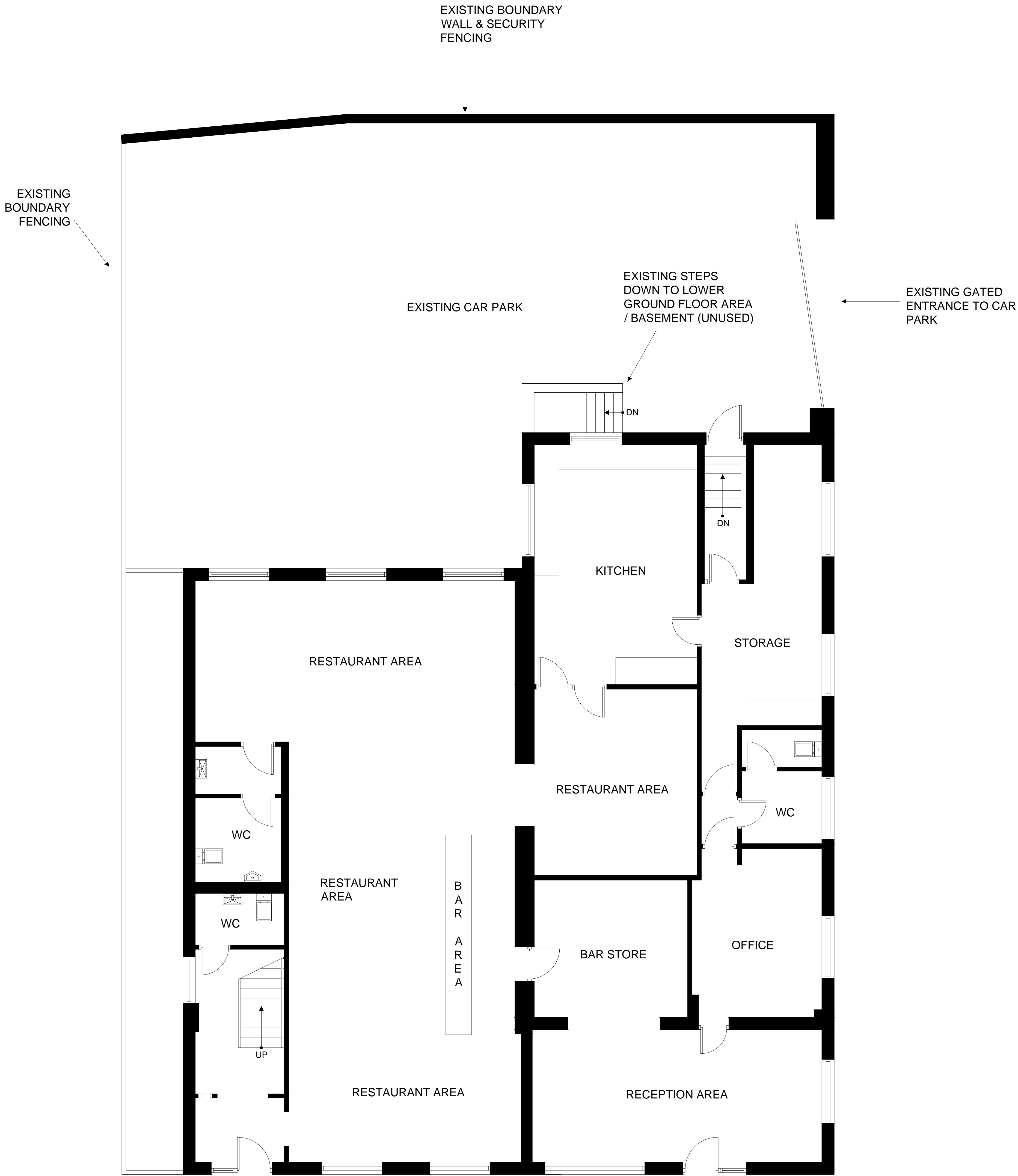
Location Plan (scanned to file 31/05/16)

Existing Floor Plan, PL K767/02, 27/05/15 (scanned to file 31/05/16)

Existing Site Plan, PL K767/01 Rev A, 27/05/15 (scanned to file 21/06/16)

Reason

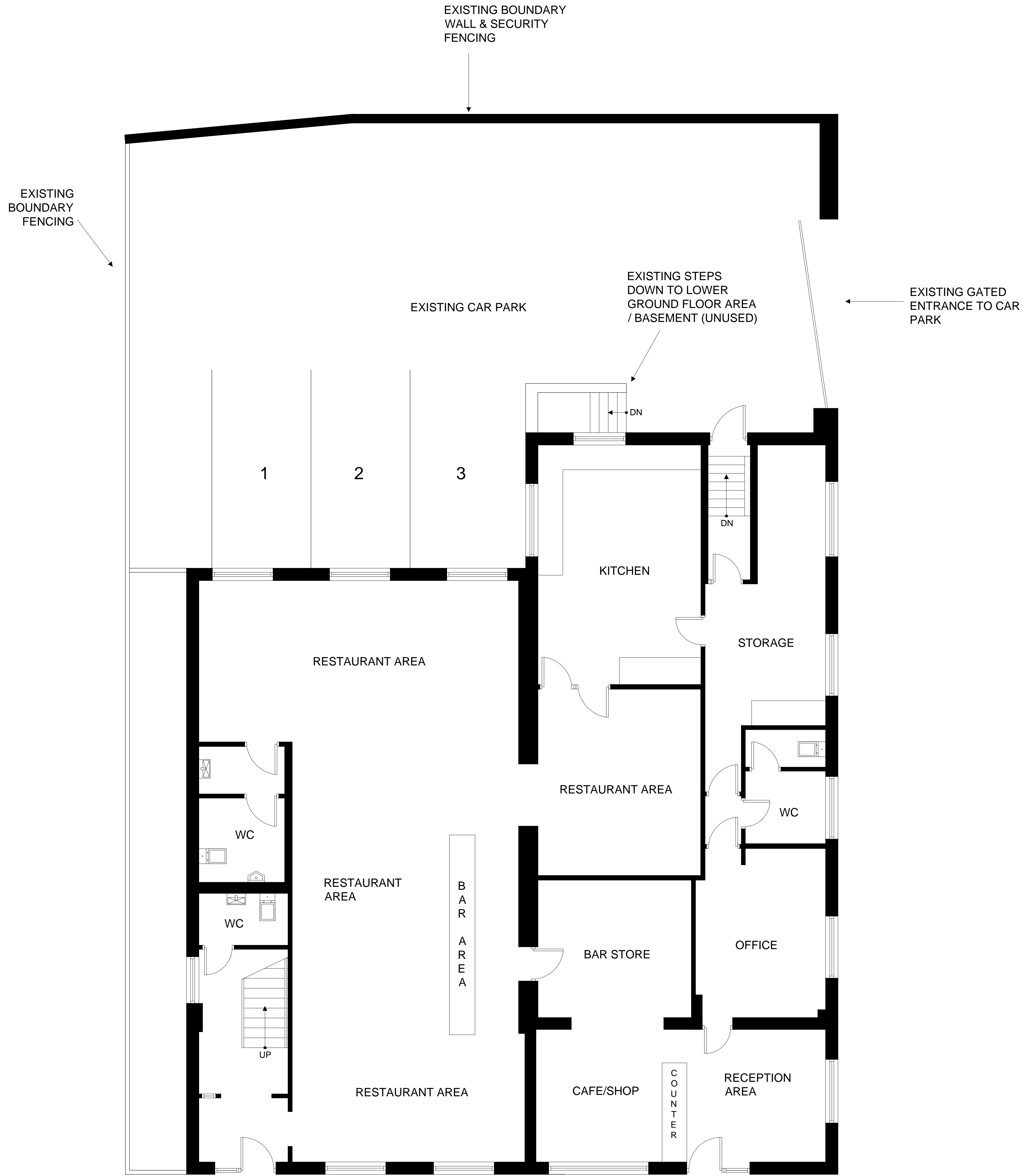
For the avoidance of doubt and in the interests of proper planning.



SITE PLAN

REV	DESCRIPTION
EXISTING SITE PLAN	
CHANGE OF USE OF PREMISES AT 602 CHORLEY NEW ROAD, HORWICH BOLTON, BL6 6EX	
CLIENT:	PKR PROPERTIES
DWG NO:	PL K767/01
SCALE:	1/50 @ A1
DRAWN BY:	R.S.P.
DATE:	27/05/15
REV:	
MICHIGAN HOUSE, 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR TEL: 01204 392233 FAX: 01204 528505 WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK	
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SITE PLAN

REV	DESCRIPTION
A	CAR PARKING SPACES ADDED 20.06.16 D.D.
EXISTING SITE PLAN	
CHANGE OF USE OF PREMISES AT 602 CHORLEY NEW ROAD, HORWICH BOLTON, BL6 6EX	
CLIENT:	PKR PROPERTIES
DWG NO:	PL K767/01
SCALE:	1/50 @ A1
DRAWN BY:	R.S.P.
DATE:	27/05/15
REV:	A
MICHIGAN HOUSE, 17-19 CHORLEY NEW ROAD, BOLTON, BL1 4QR TEL: 01204 392233 FAX: 01204 528505 WWW.NEILPIKEARCHITECTURE.CO.UK EMAIL: INFO@NEILPIKEARCHITECTURE.CO.UK	
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Application number
96771/16



Development & Regeneration Dept
Development Management Section

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

**Bolton
Council**

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Date of Meeting: 25/08/2016

Application Reference: 96771/16

Type of Application: Full Planning Application

Registration Date: 10/06/2016

Decision Due By: 04/08/2016

Responsible Officer: Paul Bridge

Location: 439A BLACKBURN ROAD, BOLTON, BL1 8NJ

Proposal: ADDITIONAL USE OF PROPERTY FOR TAKING TELEPHONE BOOKINGS FOR THE OPERATION OF TWO PRIVATE HIRE VEHICLES.

Ward: Astley Bridge

Applicant: Mr I Jolly
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the use of the residential dwelling for the taking of telephone bookings and the operation of two private hire vehicles.

The proposed vehicles would comprise of two 8 seater mini-buses. The applicant has advised that he has no other personal vehicles as he uses the taxi.

No operational development is proposed and no members of the public visit the property. The dwelling has a garage to the rear which will be used to house one of the vehicles. The other vehicle would be parked on the highway.

Site Characteristics

The application site is a residential dwelling located at 439a Blackburn Road. (The main entrance to the property fronts onto Waverley Road). The rear yard area is covered by a single storey garage. This section of Blackburn Road is characterised by a mixture of commercial and residential use and is opposite the edge of Astley Bridge District Centre. The adjoining property at 439 Blackburn Road is commercial and is occupied by a T-shirt and workwear screen printing and embroidery shop.

Policy

Core Strategy Objectives: SO5 Bolton's Economy, SO9 Crime and Road Safety

Core Strategy Policies: P5 Transport; S1 Crime and Road Safety; CG4 Compatible Uses; RA1 Inner Bolton

Analysis

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

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

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

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

Background

A certificate of lawful development was granted (89945/13) for the proposed additional use of the dwelling house for taking telephone bookings and for the operation of one private hire vehicle. Therefore the main issue in the determination of this proposal is the impact a one further taxi on the following:-

- * Impact on the road network
- * Impact on the living conditions of neighbouring residents

Impact on the Road Network

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

There is no additional parking proposed with the development, other than the existing space with the rear garage. Due to the constraints of the site it is not possible to provide any further spaces. As mentioned above the site would remain fundamentally a residential dwelling with only telephone bookings being taken at the property. There are no parking restriction to the front of the property along Waverley Road and it is not considered that the parking of one more vehicle would in an unacceptable and severe impact on highway safety.

The Councils Highway Engineer has been consulted and has no objections to the proposal. It is considered therefore that the proposal is in accordance with policy P5 of the Core Strategy.

Impact on Living Conditions of Neighbouring Residents

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

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

There are residential dwelling within close proximity to the site. The proposal would not employ anyone other than the occupiers of the dwelling. No customers would visit the address nor would any significant part of the house be specifically for adapted/used for business purposes, nor would it generate significant amounts of traffic.

In addition, there will be no visible signs of work or business activity, or advertisements (save for those in the shop downstairs). The dwelling would merely act as a base for telephone booking and two taxis. It is considered therefore that the proposal would not have an unacceptable adverse impact on the amenity currently enjoyed by neighbouring residents in accordance with policy CG4 of the Core Strategy.

Local finance considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. It is not considered that there are any specific local financial benefits associated with this proposal.

Conclusion

It is considered that the proposal would not have an unacceptable impact on parking/highway safety and would not have an unacceptable adverse impact on the amenity currently enjoyed by neighbouring residents, in accordance with policies P5 and CG4 of the Core Strategy and the relevant paragraphs within the NPPF.

Representation and Consultation Annex

Representations

Letters:- two letter of objection have been received in response to the planning application publicity and who have raised the following concerns:-

- * existing parking problems *Response - The above issue has been addressed in the appraisal.*
- * The proposal could lead to the parking of vehicles on the highway. *Response - The parking of vehicles on a public highway is would not fall under the jurisdiction of the Local Planning Authority.*

Consultations

Advice was sought from the following consultees: Highways

Planning History

89945/13 – LDC for the proposed additional use of the dwelling house for taking telephone bookings and for the operation of one private hire vehicle.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Location Plan received 16 June 2016

Reason

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

3. There shall be no more than two private hire vehicles parked within the curtilage of 439a Blackburn Road at any one time.

Reason: In the interests of residential amenity.

4. No customers or visiting members of the public shall enter 439a Blackburn Road or the curtilage of the site at anytime.

Reason:- In the interest of residential amenity.

Application number
96774/16



Development & Regeneration Dept
Development Management Section

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

**Bolton
Council**

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Date of Meeting: 25/08/2016

Application Reference: 96774/16

Type of Application: Full Planning Application
Registration Date: 13/06/2016
Decision Due By: 07/08/2016
Responsible Officer: Simon Coles

Location: 8 HAWKER AVENUE, BOLTON, BL3 3AL

Proposal: ERECTION OF SINGLE STOREY FRONT, PART TWO STOREY PART SINGLE STOREY REAR EXTENSIONS, LOFT CONVERSION WITH THE INSTALLATION OF DORMER AT REAR AND FORMATION OF HIP ROOF TO GABLE (RESUBMISSION OF 96156/16).

Ward: Harper Green

Applicant: Mr A Z SHABIR
Agent : Y A ARCHITECTURAL SERVICES

Officers Report

Recommendation: Refuse

Proposal

Planning permission (application ref: 96156/16) was refused back in May this year on the following grounds: -

1. The proposal represents an over development of the site which will result in a loss of outlook and privacy for neighbouring occupiers and will result in insufficient private, useable amenity space for the existing dwelling and would be out of character with the surrounding locality and is thus contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions'.

2. The proposal would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at 6 and 8 Hawker Avenue and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

3. The proposal makes insufficient provision for car parking in connection with the proposed development which is likely to result in on-street traffic and parking problems, and is thus contrary to Policy P5 and Appendix 3 of Bolton's Core Strategy.

This application is the same proposal that was refused and consists of: -

- single storey front extension. Projects 1.8 metres and full width of front of dwelling. Contains

mono-pitched roof with two rooflights. The extension provides an extended porch and lounge area;

- part two storey/part single storey extension at rear. First floor extension projects 4.05 metres; ground floor projects 5.426 metres. Extension is to be handed towards no. 10 and be 3.14 metres in width. This element of the proposal is to provide a kitchen and W.C. at ground floor and a bedroom at first floor;
- hip-to-gable roof conversion and installation of a rear dormer extension to facilitate a new bedroom with en suite in the roof space.

