

Planning Applications Report

Planning Committee

20th October 2016

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

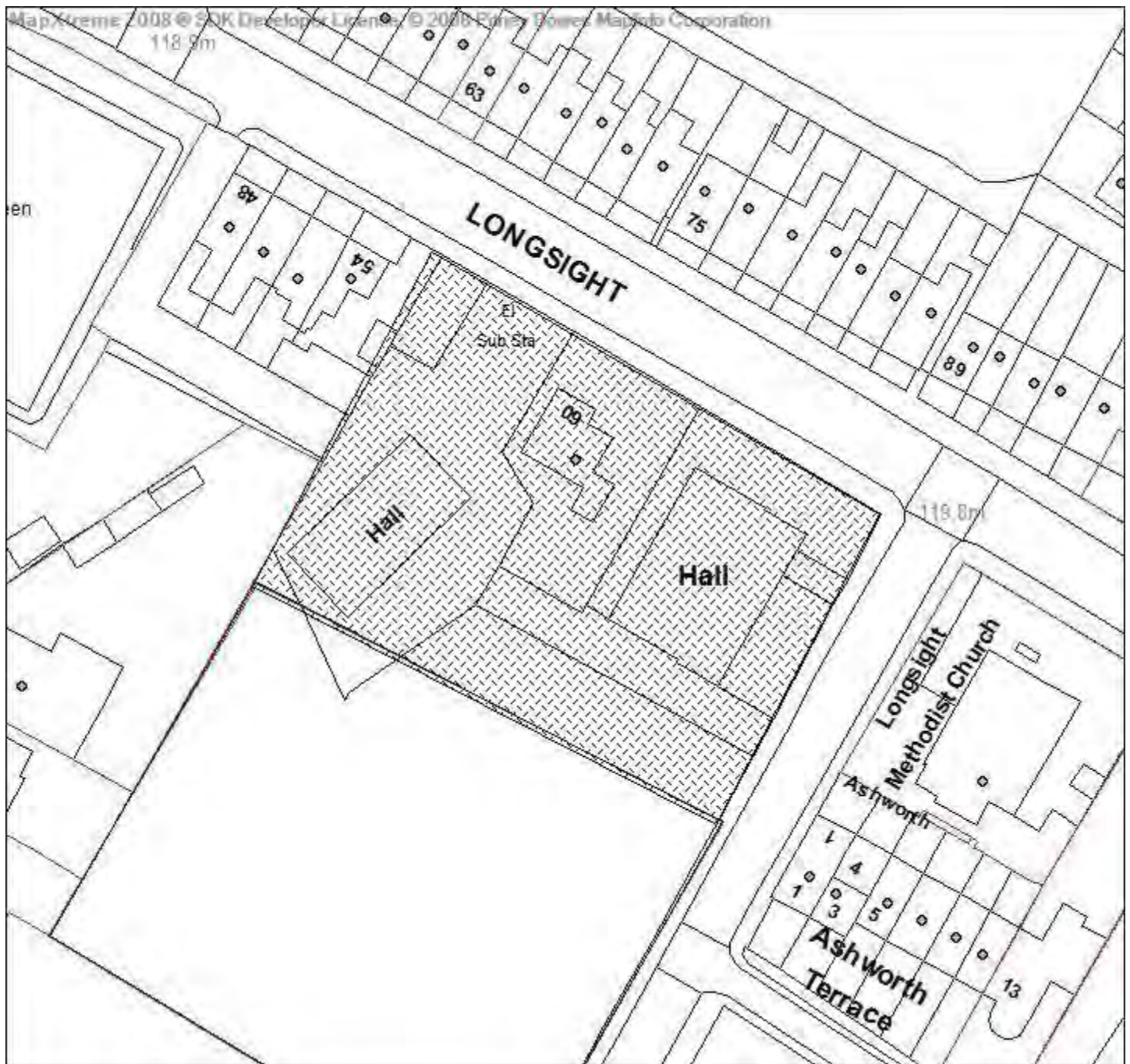
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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**Application number
96694/16**



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**Bolton
Council**

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Date of Meeting: 20/10/2016

Application Reference: 96694/16

Type of Application: Full Planning Application

Registration Date: 19/07/2016

Decision Due By: 12/09/2016

Responsible Officer: Paul Bridge

Location: HARWOOD METHODIST HALL, LONGSIGHT/LONGSIGHT LANE, BOLTON

Proposal: DEMOLITION OF EXISTING CHURCH HALL AND MANSE, CONSTRUCTION OF NEW MULTI-PUPOSE BUILDING TO INCLUDE METHODIST WORSHIP SPACE AND COMMUNITY FACILITIES, WITH ASSOCIATED CAR PARKING AND LANDSCAPE WORKS

Ward: Bradshaw

Applicant: Harwood Methodist Church

Agent : Ellis Williams Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the demolition of the existing church hall and manse, and the construction of a new multi-purpose building to include a Methodist worship space and community facilities, with associated car parking and landscape works.

The existing church hall and manse will be demolished in order to accommodate the proposal. The proposed building will be essentially single storey with a storage area at lower level and an upper plant deck. The footprint of the new building will encompass the existing community hall and manse.

The roof will incorporate four natural ventilation stacks which will provide the spaces below with fresh air as well as venting stale air during periods of high occupancy.

The boundary wall to Longsight will be retained along with soft landscaping. On Longsight Lane there would be a wider hard landscaping area to the existing footpath. The existing vehicle access would be moved away from the road junction by approximately 5 metres and would connect to a surface car park that will provide 38 spaces including 3 accessible bays and a turning area to allow vehicles to enter and leave the site in forward gear.

The main entrance to the building is along this south façade, accessed from a level area of hard landscape. The green boundary to the west would be retained and enhanced together with a green boundary and retaining structure to the south.

The proposal would accommodate a small café (which can be closed off to form a function room), worship space, servery, kitchen, toilet, meeting rooms and community hall. The plant deck would be sited in the roof void above the toilet and staff facilities.

No hours of operation have been proposed.

Site Characteristics

The site occupies an area of approximately 2514 sq. metres and is rectangular in shape. The application site itself houses the existing single storey brick built Methodist Hall and Manse to the north and the car park area to the south. The site sits within a predominantly residential area. Longsight itself has a mixture of residential and mixed-use (A3/A4 use at ground floor) properties. The site is currently used for the purposes intended in this application and is linked to the use across Longsight Lane at the Community Hall. The site is essentially split onto two levels due to the site topography with the northern area of the site (where the existing community hall is sited) on a higher level than the unmade car park area to the south.

To the south west are the new retirement apartments, whilst further to the west the scale and density drops to lower rise (bungalow) residential property. To the east (across Longsight Lane) is the former Longsight Methodist Church (used as a community hall).

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies, CG1 Green Bolton, CG2 Sustainable Development, CG3 The Built Environment, CG4 Compatible Uses, SO9 & S1 Road Safety, P5 Accessibility, SC2 Cultural and Community Provision, OA5 North Bolton.

General Design Principles SPD and Accessibility Transport and Safety SPD.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of development
- * impact on character and appearance of the area
- * impact on sustainability
- * impact on crime prevention
- * impact on amenity of neighbouring occupiers
- * impact on contaminated land
- * impact on parking and highway safety
- * impact on drainage and flood risk

* impact on trees

Principle of Development

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

The site is unallocated within Bolton's Allocations Plan and is occupied by Longsight Methodist Hall and Manse. The proposed development would not alter the principal use of the site. The proposal would not unduly intensify the use of the Methodist Hall but would seek to improve and provide essential facilities required by the Church.

The proposed development would be sited on an existing area of land which is occupied by the existing church hall and manse. The proposal would not result in the reduction in the amount of parking provision within the site. The proposed development constitutes the improvement of an existing community hall and seeks to provide improved facilities for the church and wider community. In summary, a community use of this nature provides significant public benefit to the local community and is fully supported. Furthermore, the re-use of a brownfield site to facilitate this, and moreover, one in a highly accessible and central location on a major public transport corridor will ensure that the use will be accessible and sustainable.

The principle of the proposed development is therefore considered to be acceptable and is in accordance with policy SC2 of the Core Strategy and the aims and objectives of the NPPF.

Impact on the Character and Appearance of the Area

The NPPF address the need for good design in section 7. It states that great weight should be given to outstanding or innovative design which helps raise the standards of design more generally in the area.

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings.

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

The application site is located in a prominent location at the junction of Longsight and Longsight Lane. The existing single storey brick built Methodist Hall and Manse are unremarkable in their design and their demolition in order to accommodate the proposal is considered acceptable. The site sits within a predominantly residential area, with Longsight itself having mixture of residential and mixed-use (A3/A4 use at ground floor) properties. The residential terraced dwellings which are the predominant feature of Longsight are set back from the street and are two storeys with pitched roofs (generally of slate or concrete tile). Elevational materials vary from facing brick to stone or render. To the south west the new retirement apartments are at a larger scale than neighbouring properties, with a three storey elevation and tall pitched roof.

The immediate and wider surrounding area could be said to be devoid of any quality buildings (with the exception of the former Methodist Church to the east). The building is both for the Church and the community and responds to both by picking up the line set by the previous Church Building and

the line set by the neighbouring terraced dwellings.

The application is supported by a Design and Access Statement which illustrates the competence of the design solution sought under this application to deliver a well-connected and safe scheme.

In summary, the design element is not contained simply to the scale and materials, but must be considered as a holistic approach to a new entire building and its setting. There is use of both contemporary design, introducing new and bold elements (such as glazing, render, translucent glass planks and profiled metal roofing) but also drawing on the original building and wider area (with contrasting facing brick to the front).

The siting of the eastern elevation is not entirely desirable due to the 'pinch point' of the elevation directly adjacent to the back edge of the footpath which could appear austere when viewed perpendicular. However, given its position on a corner it is more likely to be viewed at an oblique (and changing) angle – revealing the modelling and recessed vertical windows. In addition, a condition is suggested to ensure that the brickwork is treated in more detail (that is, standard brick laid in different patterns) to break up this elevation.

The proposal would in terms of its scale and massing respond to the immediate street patterns along Longsight. The tallest element is set back from the street and relates to the height and direction of the previous church building across Longsight Lane. Given the size and siting of the proposal the scale and massing of the proposal is considered acceptable in relationship to its surroundings.

The proposal would have a mixture of turf and hard standings. Limited information has been submitted in respect of the landscaping and boundary treatments. It is recommended that tree planting should be undertaken to soften the appearance of the development in the landscape and add to the street scene. Therefore a condition is suggested to ensure a landscaping scheme including boundary treatment is submitted to the Local Planning Authority.

When one considers this against the function spaces such as the parking, planting and paved spaces around the building, it is considered that the proposal offers a major improvement to the existing building which is of low architectural merit and would form a new piece of exciting and positive architecture, in accordance with policy CG3 of the Core Strategy.

Impact on Sustainability

The NPPF seeks to address climate change under section 10, stating that:-

"To supports the move to a low carbon future, local planning authorities should plan for new development in location and ways which reduce greenhouse gas emissions".

Policy CG2 of the Core Strategy states that all development proposals contribute to the delivery of sustainable development, being located and designed so as to mitigate any adverse effects of the development and adapt to climate change by incorporating high standards of sustainable design and construction principles. In addition CG2 (2) states amongst others states that all proposals for 5 or more residential units, or 500m² or greater non-residential units:

- a) Achieve Level 3 of the Code for Sustainable Homes or the "very good" BREEAM rating (or any subsequently adopted set of national sustainable construction standards).
- b) Incorporate appropriate decentralised, renewable or low carbon energy sources to reduce the CO₂ emissions of predicted regulated and unregulated energy use by at least 10%. The most appropriate technology for the site and the surrounding area should be used. For the

purposes of calculating the CO2 emissions, an energy assessment which includes a carbon budget should be provided for the proposed development.

- c) Demonstrate the sustainable management of surface water run-off from developments. On brownfield sites the rate of run-off should be 50% less than conditions before development. On greenfield sites the rate of run-off should be no worse than the original conditions before development.

The footprint of the proposed building is approximately 800m² and therefore policy CG2 is applicable to this development.

Whilst the building adheres to the core principles of an accessible location, links to public transport and the re-use of a previously developed brownfield site, the applicant has not submitted any supporting information in respect of the requirements of sub sections a), b) and c) of policy CG2. Therefore conditions have been suggested to ensure that the proposal contributes to the delivery of sustainable development. Subject to the attachment of relevant conditions the proposal is considered to be in accordance with policy CG2 of the Core Strategy.

Impact on Crime Prevention

Policy S1.1 of the Core Strategy states that the council and its partners will (amongst other things) ensure that the design of new development takes into account the need to reduce crime and fear of crime.

The applicants have not submitted a Crime Impact Statement in support of the application. Given the size and nature of the proposal Design for Security have requested that a Crime Impact Statement (CIS) be submitted in support of the application. The Local Planning Authority concurs with this view. Therefore a condition has been attached to ensure that a CIS is submitted prior to the commencement of development and all recommendations incorporated into the scheme. Subject to the above the proposal is considered to be in accordance with policy S1 of the Core Strategy.

Impact on Amenity of Neighbouring Occupiers

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

There are a number of residential dwellings located within close proximity to the site on the opposite side of Longsight and directly to the rear is a newly constructed retirement apartment block.

The proposed building would retain a distance of approximately 19 metres to the dwellings opposite on Longsight and approximately 18 metres to the dwellings to the east. The building would retain a distance of approximately 20 metres to the southern boundary of the site and approximately 29 metres to the nearest point of the block of retirement apartments. In terms of the built form of the development it is considered that the proposed building retains sufficient separation distance from surrounding residential properties and would not result in an unacceptable impact on the amenity currently enjoyed by the occupiers these dwellings in terms of loss of light or being overbearing.

The primary use of the building would be as a place of worship and the community hall/function room elements would be in conjunction and ancillary with this use. The proposal would have a larger capacity than the existing church facility on Longsight and will also provide a larger community hall. It is also proposed that the community hall be available for use by community groups and hired out for private functions on occasion, which has the potential to result in increased comings and goings as well as increased noise and activity at the site.

Neither the plans nor the design and access statement indicate any noise mitigation measure in the building in order to reduce the potential for noise to escape. The single door on the western side elevation is an emergency fire exit and would be kept closed except in the case of an emergency. In addition the windows serving the community hall will be fixed glazed and acoustic double glazed units will be required to these fitted to these windows. Due to the windows being fixed, ventilation within the hall could become an issue, however, it is considered that adequate ventilation will be provided by four natural ventilation stacks (within the roof space) which will provide the spaces below with fresh air as well as venting stale air during periods of high occupancy.

In relation to noise and disturbance from people leaving the building this will be dependent on which area of the building is being used. Whilst the above details how the building itself will be designed to control noise escaping and unduly affecting surrounding residents, the impact of the proposed car parking area also needs to be considered.

The Methodist Hall currently uses the area of land to the south of the site for car parking. This area is to be retained for car parking but formally laid out to improve the facilities for its users. Whilst the improvements to the car park will increase its overall size and double its current capacity, it is not considered that the erection of the proposal would unacceptably and significantly intensify the use of the site and it is reasonable to assume that users will continue to park on the areas closest to the building.

It should be noted that the Church and Hall currently has gatherings and classes during the week and at weekends. Generally speaking the Church will be the predominant use with the community hall/function room being used on an ad-hoc basis.

Whilst the footprint of the building is larger than the existing building house the community hall occupies approximately a quarter of the building. As such, it would be limited in the numbers of people it could accommodate for private functions. It is not considered that the numbers of people leaving at the end of a function would be significantly larger than those who could be in attendance on church days/evenings and that the level of noise and disturbance would therefore not be significantly worse than the existing situation.

In order to protect the amenity of surrounding residents, a condition is recommended to restrict the hours of opening of the Community Hall to 08:00-22:30 Sunday to Thursday and 08:00-00:00 Fridays and Saturdays.

It is considered therefore that, subject to appropriate conditions in relation to hours of use and the development being carried out in full accordance with the submitted details, the development would not result in an unacceptable impact on the amenity currently enjoyed by the occupiers of surrounding residential properties in accordance with policy CG4 of Core Strategy.

Impact on Contaminated Land

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

The Council's Pollution Control Unit have been notified and have requested that a preliminary contaminated land risk assessment is carried out. A condition is therefore suggested to ensure this is carried out.

Impact on Parking and Highway Safety

The NPPF identifies the need to ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. It goes on to ensure that parking standards take into account the accessibility of a development and the availability of public transport. Therefore development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Policy P5 of the Core Strategy (in conjunction with Appendix 3) sets out the parking standards for types of development. In this case a public hall or place of worship (Use Class D1) requires a maximum standard for car parking provision (excluding disabled bays) of 1 per 5sqm public floor area. The approximate public floor area of the proposal is approximately 550m². Based on this figure the proposed development would require a 'maximum' of 110 spaces.

The site is easily accessible by a range of means including on foot, cycle and by car and is also in close proximity to public transport links. The community hall is currently accessed via Longsight Lane and the proposed pedestrian and vehicle accesses will both be improved. The existing parking provision is approximately 20 spaces which are provided on the unmade area of land to the south of the existing building. Disabled access would be provided to and within the Hall and the existing parking area would be improved providing a new surface and formally marked out parking for users of the site.

The proposal seeks to establish 39 spaces, including two dedicated disabled bays. Whilst this figure is below the 'maximum' car parking provision required the proposed number of spaces is a 95% increase on the number of spaces currently available on site. Whilst the proposed number of car parking spaces is below the maximum required standard, it must be noted that these standards are a maximum and other material considerations such as the accessibility of a development and the availability of public transport should be taken into consideration.

The applicant has demonstrated within the submitted Design and Access Statement that the site is accessible to sustainable modes of transportation. In addition, the facility will cater mostly for the surrounding residential community and analysis of the travel patterns of the existing congregation (indicated in the Design and Access Statement) revealed a high percentage use sustainable transport modes and car sharing to the facility. In addition a turning circle is provided within the car park to encourage drop offs within the site rather than on the adjacent highways.

It should be noted that adequate disabled bays are provided within the car parking area. Cycle parking provision has been provided by way of a covered shelter which will provide provision for at least 6 cycles, with space for more should the need arise.

The Council's Highway Engineers have assessed the proposal, taking the above into account, and have not objected to the proposal, subject to a number of conditions.

The proposal is therefore considered to be in accordance with policies P5 and S1.2 the Core Strategy.

Impact on Drainage and Flood Risk

The application site is not located within a critical drainage area or Flood Risk 2 or 3 areas. The NPPF requires that development should ensure that flood risk is not increased elsewhere, and seeks to steer development towards areas with the lowest probability of flooding and Policy CG1 of the Core Strategy seeks to reduce the risk of flooding in Bolton.

The applicant in support of the application has submitted a proposed drainage plan which has been considered by both the Council's Flood risk/Drainage Team and United Utilities. United Utilities have no objection to the scheme subject to a number of conditions being attached in respect of a sustainable drainage system being provided for the development. In addition and as the site is a previously developed brownfield site, a condition is suggested to reduce any surface water runoff by 50%. Having regard to the above, the proposed development is considered to be in accordance with policy CG1 of the Core Strategy and the NPPF.

Impact on Trees

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

There are a number of trees and shrubs within the site that will be affected by the proposed development, however several of the trees are of poor form and condition and not worthy of retention and should not constrain the development. However, there are two trees that should be retained, these being the Birch tree in the adjacent electricity sub-station on the north western corner of the site (ref 119.40 on Plan 2089-AG (04) 01) and the Sycamore tree (ref: 117.49) on the western boundary. The Tree and Woodlands Officer has been consulted and has no objections to the scheme subject to appropriate conditions in respect of tree protection during the construction works and tree replacement planting. The proposal is therefore considered to be in accordance with Policy CG1 of the Core Strategy.

Waste/Refuse

The application includes within the site plan both bin and recycling storage facilities located at the west end of the car park. These meet the capacity needs of the site and are accessible to waste collection wagons. Their design and position is acceptable on design grounds. The proposal is therefore considered to be in accordance with Bolton Council document Waste and Recycling Storage, Planning, and Collection Guidance for Houses, Flats, Houses of Multiple Occupancy, New Builds, and Conversions.

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. There are not considered to be any local financial considerations in this case.

Conclusion

The proposal would result in the re-use of a brownfield site within a predominantly residential area with a new contemporary Church and Community Hall which is appropriate to the location within which it is set whilst providing adequate car parking. It is considered that the proposal complies with policy and Members are recommended to approve the application subject to the suggested conditions.

Representation and Consultation Annex

Representations

Letters:- Four letters have been received in response to the planning application publicity, three objections and one neither objecting or supporting the application. These raise the following issues:-

- * Lack of parking provision/highway safety,
- * The design is inappropriate,
- * Environmental issues during construction - *Officer's comment: With any development there will be an element of noise and general disturbance during the construction phase. Whilst this is a material planning consideration it is not a reason to refuse planning permission as this would be for a temporary period.*

Consultations

Advice was sought from the following consultees: Drainage, Highways, Pollution Control, Tree and Woodland Officer, Design for Security and Landscape Development.

Planning History

None Relevant.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of the development:-

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

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

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

Reason

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

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

Reason

In the interests of tackling climate change and to comply with policy CG2 of Bolton's Core Strategy.

4. 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.

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

Reason

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

6. Prior to the commencement of development and notwithstanding the approved plans details of the patterned/bond of brickwork to be incorporated into the eastern elevation shall be agreed with the Local Planning Authority. The approved pattern/bond 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.

7. Prior to the commencement of development of any works on site, the developer shall submit a method statement detailing how the following elements of the site will be constructed without causing harm or damage to the trees found on the site to the Local Planning Authority. The specified trees are: the Birch tree in the adjacent electricity sub-station on the north western corner of the site (ref 119.40 on Plan 2089-AG (04) 01) and the Sycamore tree (ref: 117.49) on the western boundary.

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

Reason

To ensure the safe development of the site and favourable retention of trees and to comply with policy CG1.2 of Bolton's Core Strategy.

8. Prior to the commencement of development full details of the highway works at the car park access/Longsight Lane (as indicated on Drawing No. 2089-AG(04) 01) comprising of a 4.2m access width and vehicular access crossing shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

9. Prior to the commencement of development a Crime Impact Statement shall be submitted to and approved in writing by the local planning authority. Any recommendations/measures within the statement agreed by the local planning authority shall be implemented in full prior to the first use of the building and retained thereafter.

Reason

A Crime Impact Statement was not submitted with the planning application and to comply with policy S1.1 of Bolton's Core Strategy.

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

Reason

To ensure satisfactory provision is made for the storage of waste materials and to comply with policies P5 and CG3 of Bolton's Core Strategy.

11. Before the approved development is first brought into use no less than 39 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:01 - Proposed Site Plan Rev A (2089-AG(04) 01 dated 11th May 2016. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

12. 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 to comply with policies P5 and S1.2 of Bolton's Core Strategy.

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

Reason

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

14. Prior to the development being first occupied or brought into use, details including a brick or masonry specification and colour scheme (if applicable) 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 the first use of the building 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.

15. Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting/floodlighting. The lighting shall be designed to an illumination value of 0 lux at the nearest residential property. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

16. The building shall achieve a BREEAM rating of "very good". The building shall not be occupied until final certification has been issued for the building certifying that BREEAM rating very good has been achieved and submitted to and approved in writing by the local planning authority.

Reason

In the interest of climate change and to comply with policy CG2 of Bolton's Core Strategy.

17. The premises subject of this consent shall not be open outside the following hours:-

0800 to 2230 hours Sunday to Thursday
0800 to 0000 hours Fridays and Saturdays

Reason

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

18. The windows in the eastern and northern elevations of the building (serving the community hall only) fronting Longsight shall be non opening and acoustic double glazed as indicated on drawing number 01 Rev A.

Reason

To safeguard the amenity of the neighbouring residents and to comply with policy CG4 of Bolton's Core Strategy.

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

C-0001 Rev P1 - Proposed Drainage Layout Dated April 2016
01 Rev A - Proposed Elevations dated 11th May 2016
02 - Proposed Ground Floor and Roof Plan dated 14th May 2016
01 - Proposed Sections (2089-AG(06) 01 dated 11th May 2016
02 - Proposed Sections (2089-AG(06) 01 dated 11th May 2016
01 - Proposed Site Plan Rev A (2089-AG(04) 01 dated 11th May 2016

Reason

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

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North Point.



Key Plan.

Rev	Date	Revision Note	By	Check
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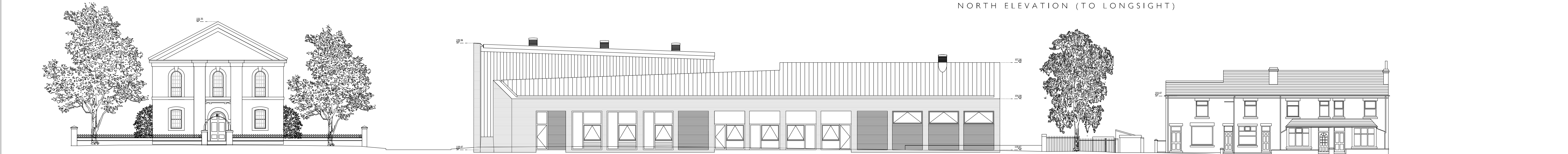


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Job title Harwood Methodist Church					
Drawing title Proposed Site Plan					
Location Planning		File Name 2089-AG(04)01...		X-Ref File 2089-04 Proposed Site Plan	
Drawn by S	date 11.05.16	checked by S	date 11.05.16	Scale at A1 1:200	Scale at A3 1:400
No. 2089		GPI cat. 04	Dwg No. 01	Revision 	
Construction Drawing No. 2089-AG(04)01					



NORTH ELEVATION (TO LONGSIGHT)



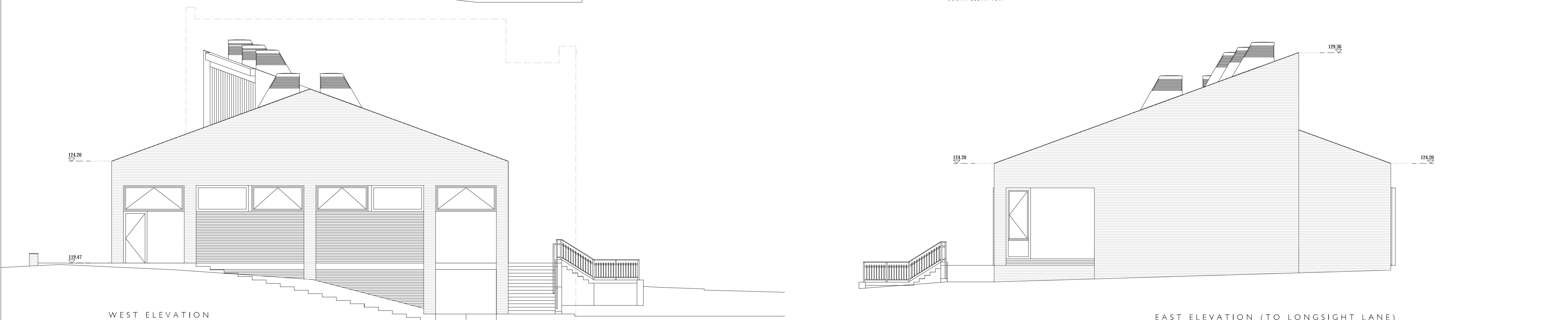
NORTH ELEVATION (TO LONGSIGHT)



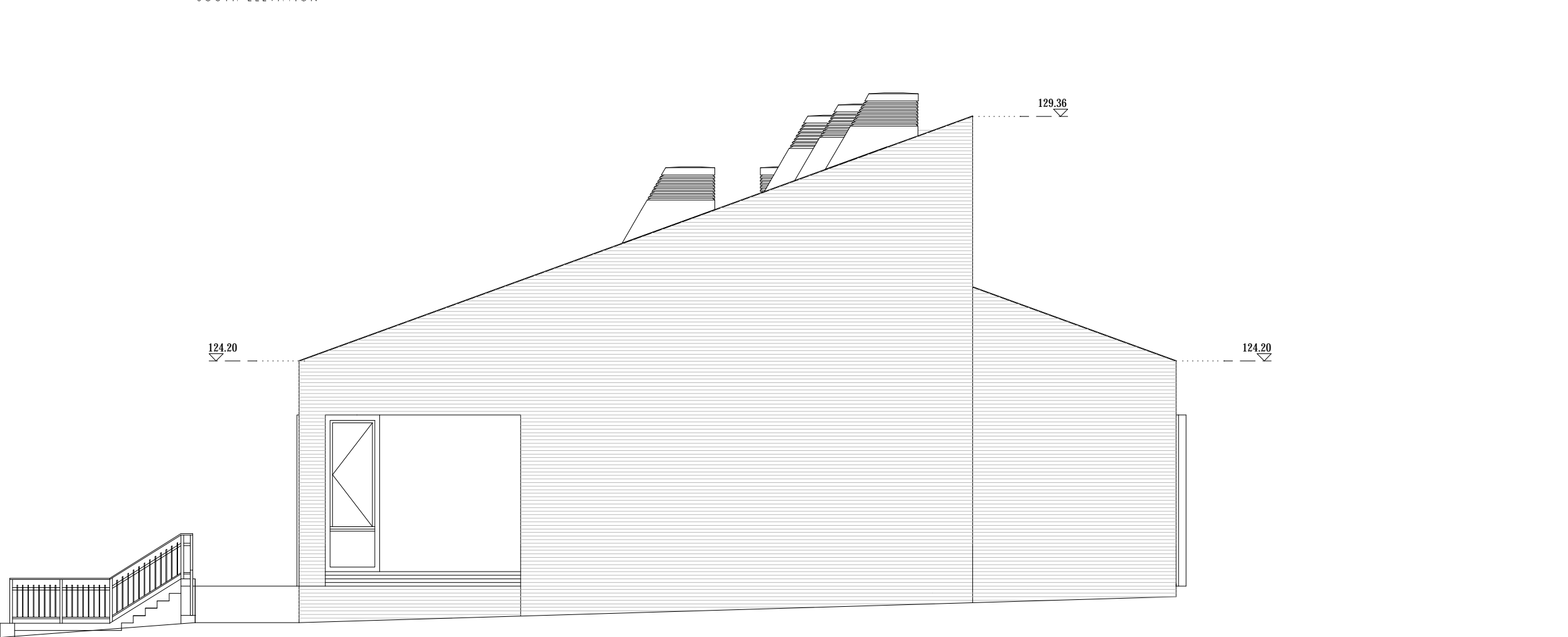
SOUTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION (TO LONGSIGHT LANE)

Notes
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1 - Ventilation Stacks
2 - Translucent Glass Planks
3 - Profiled Metal Roofing
4 - Facing Brick
5 - Contrast Facing Brick
6 - Aluminium Framed Glazing
7 - Render

North Point.

Key Plan.

Rev	Date	Revision Note	MS	By	Check
A	10/06/16	Single information added	MS		

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Job title
Harwood Methodist Church

Drawing title
Proposed Elevations

Status	File Name	X-Ref File
Planning	2089-AG(05)01...	2089-05 Proposed Elevations

Drawn by	date	checked by	date	Scale at A1	Scale at A3
MS	11:05:16			1:100	1:200

Job No.	CPI cat.	Dwg No.	Revision
2089	05(AG)	01	A

Contractors Drawing No.
2089-AG(05)01

Visual



Application number 96708/16



Development & Regeneration Dept
Development Management Section

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

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Date of Meeting: 20/10/2016

Application Reference: 96708/16

Type of Application: Full Planning Application

Registration Date: 07/06/2016

Decision Due By: 01/08/2016

Responsible Officer: Paul Bridge

Location: 73 DELPH BROOK WAY, EGERTON, BOLTON, BL7 9TU

Proposal: ERECTION OF THREE BEDROOM DWELLING.

Ward: Bromley Cross

Applicant: Mr Platt

Agent : Novensus Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the erection of a one three bedroomed dwelling together with associated parking and landscaping. The dwelling would be located towards the western boundary of the plot and adjacent to 1 Longworth Clough. The dwelling would incorporate a lounge/diner, kitchen, utility, hall, bathroom and master bedroom on the ground floor with two bedrooms and a shower room on the first floor. The dwelling would be single storey with accommodation provided within the roof space (dormer bungalow). The materials used for the construction of the dwelling would be a mixture of brick, render and concrete tile.

Parking would be provided for the dwelling by way of two car parking spaces and a driveway and new access point would be created from Delph Brook Way.

The proposed new dwelling would be separated from 73 Delph Brook Way by a new 1.8 metre high timber fence. The existing boundary treatment fronting Longworth Road would remain and consists of a timber fence approx. 1.2 metres high and mature trees. The common boundary treatment with 1 Longworth Clough consists of a timber fence approx. 1.2 metres high and an existing hedge (located within the adjacent site).

Site Characteristics

The application site comprises roughly half the former side curtilage of 73 Delph Brook Way, and is currently a lawned area. The site sits on the edge of the Egerton Conservation Area, which is located to the North East of the site (the site is not located within the Conservation Area). The existing dwelling would still retain a large amount of private amenity space to the front and rear. The site is bounded by residential properties to the south and east. This section of Delph Brook Way and Longworth Road is made up of a mixture of detached, semi-detached dwellings and a small number of bungalows.

Along the northern boundary along Longworth Road are three protected trees. There is also a culvert which runs through the site from the northern boundary to the eastern boundary.

Policy

National Planning Policy Framework (NPPF).

Core Strategy Policies: P5 Transport and Accessibility; S1.2 Promote Road Safety; CG1.2 Urban Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA5 North Bolton.

