

Planning Applications Report

Planning Committee

5th April 2018

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

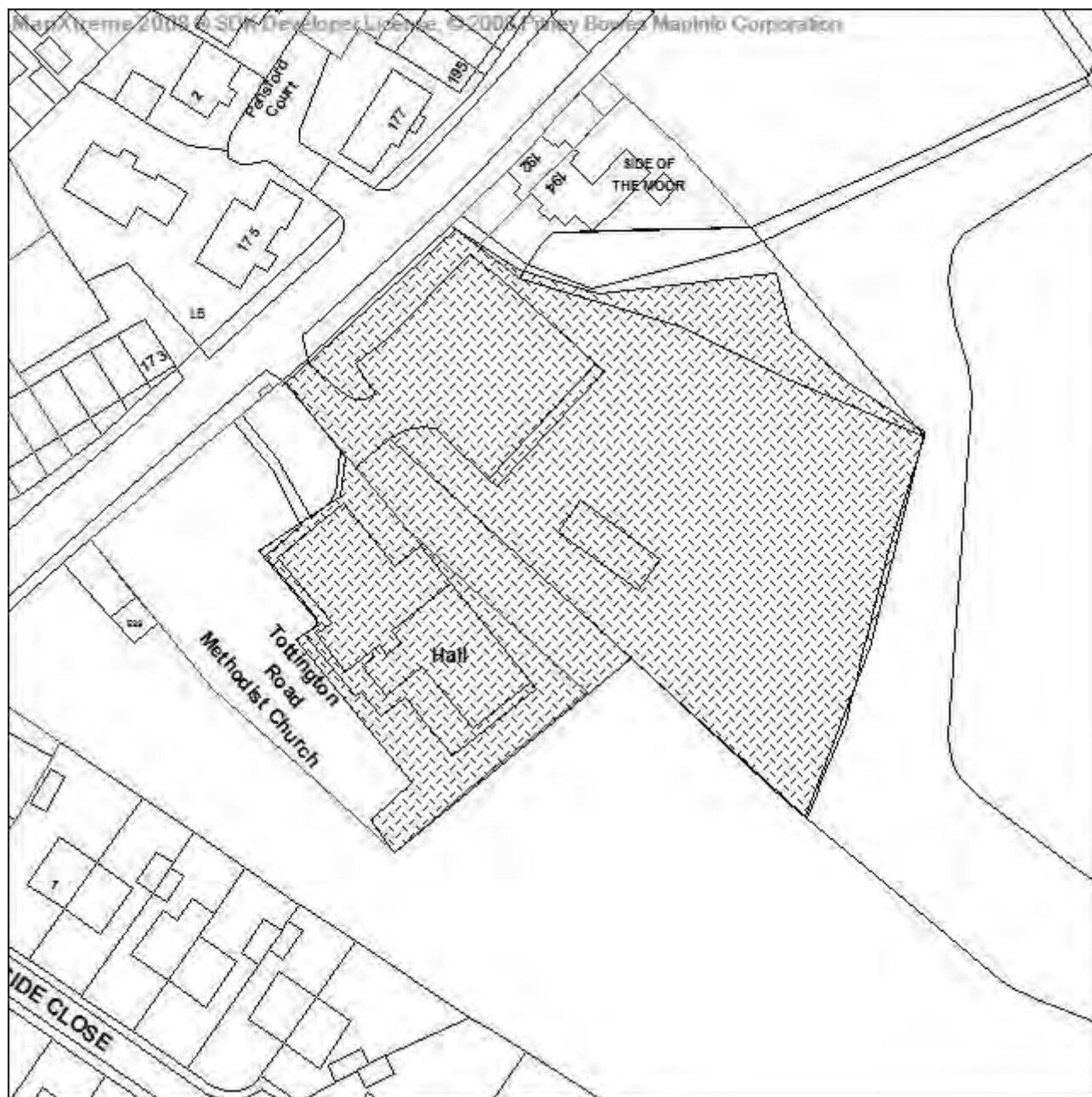
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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Application number
00891/17



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Bolton
Council

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Date of Meeting: 05/04/2018

Application Reference: 00891/17

Type of Application: Full Planning Application
Registration Date: 31/05/2017
Decision Due By: 29/08/2017
Responsible Officer: Helen Williams

Location: TOTTINGTON ROAD METHODIST CHURCH, TOTTINGTON ROAD, BOLTON, BL2 4DA

Proposal: ALTERATIONS AND CONVERSION OF FORMER CHURCH INCLUDING DEMOLITION OF CHURCH HALL TO PROVIDE 3NO. RESIDENTIAL DWELLINGS, ERECTION OF 6NO. ADDITIONAL DETACHED RESIDENTIAL DWELLINGS TOGETHER WITH ASSOCIATED WORKS INCLUDING ACCESS ROADS AND LANDSCAPING

Ward: Bradshaw

Applicant: Ashdale Construction
Agent : MAZE Planning Solutions

Officers Report

Recommendation: Approve subject to conditions

Background

1. This application was deferred at the Committee meeting of 11th January at the request of the applicant. The applicant had requested deferral of the application to enable them to amend their plans to accommodate the required maintenance easement to a water main that passes through the application site. These amended plans are now before Members.
2. The amended plans have resulted (in the main) in the dwelling at plot 1 being sited approximately 1.8 metres further back from Tottington Road, with the attached garage being proposed on the opposite side, and the dwelling at plot 5 being sited further east to accommodate an improved turning head (to ensure better manoeuvrability for refuse vehicles).

Proposal

3. Permission is sought for the residential conversion of the former Tottington Road Methodist Church into three, three bedroom townhouses, the demolition of the rear extension (church hall) to the church, and the erection of six detached, two storey, four bedroom dwellings. The proposal and application site do not include the graveyard to the front and south western side of the church. This would be unaffected by the proposed development and would be maintained by Harwood Methodist Church.
4. Tottington Road Methodist Church has closed to worshippers (is redundant) following the merger of its congregation with the congregation at Longsight Methodist Church in 2009. This amalgamated congregation now worships and is based at the Longsight Church (now referred to as Harwood Methodist Church). In October 2016 Planning Committee granted permission for the

erection of a new church building on the Longsight Church site (along with community facilities). Harwood Methodist Church are now looking to sell the application site to release funds for direct investment into the new church and community centre.

5. In order to accommodate the proposed conversion of the former church into the three townhouses the following (main) alterations are proposed to the building:
 - * Insertion of two floors/ceilings, to create first floor and roofspace accommodation.
 - * Construction of party walls to create the three units.
 - * Insertion of two entrance doors in the north eastern elevation at the bottom of two of the pairs of lancet windows, (front doors to plots 10 and 11) and an entrance door with windows and rear door in the rear elevation (south eastern elevation, to provide entrances to plot 9).
 - * Insertion of rooflights in the north eastern roofplane.
 - * Creation of three balconies in the south western elevation and the insertion of one rooflight. The balconies would be 'cut into' the roof slope.
 - * Insertion of new windows in the single storey rear element of the building.
 - * Demolition of the 1970s rear extension.
6. Two new dwellings (plots 7 and 8) are proposed to the rear of the church, where the church hall extension is currently sited. Two dwellings (plot 1 and 2) are proposed at the front of the site, on the car park area and fronting onto Tottington Road, the levels of this part of the site would be reduced to allow access to car parking spaces from Tottington Road. A further two detached dwellings (plots 4 and 5) are proposed within the centre of the site, on the grassed area where the scout hut and its curtilage used to stand.
7. There are no plots 3 and 6 proposed. The dwellings that were originally proposed at these plots have been deleted from the scheme during the application process.
8. Vehicular access into the development is off Tottington Road, at the point of the existing access into the church's car park. Each dwelling would have two driveway parking spaces, with five of the proposed detached dwellings also having garages.
9. This application is before Committee as the proposal is a departure from the Council's development plan where the officer recommendation is to approve.

Site Characteristics

10. The application site comprises the former Tottington Road Methodist Church, its 1970s church hall rear extension, a car park with an access road off Tottington Road, an overgrown grassed area where a scout hut formerly stood, and a wooded area to the rear. The application site does not include the graveyard, which is located to the front and south western side of the church and is surrounded by a stone retaining wall.
11. The application site is located within the Green Belt and within Riding Gate Conservation Area.
12. The T-shaped former Tottington Road Methodist Church was built in 1890, behind a former Methodist chapel (which was demolished in 1908). The church is constructed in a Gothic Revival style, from coursed stone with ashlar detailing and has a Welsh slate roof with red clay ridge tiles. The 1970s single storey rear extension (the church hall) is L-shaped, has a part flat roof/part pitched roof and is rendered.
13. The former Methodist Church is set back approximately 20 metres from Tottington Road and is

elevated from the road. Tottington Road rises quite steeply uphill to the north (out of Harwood).

14. To the north of the site, adjacent Tottington Road, is a rectangular, unmarked car park. This car park (elevated from the road) is accessed off Tottington Road by an access road between the church and the car park. To the front of the car park, and providing screening between the car park and Tottington Road, are a group of trees (one Oak, two Hawthorn and a group of Holly, Lilac, Cypress and Goat Willow).
15. Beyond the car park and central to the application site is an overgrown grassed area, where a scout hut formerly stood, before it was destroyed by fire in 2016. The remains of the building are still visible. Beyond this, to the south east, east and north of the site, is an area of woodland (containing Oak, Sycamore, Horse Chestnut, Silver Birch and Goat Willow). The land falls steeply within this wooded area, in a northerly, easterly and southerly direction.
16. The trees within the application site are afforded protection as they are located within a conservation area.
17. On the opposite side of Tottington Road to the application site are residential properties. The row of terraced cottages at 163 to 173 Tottington Road are a mix of two storey and three storey rendered/pebbledashed properties. Nos. 175 and 177 are more contemporary (1980s), stone and rendered two storey, detached dwellings, which form the entrance to the small housing development at Pensford Court. Nos. 195 to 199 are two storey, stone built, terraced houses.
18. To the north of the application site (and facing the car park area of the site) are the semi-detached dwellings at 192 and 194 Tottington Road. No.192 is a three storey red brick dwelling and no.194 is an extended, two storey, stone built property. Both properties are rendered on their rear elevations.
19. To the south and south west of the application site, separated by the graveyard and an open field, are the semi-detached dormer bungalows on Hillside Close. The Grey Mare public house is sited at the corner of Hillside Close with Tottington Road. These properties are sited on a lower ground level than the application site.
20. To the east of the application site is Harwood Quarry.

Policy

21. National Planning Policy Framework (NPPF)
22. Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.
23. Allocations Plan Policies: CG7AP Green Belt.
24. SPD General Design Principles; SPD House Extensions; SPD Accessibility, Transport and Road Safety.
25. Riding Gate Conservation Area Appraisal

Analysis

26. 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.

27. The main impacts of the proposal are:-

- * impact on the purposes and openness of the Green Belt
- * impact on the character and appearance of Riding Gate Conservation Area
- * impact on trees
- * impact on the highway
- * impact on the amenity of neighbouring residents
- * impact on wildlife

Impact on the Purposes and Openness of the Green Belt

28. Section 9 of the National Planning Policy Framework (NPPF) concerns protecting Green Belt land. Paragraph 79 of the NPPF explains 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. The five purposes of the Green Belt are set out in paragraph 80 and these are: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

29. Bolton's Allocations Plan Policy CG7AP reflects national planning policy guidance on Green Belt.

30. The application site is located within the Green Belt. This part of the Green Belt (to the north east of Bolton) begins at the field behind the houses along Hillside Close (with the wider part of the Green Belt beginning to the north of the built up area to the north of Longsight). The Green Belt allocation only 'crosses' Tottington Road at 255 Tottington Road, which is approximately 260 metres to the north east of the application site.

Proposed church conversion - plots 9, 10 and 11

31. It is considered that the proposed conversion of the former church building into three dwellings would not constitute inappropriate development in the Green Belt, as this part of the proposal would re-use a building that is of permanent and substantial construction (paragraph 90 of the NPPF - other forms of development not inappropriate in Green Belt). The applicant has submitted a structural report with their application (undertaken by independent civil and structural engineers) that concludes the church building (excluding the 1970s rear extension that is to be demolished) is in a satisfactory condition, appears to be of an extremely robust construction and that there are no major structural remedial works required to the building. It is the author of the report's opinion that the building is entirely suitable for the proposed conversion and that the installation of the party walls and floors would enhance the structural stability of the elevations to the building.

32. In addition to the confirmed structural condition of the original church building, the proposed conversion would not include any new extensions to the building and the residential curtilages to the proposed units within the church would be limited in scale. It is therefore considered that the proposed conversion of the church would not have a detrimental harm to the purposes and openness of the Green Belt in this location.

Plots 7 and 8

33. The two dwellings proposed at plots 7 and 8, to the rear of the church building, would be sited on the area of the application site that is currently occupied by the 1970s rear extension to the church (the church hall). Paragraph 89 of the NPPF (exceptions to inappropriate new build in Green Belt) allows for the, "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 purpose of including land within it than the existing development."
34. The church hall extension is single storey in height (measuring approximately 6.1 metres to the roof ridge at its north eastern elevation and approximately 7.1 metres at its south western elevation, owing to the fall in ground levels to the south west). The dwellings proposed at plots 7 and 8 are appreciably taller than the extension they are to replace; the dwelling at plot 8 would measure 5.4 metres to the eaves and 9.4 metres to the ridge and the dwelling at plot 7 would measure 5.5 metres to the eaves and 9.5 metres to the ridge. The siting of the dwelling at plot 7 would also extend the existing built form up to the south eastern (rear) boundary of the application site. However the proposed overall volume of the new dwellings would be similar to the church hall they are replacing and the footprints would be smaller. The rear elevations of the dwellings would also not extend any further to the south west than the existing church hall (they would follow the existing building line) and the proposed rear gardens would be contained within the church grounds (and therefore would be quite modest in size).
35. It is considered that the dwellings proposed at plots 7 and 8, by virtue of their siting and height, would have a greater impact on the openness of the Green Belt in this location than the existing church hall extension, though this impact is considered to be relatively limited. Whilst the proposed dwellings would be more visible from Tottington Road (owing to their height) than the existing church extension, it is not considered that views across the site from Tottington Road (the sense of openness) would be significantly harmed.
36. It is therefore considered, on balance, that the proposed dwellings at plot 7 and 8 would not constitute inappropriate development in the Green Belt.

Plots 1, 2, 4 and 5

37. The dwellings proposed at plots 1 and 2 would be built on the area of the application site that is occupied by the informal car park. Whilst the presence of the car park makes this part of the application site previously developed land, as there are no permanent built structures any new buildings would ultimately effect the openness of this part of the site and therefore would not comply with the last bullet point of paragraph 89 of the NPPF (redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development).
38. The dwellings proposed at plots 4 and 5 would be sited on a field/grassed area within the site. This part of the site formerly accommodated a scout hut, which has since been demolished (following a fire in 2016). Though this part of the site could be described as previously developed land (curtilage of the former scout hut), as there are no longer any structures on the land the proposed two dwellings would affect the openness of this part of the site. It is therefore considered that the dwellings proposed at plots 4 and 5 would also not meet any of the exception criteria within section 9 of the NPPF.
39. The four dwellings proposed at plots 1, 2, 4 and 5 are therefore considered to be inappropriate development within the Green Belt.

40. 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.

Very special circumstances put forward by the applicant

41. Paragraph 88 states that, 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.
42. The applicant has put forward the following as very special circumstances for the proposed development:
- Creating a long term future for the former Tottington Road Methodist Church building
43. The church building is recognised, within the Council's Riding Gate Conservation Area Appraisal, as a building that makes an important contribution to the character of the conservation area and one that merits retention and special care when repairs or alterations are being carried out. The applicant has noted this within their proposal and has commissioned a specialist advisor to report on the significance of the church and to advise on the proposed scheme.
44. The applicant states that the church building has been widely marketed for a considerable period of time (approximately five years), but given the "significant challenge on taking on a redundant church" there has been "limited market interest". A letter from the estate agents marketing the site has been submitted to support this claim. The applicant states that there is no known viable alternative use for the church other than their proposal, which has been backed by significant time and financial commitments preparing a varied and complex range of material needed to support this planning application.
45. The applicant asserts that the proposed development would provide a stable, long-term use for the church building which would ensure that it remains in good physical condition and, in doing so, maintain its positive contribution to the Riding Gate Conservation Area.
- The proposed new detached dwellings are required to make the whole development viable.
46. The applicant maintains that the conversion of the church is a costly project and on its own would not provide sufficient financial return for the development to go ahead. They assert that the proposed new detached dwellings are necessary to create a viable development project, and in doing so, would secure a permanent new use for the church (the dwellings would be "enabling development").
47. The proposed scheme was originally submitted for the conversion of the church building into three townhouses and the erection of eight dwellings. After discussions with the case officer (following concerns regarding the amount of enabling development in the Green Belt, the proposed siting and scale of development and its impact on the woodland within the site) the applicant has reduced the number of proposed new dwellings to six (a reduction of two). Independent viability appraisals (undertaken by Nolan Redshaw) has been submitted with the application to justify the applicant's claim that the redevelopment of the site would not be viable without the proposed enabling development. This appraisal has been updated following the reduction in the number of proposed dwellings and will be discussed in the section below.
- Harwood Methodist Church need the application site to be sold to help fund their new church and

community centre at Longsight

48. Both the applicant and Harwood Methodist Church have confirmed within the planning submission that the Church are reliant on the sale of the application site to help fund the construction of the new church and community centre at their Longsight site. The two congregations at Tottington Road Methodist Church and Longsight Methodist Church merged in 2009 following the closure of the Tottington Road Church. The Church chose to close the Tottington Road Church owing to the high costs of keeping both churches open. Both church halls (at Tottington Road and Longsight) were also considered not fit for purpose and required expensive repairs. It was decided to sell the Tottington Road site and build the new facility on the Longsight site as the Longsight site is in a more sustainable location, closer to the wider community.

49. The Church were granted planning permission in October 2016 for the erection of a new church and community building on the Longsight Church site (application ref. 96694/16).

- Community benefits

50. The applicant and Harwood Methodist Church have identified the following community benefits associated with the construction of the new church and community facility (which the sale of the application site would help fund):

- * The new building will provide not just a church, but a large community centre open to all;
- * Harwood is currently lacking a "real heart": the main meeting place is the supermarket;
- * The key facilities will be a kitchen and community cafe, which will be open daily, providing low cost nutritious meals;
- * The multi-purpose hall will provide a large, flexible space for a wide range of activities and will be used by people of all ages and abilities (for example, for a badminton court, dancing, karate, zumba, keep fit, boccia, chair-based exercise and uniformed groups);
- * The area has a large elderly population, many of whom suffer from isolation and loneliness and a high number are bereaved/widowed;
- * The area also has a high proportion of children and young people who lack access to facilities and opportunities for positive activity;
- * It will be a meeting place for isolated new parents and otherwise socially-deprived people;
- * Harwood currently has no lettable space for its community apart from a small youth club;
- * The benefits from the new facilities will be for the long term.

- Future management of the graveyard

51. The funds released by the sale of the application site would ensure that the graveyard at Tottington Road (outside the application site) is positively managed by Harwood Methodist Church for the long term. The graveyard would be untouched by the proposed development and would be retained and cared for by the Church.

- Boosting housing land supply

52. The applicant has listed the Council's lack of a five year deliverable housing land supply as a very special circumstance, stating that the approval of the proposed dwellings on the site would contribute towards local housing delivery. The Ministerial Statement of 17th December 2015 ("Green Belt protection and intentional authorised development") however states that unmet housing need is unlikely to amount to very special circumstances capable of outweighing the harm caused by inappropriate development in the Green Belt.

Officers' consideration of the applicant's very special circumstances

53. The applicant has submitted viability appraisals (undertaken by an independent chartered surveyor) to demonstrate:
- (i) that the proposed residential conversion of the former church building alone would not be viable (there is an estimated loss of £706,464 from the first appraisal carried out), and;
 - (ii) that with the proposed six "enabling" dwellings the return on the development (the conversion of the church and the erection of the new dwellings) would be in the range of -15.59% to 7.51% profit on GDV (running three different sales scenarios), and therefore below that which would be acceptable as viable by the general market.
- These appraisals have been assessed by the Council's Property Surveyors.
54. The applicant's potential profit for the development has also been reduced following their agreement to reduce the number of "enabling dwellings" from the originally proposed eight to the now proposed six (following negotiations with the case officer). It has also been proven by the supporting letter from the estate agent that the church and application site have been unsuccessfully marketed for approximately five years.
55. Officers therefore concur with the applicant that the proposed re-use of the church building (at the sales price requested by Harwood Methodist Church - which has been reduced during the planning application process) would be unviable without an element of enabling development.
56. It is therefore for the local planning authority (the decision maker) to consider whether the benefits of the proposed development (the very special circumstances listed above) clearly outweigh the harm to the purposes and openness of the Green Belt that the proposed dwellings at plots 1, 2, 4 and 5 would have.
57. Officers consider that the church building should be retained as it is considered that the building makes a positive contribution to Riding Gate Conservation Area and to the street scene along Tottington Road. The heritage statement submitted with the application also recognises this contribution of the building to the significance of the conservation area. It is therefore considered that significant planning weight should be attached to the retention and re-use of the church building. The impact of the proposed alterations to the church building and the impact of the proposed dwellings to the character, appearance and setting of the conservation area are considered in more detail below.
58. It is also considered that the community benefits associated with the construction of the new church and community centre at the Longsight site (and the reliance of Harwood Methodist Church funding this build through the release of the application site) should carry planning weight.
59. Officers consider that the detached dwellings at plots 1, 2, 4 and 5 would harm the purposes and openness of the Green Belt in this location, and therefore the harm to the Green Belt as a result of the proposed development should be given substantial weight (as advised within the NPPF). However officers acknowledge that current views across the application site are restricted to short distance views given the presence of the woodland screening to the north and east of the site and the church building and church hall extension to the west. The proposed clustering of the proposed dwellings at plots 4, 5, 7 and 8 also lessen the impact on the openness, as do the proposed restricted garden curtilages to all the dwellings.
60. In addition, paragraph 140 of the NPPF states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict

with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from these policies.

61. Balancing the harm the proposed development would have on the openness and purposes of the Green Belt in this location against the very special circumstances put forward by the applicant (the benefits of the scheme), officers consider in this instance that the benefits and wider benefits of the scheme (the retention and re-use of the historic church building and the community benefits associated with the building of the new church and community centre at Longsight) would clearly outweigh the identified harm to the Green Belt.
62. It is therefore considered that the proposed development would comply with the guidance contained within Section 9 of the NPPF and Bolton's Allocations Plan Policy CG7AP.
63. Should Members approve the application, officers suggest planning conditions to (i) restrict the residential curtilages to the dwellings to those shown on the proposed plans and (ii) to remove permitted development rights, to safeguard the purposes and openness of the Green Belt in this location.

Impact on the Character and Appearance of Riding Gate Conservation Area

64. Section 12 of the NPPF concerns conserving and enhancing the historic environment. Paragraph 131 states, in determining planning applications, local planning authorities should take account of:
 - * the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conversation;
 - * the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - * the desirability of new development making a positive contribution to local character and distinctiveness.
65. Paragraph 132 continues that, 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.
66. Policy CG3 of Bolton's 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 require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Historic associations should be retained where possible. 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 refers specifically to developments in North Bolton.
67. The application site is located within Riding Gate Conservation Area, within its southern corner. The majority of the conservation area comprises open countryside (Green Belt and Pennine Moors) containing small groups of farm buildings and cottages. The southern part of the conservation area, where the application site is located, contains a number of residential buildings: 20th Century suburban houses (detached and semi-detached) have been built in the areas between the older dwellings, resulting in a less linear form of development to the north of

Tottington Road. The conservation area slopes upwards fairly steeply from its south western boundary up Tottington Road.