Site Characteristics

This is a mid-terraced dwelling sited within a row of six. The character of the area is residential. On this side of Hawker Avenue there are three rows of six terraced dwellings which are all of a similar design.

The application property has a hipped design feature as it forms the middle property within the row. This is the same within the two other blocks.

To the front the property has a driveway that can accommodate two vehicles. The rear garden is only fairly small and backs onto Back Higher Swan Lane, facing a row of traditional terraced properties.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses and RA1 Inner Bolton.

SPD House Extensions and SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality

of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy RA1 of the Core Strategy relates specifically to developments in Inner Bolton and states that the Council will ensure that development has particular regard to massing and materials used, will respect and strengthen the traditional grid-iron pattern and street-scaping of existing houses where it is compatible with good urban design, and will require development to provide adequate privacy and amenity space.

SPD House Extensions provides general advice on house extensions and offers guidance relating to the effect of extensions on the appearance of the dwelling itself and the effect of extensions on the street scene and the character and appearance of the area.

Single storey front extension

The front single storey porch and lounge extension projects to the front by 1.8 metres and is the full width of the dwelling. It is to incorporate a mono-pitched roof with two rooflights proposed in the roof plane. The materials to be used in the extension part brick (lower element) and part render to be in-keeping with the materials of the existing dwelling. With regard to the extensions impact within the street scene, it was noted on site that there are no other similar extensions however, given that it represents a fairly modest addition to the front of the property and thus it is considered that the extension would not have an adverse affect on the character and appearance of the existing dwelling, nor the surrounding area.

Rear extension

The ground floor element is to project 5.426 metres to the rear. The first floor element is to project 4.05 metres. The extension is to be handed towards no. 10 Hawker Avenue and is to be 3.14 metres wide. The overall height of the extension is to be 5.982 metres. The first floor extension is to incorporate a dual pitched roof with gabled rear. The ground floor extension is to incorporate a mono-pitched roof (left to right slope).

There are no other similar extensions sited on the back of any of the properties in this location. It is considered that this element of the proposal represents size/massing that exceeds the guidance within SPD House Extensions (particularly with regard to remaining private amenity space) and therefore it is considered that the proposed extension is not in-keeping with the existing dwelling, nor the character and appearance of the surrounding area.

Hip to roof conversion and rear dormer extension

The property currently has a hipped roof feature, which the proposal intends to build up to come flush with the ridge line. The works proposed (including rear dormer) are to facilitate the conversion of the roof space into habitable accommodation. It is considered that the hip to gable change in this case will fundamentally alter the character and appearance of the existing dwelling and would as a result become a discordant feature in the street scene.

Further to the above, it is considered that the rear extension and hip to roof (incl dormer) will have an adverse impact on the character and appearance of the existing dwelling and the surrounding area, particularly in the street scene of Hawker Avenue and Back Higher Swan Lane and thus the proposal is considered to be contrary to Policy CG3 of the Core Strategy and guidance contained within the General Design Principles SPD and the House Extension SPD.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking.

Front single storey extension

The front extension is not considered to have a detrimental impact on the adjoining neighbours given its size.

Rear extension

SPD House Extensions (2012) states that rear single or two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be considered acceptable. Single storey extensions longer than 4 metres may be acceptable if the space remaining at the end of the yard would be unusable or if the impact on the neighbour would be limited by screening – for example, where there is an existing extension which the proposal would abut in the adjacent dwelling.

The proposed first floor extension is in-line with the above guidance. The ground floor extension projects 5.426 metres and is therefore longer than the above guidance and given that there are no other extensions at either 6 or 8 Hawker Avenue it is considered that the extension would have a detrimental impact on these residents. Further to this, windows are proposed in the upper floor side elevation facing number 6 which would create a privacy issue to these residents.

Hip to roof conversion and rear dormer extension

These works are not considered to have a detrimental impact on the amenity of the neighbouring residents.

Further to the above, the rear ground floor extension is considered to have a detrimental impact on the attached neighbouring residents with regard to loss of light/overbearing nature and also loss of privacy to number 6 Hawker Avenue.

Impact on Parking

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.

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on highway safety.

At this location where the substandard carriage way width and substandard footway widths result in any on-street parking causing obstruction to the footway and/or carriage way and blocking adjacent vehicular accesses, the Council's parking standards must be met in full i.e. 2 spaces. Since the width of the front garden between fences is insufficient to allow 2 spaces side by side (2.7m per space would be required) and the proposed front extension would prevent the parking of two cars end to end, this proposal would seem to be an over intensive development of the site. It is recommended that the front extension be deleted and 2 car parking spaces 2.4m x 4.8m provided (end to end).

Appendix 3 - Parking Standards advises that two off road parking spaces be provided for a three bedroom house. The property currently has space for two vehicles. The single storey front extension will result in the loss of one of these spaces and this is considered to be unacceptable in this location given the substandard carriage way width and therefore the proposal is contrary to Policy P5 and Appendix 3 - Parking Standards within the Core Strategy.

Local finance considerations

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

Conclusion

The proposal as a whole is not consistent with the guidelines contained in SPD - House Extensions (2012), nor is it consistent with Bolton's Core Strategy (2011).

For the reasons given above the proposal is recommended for refusal.

Representation and Consultation Annex

Representations

Letters:- None

Elected members: - Cllr. Mistry has requested the application be heard at Planning Committee after an advanced site visit.

Consultations

Advice was sought from the following consultees: Highways (addressed above).

Planning History

96156/16 - Erection of single storey extension at front, two storey and single storey extensions at rear, loft conversion with the installation of a dormer window at rear and formation of hip roof to gable - Refused.

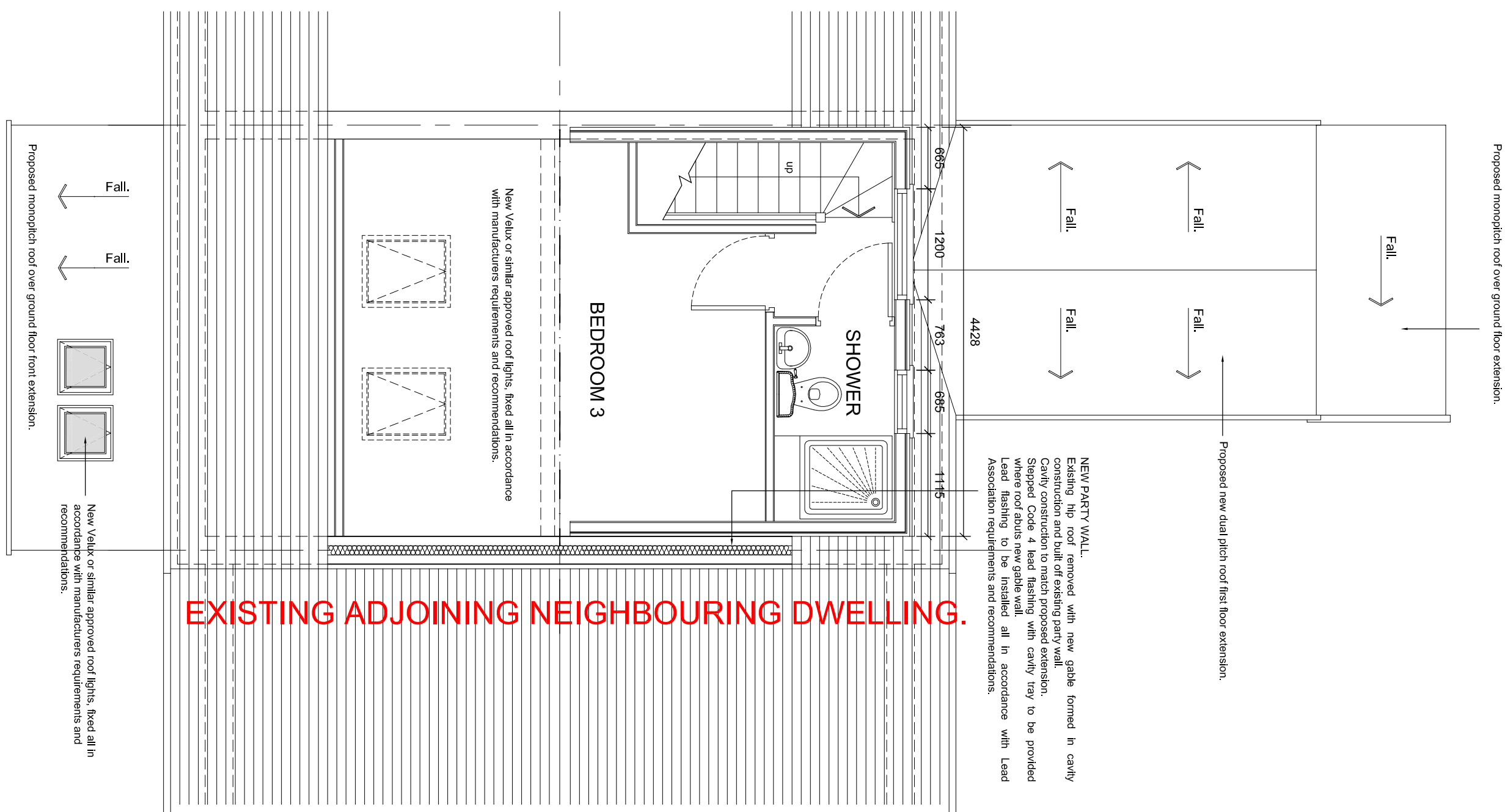
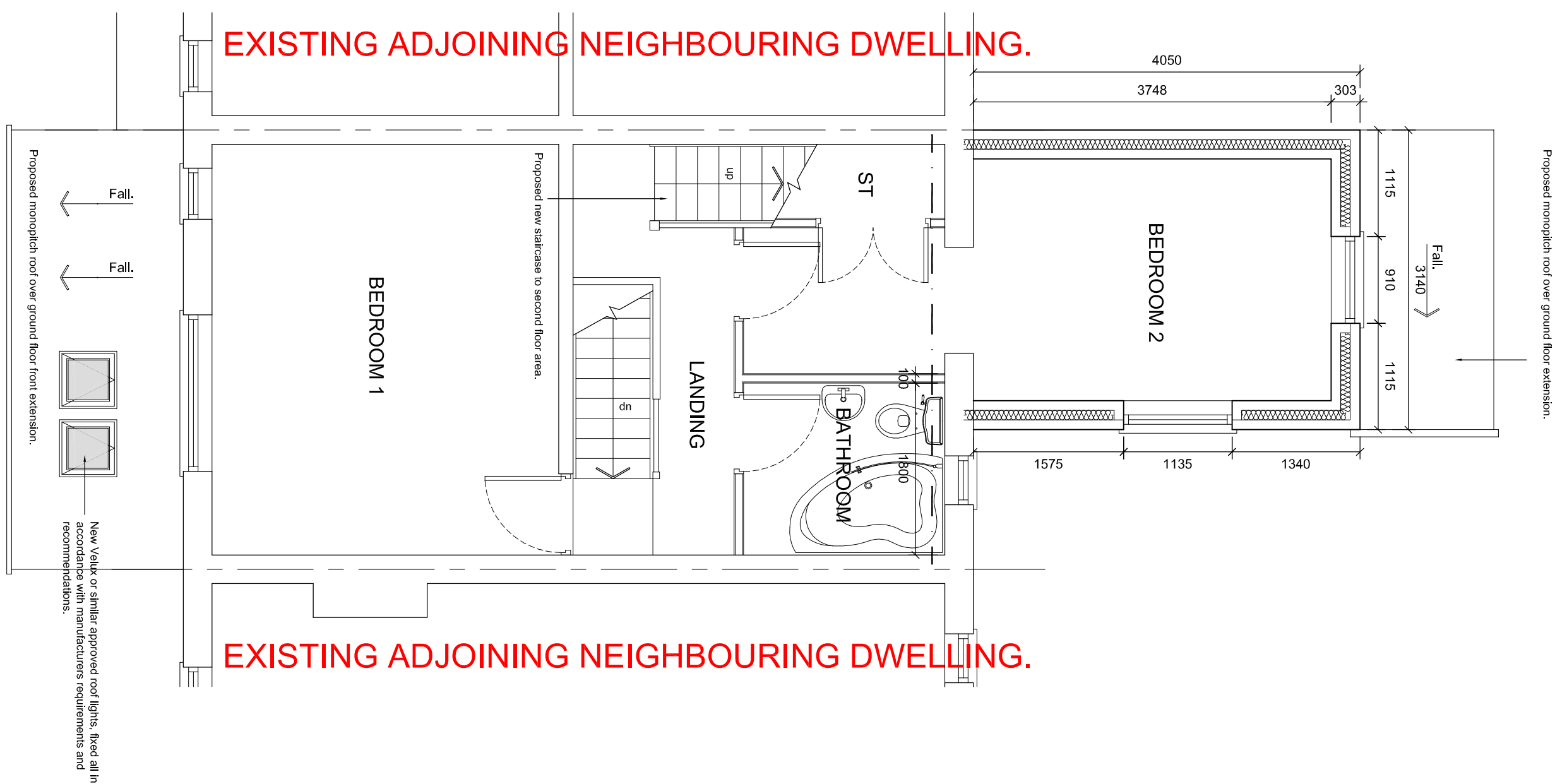
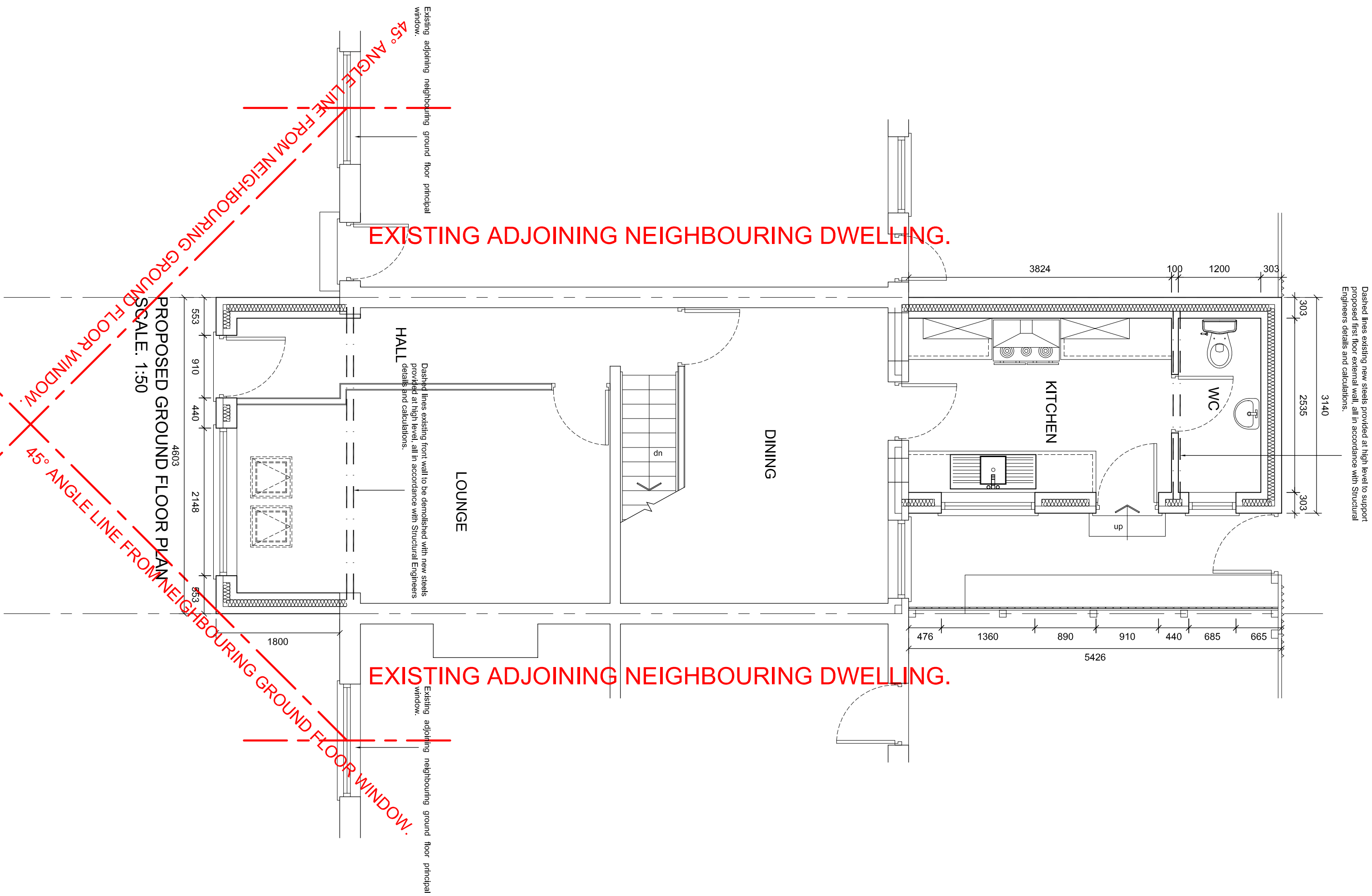
Recommendation: **Refuse**

Recommended Conditions and/or Reasons


1. The proposal represents an over development of the site which will result in a loss of outlook and privacy for neighbouring occupiers and will result in insufficient private, useable amenity space for the existing dwelling and would be out of character with the surrounding locality and is thus contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions'.
2. The proposal would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at 6 and 8 Hawker Avenue and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".
3. The proposal makes insufficient provision for car parking in connection with the proposed development which is likely to result in on-street traffic and parking problems, and is thus contrary to Policy P5 and Appendix 3 of Bolton's Core Strategy.