SPD General Design Principles

SPD Accessibility, Transport and Road Safety

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

Principle of Proposed Development

At the heart of national policy within the NPPF is a presumption in favour of sustainable development. The NPPF maintains the importance of supporting sustainable economic development and deliver homes (paragraph 17). It is noted with this application that the status of residential gardens as previously developed land has been removed within national planning policy. However, it is noted that the NPPF now sets out a presumption in favour of sustainable development. The proposed dwelling would be sited on an area within the residential curtilage which currently accommodates a grassed garden area. Given the siting, scale, and design of the proposed dwelling, it would be appropriate in the surrounding residential context. In addition, the proposal is considered to constitute a sustainable form of development within a sustainable location for the purposes of the NPPF and therefore the principle of the proposed development is considered acceptable.

Impact on the Character and Appearance of the Area

Paragraph 56 of the NPPF highlights that good design is a key aspect of sustainable development and is indivisible from good planning. Permission should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area and the way it

functions.

Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, conserve and enhance local distinctiveness and be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA5 states that, for development proposals in North Bolton, the Council will require special attention to be given to the massing and materials used in new development.

This section of Longworth Road and Delph Brook Way is a mixture of detached, semi-detached dwellings and bungalows, which are both urban and suburban in scale. The dwelling would sit towards the western boundary of the site and would front on to Longworth Road. Whilst forward of the building line of the adjacent detached dwelling at 1 Longworth Clough, it is considered that this southern section of Longworth Road does not hold a strong building line and therefore its siting is considered acceptable. The dwelling would be set in a relatively spacious plot and would have a dormer bungalow design. It would be gable fronted and would be constructed out of a mixture of brick, render and concrete tile. The area to the front/side of the proposed dwelling would accommodate a hardstanding and a garden area.

It is considered that the overall design would not be at odds with the area's overall character of the immediate and wider surrounding area.

The application site is also located on the edge of the Egerton Conservation Area which is located to the North East of the site. In primary legislation, the setting of conservation areas is not a statutory duty. However, the NPPF states that the setting of a designated heritage asset can contribute to its significance. Therefore regard has to be had to any potential impact the proposal may have on the setting of Egerton Conservation Area. The Council will preserve or enhance conservation areas through the control of development. Having had regard to the core character and principles of the Egerton conservation area, it is considered that the development would preserve the setting of the adjacent conservation area and would contribute positively to the quality of the immediate and wider environment.

The proposed dwellings would have a mixture of turf and hard standings. The proposed new dwelling would be separated to 73 Delph Brook Way by a 1.8 metre high timber fence. The existing boundary treatment fronting Longworth Road would remain and consists of timber fence approximately 1.2 metres high and mature trees. The common boundary treatment with 1 Longworth Clough consists of a timber fence approximately 1.2 metres high and an existing hedge (located with the adjacent site). These boundary treatments are considered acceptable and a condition is suggested to ensure the landscaping scheme, including boundary treatment, is implemented prior to the occupation of the dwelling.

Having regard to the above, the proposed development is considered to be physically well related to the character, layout and scale of existing buildings within the surrounding area and would not cause any overriding unacceptable detriment to the surrounding area to warrant a refusal. Therefore, the proposed development is considered to be in accordance with policies CG3 and OA5 of the Core Strategy and guidance within the NPPF.

Impact on Neighbouring Properties/Residential Amenity

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

Loss of Privacy/Overlooking

In respect of neighbouring dwellings, there would be no windows introduced into the proposal within the rear roof space and a condition is suggested to remove permitted development rights to prevent a rear dormer being erected within the rear roof slope. There would be principal habitable room windows introduced in the rear elevation at ground floor level, however adequate screening would be provided to 73 Delph Brook Way by way of the proposed 1.8 metre high fence.

In respect of the properties opposite along Longworth Lane adequate interface distances in excess of 21 meters would be maintained. There would be a small non-habitable room window introduced at ground floor level in the western side elevation. However, adequate screening would be provided by way of the existing hedge (approximately 2 metres in height, located and under the control of 1 Longworth Clough).

Given the above it is considered that the proposal would not result in an unacceptable loss of privacy or overlooking on the occupiers of adjacent residential dwellings. Having regard to the above, it is considered that the proposed dwellings would not result in an unacceptable loss of privacy or overlooking on neighbouring properties.

Loss of Light/Overbearing

There are principal habitable front room windows in the dwellings opposite at 64 and 66 Longworth Road, which would face the proposed dwelling, however adequate interface distances as required using the principles of the House Extensions SPD would be maintained. In addition given the siting and the height of the proposed dwelling (approximately 6 metres to the ridge) of the proposed dwelling in relation to 1 Longworth Clough and 73 Delph Brook Way and the orientation of the sun, it is considered that the proposed development would not be oppressive and would not result in an unacceptable loss of light and overshadowing to the private rear garden areas of these residential dwellings.

With regards to the future occupants of the dwelling, all the habitable room are served by adequately sized windows which would ensure that the proposed development of would provide adequate residential amenity for the future occupants of the dwellings in accordance. In addition adequate amenity space would also be provided in accordance with policy CG4 of the Core Strategy and the relevant paragraphs contained within SPD General Design Principles.

Impact on Land Contamination

The applicant has not submitted a desk top study in support of the application. Environmental Health Officers have been consulted and comments have been provided in respect of this application. Therefore when considering the sensitive end use, the Local Planning Authority has suggested a condition requiring appropriate site investigations to be undertaken prior to the commencement of the development. It is considered therefore that subject to conditions the land would be suitable for the proposed use in accordance with policy CG4.3.

Impact on Highway Safety

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

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

Appendix 3 of the Core Strategy states that the maximum number of spaces for three bed dwellings should be two car parking spaces. The original proposed access to the site was via a vehicular access on Longworth Road, however due to potential highway safety implications this has been relocated. The proposal would therefore utilise a new vehicular access from Delph Brook Way. The proposed site plan for the plot indicates that two car parking spaces accessed via a new driveway.

The Council's Highway Engineers have been consulted and, subject to a number of conditions, have no objections to the amended proposal. As a result, it is considered that the proposed development would not have an unacceptable impact on highway safety in accordance with policy P5 of the Core Strategy.

Impact on Flood Risk

The NPPF requires that development should ensure that flood risk is not increased elsewhere, and seeks to steer development towards areas with the lowest probability of flooding and Policy CG1 seeks to reduce the risk of flooding in Bolton.

The proposed development is not located within a Flood Zone or Critical Drainage Area.

The location where the property is to be sited is directly above a culverted ordinary watercourse which conveys surface water from the area, including public sewers, through to Delph Brook. The culvert is therefore an integral part of the drainage for the area and should not be put at undue risk due to the proposal.

Therefore the applicant has proposed to divert the existing culvert and a condition will be attached to ensure further details are submitted prior to the commencement of the development. The Council's Drainage Team have been consulted on the proposed diversion and have no objections to the scheme, subject to the suggested condition.

Having regard to the above, the proposed development is considered to be in accordance with policy CG1 of the Core Strategy and the NPPF.

Impact on Protected Trees

Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development. There are a number of protected trees on the site along the western boundary of the site, with a further protected tree located in the north eastern corner of the site.

The protected trees located along the northern boundary of the site are located outside of the footprint of the house. These trees are an Ash tree and two Sycamore trees.

Due to the siting of the proposed driveway and parking spaces this could potentially infringe on the root protection area of the adjacent protected Ash tree. However, during the construction period, the protected trees would need to be protected by fencing and any potential impact assessed and mitigated against. Therefore conditions are suggested to ensure that the proposal would not have any unacceptable impact on the protected trees during and after construction.

Given the above it is considered that the proposal would safeguard the biodiversity on site in respect of trees in accordance with policy CG1 of the Core Strategy.

Local finance considerations

Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local

planning authority must have regard to a local finance consideration as far as it is material. Officers consider that the following are local financial considerations in this case:

New Homes Bonus (officer's comment: this is not considered to be a material consideration in this case).

Conclusion

For the reasons discussed above it is considered that the proposed development would accord with all relevant policies and is therefore recommended that Committee approve the application subject to the suggested conditions.

Representation and Consultation Annex

Representations

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

- * Overdevelopment of the site,
- * Impact on highway safety,
- * Drainage problems,
- * Impact on residential amenity and character of the area,
- * Impact on protected trees,
- * Lack of private amenity space.

The above issue has been addressed in the appraisal.

- * Trees have been previously been removed from the site without any neighbour consultation.
Response:- The trees which have been removed were not protected by way of a tree preservation order and therefore their removal did not require any consent from the Local Planning Authority.

Consultations

Advice was sought from the following:- Tree Officer, Highways Engineers, Pollution Control Officers and Drainage.

Planning History

None Relevant.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development the details of the type and colour of materials to be used for the external walls, windows and roof are 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 development of any works on site, the developer shall submit a method statement detailing how the following elements of the site will be constructed without causing harm or damage to the protected trees found on the site to the Local Planning Authority. The specified areas are:

Construction of driveway and parking spaces

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

Reason

To ensure the safe development of the site and favourable retention of trees and to comply with policy CG1.2 of Bolton's Core Strategy.

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

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

Reason

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

5. Notwithstanding the approved plans and prior to the commencement of development a detailed survey showing the existing culvert's route, depth, size and material should be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall provide a minimum 3 metre easement (either side of the pipe) between the proposed structure and the line of the culverted watercourse. Should the submitted survey require a diversion of the culvert, then details of the proposed culvert diversion including plans, the route, size, materials, depth, levels, flow rates, capacity and method of construction should be submitted to and approved by the Local Planning Authority for approval in writing, prior to commencement of the development. The culvert diversion shall be completed in accordance with the approved plans and within 3 months of the date of the commencement of development and retained thereafter.

Reason

To minimise the risk of flooding by ensuring the pipe is not put at risk through the location, layout and design of the proposed structure and to comply with policy CG1.5 of Bolton's Core Strategy.

6. Prior to the commencement of development full details of the highway works at Delph Brook Way comprising of an extension to the vehicular access crossing (drop kerb) to allow vehicular access into the site as per drawing No.N189-2 Rev C - Proposed Streetscene and Site Plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

7. Prior to the commencement of the development:-

- A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, property and/or the wider environment; and

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

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

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

Reason

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

8. Before the approved development is first brought into use no less than 2 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: N189-2 Rev C - Proposed Streetscene and Site Plan. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Reason

To encourage drivers to make use of the parking and circulation area(s) provided and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

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

Reason

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

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

Reason

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

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

N189-2 Rev C - Proposed Streetscene and Site Plan; received 20 Sep 2016
N189 -1 Proposed Plans and Elevations; received 03 Jun 2016

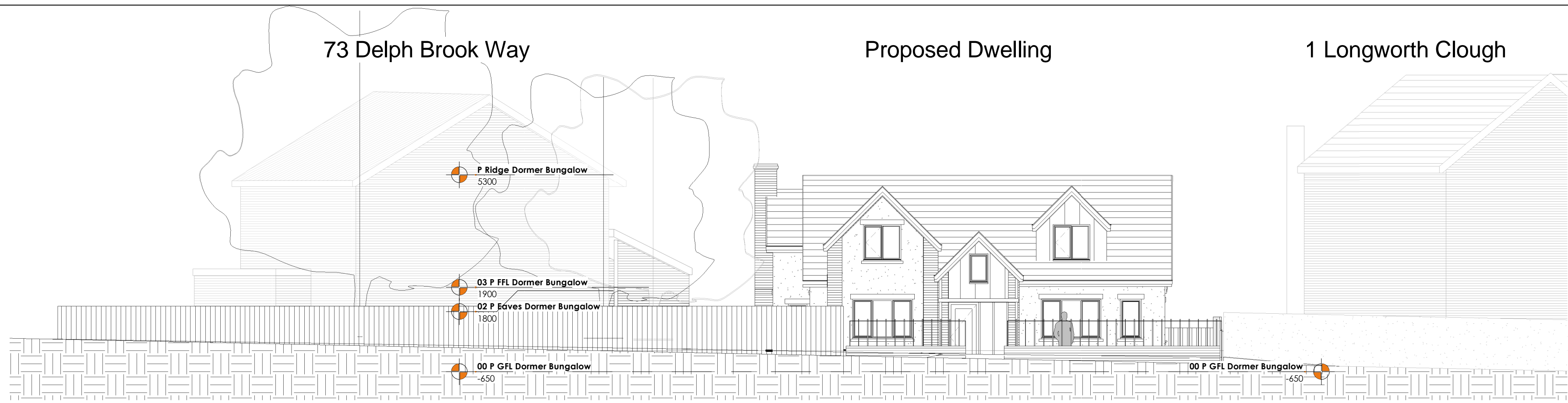
Reason

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

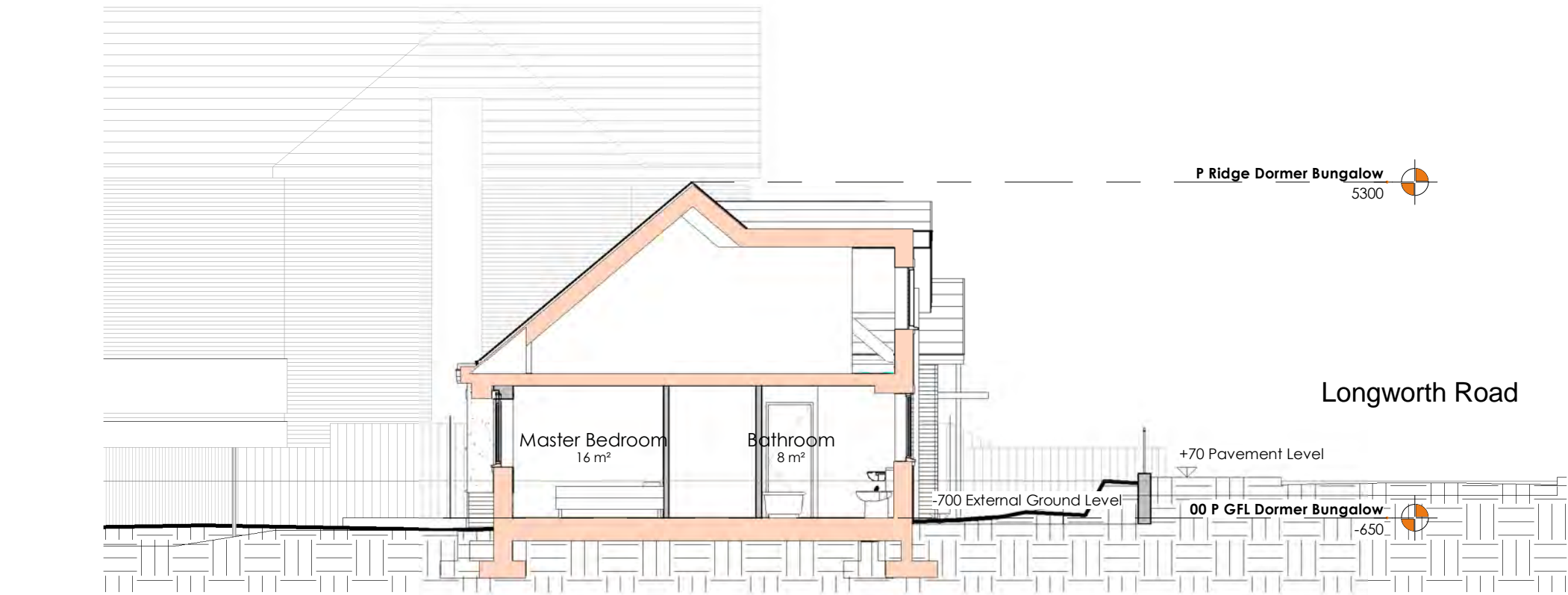
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed on the rear elevation/roof plane.

Reason

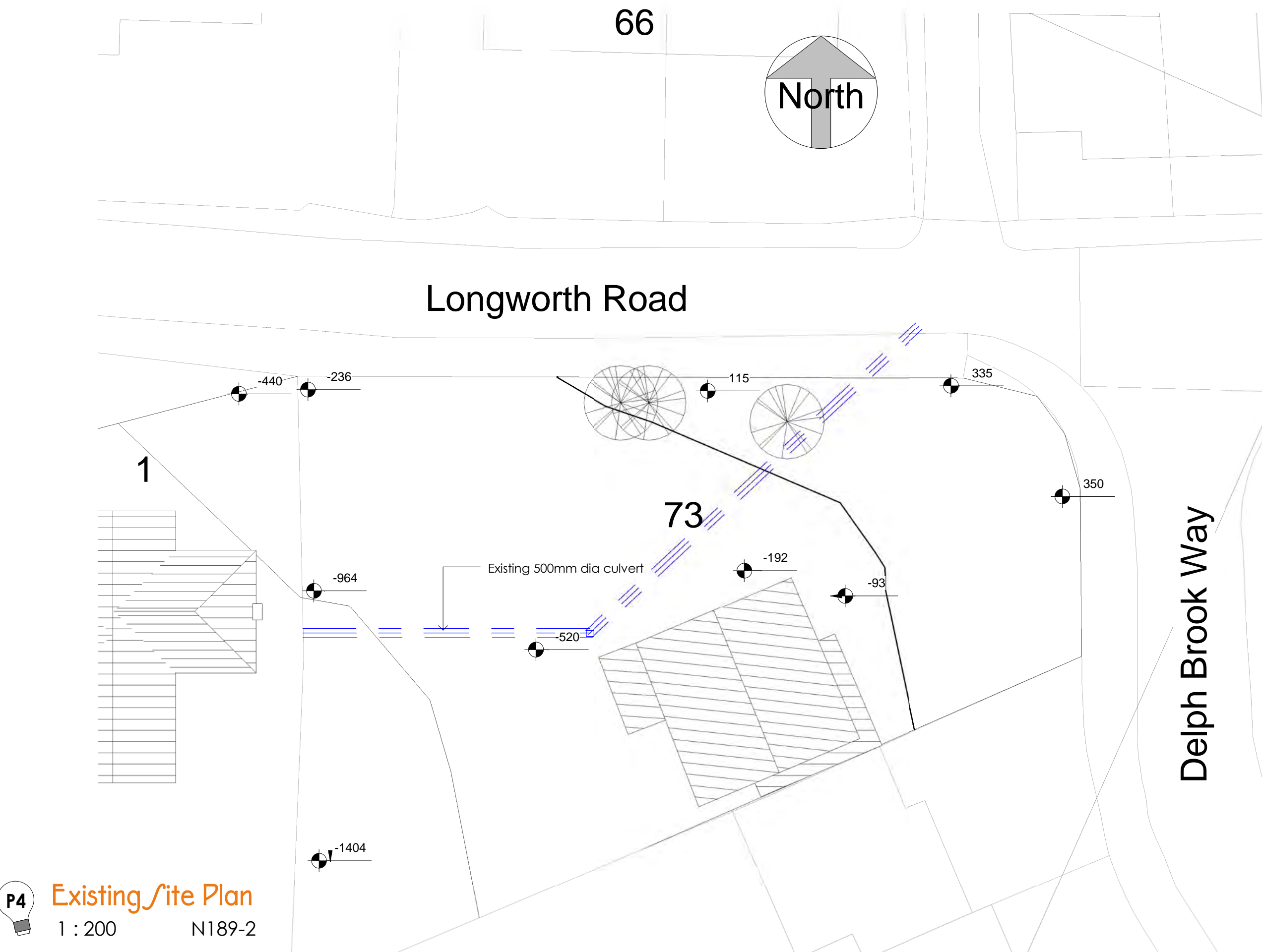
To safeguard the amenity of neighbouring residents and to comply with policy CG4 of Bolton's Core Strategy.



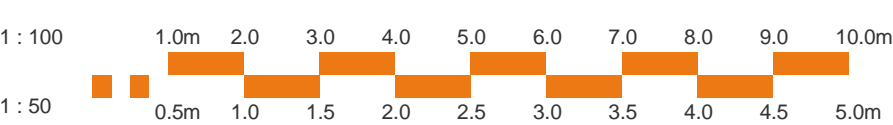
P1 Streetscene on Longworth Road
1 : 100 N189-2



P3 Section A-A
1 : 100 N189-1



P4 Existing Site Plan
1 : 200 N189-2



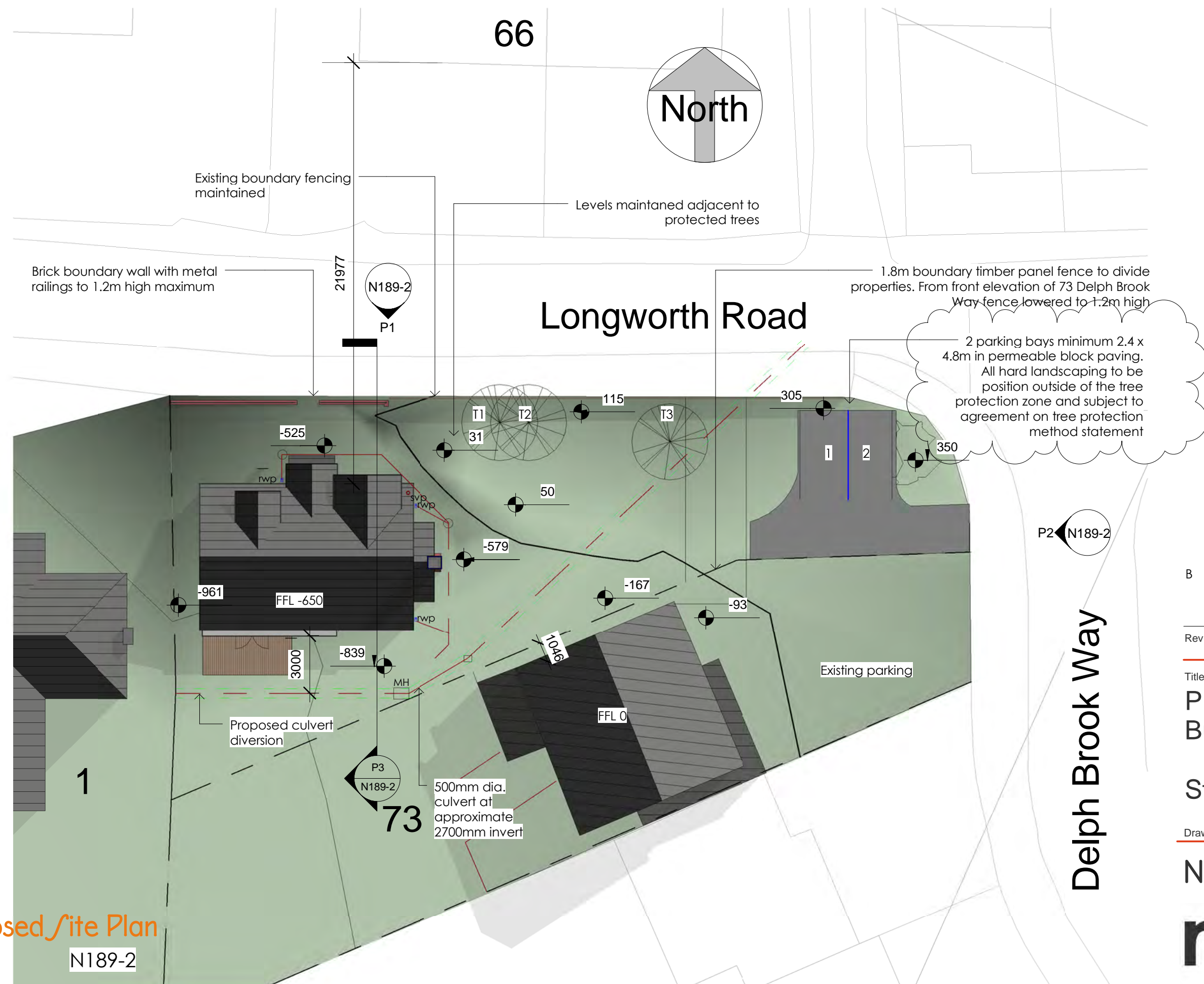
Proposed Dwelling

1 Longworth Clough



P2 Streetscene on Delph Brook Way
1 : 100 N189-2

Levels shown relate to ground floor level of 73 Delph Brook Way



P5 Proposed Site Plan
1 : 200 N189-2

Rev	Description	Date
B	Parking removed from Longworth Road. Parking access now provided from Delph Brook Way	8/8/16

Title
Proposed 3 Bedroom Dormer Bungalow

Streetscenes and Site Plan

Drawing No
N189-2

novensus
creative thinking...
quality architectural design services

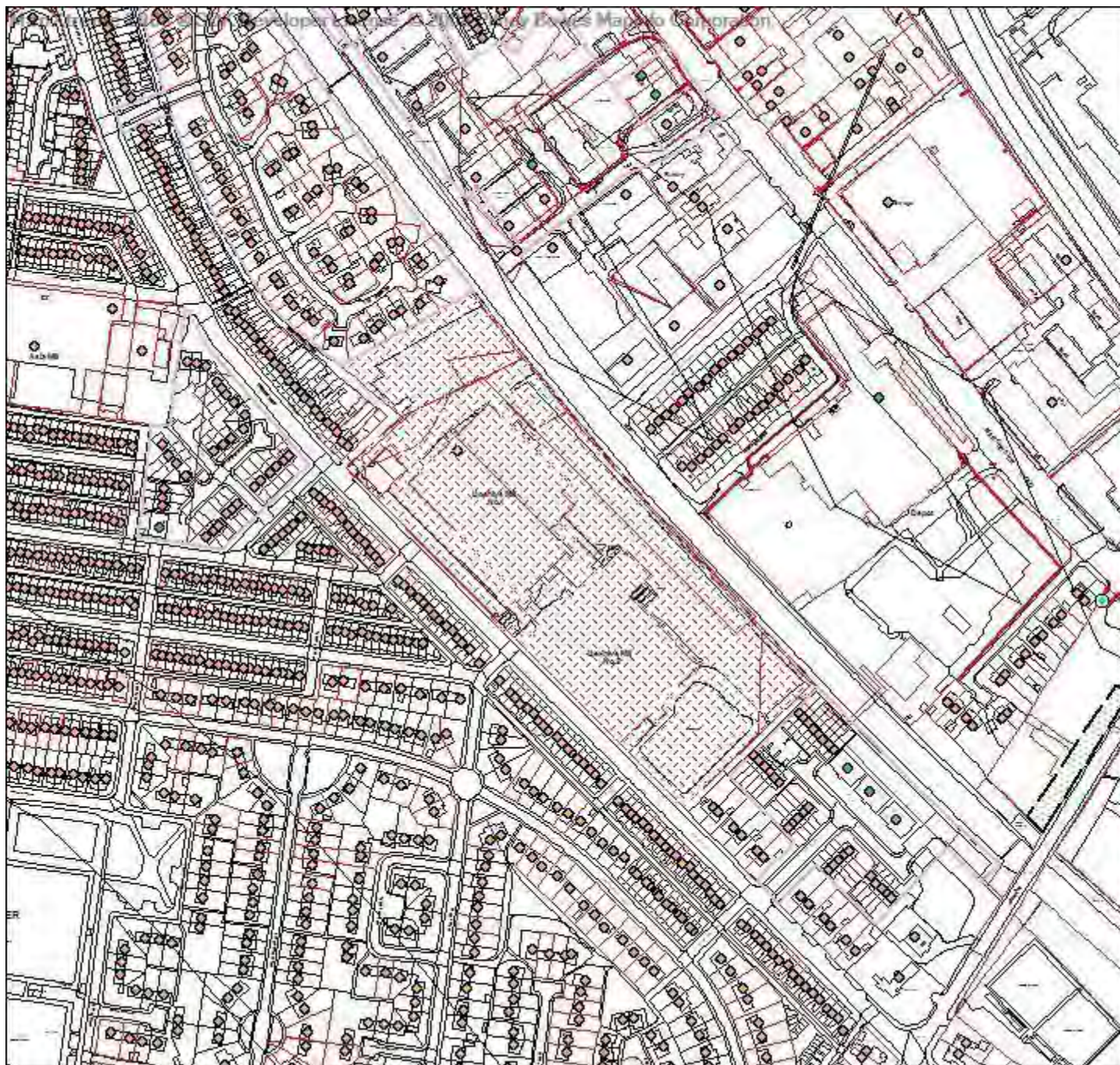
Tel: 0161 408 2785
ask@novensus.co.uk
www.novensus.co.uk

73 DELPH BROOK WAY, EGERTON

PLANNING

20/09/2016 10:29:46

Application number 96842/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 20/10/2016

Application Reference: 96842/16

Type of Application: Listed Building Consent
Registration Date: 21/06/2016
Decision Due By: 15/08/2016
Responsible Officer: Martin Mansell

Location: BEEHIVE MILLS, CRESCENT ROAD, BOLTON, BL3 2LT

Proposal: LISTED BUILDING CONSENT FOR DEMOLITION OF MILL BUILDINGS.

Ward: Great Lever

Applicant: Arndale Properties Limited
Agent : Vincent and Gorbing

Officers Report

Recommendation: Refuse

Proposal

Listed Building Consent is sought for the total demolition of Beehive Mills Nos 1 & 2 (Grade II Listed) together with ancillary outbuildings at the site.

An application for outline consent for residential development also appears on the agenda. The Applicant has submitted a "development parameters" plan which shows different parts of the site being allocated for housing of 2, 3, 4 and 6 storeys, including two apartment blocks. An area of land in the south western corner, largely the former mill lodge, is shown as being infilled and converted to public open space.

Members are advised that applications have also been submitted for the conversion of the entrance lodge building into two houses, though these applications do not require a referral to Planning Committee. However, no decision will be made on the applications for the lodge until a decision has been made on the two main applications for Beehive Mills - otherwise, this would risk two dwellings being formed at the main entrance to a potentially operational Class B8 site. If the demolition and redevelopment of Beehive Mills were to be considered to be acceptable, then the conversion of the entrance lodge would also be likely to be acceptable - subject to a condition that the two new dwellings were not occupied unless and until the buildings were demolished.

This report summarises the Applicant's arguments in favour of demolition together with the responses of Historic England and three amenity societies arguing the case against permitting demolition and then seeks to advise Members of the appropriate weight to give to these arguments.

Site Characteristics

Beehive Mills are located on land between Crescent Road and the Bolton - Manchester Railway line. The two mills are Grade II listed for their special architectural or historic interest. The site's entry on

the National Heritage Listed for England states:-

Cotton spinning mills, comprising two spinning blocks with some ancillary buildings. The first mill (spinning mill No.1) was built in 1895, the second (spinning mill No.2) added in 1902. Two spinning blocks with original offices and gate lodge, and later (approximately 1920) office. Spinning mill No.1 is five storeys, 15x4 bays with multi-ridge roof and cast-iron, steel and concrete internal structure. Brick externally. Large rectangular windows have central dividing mullions. Yellow brick bands as lintels. Stair/sprinkler tower at south-east angle raised an additional storey with high parapet. Stepped pyramidal cap now missing. Mill No.2 is similar in style, six storeys, 13x5 bays. Stair/sprinkler tower similar in style to that of mill No.1 at south-east angle, and additional smaller tower at north-west angle. Spinning mills are linked by loading bay, with mill name and date (1902). Engine house projects from rear of mill No.1, and there is also a boiler house and truncated stack to rear. Several bays of single-storey, saw-tooth roofed building at front of mill No.2 - preparation or carding areas.

The buildings are very prominent in the Crescent Road street scene and are also clearly visible from the railway line to the east. Apart from these buildings, the Crescent Road area is almost entirely residential in character, mainly traditional terraces with some later social housing.

The site is allocated for housing in the development plan.

Policy

National Planning Policy Framework:

Conserving and Enhancing the Historic Environment

Core Strategy Policies:

SO11 Built Heritage, CG3 Design and the Built Environment, Policy SC1 Housing Allocations

RA1 Inner Bolton

Supplementary Planning Documents:

Bolton Mills Action Framework January 2007

Analysis

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides the primary legislation that has to 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.

The main impact of the proposal is:

- its effect on heritage significance

Impact on Heritage Significance

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage. Policy CG3 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.

The key conservation planning policy test to assess whether the proposals are acceptable is contained within paragraph 133 of the National Planning Policy Statement, which states:-

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Summary of the Applicant's Case

An architectural feasibility study demonstrates that, in principle, it is possible to convert the buildings into residential apartments. The conversion scheme proposed the insertion of a new structure within the buildings and the creation of a central atrium in each mill. Parking could be provided at ground floor level and a number of the ancillary and less significant buildings within the site would be removed. A structural assessment concluded that it should be physically feasible to convert the buildings in the manner proposed in the architectural drawings.

A heritage statement provided by the Applicant concludes that other examples of the 13 listed mills in Bolton, by way of their scale, their functional character, their layout and construction display significance more forcefully than the application site. Therefore, in the Applicant's view, the Beehive Mill buildings are not unique in displaying these particular values, and nor are they the best examples of their type.

A planning statement provided by the Applicant accepts that clear harm to the heritage asset would arise as a result of the demolition proposals. However, in their view, exceptional justification can be made by way of a number of factors. Development of the site for residential purposes is positively supported by the allocation under Policy SC1 of the development plan and re-occupation of the site for employment purposes (if this were economically viable) would now be contrary to the development plan given the site specific housing allocation. There are no site specific policy requirements related to the development of the site, and no specific requirement within the allocations plan that the residential use of the site must be achieved by conversion rather than redevelopment. Leaving aside the clear harm to the heritage asset that will arise as a result of these proposals, the Applicant takes the view that the scheme accords with the Development Plan, including the overall spatial strategy in the Core Strategy and site specific allocation of the site in the Site Allocations Plan.