68. The Council's Conservation Area Appraisal for Riding Gate recognises Tottington Road Methodist Church as a non-listed building within the conservation area which makes an important contribution to its character, and a building which merits retention and special care when repairs or alterations are being carried out.
69. In line with paragraph 128 of the NPPF, the applicant has submitted a heritage statement describing the significance of the heritage asset affected by the proposed (that is, Riding Gate Conservation Area) and considering the impact the proposed development would have on the heritage asset. The heritage assessment (undertaken by an independent conservation advisor) considers that the church makes a positive contribution to the conservation area but that its significance is negatively affected by the poor quality rear extension (the church hall extension). The assessment also finds that the church is in poor condition.
70. The following main parts of the proposed development would have an affect on the appearance of the church, the setting of the church and the character and appearance of the conservation area:
- * The removal of the church hall extension to the rear of the church;
 - * The construction of six new dwellings, of which two would be located to the rear of the church and two would be along the Tottington Road frontage;
 - * All the windows in the church would be replaced to match the existing, but the heads on the side elevations would be raised and the sills dropped;
 - * Three balconies and rooflights would be inserted into the church roof;
 - * The windows at the front of the church would be replaced to match those shown in the historic photograph from around 1990 (included in the heritage statement).
71. The author of the heritage statement does not consider that the proposed development would change the character of Riding Gate Conservation Area significantly. Historic windows are proposed to be re-used in the church where possible and the new windows proposed in the rear elevation would match those existing. Although the windows would be lengthened, the head would be around two courses from the cornice to ensure its retention. The front doors to the church are proposed to be retained and locked. The balconies proposed to be inserted in the roof would be aligned to the lancet windows below to retain the vertical lines of the building.
72. The proposed detached dwellings are designed to be similar in style and materials (stone) to those at Pensford Court (on the opposite side of Tottington Road to the application site). The proposed siting and heights of the dwellings would mean that views of the church would remain open. The two houses that are proposed along Tottington Road (at plots 1 and 2) would continue the built form/pattern of the area and streetscene, with views of the church to the north east already being obscured. The stone wall to the front of the church would be unaffected by the proposal (it is located outside the application site).
73. The author of the heritage statement concludes that the impact of the proposed development would represent less than substantial harm to the heritage asset (Riding Gate Conservation Area). Officers concur with this view.
74. Paragraph 134 of the NPPF 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. As previously discussed in this report, there are a number of public benefits associated with the

proposed development, including providing a sustainable future for an important historic building (thereby ensuring it continues to make a positive contribution to the conservation area) and enabling important repair work to the fabric of the church. It is considered that these benefits do outweigh the limited harm the proposal would have to the conservation area.

75. Should Members be minded to approve this application, conditions are suggested to request for further details regarding the proposed materials for the new dwellings, the proposed doors and windows for both the church building and the new dwellings and for boundary treatments.
76. For the reasons discussed above, it is considered that the proposed development would comply with section 12 of the NPPF and Policies CG3 and OA5 of the Core Strategy.

Impact on Trees

77. 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.
78. The trees within the application site are afforded protection as they are located within a conservation area. The majority of the trees are located to the south east, east and north of the site, and these form an area of woodland (containing Oak, Sycamore, Horse Chestnut, Silver Birch and Goat Willow).
79. The trees to the front of the car park, along the road frontage with Tottington Road, will be lost owing to the reduction in the levels of the land fronting Tottington Road and the proposed siting of the dwellings at plots 1 and 2. The Council's Tree Officers object to the loss of these trees as they consider that these trees provide an important screen to the site. Whilst the loss of this tree screen is regrettable, it is nevertheless considered that the proposed siting of plots 1 and 2 along the road frontage and the reduction in levels would contribute to good urban design in that the existing built form of the area (housing facing Tottington Road, the arterial road out of Harwood) would be continued and that the houses would not be positioned at a much higher level than the road. Although they would not replace the number of trees to be lost in this location, new tree planting is proposed in the front gardens to these dwellings: this is proposed to be conditioned.
80. The proposed siting of the dwellings at plots 4 and 5 (as amended) ensures the retention of the woodland to the north, east and south east of the site.
81. A Hawthorn tree along the rear boundary of the church is proposed to be removed to accommodate the dwelling at plot 7. The Council's Tree Officers have confirmed that this tree is of low quality (a category C tree) and only has limited visual amenity. A number of other trees would also be lost to accommodate the proposed internal road. Again these are considered to be of low visual amenity value and replacement planting is proposed to mitigate this loss.
82. Should the application be approved, the Council's Tree Officers are recommending that six trees within the graveyard (which are outside the application site) be protected by way of a Tree Preservation Order, to prevent pressure for their removal once the development has been built.
83. It is considered, subject to a planning condition requiring replacement tree planting, that the proposed development would not lead to the unacceptable loss of trees from the site, compliant with Policy CG1.1 of Bolton's Core Strategy.

Impact on the Highway

84. 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 (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.

85. The Council's Highways Engineers have confirmed that, as the proposal is for a low density residential development (nine dwellings), it would generate negligible traffic volumes and would only have a limited impact on the operational capacity of the surrounding highway network, and therefore would not jeopardise highway safety.
86. Engineers have also confirmed that the proposed access onto Tottington Road would be acceptable, with the proposed visibility splays complying with national guidance for the speed of the road (2.4 metre by 57 metres).
87. The internal road within the development would remain private (would not be adopted by the Council).
88. Each dwelling would have two driveway parking spaces, with five of the proposed detached dwellings also having garages. This complies within the Council's maximum parking standards within appendix 3 of the Core Strategy.
89. Subject to recommended conditions, the Council's Highways Engineers raise no objection to the proposed development. It is therefore considered that the proposal complies with Policies P5 and S1.2 of Bolton's Core Strategy.

Impact on the Amenity of Neighbouring Residents

90. Policy CG4 of Bolton's 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. SPD General Design Principles sets out the Council's recommended interface distances between dwellings.
91. The dwellings proposed at plots 1 and 2 would be sited on the opposite side of the road to the two storey dwelling at 175 Tottington Road. At its closest point, the front elevation of plot 1 would be approximately 23 metres away from the front of no.175. A minimum interface distance of 21 metres is recommended in this instance, which is exceeded here. Furthermore, the house at no.175 would not directly overlook the proposed dwelling at plot 1 as it is angled slightly away from the road.
92. 177 Tottington Road would not directly overlook the dwelling proposed at plot 2. The closest part of this property to the new dwelling is the rear elevation of its attached garage.
93. The front elevations of the neighbouring dwellings at 192 and 194 Tottington Road would face onto the side elevation of the dwelling proposed at plot 2. An attached garage (with an en suite proposed within its roofspace) is proposed at the side of plot 2, which would be approximately 12 metres away from the front of no. 194. The Council's policy guidance (within SPDs General Design Principles and House Extensions) recommends an interface of 9 metres between main room windows and single storey dwellings/elements without main windows, and 13.5 metres where a proposed dwelling/element is two storeys without main windows. The proposed side garage element to plot 2 is between one storey and two storeys in height. It is therefore considered that the proposed 12 metres interface distance is acceptable here and would not unduly harm the amenity of the neighbours at 192 and 194 Tottington Road. The main two storey part of the dwelling of plot 2 would be approximately 15 metres away from the front

elevation of no.194, therefore exceeding the recommended 13.5 metre standard.

94. The dwellings at Hillside Close, to the south of the application site, would be over 45 metres away from the proposed development.
95. It is therefore considered that the proposed development would not unduly harm the amenity of any neighbouring resident, compliant with Policy CG4 of Bolton's Core Strategy.

Impact on Wildlife

96. 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.
97. As the rear extension to the church (the church hall) is proposed to be demolished and the original church building is proposed to be converted, the applicant has submitted a bat survey as well as an emergence survey for bats (following comments from Greater Manchester Ecology Unit and the Council's Wildlife Officer). It is considered that there is a moderate potential for use of the building by bats. Precautions are therefore proposed to be undertaken during development (it is an offence under the Wildlife and Countryside Act 1981 to disturb bats and breeding birds).

Local finance considerations

98. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The following is considered to be a local financial consideration in this case:
99. New Homes Bonus for the nine proposed dwellings – this is not a material planning consideration.

Conclusion

100. For the reasons discussed above, officers consider, when balancing the harm the proposed development would have on the openness and purposes of the Green Belt in this location against the very special circumstances put forward by the applicant, that the benefits and the wider benefits associated with the proposal (the retention and re-use of the historic church building and the community benefits associated with the building of the new church and community centre at Longsight) would clearly outweigh the identified harm to the Green Belt. Officers also consider that the very special circumstances put forward by the applicant outweigh the less than substantial harm the proposed development would have to the significance of Riding Gate Conservation Area. In addition, it is also considered that the proposed development would not lead to the unacceptable loss of trees, would not jeopardise highway safety, and would not unduly harm the amenity of neighbouring residents.
101. Members are therefore recommended to approve this application, subject to the suggested conditions.

Representation and Consultation Annex

Representations

Letters:- Three letters of objection have been received from neighbouring residents. These raise the following concerns:

- * The proposed development does not respect the character of the conservation area;
- * The proposed balconies on the church roof are not in keeping with the building or the area;
- * The trees to the front of the site provide a well established roadside screen with mature healthy trees and shrubs and should be retained. They are a benefit to the area;
- * The house at plot 2 would have a detrimental effect on 194 Tottington Road. The tree in front of no.194, which gives privacy, an attractive view and adequate light filter through all windows is to be removed;
- * The proposed garage and en suite would be built directly upon the boundary line with no.194, only 11.5 metres from their principal windows;
- * The view from no.194 would be of a two storey brick wall, which would make them feel very enclosed with valuable light being taken away from both ground and first floor rooms;
- * Views from no.194 would be compromised (*officer comment: this is not a material planning consideration*);
- * The dwelling at plot 2 would dwarf 192 and 194 Tottington Road as they are deceptively high;
- * There are bats in the area and suspect they are in the derelict church and trees within the church grounds;
- * The removal of the tree and its roots to the front of 192 and 194 Tottington Road could cause damage to the neighbouring properties (*officer comment: this would be a civil issue rather than a material planning consideration*);
- * Effect on property values (*officer comment: this is not a material planning consideration*).

One letter of support has been received. This local resident supports the proposal as it would mean that the new community church could go ahead and bring much needed facilities for all the community in Harwood.

One letter asking for an aerial map to be sent to them, to show how the proposal would affect their view, has been received. (*Officer comment: the impact on views from neighbouring properties is not a material planning consideration*).

Consultations

Advice was sought from the following consultees: Tree Officers, Landscape Officers, Wildlife Liaison Officer, Highways Engineers, Pollution Control Officers, Drainage Officers, Corporate Property Officers, Economic Strategy Officers, Strategic Development Unit, Greater Manchester Ecology Unit, Greater Manchester Police and the Council's Conservation Advisor.

Planning History

Permission was granted in June 1979 for the surfacing in stone of the car park (11329/79).

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 a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health, property or the environment;
 - (iii) an appraisal of remedial options and proposal for a preferred option. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

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

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

Reason

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

3. Prior to the commencement of any groundworks surface water drainage works should be implemented in full in accordance with details to be submitted to and approved in writing with the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system is to be provided, the submitted details shall:
- 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. 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 roofs for the detached dwellings 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 and to comply with policies CG3 and OA5 of Bolton's Core Strategy.

5. Prior to the commencement of development a detailed specification for all doors and windows (for both the church conversion and the new build dwellings) and the panels and balustrading for the balconies at the church shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first occupied and retained thereafter.

Reason

To ensure the development reflects local distinctiveness in order to comply with Bolton's Core Strategy policies CG3 and OA5.

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

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

Reason

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

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

Reason

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

8. Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme drawing reference: 1605.34 Rev B ("Proposed Soft Landscape"; received 26 Feb 2018) prior to the development being first brought into use. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

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

9. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Tottington Road shall be constructed in accordance with the drawing ref 1605.31 Rev B.

Reason

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

10. Before the approved/permitted development is first brought into use car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with drawing ref: 1605.31 Rev B. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

comply with Bolton's Core Strategy policies S1, P5 and Appendix 3.

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

Reason

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

12. No dwelling shall be occupied until the access road and footway leading thereto have been constructed and completed in accordance with drawing ref: 1605.31 Rev B.

Reason

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

13. All rainwater goods to the church building shall be coloured mid-grey or black and kept so coloured.

Reason

To safeguard the character and appearance of the church building and the character and appearance of the locality, compliant with policies CG3 and OA5 of Bolton's Core Strategy.

14. The curtilages of the properties hereby approved are being treated for planning purposes as that defined on the approved drawing ref: 1605.31 Rev B.

Reason

For the avoidance of doubt as to what is permitted and to safeguard the purposes and openness of the Green Belt in this location, compliant with policy CG7AP of Bolton's Allocations Plan.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds or greenhouses (other than those expressly authorised by this permission) shall be constructed to the rear of the dwellinghouses hereby approved.

Reason

To safeguard the purposes and openness of the Green Belt in this location and to comply with policy CG7AP of Bolton's Core Strategy.

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

1605.31 Rev B; "Proposed Site Layout"; received 26 Feb 2018
1605.35 Rev B; "Proposed Site Dimensions"; received 26 Feb 2018
1605.43 Rev B; "House Type A"; received 26 Feb 2018
1605.43 Rev B; "Proposed Floor Plans, Town Houses 9, 10 + 11"; received 26 Feb 2018
1605.44 Rev B; "House Type B"; received 26 Feb 2018
1605.45 Rev B; "House Type C"; received 26 Feb 2018
1605.46 Rev B; "House Type D"; received 26 Feb 2018
1605.51 Rev B; "Proposed Church Elevations"; received 26 Feb 2018
1605.61 Rev B; "Proposed Church Sections"; received 26 Feb 2018

Reason

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

Revision	Description	Date
-	Plot 7 boundary corrected	06.04.17
A	2 houses omitted	11.12.17

Existing levels

Proposed levels and finished floor levels

Proposed property boundary; no physical boundary, unless shown, to front of properties; 1800mm timber panel to rear

Proposed fencing and gates

Proposed stone walls, generally 750mm guarding height

Standard kerb 125mm high

Dropped kerb 30mm high

Pedestrian hard surface; Marshalls Saxon slabs or similar

Vehicular hard surface; tarmac

Vehicular hard surface; Marshalls Conservation Setts or similar

Car parking bay; 5.0 x 2.5 m

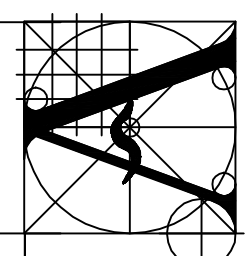
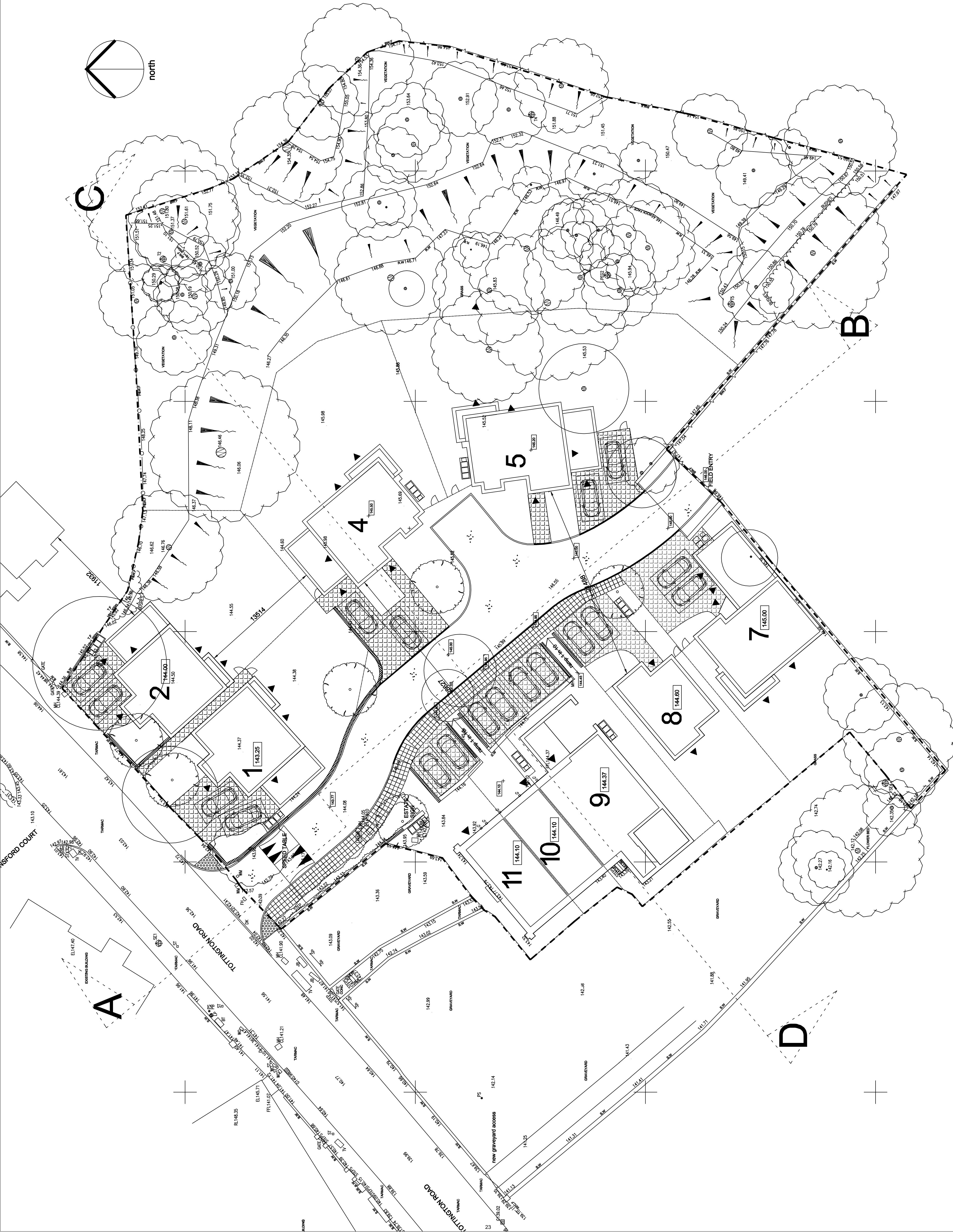
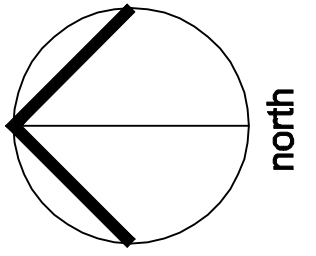
Recycling bin stores; salvaged stone walls, timber doors, hlt. 1.2m.

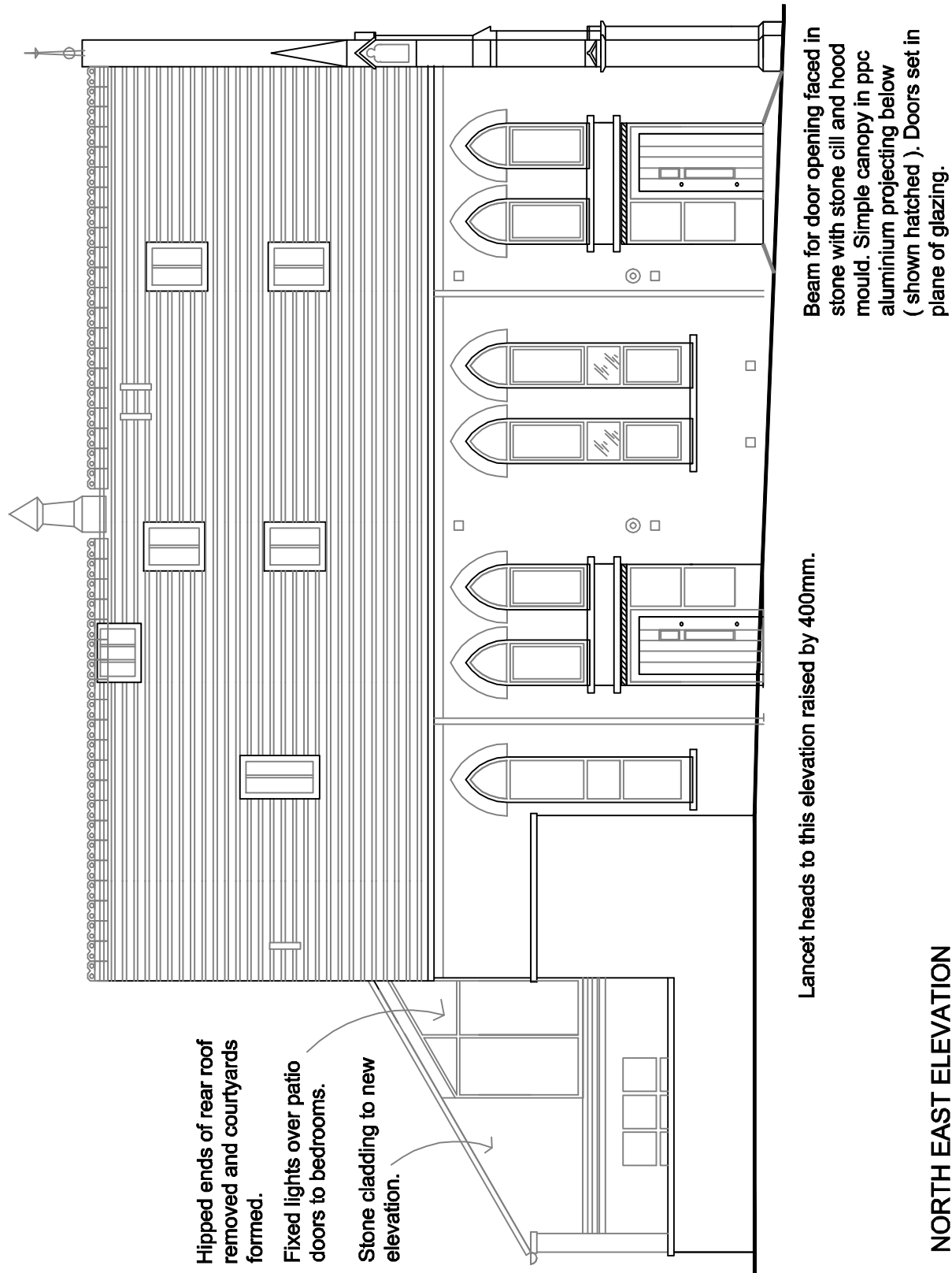
Shrubs and hedging (see soft landscape dwg.)