GENERAL NOTES

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2. All dimensions are approximate only and are to be checked on site by contractor and any discrepancies to be reported prior to commencement of work.
3. Do not scale from the drawing, only work to written dimensions.
4. All new drains to be laid, jointed and tested to the entire satisfaction of the local authority.
5. To comply with current Building Regulations and subsequent revisions.
6. Foundations not to encroach over boundaries.

[illegible]

PLANNING ISSUE

<p>  Y A Architectural Services Unit 9, Housfield, Hinchley Green, Station Road, SAE Housfield, Hinchley Green, Station Road, SAE email: info@yad.co.uk www.yad.co.uk </p>	<p> MEMORANDUM DATE </p>
<p> DRAWN Y. AMMED CHECKED </p>	<p> DATE 21.03.18 SCALE 1:50 </p>
<p> PROJECT PROPOSED ERECTION OF A SINGLE STOREY FRONT, DOUBLE STOREY EXTENSION WITH A REAR DOORWAY WINDOW AND FORMATION OF HIP TO GABLE ROOF AT 8 HAMMER AVENUE, BOLTON. MR ABDUL ZAHIR SHABIR. </p>	
<p> PROPOSED PROPOSED GROUND, FIRST AND SECOND FLOOR PLANS. </p>	
<p> ADJN YK 1436-P02 </p>	

Application number 96801/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 96801/16

Type of Application: Full Planning Application

Registration Date: 17/06/2016

Decision Due By: 11/08/2016

**Responsible
Officer: Kara Hamer**

Location: 34 LOSTOCK JUNCTION LANE, LOSTOCK, BOLTON, BL6 4JW

**Proposal: CONSTRUCTION OF NEW DRIVEWAY INCLUDING FELLING OF
ONE ASH TREE.**

Ward: Heaton and Lostock

Applicant: Mr C Boardman
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought to resurface the existing driveway which includes the removal of one Ash tree to incorporate a circular vehicular flow and erection of entrance gates.

Landscaping works have been carried out recently at the application site which have resulted in intervention from the Council's Planning Enforcement Officers and the Tree and Woodland Officer. A large amount of inert materials (bricks, stone, hardcore) were imported onto the site. The importation of these materials, together with the construction of a new driveway, are considered to be engineering operations requiring planning permission. After the intervention from Planning Enforcement, the applicant removed the majority of the imported materials and remediation works have been implemented to satisfactory standards.

Other works have recently been carried out on site including the erection of a low level block wall (under permitted development rights) faced and topped with natural stone and removal/pruning of mature vegetation.

Site Characteristics

Lostock Junction Lane spans between Chorley New Road and Rumworth Road. The immediate area is residential, consisting of large dwellings occupying generous sized plots accessed off a private, gated (wrought iron) driveway, which leads to the gated entrance of no. 32 (Willowbank) Lostock Junction Lane.

Neighbouring properties to all sides are residential. Properties have off road parking provision.

The application site is a formerly tarmaced (black) driveway surrounded by mature vegetation providing access to no.'s 34A and 34B Lostock Junction Lane. The driveway has a slight gradient

sloping away from the property to the north east. There is a garage block sited to the west. At the Officer's site visit it was noted that bin storage and some vehicle parking takes place parallel to the property where there is a small amount of hard standing to the north, south and east elevations.

Policy

National Planning Policy Framework

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

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

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area and the amenity of neighbouring residents
- * impact on the highway
- * impact on protected trees

Impact on the character and appearance of the area and the amenity of neighbouring residents

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

Core Strategy policies CG3.2 and CG3.3 require proposals to respect and enhance local distinctiveness, being compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment, including hard/soft landscaping and boundary treatment.

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

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 should not generate unacceptable nuisance, odours, fumes, noise or light pollution.

The application site is a semi detached property occupying a generous plot and benefits from reasonable separation distances between adjacent residential properties. The site is currently cleared

and partly prepared for the proposed works. The use of the site as a private driveway to access properties at no.'s 34A and 34B Lostock Junction Lane is long established. The previous form of the driveway was two straight sections with a central triangular shaped area of landscaping, merging at the same point into the main shared private access road parallel to the north/side elevation of the bungalow at no. 30 Lostock Junction Lane where a driveway is sited.

The proposal would create a circular driveway. The position of the new driveway and the entrance/exit point has not changed from the original, instead landscaping has been removed to provide increased width and a circular form which utilises an area of hardstanding immediately east of the property. Soil levels will be increased towards the east boundary and retained by the new low level, stone faced wall. The surface will be black tarmac, in keeping with the former surface and that of the private access road.

The proposed wrought iron, double opening, entrance gates will be 2.3m in height and 3.7m wide. Two pedestrian gates are proposed to be set either side with three stone support pillars. The overall width of the entrance is 8.0m.

It is not considered that the proposal will generate any detrimental impact on the character and appearance of the area.

The gates will be sited on the entrance (eastern) arm of the proposed driveway, approximately 17m from the front elevation of the bungalow at no. 30 Lostock Junction Lane which contains a large main room (living room) window. The eastern arm is set at a slightly lower ground level than the bungalow at no. 30 (approx 1.0m) and mature boundary landscaping (evergreen and deciduous mix) of between 5.0m and 2.0m in height affords some screening. Assuming a clockways traffic flow, the exit arm runs parallel to the front elevation of the bungalow at no. 30 Lostock Junction Lane and will remain ungated.

It is not considered that the proposal will generate any further detrimental impact on the amenity of the residents at no. 30 Lostock Junction Lane than the long established driveway use/position and the long established use of the hard standing sited on the eastern elevation of the property.

It is therefore considered that the proposal complies with policies CG3 and CG4 of Bolton's Core Strategy.

Impact on the Highway

Core Strategy policy S1 seeks to promote road safety in the design of new development.

The application site is a private gated driveway off Lostock Junction Lane and provides access to a small number of large residential properties. One other property at no. 32 has a gated entrance.

The proposal would create a circular driveway where drivers can enter and exit in forward gear thus removing the need for reversing manoeuvres. The position of the new driveway and the entrance/exit point has not changed from the original, instead landscaping has been removed to provide increased width and a circular form which utilises an area of hardstanding immediately east of the property. Soil levels will be increased towards the east boundary and retained by the new low level wall.

It is not considered that high vehicular speeds can be achieved on sections of the proposed circular driveway, the straightest section (entrance/eastern arm) is approximately 18m in length whilst the exit arm merges with the main shared private access road at the north east corner of the dwelling.

There is sufficient space for one vehicle to wait off the main shared private access road for the gates to open.

Officers consider that the proposal would not jeopardise highway safety in this location and as such the proposal is compliant with Policy S1 of Bolton's Core Strategy.

Impact on Protected Trees

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

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

The Council's Trees and Woodland Officer has advised the applicant on the recent site remediation works and the proposal, specifically the position of the low level wall, the position of the driveway, replacement and additional trees and landscaping and tree root zone protection.

It is recommended that Conditions are included in an approving decision notice to safeguard tree root zones during construction and for a tree and landscape planting scheme.

Subject to recommended Conditions, it is considered that the proposal accords with Core Strategy Policy CG1.2.

Local finance considerations

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

The Applicant submits that in the case of this proposal, which will provide only restoration of a domestic garden driveway and landscaping, it is considered that there will be nil financial benefit to the applicant and/or nearby residents or the local community. The development has been undertaken primarily for health and safety and amenity reasons, not for financial benefits.

Conclusion

Given the above detail, it is not considered that the proposal will generate any further detrimental impact on the character and appearance of the area than the former driveway, would not jeopardise highway safety by altering vehicular activity/driver behaviour that would have a harmful effect on the living conditions of nearby residents and subject to Condition, would not have a detrimental impact on trees, as such the proposal complies with aforementioned local and national planning policies and is therefore recommended for approval.

Representation and Consultation Annex

Representations

Letters:- 3 letters expressing support for the proposal have been received from nearby residents.

1 letter has been received from a nearby resident objecting to the proposal on the grounds of;

- The proposed gates are a short distance away from our lounge window, they are slightly further away, but still a short distance, from one of our bedroom windows. The inevitable impact of gates is that traffic has to stop and wait while access is allowed to the enclosed area. This will have the following effects constituting a legal nuisance: (a) Increased noise (b) Increased localised air pollution (c) Increased light pollution and disturbance.
- The gates do not appear to be intended to enclose any area at all.
- Because of the nature of the properties with whom we are neighbours, there are a number of powerful cars and vehicles that are either four wheel drive or crossover sports utility vehicles or sports cars. Neighbouring cars have included at one time or another a Bentley GT, a Ferrari, a Land Rover Discovery, a Range Rover Vogue, a Mercedes SLR, a Porsche Cayenne and a BMW X5. *Officer Comment - the make/model of cars used by neighbouring properties is not considered to be a material planning consideration.*
- the drawings submitted with this application are compatible neither with the surrounding architecture nor the wider landscape. Nor are they typical of the ways in which boundaries are treated within the area, with many boundaries being open plan or with light "through visibility" fencing.
- The removal of so much mature planting and its replacement by what appears to be tarmac, or (where limited planting has taken place) tiny shrubs that will take many years to mature to a state where the environment is restored, will contribute to (Flooding). *Officer Comment - neither the application site nor the objectees property is within a designated flood risk area.*
- Our privacy has already been substantially compromised as a result of the works carried out before the Council intervened. We are now visible from Lostock Junction Lane and Glengarth Drive, as well as overlooked by neighbours where we were not before. Our amenity has been compromised because of the destruction of the mature planting and its replacement with a building site and (if the proposed application is allowed), what is effectively a stopping point for noisy and polluting vehicles.
- They (the gates) are a folly, not in the modern sense that they are foolish or ill advised, but in the classical sense that, if constructed, they will merely be a piece of decoration.
- The applicant has indicated that he intends to build, variously, a house, or a bungalow, or carry out other works to the side of 34 Lostock Junction Lane. We raise this because, in our submission Mr Boardman should be asked why the gates secure nothing, and whether he does in fact have such plans. If he confirms that he does not, planning permission should be granted on the clear basis that such further development will not be permitted. If he does, he should be asked to apply for planning permission for that further development at the same time so these proposals can be considered in the round.
- All of the negative effects listed above, including all the respects in which the proposed development does not comply with the Core Strategy could be ameliorated very simply and at little or no cost to the applicant or other neighbours, but simply by moving the gates further away from our main living area, probably further back towards Lostock Junction Lane, and with further planting.
- No designated parking spaces.
- No designated refuse bin storage area.
- If a circulatory scheme is genuinely intended, traffic exiting the scheme will have to exit and merge with a driveway whose view is obscured by the wall of 34 Lostock Junction Lane, and risk colliding with vehicle or foot traffic coming from 36 and 32 Lostock Junction Lane.

Consultations

Advice was sought from the following consultees: The Council's Tree and Woodland Officer.

Planning History

74655/06 - ERECTION OF ONE DETACHED DWELLING - approved September 2006.

Various tree applications.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

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

Reason

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

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 to comply with policies CG1.2 and CG3 of Bolton's Core Strategy.

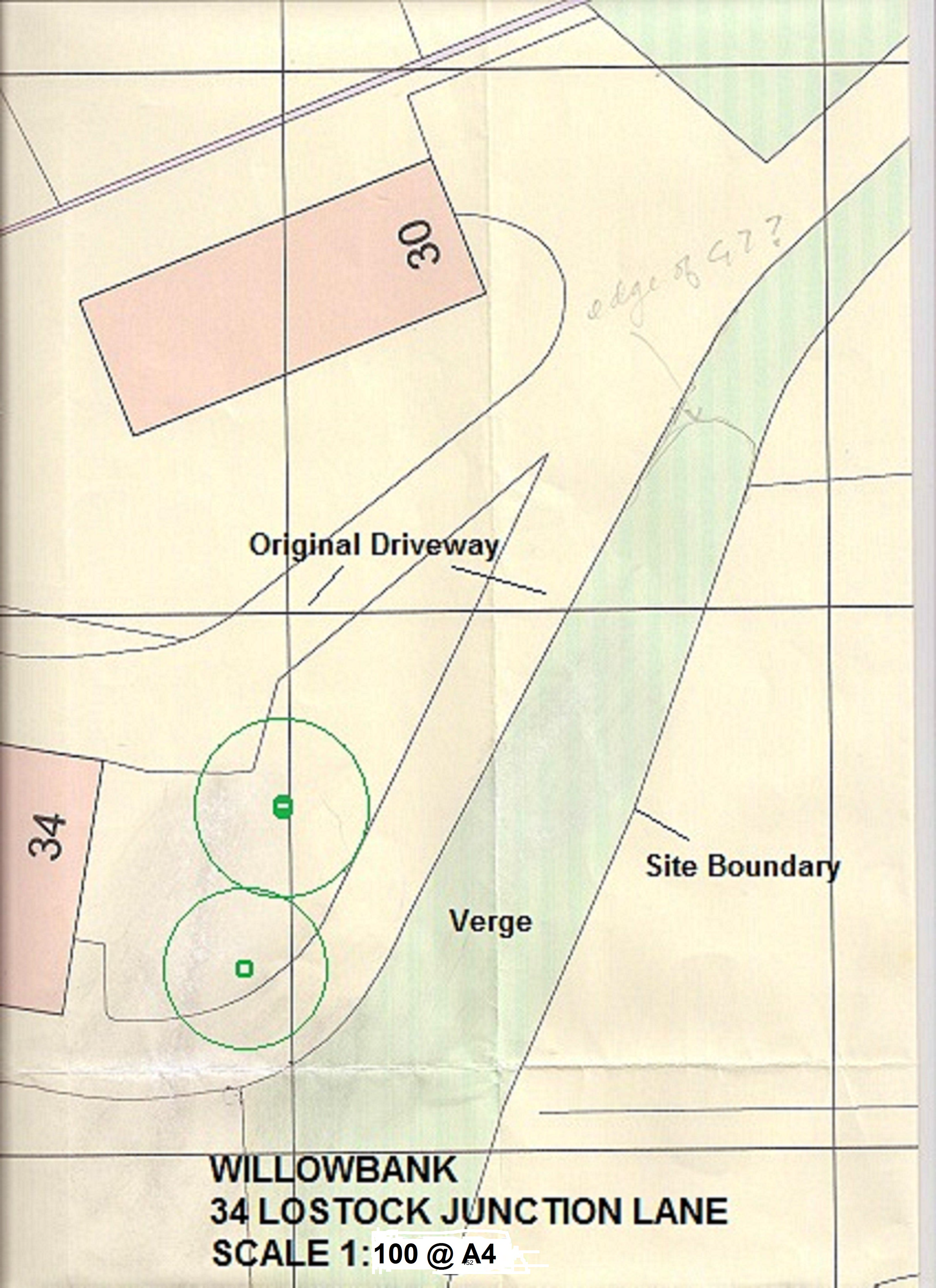
4. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Proposed landscaping and access, (scanned to file 07/07/16)