The Applicant also supports the proposal for demolition by stating that the need for housing within Bolton is a compelling material consideration in favour of development on this site. The weight accorded this benefit should be considered in the context of the Council's position regarding the supply of land to meet requirements within the forthcoming five years. This matter was considered in detail at the recent planning appeal for 110 residential units at Hill Lane, Blackrod in April of this year. It therefore represents an independent and up-to-date assessment of the housing land supply position within Bolton. In that appeal, the Council accepted that it did not have a published housing requirement figure that is reflective of the full, objective assessment of need for market and affordable housing in the market area as required by paragraph 47 of the National Planning Policy Framework and that therefore it could not demonstrate a five year supply of housing land as required by the Framework. The Core Strategy indicates a housing requirement of 694 dwellings per year between 2008 and 2026. Paragraph 14 of the NPPF indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The Applicant therefore

claims that the position with regard to a lack of housing land supply is such that considerable weight should be placed on the delivery of housing as a public benefit. Whilst the application proposals will result in harm by way of the loss of a heritage asset, the continued lack of a 5-year supply will itself result in planning applications that will cause in themselves some planning harm.

In terms of the tests of para 133 of the NPPF, the Applicant offers the following justification:-

Importance of the Heritage Asset

The building is an isolated Mill in an otherwise residential area, and is not in a Conservation Area. It is accepted that Mills generally in the North West and in Bolton in particular are an important part of the industrial legacy of the area. However, the heritage value of those that are listed does vary. Major aspects of significance of the Beehive Mills including their scale, functional character, layout and construction are displayed more strongly in other listed mills in Bolton and the surrounding area. Therefore the Beehive Mill buildings are not unique in displaying these particular values, and nor are they the best examples of their type.

Reasonable and viable alternative uses

The reason for the site being vacated was the operational limitations represented by the buildings. The owner has considered all reasonable alternative uses of the Mill since it was vacated in early 2013. It has sought commercial and residential property advice and has marketed the building continuously over this period. In the opinion of commercial and residential property agents CBRE, the buildings on site no longer suit the majority of warehouse and logistics operators primarily due to the following reasons:-

- modern logistics companies require the ability to store products at higher heights within buildings to maximise efficiencies or storing and picking goods
- mill configurations reduces the net open span spaces in the building which reduces the net useable area
- multi-level floors and poor access via goods lifts inhibits the speed at which products can be stored and distributed
- upper floor loadings restrict the weight of goods stored
- insufficient/poor quality dock and level loading
- surrounding residential uses constrains 24/7 working hours which is imperative for distribution companies
- the site has poor access to motorways
- the overall cost of operation per cubic metre is expensive due to the cost of maintaining and heating an inefficient facility
- ongoing maintenance issues will also affect ability to store in 100% of the building

Beehive Mills do not lend themselves to modern manufacturing processes which are generally highly mechanised and require open span spaces. Such is the size and location of the mills, that there is no industrial development market that would be prepared to sub-divide such large buildings in an attempt to meet the needs of those seeking smaller amounts of floorspace. With the current owner wishing to dispose of the premises, no new owner is going to wish to invest in the property in return for a low and uneconomic level of occupancy. In any event, any non-B8 use would require planning permission and the residential context would place a constraint on many industrial processes. In the view of CBRE, there is no reasonable prospect of ever finding an employment use that could viably re-occupy the premises either as a single occupier or on the basis of subdivision for smaller occupiers.

Viability of residential conversion

A cost plan, which was based on the architectural drawings and informed by the structural appraisal, estimated that the scheme would cost a total of approximately £52 million to deliver. This led to a full development appraisal of the proposals, informed by comparable market values achievable

in this location. This demonstrates that assuming a developer's profit of 20% on cost, the residual land value is calculated as a negative of over £29 million. Retention of one of the two mills has also been considered, but even this would lead to a deficit of over £13 million. The Applicant takes the view that such is the deficit against usual commercial criteria that it is not considered that any funding institution would be prepared to underwrite the project, even if a proportion of grant aid were available, and even if market conditions were to improve dramatically over the next few years. On the basis of the feasibility and viability, the owners have taken the view that there is no realistic prospect of the buildings ever being converted for an alternative use, and that demolition would allow the benefit of new housing in accordance with the land allocation within the development plan.

Marketing

A marketing report is submitted with the planning application. This describes the marketing activities undertaken on behalf of the owner since the site was vacated in early 2013 - marketing board erected on site, marketing brochure prepared and mailed out, advertising and direct personal contact to known developers. CBRE and JLL have undertaken mailing since October 2012 to numerous groups including local occupiers, UK logistic surveyors, regional and national warehouse and logistic operators. Several hundred companies were targeted by electronic email campaign jointly by CBRE and JLL in addition to locally targeted hard copy mailing. Any companies who have enquired in the past also received hard copy brochures. The mailshot did not specify a guide price - throughout the marketing exercise CBRE deliberately avoided giving an indication of price on the basis that the owner is, in effect, open to any offer. In October 2013, the property was advertised both locally in the Bolton News and nationally in Property Week. In addition to hard copy advertising, the property has also been advertised on national websites.

CBRE have not conducted a single viewing of the property since marketing commenced in early 2013. There has been no offer made (whether derisory or realistic) and no suggestion that any potential occupier or developer might come forward. The result of the recent national advertising campaign was seven requests for information on the property, all of which were provided with the architectural feasibility study. All seven were asked whether they would like to view the site to progress their interest. None of the parties wanted to take their interest forward to a viewing.

PJ Livesey is noted as conversion specialists in the North West market and was considered the most likely party to take this opportunity forward. They noted that their last mill conversion in Bolton, Holden Mill (also owned previously by Arndale Properties), had taken ten years to sell out and as such they would not be interested in further conversion opportunities in the Bolton market.

The premises have been marketed for almost 3½ years. The agents responsible have yet to conduct a viewing of the property and there has been no realistic interest which would suggest that there is any prospect of a viable use of the heritage asset in the medium term.

Grant funding or charitable/public ownership

The owner has investigated whether any external funding might be available that could assist delivery of housing on the site whilst retaining the buildings. A meeting was held with Historic England during which it was confirmed that the limited availability of HE grant funding was such that a project of this scale would not be attractive. The owner approached the Homes and Community Agency who confirmed that the HCA does not have any grant or gap funding available for private sector partners and whilst loan finance is available, but this can only be considered on a financially viable project. Approaches to the Greater Manchester Housing Fund and two building preservation trusts have met with a similar response.

Benefits of bringing the site back into use

There are benefits of redevelopment in contributing to the Council's need for housing are set out above. There is a clear lack of housing coming forward and opportunities are being taken to bring forward developments on the basis of a lack of 5-year supply in locations that are contrary to the spatial strategy for Bolton.

For the above reasons, the Applicant therefore concludes that the proposals meet the tests of para 133 of the NPPF - that substantial public benefits in terms of the provision of much needed housing, including affordable housing, will arise that outweigh that harm or loss, the nature of the heritage asset prevents all reasonable uses of the site, no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation, conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible the harm or loss is outweighed by the benefit of bringing the site back into use.

Planning Officer's Analysis of the Applicant's Case

In terms of the importance of the heritage asset, Officers do not consider that the correct approach is to compare this heritage asset with others within the Borough. The mills are designated for their importance nationally, not locally. Different regions have different concentrations of heritage assets and the fact that Bolton maybe particularly well provided with heritage assets of this type should carry little weight when taking the national significance of the asset into account. That said, Officers consider the strongest part of the Applicant's case to be the fact that the site is allocated for housing and the allocation makes no specific reference to conversion rather than demolition, though of course it does not specifically refer to demolition either. It is accepted that the development viability appraisal makes it seem unlikely that the site will come forward for a housing conversion in the near future - on the other hand, it is not easy to predict future changes in the market and it cannot be ruled out that a conversion may become viable in future. The site has been vacant for 3½ years - in terms of development management this is not necessarily an exceptionally long period of vacant. Whilst the vacancy of the building may cause disadvantages to the Applicant it is not considered to be causing public harm, other than by way of an opportunity cost. In other words, whilst it would in principle be preferable in planning terms for the building to be occupied there is little or no evidence to suggest that its vacancy is causing harm to planning considerations. It must be noted that the Council retains powers under the Listed Buildings and Conservation Area Act to ensure the prevention of deterioration and damage. This power, together with the clear position of para 130 of the NPPF that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision are considered to mean that, whilst occupancy of the listed building is preferable and should be encouraged where appropriate, vacancy should not, in itself, be capable of justifying harm.

Officers accept the need to increase housing completions to ensure a 5 year supply and note that this does undermine other provisions of the development plan. However, the lack of a 5 year supply does not and should not undermine the provisions of the NPPF in any way. Irrespective of the position on housing, it remains the case that the loss of the building would have to be necessary to achieve substantial public benefits. In this instance, Officers do not consider the demolition to be necessary as the possibility remains of delivering housing on other sites in the Borough and whilst housing is clearly a public benefit Officers do not consider it to be substantial enough in this instance to outweigh the loss of the heritage assets, particularly as no method exists to ensure the delivery of the housing once the heritage assets have been lost. Planning Officers do not consider the Applicant's case to have justified the total loss of heritage significance at this site.

Summary of the Objections of Historic England, the Victorian Society, the Council for British Archaeology and the Association for Industrial Archaeology

Beehive Mills are two grade II listed mills on the outskirts of Bolton. As well as their striking architectural and aesthetic significance, the buildings contribute to the understanding of Bolton as a

place which was central to the industrial revolution nationally and internationally. A proposal for conversion of the buildings has been abandoned due to lack of viability in the current market and the current proposal is for demolition of both buildings and redevelopment of the site with housing. The National Planning Policy Framework is clear that demolition of heritage assets should be refused unless there is a clear and convincing justification. The submitted proposal neither demonstrates that the harm is necessary nor justified and therefore Historic England, the Victorian Society, the Council for British Archaeology and the Association for Industrial Archaeology strongly object to the application for demolition of this nationally important complex of buildings.

It is evident that the proposed demolition would totally destroy the significance of the site and remove a once-positive and nationally important historic feature of the local area, together with its historic and social connections for the community. There is a statutory requirement to have special regard to the desirability of preserving a listed building (s.16, 1990 Act). The NPPF also sets out the Government's planning policies, at the heart of which is how the planning system can contribute to sustainable development. This fundamentally involves contributing to and protecting the built and historic environment for their contribution to the quality of life as detailed within the key dimensions and core planning principles in paragraphs 7 and 17. Para 132 of the NPPF states that heritage assets are irreplaceable and therefore the argument for the demolition must be convincing. The NPPF is clear that Local Planning Authorities should refuse consent for a proposal which would lead to substantial harm to a heritage asset (paragraph 133) unless it can be demonstrated that the loss is necessary to achieve substantial public benefits that would outweigh the loss or it has to meet all four other criteria:-

The nature of the heritage asset prevents all reasonable uses of the site

The objectors do not consider this criterion to have been fulfilled. The nature of a mill building with its deep floor plans and low internal natural lighting can be a challenge. However, as the conversion scheme indicated, this can be overcome by the insertion of internal light wells which has been carried out in a number of similar schemes with successful outcomes. An options appraisal has not been produced or submitted as part of the application.

The Association for Industrial Archaeology takes the view that, in order for this test to be satisfied, it is the nature of the heritage asset which has to prevent all reasonable use. These are former mills with adequate floor space and fenestration. Other mills have been successfully converted, so it cannot be said that the nature of this heritage asset prevents all reasonable use, therefore this point is not satisfied.

The Council for British Archaeology suggests that a conservation accredited architect should be employed to assess alternative options for conversion to be certain that all options have been considered.

No viable use for the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation

The marketing exercise was carried out over a period of three years to an acceptable standard. An important factor is the marketing price which, we understand from the report and information submitted, has been kept to an "open for offer" basis. The marketing exercise seems to indicate a low interest in any occupier taking on the whole site. Historic England agree that it demonstrates a fair assessment of the current viability.

However, the Association for Industrial Archaeology notes that whilst the agents do not expect medium term re-emergence of significant apartment development in Bolton, the proposal includes 40 new-build apartments in 6 storeys and they therefore suggest that the Mills could be incorporated in this scheme.

Conservation grant funding or some form of charitable or public ownership is demonstrably not possible

Historic England note that a number of funding sources have been approached with no result, including different regional and national trusts and also the Homes and Communities Agency, without success.

The harm or loss is outweighed by bringing the site back into use

Consent should be refused unless there is a clear and convincing demonstration that the harm to the assets is necessary. There may be public benefits associated with the proposed replacement scheme. However Historic England remain unconvinced that these could be seen as either substantial or necessary. For the loss to be deemed necessary, no other reasonable means of delivering the public benefits should be demonstrated, that this the only way this type of housing could be provided within Bolton. The nature of the outline application also leaves uncertainty as to how the development would impact the local area.

Historic England consider that the current proposal to demolish Beehive Mills constitutes substantial harm to a nationally important heritage asset. Whilst they broadly accept the assessment of the viability of the scheme in the current market, the proposal fails to meet the fundamental tests of the National Planning Policy Framework. They do not consider the criteria of paragraph 133 to have been met, and do not consider the harm to be either justified or necessary. They therefore strongly object to the proposed demolition recommend that the proposal is refused in line with both national legislation and the National Planning Policy Framework.

The Victorian Society agree with the assessment of Historic England, strongly object to the proposal and urge the Council to refuse it. They also note that innumerable historic mills and other industrial buildings have been converted to new uses, often lending themselves to residential or office uses. Sensitive adaptation of the structures is usually necessary – and indeed acceptable – in order to achieve an appropriate reuse. The relatively good condition of the Beehive Mills should make the buildings' conversion a more likely possibility than many other that have seen successfully repurposed. To suggest that the Beehive Mill buildings could not reasonably be put to alternative new uses is therefore not credible. They do not consider that the development would result in substantial public benefits, or that the benefits of bringing a site forward that would be largely stripped of its significance would outweigh the loss of a nationally important group of historic buildings. The issue of necessity is also a consideration here. They also do not believe that an outline application for the site's redevelopment is appropriate in these circumstances. Even if the principle of the redevelopment is considered acceptable, the unavoidable uncertainty of an outline application, and the material submitted with it, does not permit the full implications of the scheme to be understood and weighed up.

The Council for British Archaeology note the NPPF considers the loss of a Grade II listed building to be exceptional and object to the application.

Members are advised that the Council's conservation advisor, based at Manchester Council, agrees entirely with the views of Historic England.

Planning Officer's Analysis of the Objectors' Case

Officers give significant weight to the fact that the buildings are physically capable of conversion to residential use without unacceptable harm to heritage value (or certainly less harm to heritage value than total demolition). It is present market conditions that are preventing the conversion at this particular point in time and it is possible that these market conditions may change in future. It is also noted that the proposed residential development proposes a six-storey block of 40 apartments - this

does suggest a degree of demand for apartments in this area.

It is important to note that the test of para 133 is a two part test - the substantial harm or loss must be necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the four other tests must apply. If the first test is not passed, then all of the other four must be passed - it would not be sufficient for one, two or three of them to be passed. For example, it may well be the case that conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible and the Applicant has provided evidence on this point. However, passing this test alone is insufficient. Officers conclude that the first part of the test is not passed - the demolition is not necessary as other means exist by which housing can be delivered in the Borough and furthermore whilst housing is clearly a public benefit it is not in this instance considered to be substantial enough to outweigh the harm caused, for the reasons expressed by the objectors above. It is therefore then necessary to look at whether the other four tests are passed. In this instance, whilst it is likely that charitable funding or public ownership is not possible in this case, it is market conditions rather than unchanging physical characteristics that are currently preventing reasonable uses of the site. A 3½ years vacancy is not considered to represent "the medium term" and whilst bringing the site back into use is preferable it is not considered that vacancy is so harmful as to justify total demolition.

For the reasons given above, Planning Officers give significant weight to the case of the objectors.

Conclusion

Officers consider that the decision rests on whether or not the delivery of new housing represents a substantial public benefit than could outweigh the total loss of heritage significance at this site. It is considered that the policies of the NPPF and Bolton's Core Strategy point to a refusal, though the issues surrounding the five year housing supply must also be taken into account. It is accepted that it is difficult to see how the housing allocation can be delivered under present market conditions. That said, Historic England make reference to the test of necessity - demolition should only be accepted if housing cannot possibly be delivered on any other sites. Market conditions may change in future to render conversion viable but if the buildings were to be demolished then this option would be permanently removed.

As set out in the comments above, Officers do not consider that the tests of the NPPF have been met. Other options for delivering housing in Bolton must exist and would need to be fully explored before this development could be considered to be "necessary" to deliver housing. Furthermore, even if it was to be accepted that the development was necessary, there is no guarantee that the development would actually take place and therefore deliver the benefits that were considered to justify it. This is an outline application for the principle of development with only indicative details of the nature of the development proposed. There is no evidence to suggest that the Applicant has a housing developer on board and therefore the application is purely speculative at this point. Importantly, if the Council were to approve the demolition of these Grade II Listed Buildings, no reasonable method exists by which the delivery of the proposed housing unit could be definitively ensured. Once the buildings were to be demolished, the site would simply become a cleared site awaiting a potential residential development - other similar sites exist in Bolton already such as Westpoint on Moor Lane and Church Wharf. The total loss of these Grade II Listed Buildings may make residential development more likely, in accordance with the housing allocation, but it could not in any sense guarantee it.

If Members were minded to approve the demolition of these Grade II Listed Buildings, the decision would have to be referred to the Secretary of State for Communities and Local Government - as objections have been received from the Historic England and an amenity society, Section 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Secretary of State to be notified if the Council intends to approve the application. If Members are minded to refuse the

application, in agreement with the advice of Planning Officers, then a referral to the Secretary of State would not be necessary.

Representation and Consultation Annex

Representations

Letters:- the objections from Historic England, the Victorian Society, the Council for British Archaeology and the Association for Industrial Archaeology are thoroughly summarised above.

Representations of objection have been received from three properties close to or adjoining the site. The grounds of objection are:-

- this is an important historic and cultural building which is listed for a reason. It seems the building has been neglected by its owners so they want the easy option of demolition. Arndale Properties were aware the building was listed when they purchased it
- any number of such mills have been successfully renovated in the Greater Manchester area without demolition
- it is a deeply worrying prospect that this move will set a precedent for the demolition of Grade II listed mills in the Bolton area
- please do not let our cultural and architectural heritage be destroyed for the sake of cheap, ugly and architecturally nondescript residential ghettos

Consultations

Advice was sought from the following consultees: Historic England, the Victorian Society, Bolton Civic Trust, the Georgian Group, the Council's conservation adviser (based at Manchester Council), Greater Manchester Archaeological Advisory Service, the Ancient Monuments Society, the Council for British Archaeology, the Society for the Protection of Ancient Buildings, the 20th Century Society, Greenspace, Ecology

Planning History

The site has no relevant planning history.

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development would result in the total loss of heritage significance of two Grade II Listed Buildings which has not been justified in terms of Section 12 of the National Planning Policy Framework "Conserving And Enhancing The Historic Environment" and is therefore considered to be contrary to Strategic Objective SO11 and Policy CG3 of Bolton's Core Strategy.



- SITE BOUNDARY**
3.61ha 8.92ac
- MAIN ACCESS AND OPEN SPACE CORRIDOR**
- EMERGENCY ACCESS/CYCLEWAY CORRIDOR**
- UP TO 2 STOREY RESIDENTIAL**
- UP TO 3 STOREY RESIDENTIAL**
- UP TO 4 STOREY RESIDENTIAL**
- UP TO 6 STOREY RESIDENTIAL**
- PUBLIC OPEN SPACE**
- RETAINED LODGE AND CURTILAGE (SEPARATE APPLICATION)**

REVISION A:
Minor amendment to site boundary
HNA/10-03-2016

REVISION B:
Minor amendment to site boundary
HP/20-06-2016

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PROJECT TITLE
**Beehive Mills
Crescent Road
BOLTON**

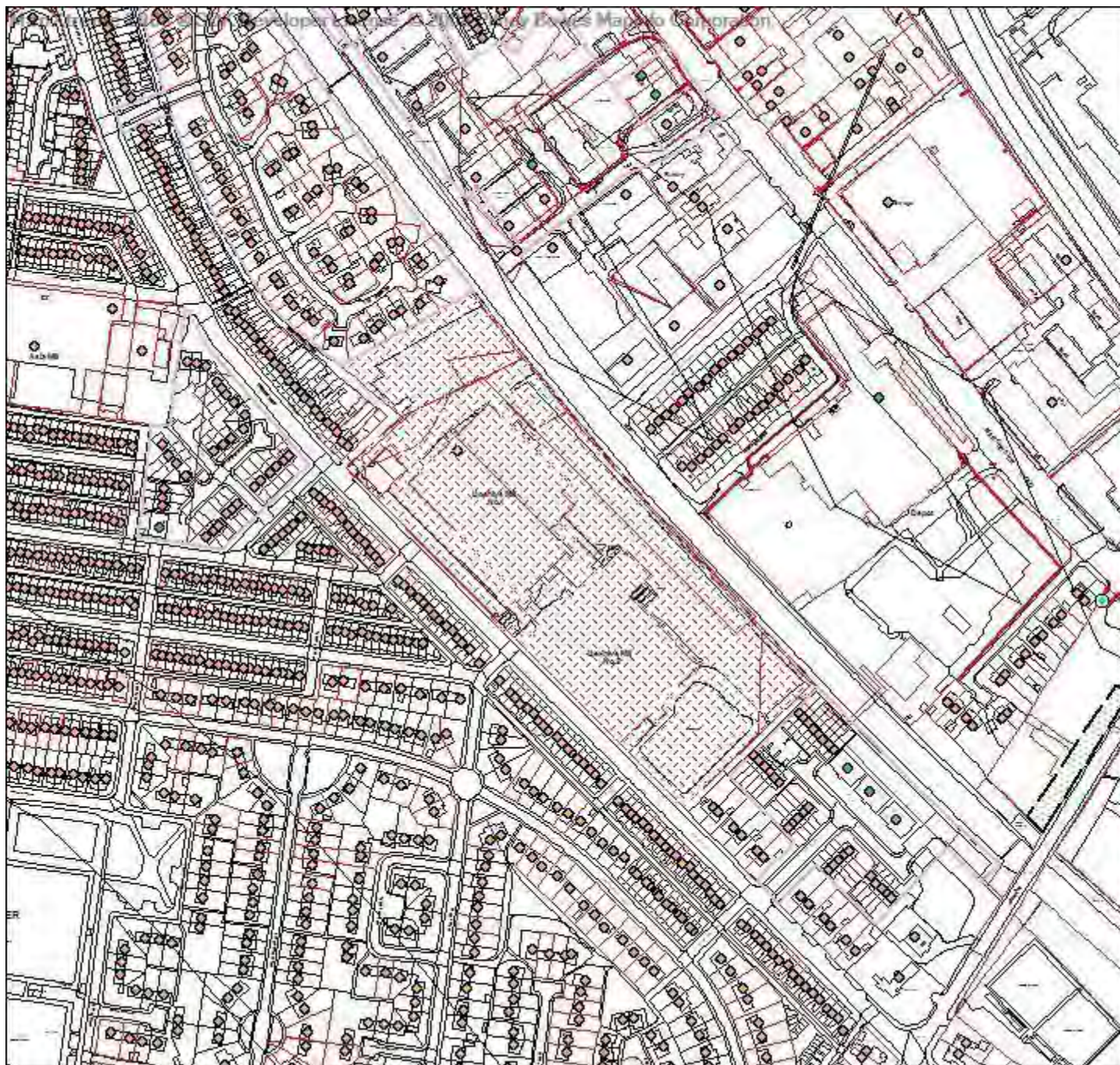
DRAWING TITLE
Development parameters

SCALE	DATE	CHECKED
1:1250	MARCH 2016	
	DRAWN	DATE
	HNA	
PROJECT No.		
4986		013B

VINCENT AND GORBING
CHARTERED ARCHITECTS AND TOWN PLANNERS
STERLING COURT NORTON ROAD STEVENAGE HERTS
TELEPHONE: 01438 316331 FAX:01438 722035

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Application number
96907/16



Development & Regeneration Dept
Development Management Section

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

Bolton
Council

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Date of Meeting: 20/10/2016

Application Reference: 96907/16

Type of Application: Outline Planning Permission

Registration Date: 22/06/2016

Decision Due By: 20/09/2016

Responsible Officer: Martin Mansell

Location: BEEHIVE MILLS, CRESCENT ROAD, BOLTON, BL3 2LT

Proposal: OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF UP TO 121 DWELLINGS INCLUDING NEW ACCESS AND ASSOCIATED WORKS (ACCESS DETAILS ONLY).

Ward: Great Lever

Applicant: Arndale Properties Limited

Agent : Vincent and Goring

Officers Report

Recommendation: Refuse

Proposal

Outline permission is sought for the demolition of the majority of existing buildings at this site, including the two Grade II Listed Beehive Mills and the erection of up to 121 dwellings including new access and associated works. As all matters apart from the details of the proposed access have been reserved, the applicant only seeks permission for the principle of demolition and erecting up to 121 dwellings on the site and for the means of access into the site. Details of the layout, scale and design of the dwellings (along with landscaping) would need to be sought at a later stage, through a Reserved Matters application.

As this an outline application, with little in the way of detailed design, the Applicant has submitted a "development parameters" plan which shows different parts of the site being allocated for housing of 2, 3, 4 and 6 storeys, including two apartment blocks. An area of land in the south western corner, largely the former mill lodge, is shown as being infilled and converted to public open space.

Only one vehicular access is proposed into the site, in a central location on the Crescent Road frontage. The existing vehicular access to the site on the north-western corner would be converted to an emergency access / cycleway / pedestrian corridor.

The application is supported by a preliminary environmental risk assessment, an archaeological desk-based assessment, a heritage statement, an opinion from counsel, an ecological appraisal, a flood risk assessment, a transport study and a transport statement, a marketing a viability report for the existing buildings, a planning design and access statement, a feasibility and viability statement, a noise and vibration assessment, an air quality assessment and a statement of community engagement as well as the access and development parameters plans referred to above.

An application for listed building consent for the demolition of the two Grade II Listed Beehive Mills also appears on the agenda.

Members are advised that applications have also been submitted for the conversion of the entrance lodge building into two houses, though these applications do not require a referral to Planning Committee. However, no decision will be made on the applications for the lodge until a decision has been made on the two main applications for Beehive Mills - otherwise, this would risk two dwellings being formed at the main entrance to a potentially operational Class B8 site. If the demolition and redevelopment of Beehive Mills were to be considered to be acceptable, then the conversion of the entrance lodge would also be likely to be acceptable - subject to a condition that the two new dwellings were not occupied unless and until the buildings were demolished.

Site Characteristics

Beehive Mills are located on land between Crescent Road and the Bolton - Manchester Railway line. The two mills are Grade II listed for their special architectural or historic interest. The site's entry on the National Heritage Listed for England states:-

Cotton spinning mills, comprising two spinning blocks with some ancillary buildings. The first mill (spinning mill No.1) was built in 1895, the second (spinning mill No.2) added in 1902. Two spinning blocks with original offices and gate lodge, and later (approximately 1920) office. Spinning mill No.1 is five storeys, 15x4 bays with multi-ridge roof and cast-iron, steel and concrete internal structure. Brick externally. Large rectangular windows have central dividing mullions. Yellow brick bands as lintels. Stair/sprinkler tower at south-east angle raised an additional storey with high parapet. Stepped pyramidal cap now missing. Mill No.2 is similar in style, six storeys, 13x5 bays. Stair/sprinkler tower similar in style to that of mill No.1 at south-east angle, and additional smaller tower at north-west angle. Spinning mills are linked by loading bay, with mill name and date (1902). Engine house projects from rear of mill No.1, and there is also a boiler house and truncated stack to rear. Several bays of single-storey, saw-tooth roofed building at front of mill No.2 - preparation or carding areas.

The buildings are very prominent in the Crescent Road street scene and are also clearly visible from the railway line to the east. Apart from these buildings, the Crescent Road area is almost entirely residential in character, mainly traditional terraces with some later social housing. The site is generally level but is cut into the land sloping down to the railway line, resulting in a 3 metre drop from Crescent Road.

The site measures 3.6 hectares, is allocated for housing in the development plan and falls within the RA1 Inner Bolton character area.

Policy

National Planning Policy Framework - building a strong and competitive economy, promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities, protecting green belt land, meeting the challenge of climate change, flood and coastal change, conserving and enhancing the historic environment

Core Strategy Objectives

SO2 Access to Education, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO10 Climate Change, SO11 Built Heritage, SO12 Biodiversity, SO13 Flood Risk, SO14 Inclusive Housing, SO15 Sustainably Located Housing, SO16 Community Cohesion and Access

Core Strategy Policies

H1 Health Facilities

A1 Primary / Secondary / Tertiary Education

P1 Employment Sites, P5 Transport

S1 Crime and Road Safety

CG1 Biodiversity, Open Space, Flood Risk and Climate Change, CG2 Sustainable Development, CG3

Design and the Built Environment, CG4 Compatible Uses

SC1 Housing Allocations, SC2 Cultural and Community Facilities

RA1 Inner Bolton, IPC1 Infrastructure Contributions

Supplementary Planning Documents

General Design Principles, Building Bolton, Sustainable Design and Construction, Accessibility, Transport and Safety; Affordable Housing

Analysis

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

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

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

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

The main impacts of the proposal are:-

- impact on heritage significance
- impact on housing provision
- impact on the highway
- impact on biodiversity
- impact on flooding
- impact on local infrastructure
- impact on the character and appearance of the area
- impact on the amenity of neighbouring residents

Impact on Heritage Significance

Section 66 (1) of the Act states 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may, the Secretary of State 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.'

It is considered that the heritage impact arguments are thoroughly represented in the report for the accompanying application for Listed Building Consent and the conclusion below advises Members of the appropriate weight to give to this matter.

Impact on Housing Provision

Strategic Objective 15 of the Core Strategy is, "To focus new housing in the existing urban area, especially in Bolton town centre, council-owned housing areas and in mixed-use developments on existing older industrial sites".

Policy SC1 of the Core Strategy states that the Council will identify a range of housing sites for additional provision of 694 dwellings per annum between 2008 and 2026, with at least 80% of housing development to be on previously developed land. Policy SC1.2 states that the 20% of housing on greenfield land will be provided through the Transforming Estates programme.

Bolton's Allocations Plan (2013) states that since 2008 a total of 1,754 net new dwellings have been completed leaving the Allocations Plan to make provision for 10,738 new dwellings for the period 2012-2026. Specific sites over 0.4 hectares in size have been identified for housing on the Proposals Map sufficient to accommodate 5,912 new dwellings. This is in addition to the (up to) 1,700 dwellings allocated through the Core Strategy at Horwich Loco Works. It is anticipated that around 1,831 dwellings can be delivered within Bolton town centre on sites of 0.4 hectares and above. Housing development will also continue to come forward on sites less than 0.4 hectares that are not identified within the Proposals Map. Evidence from the Strategic Housing Land Availability Assessment (SHLAA) suggests that a small site allowance of 90 dwellings is appropriate which would yield 1,260 units over the years from 2012 to 2026. In addition Bolton has a legacy of windfall sites becoming available through the redevelopment of former built uses. It is anticipated that this will continue in line with the Core Strategy's approach to regeneration. It should also be noted that the Allocations Plan also does not identify areas for comprehensive mixed use development (housing is a key component in driving the regeneration of these areas and will provide additional housing opportunities).

The Applicant considers the need for housing within Bolton to be a compelling material consideration in favour of development on this site. Their view is that the weight accorded this benefit should be considered in the context of the Council's position regarding the supply of land to meet requirements within the forthcoming five years. This matter was considered in detail at the recent planning appeal for 110 residential units at Hill Lane, Blackrod in April of this year. It therefore represents an independent and up-to-date assessment of the housing land supply position within Bolton. In that appeal, the Council accepted that it did not have a published housing requirement figure that is reflective of the full, objective assessment of need for market and affordable housing in the market area as required by paragraph 47 of the National Planning Policy Framework and that therefore it could not demonstrate a five year supply of housing land as required by the Framework. The Core Strategy indicates a housing requirement of 694 dwellings per year between 2008 and 2026. Paragraph 14 of the NPPF indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The Applicant therefore claims that the position with regard to a lack of housing land supply is such that considerable weight should be placed on the delivery of housing as a public benefit. Whilst the application proposals will result in harm as in the loss of a heritage asset, the continued lack of a 5-year supply will itself result in planning applications that will cause in themselves some planning harm.

National planning policy requires local planning authorities to "identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements". This should be augmented by either a 5% buffer to ensure choice and competition or a 20% buffer to deal with persistent under-delivery (NPPF paragraph 47).

If a local planning authority cannot demonstrate a five-year supply paragraph 49 of the NPPF advises that "relevant policies" for the supply of housing should not be considered up-to-date. In this event the presumption in favour of sustainable development in NPPF paragraph 14 comes into play and planning permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against this Framework taken as a whole or where specific policies in the Framework indicate development should be restricted." Without a

five-year supply, policies which control the supply of housing and its location in the borough, excluding the Green Belt, carry little or no weight. For example, policies relating to protected open land are significantly weakened. However, Officers are firmly of the view that the paragraphs relating to the protection of heritage assets in the NPPF remain entirely unaffected by the housing supply situation in Bolton.

At 121 units, the proposal would make a positive contribution towards housing provision in Bolton.

Impact on the Highway

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements, parking (in accordance with the parking standards set out in Appendix 3), and the requirement for a Transport Assessment and Travel Plan with major trip generating developments. Policy S1.2 states that the Council will promote road safety in the design of new development.