Existing tree retained

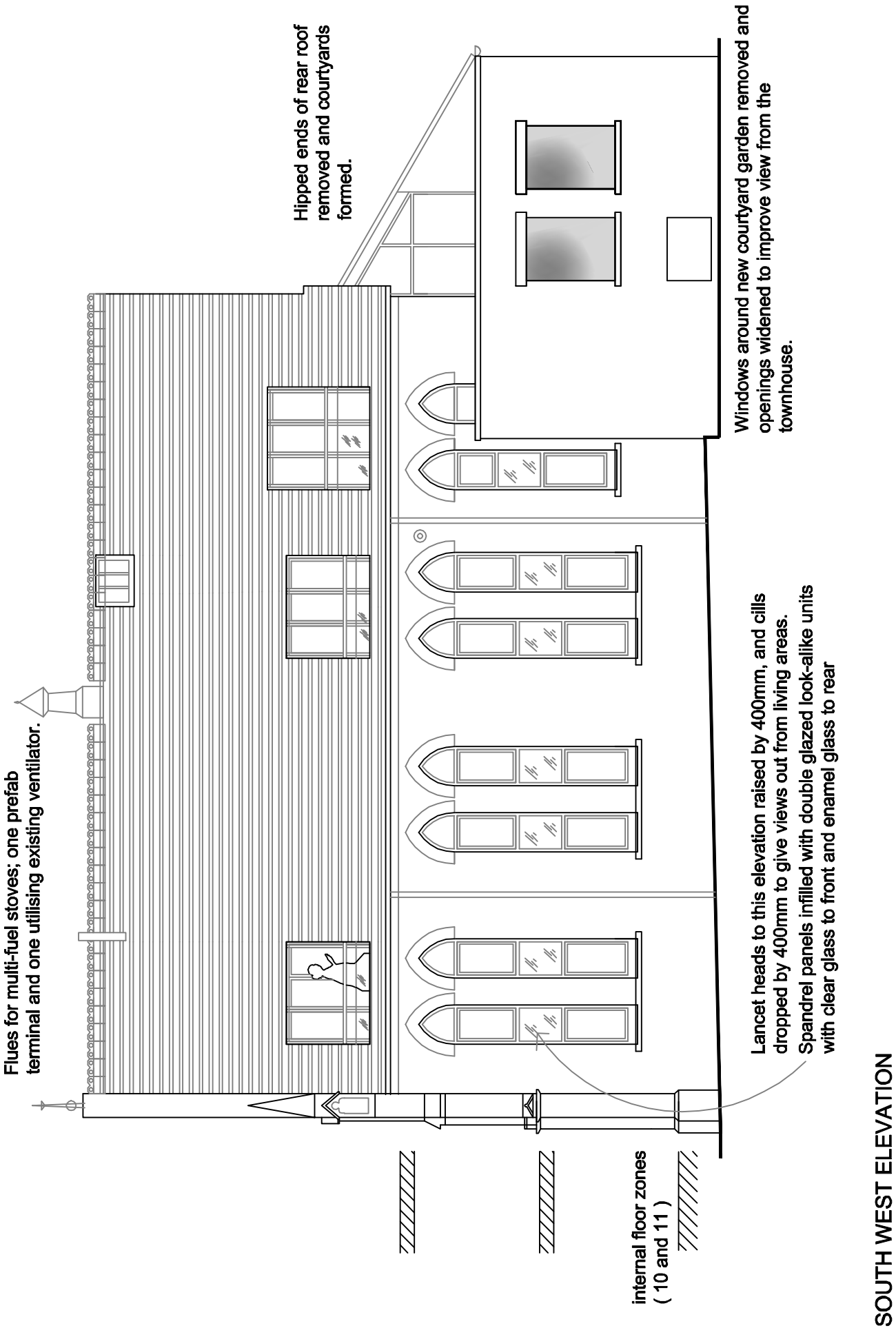
Existing tree grubbed-up

Proposed new tree

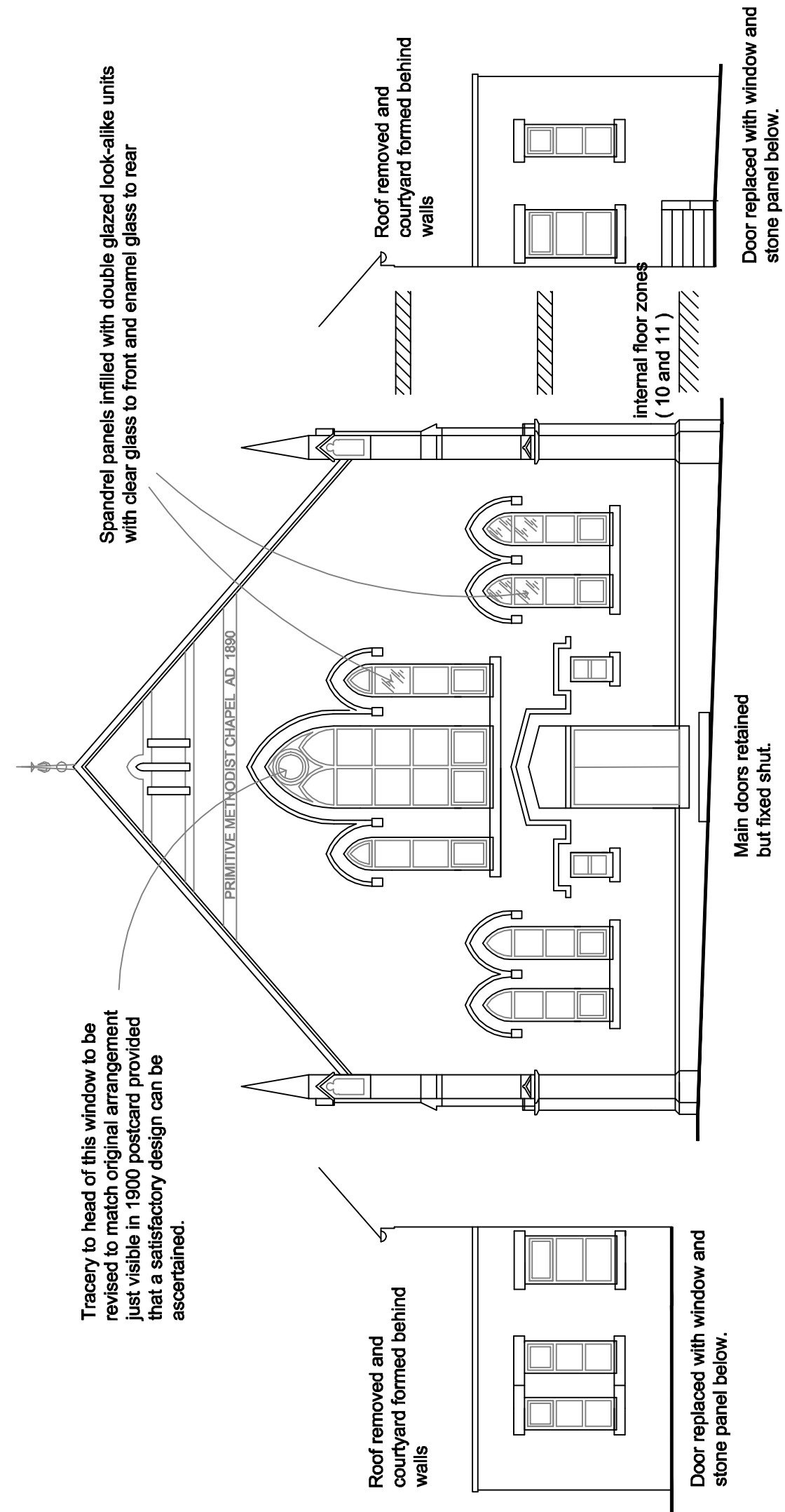




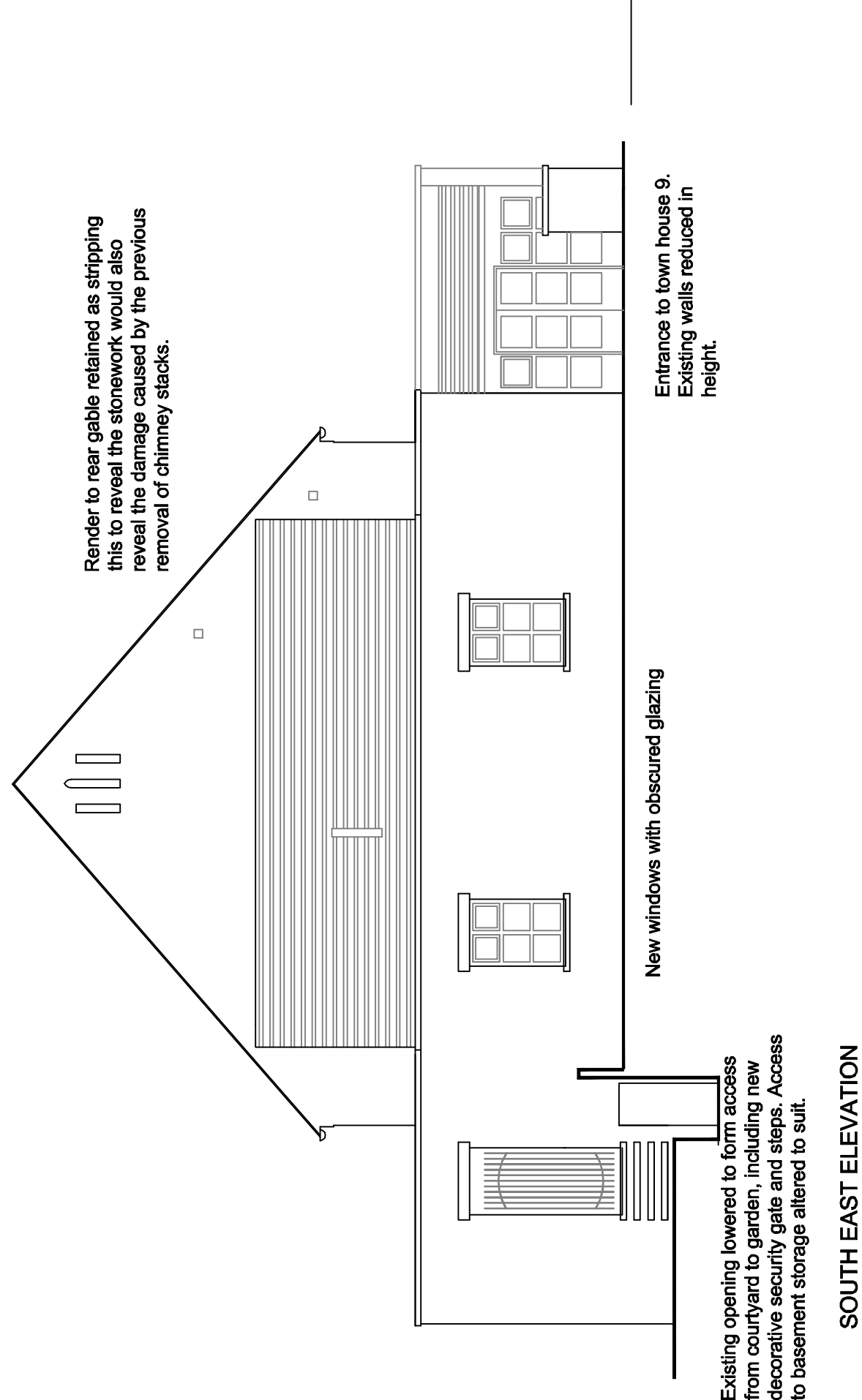
NORTH EAST ELEVATION



SOUTH WEST ELEVATION



NORTH WEST ELEVATIONS



SOUTH EAST ELEVATION

ROOF related with existing slates augmented as necessary with new to match the existing. Original ridge tiles reused or matched.

BALCONIES formed behind plane of roof and aligned with lancets below. Balcony doors in polyester powder coated aluminium, colour; mid grey. Stainless steel balustrading with clear glass panels.

ROOFLIGHTS to be 'conservation type' rooflights by Velux or others; finished mid grey.

RAINWATER GOODS existing retained, or replaced as necessary in steel or aluminium in profiles to match existing. All to be coated mid grey.

WINDOWS All existing upvc and softwood windows to be scrapped. Replacement windows are to be in Timberlook flush casement upvc. Colour to be white. Glazing bar width and arrangement to be as close as possible to as they were when the church was built eg. the tracery at the head of the main window towards Tottington Road originally terminated in a lozenge rather than a circle as at present.

Glazing bars to lancets on SW and NE elevations are shown realigned to suit intermediate floor level, with look-alike spandrel panels.

NEW AND EXTENDED OPENINGS Stonework to reveals will be dressed to match existing. Heads and cills to be reused or to match existing.

NEW ENTRANCE DOORS TO TOWNHOUSES and frames will be in hardwood with a clear finish, or similar. Sidelights to match other windows.

PREFABRICATED MEETING HALL TO REAR OF CHURCH to be demolished.

TARMACCED PATHS BETWEEN CHURCH AND GRAVEYARD to be relaid in gravel matching the stone of the church.

TERMINALS FOR INTERNAL SERVICE INSTALLATIONS

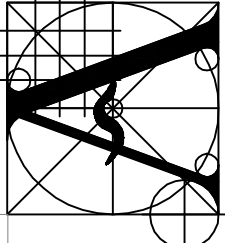
- Boiler flue; balanced flue without cage
- Mechanical ventilation grilles for bathroom and kitchen ventilation and tumble driers; steel painted to match stonework.



Scale; 1:100

Drawing : 1605.51 revB Proposed church elevations

Project ; Harwood Methodist Church for Ashdale Construction, 2017



chris.malkin Architecture

cmalkinarchitect@btinternet.com

07870765581



FIRST FLOOR

GROUND FLOOR

Bedroom with en-suite
or living space 6.2x5.2 with WC /
brew point; either with balcony

office space or
garage

small floor panel

hatching indicates head room less than 2 metres

Dashed lines are roof trusses

The floor plan shows a rectangular living space (6.2x5.2m) with a balcony. The layout includes a living area with a sofa and armchair, a dining area with a table and chairs, and a kitchen area with a sink and stove. A bedroom with an en-suite bathroom is also shown. A staircase leads to a lower level. The plan is oriented with a north arrow pointing towards the top right. Hatching indicates areas with headroom less than 2 metres, and dashed lines represent roof trusses.

Hatching indicates head room less than 2 metres
Dashed lines are roof trusses

bedroom with en-suite
or living space 6.2x4.7 with WC ;

bedroom
 or living space
 4,7x4,5

family
 bathroom

bedroom or
 living space
 4,1x2,5

[illegible]

Full height window up to verge of lean-to gable giving expansive views to hills as well as view down into garden courtyard.

Bedroom

Bedroom

Shower room

Store

Bathroom

Living

Dining

Kitchen

Full height window up to verge of lean-to gable giving expansive views to hills as well as view down into garden courtyard

5

10

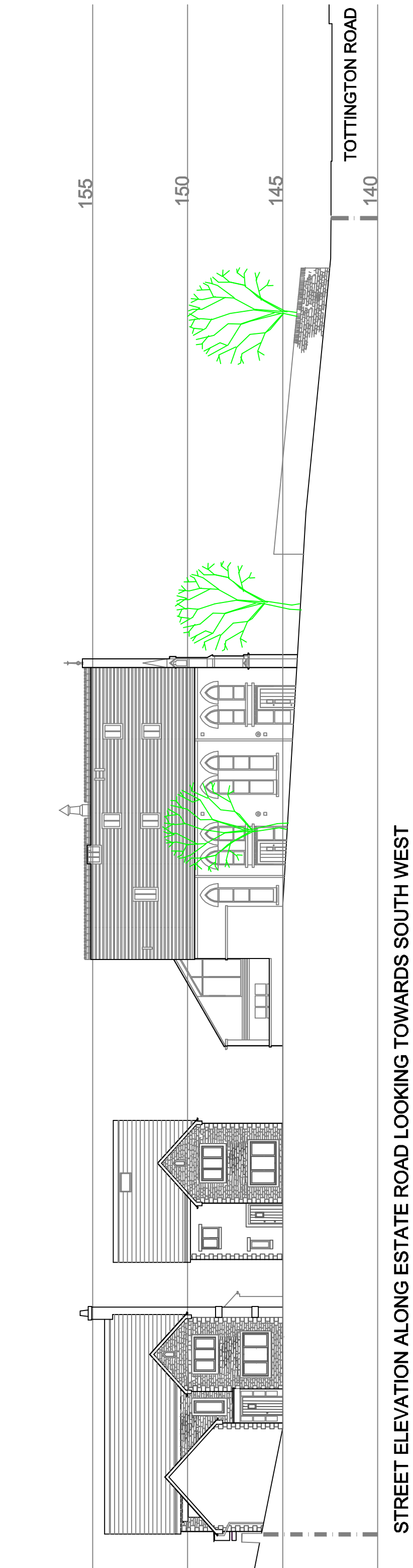
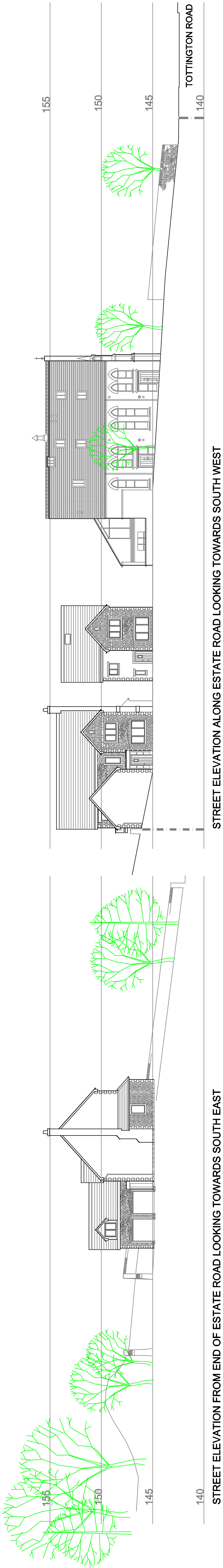
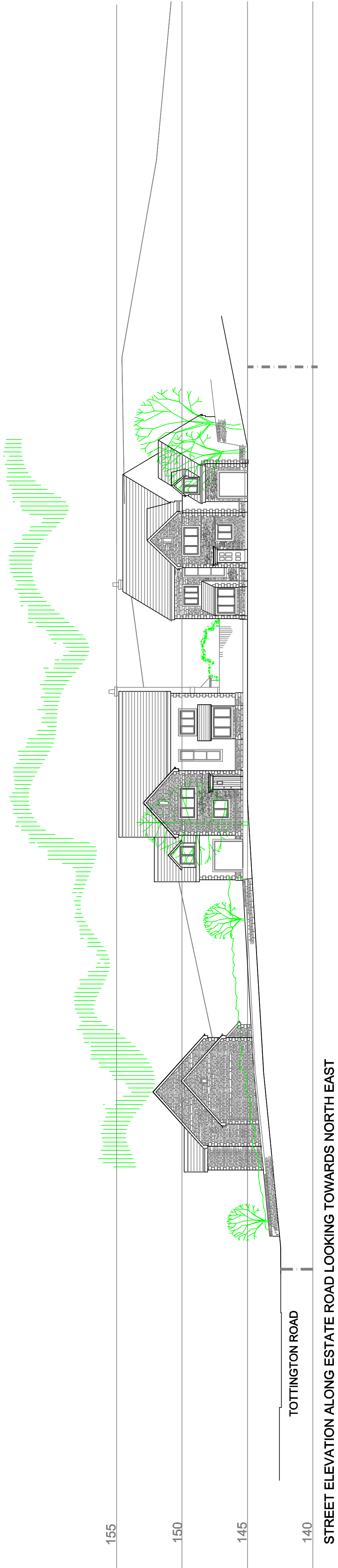
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Revision	Description	Date
1	Based for planning	17/2/17



**Application number
02169/17**



**Development & Regeneration Dept
Development Management Section**

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

Date of Meeting: 05/04/2018

Application Reference: 02169/17

Type of Application: Full Planning Application
Registration Date: 13/11/2017
Decision Due By: 11/02/2018
Responsible Officer: Jodie Turton

Location: 83-87 WIGAN ROAD, WESTHOUGHTON, BOLTON, BL5 3RD

Proposal: CHANGE OF USE OF GROUND FLOOR No 87 FROM RETAIL (CLASS A1) TO RESIDENTIAL (CLASS C3) TOGETHER WITH EXTENSION AND CONVERSION OF 2No EXISTING DWELLINGS TO FORM 8No APARTMENTS INCLUDING NEW VEHICULAR ACCESS FROM WIGAN ROAD AND ASSOCIATED PARKING TO REAR.

Ward: Westhoughton South

Applicant: Mr Jackson
Agent : Neil Pike Architects

Officers Report

Recommendation: Approve subject to conditions

1. The application is before Planning Committee for a decision at the request of Councillor Watters due to concerns over the impact on the highway and in particular the safety of access and egress from the site. Councillor Watters has also requested a committee site visit.

Proposal

2. The application proposes the change of use and development of the site at 83-87 Wigan Road to provide 8 apartments and the creation of a new vehicular access from Wigan Road. Nos. 85 and 87 Wigan Road were previously in retail use at ground floor with residential at the rear and at first floor; the proposal therefore includes the change of use of these properties from Class A1 to C3 residential.
3. In order to facilitate the development of the site to provide 8 apartments, the following is proposed:

Front Elevation

- To the front elevation, the existing shop window would be removed and a new opening formed to provide vehicle access to the proposed car park to the rear of the building via an

undercroft.

- Two of the existing openings would be closed up and replaced with windows to match the existing fenestration, including heads and cills.
- Two velux windows would be added to the front roof slope.

Rear Elevation

- A two storey extension spanning across two thirds of the rear of the property is proposed (set in 4.8 metres from the southern boundary), extending 1.5 metres from the rear wall of the building.
- A further extension is proposed at first and second floor level (supported on stilts) which would be sited towards the northern boundary of the site, measuring 5.2 metres from the rear of the proposed 2 storey extension and measuring 5.0 metres in width. This extension would present a gable elevation to the rear, with two dormer windows on either side of the proposed extension would face to the sides (north and south).
- Four Juliet balconies are proposed in the rear elevation.
- A dormer window is proposed in the rear elevation and two velux windows within the main roof of the building.

Side Elevation (South)

- A visibility opening would be introduced to the side elevation to allow views from the undercroft onto Wigan Road.
- First floor window blocked up.

Side Elevation (North)

- Introduction of four new window openings – two at first floor and two at second floor.

Roof

- The apex of the roof is to be raised from 7.9m to 9.4m to allow for two apartments within the roof space.
- The eaves level at the front of the building would be slightly lower than the existing eaves.

Site Layout

- The existing buildings front directly onto the pavement, there would not therefore be any alterations to the front of the site.
- An undercroft would provide access from the Wigan Road to the rear of the building.
- Six car parking spaces are proposed to the rear of the site.
- A refuse storage area is proposed to the south eastern corner of the site.

Internal Layout

- Eight 1-bed apartments are proposed, two at ground floor, four at first floor and two at second floor.

Site Characteristics

4. The site fronts directly onto Wigan Road and is within walking distance of Westhoughton town centre. The application buildings form a short, red brick terrace row of three properties. No.83 Wigan Road remains in residential use and no. 85 and 87 are in retail use at ground floor with living accommodation to the rear and first floor.
5. The properties benefit from single storey extensions to the rear, as well as garden/yard areas. There is no off street parking for these properties.

6. To the north of the site are residential properties which are set back from the road frontage and benefit from front gardens. The front of the adjacent property at 85 Wigan Road is level with the back wall of 83 Wigan Road.
7. To the south are residential apartments, separated from the application site by a pedestrian path. As with the relationship with 85 Wigan Road, the frontage of the apartment building is level with the rear elevation of the application building.
8. To the rear of the site is a treed grassed area, beyond which are further residential dwellings.

Policy

9. National Planning Policy Framework (2012): promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design.

Bolton's Core Strategy Policies: CG2 Sustainable Construction; CG3 Built Environment; CG4 Compatible Uses; P5 Accessibility; S1 Safe Bolton; SC1 Housing; OA3 Westhoughton.

Supplementary Planning Documents:

- General Design Principles
- Accessibility, Transport and Safety

Analysis

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

Principle of Residential Development

15. Paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development". Local authorities should deliver a wide choice of high quality homes and create sustainable, inclusive and mixed communities. Para 51 goes on to state that, "Local planning authorities should identify and bring back into residential use empty housing and buildings".
16. Policy SC1 of the Core Strategy is focused on the provision of housing. The Council has a target of providing 694 dwellings per annum up to 2026. The target is to provide 80% of housing

development on previously developed land.

17. The application site is currently vacant and was most recently in residential and retail use. The proposal is to convert the existing buildings whilst undertaking significant extensions to accommodate 8 residential apartments in total. The site is located within walking distance of Westhoughton town centre and within walking distance of the two Westhoughton train stations. The site is therefore considered to be a sustainable location as defined by the NPPF. The site is also a brownfield site, currently accommodating a terrace row of three properties and their curtilages.
18. In addition, it should be acknowledged that Bolton is currently falling significantly short of its housing delivery target of 694 dwellings per annum. Additional house building is therefore a target for the Council in order to ensure that sufficient housing is being built to meet the existing and future demand for housing across the Borough. The contribution of the proposed eight residential units is therefore a material consideration in the assessment of the application proposal.
19. The principle of the development of the site for residential use is acceptable and complies with national and local policy objectives.

Impact on the Character and Appearance of the Area

20. Section 7 of the NPPF recognises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
21. Core Strategy policy CG3 seeks to ensure that development proposals contribute to good urban design, conserve and enhance local distinctiveness and have regard to the overall built character and landscape quality of the area. Furthermore, development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.
22. The existing terraced row fronts directly onto the pavement and due to this is sited in a prominent position within the streetscene, with the properties to the north and south sitting back from the pavement with garden areas to the front. The proposal to convert the existing properties would have minimal impact on Wigan Road as the fenestration and door openings would remain largely unchanged. The existing shop window would be removed and a large opening created from the front to the rear of the building to create an underpass for vehicle access. It is also proposed that the roof would be raised, however the eaves line would remain largely unchanged.
23. It is the rear of the building however which would see the most dramatic alterations, with the addition of an extension which would sit on stilts above the existing garden area. The extension would be sited largely to the northern section of the site adjacent to 81 Wigan Road. The proposed extension has been scaled back to reduce the size, bulk and dominance of the extension when viewed from the rear and side elevations.
24. The amendments to the design of the scheme have ensured that the proposed development would fit comfortably within the site and within the context of the surrounding residential environment. The proposal is therefore considered to comply with guidance contained in the NPPF and Core Strategy policy CG3.

Impact on Residential Amenity

25. Core Strategy policy CG4 seeks to ensure that development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution.
26. The application has been amended since first submission, in part due to the comments received from Housing Standards colleagues regarding the lack of natural light and ventilation to two apartments as there were no windows proposed to the living/dining room areas. As a result, the number of apartments has been reduced from 12 to 8 and all apartments would now have windows to the living areas and bedrooms to ensure suitable living conditions for future residents. It is however noted that the windows serving the bedroom and kitchen of flat No.3 would have limited outlook, looking directly out onto the side elevation of No.81 Wigan Road, which is also to the northern aspect of the site and would therefore give limited light. Despite this, it is acknowledged that when working within the constraints of existing buildings and their conversion that some compromises are inevitable. The window sizes have been enlarged to provide more light and a large window/Juliet balcony has been added to the living room rear elevation, ensuring that the apartment as a whole would receive sufficient natural light and outlook. On balance, this is therefore considered to be acceptable.
27. SPD 'General Design Principles' makes the requirement for apartments to have either a private balcony of 5 sq metres or an external amenity area of 18 sq metres per apartment. The proposed scheme makes no provision for amenity space, either via balconies or external space. The proposal therefore fails to comply with this requirement. Despite this, it is acknowledged that where conversion of existing housing stock takes place there are often compromises and it is important to take into consideration the context of the residential scheme. In this instance, the site is located on the outer edge of Westhoughton town centre. Within Westhoughton is a leisure centre, various parks and easy access to wider countryside areas. Whilst these do not compensate for the lack of amenity space for the apartments, given the need for residential development in Bolton and the fact that the proposal would bring back into use redundant buildings, these factors are considered to outweigh the lack of amenity space in this instance.
28. The plans have been amended to relocate the bin store to a more practical and useable location. This has been moved from the north eastern corner of the site to the south eastern corner, which would be easily accessible from the building and also to the undercroft to ensure that the bins can easily be put onto the highway on bin collection day.
29. The southern elevation of the building faces 89-91 Wigan Road. The plans have been amended to remove the previously proposed principal room window in the facing elevation. There is a distance of approximately 24 metres from the proposed second floor dormer window to the front of 89-91 Wigan Road, which complies with the interface distance guidance contained in the SPD 'General Design Principles'.
30. The distance to the properties at the rear is in excess of 24 metres, which complies with the SPD guidance on interface distances.
31. Some concerns were raised regarding the first floor bedroom window in the northern elevation and that this would create overlooking and impact detrimentally on the living conditions of the neighbouring residents at 81 Wigan Road. A condition has been added to obscure glaze this window to ensure that there is no detrimental impact on the amenity of neighbouring residents, or indeed on future residents of the apartments.
32. Given the above, the proposal is, on balance, considered to comply with Core Strategy policy CG4 and SPD 'General Design Principles'.