Proposed internal garden entrance gates, Drwg No. CB.01, June 2016 (scanned to file 01/07/16)

Reason

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



WILLOWBANK
34 LOSTOCK JUNCTION LANE
SCALE 1:100 @ A4



WILLOW BANK
LOSTOCK JUNCTION LN,

REVISED DRAWING
PROPOSED LANDSCAPING AND
ACCESS FOR C. BOARDMAN ESQ.
scale 1:200

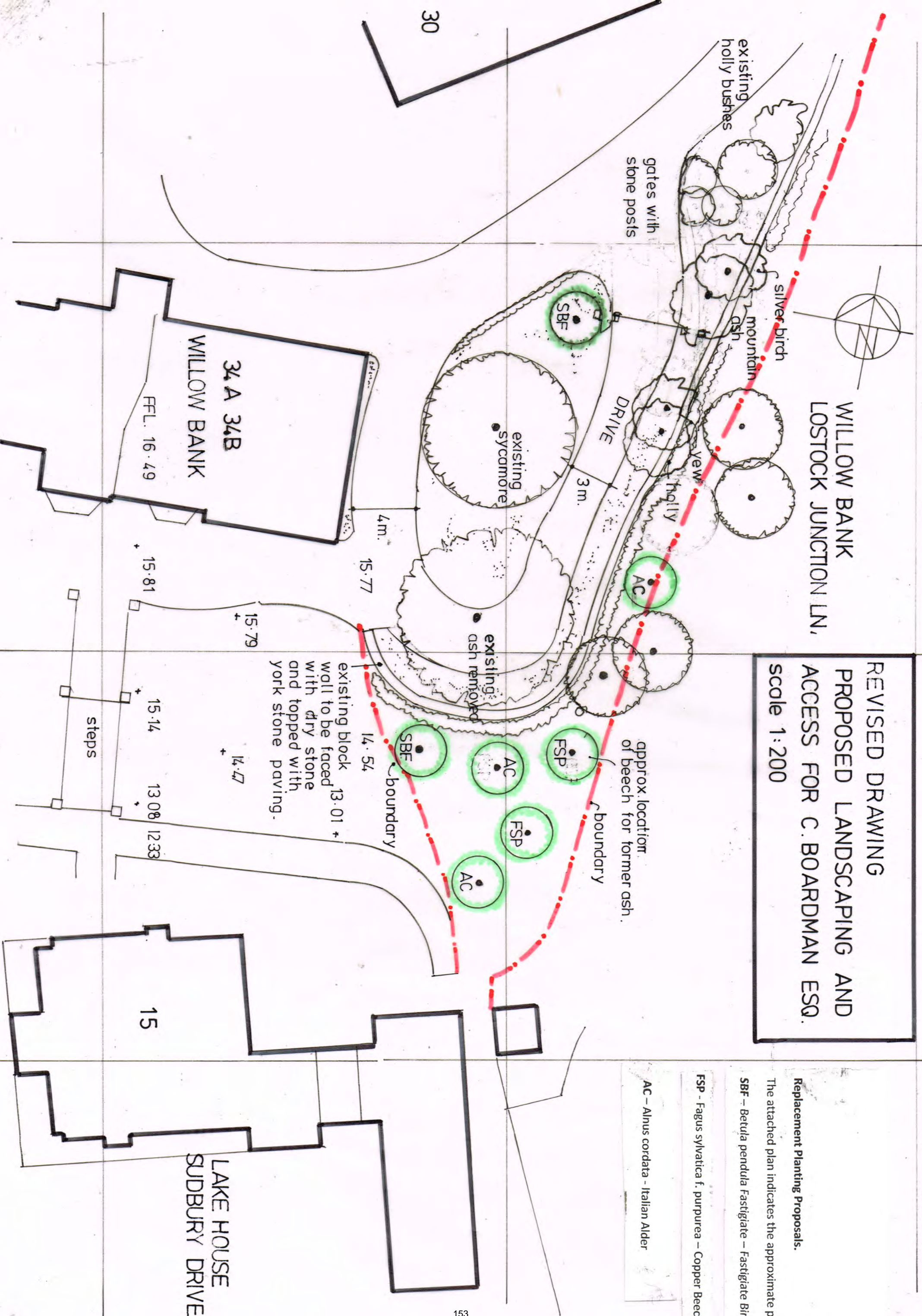
Replacement Planting Proposals.

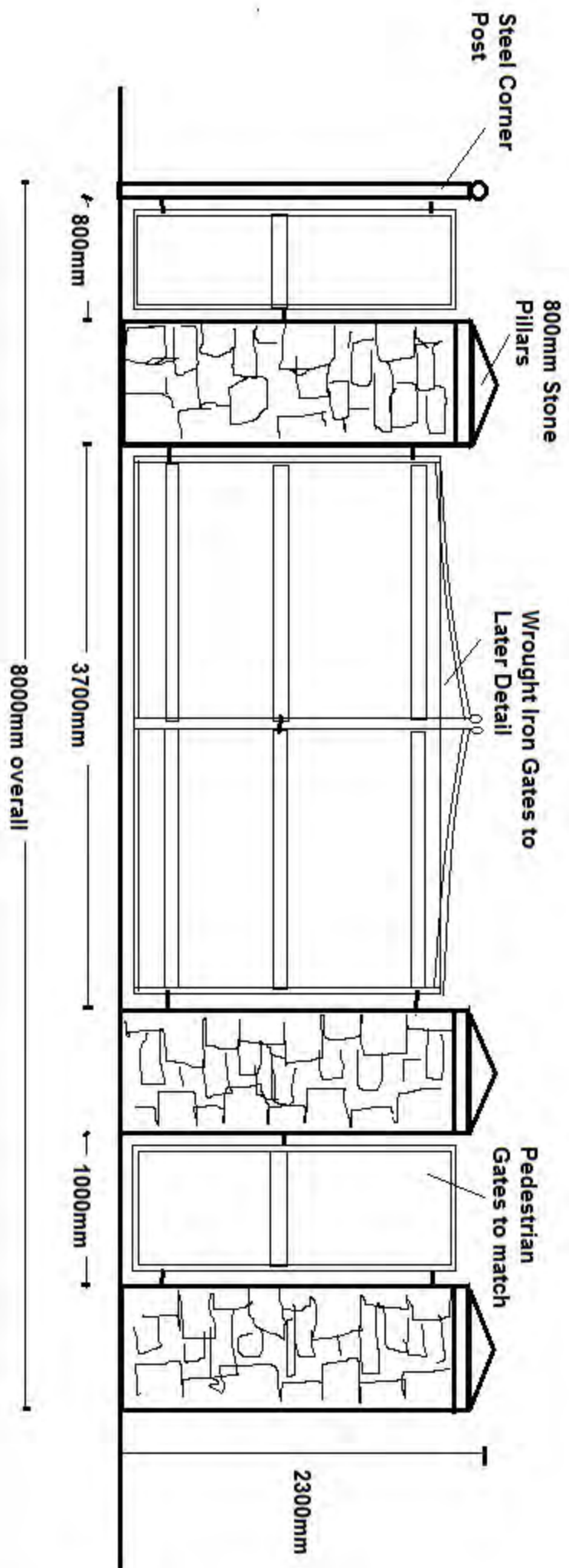
The attached plan indicates the approximate planti

SBF – Betula pendula Fastigiata – Fastigiata Birch.

FSP – Fagus sylvatica f. purpurea – Copper Beech

AC – Alnus cordata - Italian Alder

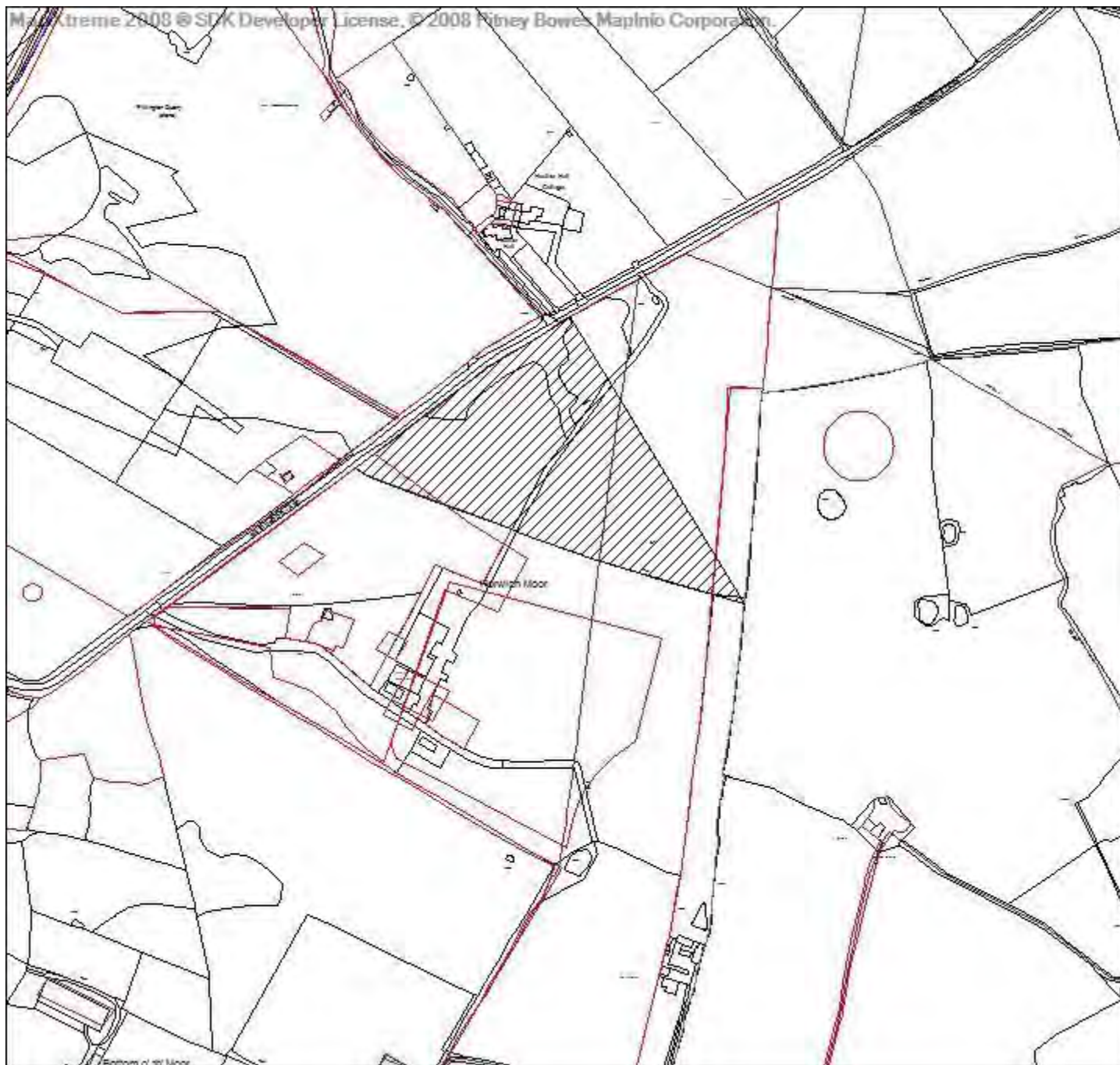




**PROPOSED INTERNAL GARDEN ENTRANCE GATES TO
'WILLOWBANK'
34 LOSTOCK JUNCTION LANE, BOLTON
FOR MR C BOARDMAN**

Dwg No CB.01
June 2016 Not to Scale

Application number 96905/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 96905/16

Type of Application: Full Planning Application
Registration Date: 30/06/2016
Decision Due By: 28/09/2016
Responsible Officer: Helen Williams

Location: HORWICH MOOR FARM, MATCHMOOR LANE, HORWICH, BOLTON, BL6 6PR

Proposal: IMPORTATION OF SUB-SOILS, INERT MATERIALS AND TOP SOILS (TO ALLOW FUTURE USE FOR GRAZING OF LIVESTOCK).

Ward: Horwich North East

Applicant: Mrs T Miller
Agent : Mr N McMillan

Officers Report

Recommendation: Refuse

Proposal

Permission is sought for the importation of inert materials and sub-soils to the application site to allow the site to be subsequently used for agricultural use and the grazing of livestock.

Two plans have been submitted with the planning application showing proposed finished levels to the site (labelled "C" and "D"). The applicant has been asked which of the two plans they would be working to, however at the time of writing this report the applicant had not responded. If any confirmation is received, this will be reported directly to the meeting.

It is also unclear from the submitted plans what the finished ground levels would be (owing to the quality of the submitted plans) and the tonnage of material that would be required to achieve these levels. The applicant has also been asked to submit clearer plans and additional information with regard to the proposal, which again will be reported directly to the meeting should these be received.

This officer's report therefore considers both proposed plans, but without the detailed proposed finished levels.

Four sections of land at Horwich Moor Farm have previously been granted permission for the importation of inert materials and subsoils, to allow for grazing and agricultural uses. These areas are shown on the "Site History" plan attached to this report (covered by three planning approvals). Works approved by applications 78560/07 and 85706/11 have been completed and the ground has been re-seeded with grass clover sward.

The current application site is located immediately to the north of the previous planning approvals.

The application is presented before Committee as the application site is over 1 hectare in size.

Site Characteristics

The application site is a 3.5 hectare section of Horwich Moor, and constitutes approximately a quarter of the land at Horwich Moor Farm. The site is bounded to the north west by Matchmoor Lane and to the north are the residential properties at Heather Hall and Heather Hall Cottages. The farm buildings at Horwich Moor Farm are to the south of the application site.

The site slopes down to the south.

Horwich Moor is classified as a Grade B Site of Biological Importance (SBI) due to its mosaic of heath, marshy grassland, neutral grassland and for bryophytes (a plant group including mosses and liverworts). Grade B SBIs are defined as sites of district importance (rather than county (Grade A) or local importance (Grade C)).

The site is within Green Belt and the Upland Moorland Hills Landscape Character Area.

Public right of way Horwich 061 runs through the centre of the application site in a north-south direction.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Accessibility and Transport; S1.2 Road Safety; CG1.1 Rural Biodiversity; CG1.5 Reduce Flooding; CG3.2 Local Distinctiveness; CG3.7 Landscape Character; CG4 Compatible Uses; OA1 Horwich and Blackrod.