Along with the principle of demolition and the residential development of the site for up to 121 dwellings, the details of the means of access into the development are also being sought. The new vehicular access is proposed to be located off Crescent Road. The applicant has submitted a Transport Assessment with their planning submission, which analyses the predicted traffic impact of the proposed development (as well as looking at local accident data).

The Council's Highways Engineers consider that the applicant has submitted a robust Transport Assessment in order to substantiate the potential residential development from an transport/highways perspective. They believe that the document demonstrates that the traffic generation associated with the proposed development minus the extant use class can be potentially accommodated without detriment to the operational capacity or safety of the local highway network surrounding the site. The document also substantiates that the site is accessible by sustainable modes of transportation. Engineers therefore have no reasonable objections to the principle of the two proposed access points onto Crescent Road to serve the potential residential development (site junction access/emergency access point). The applicant has undertaken a Type 1 Road Safety Audit and provided swept-path analysis data for the main access junction. These documents appear to demonstrate that the junction should pose limited road safety implications in terms of vehicle movements and that the site is accessible to refuse/service vehicle access.

Parking for the proposed dwellings would need to be considered and assessed through a Reserved Matters application for the development, as details of the layout of the development have not been applied for at this stage. It is however considered that sufficient parking (in accordance with the standards set out in Appendix 3) could be accommodated within the development.

It is therefore considered that the proposed residential development of the application site (up to 121 dwellings) would not have a detrimental impact on the capacity of local highways and junctions and would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Impact on Biodiversity

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should contribute to conserving and enhancing the natural environment.

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

Policy RA1 relates specifically to Inner Bolton and states that the Council will ensure that development takes opportunities to improve upon the existing low levels of green infrastructure and soft landscaping in inner Bolton, using native plant species where appropriate.

The applicant has submitted an Ecological Appraisal with the application and this has been supplemented by additional information on the existing mill pond at the request of Greater Manchester Ecology Unit. GMEU accept that the site should be assessed as low risk and that it has been demonstrated that the mill pond is of no more than local value, with only what appear to be widespread and common invertebrate species recorded. Therefore whilst the mill pond does have ecological value, its loss does not warrant an objection from the GMEU if it is not retained within the development though this would be their preferred approach. They recommend some form of mitigation eg a significantly smaller (typical field ponds size) but higher ecological value water body within the proposed public open space in order to comply with NPPF guidance that the planning system should contribute to and enhance the natural Environment. However they accept that this guidance looks at planning in the wider context and that not every individual development has to comply.

If Members were minded to approve, a condition or note could be imposed that the reserved matters application needed to or should provide mitigation for biodiversity in accordance with the NPPF.

The Council's Greenspace Officers make the following comments:-

- Japanese Knotweed is present on the site and the report suggests that this is being addressed. Details of the methodology should be required by condition
- Nesting birds on the site are reported as being few but precautions should be taken during site clearance and timed to avoid nesting season
- The report confirms that bat roosting potential on the site is low and should not be impacted by development of the site. However, foraging over and around the reservoir is considerable and the proposed provision of gardens to replace the reservoir habitat is unlikely to be a satisfactory replacement in the short to medium term. Incorporation of the reservoir into the SUDS drainage planning to alleviate surface water drainage and provide attractive habitat enhancement in line with the NPPF Paragraph 109, should be further considered

The application site is not designated for its nature conservation value and is not close to any designated sites. It is considered that the application site only has low potential to support specially protected or priority species. Importantly, the site is allocated for housing with a guideline figure for the delivery of 200 units. Therefore, given the allocation, it is considered sufficient information has been provided and that the proposed development would safeguard the limited biodiversity of the site, compliant with Policy CG1.1 of the Core Strategy.

Impact on Flooding

Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk. Policy CG2.2c states that all proposals for five or more residential units should demonstrate the sustainable management of surface water run-off from developments. On greenfield sites the rate of run-off should be no worse than the original conditions before development.

The applicant has submitted a flood risk assessment and drainage strategy with their submission. The Environment Agency, United Utilities and the Council's Drainage Officers raise no objections to the proposal, subject to conditions.

Impact on Local Infrastructure

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

Should Members consider the proposal to be acceptable in all other regards, it would be the intention of Planning Officers to negotiate the followings S106 contributions:-

- * Affordable housing: 18 affordable units on site, with 14 (75%) being for social/affordable rent at 60% discount off open market value and 4 (25%) being for intermediate housing at 30% discount off open market value.
- * Education: to be confirmed
- * Public open space: to be confirmed
- * Health: £27,104
- * Public art: 1% of total development costs

The applicant has not submitted any information with their planning submission to demonstrate that the scheme would not be viable if the contributions were offered in full nor has any information on contributions been provided.

Notwithstanding the harm to heritage significance it is considered that a Section 106 Agreement would ensure that the proposed development could be supported by appropriate infrastructure, compliant with Policy IPC1 of the Core Strategy.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, will require development to be compatible with the surrounding area in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment, and will maintain and respect the landscape character of the surrounding countryside and its distinctiveness. Policy RA1 relates specifically to Inner Bolton and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment; ensure that development has particular regard to massing and materials used, due to the predominance of red brick, slate-roofed, two-storied terraced housing; respect and strengthen the traditional grid-iron pattern and the street-scaping of existing housing and mills where it is compatible with good urban design; make efficient use of land in inner Bolton due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach; ensure that development takes opportunities to improve upon the existing low levels of green infrastructure and soft landscaping in inner Bolton, using native plant species where appropriate.

The proposed demolition of the Beehive Mills would inevitably forever change the character and appearance of the Crescent Road street scene. However, as the heritage impacts are chiefly considered in the accompanying application for listed building consent, if this is set aside for the moment, it is considered that the residential development could take place without harm to the street scene. Details of the siting, scale and design of the dwellings (along with details of landscaping) have not been sought within this outline application, and therefore would need to be assessed during any Reserved Matters stage. GM Police recommend a Crime Impact Survey and this

could be required by condition.

Setting aside the impact of the demolition for a moment, it is considered that a residential development could be delivered here without unacceptable harm to the character and appearance of the area.

Impact on the Amenity of Neighbouring Residents

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

The proposed site layout is only indicative, however it illustrates that the Council's recommended minimum interface distance of 21 metres between fronts of dwellings can be achieved both within the development and between the proposed and neighbouring dwellings. The removal of this Class B8 use from an almost entirely residential area would be of benefit. The Applicant has provided a noise and vibration assessment and an air quality assessment both of which demonstrate that the site can accommodate a residential use without harm to living conditions. Approval of the layout of the dwellings would need to be sought through a Reserved Matters application.

Conclusion

Officers consider that the decision rests on whether or not the delivery of new housing represents a substantial public benefit than could outweigh the total loss of heritage significance at this site. It is considered that the policies of the NPPF and Bolton's Core Strategy point to a refusal, though the issues surrounding the five year housing supply must also be taken into account. It is accepted that it is difficult to see how the housing allocation can be delivered under present market conditions. That said, Historic England make reference to the test of necessity - demolition should only be accepted if housing cannot possibly be delivered on any other sites. Market conditions may change in future to render conversion viable but if the buildings were to be demolished then this opportunity would be lost forever.

As set out in the application for Listed Building Consent, Officers do not consider that the tests of the NPPF have been met. Other options for delivering housing in Bolton must exist and would need to be fully explored before this development could be considered to be "necessary" to deliver housing. Furthermore, even if it was to be accepted that the development was necessary, there is no guarantee that the development would actually take place and therefore deliver the benefits that were considered to justify it. This is an outline application for the principle of development with only indicative details of the nature of the development proposed. There is no evidence to suggest that the Applicant has a housing developer on board and therefore the application is purely speculative at this point. Importantly, if the Council were to approve the demolition of these Grade II Listed Buildings, no reasonable method exists by which the delivery of the proposed housing unit could be definitively ensured. Once the buildings were demolished, the site would simply become a cleared site awaiting a potential residential development - other similar sites exist in Bolton already such as Westpoint on Moor Lane and Church Wharf. The total loss of these Grade II Listed Buildings may make residential development more likely, in accordance with the housing allocation, but it could not in any sense guarantee it.

If Members were minded to approve the demolition of these Grade II Listed Buildings, the application for listed building consent would have to be referred to the Secretary of State for Communities and Local Government - as objections have been received from the Historic England and an amenity society, Section 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Secretary of State to be notified if the Council intends to approve the application. If Members are

minded to refuse the application, in agreement with the advice of Planning Officers, then a referral to the Secretary of State would not be necessary.

Representation and Consultation Annex

Representations

Letters:- a representation of support has been received from a property on Crescent Road. The grounds of support are:-

- the mill is an eyesore, some things are simply not worth saving, and this mill is one of them.
- it was hoped it would be turned into apartments whilst keeping the character of the building but it seems after years of lying empty this is not the case.
- Crescent Road is a residential area with mostly terraces houses and some modern built houses and apartments further down from the Beehive Mill. It also has a variety of shops, a post office as well as local schools and is easily accessible for the A666 and the Motorways, which makes this a good place to build new properties as it may attract people living outside the area
- Crescent Road also serves the main bus route for the 501 (a frequent service of 10 minutes) to Bolton Hospital so is accessible for people working there who would not need to drive to work
- if this proposal is successful, it should in time make Crescent Road a more pleasant road, whereas at present it is a monstrosity and in time I feel this mill could be subjected to arson
- sometimes the past is not worth saving and we should learn to move on, and if demolishing the existing mill and building new properties would make the area more welcoming, then I support the planning proposal entirely

Representations of objection have been received from three properties close to or adjoining the site. The grounds of objection are:-

- this is an important historic and cultural building which is listed for a reason. It seems the building has been neglected by its owners so they want the easy option of demolition. Arndale Properties were aware the building was listed when they purchased it
- any number of such mills have been successfully renovated in the Greater Manchester area without demolition
- it is a deeply worrying prospect that this move will set a precedent for the demolition of Grade II listed mills in the Bolton area
- please do not let our cultural and architectural heritage be destroyed for the sake of cheap, ugly and architecturally nondescript residential ghettos
- Beehive Mills are well known to be home to bat species. They are protected by law. It is an offence to damage or remove roosts. The ecological report is insufficient in its bat survey, although it does recognise the importance of the reservoir to these bats, and that these bats are present. I am very surprised that their bat survey did not confirm roosts within the mill. We have lived here for 8 years and see bats most nights. The local wildlife trust is aware of their presence at the mill. This needs further, substantial investigation. Furthermore the reservoir is an important watering site for many forms of wildlife. Why can it not be kept as part of a new development?
- the mill pond would be filled in thereby losing a valuable local wildlife habitat.
- my house and garden are adjacent to the reservoir and the idea of a public park next door to my house and garden is a major worry. My family and I have had to endure trespassing, property damage, which will be backed up by police activity. A public park next to our house will only increase such incidents, giving easy access to wrong-doers
- demolition of these mills will be no small undertaking. Dust and asbestos and other dangerous substances may well be released. Will we have to be relocated due to dangers? A recent tower demolition in the north-west ended in an evacuation of the local area. Noise pollution and our quality of life will be impaired during demolition and development
- this is not a prosperous area and the properties are likely to remain empty and attract vandals
- this development will add to the problems on the already busy Crescent Road

- the development would cause overlooking
- who will maintain the boundaries between the site and nearby properties?

Consultations

Advice was sought from the following consultees: Highways Engineers, Housing Strategy Officers, Wildlife Liaison Officer, Tree Officers, Landscape Officers, Drainage Officers, Pollution Control Officers, Asset Management and Pupil Place Planning Unit, Strategic Development Officers, Economic Strategy Officers, Greater Manchester Ecology Unit, Greater Manchester Police's Architectural Liaison Officers, the Environment Agency and United Utilities.

History

The site has no relevant planning history.

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development would result in the total loss of heritage significance of two Grade II Listed Buildings which has not been justified in terms of Section 12 of the National Planning Policy Framework "Conserving And Enhancing The Historic Environment" and is therefore considered to be contrary to Strategic Objective SO11 and Policy CG3 of Bolton's Core Strategy.



- SITE BOUNDARY**
3.61ha 8.92ac
- MAIN ACCESS AND OPEN SPACE CORRIDOR**
- EMERGENCY ACCESS/CYCLEWAY CORRIDOR**
- UP TO 2 STOREY RESIDENTIAL**
- UP TO 3 STOREY RESIDENTIAL**
- UP TO 4 STOREY RESIDENTIAL**
- UP TO 6 STOREY RESIDENTIAL**
- PUBLIC OPEN SPACE**
- RETAINED LODGE AND CURTILAGE (SEPARATE APPLICATION)**

REVISION A:
Minor amendment to site boundary
HNA/10-03-2016

REVISION B:
Minor amendment to site boundary
HP/20-06-2016

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PROJECT TITLE
Beehive Mills
Crescent Road
BOLTON

DRAWING TITLE
Development parameters

SCALE	DATE	CHECKED
1:1250	MARCH 2016	
	DRAWN	DATE
	HNA	
PROJECT No.		
4986		013 ^B

VINCENT AND GORBING
CHARTERED ARCHITECTS AND TOWN PLANNERS
STERLING COURT NORTON ROAD STEVENAGE HERTS
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Application number 96934/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 20/10/2016

Application Reference: 96934/16

Type of Application: Full Planning Application
Registration Date: 01/08/2016
Decision Due By: 25/09/2016
Responsible Officer: Paul Williams

Location: 221 & 223 GREEN LANE, BOLTON, BL3 2LE

Proposal: ALTERATIONS TO PREVIOUSLY APPROVED APPLICATION
92957/14 - CHANGES TO FRONT EXTENSIONS AND CANOPIES

Ward: Great Lever

Applicant: Mr AYUB
Agent : RA Design & Project Management Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

This application is before members as the applicant is Councillor Ayub and relates to alterations to a previously approved application 92957/14 involving changes to the front extension and canopy.

The alterations in this revised application comprise a single storey extension to the front of the property with bay windows projecting 1.5 metres, as previously approved. The approved central porch previously projected 1.85 metres forward of the main front elevation of this property with a single centrally located 2m wide entrance door, allowing access to both properties. This revised application now shows the entrance porch projecting forward by 2.5m with a canopy/lean-to roof projecting to the same extent and extending the full 14.8m width of this combined property at 221 and 223 Green Lane. Two separate 1m wide doors are now situated in the front of this property in place of the previously approved 2m wide entrance door. A centrally located 6.4m wide balcony also extends above the entrance porch with 1m high railings, and it's height and width is the same as previously approved. The balcony and canopy are supported by 4 columns across the full front width of this combined property, whilst the previously approved application only included two columns supporting the balcony. The rear dormer to this combined property remains as previously approved.

Site Characteristics

The two properties are situated at the end of a row of six dwellings within the terrace, with the end properties having gabled frontages.

There are gardens to front and rear with access to the rear via the back street.

The character of the area comprises of similar properties to the applicant's with semi and detached dwellings opposite.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; RA1 Inner Bolton.

SPD House Extensions

PCPN2 Space Around Dwellings

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

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

Policy RA1 of the Core Strategy relates specifically to developments in Inner Bolton and states that the Council will ensure that development has particular regard to massing and materials used, will respect and strengthen the traditional grid-iron pattern and street-scaping of existing houses where it is compatible with good urban design, and will require development to provide adequate privacy and amenity space.

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

The extension to the front of the property, although prominent, is considered to be acceptable in terms of its siting and design and external appearance as it is small in scale and retains the bay windows which are a feature of the whole row.

The use of matching materials to the existing property is also considered to be compatible with the visual appearance of the street scene and the character and appearance of the area.

It is therefore considered that the proposal complies with Policies CG3 and RA1 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the Council's minimum interface standards between dwellings.

The front extension is sited adjacent to the existing front door of the property to the west at number 219 Green Lane. Due to the siting and modest scale of the canopy extension it is considered that the proposal would not affect the outlook and living conditions of the residents of the neighbouring properties.

The proposal complies with Policy CG4 of Bolton's Core Strategy and the guidance in the SPD - House Extensions.

Conclusion

It is considered that the proposal would comply with policies RA1, CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document House Extensions 2012. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

None received.

Consultations

None.

Planning History

Permission was granted in 2009 for a certificate of lawfulness for the use of 223 for the operation of a private hire vehicle (81945/09).

Permission was granted in 2007 at 221 for a part single part two storey extension (76592/07).

Permission was granted in 2015 for a joint front single storey extension, recessed balcony at first floor level, ground floor canopy at side and rear dormers (92957/14).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. The dormer front(s) and cheeks shall be clad in materials similar to the existing roof.

Reason

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

3. The external surfaces of the extension hereby permitted shall be of a similar colour, texture and size of those of the existing building, and shall be retained thereafter.

Reason

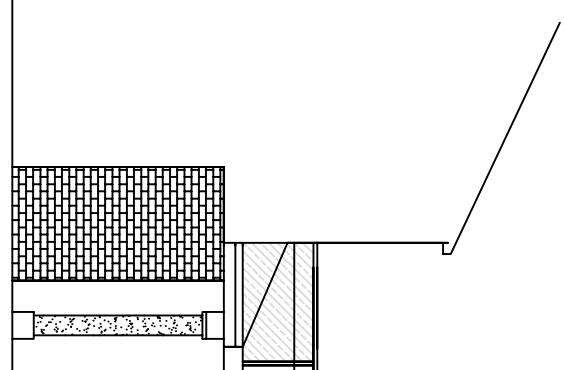
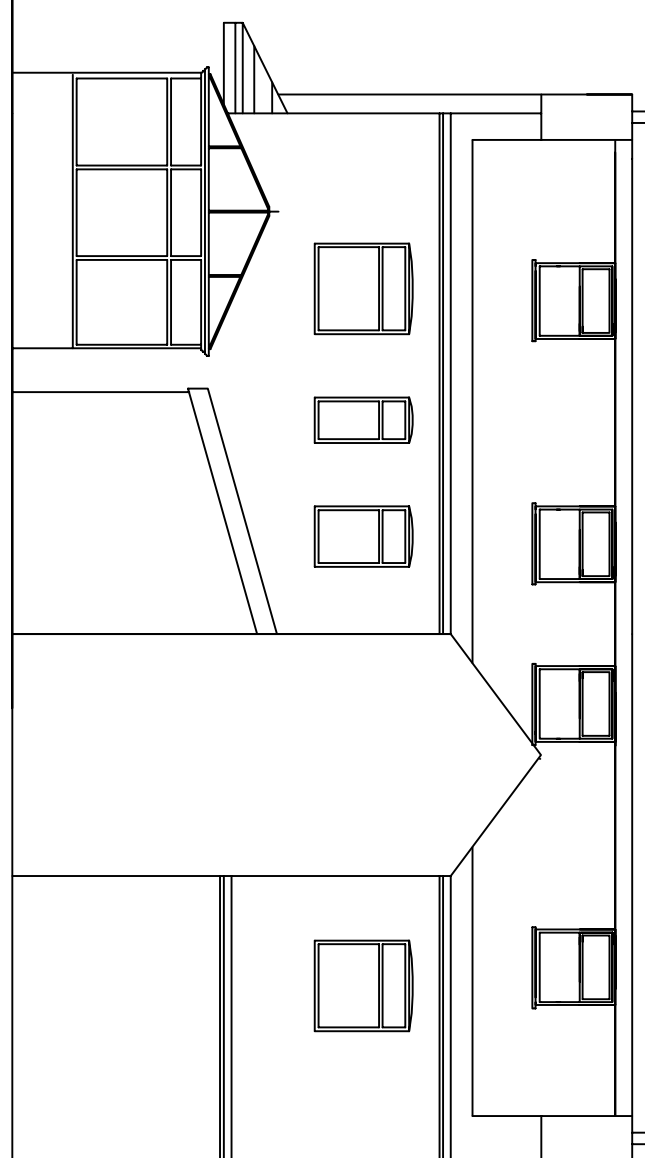
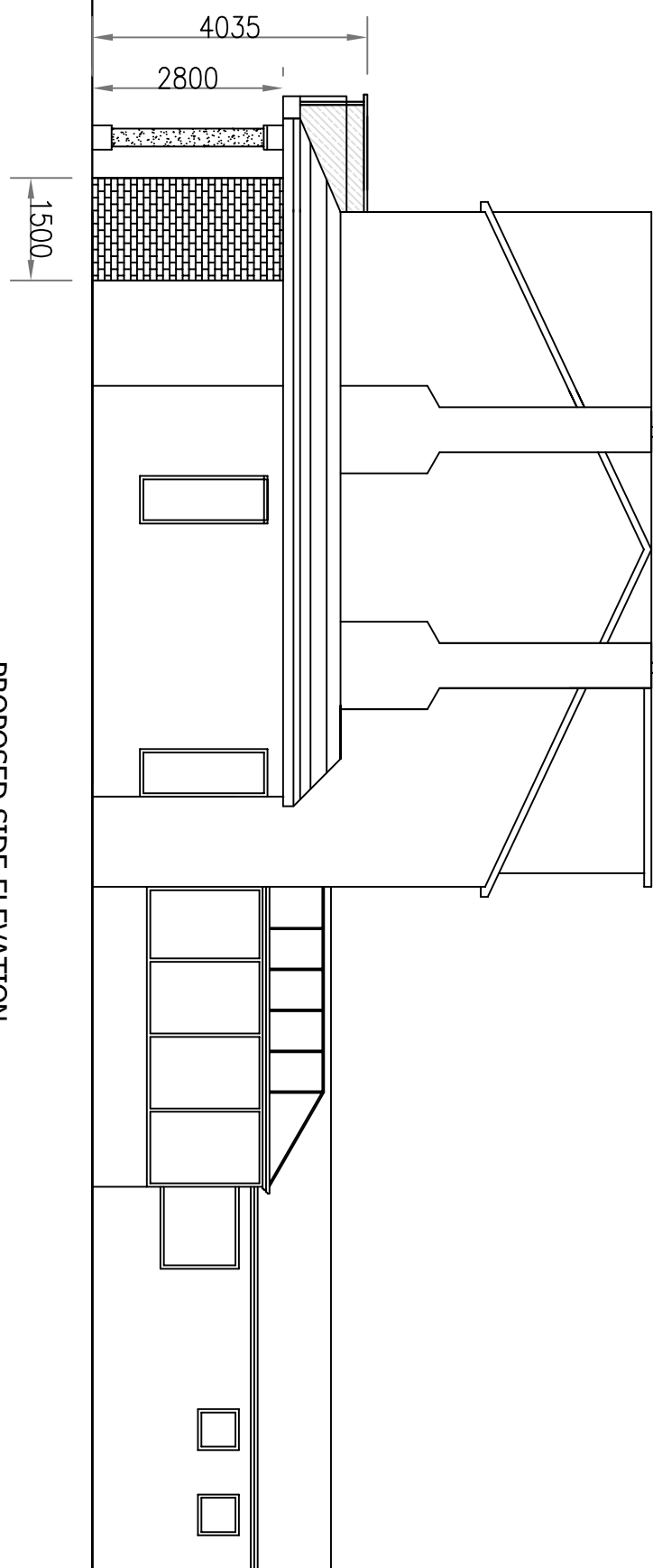
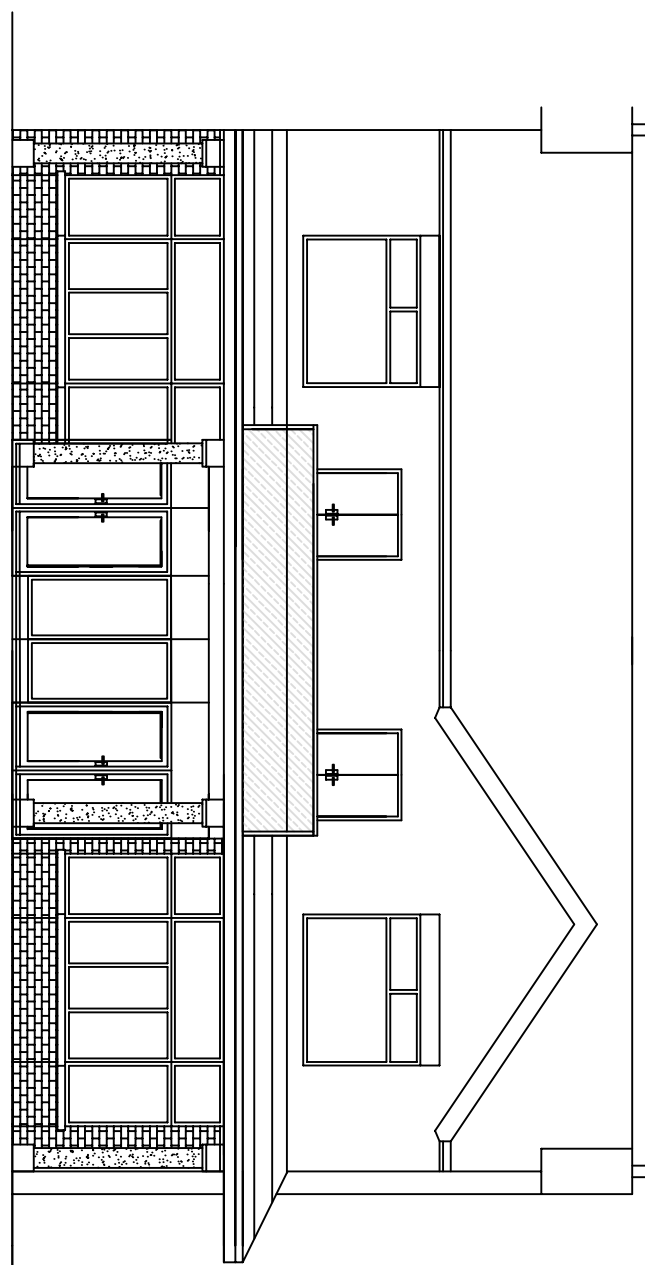
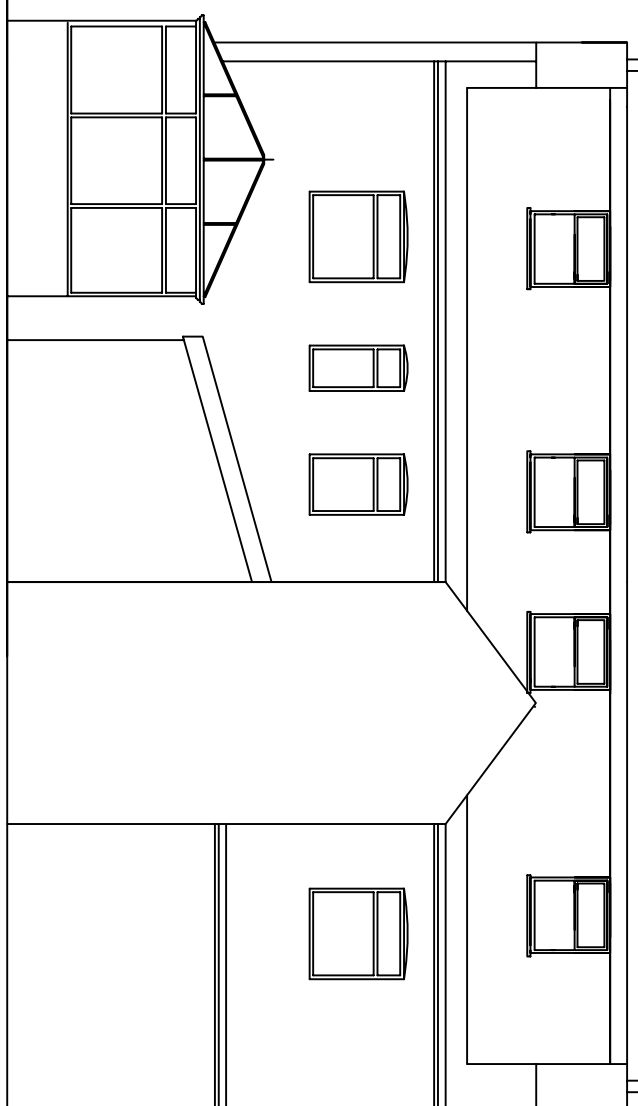
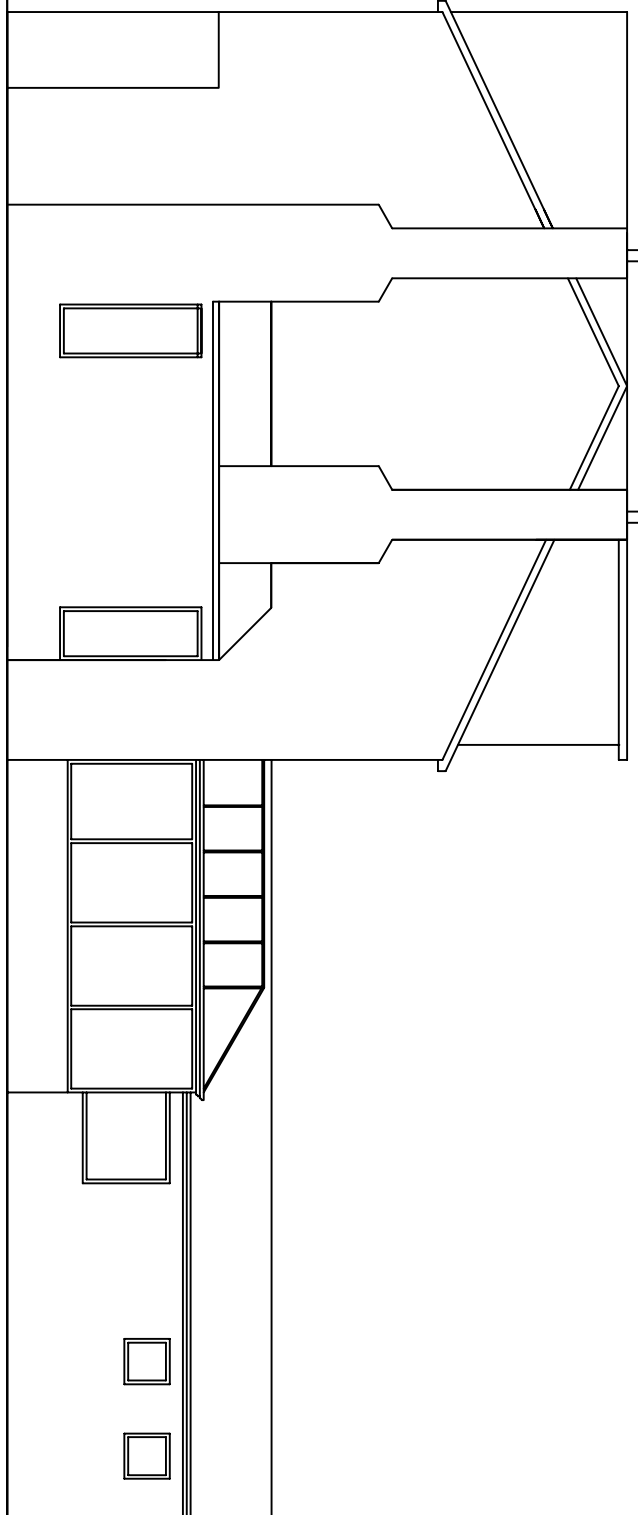
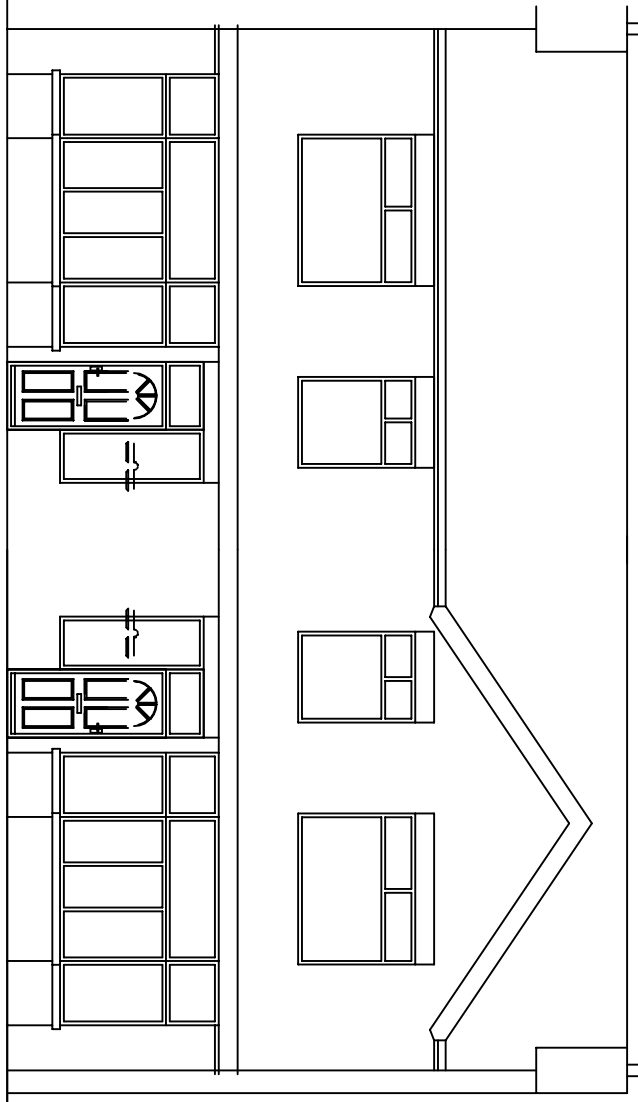
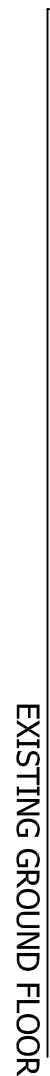
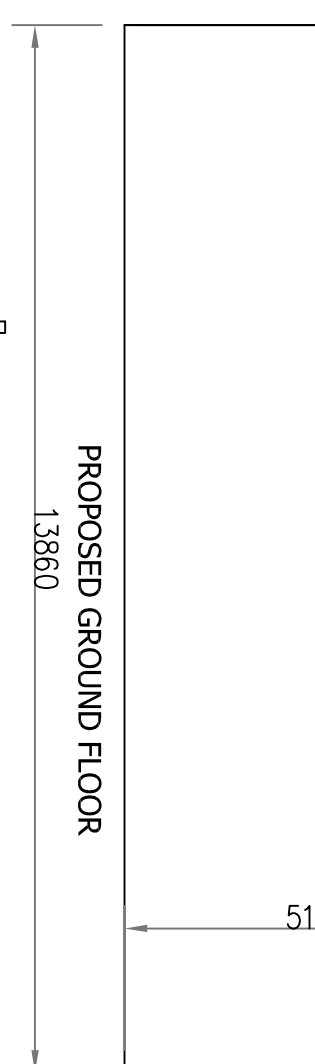
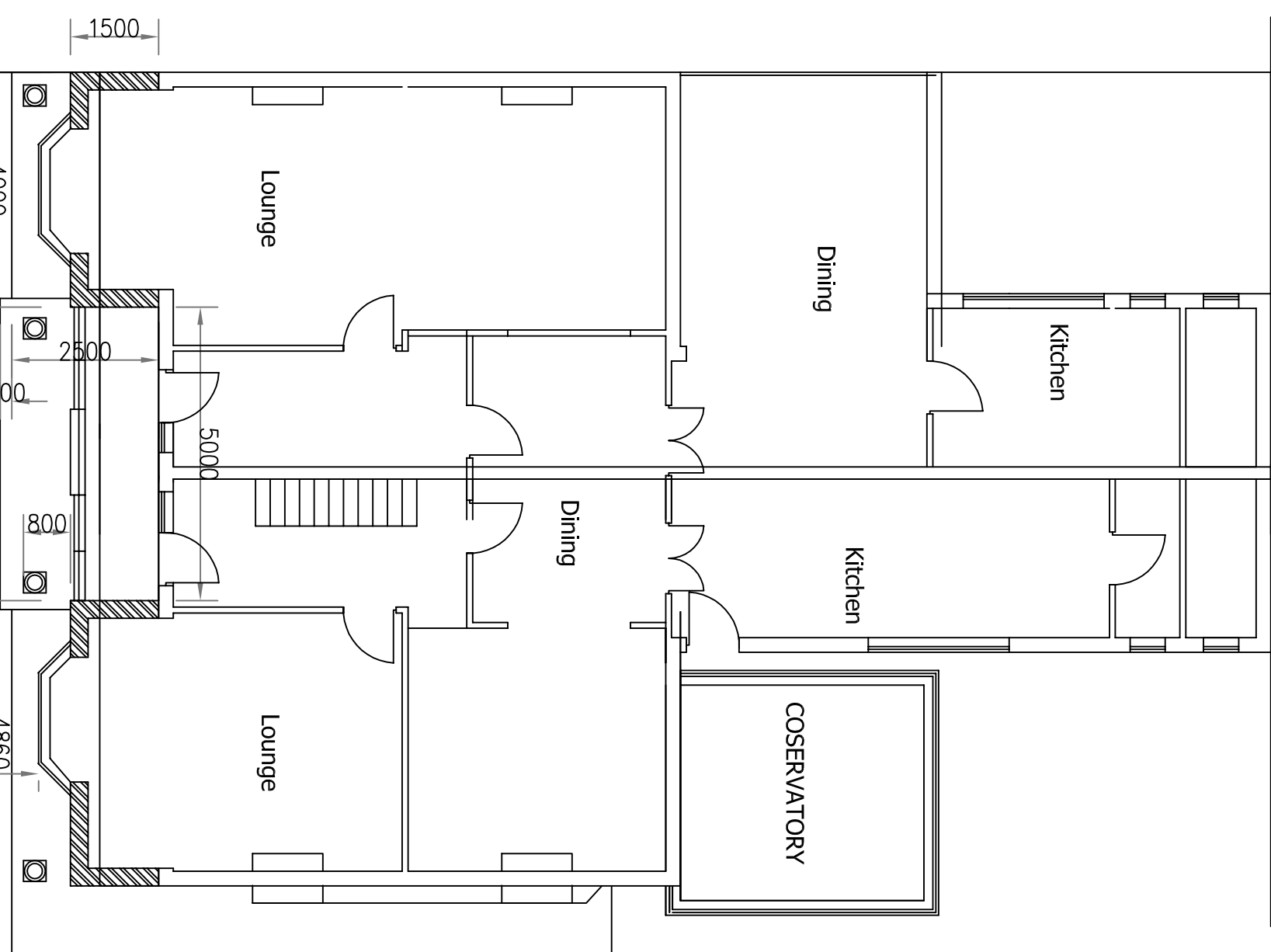
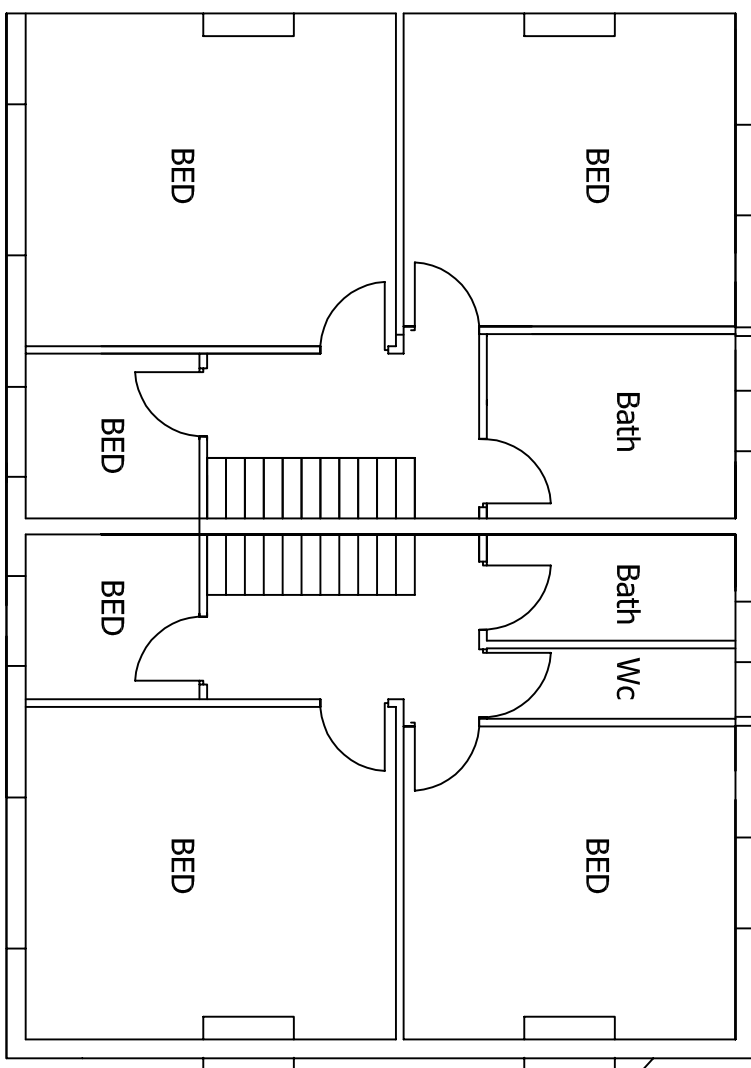
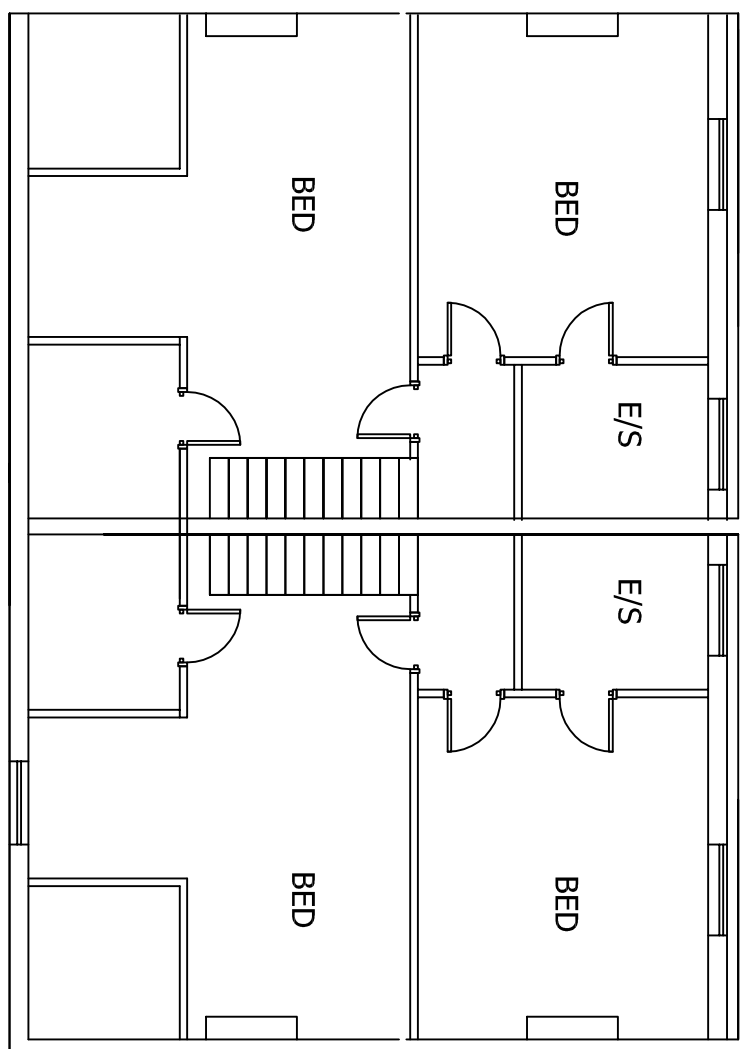
To ensure the development visually reflects the existing building.