Impact on Parking and the Highway

33. 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. Appendix 3 provides guidance on parking standards.
34. The application proposes 6 parking spaces to serve the eight apartments. These would be sited to the rear of the building, accessed via an undercroft from Wigan Road. Although it is acknowledged that 6 parking spaces falls below the standards detailed in Appendix 3 of the Core Strategy, the site is in a reasonably sustainable location, close to Westhoughton town centre and with access to bus and train services. Highway Engineers acknowledge this, however they do raise a, "minor concern that the parking numbers indicated could still lead to the contravention of traffic regulation orders at that location and/or on-street parking in the adjacent areas to the detriment of residential amenity."
35. The applicant has responded to initial concerns raised by Highway Engineers about the access, visibility and parking layout and the plans have been amended to address these issues. The parking layout has been altered to ensure that the spaces are more accessible and Highway Engineers have confirmed that "the proposed parking layout does comply with the requirements indicated in national guidance in terms of accessibility/manoeuvrability". An opening is now proposed in the side gable of the building which would allow vehicles leaving the site to have visibility onto the pavement and to Wigan Road - Highway Engineers have confirmed that, "the openings within the gable would help visibility of pedestrians on the PROW for emerging vehicles from the proposed development." In addition, the bin store has been relocated to a more convenient position to allow residents to take the bins to the highway on collection days.
36. Overall, it is considered that the applicant has amended the scheme sufficiently to ensure that the proposal complies with policy in respect of the highway and parking.

Other Matters

Crime Impact Statement

37. Greater Manchester Police commented on the application and stated that a Crime Impact Statement was required due to the size of the development, however the number of apartments has now been reduced to below the threshold for this requirement.

Delivery Statement

38. The agent has provided a delivery statement, confirming that it is the Applicant's intention to start work on site upon receipt of planning permission as the building has been vacant for some time.

Local finance considerations

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

Conclusion

40. The proposed development would see the conversion of this existing vacant terrace row into an apartment block of 8 x 1-bedroom units. The proposed rear extensions and physical alterations to the building are considered to be acceptable in the context of the surrounding area and comply with the NPPF and Core Strategy Policy CG3. Highway Engineers are satisfied with the parking layout and the access/egress into the site, however this is conditional on the provision of

the visibility opening in the side elevation of the building as shown on the amended plans. Some concerns have been raised about the number of parking spaces, which are below the recommended standard; however given the edge of town centre location and the proximity to train stations and access to bus services, the number of spaces is considered to be acceptable in this instance.

41. The design and layout of the scheme has ensured that interface distances have been met, complying with Core Strategy Policy CG4 and the 'General Design Principles' SPD. It is acknowledged that the proposal fails to provide any external amenity space and although balconies were explored this would have impacted detrimentally on the amenity of neighbouring residents. However, given that the proposal would bring a redundant building back into use, that development would commence swiftly and would therefore contribute to the housing provision in the borough, these material considerations which when also taking into consideration the location of the building, are considered to outweighs the requirement for on-site amenity space in this instance.
42. On the basis of the above, Members are recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- letters have been received from two objectors, both living within close proximity to the application site, raising the following issues:

43. The development will be an eyesore.
- Insufficient car parking
 - Overdevelopment of the site.
 - Noise and disturbance from residents and from the cars parked directly to the rear of their house.
 - Impact on security.
 - Insufficient space for residents to access the parking spaces.
 - How will cars manage to access the car park from Wigan Road safely?
 - Loss of light to the properties at the rear.
 - Too many flats (*Officer comment: the number of flats has been reduced from 12 to 8*)
 - The tunnel for vehicle access would come out on a very busy road, with poor visibility and close to a pedestrian footpath (*Officer comment: a visibility opening has been introduced into the side elevation to ensure better visibility for vehicles leaving the site*).
 - The plans show almost a doubling in size of the property – this will tower over neighbouring houses (*Officer comment – the height of the building has been reduced since first submission*)
 - The first floor bedroom window in the southern elevation will look directly into the bedroom window of the adjacent property (*Officer comment: a condition has been added to obscure glaze this window*)
 - The side wall of the proposed extension is only 1.2 metres from the boundary of 81 Wigan Road – this will cause problems for construction and maintenance.
 -

Town Council:- Westhoughton Town Council objected to the proposal for the following reason: “The Town Council raised objection because of the overdevelopment of the site which will have a detrimental effect on the residents of The Welland and No.81 Wigan Road, and the proposed access would create a highways hazard because it is on a bend on busy Wigan Road and near to a bus stop.”

Consultations

Advice was sought from the following consultees: Greater Manchester Police, Highway Engineers, Public Rights of Way, Economic Strategy, Housing and Public Health, Strategic Development.

Planning History

There are a number of planning applications which have been considered at the application site including the following:

A planning application for the retention of 83 Wigan Road as a house and conversion of 85 & 87 Wigan Road to 5 flats was withdrawn by the applicant in June 2016 (96345/16).

A planning application for the conversion of 83-87 Wigan Road into 7 self contained flats consisting of 4 x 2 bed and 3 x 1 bed self contained flats was withdrawn by the applicant in March 2016 (95499/15).

Planning permission was granted in December 2006 for the erection of a single storey rear extension to form a shop extension and the formation of a flat on the first floor of No. 87 Wigan Road

(75767/06) and the conversion of part of the existing shop/off licence at No. 85 to a single dwelling.

Planning permission was granted in November 2005 for the erection of a single storey rear extension at No's 85/87 Wigan Road together with the change of use of the first floor to two flats (72509/05).

Planning permission was refused in October 2004 (68440/04) for the erection of a single storey rear extension and also the provision of 3 flats (2 at first floor and 1 within the existing roofspace) with the retention of the ground floor premises as an off licence/shop.

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. Notwithstanding the submitted plans, prior to the commencement of development the details (manufacturers specification and/or samples if required) of the type and colour of materials to be used for the external walls, roof and dormer front and cheeks 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. Prior to the commencement of works to create the vehicle access into the site, full details of the highway works at Wigan Road comprising the implementation of a vehicle access crossing (VAC) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

4. Prior to the commencement of works to create the vehicle access (undercroft) into the site full details of the highway works at Wigan Road/The Welland comprising the repair/reinstatement of footway surfaces arising from the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

5. Before the approved/permitted development is first brought into use no less than 6 car parking

spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be marked out and provided within the curtilage of the site, in accordance with Drawing Ref: Proposed Site Plan - PL K735/01 Rev B - dated 03.01.18. Such spaces shall be made available for the parking of cars at all times.

Reason

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

6. 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.

Reason

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

7. Prior to the development hereby approved/permitted being first brought into use a visibility opening as shown on the approved plans (**Proposed Side Elevation South; PL K735/08 Rev E; dated 20.03.18**) shall be inserted into the southern elevation of the building, and subsequently remain free of all obstructions at all times.

Reason

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

8. Before the first occupation of the building/extension hereby permitted the bedroom window to flat 3 and the bathroom window to flat 7 facing 81 Wigan Road 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 and in order to comply with Core Strategy policy CG4.

9. Before the development is first brought into use a detailed scheme shall be submitted to and approved by the Local Planning Authority showing the design, 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 in order to comply with Bolton's Core Strategy policy CG3.

10. 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.

11. External lighting shall be designed to a maximum illumination value of 4 lux at the nearest residential property. The beam angle of any lights directed towards any potential observer should be kept below 45 degrees. Spill shields should also be fitted. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

12. 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

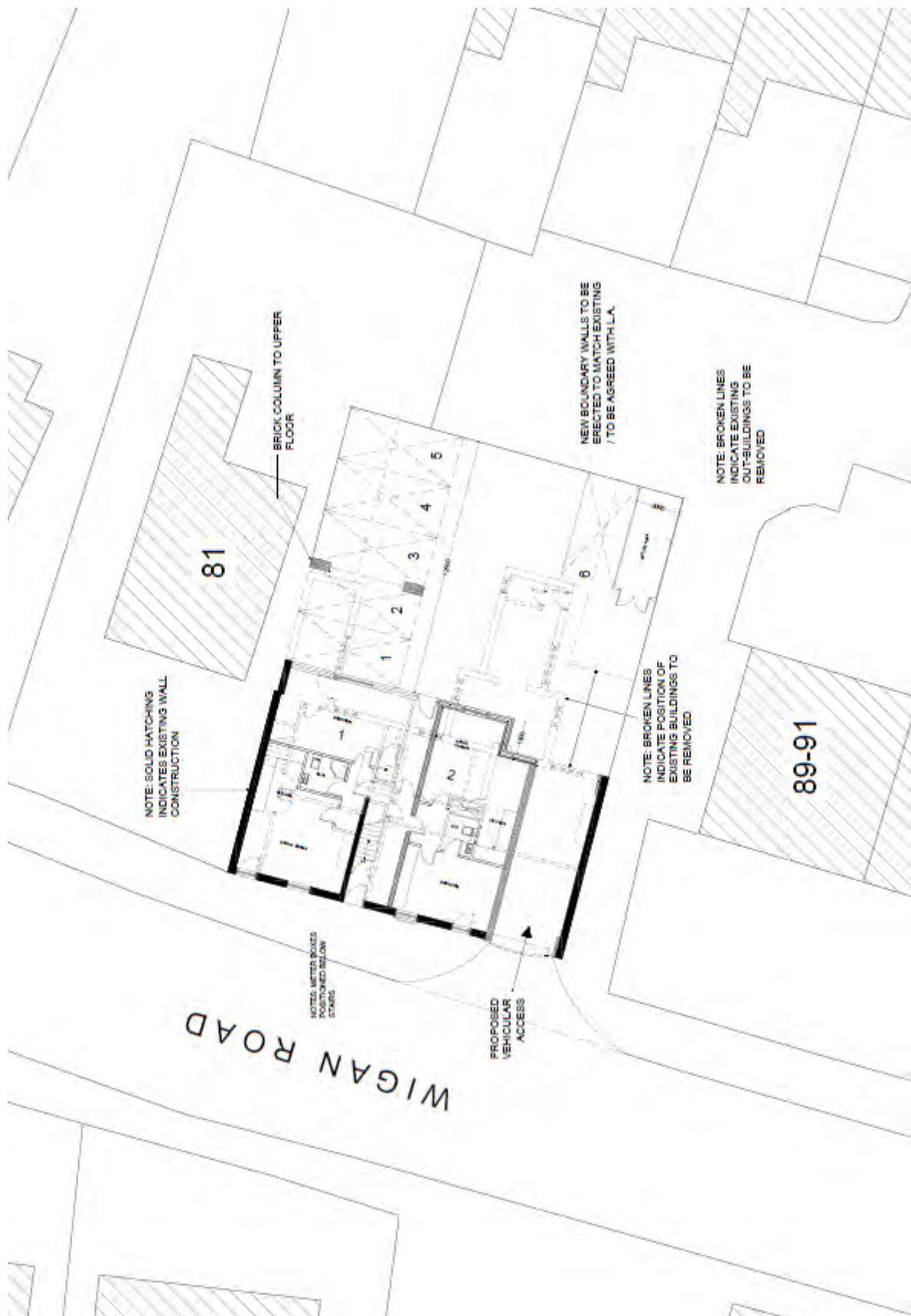
In the interest of creating architectural depth and shading to the elevations and in order to comply with Bolton's Core Strategy Policy CG3

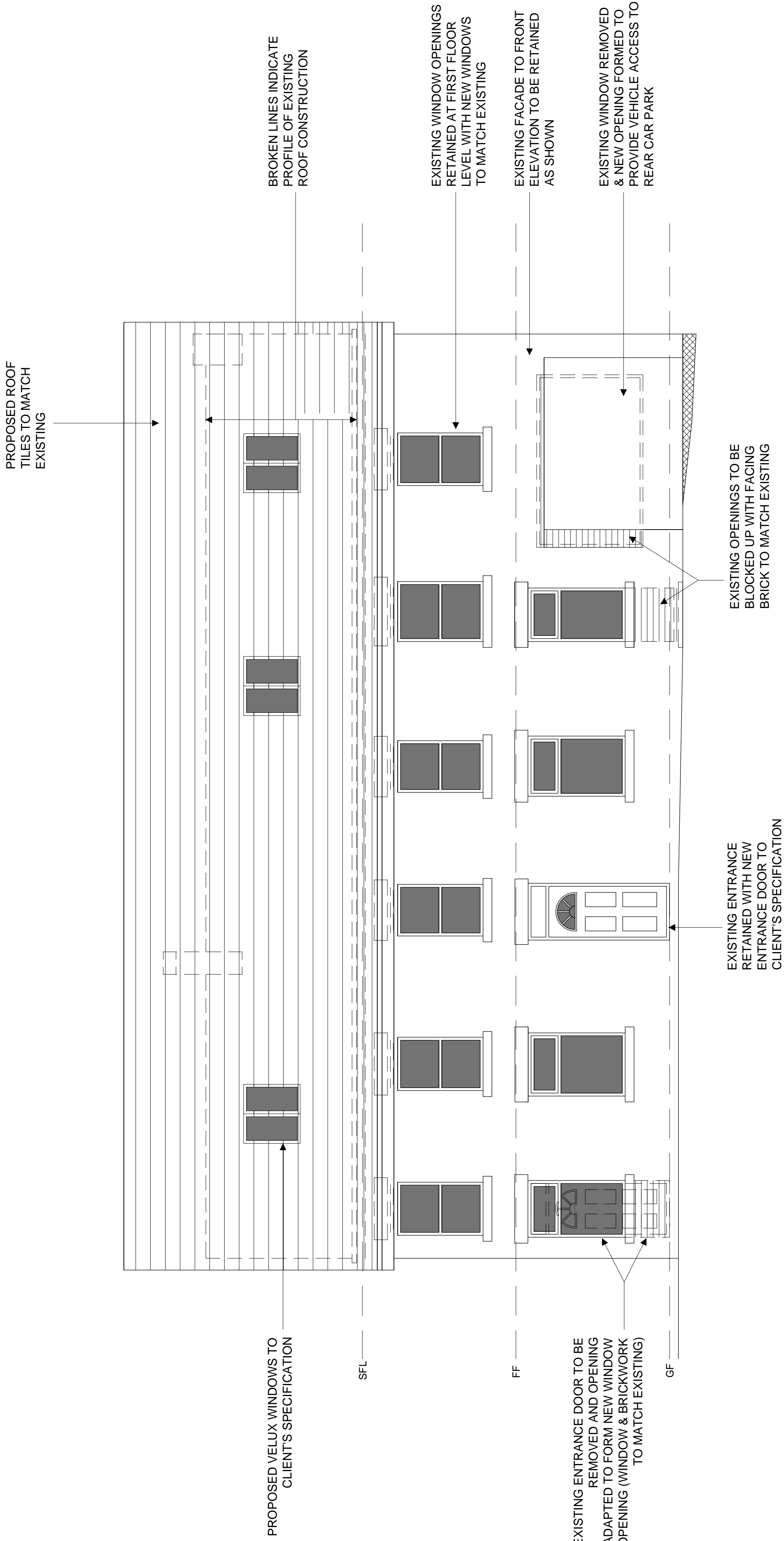
13. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

- **Proposed Front Elevation; PL K735/06, Rev C; dated 15.02.18**
- **Rear Elevation; PL K735/07, Rev C; dated 20.03.18**
- **Proposed Side Elevation South; PL K735/08 Rev E; dated 20.03.18**
- **Proposed Ground Floor Plan; PL K735/02, Rev C; dated 15.02.18**
- **Proposed First Floor Plan; PL K735/03, Rev D; dated 20.03.18**
- **Proposed Second Floor Plan; PL K735/04, Rev D; dated 20.03.18**

Reason

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





PROPOSED FRONT ELEVATION

REV	DESCRIPTION
A	REDUCTION OF NO. OF UNITS, REDUCTION IN HEIGHT OF PROPOSED RIDGE HEIGHT & INCLUSION OF REFUSE DETAILS 03.01.18 - R.S.P.
B	EXTENT OF PROPOSED EXTENSION REDUCED & CAR PARK AND REFUSE LAYOUT AMENDED 02.02.18 - R.S.P.
C	BALCONIES REMOVED TO FRONT ELEVATION TO PLANNING OFFICER'S SPECIFICATION 15.02.18 D.D

PROPOSED FRONT ELEVATION

PROPOSED RESIDENTIAL DEVELOPMENT
83-87 WIGAN ROAD, WESTHOUGHTON
BOLTON, BL5 3RD

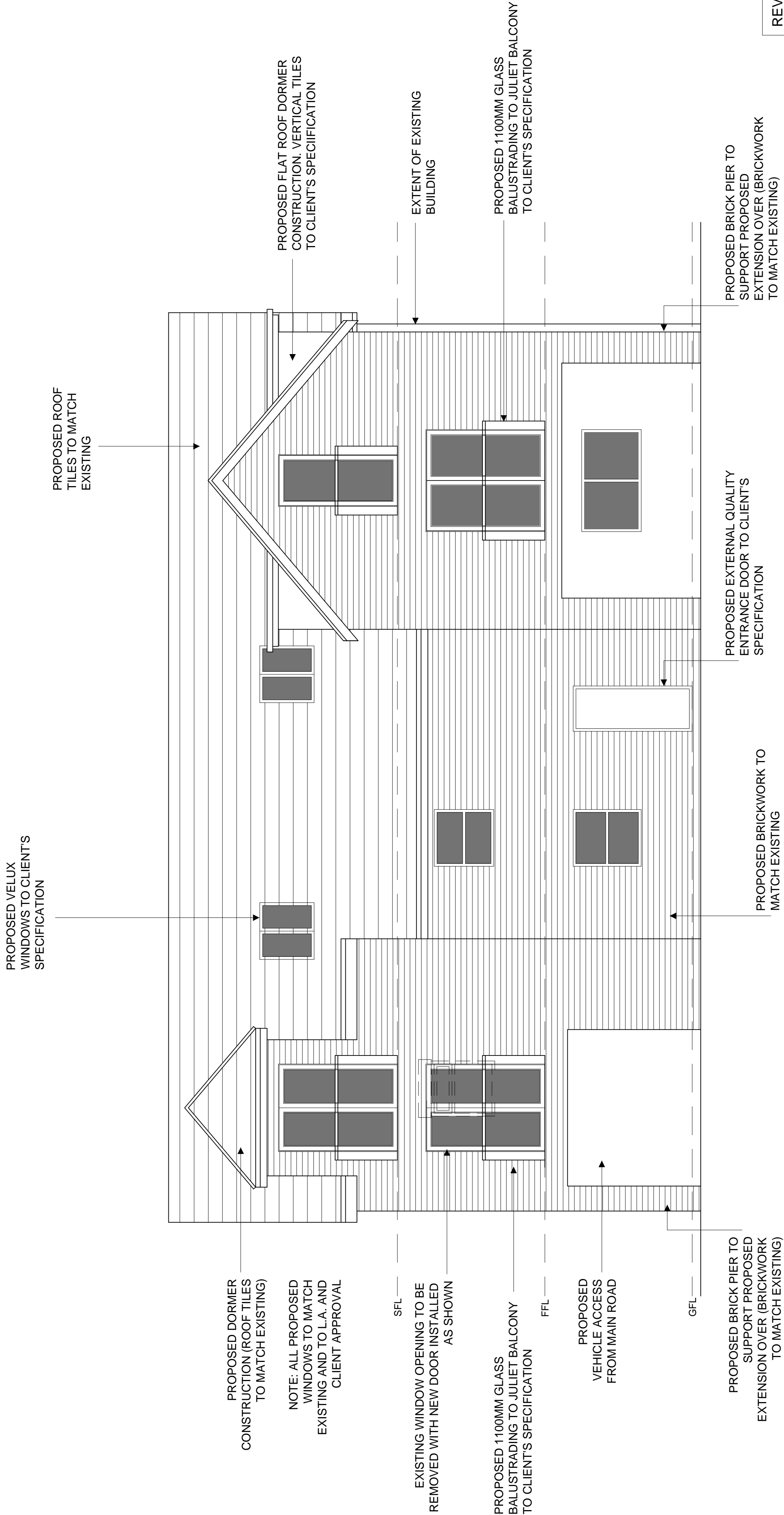
CLIENT:	JACKSON	
DWG NO:	PL K735/06	
SCALE:	1/50 @ A1	
DRAWN BY:	R.S.P.	
DATE:	14/09/17	
REV:	C	



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architects

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PROPOSED REAR ELEVATION

REV	DESCRIPTION
A	REDUCTION OF NO. OF UNITS, REDUCTION IN HEIGHT OF PROPOSED RIDGE HEIGHT & INCLUSION OF REFUSE DETAILS 03.01.18 - R.S.P.
B	EXTENT OF PROPOSED EXTENSION REDUCED & CAR PARK AND REFUSE LAYOUT AMENDED 02.02.18 - R.S.P.
C	BALCONIES REPLACED WITH JULIET BALCONIES TO PLANNING OFFICER'S SPECIFICATION 20.03.18 D.D.

PROPOSED REAR ELEVATION

PROPOSED RESIDENTIAL DEVELOPMENT
83-87 WIGAN ROAD, WESTHOUGHTON
BOLTON, BL5 3RD

CLIENT:	JACKSON
DWG NO:	PL K735/07
SCALE:	1/50 @ A1
DRAWN BY:	R.S.P.
DATE:	14/09/17
REV:	C



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Application number 02435/17



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Development Management Section

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Bolton Council

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Date of Meeting: 05/04/2018

Application Reference: 02435/17

Type of Application: Full Planning Application
Registration Date: 08/12/2017
Decision Due By: 08/03/2018
Responsible Officer: Andrew Cotton

Location: LAND OFF DEANE CLOSE, CHERRY TREE AVENUE AND WATSON ROAD, FARNWORTH, BL4 9SD.

Proposal: ERECTION OF 10 NO. BUNGALOWS, 3 NO. HOUSES, ASSOCIATED ACCESS AND LANDSCAPING.

Ward: Harper Green

Applicant: Bolton at Home
Agent : Paddock Johnson Partnership

Officers Report

Recommendation: Approve the application subject to conditions and authorise the Director of Place and Borough Solicitor to complete all the necessary legal formalities in consultation with the Chair of Planning Committee.

Proposal

1. The proposal is for the erection of 13 no. dwelling residential development consisting of 10 no. bungalows and three two storey terrace properties with associated private gardens and driveways. Access from to the properties would be gained off Deane Close, Watson Road and Cherry Tree Avenue. All units would be affordable housing (consisting of 3 no. Affordable rent, 10 no. Shared Ownership) by Bolton at Home based on an assessment of need and demand in the area for this type of housing.

Site Characteristics

2. The site comprises an existing area of open informal green space surrounded by residential properties.
3. The site is virtually level and has an area of approximately 0.42Ha. The south western edge of the site is bound by Dean Close with residential properties opposite which consist of a mix of two storey and bungalows. The north western edge of the site is bound by Watson Road with two storey residential properties opposite. To the north is Cherry Tree Avenue which consists of a terrace of two storey dwellings.
4. The architectural character is red brick with pantile roofing and grey PVC windows. The open land to the east of the site is within the applicants ownership, however is not considered suitable for development due to the presence of a coal mining legacy.

Policy

5. Bolton's Core Strategy (2011) Strategic Objectives (SO) 14 - Providing housing that meets the needs of everybody, SO15 - Focus new housing in the existing urban area and SO16 Develop mixed communities which encourage social cohesion and ensure access for all to community and cultural facilities.
6. Core Strategy policies:- P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, RA2 Farnworth, IPC1 Infrastructure and Planning Contributions and Appendix 3 Car Parking Standards.
7. Bolton's Allocations Plan (2014) - Housing Allocation - Site reference 93SC -
8. National Planning Policy Framework.
9. Supplementary Planning Documents (i) General Design Principles and (ii) Accessibility, Transport and Safety and (iii) Infrastructure and Planning Contributions.