Allocations Plan Policies: CG7AP Green Belt and P8AP Public Rights of Way.

A Landscape Character Appraisal of Bolton (2001)

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the appearance and landscape character of the area
- * impact on the purposes and openness of the Green Belt
- * impact on biodiversity
- * impact on ground quality

- * impact on water quality
- * impact on land drainage
- * impact on the public right of way
- * impact on the highway
- * impact on the amenity of neighbouring residents

Impact on the Appearance and Landscape Character of the Area

Policy CG3.2 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring that development has regard to the overall built character and landscape quality of the area. Policy CG3.7 states that the Council will maintain and respect the landscape character of the surrounding countryside and its distinctiveness.

Core Strategy Policy OA1 states that the Council will [amongst other things] conserve and enhance the character of the existing landscape and physical environment, and ensure that new development does not harm the landscape setting and protects views from public areas to the surrounding landscape.

The application site is within the Upland Moorland Hills Landscape Character Area. The Landscape Character Appraisal of Bolton states that a key landscape feature of Upland Moorland Hills is the valuable mosaic of upland habitats including blanket bog, heather moorland, wet heath and acid grassland.

As explained above, two plans have been submitted showing finished ground levels following proposed the importation of materials. These plans are labelled "C" and "D" and differ by way of their proposed profile. The applicant has been asked to confirm which proposed levels (which plans) they would be working to, and also to confirm the proposed contour levels: this information will be reported directly to the meeting should it be received.

Without this information this report will consider both proposed levels plans, as submitted:

Plan "C"

In this plan it is proposed to import the majority of the material to the north eastern half of the triangular application site and create a rectangular plateaued area (gradually rising in height to the north east). The plan shows steep slopes around the south western, south eastern and north eastern borders of the "rectangle" where the profile of the imported material will meet the existing levels of the wider site. The slope will be particularly steep at the south of the proposed plateau area, and therefore this area of finished land will be very elevated from the existing ground to the south and south east.

It should be noted that the proposed plateaued area extends into land to the north east of the application site, which is not included within the red edge of this application. The proposed re-profiling of the application site cannot therefore be achieved without importing material outside the application site (which the applicant has not applied for).

Plan "D"

In this plan it is again proposed to import the majority of the material to the north eastern half of the triangular site. A further plateaued area is proposed (gradually rising in height to the north east), however this is more 'trapezium' in shape and is shown to extend into the majority of the neighbouring land to the north (which is not included within the red edge of this application). As with Plan "C", the proposed re-profiling of the application site cannot be achieved without importing material outside the application site (which the applicant has not applied for). Again, steep slopes are proposed around the south western and south eastern borders to the proposed plateaued area, and

the proposed finished land will be very elevated from the existing ground to the south and south east.

Both plans illustrate that the finished re-profiling of the application site will be greatly changed from the existing profile of the land. It is not considered that the proposed plateaued area with steep slopes surrounding it would appear as a natural form within the landscape and does not respect the existing gentle southerly slope of the area.

It is therefore considered that the proposed importation of materials, and the resultant re-profiling of the site, would not conserve, enhance or respect the landscape quality and character of the area, contrary to Policies CG3 and OA1 of Bolton's Core Strategy.

Impact on the Purposes and Openness of the Green Belt

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

The application is within Green Belt.

The site is currently used for agriculture and the proposal would allow the site to be better used for this purpose (increase in pasture). Agriculture is considered to be an "appropriate" use within the Green Belt.

The profile of the application site will be significantly altered as a result of the proposed works and the land levels of the site will be increased. Whilst the proposed development will have a harmful effect on the character and appearance of the site and the wider area, it is not considered that the openness of the Green Belt would be detrimentally harmed given that the land will still be open (that is, no buildings or structures are proposed).

It is therefore considered that the purposes and openness of the Green Belt will not be harmed by the proposed development, compliant with Policy CG7AP of Bolton's Allocations Plan.

Impact on Biodiversity

Strategic Objective 12 of the Core Strategy is to protect and enhance Bolton's biodiversity. Core Strategy CG1.1 states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows, geodiversity, landscape character, recreational or agricultural value.

The application site included within the current boundary of Horwich Moor Site of Biological Importance (SBI). The area was designated as an SBI because it supported a mosaic of heath, marshy grassland and neutral grassland. It is believed that the habitats once covered a larger area of the moor but this has been lost over recent years.

Greater Manchester Ecology Unit (GMEU) and the Council's Wildlife Liaison Officers have both been consulted on the proposed development. The Council's Wildlife Liaison Officers have commented that heavy grazing and/or inorganic fertilisers have impacted upon the application site, which now has no heather habitat remaining and consists of species poor pasture. They state that some marshy grassland remains (which is a Greater Manchester Biodiversity Action Plan habitat) but it is relatively species poor and may not be said to properly constitute the priority habitat. Officers also comment that agricultural management has led to the demise of the main biodiversity interest upon the application site.

The Council's Wildlife Officers therefore request, should the application be approved, that compensation/mitigation for the loss of habitat be delivered by the applicant. This would need to be secured by a condition, with details of the measures to undertaken to be agreed with the local planning authority/Wildlife Liaison Officer.

It is therefore considered that the proposed development would not adversely affect the biodiversity of the application site.

Impact on Ground Quality

Policy CG4 of the Core Strategy states that the Council will ensure that development does not [amongst other things] cause detrimental impacts upon ground quality.

Inert material would be imported onto the application site. At the time of writing this report, the Council's Pollution Control Officers had not commented on the application (any comments will be reported to Members at the meeting). Officers however have previously advised (for similar applications at the farm) that a condition be attached to ensure that the local planning authority has agreed a verification plan before the commencement of development (a plan to include sampling and test criteria and proposals of records to be retained that will demonstrate that the materials to be imported are safe for deposition in respect of the proposed end use of grazing and to prevent contamination of ground waters in the area) along with a validation report (the record of all sampling and testing results and data collected to demonstrate that the imported materials are to the standards required).

The verification plan and validation report would also determine whether the site is safe for its intended use (grazing of livestock).

The Environment Agency has commented that the proposed development would require a waste management license in accordance with the requirement of the Environmental Protection Act 1990 and confirm that previous Environmental Permits have been held by the applicant for similar waste activities. This requirement is separate from planning.

It is considered that subject to the applicant complying with this suggested condition, the proposal would comply with the ground quality part of Core Strategy Policy CG4.

Impact on Water Quality

Policy CG4 of the Core Strategy states that the Council will ensure that development does not [amongst other things] cause detrimental impacts upon water quality.

The Environment Agency has raised no concern regarding the proposal. It is therefore considered that the proposed development complies with Policy CG4 of the Core Strategy.

Impact on Land Drainage

Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising the water run-off from new development.

As the site is over 1 hectare in size the applicant has submitted a flood risk assessment with their planning submission. This states that the site falls within Flood Zone 1 (the zone with the least probability of flooding), has a low susceptibility to groundwater flooding, and is at low risk of surface water (pluvial) flooding.

The Council's Drainage Officers have raised no objection to the proposed development. It is therefore considered that the proposal would not increase the risk of flooding in the area and is compliant with

Policy CG1.5 of the Core Strategy.

Impact on the Public Right of Way

Allocations Plan Policy P8AP states that the Council will permit development proposals affecting public rights of way, provided that the integrity of the right of way is retained.

Public right of way Horwich 061 runs through the centre of the application site in a north-south direction. The Council's Public Rights of Way Officer has also confirmed that the land is also designated as Open Access Land, which allows people to walk freely over the land.

The proposed importation of material onto the site will significantly alter the levels and gradient of the existing public footpath and open access land. The Council's Public Rights of Way Officer has commented that this will render the footpath inconvenient for the exercise of the public right of way.

The applicant has made no reference to (and has therefore not considered the future of) the public right of way within their planning submission.

It is therefore considered that the proposed development would not retain the integrity of public right of way Horwich 061, contrary to Bolton's Allocations Plan Policy P8AP.

Impact on the Highway

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

The vehicles bringing the inert material to the application site would access the site off Matchmoor Lane, which is a lightly trafficked country road. The Council's Highways Engineers have raised no objection to the proposal.

It is therefore considered that the proposed development complies with Policies P5 and S1.2 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

To the north of the application site are the residential properties at Heather Hall and Heather Hall Cottages, and to the south east (approximately 215 metres away) is Harpers Barn (residential).

The applicant has been asked to confirm:

- i) what the total expected tonnage of the imported material will be;
- ii) how many heavy goods vehicles would this equate to, per day; and
- iii) how long they expect the works to last.

This information will be reported to Members directly at the meeting.

Without this information to hand, it is expected, given the proposed land levels plans submitted with the application, that a substantial amount of material would be required to achieve the proposed re-profiling of the site and this would equate to either many HGVs entering and leaving the site per day or a long period of time to complete the proposed works (or possibly both).

It is therefore considered that insufficient information has been submitted by the applicant to enable officers to properly judge the proposed development against Policy CG4 of the Core Strategy, as there is a potential that the proposed development would unduly harm the amenity of neighbouring residents.

Local finance considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The applicant has been asked to provide what they consider to be local financial considerations in this case. These will be reported directly to the meeting.

Conclusion

For the reasons discussed above, it is considered that the proposed importation of materials on the application site (to allow for the grazing of livestock) and the proposed re-profiling of the site would not conserve, enhance or respect the landscape character of the area and would harm the integrity of public right of way Horwich 061, contrary to Policies CG3 and OA1 of the Core Strategy and Policy P8AP of the Allocations Plan. It is also considered that insufficient information has been submitted by the applicant to justify that the proposed works would not unduly harm the amenity of neighbouring residents.

Members are therefore recommended to refuse this application.

Should Members be minded to approve this application, the applicant should be requested to submit amended plans to demonstrate how the proposed re-profiling can be achieved solely within the application site and clearly show what the proposed finished levels would be.

Representation and Consultation Annex

Representations

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

- * Impact on Green Belt;
- * Impact on landscape character and distinctiveness;
- * Impact on ground quality and concerns about how material will be monitored;
- * Impact on water supply to neighbouring properties
- * Impact on groundwater quality;
- * Impact on land drainage and local drains;
- * Additional lorries and damage to and dirt on roads;
- * Increase in traffic to the nuisance of neighbours;
- * The combined overall effects of previous consents should be taken into consideration;
- * The site of biological importance is slowly being destroyed by the continuing development;
- * Why should the applicant be able to carry on 'dumping' when previous agricultural management has led to the demise of the main biodiversity interest upon the application site;
- * The amount of top soil proposed is far in excess of what would be required to allow grazing - it appears to be an excuse for tipping;
- * Will the Open Access to the land be restored after.

Horwich Town Council:- raised an objection at their meeting of 21st July 2016 on the grounds of the proposal having a "detrimental impact on the environment".

Elected Members:- Cllr. Silvester has requested that the application be heard before Committee.

Consultations

Advice was sought from the following consultees: Pollution Control Officers, Highways Engineers, Drainage Officers, Public Rights of Way Officers, Wildlife Liaison Officers, the Environment Agency, Greater Manchester Ecology Unit, Peak and Northern Footpaths Society, Ramblers Association (Bolton Group), the Open Spaces Society and Lancashire Wildlife Trust.

Planning History

Applications for importation of material at Horwich Moor Farm

Planning application [95286/15](#) for the importation of sub-soils and inert materials (to allow future use for agriculture and grazing of livestock) was approved at Planning Committee in January 2016.

Prior to application 95286/15, planning application 90107/13 for the same site and proposal was withdrawn by the applicant in August 2013. Prior to this application 88209/12 for the same site and proposal was refused at Planning Committee in August 2012 for the following reason:

"The proposed development will adversely affect the biodiversity of a Grade B Site of Biological Importance (SBI) and will fail to maintain and respect local distinctiveness and the landscape character of the area, contrary to Policies CG1.1 and CG3.7 of Bolton's Core Strategy."

Permission was granted in May 2011 for the restoration of land by importing sub-soils and inert materials (to allow subsequent use for grazing and agriculture) ([85706/11](#)). A planning application for the removal of condition 2 of 85706/11 (to remove the need to submit a full management plan in regards to the SBI) was approved by Planning Committee in May 2011 ([86314/11](#)).

Permission was granted by Planning Committee in April 2008 for the restoration of two sections of Horwich Moor by draining and importing materials to allow for the subsequent use of the land for grazing and agriculture ([78560/07](#)).

- * *A plan showing the locations of the previously approved applications for the importation of materials is attached to this report.*

Other planning history at Horwich Moor Farm

Permission was granted at Planning Committee in September 2015 for the erection of a 4 bedroom house for an agricultural worker (94622/15).

An agricultural building on Horwich Moor Farm was granted permission in April 2012 (87566/12).

Permission was granted by Planning Committee in August 2011 for the retention of a building for use as an agricultural worker's dwelling for a temporary period of three years (86498/11).

Permission was deemed as being required for the erection of a 456 sqm agricultural building in November 2010 (85136/10).

Permission was granted by Planning Committee in February 2009 for the erection of an agricultural stock and storage building with paddock enclosure and landscaping (81329/08).

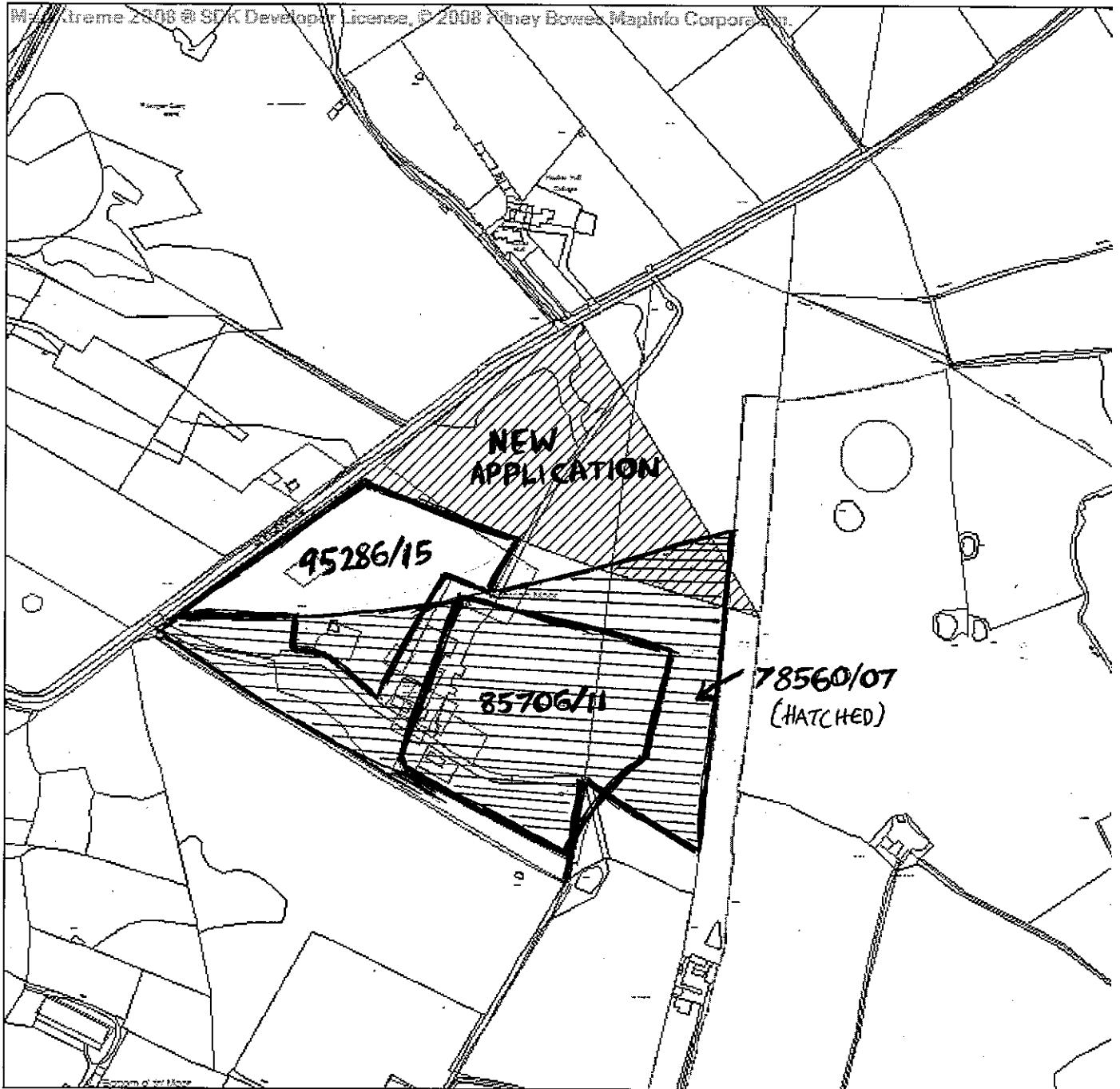
An application for the erection of an agricultural building was refused in February 2008 (79019/07).