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

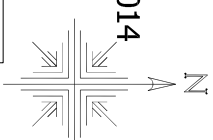
RAD/1096/14/1/Rev E Proposed elevation and dormer, dated June 2016

Reason

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



LOCATION PLAN (1:1250)
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Date	Rev.	Initials
27/10/14	A.	RA
5/11/14	B.	RA
8/1/15	C.	RA
5/1/15	D.	RA
25/9/16	E.	RA

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Figured dimensions take precedence over scaled measurements from the drawing. All dimensions to be checked by Contractor and discrepancies clarified with the Client prior to commencement.

The whole of the works to comply with current Building Regulations. No work to commence without Building Regulations approval.

Notes

Notes

RAD

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Email: info@radslipprojects.co.uk

Project	Client
221-223 GREEN LANE, BOLTON BL3 2LE	MR. M. AYUB
Drawn	RA
Title	Date
PROPOSED EXTENSION & DORMER	JUNE 2016
	Scale
	1:100
Drawing Number	RA/D/1096/14/1/RevE

Application number 97073/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 20/10/2016

Application Reference: 97073/16

Type of Application: Full Planning Application
Registration Date: 22/07/2016
Decision Due By: 20/10/2016
Responsible Officer: Helen Williams

Location: LAND OFF OLD KILN LANE, BOLTON, BL1 5PD

Proposal: ERECTION OF AGRICULTURAL BUILDING TO HOUSE DAIRY UNIT TOGETHER WITH SILAGE STORAGE AREA.

Ward: Heaton and Lostock

Applicant: Mr A Grimshaw
Agent : Mr S Wilson

Officers Report

Recommendation: Refuse

Background

This application was deferred at the last meeting (22nd September) for the applicant to address the concerns raised by the Council's Drainage Officers. The applicant has been in correspondence with the Council's Drainage Team and is now proposing a pond on the application site, to the south of the proposed building. It is intended that all rainwater will be collected in the bunded collection pond and the pond would incorporate a 'hydro-brake' system (or similar) to restrict outflow from the pond. This should provide sufficient storage within the site to reduce the risk of flood surges. The applicant also intends to use a rainwater harvesting system for the development.

The pond would be constructed at the same time as the groundworks for the building and yard areas so would be established prior to any occupation of the building. It would be maintained by the applicant.

Drainage Officers' final comments on the scheme will be reported directly to Members at the meeting.

The application was also deferred at the 25th August meeting for the applicant to consider the following:

- * If the proposed building could be reduced in size;
- * If the building could have a square footprint rather than a rectangular one;
- * If samples of the proposed materials for the building could be submitted;
- * If the concerns raised by the Council's Drainage Officers could be addressed in full.

Size and shape of the building

The applicant confirmed that they were not proposing to amend the scale or design of the proposed

building. The applicant verbally reported to Committee Members that the design of the building would satisfy the strict standards laid down by DEFRA for the housing and accommodation of livestock. The standards required are defined in the industry standards known as the Red Tractor Dairy Standards, which are a standard looked for by customers as the confirmation that the product has been produced to the most rigorous industry standards. To fail to achieve this mark means the end product cannot enter the foodchain. The requirements define minimum standards in respect of floor areas specified for dairy cattle with regards to:

- * cubicle housing when lying and resting
- * circulation space and welfare areas
- * space for feeding stations - must be provided within minimum widths of feeding stations to ensure all stock are given enough space to feed comfortably without competing with other animals at feeding times.

The rectangular shape provides the preferred layout to accommodate the cubicle areas for the dairy cattle together with associated areas for feeding stations and circulation areas. Space will also be provided for the milking equipment and storage. Rectangular design gives the preferred shape for any dairy unit providing a central feed passageway.

If these standards are not met then the produce cannot be sold.

The applicant has reported that the current average dairy herd comprises 145 so the applicant's herd is less than the national average.

In order to be economically viable this size of herd needs to be satisfactorily housed and managed.

Samples

Photographs of the proposed materials (treated timber cladding, stone and fibre cement roof sheeting) were shown to Members within the Schedule of Supplementary Information and within the site photographs displayed at the meeting.

Noise concerns

The applicant has also provided additional information with regard to the potential noise disturbance to neighbouring residents. They have stated that the unit proposed to utilise the latest robotic milking machines in its process and that the noise emissions will be to modern standards. The manufacturer's website states that the "switch from compressed air to electric drive...makes operation near silent. The only running noise comes from the pulsator, so the surrounding area stays pretty tranquil". The applicant note that the Council's Pollution Control Officers have not formally objected to the application. Should Members be minded to approve this application then a condition restricting noise from the development (when measured at the nearest residential properties) is recommended.

Notwithstanding this additional information, the officers' recommendation to Members that the application be refused still stands on the following grounds:

The proposed development would harm the openness of the Green Belt in this location and the very special circumstances put forward by the applicant in their planning submission (that being just the following statement - *"Since the initial submission in August 2013 the applicant's farming activities have expanded to the situation now that a commercial decision has been made to increase the size of the applicant's pedigree herd of dairy cattle to be housed on the application site. The applicant acquired this site approximately four years ago and has since improved the land for grazing purposes and*

***now proposes to establish the holding as the permanent base for his dairy enterprise."*) do not amount to "very special circumstances" and do not outweigh the recognised harm to the Green Belt. The proposal would therefore be contrary to Bolton's Allocations Plan Policy CG7AP.**

The proposed development would harm the character and appearance of the area, by virtue of its scale, massing and siting, and would be contrary to Policies CG3 and OA4 of Bolton's Core Strategy.

Below is the report as presented at the 22nd September Committee meeting:

Proposal

This application is a resubmission of planning application 95963/16, which was refused in June this year for the following three reasons:

- 1. The proposed development, by virtue of its scale and siting, represents inappropriate development within the Green Belt (in that it would detrimentally harm the openness of the Green Belt) and the very special circumstances provided by the applicant do not outweigh the harm caused, contrary to section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.*
- 2. The proposed development, by virtue of its scale, massing and siting, would be detrimental to the character and appearance of the area, contrary to Policies CG3 and OA4 of Bolton's Core Strategy.*
- 3. The proposed development would increase noise, odours and activity in and around the application site to the detriment of the living conditions of nearby residents and is contrary to Policy CG4 of Bolton's Core Strategy.*

This latest application has been amended after the previous refusal in the following ways:

- * The proposed building is now to measure 60.96 metres by 39.01 metres - the previously proposed building was to measure 60.96 metres by 55.804 metres. The width of the building has therefore been reduced by 21.95 metres. This has been achieved by removing the formerly proposed northern part of the building, which was to have a separate pitched roof and was to have a lower ridge height than the main building.
- * The proposed building is now to have a footprint of 2378 sq. metres instead of the originally proposed 3402 sq. metres. This constitutes to a 30 per cent reduction in footprint.
- * The built area of the site is to be reduced in depth from 83.206 metres to 72.328 metres (a reduction in 10.88 metres).
- * The yard area to the north has been increased in width from 9 metres to 15 metres following the reduction in width of the proposed building.

The elevations to the building are continued to be proposed to comprise a mix of facing brick, concrete plinths, box profile sheeting and treated timber boarding. The eastern elevation of the building (fronting Old Kiln Lane) is to have facing brick up to 3 metres in height, then treated timber boarding (mainly the roof section). The southern elevation (to face Old Hall Lane) is to have a concrete plinth wall up to 1.2 metres in height, then vented openings above this plinth (to the eaves). The roof is to be constructed from fibre cement sheeting.

A yard area is proposed around the building as well as a silage storage area to the north (18.288 metres by approximately 70 metres).

Vehicular access to the proposed development is via a proposed access track off Old Kiln Lane, approximately 145 metres in long.

Within the planning submission it has been stated that, "the applicant's farming activities have expanded to the situation now that a commercial decision has been made to increase the size of the applicant's pedigree herd of dairy cattle to be housed on the application site. The applicant acquired this site approximately four years ago and has since improved the land for grazing purposes and now proposes to establish the holding as the permanent base for his dairy herd enterprise."

Within their last submission the applicant stated that 100 cows and 50 heifers would be accommodated within the proposed building all year round (365 days a year). The applicant has now stated that the stock levels, "...will now need to be reduced due to the amendments to the building size", however they have not stated how many animals will now be accommodated.

The applicant has also confirmed:

- * Milking activities and storage will all be contained within the unit.
- * General farm equipment will visit the site as and when required.
- * Some equipment may be stored on site and so reduce vehicle movements.
- * Milk tanker visits (every two days) and feed wagon deliveries (one per fortnight).
- * Workers' vehicles (two per day) and other vehicles (vets, so on) will visit when required.
- * Lighting is proposed but will generally be low level. No floodlighting is envisaged.
- * External lighting will only be required for safe access and egress to the site during hours of darkness.

Planning permission was given in October 2014 for an agricultural livestock building measuring 35.98 metres by 30.48 metres (footprint of 1097 sq. metres), 3.64 metres to the eaves and 8.36 metres to the ridge. This building was to accommodate 60 heifers during winter months. The current proposed development is therefore a significantly larger operation.

Site Characteristics

The application site forms part of 160 acres of agricultural land owned by the applicant (as stated by the applicant within their submission). The applicant has also stated that he has used the land for grazing his livestock since May 2013.

The application site is within an open field located within Green Belt. The field is demarcated by hedgerow and trees to the north and west.

Old Kiln Lane runs to the east of the site and Old Hall Lane to the south, both approximately 150 metres away from the proposed building.

The nearest residential properties to the application site are approximately 150 metres at Old Hall Mews and Old Hall Farm to the south/south west. Rants Farm and Kiln House are to the north of the site and the residential development at Hodgkinsons Farm is to the east off Boot Lane. The residential development of The Highgrove is located to the south east.

The landscape character type of the area is Rural Fringe.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG1.1 Rural Biodiversity; CG1.5 Reduce the Risk of Flooding; CG2.2c Surface Water Run-Off; CG3 The Built Environment; CG4 Compatible Uses; OA4 West Bolton.

Allocations Plan Policies: CG7AP Green Belt.

SPD General Design Principles

Landscape Character Appraisal of Bolton (2001)

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the purposes and openness of the Green Belt
- * impact on the character and appearance of the area
- * impact on residential amenity
- * impact on highway safety
- * impact on flooding and drainage

Impact on the Purposes and Openness of the Green Belt

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

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include [amongst other things] buildings for agriculture and forestry.

Allocations Plan Policy CG7AP reflects the national guidance on Green Belt contained within section 9 of the NPPF. It states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of new buildings except for [amongst other things] agriculture and forestry.

It is considered that the proposed building would not prejudice the purposes of the Green Belt as it is for agricultural purposes (a dairy unit) and the site has been in agricultural use for many years (it is historic farmland). The construction of a dairy unit on the application site does not constitute an inappropriate use within the Green Belt.

The scale of the building however is substantial, with a footprint of 2378 sq. metres (at 60.96 metres by 39.01 metres) and with a maximum height of approximately 8.5 metres. It is acknowledged that the applicant has reduced the size of the previously refused building by removing the previously

proposed northern part of the building (which was lower in height), and that an agricultural building has previously been approved on the application site (under application 90536/13); however the current proposed building would be over two times greater in footprint and massing than the approved building (the approved building had a footprint of 1097 sq. metres). The proposed building will inevitably impact on the openness of the Green Belt in this location given its scale and as it will be located within an open field. Unlike the approved building, it is not considered that additional landscaping around the site would sufficiently help screen the development from wider views, given its proposed scale.

Paragraph 87 of the NPPF states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 continues, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

A justification statement has been submitted with the application. This states the following:

"Since the initial submission in August 2013 the applicant's farming activities have expanded to the situation now that a commercial decision has been made to increase the size of the applicant's pedigree herd of dairy cattle to be housed on the application site. The applicant acquired this site approximately four years ago and has since improved the land for grazing purposes and now proposes to establish the holding as the permanent base for his dairy enterprise."

It is not considered that this reason outweighs the harm that would be caused to the openness of the Green Belt in this location, or outweighs the other harm that is recognised below in this report.

For these reasons it is therefore considered that the proposed development would harm the openness of the Green Belt in this location, contrary to the guidance contained within section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.

Impact on the Character and Appearance of the Area

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

Policy OA4.6 states that the Council will ensure that development respects the large amounts of open space and lower density development in West Bolton. Reflective of the advice contained within Policy CG3 the policy continues that development should take special care to incorporate high quality soft landscaping using native plant species, particularly those identified in the Landscape Character Appraisal.

The application site is located within the Rural Fringe Landscape Character Type of the Landscape Character Appraisal of Bolton (2001).

It is considered that the scale, massing and siting of the proposed agricultural building would make the building particularly prominent in its setting and will be highly visible from surrounding public areas. It is not considered that additional landscaping around the site would sufficiently help screen

the development from wider views, given its proposed scale.

It is considered that the proposed development would detrimentally harm the character and appearance of the area, contrary to Policies CG3 and OA4 of Bolton's Core Strategy.

Impact on Residential Amenity

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

The nearest neighbouring dwellings to the application site are approximately 150 metres at Old Hall Mews and Old Hall Farm to the south/south west. Further dwellings are sited to the north (Rants Farm and Kiln House), to the east (Hodgkinsons Farm) and to the south east (The Highgrove).

Previous planning application 95963/16 was refused (third reason for refusal) as it was considered that the proposed development would increase noise, odours and activities in and around the application site to the detriment of the living conditions of nearby residents

Noise

The applicant states within their latest submission that, "As regards noise from any equipment by using of modern milking systems will be minimal and should have no effect on residences in the area." However no noise assessment of the proposed unit or detailed information regarding the machinery to be used within the unit have been submitted with the application to justify this statement. It is noted that the southern elevation of the building (60.96 metres in length) will have opened sides, and this is the elevation that faces the dwellings at Old Hall Mews, Old Hall Farm and The Highgrove.

Odours

The applicant states within their latest submission that the proposed development incorporates sub-floor storage for slurry, which will contain it rather than having an external slurry storage facility as most farms do. Odours would be minimised as there would be little disturbance to the waste, except during emptying times. The slurry will be spread by the use of umbilical pipework, which is a method of laying long pipes along the ground, and by allowing the slurry to dissipate this way it reduces the impact of smells produced compared with conventional methods of muck spreading. At the moment slurry used on the application site is transported to the site from elsewhere, which in itself can lead to potential odours.

Lighting

The applicant states that some lighting will be required for general purposes but will be low level diffused lighting, using low energy fittings. They state that there will be no high intensity floodlighting which could be considered to cause nuisance. However no detailed information regarding the proposed lighting has been submitted, and therefore the lighting's impact on neighbouring residential properties cannot be fully assessed.

It is considered that insufficient information has been submitted with this resubmitted application to evidence that the proposed development would not unduly harm the living conditions of neighbouring residents (particularly at Old Hall Mews and Old Hall Farm). It is therefore considered that insufficient information has been submitted to enable the proposal to be properly judged against Policy CG4 of the Core Strategy.

Impact on Highways Safety

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account

[amongst other things] accessibility, servicing arrangements and parking. Policy S1.2 states that the Council will promote road safety in the design of new developments.

Access to the new building is proposed off Old Kiln Lane, using an existing gated opening. A new access track will be created from this gate to the proposed development. The Council's Highways Engineers have recommended that the access track is 4.5 metres wide for a distance of 10 metres from its junction with Old Kiln Lane, that 5 metres radii are provided at the junction and that the gates are set back a minimum of 5 metres from the back of the footway.

Vehicles will be able to park and turn within the yard area proposed around the new building.

The applicant has stated that one milk tanker will visit the site every two days, one feed wagon will visit every two weeks, two workers' vehicles twice a day, and visitors (such as vets) will only visit when required. It is therefore considered that the traffic generated in association with the proposed development will be low.

The Council's Highways Engineers have raised no objection to the proposal and therefore it is considered that the proposal would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Impact on Flooding and Drainage

Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development in areas of lowest flood risk. Policy CG2.2c states that proposals for 500 sq. metre or greater non-residential units must demonstrate the sustainable management of surface water run-off from developments. On greenfield sites the rate of run-off should be no worse than the original conditions before development.

The application site is a greenfield site within a Flood Zone 1 area.

The Council's Drainage Officers have assessed the water management and SuDS analysis that has been submitted by the applicant. They consider that there is a lack of information within the submission and query the appropriateness and/or capacity of the culverted watercourse within Old Hall Lane as the final point of discharge. They comment that there is also a matter of ownership and permission with regard to the culverted watercourse, which may mean it cannot be used at all for their proposed development.

Local finance considerations

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

- * Employment during the construction phase due to various trades being brought together with additional revenue to local suppliers (Officer comment: this is considered to be a material benefit to the proposal);
- * Boost to the local economy during the construction phase of up to six months (Officer comment: this is considered to be a material benefit to the proposal);
- * Creation of jobs - The unit will provide for two full time staff and possibly three to four part-time employees. It will provide a permanent workforce to look after the welfare of the stock and maintain the land (Officer comment: this is considered to be a material benefit to the proposal);
- * On-going maintenance associated with the holding - employing local workers to carry this out (Officer comment: this is considered to be a material benefit to the proposal).

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

Conclusion

For the reasons discussed above it is considered that the proposed development would harm the openness of the Green Belt and the character and appearance of the area, and that the very special circumstances put forward by the applicant do not outweigh this harm.

It is therefore considered that the proposal is contrary to Allocations Plan Policy CG7AP and Core Strategy Policies CG3 and OA4. It is also considered that insufficient information has been submitted by the applicant to allow the proposal to be properly judged against Policy CG4 of the Core Strategy (whether the proposed development would be compatible with the neighbouring residential properties).

Members are therefore recommended to refuse this application for these three reasons.

Representation and Consultation Annex

Representations

Letters:- Nine letters of support have been received. These letters support the proposal for the following reasons:

- * Consider the application to be totally acceptable (farmland to be used for the production of milk);
- * It is a suitably sized building for housing cattle - it is very important to ensure adequate ventilation;
- * It will increase the health and welfare of the Carldanton Herd and with the extra land surrounding the new site it will also mean that when weather conditions permit the herd will also have the option to be grazed outside, which currently they do not have due to land constraints;
- * Agricultural buildings are an exemption on Green Belt land;
- * To refuse this application on the basis of the impact of scale on the openness of Green Belt (where agricultural development by necessity takes place) could prejudice the economic viability of many farm businesses looking to grow and expand in and around Bolton;
- * These developments will naturally take place in the countryside and so a balance must be struck between protecting the openness of the Green Belt and allowing farming business to grow and adapt to new market conditions;
- * It is estimated that 20% (1 in every 5) of UK dairy farmers could be forced to close within the next 12 months, due to the low wholesale price of milk - must ensure that our remaining and productive farms continue to produce food efficiently and profitably so that they can continue in business;
- * It would safeguard the commercial viability of the farm;
- * The development would provide jobs;
- * The applicant has worked hard to improve the land since he acquired it - this is the way forward to use it to its full potential to achieve the success;
- * Stress which could affect the applicant's animals if they have to be transported from their present location on a regular basis, which is becoming slower due to having to use an increasingly busy road;
- * The dairy that the applicant supplies with milk is closer to this site, thus reducing food miles;
- * Will reduce the need for large agricultural vehicles making many journeys during the harvest and cultivation period due to the produce grown on the land being stored at the new site in the proposed silage storage area;
- * Animal welfare would be improved;
- * The development will increase the quality of the soil through the readily availability of organic matter which will be produced by the animals housed at the site.

14 letters of objection has been received, which raise the following concerns:

- * The footprint of the proposed building is approximately twice the size of the originally approved building;
- * This application is similar to the refused one, only slightly smaller;
- * It would be extremely dominant and will destroy views of the countryside;
- * The visual impact of the building would not be reduced by simply adding some screening as the applicant suggests;
- * It will be an industrial looking building and would have a negative effect on the landscape;
- * It is too close to dwellings;
- * The applicant has not demonstrated a compelling need for the development;
- * Although the applicant has stated that the slurry will be 'contained' it will still be spread on the fields - odour concerns;
- * Increase on flooding/surface water off the site, causing neighbouring properties to be flooded;

- * Flood water with polluting silage pose potential health risks;
- * Polluted flood water may run into the nearby reservoir which is used by Doffcocker Anglers' Association;
- * This is not a suitable location for a facility of this size;
- * It is a greenfield site and there is a general presumption against developing greenfield sites (officer's comment: this does not apply to agricultural development);
- * Light pollution, particularly early in the morning and late at night;
- * Noise pollution, and at unsociable hours; There is no description of the activities that will go on for the proposed 24 hours; There will be noise generated from milking machines, slurry pumps, etc.;
- * It would destroy the pleasure this site gives to people like dog walkers, ramblers, horse riders, cyclists and fishermen;
- * The application lacks detail and is contradictory - the applicant refers to his herd being indoors but also extols the virtue of having improved the land for grazing;
- * The applicant has only just brought his cattle onto the site (the first time in years);
- * A herd of about 30 cattle found their way onto the neighbouring golf course, what will happen when there are 150? (officer comment: this is not a material planning consideration).

Consultations

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

Planning History

Planning application 95963/16 for the erection of an agricultural building to house a dairy unit together with silage storage area was refused in June 2016 for the following three reasons:

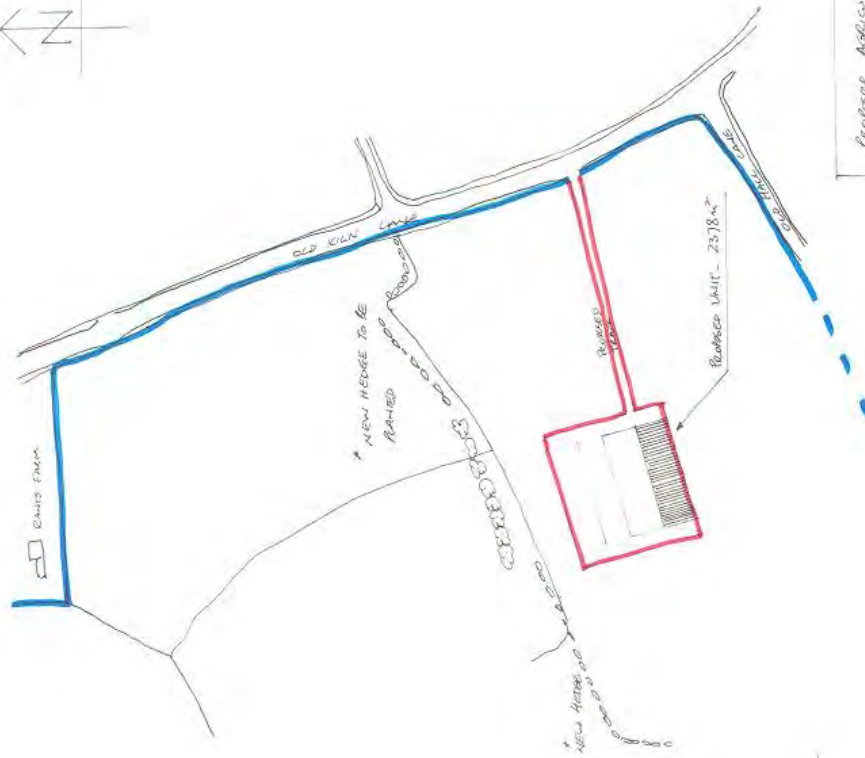
- 1. The proposed development, by virtue of its scale and siting, represents inappropriate development within the Green Belt (in that it would detrimentally harm the openness of the Green Belt) and the very special circumstances provided by the applicant do not outweigh the harm caused, contrary to section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.*
- 2. The proposed development, by virtue of its scale, massing and siting, would be detrimental to the character and appearance of the area, contrary to Policies CG3 and OA4 of Bolton's Core Strategy.*
- 3. The proposed development would increase noise, odours and activity in and around the application site to the detriment of the living conditions of nearby residents and is contrary to Policy CG4 of Bolton's Core Strategy.*

Permission was granted at Planning Committee in October 2014 for the erection of an agricultural livestock building and silage area and construction of access track (90536/13).