Analysis

8. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.
9. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.
10. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.
11. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.
12. The main impacts of the proposal are:-
 - * Principle of residential development;
 - * Impact on the character and appearance of the area;
 - * Impact on the living conditions of existing/future residents;
 - * Impact on wildlife
 - * Impact on highway safety;
 - * Impact on drainage/coal mining legacy;
 - * Impact on sustainability; and
 - * Impact on existing infrastructure.

Principle of residential development

13. 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 (of which this development would form part).
14. Core Strategy policy RA2 states that "the Council and its partners will develop new housing

throughout the area on a combination of brownfield sites and on a limited number of greenfield sites in existing housing areas.”. This policy also seeks to ensure that development conserves and enhances the distinctive character of the existing physical and natural environment.

15. Additionally policy CG1.4 of the Core Strategy states that development of informal green space within the urban area is allowed provided that it allows for the improvement of remaining green spaces and helps to meet the Strategic Objective for housing.
16. The site is identified in the Allocations Plan under the reference 66SC as a housing allocation site of 1.17 hectares in size and capable of achieving up to 25 units. Due to the site constraints of the former quarry and the two mine shafts present on site, it has only been possible to obtain 13 units, as shown on the proposed layout plan.
17. 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.
18. The site is allocated for residential development albeit part of a larger area of informal open space. The site is defined as a greenfield site within the urban area. The principle of residential development in this location is therefore considered to be appropriate. In order to comply with Core Strategy policy CG1.4 the applicant has agreed to the provision of a financial contribution for the improvement of Harper Green playing fields. This is in accordance with guidance from the Council's Greenspace Management team.
19. The proposal complies with Core Strategy policies CG1, RA2 and SC1.

Impact on character and appearance of the area.

Guidance contained within the NPPF and Core Strategy policies CG3 and RA2 seeks to ensure that new development proposals are compatible with the surrounding area in terms of scale, massing, grain, form, architecture, landscape treatment.

The proposed development utilises the existing access to the site, with accessibility from Dean Close, Watson Road and Cherry Tree Avenue. These are the residential roads running to the North, West and South of the site and travel around the perimeter of the development. 10 out of 13 dwellings are (single storey) bungalows. These are arranged along Dean Close and Cherry Tree Avenue. There are also three terraced houses along Watson Road to the North of the site.

The primary roof type in the area is open gable, with some hipped roofs. The development proposes gabled types to both front and side elevations. The front gabled roofs have been used largely to reduce the mass and impact of the new dwellings on the surrounding properties, in order to reduce their visual impact. This helps to break up the elevations and provide some variation within the street scene. The material palette is considered to complement the brick used in the surrounding area. Overall it is considered that the proposed designs would sit well within the established streetscene.

Significant planting is shown within the site and additional tree planting within the remaining open land to the east.

Whilst there is a wildlife corridor adjacent to the development site, i.e. the Doe Hey Brook corridor it is considered that the development would not restrict the free movement of wildlife through the corridor and would retain a soft edge along the southern boundary of the site.

The proposal would change the character of the site and its edge due to the introduction of a new built form however, it is considered that over time the site would again blend into the adjoining landscaped area. In addition, it is considered that the proposed house types complement the existing house types which are adjacent to the site.

It is that the proposal complies with policy.

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.

Guidance contained within the General Design Principles SPD relating to interface distances has been followed and in some cases exceeded, and where possible direct overlooking has been avoided in order to protect the privacy of existing residents.

The proposal would abut open space to the west and south with an additional area of informal amenity space located to the east separated by Minerva Road. The closest properties to the north west on Watson Road and to the north on Cherry Tree Avenue. The properties to the north west are two storey and the properties to the north are bungalows and would introduce a distance of 21m to the development site.

Therefore, in terms of issues of privacy and scale the proposal is wholly compliant with Core Strategy policy CG4 and guidance contained within the General Design Principles SPD.

Concern has been raised by residents in terms of a loss of view. Whilst the loss of a view is not a material planning consideration, it is noted above that the views enjoyed by existing residents would change. However, appropriate landscaping is proposed to improve the visual appearance of the site.

The proposal would comply with policy.

Impact on the wildlife

Core Strategy policy CG1 seeks to ensure that the Council and its partners will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development

Whilst the site is not specifically allocated or designated in respect of nature conservation within the Allocations Plan, the Council seeks to encourage developer to provide wildlife enhancements where possible. An amended plan has been provided to incorporate swift bricks within the dwellings. The Greater Manchester Ecology Unit has provided comments on the application and raises no objections.

Therefore, subject to the implementation of the approved plans it is considered that the proposal would comply with Core Strategy policy CG1.

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.

The proposal would create a new improved access, whilst enhancing the surface of Minerva Road in this location with adequate visibility splays and radii. The proposal would provide 10 x 2 bedroomed bungalow properties together with 3 x 3 bedroomed two storey dwellings. All properties would have

2 parking space provided which would accord with the Council's maximum Car Parking Standards.

According to the OS Base Plans both Cherry Tree Avenue and Dean Close are scaling at 4.8m carriageway width which falls below the Council's normal adoptable standards (5.5m). Owing to the level of development proposed and the potential traffic impact there would be no justification to ask the developer to widen these sections of highway up to those requirements.

This level of car parking would meet the Council's maximum car parking standards as outlined within Appendix 3 of the Core Strategy. The proposal would create a modest increase in traffic using Deane Close and the other adjoining roads which is unlikely to result in any harm to highway safety.

The proposal would comply with Core Strategy policies P5 and S1.

Impact on drainage/coal mining legacy

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.

Additionally the Coal Authority have commented on the application, stating that the site falls within a low risk development area and as such the Coal Authority has no comments to make subject to the inclusion of a standard informative.

The proposal would comply with Core Strategy policies CG4 and CG1.

Impact on sustainability

Core Strategy policy CG2 seeks to ensure that new development contributes to the delivery of sustainable development by way of ensuring new dwellings are (i) constructed to sustainable construction standards (Code for Sustainable Homes), (ii) incorporate reductions in CO2 emissions either by way of a fabric first approach or by the use of renewable energy sources within developments and (iii) for previously developed sites - reduce surface water run-off by 50%.

Commitment to Sustainable Design and Construction by Bolton at Home means that this development will be designed to achieve Code 3 of the Code for Sustainable Homes – an improvement of 33% in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) of the dwelling. However item (i) has been superseded by the requirements of the Building Regulations system. It is envisaged that the latter two items would be secured using appropriately worded conditions for the proposed development.

Subject to compliance with the two conditions it is considered that the proposal would comply 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.

As the proposal would be (i) affordable housing and (ii) be under the site size and unit number threshold to make contributions for infrastructure provision the proposal would be exempt from the provision of any s.106 contributions.

The proposal would comply with policy.

Value Added to the Development

The applicant has amended the scheme to improve the landscaping in line with the Councils Landscape team comments. Additionally an amended plan has been provided to incorporate swift bricks within the dwellings to provide ecological enhancement to the site.

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 following is considered to be a local financial consideration in this case:

New Homes Bonus for the 13 no. proposed dwellings – this is not a material planning consideration.

Conclusion

The proposed development is, as stated previously, consistent with both local and national policy as it is for the redevelopment of a brownfield site for housing. The site is within the urban area and within easy walking distance of major transport routes along Bradford Road and Green Lane and is considered to be entirely acceptable in principle. The overall design whilst representing good urban design would require a compromise in the loss of existing trees from the site, particularly in the north west corner of the site. It is considered however that subject to replacement tree planting adjacent to the site the tree loss would be mitigated.

Therefore, the proposal is considered to comply with the development plan and there are no material considerations which would indicate otherwise.

Members are recommended to delegate the decision to grant planning permission to the Director of Place pending the signing of the s.106 agreement to secure off site improvement to public open space within the locality.

Representation and Consultation Annex

Representations

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

- This is a lovely peaceful green area of Farnworth which will be lost/affected by the proposal;
- Nice views currently which would be restricted by the proposed development - ***loss of view is not a material planning consideration;***
- The development would be out of character with the area;
- Increased noise pollution and traffic congestion;
- Query whether there is sufficient parking for the properties;
- Set precedent for further housing development on greenfield land - ***each development is assessed on its merits and would not set a precedent for further development elsewhere;***
- Impact on wildlife. Better to enhance the area for use by wildlife

Petitions: - no petitions received.

Elected Members: - Cllr Sue Haworth has requested that the application is referred to committee for a decision for the following reasons:

- Would result in the loss of a key open area that functions like a cul-de-sac green;
- Loss of the open aspect of living on Dean Close, some homes on Cherry Tree Avenue and a few homes on Watson Road;
- Loss of an enjoyed residents view;
- Ten bungalows and three houses is overbearing development for this area;
- Would adversely affect the character and appearance of the area;
- Would reduce neighbourhood watch activity;
- A new land mass of properties will change entirely the place that is Dean Close today.

Consultations

Advice was sought from the following consultees: Environment Agency, Trees and Woodland Officer, United Utilities, National Grid, Health and Safety Executive, Design for Security (GMP), Drainage/Flood risk team, Landscape Architects, Wildlife Liaison Officer.

Planning History

A Village Green Application was submitted to the Council in 2013. The application was rejected by the inspector for the following reasons:

- 8.2.1 The Applicant has failed to establish that the use of the Application Land for lawful sports and pastimes has been by a significant number of the inhabitants of a qualifying locality or neighbourhood within a locality throughout the relevant 20 year period; and
- 8.2.2 The use of the Application Land for lawful sports and pastimes has not been "as of right" throughout the relevant 20 year period.

Recommendation: Approve the application subject to conditions and authorise the Director of Place and Borough Solicitor to complete all the necessary legal formalities in consultation with the Chair of Planning Committee.

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 manufacturer details and specification of the type and colour of materials to be used for the external walls (primary red brick and secondary blue brick) and roof tile (concrete interlocking grey) 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. Prior to the occupation of the first dwelling hereby approved the 2.0m wide footway around the site as shown on plan ref: 16074-105-A shall be constructed in full. This footway shall be constructed to the Council's standards for adoption. These works shall include the implementation of vehicle access crossings at appropriate driveway points.

The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

4. Prior to the commencement of development full details of the highway works at Watson Road comprising repair/reinstatement of the footway surfaces arising from the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

5. Prior to the commencement of development details of the relocation of the lighting columns shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

6. Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health, property or the environment;
 - (iii) an appraisal of remedial options and proposal for a preferred option. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

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

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

Reason

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

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

Reason

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

8. 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 and in order to comply with Bolton's Core Strategy Policy CG3

9. Prior to the commencement of any groundworks surface water drainage works should be implemented in full in accordance with details to be submitted to and approved in writing by 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.

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. Before the approved/permitted development is first brought into use no less than 26 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref:6827.001A 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 in order to comply with Bolton's Core Strategy policies S1, P5 and Appendix 3

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

Reason

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

13. Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme drawing reference: D6827.001-003A. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the dwellings or the completion of the development, whichever is the sooner. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

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

14. The screen fences as shown on drawing ref: 16074-106-A shall be erected fully in accordance with the approved design details contained on drawing ref:16074-106-A 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 Bolton's Core Strategy policies CG3 and CG4

15. The drainage for the development hereby approved, shall be carried out in accordance with principles

set out in the submitted Flood Risk Assessment (Ref No. 12-B-10043/Dean Close, Dated 3rd November 2017) which was prepared by (Carley Daines). The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding

16. Foul and surface water shall be drained on separate systems.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

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

Site Location Plan **ref: 16074-100** received 4th December 2017

Existing Site Plan **ref: 16074- 101** received 4th December 2017

Proposed Site Plan **ref: 16074-105-A** received 4th December 2017

Boundary Treatments Plan **ref: 16074-106-A** received 22nd March 2018

GA Elevations_Type A1, A2 & A3 **ref: 16074-107-A** received 23rd March 2018

GA Ground Floor, First Floor and Roof Plan_Type A1, A2 & A3 **ref: 16074-108-B** received 23rd March 2018

GA Ground Floor Plan and Elevations_Type B1 & B2 **ref: 6074-109-A** received 23rd March 2018

GA Ground Floor Plan and Elevations_Type C1 & D1 **ref: 16074-110** received 4th December 2017

GA Ground Floor Plan and Elevations_Type C2 & D2 **ref: 16074-111-A** received 23rd March 2018

GA Elevations _Street Scene + Plans - Type D1-C1, B1-B2 & D1-D2 **ref: 16074-112** received 4th December 2017

Detailed Planting Plan **ref: 6827.001-003A** received 22nd March 2018

Reason

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

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rev

date

description

by



client:

project:

title:

number:

scale:

sheet:

status:

date:

checked:

by:

Bolton at Home

New Housing
Dean Close
Farnworth

Proposed Site Block Plan

16074-100

1:500

A3

16074-100-0.dwg

04/07/2017

AE

SH

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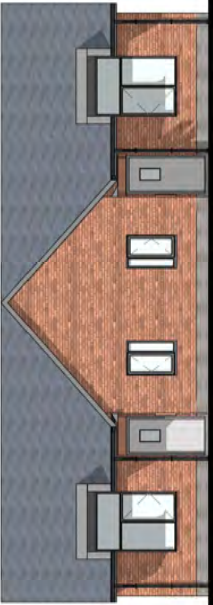
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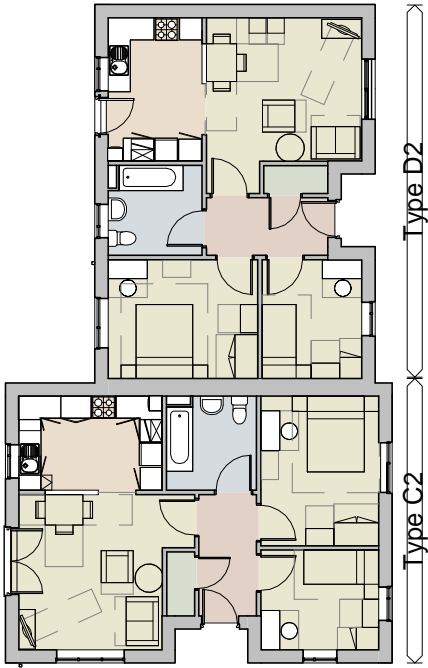
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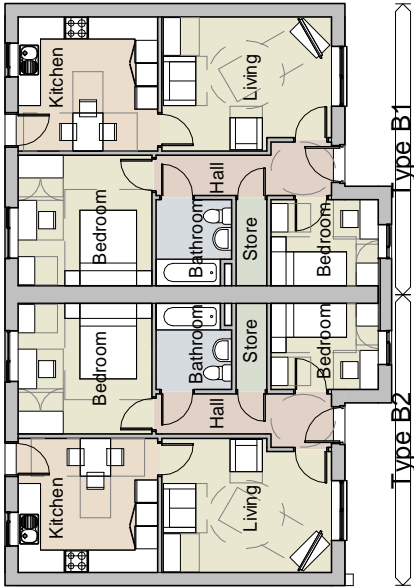
Plots 11 & 10
1 : 200



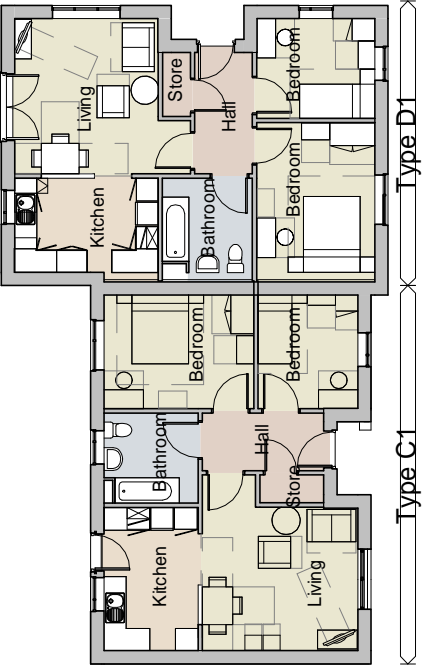
Plots 9 & 8
1 : 200



Ground Floor Type C2 & D2
1 : 200



Ground Floor Plan Type B1 & B2
1 : 200



Ground Floor Plan Type C1 & D1
1 : 200

client:

Bolton at Home

project:

New Residential Dev
Dean Close, Farnworth, Bolton

title:

number:

16074-112

scale:

1 : 200

sheet:

A3

date:

08/14/17

by:

AE

checked:

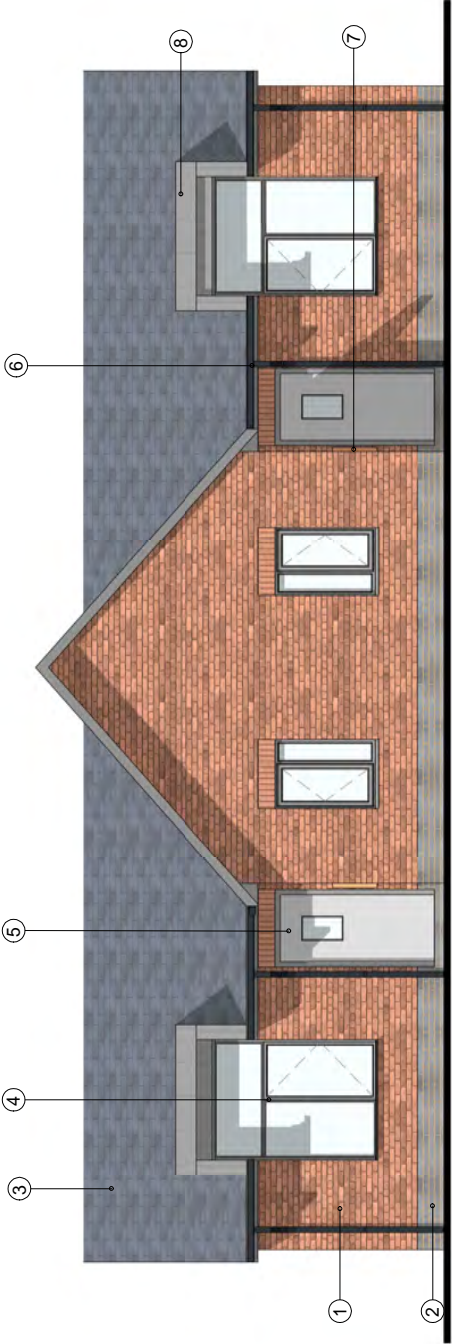
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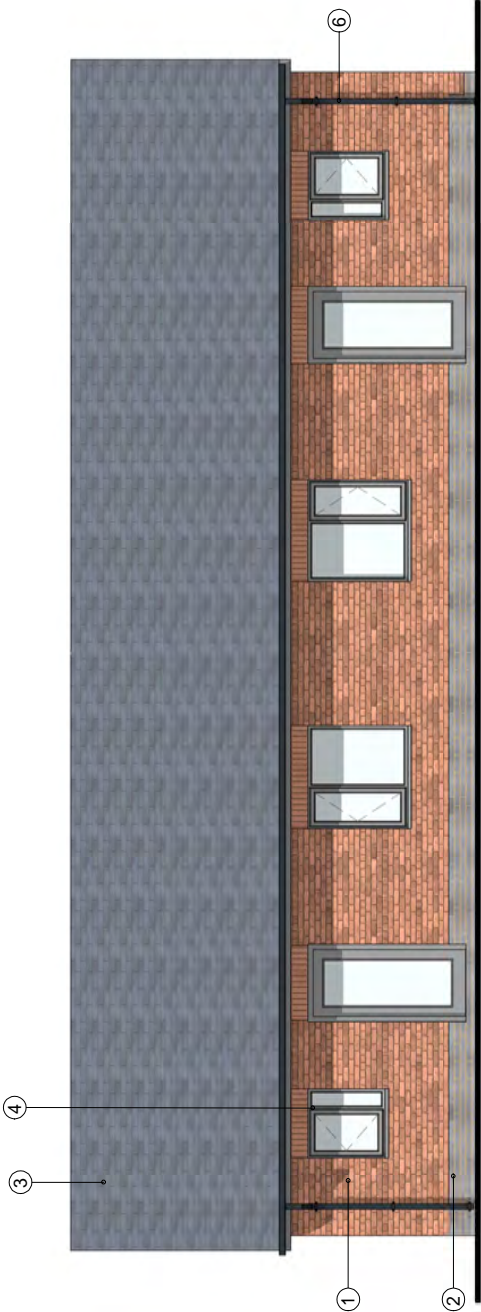
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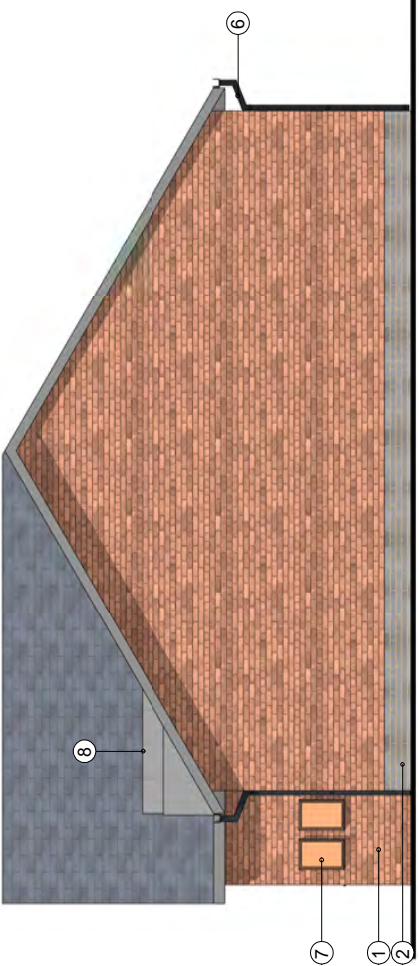
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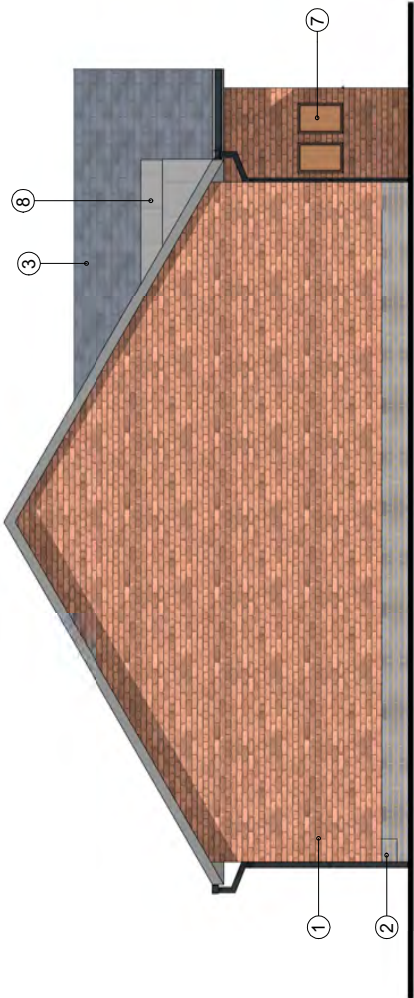
Front Elevation
1 : 100



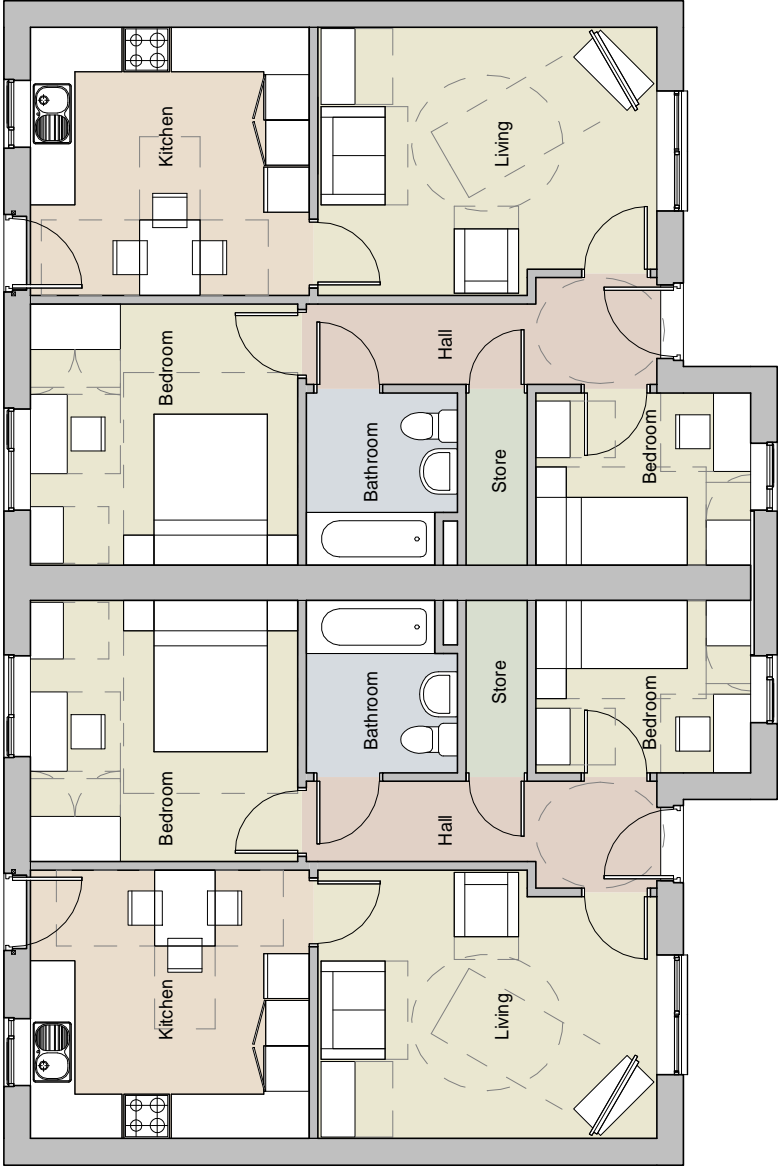
Rear Elevation
1 : 100



Side Elevation - Type 'B1'
1 : 100



Side Elevation - Type 'B2'
1 : 100



Ground Floor Plan Type 'B1-B2'
1 : 100

rev	date	description	by
1	11.09.2017	Issue for planning	SH
2	11.09.2017	Issue for planning	SH
3	11.09.2017	Issue for planning	SH
4	11.09.2017	Issue for planning	SH
5	11.09.2017	Issue for planning	SH
6	11.09.2017	Issue for planning	SH
7	11.09.2017	Issue for planning	SH
8	11.09.2017	Issue for planning	SH