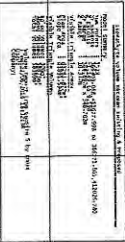
Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development, by virtue of the increased land levels and re-profiling of the site, would fail to conserve, enhance or respect the landscape quality and character of the area, contrary to Policies CG3 and OA1 of Bolton's Core Strategy.
2. The proposed development will not maintain the integrity of Public Right of Way Horwich 061 (which runs through the the application site) and is therefore contrary to Bolton's Allocations Plan Policy P8AP.
3. Insufficient information has been provided by the applicant with regard to number of heavy goods vehicles that would need to enter and leave the site per day and the length of time that the proposed importation works would last to enable the proposal to be properly judged against the Policy CG4 of Bolton's Core Strategy.

SITE HISTORY





CHILD PROTECTIVE INVESTIGATORS ARE NOT REQUIRED TO CONDUCT A PHYSICAL EXAM OF SUSPECT BROWN. INSTEAD, THEY WILL REVIEW MEDICAL RECORDS AND INTERVIEW BROWN'S PARENTS TO DETERMINE IF THERE IS ANY EVIDENCE OF CHILD ABUSE OR NEGLECT. BROWN'S PARENTS WILL BE ADVISED OF THE RESULTS OF THE INVESTIGATION AND THE PROSECUTOR'S OFFICE WILL BE ADVISED OF THE RESULTS OF THE INVESTIGATION.

REVISIONS				
DATE	DESCRIPTION	BY	CHKD	APP'D

[illegible]

BANK OF AMERICA	
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10/4/01	10/4/01
10/5/01	10/5/01
10/6/01	10/6/01
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10/31/01	10/31/01

**ILP
Surveying**

Professor Emerita, Harvard

Prepared Land FIM Levels

1-600-916	1-600-916	1-600-916
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D

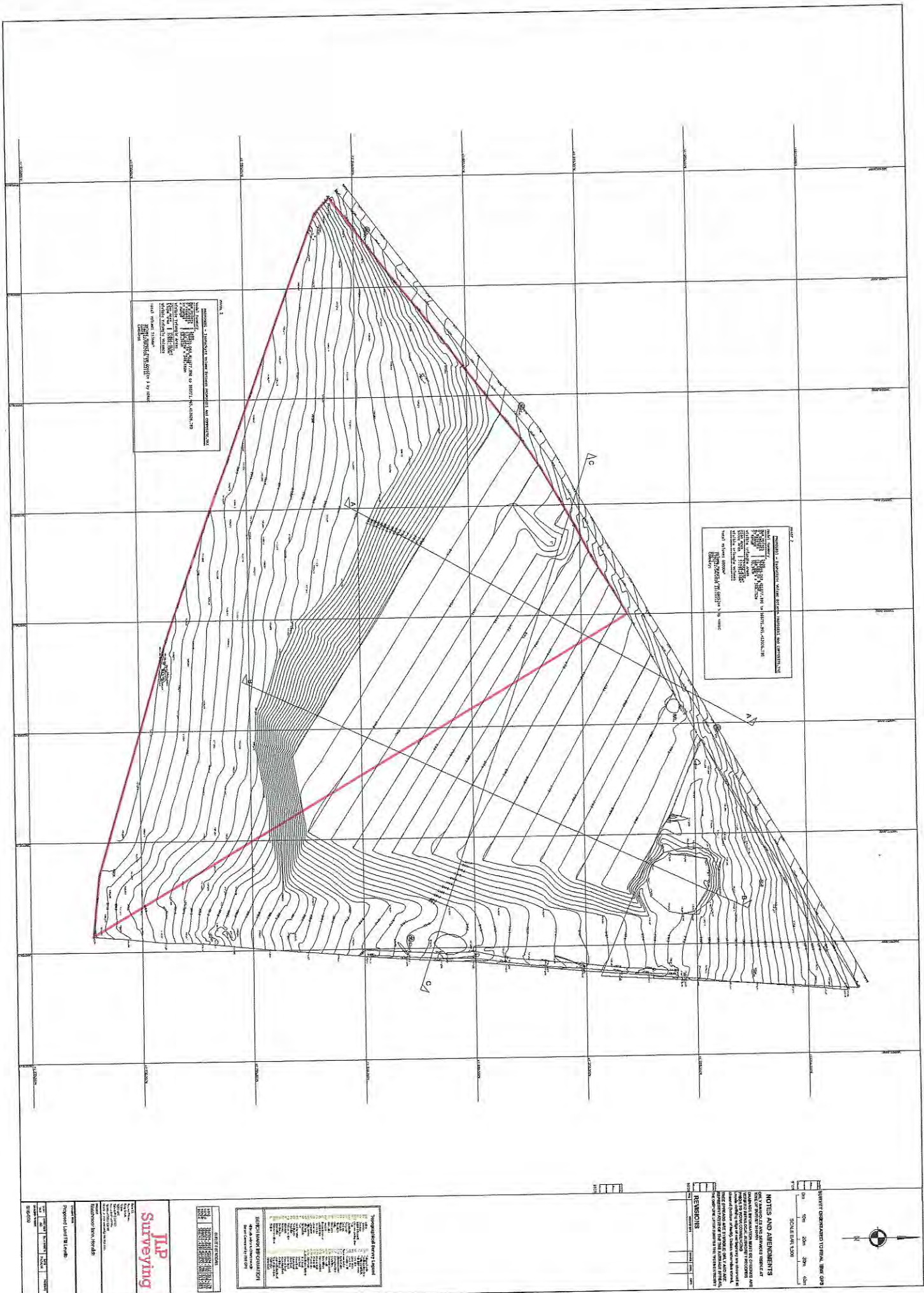


FIGURE 1
PROJECT: 1. SURVEY OF THE COASTAL AREA OF THE STATE OF TEXAS
DATE: 10/10/2010
SCALE: 1" = 1000'
SHEET: 1 OF 1
DRAWN BY: J. L. BROWN
CHECKED BY: J. L. BROWN
APPROVED BY: J. L. BROWN

FIGURE 2
PROJECT: 1. SURVEY OF THE COASTAL AREA OF THE STATE OF TEXAS
DATE: 10/10/2010
SCALE: 1" = 1000'
SHEET: 2 OF 2
DRAWN BY: J. L. BROWN
CHECKED BY: J. L. BROWN
APPROVED BY: J. L. BROWN



SCALE: 1" = 1000'

NOTES AND AMENDMENTS

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. ALL ANGLES ARE IN DEGREES AND DECIMALS THEREOF.
3. ALL CURVES ARE CIRCULAR UNLESS OTHERWISE NOTED.
4. ALL ELEVATIONS ARE IN FEET ABOVE MEAN SEA LEVEL.
5. ALL SURVEY DATA IS BASED ON THE NAD 83 DATUM.
6. ALL SURVEY DATA IS BASED ON THE 1983 DATUM.
7. ALL SURVEY DATA IS BASED ON THE 1983 DATUM.

REVISIONS

NO.	DESCRIPTION	DATE
1	ORIGINAL	10/10/2010

SURVEY DATA	
POINT	COORDINATES
A	1000000.0000 1000000.0000
B	1000000.0000 1000000.0000
C	1000000.0000 1000000.0000
D	1000000.0000 1000000.0000

JLB
Surveying

PROJECT: 1. SURVEY OF THE COASTAL AREA OF THE STATE OF TEXAS
DATE: 10/10/2010
SCALE: 1" = 1000'
SHEET: 1 OF 1
DRAWN BY: J. L. BROWN
CHECKED BY: J. L. BROWN
APPROVED BY: J. L. BROWN

Application number 96989/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 96989/16

Type of Application: Full Planning Application
Registration Date: 14/07/2016
Decision Due By: 07/09/2016
Responsible Officer: Helen Williams

Location: BIRTENSHAW HALL SCHOOL, DARWEN ROAD, BROMLEY CROSS, BOLTON, BL7 9AB

Proposal: RECONFIGURATION OF EXISTING CAR PARK TO PROVIDE 39 ADDITIONAL NEW CAR PARKING SPACES

Ward: Bromley Cross

Applicant: Birtenshaw
Agent : OMI Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for the reconfiguration of the existing car park to the school to accommodate an additional 39 car parking spaces. The additional spaces are to be achieved by creating new spaces within the existing grass verges.

Three additional disabled parking bays are to be created.

The proposal will increase the number of car parking spaces from 50 to 89.

The applicant has stated that the additional spaces are required as, over the three years that the school has been operating, there has been an identified shortage of car parking spaces on site. Prior to the school opening almost four years ago they expected that a third of the pupils would require less than one to one support, a third would require one to one support, and a third would occasionally require more than one to one support. However the children that have been placed are mostly on a two to one support level. Therefore the number of staff employed at the school is higher than originally envisaged.

Site Characteristics

The application site comprises Birtenshaw School, its school grounds and its car park. Birtenshaw School is a school for young people aged 3 to 19 years old with special educational needs and/or disability.

The car park is accessed off a private road off Darwen Road (which contains public right of way TEA 009). The car park is sited to the east of the school building and accommodates 50 car parking spaces.

The site is located within the Green Belt.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; OA5 North Bolton.

Allocations Plan Policies: CG7AP Green Belt

SPD Accessibility, Transport and Safety

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the purposes and openness of the Green Belt
- * impact on highway safety
- * impact on the character and appearance of the area

Impact on the Purposes and Openness of the Green Belt

Allocations Plan Policy CG7AP is reflective of the national guidance on Green Belt within the NPPF and states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of new buildings [excluding a number of listed exceptions].

Allocations Plan Policy CG7AP also states that limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

The proposed extension of the car park will not extend beyond the boundary of the existing development site. The additional spaces are to be created within existing landscaped areas/grass verges and therefore the extent of the built development does not encroach any further into the Green Belt.

The openness of the Green Belt is not harmed as the proposal does not include the construction of any buildings or structures.

It is therefore considered that the proposed development would not harm the purposes and openness of the Green Belt in this location, compliant with the guidance contained within section 9 of the NPPF and Allocations Plan Policy CG7AP.

Impact on Highway Safety

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

The proposed development will increase the number of car parking spaces within the existing car park to the school. The applicant has stated that these are required as there is an identified shortage of parking spaces for current staff and visitors.

The Council's Highways Engineers have raised no objection to the proposal.

It is considered that the proposed additional car parking spaces within the site would not jeopardise highway safety (it would reduce the need for staff and visitors to park off-site), compliant with Policies P5 and S1.2 of the Core Strategy.

Impact on the Character and Appearance of the Area

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

The proposed additional car parking spaces will reduce the amount of green space (grass verges and landscaped areas) within the existing car park. It is therefore suggested that a landscaping condition be attached to any approval to secure replacement planting within the car park (to replace the trees and shrubs that would be lost by the reconfiguration of the parking spaces).

It is therefore considered, subject to the landscaping condition, that the proposal would safeguard the character and appearance of the area, compliant with Policies CG3 and OA5 of the Core Strategy.

Local finance considerations

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

Over the last two or three years the school has created approximately 200 jobs for people in the local area (it is not considered that this is a material consideration to this application as the jobs have already been created).

Conclusion

For the reasons discussed above it is considered that the proposed additional car parking spaces would not harm the purposes or openness of the Green Belt, would improve highway safety, and would not harm the character and appearance of the area. Members are therefore recommended to

approve this application.

Representation and Consultation Annex

Representations

Letters:- one letter of objection has been received from a neighbouring resident. This objection raises the following:

- * Increase in traffic;
- * The increase in traffic to the school is already deteriorating the surface of the road leading to the school, which they are the owner of (officer comment: as the road is a private road, this is a civil matter rather than a material planning consideration);
- * There are ample parking spaces at the old school.

Consultations

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

Planning History

Permission was granted by Planning Committee in September 2010 for the erection of the new school building (83778/10).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To reflect and soften the setting of the development within the landscape and to comply with policies CG3 and OA5 of Bolton's Core Strategy.