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development, by virtue of its scale and siting, represents inappropriate development within the Green Belt (in that it would detrimentally harm the openness of the Green Belt) and the very special circumstances provided by the applicant do not outweigh the harm caused, contrary to section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.
2. The proposed development, by virtue of its scale, massing and siting, would be detrimental to the character and appearance of the area, contrary to Policies CG3 and OA4 of Bolton's Core Strategy.



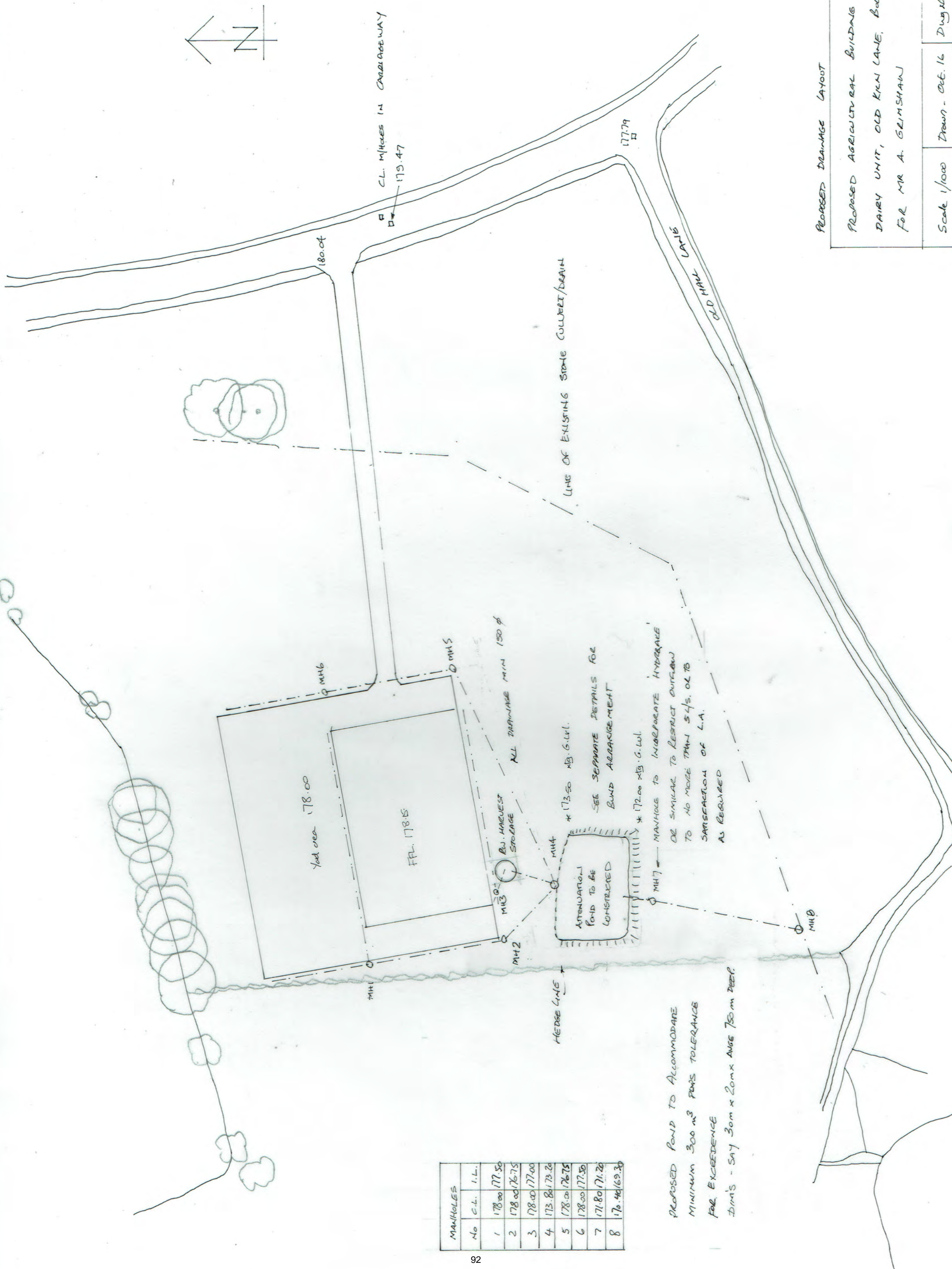
* NEW HEDGE TO BE PLANTED
 BUCKLEBUSH, BURNINGBUSH, ALL AS PER
 DISCUSSIONS WITH LA WOODLANDS OFFICE

Scale - 1:250

SITE PLAN

Prepared: ADELPHI/ADRIAN/ADRIAN/ADRIAN FOR
 DMR/ADRIAN/ADRIAN/ADRIAN/ADRIAN
 FOR: ADRIAN/ADRIAN/ADRIAN/ADRIAN

Date: 12/10/16 Drawn: 12/10/16 Page 16 of 3



MANHOLES		
No	C.L.	I.L.
1	178.00	177.50
2	178.00	176.75
3	178.00	177.00
4	173.80	173.20
5	178.00	176.75
6	178.00	177.50
7	171.80	171.20
8	170.40	169.30

PROPOSED POND TO ACCOMMODATE
MINIMUM 300 m³ FLOOD TOLERANCE
FOR EXCEEDENCE
DRAIN - SAY 30m x 20m x ANGE 750m DEEP

PROPOSED DRAINAGE LAYOUT

PROPOSED AGRICULTURAL BUILDING FOR
DAIRY UNIT, OLD KEN LANE, BATES
FOR MR A. GRIMSHAW

Scale 1/1000 Drawn - Oct. 16 Dugdale DI

Computer generated images (CGI) of the proposed development created by an objector



From Old Hall Lane



From memorial bench on Old Kiln Lane



Application number 97140/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 20/10/2016

Application Reference: 97140/16

Type of Application: Full Planning Application
Registration Date: 11/08/2016
Decision Due By: 05/10/2016
Responsible Officer: Helen Williams

Location: LAND ADJACENT 14 FACTORY HILL, HORWICH, BOLTON, BL6 6RZ

Proposal: ERECTION OF FIVE BEDROOM DETACHED DWELLING WITH ATTACHED GARAGE.

Ward: Horwich North East

Applicant: Mr & Mrs Pigula
Agent : Neil Pike Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for the erection of a detached, two storey dwelling comprising four bedrooms. The design, scale and siting of the proposed dwelling has been amended during the application process following advice from the planning case officer.

The dwelling would sit relatively centrally within the application site, with its front elevation facing north westerly (facing Factory Hill to the north west of the site). The dwelling could comprise three elements; the two storey main element with its north eastern side elevation facing the fronts of the semi-detached cottages at 12 and 14 Factory Hill, a single storey flat roof integral garage to the front of the dwelling, and a two storey element attached to the south west of the main element.

The dwelling is proposed to be constructed from stone with a slate roof.

Vehicular access to the proposed dwelling (the driveway) is proposed off Factory Hill at the northern corner of the site.

Site Characteristics

The application site is sited to the south of the semi-detached cottages at 12 and 14 Factory Hill and is owned by no. 14. The site slopes down to the south and west and is elevated from Factory Hill, which runs to the west. A group of protected trees (sycamore, poplar and laburnum) are located along the boundary with Factory Hill and to the south of the site (Tree Preservation Order Bolton (Factory Hill) 2004). The remainder of the site is overgrown. The site is bounded by stone walls, with timber fencing separating the site from the neighbouring property Amartis.

12 and 14 Factory Hill are located to the immediate north of the site and their front elevations face

the site. No. 14 has been extended to the front with a conservatory.

The large, detached, stone built dwelling Amartis is sited to the south of the application site, with its side elevation facing the site.

The six bungalows at 1 to 11 Factory Hill are sited to the north west, on the opposite side of Factory Hill.

Factory Hill is a single track unadopted highway. The road contains no footways but carries a public right of way (HOR132) from its forked junction (to the west of the application site) along the length of the road until Firs Cottages (to the north). Factory Hill is accessed from Chorley Old Road via Mill Lane, which is a narrow but adopted road (again with no footways).

The site is not located within a conservation area.

Policy

National Planning Policy Framework (NPPF)

Manual for Streets (MfS) - first published 2007

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG1.5 Reduce the Risk of Flooding; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod.

Allocations Plan Policies: P8AP Public Rights of Way.

Supplementary Planning Documents (SPDs): Accessibility, Transport and Road Safety; General Design Principles.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the highway
- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring residents
- * impact on trees
- * impact on flood risk and drainage

Impact on the Highway

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] servicing arrangements 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.

SPD Accessibility, Transport and Road Safety provides policy guidance and assists in the delivery of the Council's Core Strategy policies for accessibility, transport and road safety.

Manual for Streets (MfS) was published in 2007 for the Department for Transport and gives advice for the design of residential streets in England and Wales.

Vehicular access to the proposed dwelling is proposed off Factory Hill, a single track unadopted highway. The road contains no footways but carries a public right of way (HOR132) from its forked junction (to the west of the application site) along the length of the road until Firs Cottages (to the north). Factory Hill is accessed from Chorley Old Road via Mill Lane, which is a narrow but adopted road (again with no footways).

The proposed vehicular access (driveway) will have a visibility splay of 2 metres by 25 metres and will lead to an integral garage.

A previous (and the last) planning application for a dwelling on the application site (68994/04) was refused by the Council and subsequently dismissed at appeal in 2005 for the following reason:

The existing highways surrounding the application site are unsuitable to serve additional development by virtue of them being sub-standard in terms of width, horizontal alignment, forward visibility and lack of footways and the proposed development would thus have a detrimental impact on the road network contrary to Policy T4/4 of Bolton's Unitary Development Plan, Policy A5 of the Second Deposit Version of the revised Unitary Development Plan 2001 and Planning Control Policy Note No21. - "Highway Considerations".

Members will also recall at the last Committee meeting (22nd September 2016) that a planning application for two dwellings at Toppings, Foxholes Road was refused by Members, with one of the reasons for refusal being that it was considered that the existing highways surrounding the application site (that is, Foxholes Road and Mill Lane) are unsuitable to serve additional development by virtue of them being sub-standard in terms of width, horizontal alignment, forward visibility and lack of footways, and therefore detrimental to highway safety and the road network. The Council's Highways Engineers however raised no objection to the proposed development.

Highways Engineers have also not raised an objection to this current application. They have stated that national guidance for highways has changed since the last application for the site was refused in 2005, with the introduction of Manual for Streets (MfS) in 2007. Engineers acknowledge that the highways leading to the application site are substandard in terms of forward visibility and footway provision but MfS has reduced visibility requirements and the standards for footways have been relaxed.

Engineers advise that the proposed visibility at the site access onto Factory Hill complies with the MfS requirements for a 20mph speed limit, which they believe appears to be a reasonable assumption for the road environment and layout at this location. They note that the visibility splay on the northern aspect appears to cut across third party land and the vertical clear visibility (1.05 metres to 2 metres) will be obstructed by hedging that is not in the applicant's control, however Engineers conclude that the sub-standard visibility to the north would pose only negligible road safety implications given there is no accident record at this location over the last five years and vehicle movements on this stretch of

road are considered to be negligible.

Highways Engineers also consider that the proposed off-road parking for the development (the integral garage and wide driveway) is acceptable.

The public right of way along Factory Hill will not be affected by the proposed development, but an informative is suggested to ensure that the applicant is made aware that the public right of way must remain available for public use during the construction of the dwelling.

Given the advice by Highways Engineers it is considered that the proposed development complies with the latest guidance on highway standards contained within Manual for Streets and therefore does not jeopardise highway safety any further than the existing situation, compliant with Policies P5 and S1.2 of Bolton's Core Strategy.

Impact on the Character and Appearance of the Area

Section 7 of the National Planning Policy Framework (NPPF) states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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

Policy OA1 of the Core Strategy states that the Council will concentrate sites for new housing in Horwich town centre, at Horwich Loco Works and on other sites within the existing urban area, conserve and enhance the character of the existing landscape and physical environment, and ensure that development in Horwich and Blackrod respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.

The application site is a greenfield site (not previously developed land) within an existing urban area. The site is not safeguarded from development and the proposed development would contribute (in a small way) to the supply of housing in the borough: this should be given some weight in the planning decision.

It is considered that the siting of a dwelling on the application site would respect and follow the existing pattern of development in the area.

The dwelling would be elevated from Factory Hill (as the site levels are higher than the surrounding roads) but at a lower level than the neighbouring cottages at 12 and 14 Factory Hill. The footprint and scale of the proposed dwelling would not be dissimilar to the neighbouring dwelling to the south, Amartis, which is also elevated from the road but at a lower level than the application site.

The proposed plans have been amended which has resulted in the dwelling being reduced in scale (from two storeys with habitable space within the roof to two storeys with a single storey integral garage). The dwelling has also been amended so that it is now proposed to be constructed from stone, which is in keeping with the character of this rural fringe area of Horwich.

The stone boundary walls and protected trees that screen the site from the south and south west will be retained.

It is considered that the proposed development would be compatible with the character and appearance of the area, respecting the street scene of Factory Hill and the existing built form of the area. It is therefore considered that the proposal would comply with Policies CG3 and OA1 of Bolton's Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

Following concerns from the planning case officer, the applicant has amended their plans to improve the proposed relationship between the new dwelling and the existing dwellings at 12 and 14 Factory Hill. The north eastern side elevation of the dwelling would face the front elevations of nos. 12 and 14.

The single storey, flat roof, integral garage would be sited to the front of no. 12; this would be approximately 12 metres away from the front of no. 12 when taken as a direct measurement, or approximately 10 metres when taken as an indirect measurement (oblique view). These distances exceed the recommended interface distances contained within SPD General Design Principles, which recommend a minimum distance of 9 metres. It is therefore considered that the proposed dwelling would not unduly harm the amenity of the neighbouring residents at 12 Factory Hill.

14 Factory Hill would front the side elevation of the main two storey part of the proposed dwelling. No. 14 has been extended to the front with a conservatory, however conservatories are not classed as main rooms within the SPD and therefore are not afforded the same protection. The original front elevation of no. 14 would be approximately 14.5 metres away from the side elevation of the proposed dwelling (when the measurement is taken at the shortest interface distance and therefore not a direct measurement): the side elevation would not contain any proposed main windows to a main room. The SPD recommends a minimum interface distance of 13.5 metres in this situation, as a direct measurement, and therefore this recommendation is exceeded here. It is therefore considered that the proposed development would also not unduly harm the amenity of the neighbouring residents at 14 Factory Hill.

The neighbouring dwelling of Amartis is sited to the south of the proposed dwelling. The proposed dwelling would not directly face this neighbouring dwelling as it would be sited at an angle to it. Amartis has been extended to its northern side with a dining room extension, whose main windows are considered to be in its western or eastern elevation (as these are the windows that would receive the most natural light). The proposed dwelling would be sited, at an angle, approximately 16 metres away from the single storey side extension at Amartis, which exceeds the requirements in the SPD. It is considered that no undue overlooking would be created between the proposed dwelling and the gardens at Amartis. It is therefore considered that the proposed development would not unduly harm the amenity of the neighbouring residents at Amartis.

The proposed dwelling would be over 28 metres away from the bungalows at 1 and 3 Factory Hill, which far exceeds the minimum interface requirement of 13.5 metres in this situation.

For these reasons it is considered that the proposed development would not unduly affect the privacy or living conditions of any neighbouring residents, compliant with Policy CG4 of the Core Strategy and the guidance contained within SPD General Design Principles.

Impact on Trees

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

The trees along the western and southern boundaries of the site are protected under Tree Preservation Order Bolton (Factory Hill) 2004.

A sycamore tree on the south side of the proposed vehicular access into the site would need to be removed to accommodate the driveway. The Council's Tree Officers have advised that this tree is an early-mature tree that grows through the adjacent telexing wires and is of low amenity value. The loss of this tree is therefore not opposed to.

Tree Officers have also stated that there will be a number of small naturally regenerated trees and shrubs in the centre and south eastern side of the site that will require removal, however these are considered to be of poor form and low visible amenity.

Further information is required to how the proposed driveway is to be built in relation to the level changes between Factory Hill and the proposed finished level of the driveway and house, to ensure that the tree protection zones of the protected trees are not harmed. Details of services to the property are also required for the same reason. It is suggested that this further information is requested via conditions.

It is considered, subject to conditions, that the proposed development would not adversely affect the protected trees on site, compliant with Policy CG1.2 of Bolton's Core Strategy.

Impact on Flood Risk and Drainage

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

The application site is located in Flood Zone 1, which is the zone least prone to flooding. A culverted watercourse runs to the east of the site, but not underneath it.

The Council's Drainage Officers have raised no objection to the proposal and it is therefore considered that the proposed development complies with Policy CG1.5 of the Core Strategy.

Local finance considerations

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

New Homes Bonus (officer's comment: this is not considered to be a material consideration in this case).

Conclusion

The Council's Highways Engineers have advised that national guidance for highway standards has changed since planning application 68994/04 for a dwelling on the application site was dismissed at appeal in 2005. Whilst Engineers acknowledge that Factory Hill and Mill Lane are substandard in terms of forward visibility and footway provision, Manual for Street (the current national guidance on highways) has reduced visibility requirements and standards for footways, and therefore Engineers raise no objection to this application.

It is for this reason, and for the reasons also discussed above, that the proposed development would not be detrimental to highway safety and the local road network, would not harm the character and appearance of the area, would not harm neighbouring residential amenity, and would not result in the unacceptable loss of trees.

Members are therefore recommended to approve this application subject to the suggested conditions.

Representation and Consultation Annex

Representations

Letters:- 10 letters of objection have been received from local residents. These raise the following concerns:

- * Factory Hill is an unadopted single tracked road that cannot cope with extra traffic;
- * Mill Lane is unsuitable for an increase in traffic, is narrow at the junction with Chorley Old Road and becomes narrower some 50 metres in;
- * Nothing has changed since the previous refusal and appeal dismissal in 2005;
- * The number of cars parked on Mill Lane has increased; the number of cyclists using the roads has increased;
- * Highway safety concerns - the proposed access will be very difficult to enter or leave;
- * Highway and pedestrian safety concerns from the increase in traffic; Factory Hill and Mill Lane do not have footpaths;
- * Concerns about additional on-street parking in the area;
- * It would be impossible for HGVs and site clearance vehicles to enter the site;
- * The condition of Factory Hill will become worse (officer's comment: Factory Hill (until numbers 12 and 14) is an unadopted road);
- * Will be a blot on the landscape, not in keeping with the area;
- * The scale and height of the proposed dwelling is uncharacteristic and would set a precedent in the area;
- * The area is characterised by low density housing;
- * Impact on the conservation area (officer's comment: the application site does not lie within a conservation area; it is outside Wallsuches Conservation Area);
- * It is not a brownfield site;
- * There has been no fly tipping or anti-social behaviour as stated by the applicant;
- * The site slopes steeply towards Amartis and therefore an increase in site levels will be needed;
- * The protected trees will be affected;
- * The dwelling would overshadow the two neighbouring cottages at numbers 12 and 14;
- * The privacy of neighbouring residents will be harmed by the height of the proposed dwelling and the siting of the windows;
- * Concerns about flooding from the site into neighbouring properties;
- * Impact on wildlife;
- * To allow this development would set a precedent for other large homes to be built (officer's comment: each planning application must be assessed on its own merits);
- * Thought the Government were keen to build houses for first time buyers - this development does not fit that criteria;
- * Impact on views and house value (officer's comment: these are not material planning considerations).

Horwich Town Council:- raised an objection to the application at their meeting of 22nd September on the grounds of traffic impact and the character and appearance of the area.

Elected Members:- Cllrs. Richard Silvester and Kevin McKeon have objected to the proposed development on the following grounds:

- * The decision of the Planning Inspector for the appeal decision in 2005 for the site should be upheld in relation to highway safety in the Mill Lane and Factory Hill area;
- * Nothing has changed since the appeal decision in relation to highway safety in the area;
- * A planning application for two dwellings at Toppings, Foxholes Road has recently been refused by Members for the same reason as the 2005 appeal decision;

- * The development is of an inappropriate scale.

Consultations

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Tree Officers, Pollution Control Officers and Greater Manchester Police's Architectural Liaison Officers.

Planning History

Application 68994/04 for the erection of a two storey detached house and a garage, together with a new access was refused in November 2004 and dismissed at appeal in July 2005. The application was refused for the following reason:

The existing highways surrounding the application site are unsuitable to serve additional development by virtue of them being sub-standard in terms of width, horizontal alignment, forward visibility and lack of footways and the proposed development would thus have a detrimental impact on the road network contrary to Policy T4/4 of Bolton's Unitary Development Plan, Policy A5 of the Second Deposit Version of the revised Unitary Development Plan 2001 and Planning Control Policy Note No21. - "Highway Considerations".

Application 68233/04 for the erection of a two storey detached house and garage together with new access was withdrawn by the applicant in July 2014.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of the development:-

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

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

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

Reason

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

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

- Proposed driveway - proposed materials and finished levels
- a. Proposed finished levels for the proposed dwelling and terraced and garden areas
- b. Location of the proposed services to the dwelling

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

Reason

To ensure the safe development of the site and favourable retention of trees and to comply with policy CG1.2 of Bolton's Core Strategy.

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

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

Reason

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

5. 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 character of the area and the amenity of neighbouring residents, compliant with policies CG3 and CG4 of Bolton's Core Strategy.

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

Reason

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

7. Prior to the development hereby approved/permitted being first occupied the means of vehicular access to the site from Factory Hill shall be constructed in accordance with the drawing ref PL K761/01.

Reason

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

8. Before the approved/permitted development is first brought into use no less than 3 car parking spaces shall be provided within the curtilage of the site, in accordance with the approved plans. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Reason

To encourage drivers to make use of the parking and circulation area provided and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

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

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety and in order to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

Reason

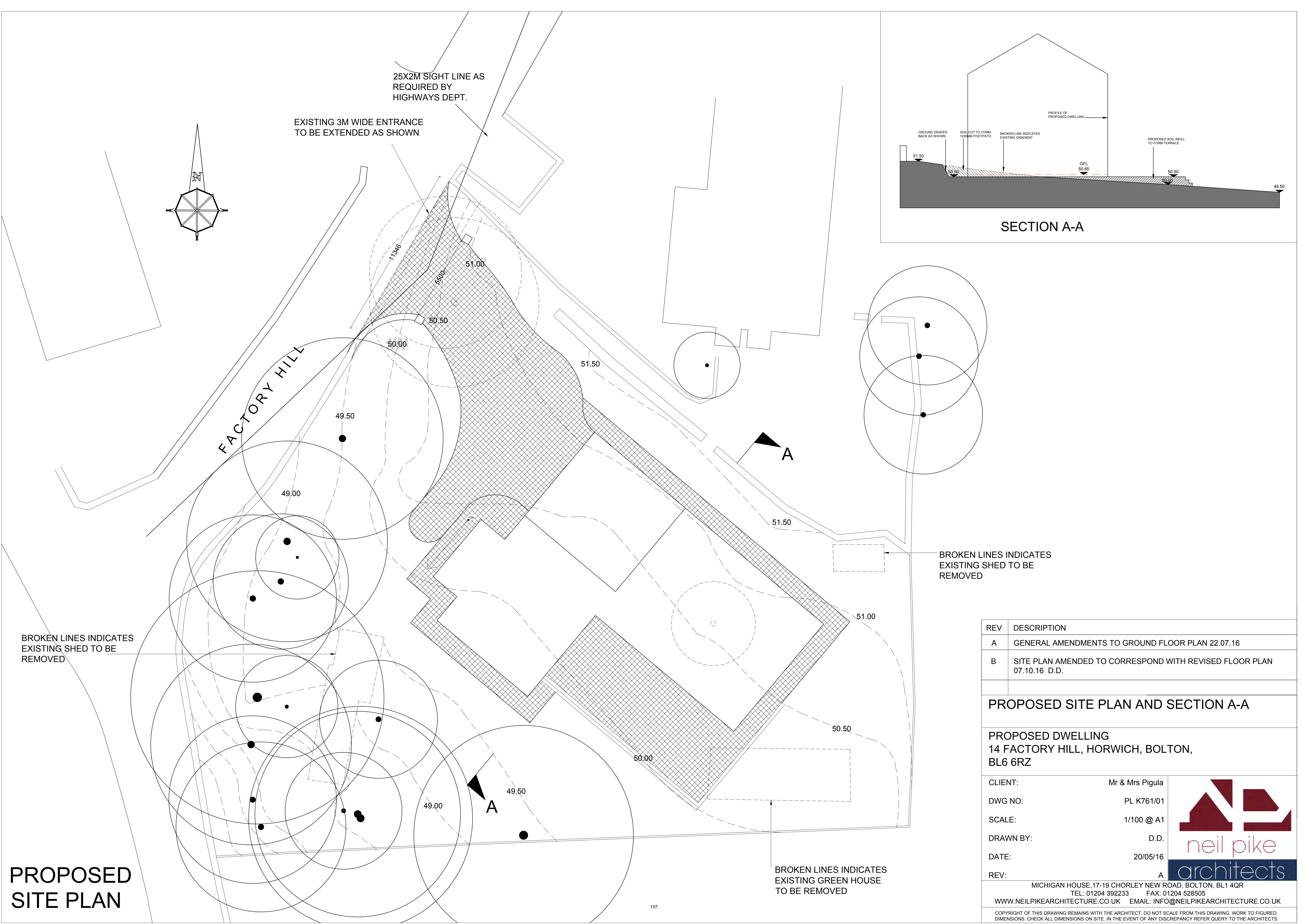
To safeguard the health of the protected trees within the site and the amenity of neighbouring residents, compliant with policies CG1.2 and CG4 of Bolton's Core Strategy.

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

PL K761/01 Rev B; "Proposed Site Plan and Section A-A"; dated 07.10.16
Front Elevation - West; received 07 Oct 2016
North Elevation; received 07 Oct 2016
East Elevation; received 07 Oct 2016
South Elevation; received 07 Oct 2016
Ground Floor Plan; received 07 Oct 2016
First Floor Plan; received 07 Oct 2016

Reason


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



REV	DESCRIPTION
A	GENERAL AMENDMENTS TO GROUND FLOOR PLAN 22.07.16
B	SITE PLAN AMENDED TO CORRESPOND WITH REVISED FLOOR PLAN 07.10.16 D.D.

PROPOSED SITE PLAN AND SECTION A-A

PROPOSED DWELLING
14 FACTORY HILL, HORWICH, BOLTON,
BL6 6RZ

CLIENT:	Mr & Mrs Pigula	
DWG NO:	PL K761/01	
SCALE:	1/100 @ A1	
DRAWN BY:	D.D.	
DATE:	20/05/16	
REV:	A	

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

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PROPOSED
SITE PLAN



EAST ELEVATION

1:100





Application number 97240/16



**Development & Regeneration Dept
Development Management Section**

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



Date of Meeting: 20/10/2016

Application Reference: 97240/16

Type of Application: Full Planning Application

Registration Date: 16/08/2016

Decision Due By: 10/10/2016

Responsible Officer: Jeanette Isherwood

Location: STORES 1 AND 2, FARNWORTH INDOOR MARKET, KING STREET, FARNWORTH, BOLTON, BL4 7AS

Proposal: CHANGE OF USE FROM RETAIL (CLASS A1) TO TRAMPOLINE PARK (CLASS D2).

Ward: Farnworth

Applicant: Dr Farooq Khantaria

Agent : Ronson Building Design

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes to change the use of two vacant units sited within Farnworth Indoor Market to an indoor trampoline centre, Class D2, with the inclusion of a small cafe area and changing facilities. The market itself provides 1,850 sqm of floor space with the allocation proposed as follows:-

- 1000 sqm to retail space
- 850 sqm to the new leisure use

Opening times are proposed as being from 1100 to 2200, 7 days per week.

The Applicant envisages providing 10 FTE jobs and 10 PTE jobs at the site.

No external alterations to the fabric of the building are proposed.

There will be 34 dedicated spaces within the site.

Site Characteristics

The application site forms part of Farnworth's indoor market and is sited within the Local Shopping Centre, off King Street, Farnworth. The immediate vicinity is a small retail area with a carpet store

and 'Wobbly Bob's' indoor play area to the rear. To the front is Farnworth Bus Station with the wider area being the commercial centre of Farnworth. The specific units are currently vacant with the remainder of the market being occupied by individual retail units.

Parking exists to the side and rear of the building being utilised by several commercial outlets and for general public parking.

Policy

National Planning Policy Framework

Core Strategy Strategic Objective 1 - Healthy Bolton

Core Strategy policies: H1 Health, S1 Safe, CG3 The Built Environment, CG4 Compatible Uses, RA2 Farnworth, Appendix 3 Car Parking Standards.

SPD: Transport, Accessibility and Safety

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of the change of use;
- * impact on the character and appearance of the area;
- * impact on the highway safety;
- * impact on adjoining land uses;

Principle of the Change of Use

The proposed use of the unit as Class D2 (leisure) constitutes a "main town centre use", as prescribed within Annex 2 of the National Planning Policy Framework (NPPF). The application site is located within Farnworth Town Centre and therefore it is considered that the proposed use is an appropriate use and in accordance with section 2 of the NPPF, which seeks to ensure the vitality of town centres.

Core Strategy Objective 1 seeks to maximise access to sporting and recreation facilities whilst policy H1 supports the development of new health facilities and opportunities that encourage a healthy lifestyle such as physical recreation activities in accessible town centre locations. In addition, policy RA2 seeks the continuing regeneration of Farnworth town centre with a mix of retailing, leisure, employment, public service and housing uses.

Objections have been raised with concerns being as follows:-

- Loss of employment
- Loss of retail space contrary to Bolton's Core Strategy
- Proliferation of trampoline parks

The proposal is sited within Farnworth town centre, in a highly accessible location adjacent to the bus station. It is considered that the locality will benefit greatly from such a modern leisure and recreational facility by providing employment for 20 full-time and part time positions. The proposals will therefore create future employment opportunities.

The proposal details that 1000 sqm of retail space will remain within the market, with no loss of stalls and will in fact be utilising vacant floor space.

With regards to the proliferation of this type of use it is noted that these types of venues are becoming increasingly popular. However the Core Strategy strategic objective 1 actively encourages the creation of sporting and health facilities for a range of ages to promote health and wellbeing, with the specific Farnworth area policy encouraging a mix of uses within Farnworth Town Centre.

The cafe within the unit will serve soft drinks and small snacks and although it has been noted by objectors that there are numerous cafes in the immediate vicinity, this is conducive with this type of high energy venue.

It is considered that the proposal has numerous benefits including additional employment together with the introduction of a new recreational facility and will aid in the overall regeneration of Farnworth attracting new visitors and boosting its economy.

The principle of change of use is therefore considered to be acceptable.

Impact on the Character and Appearance of the Area

Core Strategy policy CG3 seeks to ensure new development proposals are compatible with the surrounding area.

The overall external appearance of the property will not be changed. However the proposal is considered to enhance the character and appearance of the area by the re-use of these currently vacant units.

It is therefore considered that the proposal would remain compatible with the surrounding area and consistent with policy CG3 of the Core Strategy and SPD General Design Principles.

Impact on Highway Safety

Core Strategy policies P5 and S1.2, as well as Appendix 3, seek to ensure adequate curtilage car parking and servicing is provided within the site in order to have no detriment to highway safety. For an indoor D2 recreation facility the requisite would be 1 car space per 25 m² of floor space which equates to approximately 34 spaces.

Objections have been received with regard to inadequate parking at the site and the loss of loading bay areas.

The applicant has informed the Council that the present loading routine is from the front entrance as the rear entrance is blocked. Highways Officers have been given this information and detail that no issues have arisen from this present practice and therefore they have no objections.

The site has an extensive public car park serving the surrounding units.

The applicant has provided parking details for the proposal which includes 34 dedicated spaces within the site. This would accord with the Council's standards contained within Appendix 3, for this type of facility. Highways Officers have no reasonable objections subject to conditions.

The proposal therefore complies with Core Strategy policies S1, P5 and Appendix 3

Impact on Adjoining Land 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.

Objections have been raised with regards to current anti-social behaviour on the site. However this is a matter for the owner to provide the security required when the Market is closed. The addition of this proposal may actively discourage the gathering of youths that are not attending the facility, as the site will be occupied outside of normal trading hours providing general surveillance.

Objection has also been raised that the existing WC facilities inside the market will be utilised by the Trampoline Park. However the owner has confirmed that all facilities will remain open to visitors and tenants.

The proposed use is self contained and as stated above has adequate car parking. Therefore, it is considered that the proposal would have no adverse impacts on the adjoining land uses.

The proposal complies with policy CG4.

Financial benefits of the proposal

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

For the reasons discussed above the proposal is considered to comply with national and local planning policies and is considered to be acceptable.

Members are requested to approve the application.

Representation and Consultation Annex

Representations

Letters:- Five letters of objection have been received with concerns outlined within the main body of this report.

Elected Members:- Councillor Gillies and Councillor Ibrahim have requested that the final determination of this application is made by the Planning Committee following a site visit by Members.