PLANNING

Bolton at Home

project:

New Residential Dev
Dean Close, Farnworth,
Bolton

drawing title:

Semi-Detached Bungalow
Types B1-B2, Plots 1-4 & 9-10
Proposed Plans & Elevations

drawing no:

16074-109

scale:

A3

1 : 100

date:

11.09.2017

AE

checked: SH

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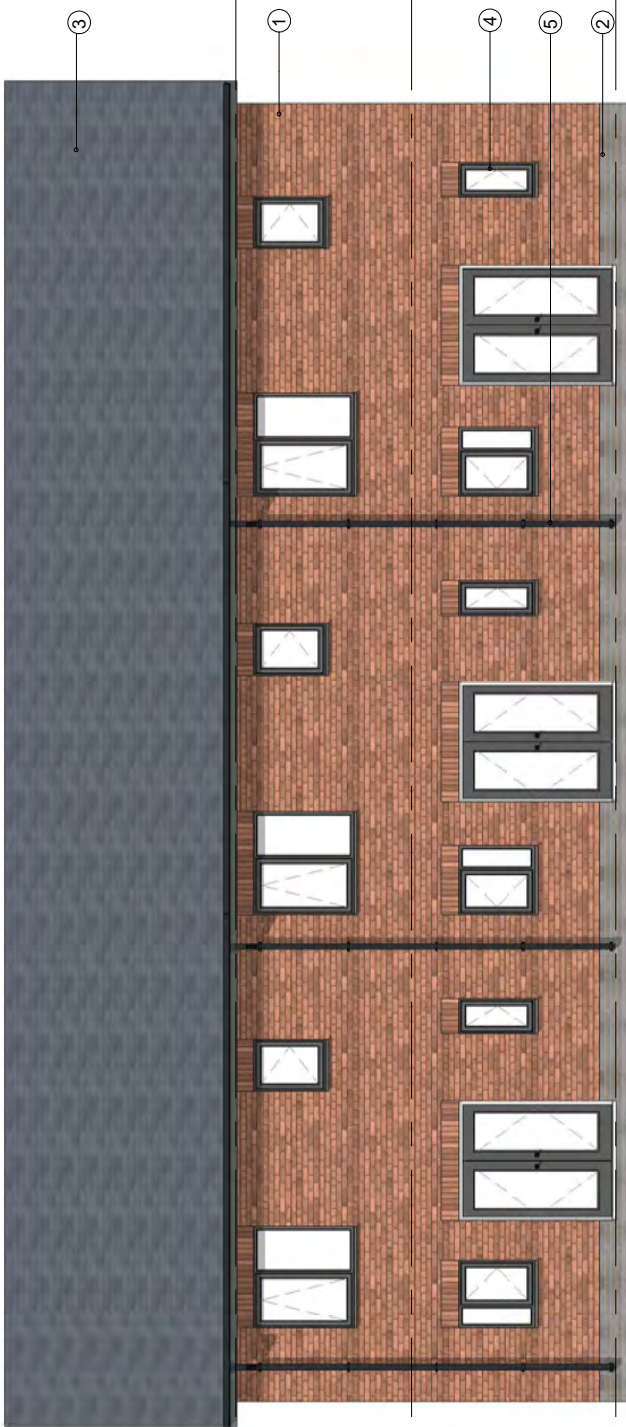
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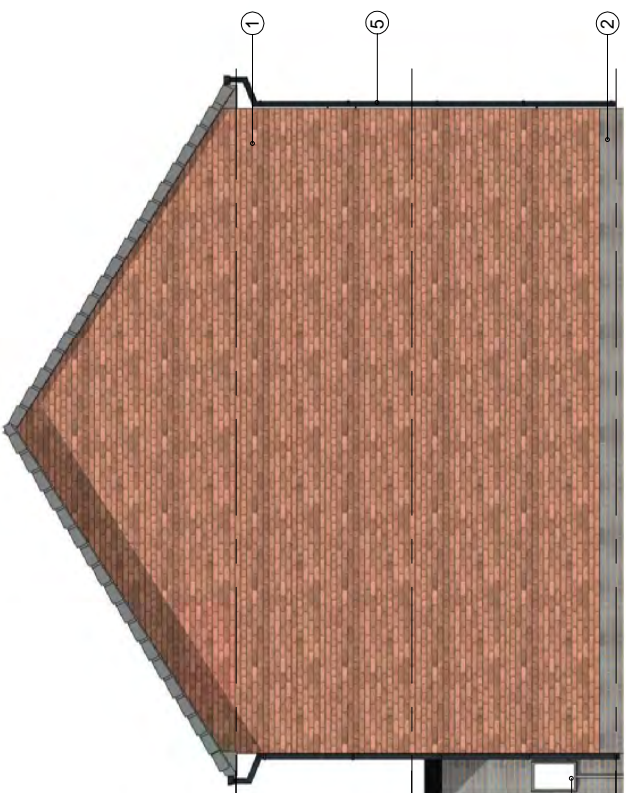
Front Elevation
1 : 100



Side Elevation 1
1 : 100



Rear Elevation
1 : 100



Side Elevation 2
1 : 100

- Materials
- 1 Red Multi Facing Brick
 - 2 Blue Facing Brick
 - 3 Grey Concrete Tile
 - 4 Grey uPVC Windows and Doors
 - 5 Grey uPVC Rainwater Goods
 - 6 Recessed Meter Box

client:

Bolton at Home

project:

New Housing Development
Dean Close
Bolton

title:

Type A Elevations

number:

16074-107
Planning

scale:

1 : 100

sheet:

A3

date:

11/20/17

by:

AE

checked:

SH

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**Application number
02566/17**



**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: 05/04/2018

Application Reference: 02566/17

Type of Application: Full Planning Application
Registration Date: 21/12/2017
Decision Due By: 14/02/2018
Responsible Officer: Andrew Cotton

Location: HIGHER CRITCHLEY FOLD BARN, LONGWORTH ROAD, EGERTON, BOLTON, BL7 9PU

Proposal: ERECTION OF A DWELLING WITH ASSOCIATED ACCESS AND LANDSCAPING INCLUDING CREATION OF PONDS, ERECTION OF STABLE BLOCK AND CHANGE OF USE OF LAND TO AN OUTDOOR LEARNING AREA.

Ward: Bromley Cross

Applicant: Mr Norris
Agent : The Intelligent Design Centre

Officers Report

Recommendation: Refuse

Proposal

1. Planning permission is sought for the erection of one "zero carbon" detached residential dwelling and the change of the use of part of the site from grazing land to an outdoor learning area (OLA). The applicant submits that the proposed dwelling (in allocated Green Belt) would meet the criteria within paragraph 55 of the National Planning Policy Framework (NPPF), in that it would be of an exceptional quality or of an innovative design (meeting all four of the criteria within the paragraph): "a paragraph 55 house".
2. The proposal would have a bespoke design and would be incorporated into the existing contoured landscape. The proposal would include associated parking, driveway and landscaping including the creation of ponds. The front portion of the site (hatched in green on drawing ref: 15068-35) would be used as an outdoor learning area for local schools and community groups. Access to the site would be via Longworth Road. As part of this submission a draft lease agreement has been submitted to indicate the applicant's intent for the outdoor learning area. However it has come to light that as the school is under local authority control the school would not be able to enter into such a legal agreement without the relevant local authority consent.
3. The proposed building and stables would be constructed of the following materials;
 - Zinc metal
 - Hardwood timber
 - Natural Stone
4. This proposal is the third planning application submission on the site (see planning history section at the end of this report). It is important to note that the current proposal, in comparison with the previous proposal, has been before a design review panel (Places Matter) four times.

Comments from the panel have been included in the application submission and a 3D model and design boards were provided to the Council to aid in the decision making process. The views of the design review panel have been given due consideration in the determination of this application

5. This application is before Planning Committee as it is considered that the proposed scheme constitutes exceptional or unusual circumstances, and as such it is considered to be an application that should be determined by Planning Committee.

Site Characteristics

6. The applicant owns a 3.27 hectare piece of grazing land to the south of Longworth Road with the application site being 1.1 hectares approximately with access from Longworth Road. A 1.44 acre piece of land at the south is within the Local Authority Control of Blackburn-with-Darwen Council but does not form part of the application site.
7. The site is currently undeveloped grazing land and is open in appearance. The site is bounded to the north by Longworth Road and Delph Reservoir, to the east by woodland and a residential dwelling (Lower Critchley Farm), to the south by Belmont or Eagley Brook and Dunscur Golf Club and to the west by Higher Critchley Farm.
8. A public footpath runs to the east and south of the site (Turton Egerton 058). This footpath is outside of the site and remains unaffected by the proposal.
9. The whole site is located within the Green Belt.

Policy

10. National Planning Policy Framework (NPPF)
11. National Planning Policy Guidance
12. Draft Revised National Planning Policy Framework
13. Core Strategy Policies: P5 Accessibility and Transport; S1 Safe Bolton; CG1.1 Biodiversity in Rural Areas; CG1.5 Reduce Risk of Flooding; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA5 North Bolton.
14. Allocations Plan Policies: CG7AP Green Belt; P8AP Public Rights of Way
15. SPD Accessibility, Transport and Safety; SPD General Design Principles

Analysis

16. 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 National Planning Policy, Development Plan and then take account of other material considerations.
17. It is considered that the main issue in the determination of the application is:-

- * Impact on the Green Belt

- * Impact upon Residential Amenity
- * Impact upon Parking and Highways
- * Impact on Flood Risk and Drainage
- * Landscaping
- * Ecology and Nature

Impact on the Green Belt

Whether the proposed development would constitute inappropriate development

18. The site is located within the Green Belt as identified within the Council's development plan. Bolton's Allocations Plan policy CG7AP and the National Planning Policy Framework (NPPF) provide the policy framework from which planning applications in the Green Belt are determined. The NPPF attaches great importance to the Green Belt and identifies its fundamental aim as being, to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (paragraph 79). Further to this, paragraph 80 of the Framework indicates that the purpose of the Green Belt is fivefold:

- To check the unrestricted sprawl of large built up areas
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

19. As with previous Green Belt policy, "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances" (paragraph 87). Paragraph 88 indicates that, "local planning authorities should ensure that substantial weight is given to any harm to the Green Belt" and that, "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".

20. The construction of new buildings in the Green Belt would normally constitute inappropriate development; however paragraph 89 of the Framework identifies a number of exceptions to this, which are listed below:-

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- 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 purpose of including land within it than the existing development.

21. Policy CG7AP of Bolton's Allocation Plan seeks that development within the Green Belt must maintain the openness of the Green Belt. It maintains that other than very special

circumstances, inappropriate development will not be permitted within the Green Belt. Therefore in order to justify inappropriate development in the Green Belt there must be circumstances which can reasonably be described not merely as special, but as very special and the harm to the Green Belt by reason of inappropriateness and any other harm must be clearly outweighed by other considerations. Those other considerations must be capable of being so described, whether they are very special in the context of the application.

22. Policy CG7AP of the Council's Allocations Plan follows the main thrust of the advice contained within the relevant paragraphs of the NPPF.
23. New dwellings within the Green Belt are not listed in either the NPPF or Council's Core Strategy and Allocations Plan as falling outside the defined categories of inappropriate development.
24. Therefore, the proposed dwelling would be considered inappropriate development, which is by definition harmful to the Green Belt and substantial weight has to be given to this. The next question to be answered is if there are exceptional circumstances to justify such inappropriate development within the Green Belt, which is discussed below.

Whether there are exceptional circumstances that clearly outweigh the harm to the Green Belt

25. The proposal in itself would constitute inappropriate development as detailed within paragraphs 88 and 89 of the NPPF. The proposal would impact on the openness of the Green Belt and the purposes of including land within the Green Belt.
26. The applicant has put forward a case that the scheme would promote sustainable development in a rural area and so satisfy NPPF paragraph 55 which seeks to avoid new isolated homes in the countryside unless there are special circumstances such as exceptional quality or innovative nature of design of the dwelling, which should:
 - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
 - reflect the highest standards in architecture;
 - significantly enhance its immediate setting; and
 - be sensitive to the defining characteristics of the local area.
27. Paragraph 55 is relevant to the proposal insofar as this relates to a rural area and does not specifically exclude the Green Belt and therefore the proposal needs to be considered on these four tests before concluding on policy.
28. Central government published a draft revised National Planning Policy Framework in March 2018. While this would carry very limited weight in any decision made, it has been considered in relation to this application. It must be noted that in the draft revised NPPF, paragraph 81 part (e) sets out the same criteria as the last point of paragraph 55 of the current NPPF, and as such it is considered that the emerging changes would have little effect upon the determination of this application.

Innovation or outstanding design

29. The application site is an irregular shaped piece of land approximately 1.1 hectares in size, with land levels increasing away from Longworth Road to the top of a small hillock; the land then slopes in a southerly direction down towards the valley. The site is currently undeveloped grazing land and is generally open in appearance. The small hillock partially screens the site beyond towards the valley when viewed from Longworth Road.

30. The proposed dwelling incorporates high quality design that is site specific and the applicant states that the dwelling could not be replicated on any other site. The proposed house is designed to be carbon neutral. To achieve this it would be built against the existing hillside, to maximise thermal mass and reduce heat loss/gain. In addition the dwelling would have the following sustainable elements:-

- Solar thermal photovoltaic panels
- Ground source heat pump
- Air source heat pump
- Biomass boiler
- Controlled ventilation MHRV
- Rainwater management
- Natural pool water filtering

31. Paragraph 88 of the NPPF states that when considering planning applications substantial weight should be given to any harm to the Green Belt and 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". Such considerations typically involve some public benefit arising from a proposal, not simply what is argued to be a low level of harm.

32. The degree of weight to be accorded to each very special circumstance is a matter for the judgement of the decision taker, in this case the Planning Committee, acting reasonably.

33. The proposed dwelling would be of a modern contemporary design and is considered to have a bespoke site-specific design which is not exactly transferable to any other site. The applicant in support of the proposal has advised that the development would be an exceptional, custom-built dwelling which would fulfil the role of sustainable development and would not, due to its design, be detrimental to the appearance of the site and wider surrounding area.

34. Due to the natural hillock on the site, where the land slopes from one level to another the bespoke dwelling would be incorporated to some extent into the existing landscape. The main bulk of the proposed dwelling's accommodation would be at ground floor level with the first floor being kept to a minimum. The proposed dwelling would be partially visible from Longworth Road where it would have the appearance of a 'stone wall with zinc roof'. It must be noted that openness of the Green Belt is epitomised by the lack of development but not by developments that are unobtrusive or camouflaged or screened in some way.

35. Officers have no reason to conclude that the proposed dwelling would not achieve its design objective of using a combination of available technologies to create a zero carbon dwelling. However, the building would use materials and employ technologies that are now considered well-established and have been used in combination with others. A number of dwellings have been built to this zero carbon standard within Bolton and even more within the North West region and nationally, thus it is not considered that the dwelling would represent innovative design.

36. Officers accept that the scheme is a genuine effort to create a well-designed dwelling which has undergone a well-considered and thoughtful approach to create a modern design with an individual architectural style. However, officers still need to consider whether this amounts to very special circumstances. Appeal decision ref: APP/D0840/A/14/2221558 provides clarification on determination of a paragraph 55 house with the inspector stating:

"it seems to me that the bullet point list set out in paragraph 55 does not automatically confer

an acceptance in principle. It simply provides examples of situations where special circumstances might apply. It is for the decision maker to consider, in each individual case, whether the circumstances are sufficiently exceptional or unique as to warrant their description as being "special".

37. It is noted that a paragraph 55 dwelling located a short distance from the application site (ref: 91189/13), which has now been built out is of a similar design and appearance to the one proposed in this application and was also a "modern interpretation of a traditional farmstead" as this approach also is. The applicant has also made reference to this approval.
38. The approval of application 91189/13 was, for its time, considered to be of an innovative and exceptional design, however it must be noted that this was the first paragraph 55 dwelling within Bolton and as such was indeed exceptional. Therefore the proposal, while high quality architecture, is not representative of cutting edge technology and innovative building methods. Thus given the above, it is considered that while well thought out and bespoke to the application site, the proposal does not represent a unique and exceptional proposal as a whole.
39. On balance, the Local Planning Authority considers that the design would be neither exceptional nor innovative and would not be exemplar of regional or national significance. Given the above, the proposal would be contrary to the aims of paragraph 55 of the NPPF, and would be contrary to policy CG7AP of the Allocations Plan.

Significantly enhance its immediate setting/ be sensitive to the defining characteristics of the local area

40. The application site is currently open in character and is essentially rural. Officers acknowledge that due to its design it would have less of an impact on the Green Belt than a conventional dwelling and would sit well within the landscape and therefore, on the one hand, improvements would be made to the appearance of the site by the proposed significant natural landscaping of the site. On the other hand, the proposal would introduce an inappropriate development as defined by paragraph 89 of the framework with a residential development that has the potential to bring with it cars and other domestic paraphernalia and would involve a quantum of built development. By definition the site would appear less open than at present.
41. It is noted that the proposed design has been taken before an independent design review panel that have made comments on each of the four iterations of the scheme as it has been developed. The design review letters submitted with the proposal state that the design of the building is a modern interpretation of a traditional farmstead. The main living areas are akin to the outbuildings and barns found on nearby farms and the central atrium area is an interpretation of the traditional farm courtyard often found amongst the outbuildings and barns, etc. It is noted that the comments from the design review panel were positive and indicated the panel were content that the development was progressing in a positive direction with each iteration considered to be an improvement on the last. The panel considered matters of design in terms of their architectural merit; it can be said the architectural quality of the building is of a high standard. However the panel does not pass judgement on any other matters in relation to the wider area or Green Belt, or indeed the planning merits of the development. The design review panel provides a summary as follows in its last review of the proposal:

"In summary, you have a concept that has resonance for this site, but still needs more clarity. The landscape is now making a clear contribution, but could do even more. The siting of the building now feels appropriate and the landscape can be used to create secure the lines between the functions, as well as opening up and closing down the views. The volumetric building forms now have a greater clarity and the material expression has moved in the direction appropriate to

a farmstead language. You have reached this point through incremental changes and you are now urged to step back one more time, assert the narrative of your proposal, to be bold and use the 'devil in the detail' to make this even more convincing."

42. While it is clear that the design review panel are confident that the scheme is high quality architecture and are positive about the proposal, they do not confirm that, in their professional architectural opinion, the design is outstanding or exceptional in its nature. The panel comment that the site would be enhanced with significant natural native landscaping.
43. It is noted that the applicant has been in discussions with the Wildlife Trust regarding the planting plan and transplanting mature trees from the nearby clough which the trust manages in order to enhance the ecological value of the site. The proposal includes the creation of a dedicated area for an Outdoor Learning Area (OLA). The OLA, which is proposed on the front portion of the site adjacent to Longworth Road, is a laudable proposal of benefit to some of the local community that would allow the local primary school and after school groups to enhance their curriculum. Nonetheless, despite the positive benefits of the OLA and significant landscaping, it is considered that these benefits do not outweigh the harm to the openness and purposes of the Green Belt. This element of the proposal is discussed in more detail under the section "Impact of Change of Use to Outdoor Learning Area".
44. Appeal Decision ref: APP/L3815/W/17/3178811 discusses how a proposal does not significantly enhance its immediate setting or is considered sensitive to the defining characteristics of the local areas follows:

"The main built-up part of Highleigh lies to the north of the appeal site and is separated from it by a large open field. In the vicinity of the appeal site, and further south, development is much more sporadic and loose knit, and in places notably well screened from the road. As such this area has a far more rural character and appearance. Although set back from the road the proposed house, and some fairly substantial ancillary development, would be visible from the highway. Additional built form in this area, even of the rural design proposed, would consolidate existing sporadic development to a degree that would detract from the rural character and appearance of the area. Existing hedgerow screening would have only a limited effect on the extent to which the proposed development would be seen and in any event could not be guaranteed in perpetuity. New planting would be likely to take a considerable time to take effect and there is no substantial evidence to suggest that it would form an effective screen or substantially minimise the extent to which the site would appear developed".

45. Similarly for this site the main built-up area of Egerton lies to the east, with Longworth Clough and Delph Brook providing a physical barrier and separation. To the south lies Dunscar Golf Club with the remaining land either open or occupied by intermittent, relatively isolated dwellings, thus giving a far more rural character. Again similarly to the above appeal decision the property would be set back from the road and would be screened by significant landscaping but would still be visible from Longworth Road. Introducing built form in this area would to some degree form an infill between the existing infrequent dwellings resulting in a consolidating effect which would detract from the rural character and appearance of the area.
46. Thus the Local Planning Authority can reasonably conclude that, whilst the proposal could improve the appearance of the Green Belt in general terms, it would nevertheless detract from its character as an area of open land in close proximity to the wider built up area of Bolton. On this issue, Officers are of the opinion that the scheme would be detrimental and harmful to the open character and appearance of the Green Belt contrary to Policy CG7AP of the Allocations Plan and paragraph 55 and section 9 of the NPPF.

Change of Use to Outdoor Learning Area

47. At the heart of national policy within the NPPF is a presumption in favour of sustainable development. The NPPF maintains the importance of supporting sustainable economic development (paragraph 17). The NPPF sets out a presumption in favour of sustainable development.
48. Given the location of the site within Green Belt land and next to Longworth Clough Nature Reserve it is considered the use of the land for an OLA for use by the local primary school and after school groups would have little impact on the openness of the Green Belt or the purposes of including land within it. It is noted that permitted development rights would allow for the forestation of the land without the need for planning permission. As it stands currently the proposal for the OLA would not permanently alter the openness of the Green Belt, but should, at a later date, further facilities or buildings be required on the site planning permission would be required for these. However, once again, this element of the proposal does not constitute very special circumstances to justify the erection of a new dwelling within the Green Belt.

Lack of a five-year supply of deliverable housing land

49. The Council has accepted that it cannot demonstrate a five-year supply of deliverable housing sites (it is currently estimated that there is only a 3.1 year supply).
50. Guidance contained within National Planning Policy Guidance states that the contribution of a development proposal towards unmet housing need in itself is unlikely to comprise a "very special circumstance" by itself. Officers consider that this matter carries very limited planning weight in the planning balance of the determination of this planning application, given that the proposal would only deliver one dwelling.
51. In conclusion, the proposal would amount to inappropriate development in the Green Belt. The potential benefits of the scheme are not particularly new, and are not matters which could only apply on this site and so Officers do not consider them to be 'very special'. The scheme would therefore not satisfy the criteria of NPPF paragraph 55. In addition, it is considered that a grant of consent for this proposal has the potential to set a precedent for similar schemes anywhere in the Green Belt. The lack of harm with regard to some other issues, such as the OLA and significant landscaping, is not considered to outweigh the harm of the proposal as a whole. The scheme would therefore be contrary to CG7AP of the Bolton's Allocations Plan and Green Belt guidance contained within the NPPF.

Impact on Residential Amenity

52. 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.
53. Given the site's isolated location in respect of the nearest residential dwelling, which is located approximately 65 metres away, it is considered that the proposed dwelling would not result in an unacceptable impact on neighbouring residents, in accordance with policy CG4. Additionally it must be noted that there is some screening along the southern boundary of the site with significant landscaping including the planting of mature trees proposed.

Impact on Parking and Highways

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

55. Access to the dwelling is proposed via a lengthy driveway off Longworth Road to the north of the application site.

There is sufficient on-site parking proposed in relation to the dwelling. The proposed OLA would be accessed via Longworth Road on foot. However it is considered that should the school or after school group decide to travel by vehicle there is sufficient space within the site to safely park and manoeuvre, however this is not proposed at this time.