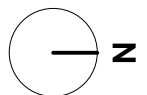
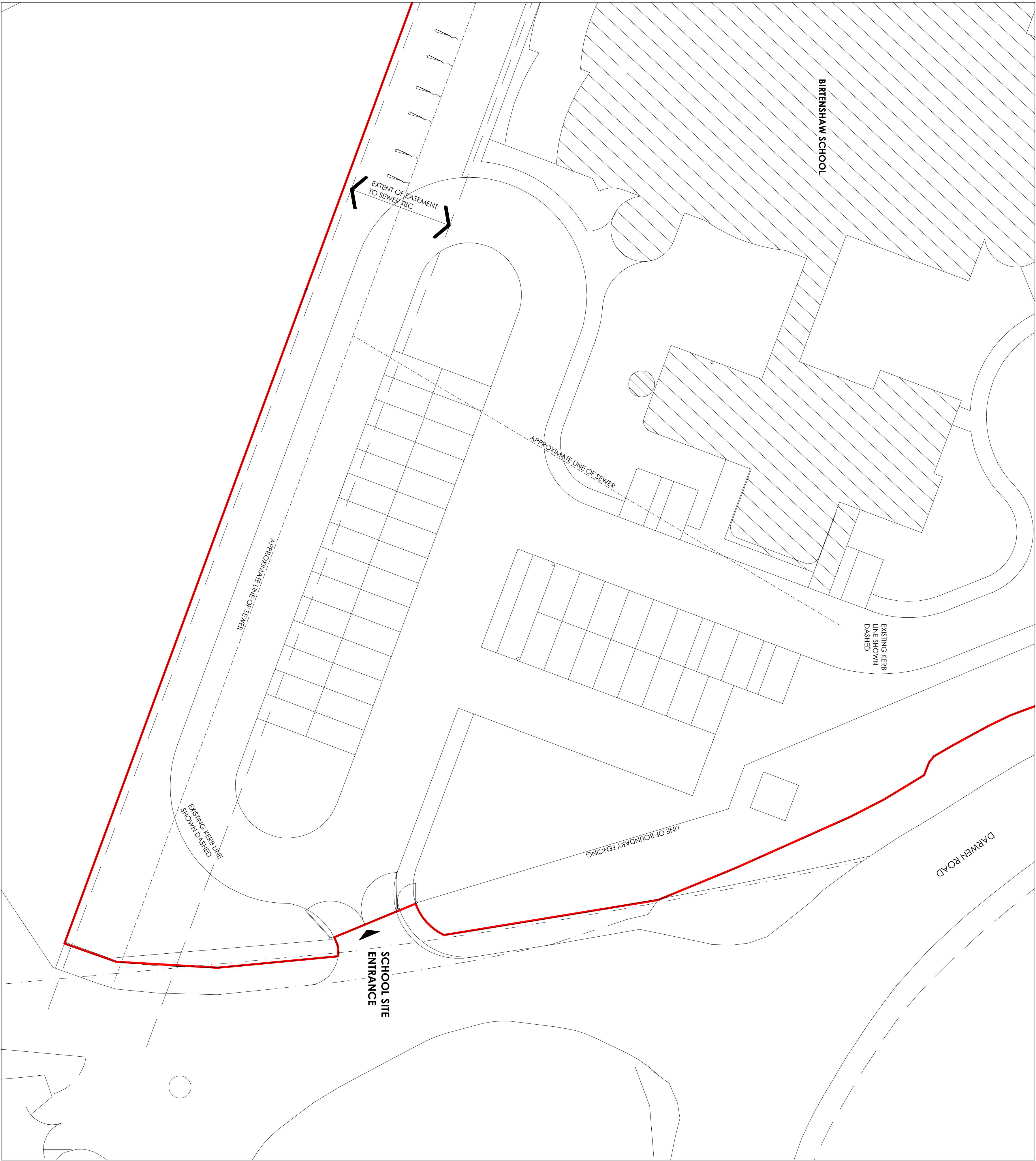
3. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

L902; "Proposed Parking Arrangement"; dated June '16

Reason

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

REVISION	DATE	DESCRIPTION
FO1	22.06.16	PRELIMINARY ISSUE



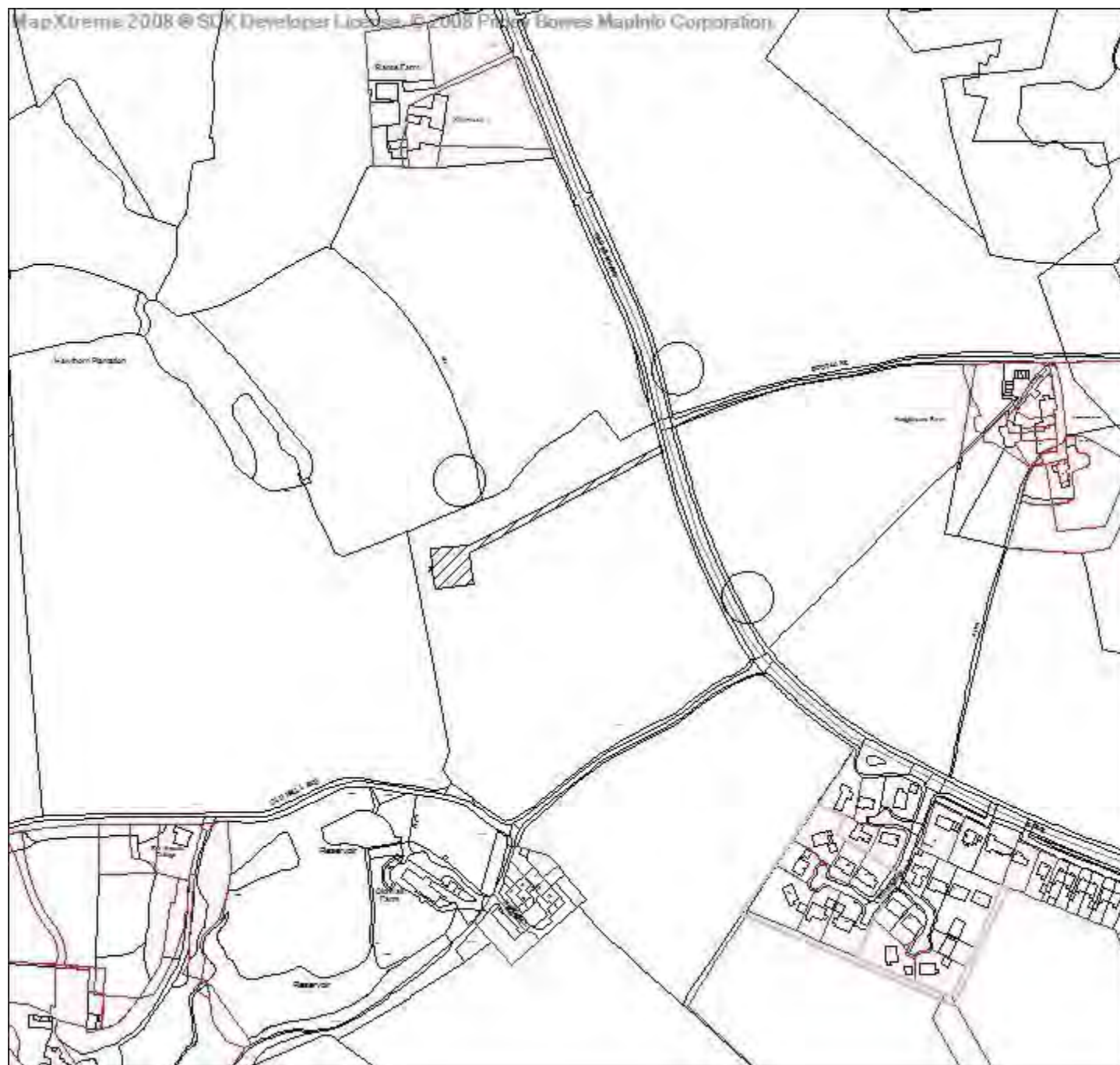
PRELIMINARY

OMI ARCHITECTS

31, Brookfields Road, Salford, Manchester M6 7AQ
t 1410 161 832 3242
e info@omichitects.com
w www.omichitects.com

PROJECT	BIRKENSHAW SCHOOL, BOLTON
DRAWING	EXISTING PARKING ARRANGEMENT
DATE	JUNE 11/6
DRWNO.	1388
DRWNO.	1901
SCALE	1:200

Application number
97073/16



**Development & Regeneration Dept
Development Management Section**

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

Bolton Council

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Date of Meeting: 25/08/2016

Application Reference: 97073/16

Type of Application: Full Planning Application
Registration Date: 22/07/2016
Decision Due By: 20/10/2016
Responsible Officer: Helen Williams

Location: LAND OFF OLD KILN LANE, BOLTON, BL1 5PD

Proposal: ERECTION OF AGRICULTURAL BUILDING TO HOUSE DAIRY UNIT TOGETHER WITH SILAGE STORAGE AREA.

Ward: Heaton and Lostock

Applicant: Mr A Grimshaw
Agent : Mr S Wilson

Officers Report

Recommendation: Delegate the decision to the Director

Proposal

This application is a resubmission of planning application 95963/16, which was refused in June this year for the following three reasons:

- 1. The proposed development, by virtue of its scale and siting, represents inappropriate development within the Green Belt (in that it would detrimentally harm the openness of the Green Belt) and the very special circumstances provided by the applicant do not outweigh the harm caused, contrary to section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.*
- 2. The proposed development, by virtue of its scale, massing and siting, would be detrimental to the character and appearance of the area, contrary to Policies CG3 and OA4 of Bolton's Core Strategy.*
- 3. The proposed development would increase noise, odours and activity in and around the application site to the detriment of the living conditions of nearby residents and is contrary to Policy CG4 of Bolton's Core Strategy.*

This latest application has been amended after the previous refusal in the following ways:

- * The proposed building is now to measure 60.96 metres by 39.01 metres - the previously proposed building was to measure 60.96 metres by 55.804 metres. The width of the building has therefore been reduced by 21.95 metres. This has been achieved by removing the formerly proposed northern part of the building, which was to have a separate pitched roof and was to have a lower ridge height than the main building.
- * The proposed building is now to have a footprint of 2378 sq. metres instead of the originally proposed 3402 sq. metres. This constitutes to a 30 per cent reduction in footprint.
- * The built area of the site is to be reduced in depth from 83.206 metres to 72.328 metres (a reduction in 10.88 metres).

- * The yard area to the north has been increased in width from 9 metres to 15 metres following the reduction in width of the proposed building.

The elevations to the building are continued to be proposed to comprise a mix of facing brick, concrete plinths, box profile sheeting and treated timber boarding. The eastern elevation of the building (fronting Old Kiln Lane) is to have facing brick up to 3 metres in height, then treated timber boarding (mainly the roof section). The southern elevation (to face Old Hall Lane) is to have a concrete plinth wall up to 1.2 metres in height, then vented openings above this plinth (to the eaves). The roof is to be constructed from fibre cement sheeting.

A yard area is proposed around the building as well as a silage storage area to the north (18.288 metres by approximately 70 metres).

Vehicular access to the proposed development is via a proposed access track off Old Kiln Lane, approximately 145 metres in long.

Within the planning submission it has been stated that, "the applicant's farming activities have expanded to the situation now that a commercial decision has been made to increase the size of the applicant's pedigree herd of dairy cattle to be housed on the application site. The applicant acquired this site approximately four years ago and has since improved the land for grazing purposes and now proposes to establish the holding as the permanent base for his dairy herd enterprise."

Within their last submission the applicant stated that 100 cows and 50 heifers would be accommodated within the proposed building all year round (365 days a year). The applicant has now stated that the stock levels, "...will now need to be reduced due to the amendments to the building size", however they have not stated how many animals will now be accommodated.

The applicant has also confirmed:

- * Milking activities and storage will all be contained within the unit.
- * General farm equipment will visit the site as and when required.
- * Some equipment may be stored on site and so reduce vehicle movements.
- * Milk tanker visits (every two days) and feed wagon deliveries (one per fortnight).
- * Workers' vehicles (two per day) and other vehicles (vets, so on) will visit when required.
- * Lighting is proposed but will generally be low level. No floodlighting is envisaged.
- * External lighting will only be required for safe access and egress to the site during hours of darkness.

Planning permission was given in October 2014 for an agricultural livestock building measuring 35.98 metres by 30.48 metres (footprint of 1097 sq. metres), 3.64 metres to the eaves and 8.36 metres to the ridge. This building was to accommodate 60 heifers during winter months. The current proposed development is therefore a significantly larger operation.

Site Characteristics

The application site forms part of 160 acres of agricultural land owned by the applicant (as stated by the applicant within their submission). The applicant has also stated that he has used the land for grazing his livestock since May 2013.

The application site is within an open field located within Green Belt. The field is demarcated by hedgerow and trees to the north and west.

Old Kiln Lane runs to the east of the site and Old Hall Lane to the south, both approximately 150 metres away from the proposed building.

The nearest residential properties to the application site are approximately 150 metres at Old Hall Mews and Old Hall Farm to the south/south west. Rants Farm and Kiln House are to the north of the site and the residential development at Hodgkinsons Farm is to the east off Boot Lane. The residential development of The Highgrove is located to the south east.

The landscape character type of the area is Rural Fringe.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG1.1 Rural Biodiversity; CG1.5 Reduce the Risk of Flooding; CG2.2c Surface Water Run-Off; CG3 The Built Environment; CG4 Compatible Uses; OA4 West Bolton.

Allocations Plan Policies: CG7AP Green Belt.

SPD General Design Principles

Landscape Character Appraisal of Bolton (2001)

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the purposes and openness of the Green Belt
- * impact on the character and appearance of the area
- * impact on residential amenity
- * impact on highway safety
- * impact on flooding and drainage

Impact on the Purposes and Openness of the Green Belt

Section 9 of the National Planning Policy Framework (NPPF) provides national guidance on Green Belt land. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include [amongst other things] buildings for agriculture and forestry.

Allocations Plan Policy CG7AP reflects the national guidance on Green Belt contained within section 9 of the NPPF. It states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of new buildings except for [amongst other things] agriculture and forestry.

It is considered that the proposed building would not prejudice the purposes of the Green Belt as it is for agricultural purposes (a dairy unit) and the site has been in agricultural use for many years (it is historic farmland). The construction of a dairy unit on the application site does not constitute an inappropriate use within the Green Belt.

The scale of the building however is substantial, with a footprint of 2378 sq. metres (at 60.96 metres by 39.01 metres) and with a maximum height of approximately 8.5 metres. It is acknowledged that the applicant has reduced the size of the previously refused building by removing the previously proposed northern part of the building (which was lower in height), and that an agricultural building has previously been approved on the application site (under application 90536/13); however the current proposed building would be over two times greater in footprint and massing than the approved building (the approved building had a footprint of 1097 sq. metres). The proposed building will inevitably impact on the openness of the Green Belt in this location given its scale and as it will be located within an open field. Unlike the approved building, it is not considered that additional landscaping around the site would sufficiently help screen the development from wider views, given its proposed scale.

Paragraph 87 of the NPPF states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 continues, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

A justification statement has been submitted with the application. This states the following:
"Since the initial submission in August 2013 the applicant's farming activities have expanded to the situation now that a commercial decision has been made to increase the size of the applicant's pedigree herd of dairy cattle to be housed on the application site. The applicant acquired this site approximately four years ago and has since improved the land for grazing purposes and now proposes to establish the holding as the permanent base for his dairy enterprise."

It is not considered that this reason outweighs the harm that would be caused to the openness of the Green Belt in this location, or outweighs the other harm that is recognised below in this report.

For these reasons it is therefore considered that the proposed development would harm the openness of the Green Belt in this location, contrary to the guidance contained within section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy CG3.7 states that the Council will maintain and respect the landscape character of the surrounding countryside and its distinctiveness and 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.

Policy OA4.6 states that the Council will ensure that development respects the large amounts of open space and lower density development in West Bolton. Reflective of the advice contained within Policy CG3 the policy continues that development should take special care to incorporate high quality soft landscaping using native plant species, particularly those identified in the Landscape Character Appraisal.

The application site is located within the Rural Fringe Landscape Character Type of the Landscape Character Appraisal of Bolton (2001).

It is considered that the scale, massing and siting of the proposed agricultural building would make the building particularly prominent in its setting and will be highly visible from surrounding public areas. It is not considered that additional landscaping around the site would sufficiently help screen the development from wider views, given its proposed scale.

It is considered that the proposed development would detrimentally harm the character and appearance of the area, contrary to Policies CG3 and OA4 of Bolton's Core Strategy.

Impact on Residential Amenity

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

The nearest neighbouring dwellings to the application site are approximately 150 metres at Old Hall Mews and Old Hall Farm to the south/south west. Further dwellings are sited to the north (Rants Farm and Kiln House), to the east (Hodgkinsons Farm) and to the south east (The Highgrove).

Previous planning application 95963/16 was refused (third reason for refusal) as it was considered that the proposed development would increase noise, odours and activities in and around the application site to the detriment of the living conditions of nearby residents

Noise

The applicant states within their latest submission that, "As regards noise from any equipment by using of modern milking systems will be minimal and should have no effect on residences in the area." However no noise assessment of the proposed unit or detailed information regarding the machinery to be used within the unit have been submitted with the application to justify this statement. It is noted that the southern elevation of the building (60.96 metres in length) will have opened sides, and this is the elevation that faces the dwellings at Old Hall Mews, Old Hall Farm and The Highgrove.

Odours

The applicant states within their latest submission that the proposed development incorporates sub-floor storage for slurry, which will contain it rather than having an external slurry storage facility as most farms do. Odours would be minimised as there would be little disturbance to the waste, except during emptying times. The slurry will be spread by the use of umbilical pipework, which is a method of laying long pipes along the ground, and by allowing the slurry to dissipate this way it reduces the impact of smells produced compared with conventional methods of muck spreading. At the moment slurry used on the application site is transported to the site from elsewhere, which in itself can lead to potential odours.