Consultations

Advice was sought from the following consultees: Highways, Planning Strategy, GMP, REDD

Planning History

None relevant.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Before the approved/permitted development is first brought into use no less than 34 car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be provided within the curtilage of the site, in accordance with the approved drawing scanned to the Bolton Council system 21/09/16. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Amended parking site plan - scanned to the system 21/09/16
Proposed plans - Dwg No's 05 + 06 - dated 19/06/16

Reason

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

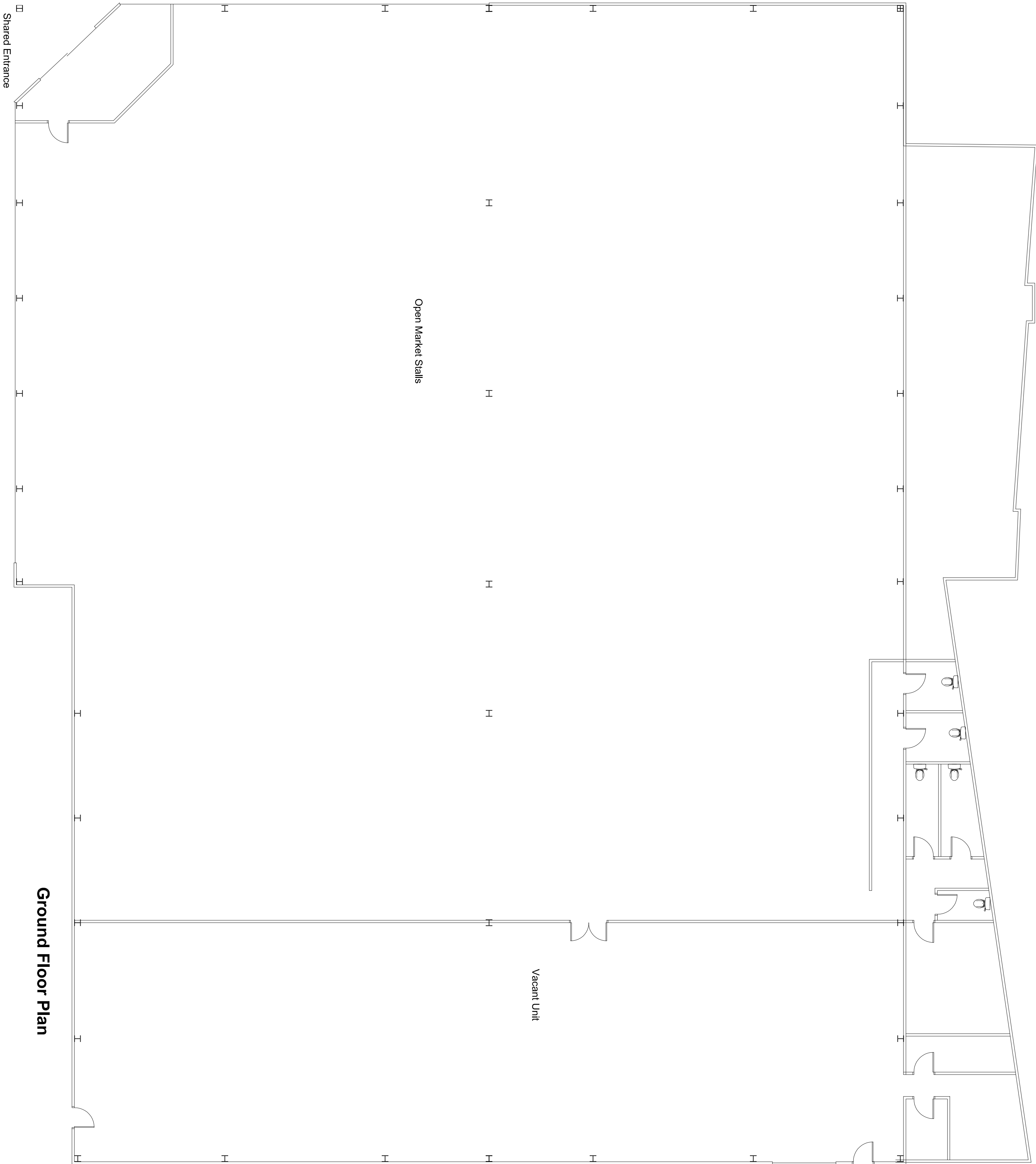
4. The premises subject of this consent shall not be open for trade outside the following hours:-

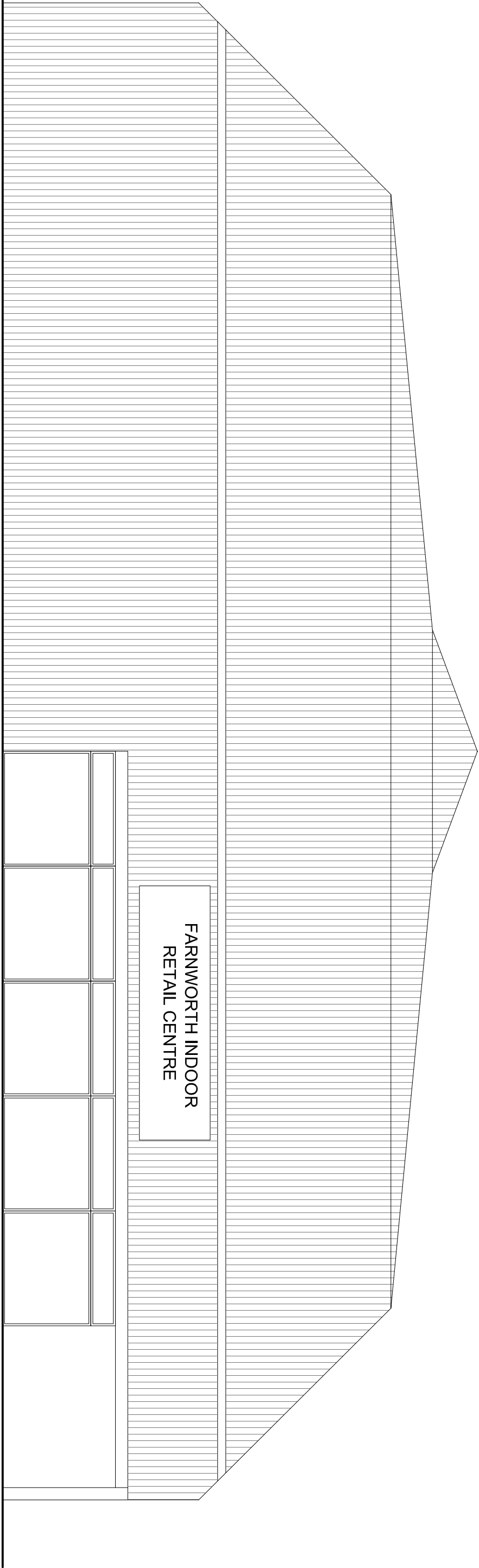
11:00 - 22:00 Mondays – Sundays

Reason

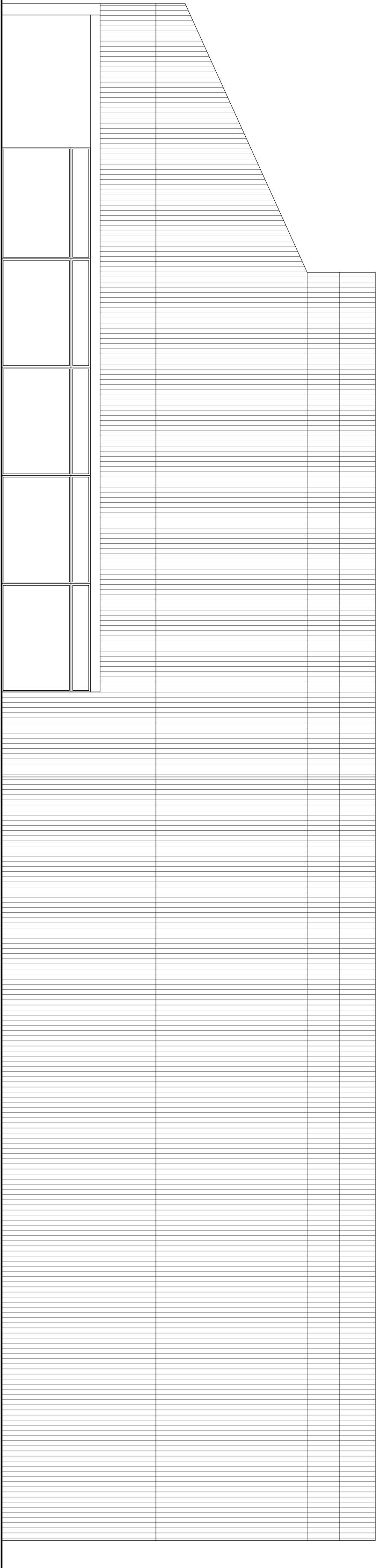
To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance, and to comply with policy CG4 of Bolton's Core Strategy.

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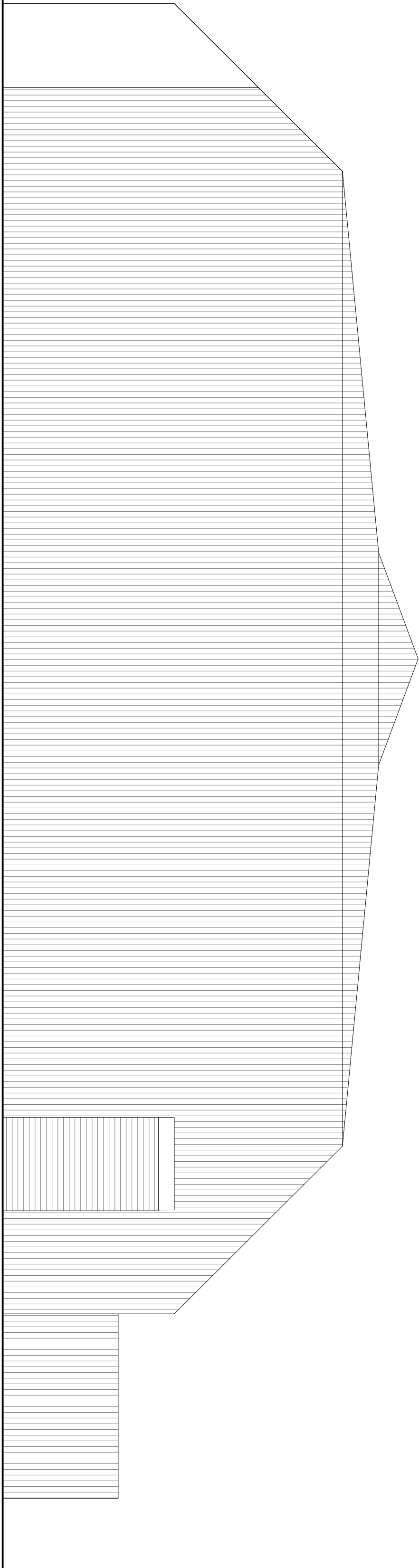




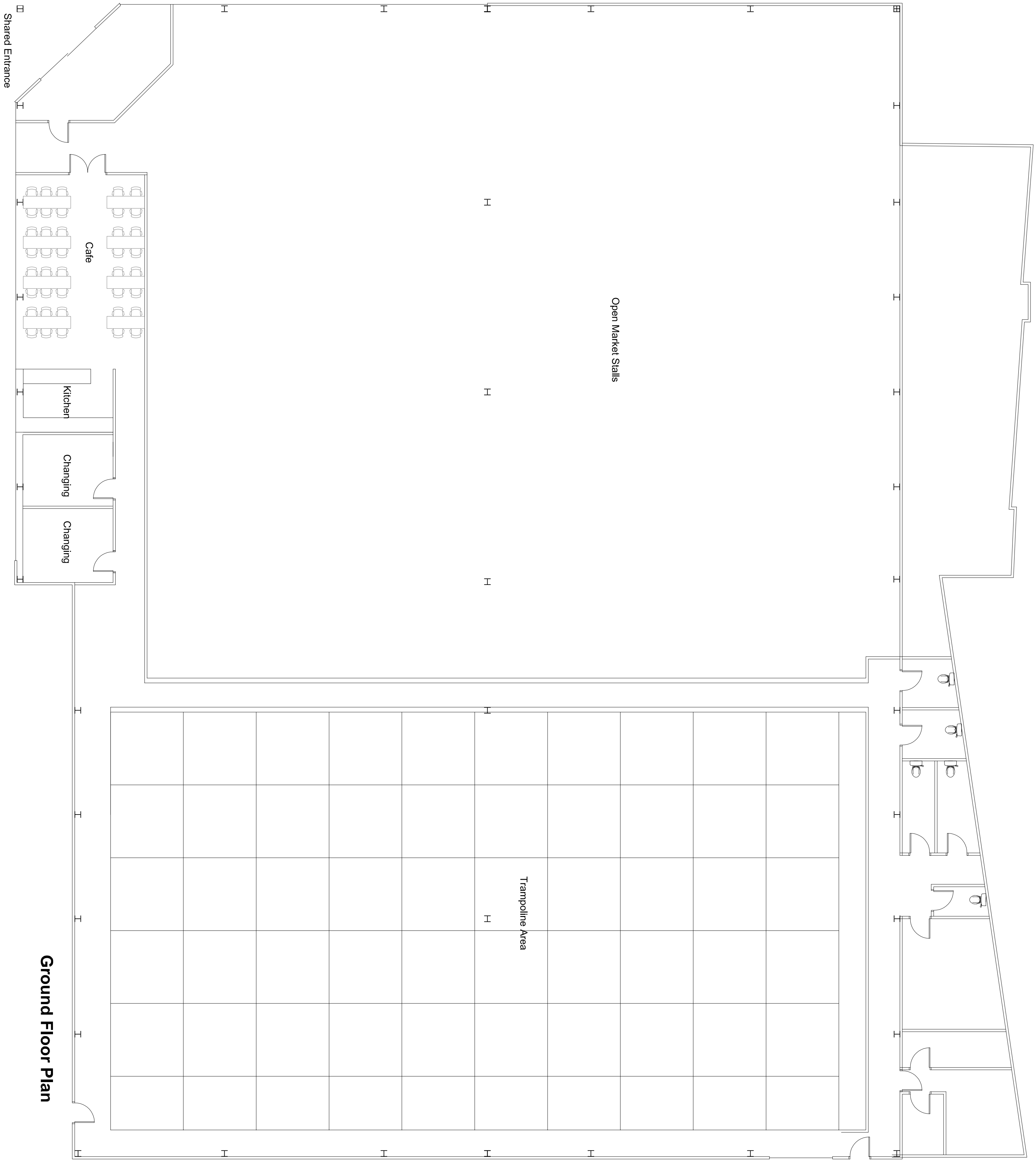
Front Elevation

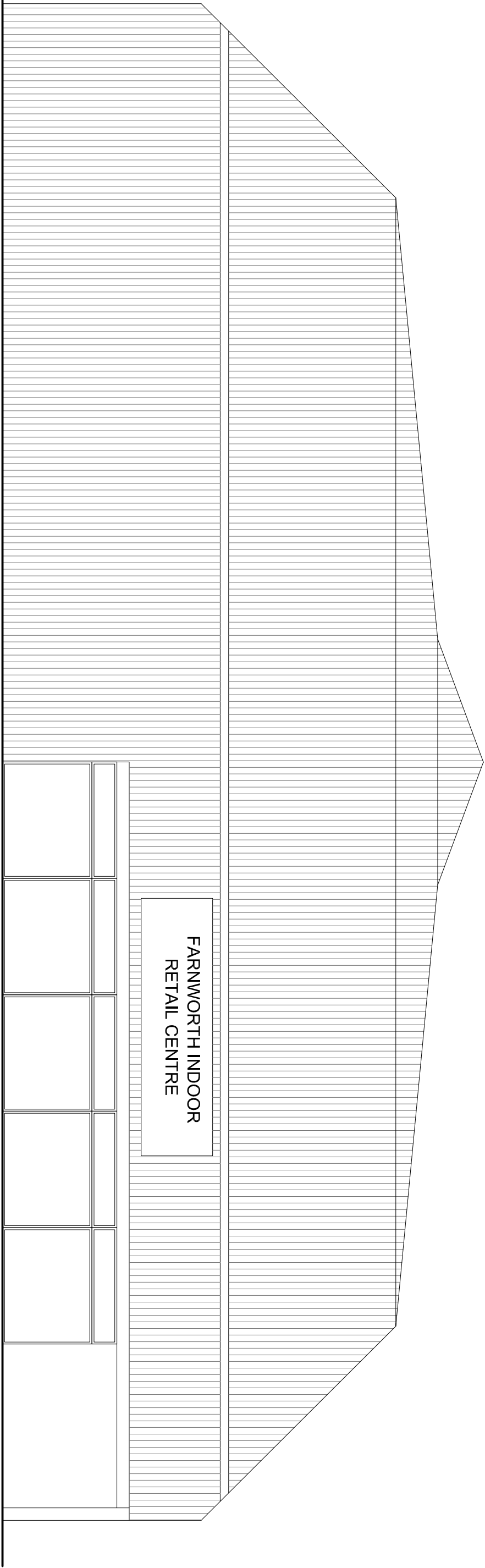


Side Elevation

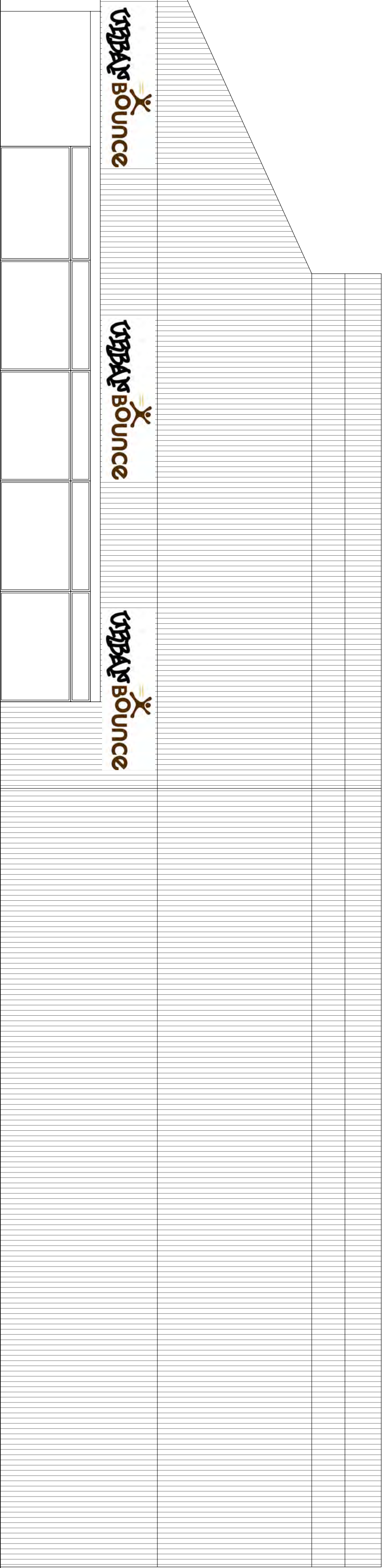


Rear Elevation

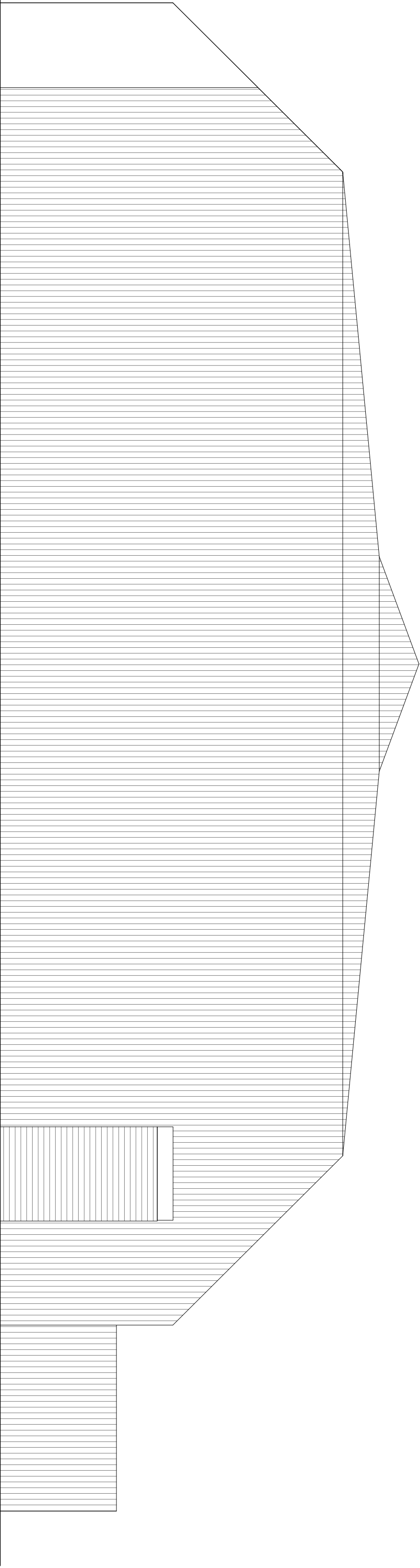




Front Elevation



Side Elevation



Rear Elevation

Application number 97246/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 20/10/2016

Application Reference: 97246/16

Type of Application: Full Planning Application
Registration Date: 15/08/2016
Decision Due By: 09/10/2016
Responsible Officer: Jeanette Isherwood

Location: 25 BOLTON ROAD, FARNWORTH, BOLTON, BL4 7JN

**Proposal: CHANGE OF USE FROM RESIDENTIAL DWELLING (CLASS C3)
TO OFFICES (CLASS A2)**

Ward: Farnworth

Applicant: Mr Rana Bakhtiar
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the change of use of an existing residential property (C3 use) to an A2 office use. The accommodation provided will be as follows:-

- Basement level - archive storage
- Ground floor - main reception, kitchen and meeting room
- First floor - 2 offices, 1 bathroom, 1 meeting room and store room
- Roof space - accountants office and library

No visible changes to the external appearance of the property are proposed except a new front entrance door to the existing basement.

Four no. parking spaces are available to the rear with access from Back Bolton Road with a further two to the front.

Six full time and one part time members of staff are proposed.

Bin storage is proposed to the rear of the building.

Site Characteristics

The site lies in close proximity to Moses Gate train station, St Peters Way and Farnworth Town Centre. The surrounding area along Bolton Road is mixed in nature with a number of commercial and residential properties. The surrounding built form is characterised by a variety of traditionally designed buildings with sporadic modern interventions. This property is sited in the middle of a row of attractive Victorian terraced properties, all featuring attractive frontages with bay windows or large porches. The majority of the row have direct access onto front driveways from Bolton Road.

Policy

National Planning Policy Framework

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

SPD General Design Principles.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area;
- * impact on adjoining uses; and
- * impact on highway safety.

Impact on the Character and Appearance of the Area

Core Strategy policies CG3 and RA2 seek to ensure that development proposals 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.

The development for which permission is sought does not include any visible external alterations to the building (barring the new entrance at basement level) and seeks permission solely for the change of use, and therefore there would be no significant impact on the character and appearance of the streetscene.

The proposal is not thought to have any detrimental impact on the character and appearance of the area. Therefore, it is considered that the scheme would be in accordance with policy CG3 of the Core Strategy.

Impact on Adjoining Uses

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

Additional details have been received from the applicant with regard to the opening hours of the office. These are as follows:-

Monday - Friday - 08:30-17:30

No opening suggested on Saturdays, Sundays or bank holidays.

These suggested hours are not considered to be unsociable in this location. A condition is suggested to the approval to restrict the hours of opening to the above.

It is considered that the proposed use of the property would be compatible with the adjoining residential properties and complies with policy.

Impact on Highway Safety

Core Strategy policies P5 and S1 states that the Council will ensure development proposals take account of the accessibility of different types of transport making provision for parking where appropriate and also promote road safety in the design of new development.

Six parking spaces are proposed at the property, four to the rear and two to the front.

One objection has been received concerned that the proposal will exacerbate existing parking issues.

The Highways Officers were consulted on the proposal and made the following comments:-

- Although the parking provision served at the front of the premises does not meet Council policy in relation to the ability to enter/leave the spaces in forward gear onto the classified road, a precedent has been set at this location with other properties having similar facilities with VACs (drop-kerb access). The applicant will need to fund the improvements on the highway in order to gain access to these spaces.
- The parking spaces proposed at the rear of the building appear to be accessed direct from Back Bolton Road (unadopted highway). Although the access looks narrow from Bolton Road it is scaling at approximately 3.0m in width which will be adequate to accommodate a car.
- Although the number of off-road parking spaces falls below the Council's parking standards for this level of A2 usage, the site is highly accessible to sustainable modes of transportation.

Highways Officers do not object to the proposal for the reasons above, subject to conditions.

Historically the properties at 23 and 27 Bolton Road were utilised as commercial office premises before being converted to residential dwellings.

Notwithstanding the objection and having regard to the above, it is considered that the proposed use of the site would not cause any severe impact on the function of the surrounding highway network or cause any significant harm to highway safety. The proposals are considered to accord with policy P5 of the Core Strategy and the NPPF.

Financial benefits of the proposal

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

The application would be compatible with the surrounding area without compromising the appearance of the property or highway safety. The proposal complies with policy and is recommended for approval.

Members are requested to approve the proposal subject to conditions.

Representation and Consultation Annex

Representations

Letters:- One objection received detailing the following issues:-

- * The car parking has been completed but rubbish has been placed behind their fence in view of their garden (officer's comment: this is not a material planning consideration);
- * Lack of parking in the area;
- * Increase in traffic on Alfred Street, meaning more inconvenience for neighbours;
- * Impact on retaining wall between their property and the application site (officer's comment: this is not a material planning consideration).

Material planning objections have been addressed within the main body of this report.

Consultations

Advice was sought from the following consultees: Highways

Planning History

Previous application withdrawn under reference 96383/16.

Planning application 63087/02 for the change of use of the property from a guest house to a house in multiple occupation was approved in November 2002.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development full details of the highway works at 25 Bolton Road comprising the removal of pedestrian guard-railing at front of property, the alteration to drainage kerb on Bolton Road and the installation of a VAC (drop-kerb) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

3. 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 to comply with

policies P5 and S1.2 of Bolton's Core Strategy.

4. Before the approved/permitted development is first brought into use no less than 6 car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: 01 submitted to and approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Proposed elevations - Dwg No. 05 - dated 13/03/16

Proposed plans - Dwg No. 04 - dated 13/03/16

Site plan - Dwg No. 01 - dated 13/03/16

Reason

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

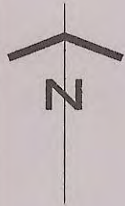
6. The premises subject of this consent shall not be open for trade outside the following hours:-

08:30 - 17:30 Mondays – Fridays

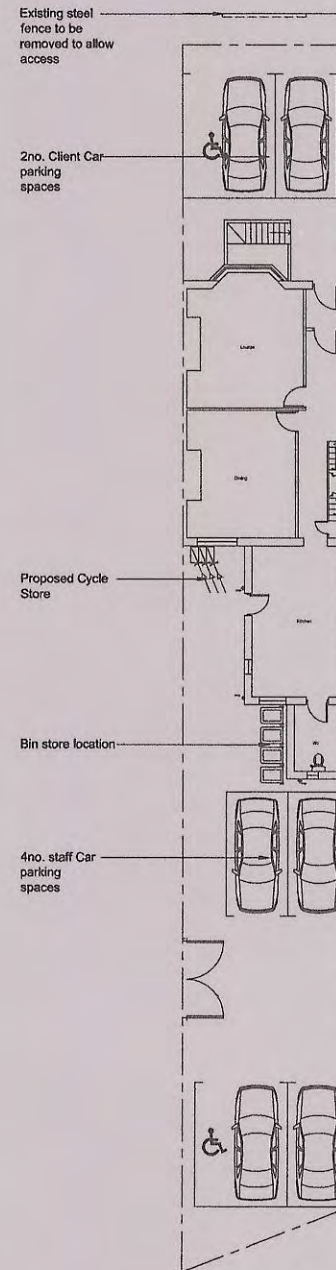
No opening shall take place on Saturdays, Sundays or Bank Holidays.

Reason

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



Location Plan 1:1250



Site Plan 1:200

BOLTON COUNCIL
DEVELOPMENT & REGENERATION

15 AUG 2016

DO NOT SCALE FROM THIS DRAWING.
This drawing is to be read in conjunction with all related drawings. All dimensions must be checked and verified on site before commencing any work or material production. The originator should be notified immediately of any discrepancy.

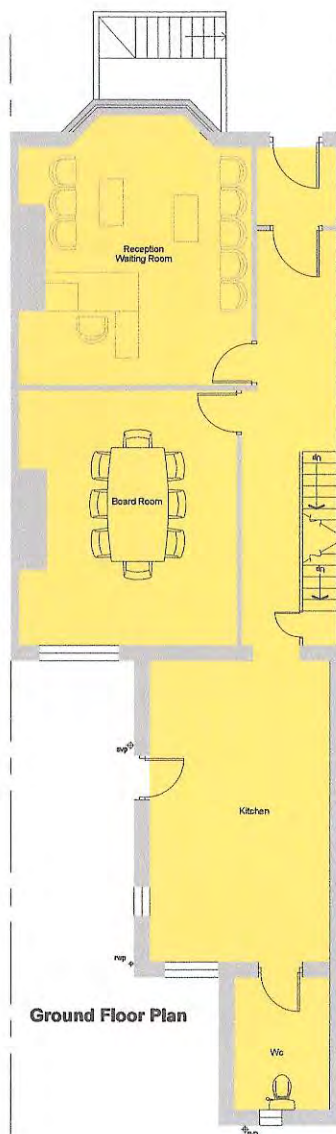


Tel: 07926826016
craig@ronsonbuildingdesign.co.uk

Rev	Date	Description
Issued For: INFORMATION PURPOSES ONLY		
Client Mr Rana Bakhtiar		
Project B&B Lawfirm 25 Bolton Road, Bolton BL4 7JN		
Scheme - Drawing Title Location/Site Plans		
-/	01	Date 13-03-2016
Project No.	Drawing No.	Revision
		Scale @A3



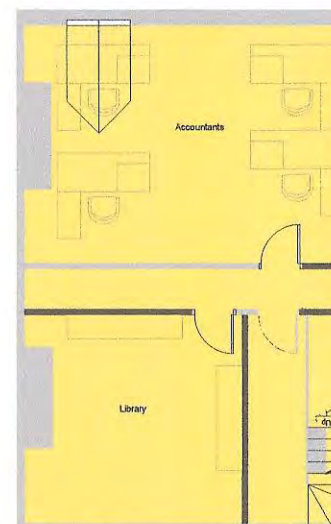
Basement Floor Plan



Ground Floor Plan



First Floor Plan



Roof Plan

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BOLTON COUNCIL
REGENERATION

15 AUG 2016

Rev	Date	Description
Issued For: INFORMATION PURPOSES ONLY		
Client Mr Rana Balhliar		
Project B&B Lawfirm 25 Bolton Road, Bolton BL4 7JN		
Scheme - Drawing Title Proposed Plans		
1	04	Date 13-03-2016
Project No.	Drawing No.	Revision Scale 1:100 @A3

Proposed signage. Exact details to be provided
by client to gain separate planning consent

Proposed Black wrought iron balustrade

Front Elevation

Side Elevation

BOLTON COUNCIL
DEVELOPMENT & REGENERATION

28 JUL 2016

Rear Elevation

Side Elevation

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The originator should be notified immediately
of any discrepancy.