56. Highways Engineers have raised no objection to the proposal and therefore it is considered that it complies with Policies P5 and S1.2 of the Core Strategy.

Impact on Flood Risk and Drainage

57. 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.

58. The Council's Drainage Officers have raised no objection to the proposed development, but advise a condition is necessary to secure details of the implementation, maintenance and management of the proposed sustainable drainage scheme.

Landscaping

59. 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.

60. The proposal would introduce significant landscaping across the site with most of the tree planting contained to the perimeter of the site. No trees are proposed to be felled in order to accommodate the proposal. The site is an irregular shaped parcel of Green Belt land currently used for grazing.

61. The character of the site is one which has been used for grazing. It forms part of a wider part of Green Belt which is formed of grassland and the wooded clough area to the south. The Landscape Character Appraisal of Bolton was published in 2001. This land is allocated as being within a landscape character area, defined as the 'Upland Moorland Hills' designation.

62. The document also goes onto to state that the key landscape features are:

- Glaciated rounded hills, generally lower in altitude and less severe than the highest moorland plateaux.
- Valuable mosaic of upland habitats including blanket bog, heather moorland, wet heath and acid grassland.
- Important archaeological landscape.
- A sense of wildness created by the altitude and long, wide views.
- Accessible recreational resource for the surrounding urban areas with a number of recreational facilities and an extensive rights of way network.
- Close relationship with the adjacent urban areas providing the landscape backdrop for surrounding towns.
- Features typically associated with overgrazing on the lower slopes including moor-edge farms, access tracks and moor gates.
- A loss of traditional field boundaries and their replacement with post and wire fencing.
- Pockmarking of the moors with quarry faces.

- Intrusive features including transmission masts, overhead power lines and quarries.

63. Whilst this document was written in 2001, it still remains an accurate reflection of the overall character of the application site and wider area. The proposed development would not physically alter the shape of the application site, however it would introduce a significant amount of new trees and reinforcement planting would be provided along with the creation of meadow land and a number of ponds. As a result of the planting strategy, it is likely that close views of the development (with time) would be partially screened, with limited glimpses through from the front of the site. However it must be noted that due to the land levels of the site, from the rear the site would be highly visible from the golf course and land to the southern side of the valley.
64. The solid structures of the proposed installation would form a strong physical presence and appearance, including the stable block with associated equipment, which would change the character of the rural fields in which they would be located despite the proposed significant landscaping.
65. The Council's Landscape team commented on the application and raised some initial concerns. The applicant has sought to address these and has provided a landscape masterplan and design and innovation statement. It is considered that the layout and planting areas indicated in the masterplan are sufficient. A detailed planting plan, specification and schedule would be required to be secured by way of condition should the application be approved.

Ecology and Nature

66. 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.
67. The proposed development is located directly adjacent to the Longworth Clough Site of Biological Importance.
68. The Council's Greenspace Officers have raised no objection, stating that the proposal would not cause significant impact upon the biodiversity of the area and comment that the Design & Innovation Statement (December 2017) and the Landscape Masterplan (Dwg.15068-25) provide for enhancement and development of habitats in accordance with the Council's Strategic Objective 12 and policy CG1.2.
69. Natural England have raised no objection to the proposal and confirmed that the West Pennine Moors SSSI does not represent a constraint for this site.
70. It is therefore considered that the proposal would comply with policy CG1.1 of the Core Strategy.

Conclusion

71. The proposed development would represent inappropriate development of Green Belt. For the reasons discussed above it is not considered that the circumstances put forward by the applicant amount to "very special circumstances", particularly as the four criteria within the last bullet point of paragraph 55 of the National Planning Policy Framework have not been met/proven by the applicant. The proposed development is considered to be harmful to the openness and purposes of the Green Belt in this location and there are no very special circumstances that would clearly outweigh this harm (para. 88 of the NPPF). The application is therefore considered to be contrary to Policy CG7AP of Bolton's Allocations Plan and the guidance contained within section 9 (Green Belts) of the NPPF.

72. Members are therefore recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters: - an objection has been received from residents of a neighbouring property, who have raised the following concerns:-

- * Nothing has changed from their point of view since the previous application;
- * Dwellings are unacceptable in the Green Belt; contrary to Green Belt policy;
- * Loss of openness of the Green Belt;
- * Very special circumstances to justify the development do not exist;
- * The proposal will not enhance the Green Belt or the character of the area in any way;
- * No evidence that the proposal would enhance biodiversity;
- * Highway and pedestrian safety/ how children would access the site;
- * The proposal would be overbearing on neighbouring residential dwellings;
- * Urban sprawl;
- * Will the site be secure to prevent unauthorised access?;
- * The design is out of character; it will be a monstrosity on a significantly beautiful landscape;
- * Concerns about anti-social behaviour if a new woodland is to be created.

It is considered that the above issues have been addressed in the appraisal.

In addition 3 letters of support have been received who have provided the following supportive comments:-

- * Positive contribution to the area;
- * Will not negatively affect the neighbours;
- * Great opportunity to allow youngsters to engage with nature.

Additionally letters of support have been received from Egerton Primary School, Egerton Nursery, and De Ree UK Ltd (who would supply the seeds and bulbs), which focus mainly on the benefits of the Outdoor Learning Area for local children.

A comment was received from the Wildlife Trust, which focuses positively on the potential impacts or gains in ecological and nature conservation terms.

The agent and applicant have viewed a redacted copy of the objections received and have made the following summarised comments:

- * Objector has not made any other objections to development in the Green Belt and claims to represent interests of the people however is the sole objector to this scheme;
- * The proposal has been through the design review process the outcome of which was positive comments therefore objection on the basis of design are unfounded;
- * There are examples of previous similar planning applications in the Green Belt and for Para 55 houses which have been approved.

Consultations

Advice was sought from the following consultees: Highway Engineers, Economic Strategy, Strategic Development Unit, Public Rights of Way Officer, Landscape Officers, Greater Manchester Ecology Unit, Natural England, Greenspace Management, Drainage, Ramblers Association, Open Spaces Society and Peak and Northern Footpaths Society.

Planning History

96247/16 Erection of Zero Carbon Dwelling – Refused 27.05.2016

The proposed development, by virtue of its use, siting and scale, represents inappropriate development within the Green Belt and would harm the purposes and openness of the Green Belt, contrary to section 9 of the National Planning Policy Framework and Bolton's Allocations Plan Policy CG7AP.

98123/16 Erection of detached dwelling and stable block together with new access, community based food growth plots, wild flower meadow with service zone - Withdrawn 26.04.17

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development, by virtue of its use, siting, size and design, represents inappropriate development within the Green Belt and the very special circumstances put forward by the applicant do not clearly outweigh the harm that would be caused to the purposes and openness of the Green Belt in this location, contrary to Policy CG7AP of Bolton's Core Strategy and the guidance contained within section 9 of the National Planning Policy Guidance.

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TBC with the Wildlife Trust and SSSI.
This 1.44 acres overlaps into the LEA
of Blackburn with Darwen Council and
is not part of this planning application.



B 19.01.2018 AI
A 24.01.2018 BT
Rev Date Drawn by Comments

Client
Mr D Norris
Project
**Middle Critchley Fold
New House**

Drawing
Proposed Site Plan
Date January 2018
Job No - Dwg No - Rev

Drawn by JH / JP
Scales 1:500 @ A1

15088 - 11 - B

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LANDSCAPE MASTERPLAN

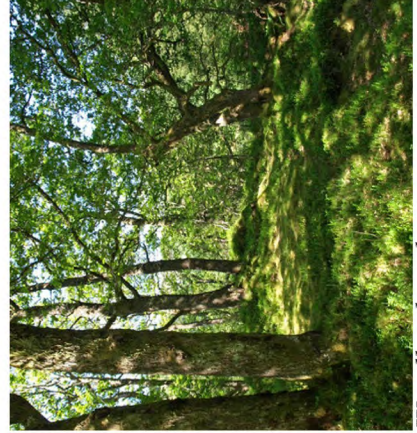
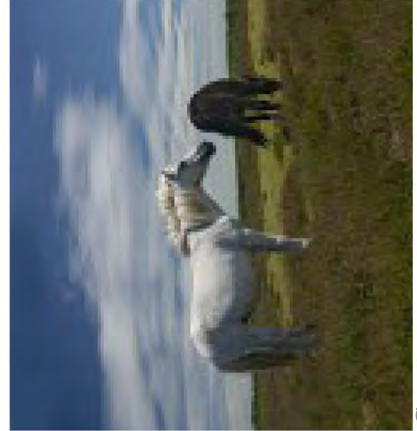


KEY

- | | |
|--|---|
| | Proposed native woodland (transplant and feathered woodland planting) |
| | Proposed native trees |
| | Proposed feature trees |
| | Orchard |
| | Hedgerow |
| | Wildflower meadow |
| | Wetland planting |
| | Acidic grassland area |
| | Ornamental planting beds / gardens |
| | Resin bound gravel road |
| | Gravel path |
| | 'Haha' |
1. Stable
 2. Food growing area with raised planters and storage shed
 3. Outdoor classroom seating
 4. Informal play area with stone steps, logs
 5. Wildlife pond
 6. Attenuation pond
 7. Natural pond
 8. Retained existing stone wall
 9. Existing services
 10. Access Gate

The landscape strategy consists on bringing nature into the site while respecting the surrounding landscape context and the rural character of the area. The proposed landscape is designed to 'fade to naturalistic'.

The forest school area located to the north of the site will promote ecology, biodiversity while creating a better healthy environment that stimulates creative and outdoor learning. The design allows the building to sit in landscape naturally and avoid any retaining walls or fencing by use of a 'Haha', low hedgerows and banks that tie with existing levels. The planting strategy along the boundary creates a band that wraps around the site and strengthens the connection between the different spaces leaving gaps for the site to be visible.



section A



section B



Rev	Date	Drawn by	Comments
Client			
Mr. D Norris			
Project			
Middle Critchley Fold			
Egerton, Lancashire			
Drawing			
Landscape Masterplan			
Date	December 2017	Drawn by	KM
		Scales	/ @ A1
		Job No - Dwg No - Rev	
		15068-25-A	

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LANDSCAPE DESIGN: VISUALS



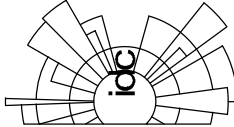
View 1



View 2

karolina.malecha@gmail.com

Rev	Date	Drawn by	Comments
Client			
Mr. D Norris			
Project			
Middle Critchley Fold			
Egerton, Lancashire			
Drawing			
Landscape Visuals			
Date	December 2017	Drawn by	KM
		Scales	/ @ A1
Job No - Draw No - Rev		15068-26	



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Notes

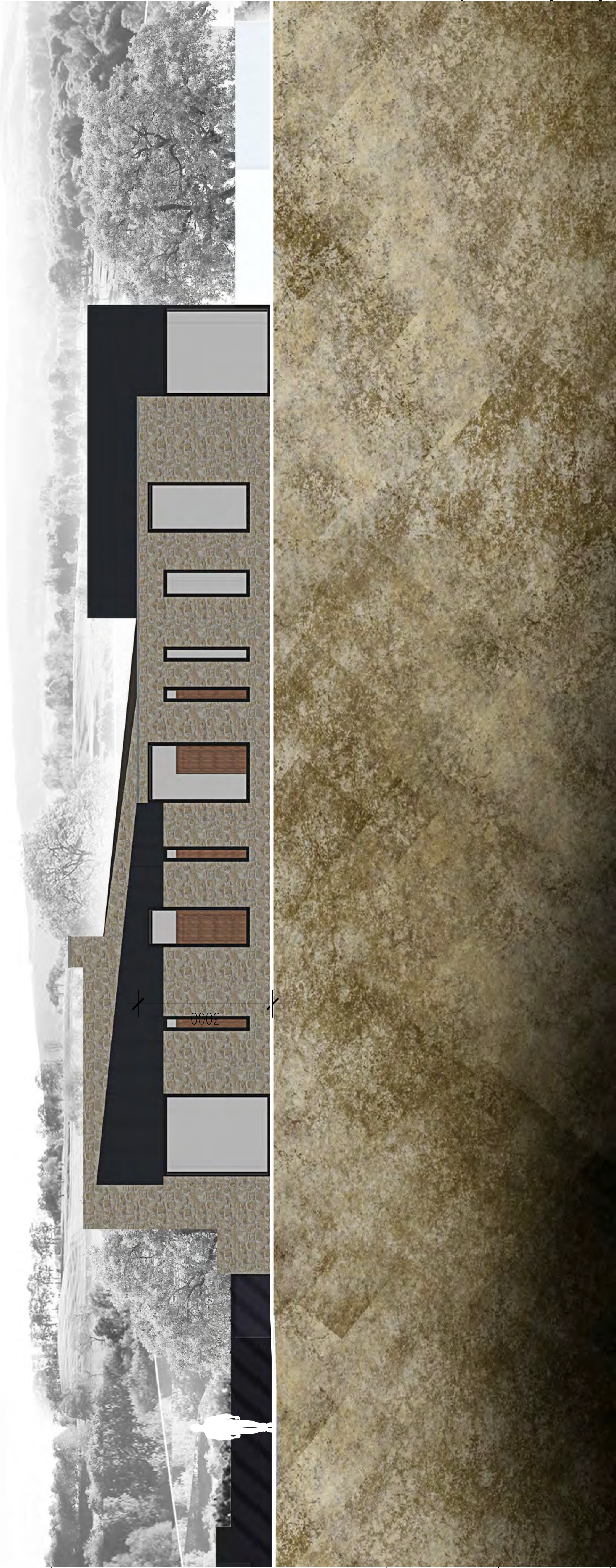
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8	Nov 16	BT	Revised for planning resubmission
Rev	Date	Drawn by	Comments

Client

Mr D Norris

Project

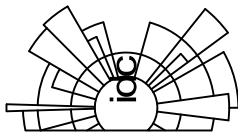
Middle Critchley fold
Egerton, Lancashire

Drawing
Proposed Elevation North

Date	Drawn by	Scales
December 2017	JH / JP	1:50 @ A1

Job No - Draw No - Rev

15068 - 16 - a



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a	Nov 16	BT	Revised for planning resubmission
Rev	Date	Drawn by	Comments

Client

Mr D Norris

Project

Middle Critchley fold
Egerton, Lancashire

Drawing

Proposed South Elevation

Scales

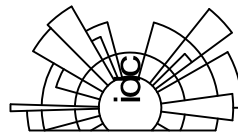
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Scales

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Job No - Dwg No - Rev

15068 - 18 - a



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Rev	5	Nov 16	BT	Revised for planning resubmission
Rev	4	Dec 15	BT	Drawn by Comments

Client

Mr D Norris

Project

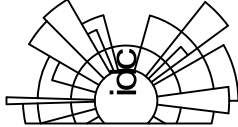
Middle Critchley fold
Egerton, Lancashire

Drawing
Proposed Elevation West

Date	December 2017	Drawn by	JH / JP	Scales	1:50 @ A1
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Job No - Dwg No - Rev

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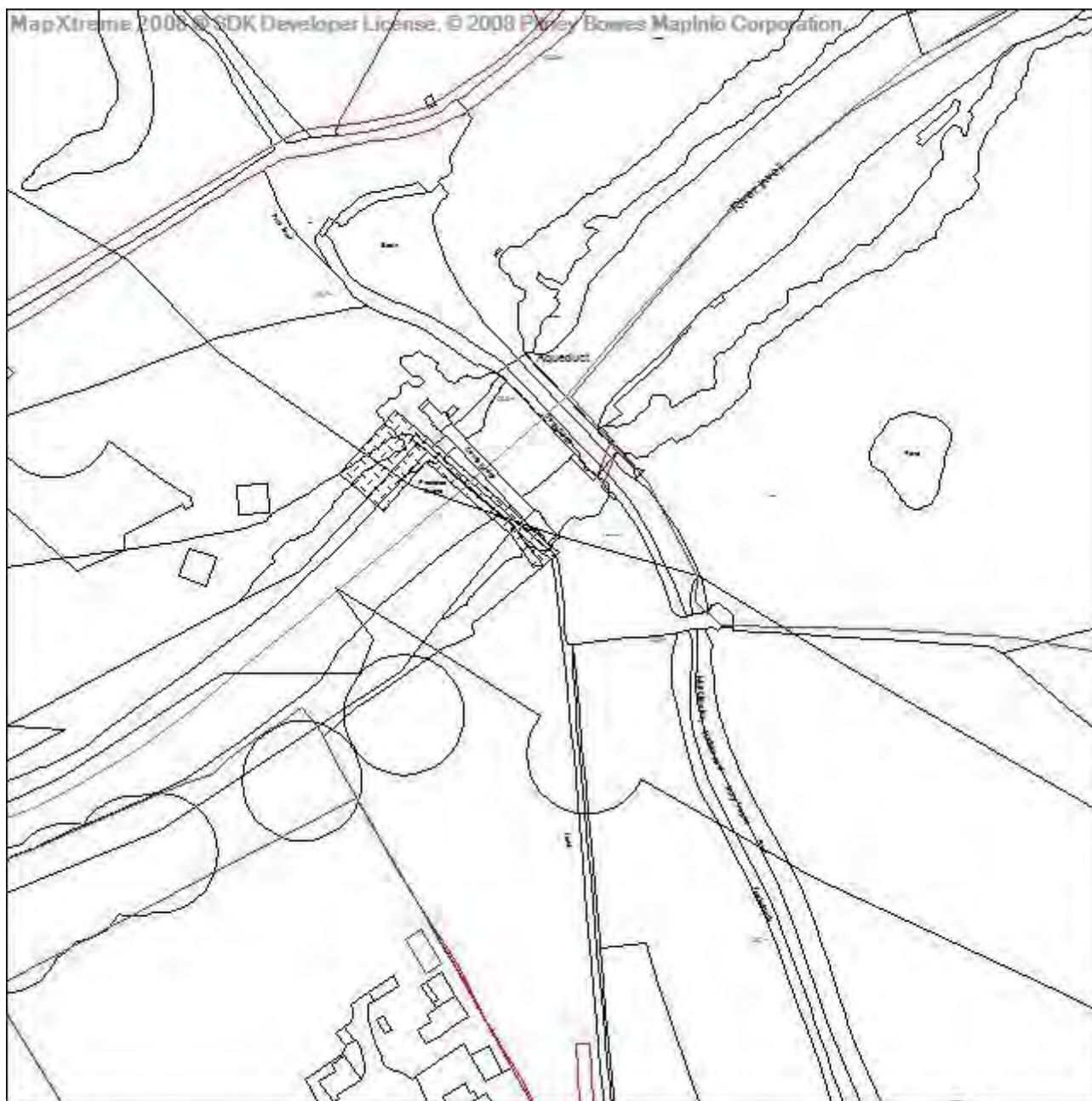


8	Nov 16	BT	Revised for planning resubmission
Rev	Date	Drawn by	Comments
Client			
Mr D Norris			
Project			
Middle Critchley fold			
Egerton, Lancashire			
Drawing			
Proposed Elevation East			
Date	December 2017	Drawn by	JH / JP
		Scales	1:50 @ A1
Job No - Desg No - Rev			
15068 - 17 - a			



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Application number
02644/18



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: 05/04/2018

Application Reference: 02644/18

Type of Application: Listed Building Consent
Registration Date: 09/01/2018
Decision Due By: 05/03/2018
Responsible Officer: Helen Williams

Location: PRESTOLEE BRIDGE, STONECLOUGH, BOLTON

Proposal: LISTED BUILDING CONSENT TO REPAIR FOOTBRIDGE.

Ward: Little Lever and Darcy Lever

Applicant: Bolton M B Council

Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. Listed building consent is sought for maintenance work to the Grade II Listed Prestolee Packhorse Bridge. The works are to be undertaken by the Council's Highways and Engineering department in order to repair the bridge and safeguard it for the future.
2. The proposed maintenance works involve the following:
 - i) Replacing worn and spalled stonework with new stonework - The replacement stonework is proposed to match the existing stone and is to be installed using a system pre-approved by Historic England. The applicant states that this work is required to prevent further degrading of the structure.
 - ii) Laying surfacing to the footpath on the bridge - The bridge does not currently have any surfacing to the footpath, which has resulted in the path becoming muddy. In addition the lack of waterproof surfacing has meant that the structure has suffered from water ingress. The proposed new surfacing would help prevent this ingress of water and reduce degradation of the bridge. The surfacing proposed is sett cobbles with tar placed between the joints (the applicant has stated that the best surfacing to keep out water is tarmac, however this would not be in keeping with the character of the bridge and its special architectural and historic importance).
 - iii) Rebuilding the river training wall - The river training wall on the Nob End/downstream side of the bridge has collapsed. This wall should protect the structure by preventing the river from undermining the bridge abutment. It is therefore proposed to rebuild the river training wall using stone to match the bridge, with concrete poured behind (the concrete would not be visible).
3. This application is before Planning Committee as the Council is the applicant.

Site Characteristics

4. Prestolee Bridge is a Grade II Listed structure and was a former packhorse bridge. It was built in the late 18th century and is constructed from stone. It comprises five elliptical arches with alternative projecting voussoirs. The bridge is only 5 feet wide.
5. The bridge is constructed over the River Irwell and carries Prestolee Road (public right of way Kearsley 020). It is adjacent (to the south west of) a sewer bridge and the Manchester, Bolton and Bury Canal Aqueduct, which is also a Grade II Listed structure.

Policy

6. National Planning Policy Framework (NPPF) - Section 12 Conserving and Enhancing the Historic Environment
7. Core Strategy Policies: CG3 The Built Environment; OA6 Little Lever and Kearsley
8. Supplementary Planning Document (SPD) General Design Principles

Analysis

9. The Planning (Listed Buildings and Conservation Areas) Act 1990 provides the primary legislation that should be used to assess the impact of proposals on listed buildings. Section 16 requires that, in considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

10. The main impact of the proposal is:-

- * impact on the heritage significance of the Grade II Listed Prestolee Packhorse Bridge

Impact on the Heritage Significance of the Grade II Listed Prestolee Packhorse Bridge

11. Core Strategy Policy CG3.4 states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings. Policy OA6 refers specifically to development in Little Lever and Kearsley and states that the Council will conserve and enhance the character of the existing physical environment.
12. Section 12 of the National Planning Policy Framework (NPPF) concerns conserving and enhancing the historic environment. Paragraph 131 states, in determining planning applications, local planning authorities should take account of:
 - * the desirability of sustaining the enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - * the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
 - * the desirability of new development making a positive contribution to local character and distinctiveness.
13. Paragraph 132 of the NPPF 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. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.

14. Prestolee Packhorse Bridge is a heritage asset as it is a listed structure.
15. Historic England advise that the bridge is of national interest in its own right, most notably for its contribution to the understanding of the early stages of the great developments made in transport infrastructure in the late 18th and early 19th centuries, which in turn contributed to the great pace of change of the industrial revolution. Within this context, packhorse bridges signal the (often earlier) development of the industrial areas with which they are associated, and the relatively late date of Prestolee Bridge is expressed in its unusually high degree of architectural expression (as seen in the alternate projecting voussoirs).
16. Historic England confirm that the packhorse bridge is in a deteriorating condition, with issues such as water retention to the pathway, spalling and vegetation growth evident.
17. The proposed repair works to the listed bridge include the removal of harmful trees and vegetation growing within the structure, re-pointing, rebuilding the collapsed river training wall, laying of granite setts to the bridge footpath, selective rebuilding and selective stone replacement. Historic England state that these proposed works are clearly necessary for the long term conservation and enjoyment of this historic site, and therefore Historic England consider that the proposed development would appropriately conserve and enhance the overall significance of the heritage asset, in line with paragraph 131 of the NPPF. Historic England commend the proposed development from a heritage perspective, and they state that they are happy to support the proposal in principle.
18. It is therefore considered that the proposed repair and maintenance works to the Grade II Listed bridge would conserve and enhance the heritage significance of heritage asset, compliant with Policies CG3 and OA6 of Bolton's Core Strategy and the guidance within section 12 of the NPPF.

Other Matters

Access for plant over Nob End SSSI

19. The collapsed river training wall is to the north of the river (on the Nob End side of the bridge). Access for plant is required to rebuild the wall, but it cannot be taken from the south as the footpath over the bridge is too narrow for plant to cross it. Access therefore would have to be taken from the north side, over Nob End Site of Special Scientific Interest (SSSI). The applicant has therefore been in discussions with Natural England regarding this access prior to the submission of the application, and has submitted an ecology report with the application (undertaken by GMEU).
20. The access route is to be kept as close to the site boundary as is possible and the site compound is to be located on a small area of rank grassland.
21. Natural England Consent for Operations on and close to the SSSI is currently being processed and would need to be in place before preparatory works start on site. As this is covered by the Wildlife and Countryside Act 1981 (as amended) (and therefore by legislation other than Planning legislation) an advisory informative would be attached to the decision to make the applicant aware of this.
22. The Environment Agency (EA) have raised no objection to the proposed development and state that they welcome the recommendations outlined in the ecology report. The EA recommend that the felling of any trees should be placed away from the steep river banksides to avoid these ending up in the watercourse and that any disturbed riparian banksides and working areas within Nob End SSSI should be fully reinstated and soft landscaped (again the applicant would be made

of aware of these recommendations by way of an advisory informative).