Lighting

The applicant states that some lighting will be required for general purposes but will be low level diffused lighting, using low energy fittings. They state that there will be no high intensity floodlighting which could be considered to cause nuisance. However no detailed information regarding the proposed lighting has been submitted, and therefore the lighting's impact on neighbouring residential properties cannot be fully assessed.

It is considered that insufficient information has been submitted with this resubmitted application to evidence that the proposed development would not unduly harm the living conditions of neighbouring residents (particularly at Old Hall Mews and Old Hall Farm). It is therefore considered that insufficient information has been submitted to enable the proposal to be properly judged against Policy CG4 of the Core Strategy.

Impact on Highways Safety

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

Access to the new building is proposed off Old Kiln Lane, using an existing gated opening. A new access track will be created from this gate to the proposed development. The Council's Highways Engineers have recommended that the access track is 4.5 metres wide for a distance of 10 metres from its junction with Old Kiln Lane, that 5 metres radii are provided at the junction and that the gates are set back a minimum of 5 metres from the back of the footway.

Vehicles will be able to park and turn within the yard area proposed around the new building.

The applicant has stated that one milk tanker will visit the site every two days, one feed wagon will visit every two weeks, two workers' vehicles twice a day, and visitors (such as vets) will only visit when required. It is therefore considered that the traffic generated in association with the proposed development will be low.

The Council's Highways Engineers have raised no objection to the proposal and therefore it is considered that the proposal would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Impact on Flooding and Drainage

Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development in areas of lowest flood risk. Policy CG2.2c states that proposals for 500 sq. metre or greater non-residential units must demonstrate the sustainable management of surface water run-off from developments. On greenfield sites the rate of run-off should be no worse than the original conditions before development.

The application site is a greenfield site within a Flood Zone 1 area.

At the time of writing this report, the Council's Drainage Officers had been unable to provide comment on the acceptability of the surface water management and SuDS analysis that had been submitted by the applicant. Any comments from the Council's Drainage Officers regarding the proposed development will be reported directly at the meeting.

Local finance considerations

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

applicant considers that the following are local financial considerations in this case:

- * Employment during the construction phase due to various trades being brought together with additional revenue to local suppliers (Officer comment: this is considered to be a material benefit to the proposal);
- * Boost to the local economy during the construction phase of up to six months (Officer comment: this is considered to be a material benefit to the proposal);
- * Creation of jobs - The unit will provide for two full time staff and possibly three to four part-time employees. It will provide a permanent workforce to look after the welfare of the stock and maintain the land (Officer comment: this is considered to be a material benefit to the proposal);
- * On-going maintenance associated with the holding - employing local workers to carry this out (Officer comment: this is considered to be a material benefit to the proposal).

It is not considered that the material benefits to the local economy listed above carry sufficient enough planning weight to outweigh the harm identified within this analysis.

Conclusion

For the reasons discussed above it is considered that the proposed development would harm the openness of the Green Belt and the character and appearance of the area, and that the very special circumstances put forward by the applicant do not outweigh this harm. It is therefore considered that the proposal is contrary to Allocations Plan Policy CG7AP and Core Strategy Policies CG3 and OA4. It is also considered that insufficient information has been submitted by the applicant to allow the proposal to be properly judged against Policy CG4 of the Core Strategy (whether the proposed development would be compatible with the neighbouring residential properties). Members are therefore recommended to refuse this application for these three reasons.

Members are advised (if they are minded to make a decision on the application at the meeting) that the decision will need to be delegated to the Director to allow the statutory public consultation period (the site notice) to expire.

Representation and Consultation Annex

Representations

Letters:- Seven letters of support have been received. These letters support the proposal for the following reasons:

- * Consider the application to be totally acceptable (farmland to be used for the production of milk);
- * It is a suitably sized building for housing cattle - it is very important to ensure adequate ventilation;
- * It will increase the health and welfare of the Carldanton Herd and with the extra land surrounding the new site it will also mean that when weather conditions permit the herd will also have the option to be grazed outside, which currently they do not have due to land constraints;
- * Agricultural buildings are an exemption on Green Belt land;
- * To refuse this application on the basis of the impact of scale on the openness of Green Belt (where agricultural development by necessity takes place) could prejudice the economic viability of many farm businesses looking to grow and expand in and around Bolton;
- * These developments will naturally take place in the countryside and so a balance must be struck between protecting the openness of the Green Belt and allowing farming business to grow and adapt to new market conditions;
- * It is estimated that 20% (1 in every 5) of UK dairy farmers could be forced to close within the next 12 months, due to the low wholesale price of milk - must ensure that our remaining and productive farms continue to produce food efficiently and profitably so that they can continue in business;
- * It would safeguard the commercial viability of the farm;
- * The development would provide jobs;
- * The applicant has worked hard to improve the land since he acquired it - this is the way forward to use it to its full potential to achieve the success;
- * Stress which could affect the applicant's animals if they have to be transported from their present location on a regular basis, which is becoming slower due to having to use an increasingly busy road;
- * The dairy that the applicant supplies with milk is closer to this site, thus reducing food miles;
- * Will reduce the need for large agricultural vehicles making many journeys during the harvest and cultivation period due to the produce grown on the land being stored at the new site in the proposed silage storage area;
- * Animal welfare would be improved;
- * The development will increase the quality of the soil through the readily availability of organic matter which will be produced by the animals housed at the site.

Four letter of objection has been received, which raises the following concerns:

- * The footprint of the proposed building is approximately twice the size of the originally approved building;
- * This application is similar to the refused one, only slightly smaller;
- * It would be extremely dominant and will destroy views of the countryside;
- * The visual impact of the building would not be reduced by simply adding some screening as the applicant suggests;
- * It will be an industrial looking building and would have a negative effect on the landscape;
- * It is too close to dwellings;
- * The applicant has not demonstrated a compelling need for the development;
- * Although the applicant has stated that the slurry will be 'contained' it will still be spread on the fields;
- * Increase on flooding/surface water off the site, causing neighbouring properties to be flooded;

- * This is not a suitable location for a facility of this size;
- * It is a greenfield site and there is a general presumption against developing greenfield sites (officer's comment: this does not apply to agricultural development);
- * Light pollution, particularly early in the morning and late at night;
- * Noise pollution, and at unsociable hours; There is no description of the activities that will go on for the proposed 24 hours; There will be noise generated from milking machines, slurry pumps, etc.;
- * It would destroy the pleasure this site gives to people like dog walkers, ramblers, horse riders, cyclists and fishermen;
- * The application lacks detail and is contradictory - the applicant refers to his herd being indoors but also extols the virtue of having improved the land for grazing.

The site notice posted at the application site has extended the statutory consultation period until the 31st August. Any representations received before the Committee meeting will be reported directly at the meeting.

For information, 17 letters of objection were received for the original application (95963/16).

Consultations

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

Planning History

Planning application 95963/16 for the erection of an agricultural building to house a dairy unit together with silage storage area was refused in June 2016 for the following three reasons:

- 1. The proposed development, by virtue of its scale and siting, represents inappropriate development within the Green Belt (in that it would detrimentally harm the openness of the Green Belt) and the very special circumstances provided by the applicant do not outweigh the harm caused, contrary to section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.*
- 2. The proposed development, by virtue of its scale, massing and siting, would be detrimental to the character and appearance of the area, contrary to Policies CG3 and OA4 of Bolton's Core Strategy.*
- 3. The proposed development would increase noise, odours and activity in and around the application site to the detriment of the living conditions of nearby residents and is contrary to Policy CG4 of Bolton's Core Strategy.*

Permission was granted at Planning Committee in October 2014 for the erection of an agricultural livestock building and silage area and construction of access track (90536/13).

Recommendation: Delegate the decision to the Director

Recommended Conditions and/or Reasons

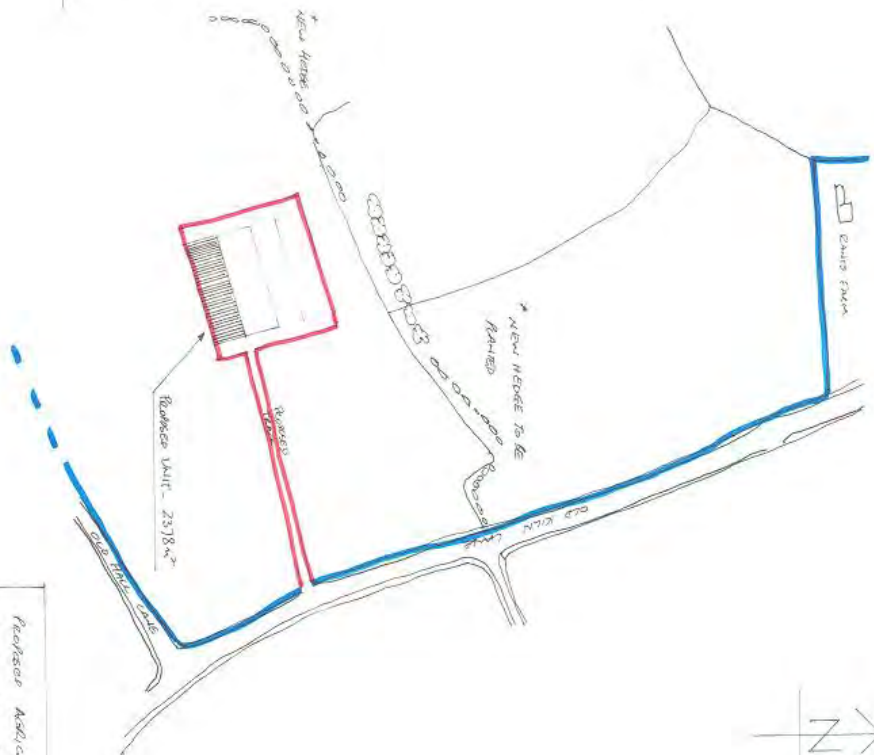
1. The proposed development, by virtue of its scale and siting, represents inappropriate development within the Green Belt (in that it would detrimentally harm the openness of the Green Belt) and the very special circumstances provided by the applicant do not outweigh the harm caused, contrary to section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.
2. The proposed development, by virtue of its scale, massing and siting, would be detrimental to the character and appearance of the area, contrary to Policies CG3 and OA4 of Bolton's Core Strategy.

3. Insufficient information has been provided by the applicant with regard to the proposed noise, activity and lighting that will be generated by the proposal to enable the proposal to be properly judged against Policy CG4 of Bolton's Core Strategy.

Neil Hedger to be max of THREE STORIES.
EVIDENTLY, BRANTFORD ETC - ALL IN POSS
TO SCISSORING WITH LA WOODLANDS OFFICER.

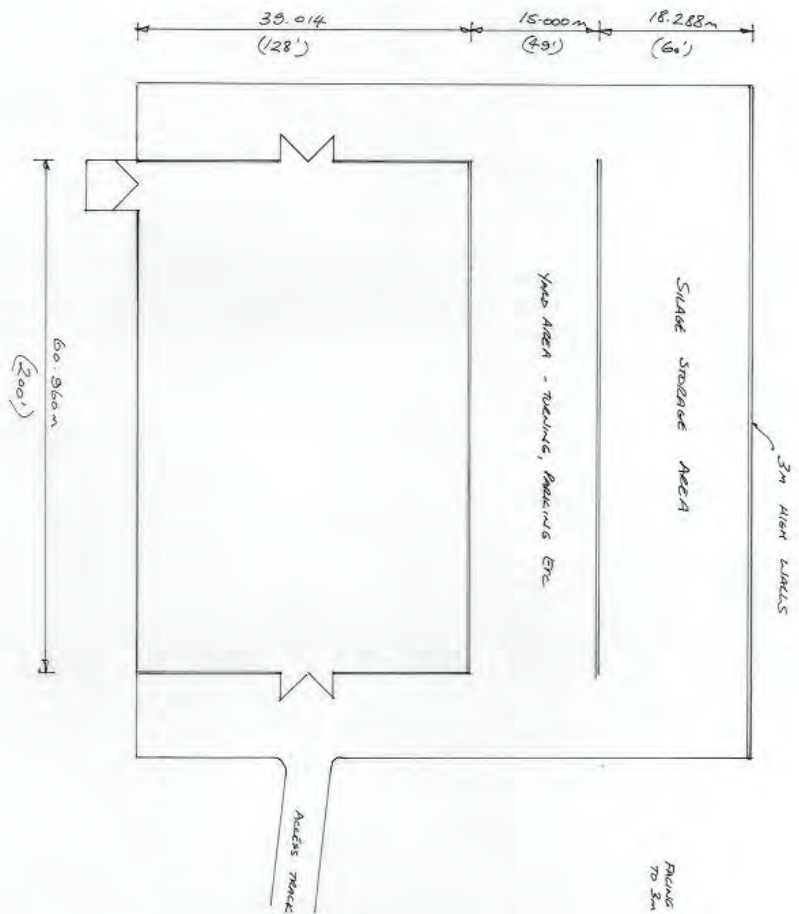
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Site 8

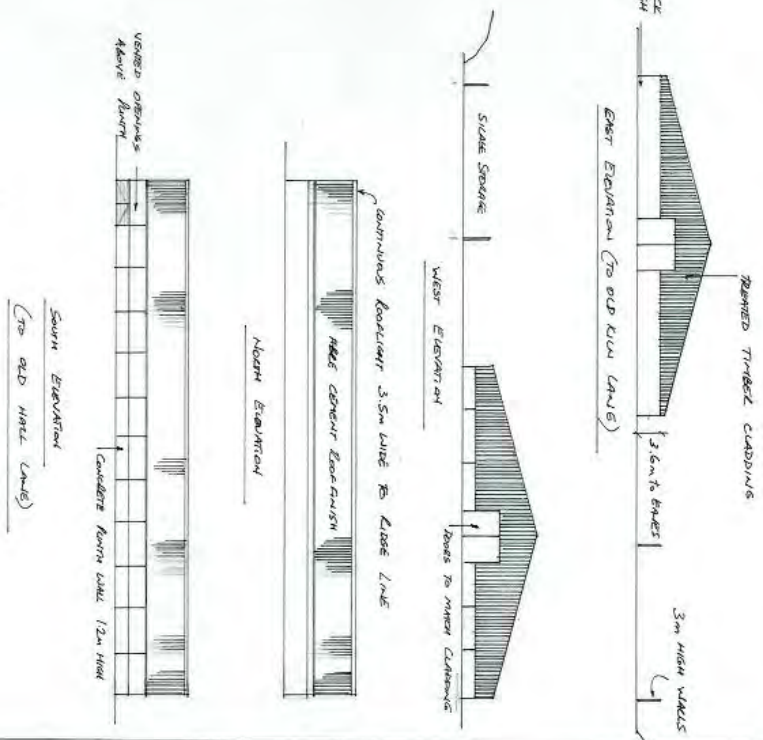


PERSONAL ADDRESSES FOR
DARYL WAT, OLD TOWN LAKE, GERRARD
FAC. ME A. GILMSTRAND

Scale as shown	Month - Year 2016	Page No 3 of 3
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NOTE: INTERIOR LAYOUT TO BE DETERMINED



PLAN & ELEVATIONS - 1/500		
PROPOSED RECONSTRUCTION BUILDINGS FOR		
SOUTH UNIT, OLD KIVA LANE, BATHURST		
P.L. - M.R. A. SKIRRETT		
Scale as shown	Drawn - Time 2014	Drawn No. 1 of 3