Public right of way

23. Public right of way Kearsley 020 runs over the bridge and therefore would be affected by the proposed development. The Council's Public Rights of Way Officer has advised that if a temporary obstruction of the footpath is unavoidable, no development should take place until a temporary closure order has been made and a suitable temporary alternative route has been made available. An informative note advising the applicant of this is therefore suggested.

Conclusion

24. For the reasons discussed above it is considered that the proposed repair and maintenance works to the Grade II Listed Prestolee Packhorse Bridge are necessary for the long term conservation and enjoyment of the site and would conserve and enhance the heritage significance of the asset, compliant with Policies CG3 and OA6 of Bolton's Core Strategy and the guidance within section 12 of the NPPF.
25. Members are therefore recommended to approve this application for listed building consent.

Representation and Consultation Annex

Representations

None received.

Consultations

Advice was sought from the following consultees: The Council's Conservation Advisor, Historic England, National Amenities Society, Greenspace Officers, Greater Manchester Ecology Unit, the Environment Agency, Natural England, Landscape Officers, Public Rights of Way Officer, Ramblers Association (Bolton Group), Peak and Northern Footpaths Society, and the Open Spaces Society.

Planning History

None.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

1. The works must be begun not later than the expiration of three years beginning with the date of this consent.

Reason

Required to be imposed pursuant to Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of development a detailed specification and method statement for the approved works (undertaken by a conservation accredited architect and engineer) shall be submitted to and approved in writing by the local planning authority. This statement should include the report that informed the proposed repair to the bridge, and detailed specification of the proposed replacement stonework, the proposed cobbles, the tar proposed between the cobbles, and the proposed mortar for repointing (which should be based on an analysis of the existing original mortar). The proposed works shall be carried out in full accordance with the approved details and measures within the specification and method statement and under the supervision of a conservation specialist.

Reason

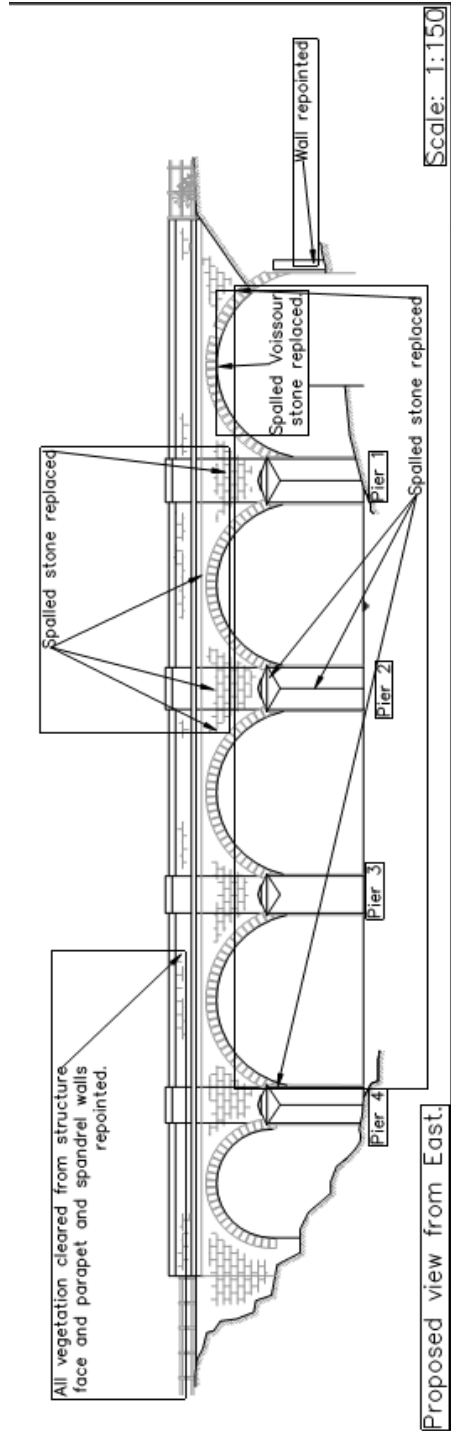
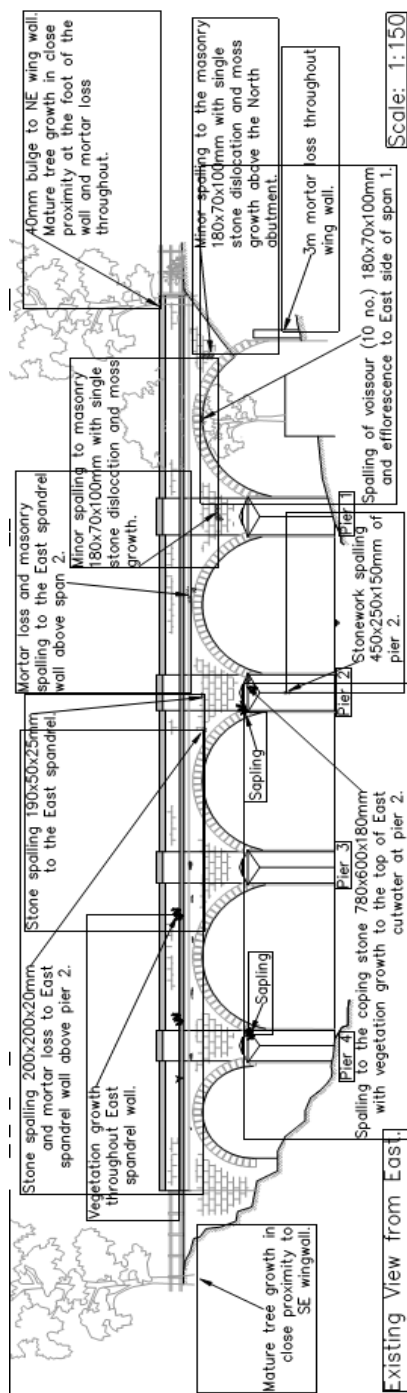
To safeguard the character, appearance and fabric of the listed bridge, and to comply with policy CG3.4 of Bolton's Core Strategy.

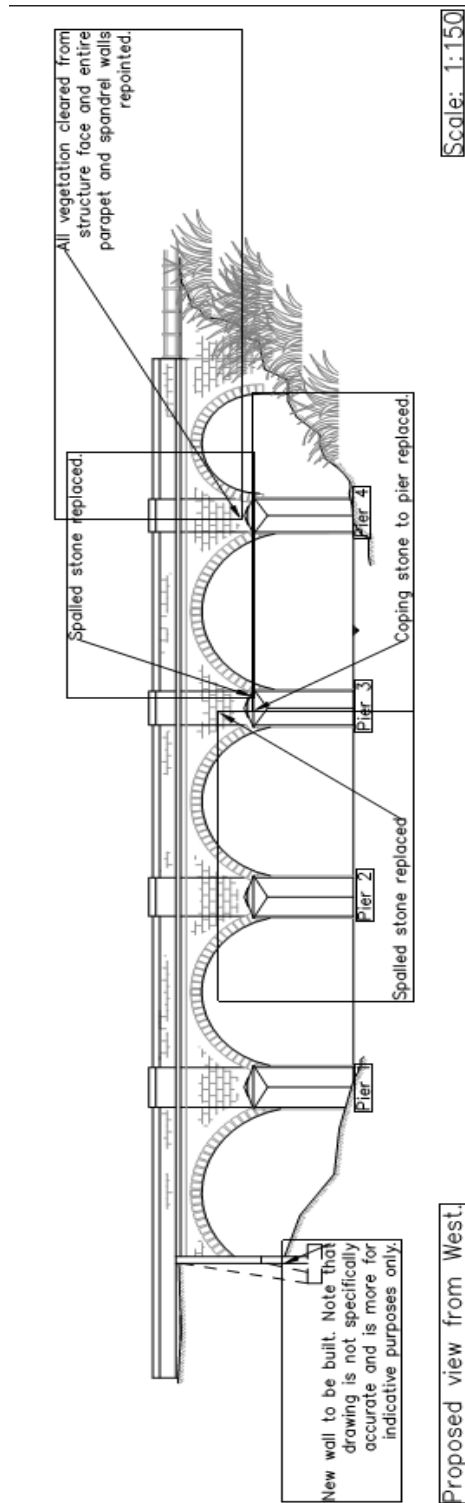
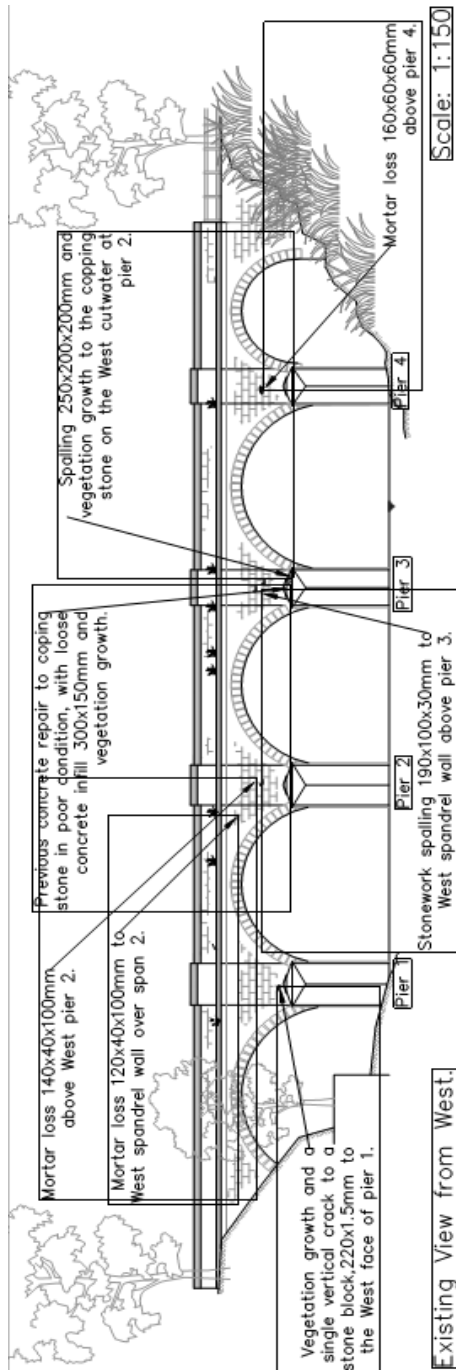
3. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

190106-101 Rev 00; "General Arrangement"; dated October 2017
190106-003; "Location Plan & Access Route"; dated Dec 17

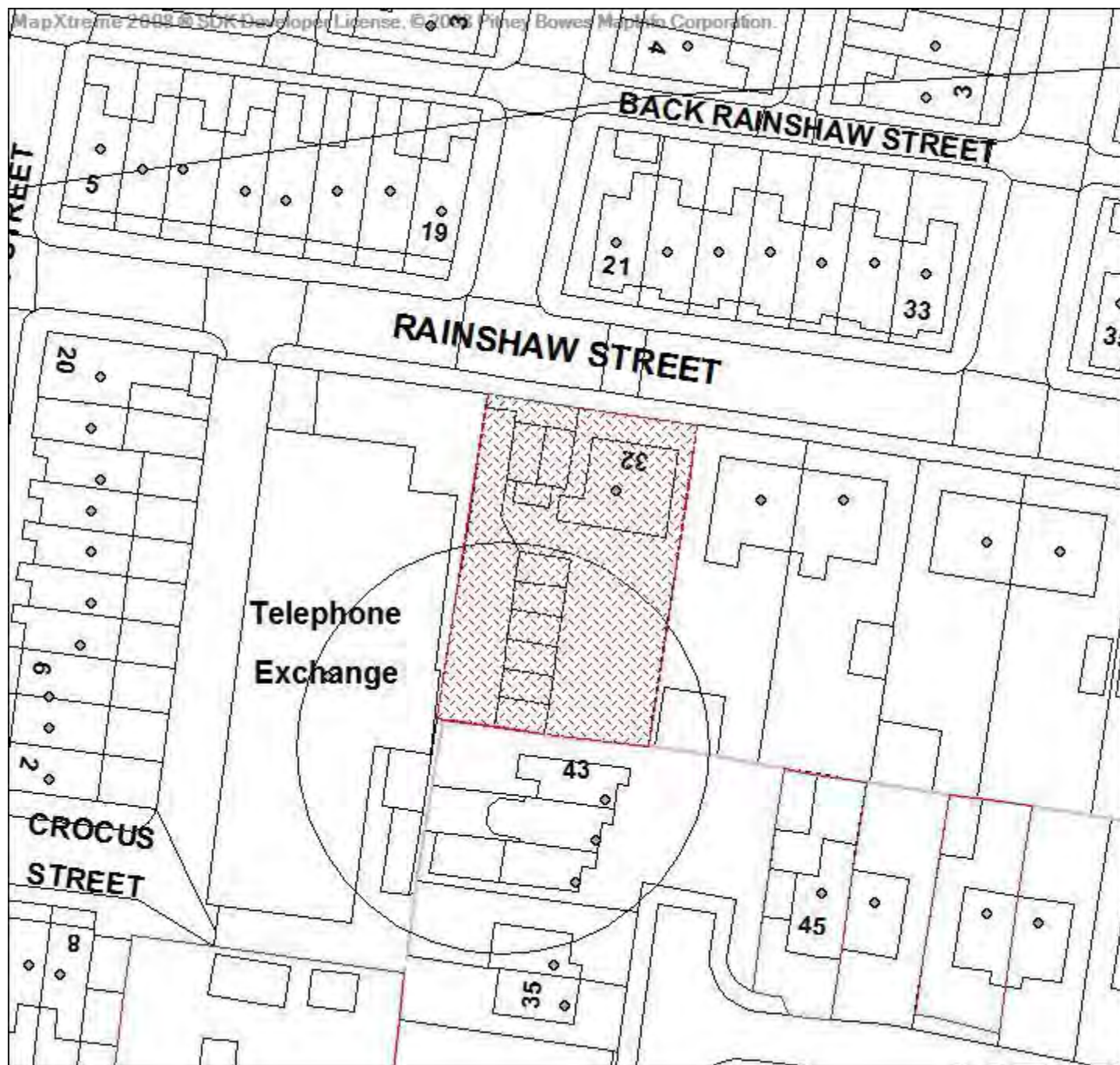
Reason

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





**Application number
02679/18**



**Development & Regeneration Dept
Development Management Section**

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

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Date of Meeting: 05/04/2018

Application Reference: 02679/18

Type of Application: Full Planning Application
Registration Date: 15/01/2018
Decision Due By: 11/03/2018
Responsible Officer: Lauren Kaye

Location: 32 RAINSHAW STREET, BOLTON, BL1 8QX

Proposal: DEMOLITION OF THREE GARAGES AND ERECTION OF GARAGE TO ACCOMMODATE HORSE BOX AND TRAILERS

Ward: Astley Bridge

Applicant: Mr R Foster
Agent : Harry Jackson Surveyors Ltd

Officers Report

Recommendation: Refuse

Proposal

1. This application seeks to demolish three existing garages sited at rear of the application property and replace them with a larger garage/outbuilding to accommodate a horse box and provide more efficient garage space.

Site Characteristics

2. The existing garages are three of six adjoining garages with low pitched roofs sited behind the application property on Rainshaw Street. To the west of the proposed garage is the telephone exchange and to the south there are properties on Holly Mill Crescent. There is fencing along the common boundaries of the property and application site and timber gates to the front allowing access from Rainshaw Street.

Policy

3. National Planning Policy Framework - requiring good design
4. Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.
5. SPD House Extensions

Analysis

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

whether this proposal is in accordance with the Development Plan and then take account of other material considerations.

7. The main impacts of the proposal are:-

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

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

8. 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.
9. Policy OA5 of the Core Strategy relates specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, and will require special attention to be given to the massing and materials used in new development.
10. 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.
11. The application proposed the demolition of three of the six existing garages and erecting a larger garage/outbuilding to accommodate a horse box and provide a more efficient garage space to the rear of the curtilage of the application property. The proposed garage/outbuilding would be 8.7 metres long and 10 metres wide with an eaves height of 3.5 metres and a ridge height of 5.1 metres.
12. It is considered that the scale and massing would have a detrimental and over-bearing impact on the character and appearance of the surrounding neighbouring properties. Although a number of the properties benefit from detached garages, many are flat roofed or a lower pitched roof and do not have an excessive overall height similar to the proposed. It is considered that it would be a sizeable and noticeable structure that would appear significantly larger than the existing garages and is more of a similar size to the application property and neighbouring bungalows along Rainshaw Street. As such, it would be a prominent, incongruous and discordant feature that would harm the character and appearance of the surrounding area.
13. It is therefore considered that the proposed garage/outbuilding is not consistent with Policies CG3 and OA5 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

14. 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.
15. 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.
16. The neighbouring properties to the front, Nos. 19 and 21 Rainshaw Street are sited over 34 metres from the proposed garage. It would also be sited 18 metres to the south west of the

neighbouring property no. 34 Rainshaw Street. It is considered that the proposal would not impact these neighbouring properties due to the location of the garage to the rear of the application site. It is also considered that the proposal would not impact on the Telephone Exchange (British Telecom) sited to the west of the application site.

17. With regards to the properties to the rear of the proposed garage/outbuilding, by virtue of the proposed garage's design, height and siting directly along the side boundary with no. 43 Holly Mill Crescent, it is considered that it would have an over-bearing visual impact particularly on the outlook of this neighbouring property and neighbouring properties adjoining no. 39 and 41 Holly Mill Crescent, as it would create a 10 metre long brick wall measuring 3.5 metres minimum in height. The proposed garage/outbuilding would impinge on the 45 degree angle from the main room window at first floor of no. 43 Holly Mill Crescent and also that of no. 41. The existing boundary treatment of fencing and shrubbery would not provide sufficient screening for the height of the garage/outbuilding that would significantly extend over and above the top of the limited screening.
18. Taking into consideration the above, it is considered that the proposal would have a detrimental impact on the living conditions and visual outlook of the neighbours to the rear, in particular no. 43 Holly Mill Crescent, which would be contrary to Policy CG4 of Bolton's Core Strategy and the SPD - House Extensions.

Conclusion

19. The proposed garage/outbuilding would, by virtue of its design, height, scale, massing and sitting be detrimental to the character and appearance of the existing property and neighbouring properties. The proposal would also impact detrimentally on the outlook and living conditions of neighbouring residents, in particular no. 43 Holly Mill Crescent and is contrary to Policies CG3, CG4 and OA5 of Bolton's Core Strategy and the Supplementary Planning Document- House Extensions (2012).

Representation and Consultation Annex

Representations

Letters:- One objection letter has been received on the following grounds:

- object strenuously to the commotion that will involve a horsebox and trailers in very close proximity to neighbouring properties.
- this is a residential area and not a farm.

Petitions:- One petition in support of the proposal has been submitted by the applicant (submitted with the application) on behalf of 11 neighbouring properties

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

Consultations

United Utilities - *advised that they have no objections to the proposed development subject to the relevant conditions being attached (Foul Water and Surface Water).*

Planning History

02029/17 - Planning permission was refused in 2017 for similar form of development, albeit of a larger scale

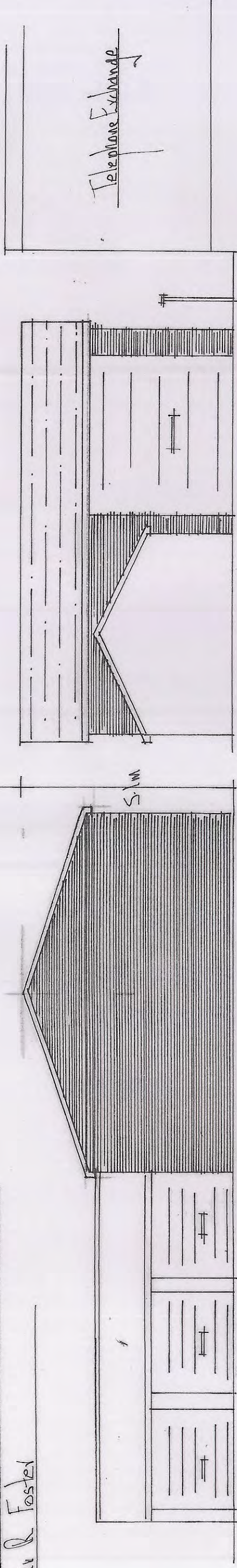
Recommendation: **Refuse**

Recommended Conditions and/or Reasons

1. The proposed garage/outbuilding would, by virtue of its design, height, size 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, in particular at no. 43 Holly Mill Crescent and is contrary to Policies CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

Extension and Alterations to existing
garages to provide storage for Horse Box
at 32 Rainshaw Street Bolton BL1 8QX
for Mr R Foster

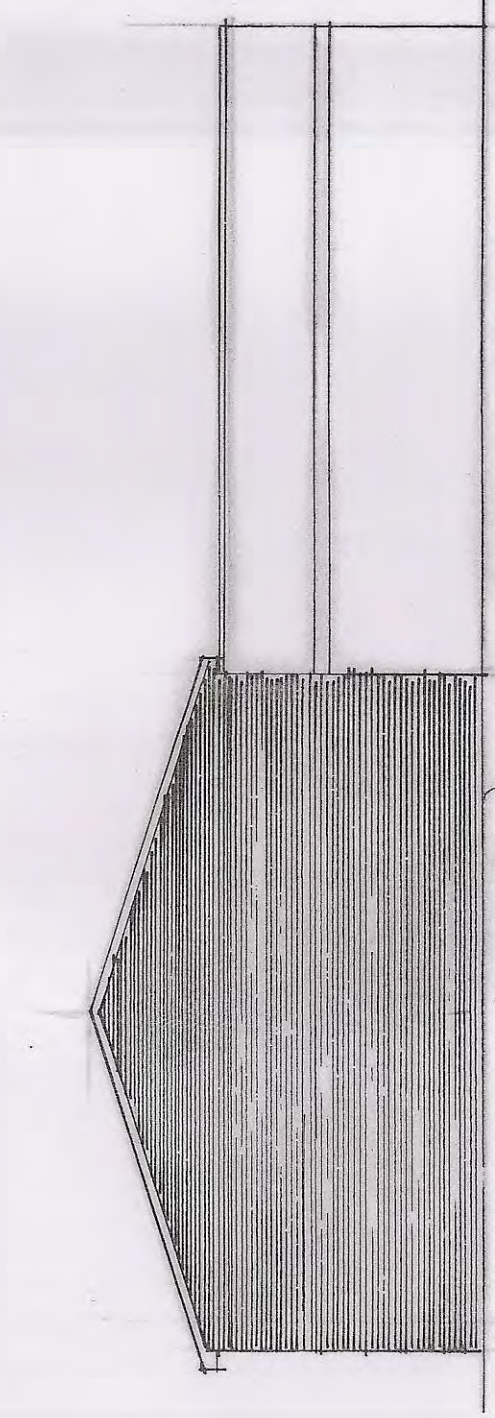
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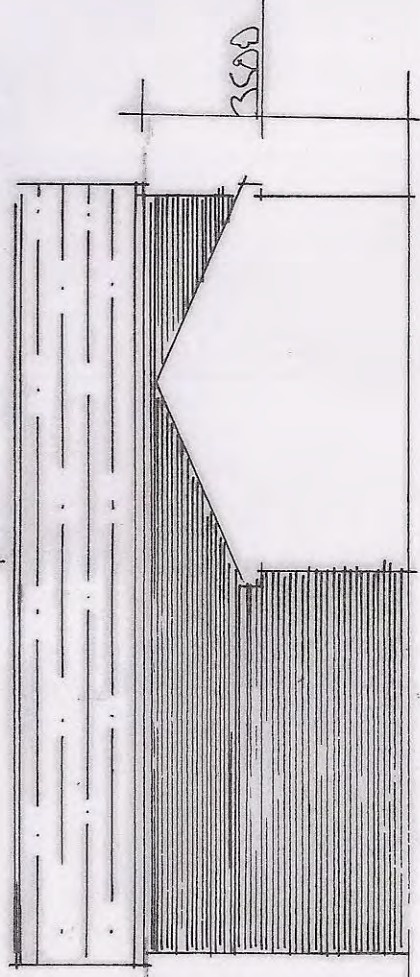
Proposed Front Elevation

Proposed Side Elevation

BOLTON COUNCIL
DEVELOPMENT & REGENERATION
15 JAN 2018



Proposed Rear Elevation



Proposed Side Elevation

Location Plan Scale 1:500

Block Plan Scale 1:1250

Boundary

Building Line

02679/18

Cable Zone

8750

10000

House Box

Access by private road

15 JAN 2018

Trailer + Storage

94

4 5 6

Proposed Alterations to existing
Garages for Mr R Foster at
32 Rainsford St Bolton

Proposed Layout

Scale 1:50