Tel: 07926826016
craig@ronsonbuildingdesign.co.uk

Rev Date Description
Issued For INFORMATION PURPOSES ONLY

Client
Mr Rana Bakhtiar

Project
B&B Lawfirm
25 Bolton Road, Bolton
BL4 7JN

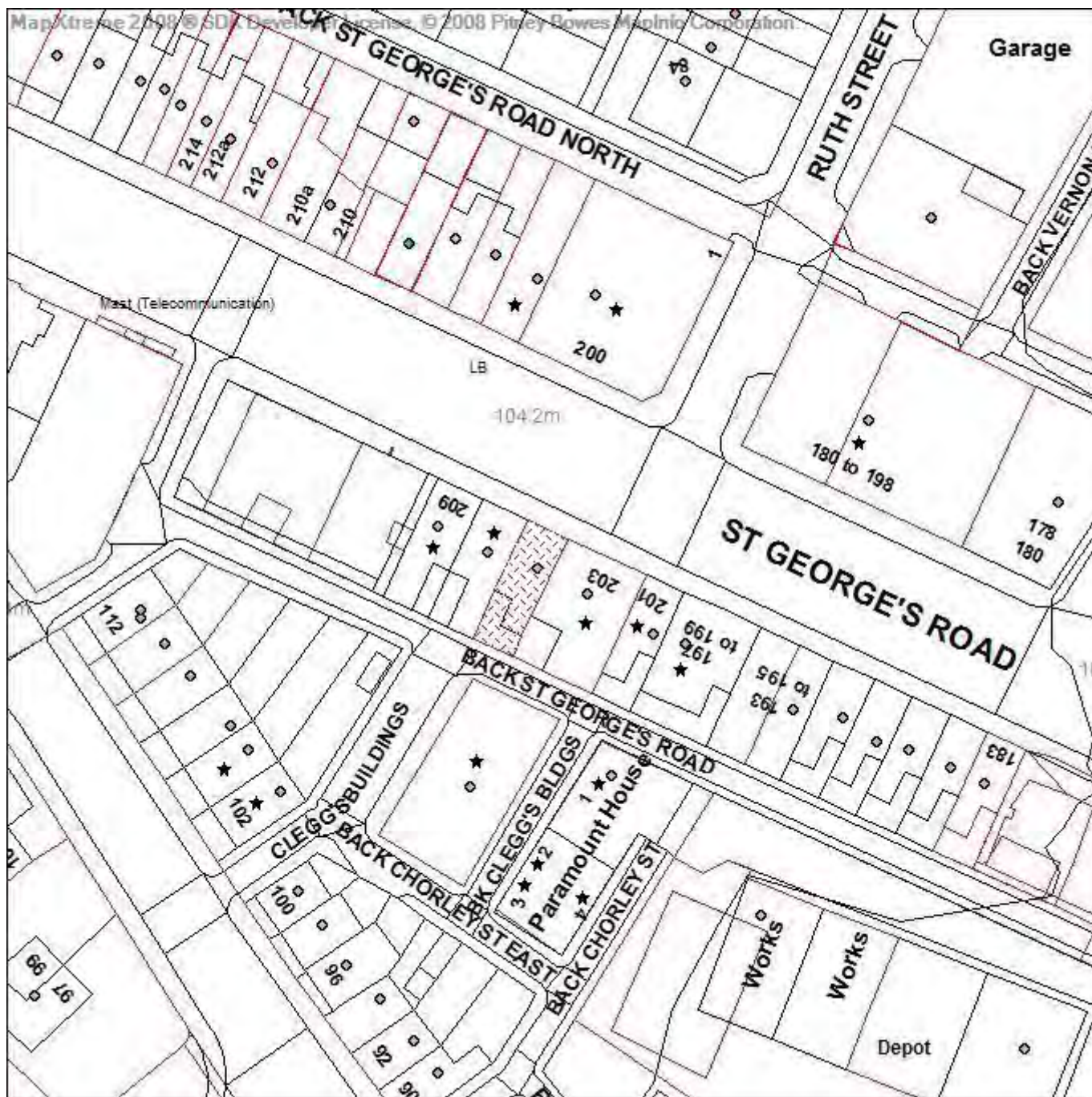
Scheme - Drawing Title
Proposed Elevations

✓ 05 Date 13-03-2016
Project No. Drawing No. Revision Scale 1:100 @A3

15 AUG 2016

BOLTON COUNCIL
DEVELOPMENT & REGENERATION

Application number
97252/16



**Development & Regeneration Dept
Development Management Section**

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

Bolton Council

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Date of Meeting: 20/10/2016

Application Reference: 97252/16

Type of Application: Full Planning Application
Registration Date: 17/08/2016
Decision Due By: 11/10/2016
Responsible Officer: Martin Mansell

Location: 205 ST GEORGES ROAD, BOLTON, BL1 2PG

**Proposal: CHANGE OF USE FROM RSPCA HEADQUARTERS (SUI GENERIS)
TO HOT FOOD TAKEAWAY (CLASS A5).**

Ward: Halliwell

Applicant: Mrs Barker-Smith
Agent : Emery Planning Partnership Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought to change the use of this vacant property to a hot food takeaway (A5 Use) with associated external works comprising the erection of an external flue, new windows/doors, insertion of a new rooflight, removal of a chimney stack and the provision of a new front canopy.

It is understood that the Applicant wishes to operate as a fish and chip shop. Hours of opening are stated as being from 1130am to 1130pm, 7 days per week. It is envisaged that the use would generate 2 full-time and 2 part-time jobs.

No details of parking spaces are mentioned on the application form, but it is considered likely that none are available at the site.

Site Characteristics

It is understood that the property most recently provided offices and animal services for the RSPCA.

The site lies fully within the defined boundary of Bolton Town Centre, though at its extreme north west edge. It forms part of a mixed row of primarily shops and residential properties fronting the western side of St Georges Road. The road forms one of the gateways to the town centre outer highway box at Topp Way / Marsden Road and has a character typical of such areas on the periphery of and just outside a town centre. Takeaways exist in the area on both sides of the road.

The use of the adjacent property at 207 is unclear but is most likely offices. At 203 is a retail shop, a tile merchant, that has recently been granted planning consent to convert the upper floors back into residential use (96352/16)

Policy

National Planning Policy Framework - building a strong and competitive economy, promoting sustainable transport, promoting healthy communities

Core Strategy Objectives SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety

Core Strategy Policies

P5 Transport

S1 Crime and Road Safety

CG4 Compatible Uses

RA1 Inner Bolton

The Location of Restaurants, Cafés, Public Houses, Bars and Hot Food Takeaways in Urban Areas
SPD September 2013

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on nearby uses
- * impact on the road network
- * impact on the character of the area
- * impact on economic development and employment

Impact on Nearby Uses

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. Two of these principles are that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings and reduce pollution.

Policy CG4 of Bolton's Core Strategy seeks to ensure that new development is compatible with surrounding land uses; protects amenity, privacy, safety and security; does not cause unacceptable nuisance or pollution; and takes potential historic ground contamination into account.

Planning permission has been recently granted for the conversion of the floorspace above the adjacent tile merchant to residential. The owner has objected on this basis and therefore there is good reason to suspect that this consent will be implemented.

The Council revised its guidance on the location of hot food takeaways in 2013. Paragraphs 8 to 15 of the SPD provide guidance on protecting residential amenity in particular, paragraph 10 states that

takeaways are not acceptable where there is a residential property adjacent to the site, this includes those which are next to, adjoining or have a close relationship. However, paragraph 39 clearly states:-

"There are a considerable number of residential properties in Bolton town centre. It is unlikely that there will be an impact on the living conditions of residential occupiers from A3, A4 and A5 uses, due to the general background levels of noise and activity in the town centre. Furthermore, the hustle and bustle of the town centre, the late hours of opening and the associated activities and attractions are an integral part of town centre living, which individuals actively choose as a way of life. It is not therefore considered necessary to apply the advice contained in paragraphs 8 to 15 of this note to the town centre."

Therefore, Officers conclude that the SPD is clear that the usual restriction on locating hot food takeaways next to residential properties should not apply in Bolton town centre.

Clearly, the boundary of Bolton town centre encloses a large area and contains areas with differing characters - for instance, the retail core, the evening economy area of Bradshawgate, the quieter residential areas to the east of Bradshawgate and the area of the application site. The site is obviously on the periphery of Bolton town centre and in terms of character has more in common with typical radial routes such as Chorley Old Road and Blackburn Road than it does with many parts of Bolton town centre. However, the SPD does not refer to this distinction and clearly says that the restrictive policies will not apply within the town centre.

The site lies within the Urban Village character area of Bolton town centre, which seeks to increase the number of houses in the area and be an example of good practice in implementing environmentally sustainable development. It is not considered that the proposal or its potential impact are of such a scale as to prejudice the aspirations of this policy.

It is worth reiterating that Policy CG4 aims to protect living conditions whilst facilitating economic development and that the SPD provides guidance on how this balance can be best achieved when considering applications for hot food takeaways. The SPD is therefore a material consideration. In this instance, and whilst this is a balanced view, Officers take the view that the clear position of the SPD - that the restrictive policies for locating hot food takeaways next to residential do not apply within the boundary of town centres - mean that the principle of the development is acceptable at this particular location, in terms of impact on living conditions.

That is not to say that the impact on living conditions can be completely disregarded. The recommended limitation of trading hours until 2330 is considered to be reasonable. The Council's Pollution Control Officers have visited the site and, whilst they do not raise objection in principle due to the town centre location, recommend other conditions relating to odour control and noise from fixed plant. In particular a bespoke condition is recommended requiring the applicant to verify by a report that the odour control measures proposed have been implemented as described.

On balance, due to the location within the defined boundaries of Bolton town centre, the proposal is considered to comply with Policy CG4 of Bolton's Core Strategy.

Impact on the Road Network

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety. The proposed use is not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and

above the existing lawful use. It is also noted that the Council's Highway Engineers do not raise objection.

On street parking is available in defined areas on the side of the road stretching from Franca's to the entrance to the public car park behind the former Moghuls Palace. These bays are provided on a first come first served basis and it not considered to be reasonable to resist the application on the basis that others businesses make use of them. It is considered to be very unlikely that a customer would attempt to park inappropriately in this location (i.e. to block the carriageway) if spaces were not available therefore the impact on highway safety is considered to be acceptable.

The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1.

Impact on the Character of the Area

The SPD contains guidance that seeks to control the proliferation of hot food takeaways within a particular area:-

The proliferation of hot food takeaways has been identified as a particular problem in local town, district and local shopping centres in the Borough. In particular, problems of litter, noise and the proliferation of premises which have roller shutters closed during normal retail opening hours are having an unacceptable impact on residential occupiers and local shopping areas. To address this problem, the Council considers that with the exception of Bolton Town Centre, an unacceptable proliferation of A5 uses shall be considered to occur where, as a result of a new proposal, there would be more than two existing, or approved, A5 uses within a 50 metre radius of the application site.

The existing Franca's takeaway is situated within 30m of the application site. On the other side of the road, approximately 40m away, are three shuttered properties which have a history of use for A5 purposes. Whilst the use of these properties is not particularly clear, they do have a history of A5 use though they are currently being marketed for A1 use. Only the one of the three - the one furthest from the application site and therefore just over 50 metres away, is in use for A5 purposes.

However, even if it were the case that this proposal would result in more than two Class A5 uses within 50 metres of each other - which is unclear due to the vacancy of two of the units referred to - the SPD is clear that this restrictive policy shall not apply in Bolton town centre.

In terms of litter generation it is not considered that the proposed use would have any greater impact on this than other uses that would normally be considered acceptable in a location such as this, for instance a convenience shop or a cafe / sandwich shop. There is a waste bin outside the nearby bus stop and it not considered to be reasonable to resist the application on these grounds. Nor would the increase in the rat population be a sustainable reason for refusal and there is no reason to suspect that the use would be significant focus for antisocial behaviour. The site lies outside of the 400m "exclusion zones" drawn around the town's secondary schools.

This issue is similar to the impact on living conditions in that the proposal would be unacceptable outside of Bolton town centre, but the fact that it lies within the boundary and the SPD makes no distinction between particular areas means the impact is considered to be acceptable.

Impact on Economic Development and Employment

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should proactively drive and support sustainable economic development to deliver the infrastructure, business and industrial units and thriving local places that the country needs. In the section "Building

a Strong, Competitive Economy" it states that significant weight should be placed on the need to support economic growth through the planning system.

The Council has adopted the Sustainable Community Strategy which identifies two main aims - to narrow the gap between the most and the least well off and to ensure economic prosperity. The Core Strategy is consistent with this, seeking a prosperous Bolton by making sure that jobs are provided in accessible locations in a range of different sectors.

Clearly the proposal would create a small amount of employment - this is noted, as are the benefits of occupancy. Whilst the application property has not been vacant for a significant period of time, the benefits of occupancy still apply. The suggestion by the objector that the site should be used for offices is noted, but there is no evidence of a significant shortfall of offices in the area or the Borough in general. Refusing the application on the basis would be unlikely to be defensible at appeal. It may well be the case that other nearby takeaways have failed in recent years but this could be due to a range of factors other than location and the potential for repeat failure is not considered to represent a valid reason for refusal. The choice of whether to take on a property with an existing A5 consent or seek a consent at a new site is for the Applicant to make and the application must be considered on its individual merits rather than what may be preferable.

The proposal is considered to have limited benefits in terms of economic development and employment.

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. Other than the economic and employment benefits referred to above, there are not considered to be any local financial considerations in this case.

Conclusion

On balance, whilst the site is located next to a property with residential use above, and whilst this part of Bolton town centre is clearly different to other, the location within the town centre boundary is considered to render the development acceptable in principle. A number of other issues have been raised by the objector, all of which are considered to have been addressed within the body of this report.

Representation and Consultation Annex

Representations

one letter of objection has been received from the adjacent property, on the following grounds:-

- the area is now a growing residential community which is complemented by diverse but specialist retailers, many long established businesses.
- the premises have only been empty since the applicant's purchase - the RSPCA only moved when the property had been sold
- the existing use should be upheld as this area lacks the medium office units which are in demand as shown with the sale of 205 earlier this year
- upholding the existing classification would be "building a strong responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places"
- takeaways do not prosper in this location, we currently have four units, three are empty and have failed in the takeaway market
- Franca's which is not the normal takeaway but more an Italian delicatessen where the food is consumed at home and not on the street, the well-established Raj Shahi is not closed but undergoing refurbishment, also operates a takeaway service and will be reopening in September. Reggae Vibes is yet to trade but looks close to opening. The two closed units which have been quite an eyesore with their broken shutters and deteriorating facades are currently under development but have been takeaways previously
- why not use a property that already holds the relevant classification to maintain the character and balance of the area
- four fish and chip shops in the area have recently closed
- we are unsure to the relevance of 207 in the application, this is a council owned property which has been empty for a number of years and lapsed into serious disrepair, if it has been marketed
- As a family we are currently living at 203 while converting the upper floor to living accommodation as it was previously, this can be confirmed by the rates officers, as the applicant seems to dispute this.
- Noise - a take away open until 23.30 seven days a week will undoubtable lead to disrupted nights, my bedroom although on the first floor will be only a few feet away from their main doorway. Their customers will be coming and going whether on foot or by car starting/stopping, doors will be opening/closing, people generally coming/going, making noise, consideration and respect for the residents cannot be guaranteed. The flue at the rear of the property although on the opposite neighbours boundary also will make noise and vibration which will affect the second floor bedroom as its windows are at the rear.
- Litter - we already have to clean up after a weekend with the wrappers and cans left on the pavement from the passing footfall
- Parking - it would have an intense customer parking requirement for short periods during the day, lunch specifically, whereas the existing classification suggests an even flow throughout the

working day – Certainly ourselves and Display Equipment receive deliveries from large vehicles which sometimes are unable to get to the rear of the properties either by their own size or because of obstruction, usually thoughtless parking. A takeaway on this side of St. Georges Road would only compound this problem; we already have had incidents of people parking across loading bays while visiting the Nutri bar on Chorley Street

- Odours - would have to ensure effective removal of smells not only out on to the street but through the internal walls - my showroom and residence are only next door. I have to mention the flue again, situated at the rear of the property although on the opposite neighbours boundary, however it finishes below the 2nd floor bedroom windows, smells will be emitted directly in the air flow below, it is unreasonable to limit opening the windows when the flue is not in use especially as they are opening seven days a week
- Rats an existing problem, more food waste & poor waste management will only increase the costly eradication for businesses and major health concern for residents
- The dispelling of undesirables drug dealers/users in the area is a problem that over the years the police and community officers have worked together with the local businesses/residents. Over the last few months residents on Chorley Street have expressed their concern over the increased activity in the area, drug dealing, vandalism, and theft. We wish to deter these people, the opening of another take away would increase and give reason for them to be in the vicinity.
- Although the property does not fall within the 400 mtr zone of schools in the area consideration must be given due to the number of children which travel St. Georges Road, to and from school using the Town Centre travel infrastructure- The opening of a Fish and Chip shop would contradict in "supporting strong, vibrant and healthy communities" and "its health, social and cultural well-being"
- It would be naïve to expect the planning authority to assess the whole of Bolton Town centre in a sweeping policy even within the boundaries. The individual nature of the areas have to be taken into account, Deansgate has different needs to Bradshawgate, Victoria Square requirements are at odds with Nelson Square. Although the applicant can argue we reside within the town centre boundaries while in the building and have to accept all this entails, we must argue that as soon as we step out of the property we are in an urban space and the character of such should be maintained.

Consultations

Advice was sought from the following consultees: Pollution Control, Highways

Planning History

Planning permission was refused in July 2016 on the basis of impact on living conditions and proliferation of similar uses. This application was not supported by planning evidence or arguments and it is considered that the supporting statement submitted by the Applicant not addresses these reasons for refusal.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. No activities and/or operations shall take place which release odorous emissions to the atmosphere without first submitting a scheme to the LPA for approval showing details of the means of extraction and filtration of the odorous emissions. The approved scheme shall be implemented in full before such operations and/or activities are first commenced and retained thereafter at all times. Prior to the development being first brought into use a verification report including a bill of quantities and photographs of the flue and extraction installation of the approved scheme during installation shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

3. The premises subject of this consent shall not be open for trade outside the hours of 1130 and 2330

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

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

Drawing 702

Reason

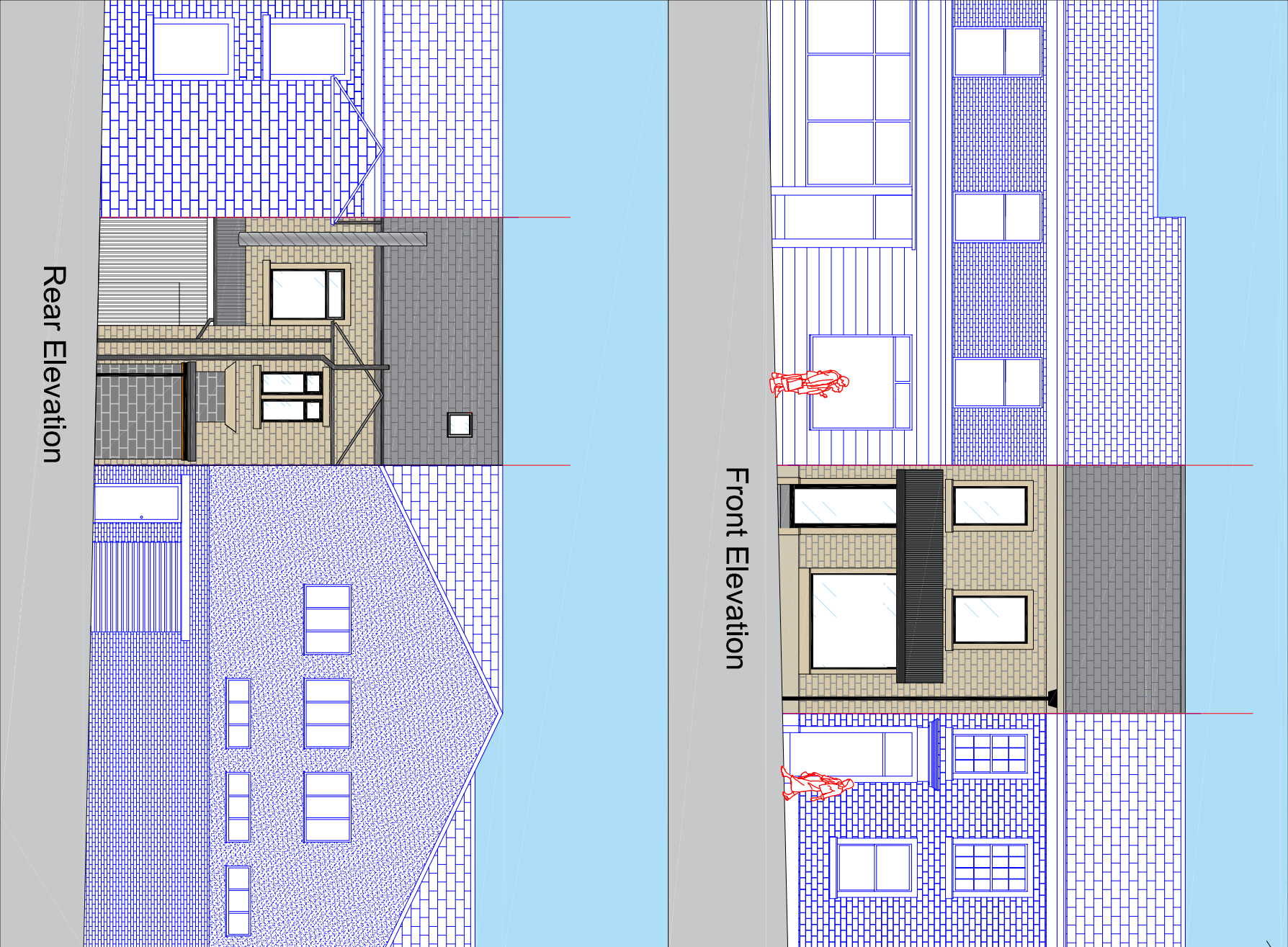
For the avoidance of doubt and in the interests of proper planning.

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

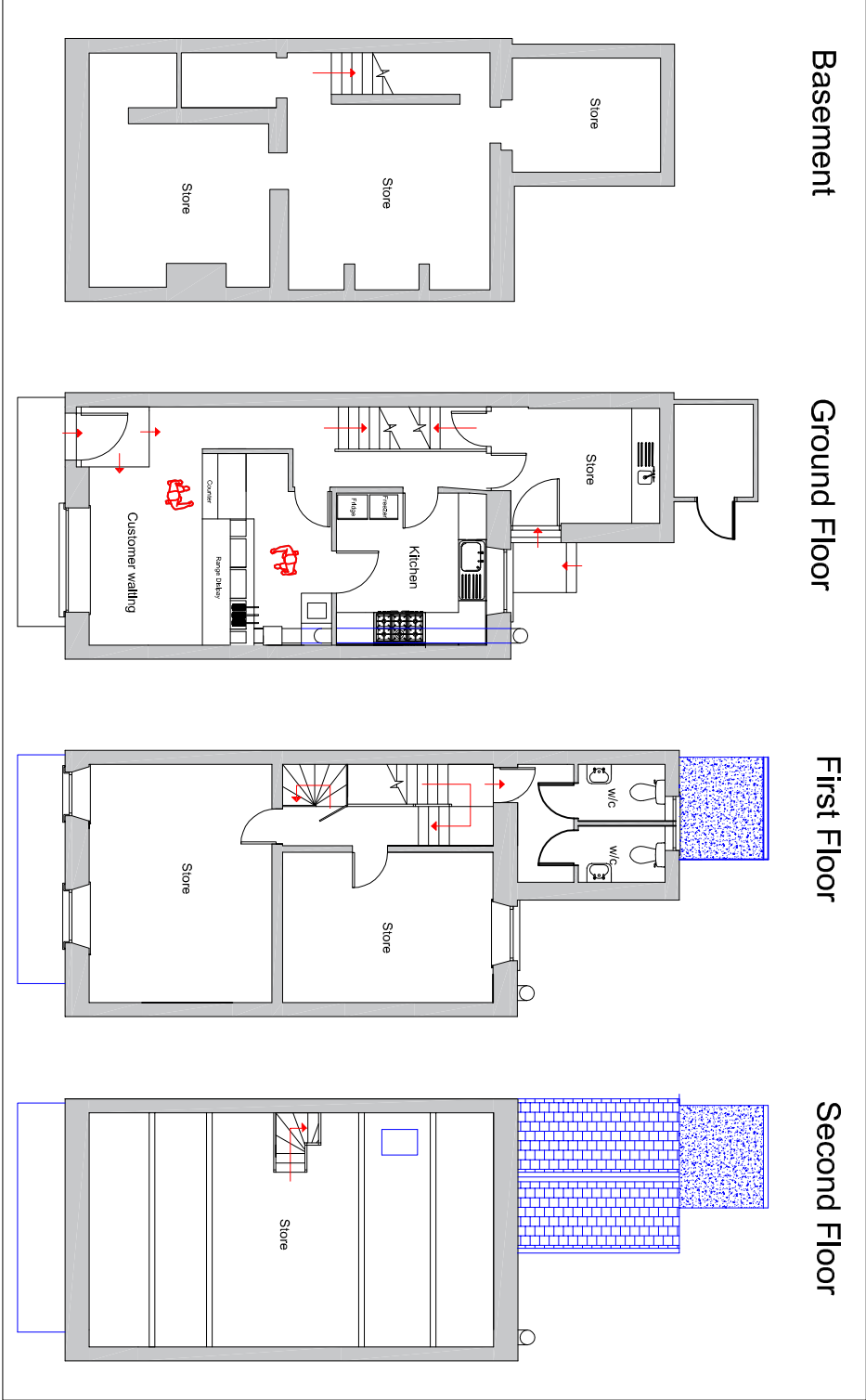
A noise assessment shall be carried out and a report submitted to, and approved in writing by, the Local Planning Authority prior to the construction phase of the development. The report shall include all the information specified in Clause 12 of BS4142:2014 and details of any mitigation proposed to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

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area.



Elevations 1:125



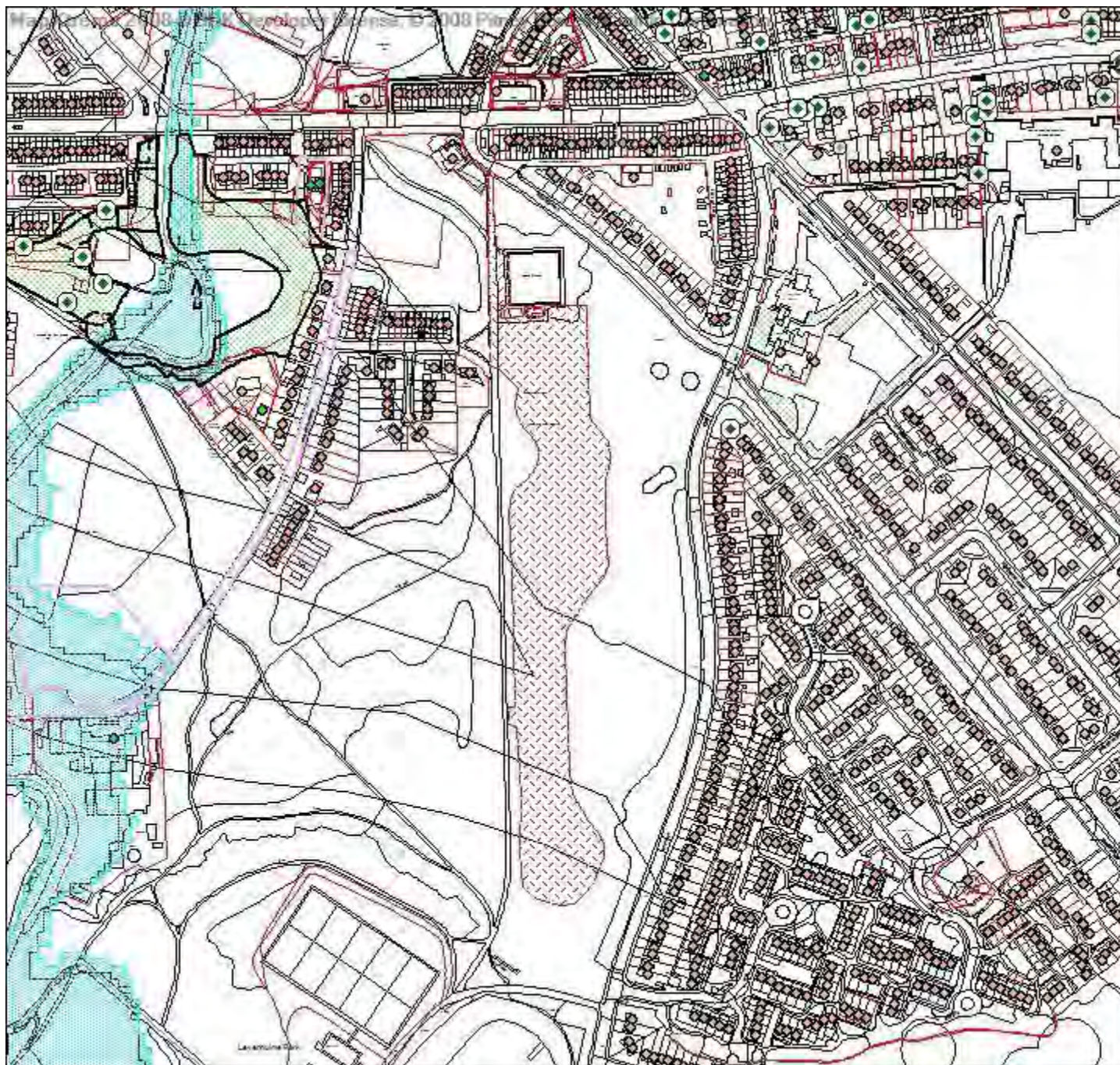
Plans 1:150



Location Plan 1:1,250

- ODOUR CONTROL**
- Grease filters above the frying pans.
 - Plenum box behind the grease filters.
 - Grease inspection sump.
 - Activated carbon filter if additional odour abatement is required.
 - Purified Air ESP1500 Electrostatic Precipitator.
 - Purified Air ON100 Odour Neutraliser.
- NOISE CONTROL**
- Flexible ducting connecting collars.
 - Insulated extraction fan.
 - Anti vibration mounts.
 - Tecsound circular attenuator (silencer).

Application number 97259/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 20/10/2016

Application Reference: 97259/16

Type of Application: Full Planning Application
Registration Date: 18/08/2016
Decision Due By: 12/10/2016
Responsible Officer: Alex Allen

Location: LEVERHULME PARK, LONG LANE, BOLTON, BL2 6EB

Proposal: LAYING OUT OF CYCLE TRACK TOGETHER WITH DEMOLITION AND REPLACEMENT OF PAVILION, ERECTION OF 1.2M HIGH FENCING WITH LIGHTING COLUMNS AND PARKING FOR 40 VEHICLES.

Ward: Breightmet

Applicant: Bolton M B Council
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the development of a cycle track together with the provision of a 40 space car park accessed from Blenheim Road, demolition of a pavilion and its replacement with a new, slightly longer pavilion. The proposed track would be sited on an open field located in the northern eastern corner of Leverhulme Park. The track itself would be fenced off by 1.2 metre high fencing together with lighting columns which would be located around the edge of the track structure. In terms of the physical structure of the track the existing levels of the land would be used with the addition of a surface treatment of c. 80mm / 8 cm. The track itself would be 6 metres in width.

The proposed pavilion would be sited on an area of land currently occupied by a disused pavilion. The new pavilion would provide a new facility measuring 17.22 metres in length, 7.32 metres in width and 3.61 metres in height. The pavilion would be green pre fabricated structure with a steel pantile roof.

A number of lighting columns would be provided within the new car park and adjacent to the perimeter of the proposed track.

The track proposal would incorporate land previously used for grassed football pitch which were last used within the 2010/11 season.

Site Characteristics

The application relates to a grass field located to the west of Long Lane in Breightmet. The proposed new car parking area would be mainly in an area currently used as a kick about area for

users of the park. An existing park footpath/track runs along the western border of the site which links from Blenheim Road and runs in a north/south direction providing formal access to Leverhulme Park and its wider facilities.

To the east of the proposed track lies a grassed area which continues to the eastern boundary of the Park where it meets Long Lane. The retained grassed area is located on a slightly higher level than the application site. A large number of mature deciduous trees are sited along the Long Lane boundary to the east and provide an important soft edge / setting of Leverhulme Park.

To the west of the application site the land gently falls. Residential properties on Maryland Avenue and Lever Hall Road are some 60 metres away to the west. The closest residential property being The Bungalow some 10 metres away from the proposed car park and being some c. 25 metres away from the closest part of the track. The closest properties to the north on Blenheim Road are some 70 metres away from the proposed car park and 90 metres away from the closest part of the track.

Properties on Long Lane together with those on Blenheim Road have filtered views of the application site due to existing trees and other vegetation. Properties on Long Lane range in distance away from the application site by between 50 and 80 metres, the closest relationship from residential properties being in the south east corner of the track.

Policy

National Planning Policy Framework

Planning Policy Statement - A Sporting Future for the Playing Fields of England.

Core Strategy - Strategic Objectives - SO1 Healthy Bolton, SO6 Prosperous Bolton, SO9 Safe Bolton, SO11, SO12 and SO13 Cleaner Greener Bolton.

Core Strategy policies:- P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG3 The Built Environment, CG4 Compatible Uses, SC2 Cultural and Community Provision, RA3 Brightmet, Appendix 3: Parking Standards.

Supplementary Planning Documents: General Design Principles, Accessibility, Transport and Safety. Landscape Character Appraisal of Bolton (October 2011).

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of the development/loss of playing field;

- * impact on the character and appearance of the area;
- * impact on adjoining uses;
- * impact on biodiversity / ecology;
- * impact on surface water run-off / drainage;
- * impact on highway safety and access issues;
- * impact on anti-social behaviour;
- * other issues raised.

Principal of development/loss of playing field

Guidance contained within NPPF (paragraph 74) clearly states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweighs the loss.

Sport England are a statutory consultee on all planning applications for development affecting playing field land. Sport England will object to proposals which result in the loss of playing field land unless it meets one of five specific exceptions.

In terms of the current proposal for a cycle track Exception 5 would be the most appropriate to assess the proposals against. This exception states as follows:

'The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.'

Core Strategy Strategic Objective 1 aims to maximise access to health facilities, sporting and recreation facilities, especially for those living in the most deprived area and to increase opportunities for walking and cycling. Whilst Strategic Objective 11 seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings.

Core Strategy policy CG1.3 seeks to safeguard and enhance parks, gardens, civic spaces and playing fields and improve the quality and multi-functional benefits of these assets.

At the time of this planning application Bolton Council has identified a requirement for a closed road cycling circuit through the Whole Sports Plan. British Cycling are in the process of producing an updated National Facilities Strategy. Whilst the Strategy will not be released until later in 2016, British Cycling have confirmed a need has been identified for a regional standard (1km) Closed Road Cycle Circuit in Bolton.

As a consequence of the strategic need for the Cycle Circuit, British Cycling has solicited a funding application from Bolton Council towards the construction costs of the facility.

In terms of the benefits of the proposal they can be summarised as follows:

Community use - the facility will have community usage and this will be clearly defined in the facility's timetable. There will be open sessions when the local community can access the facility for

recreational use, with some bikes available to borrow. There would also be 'Wheels for All' sessions, currently run at the athletics track at Leverhulme Park, for users with disabilities; adapted bikes would be available. Moreover, the clubs who would also hire out the track, including Bolton Hot Wheels, for children, and Bolton Tri-Club, are community based clubs welcoming local people to become involved. Their current venue, Leverhulme Park is not big enough to accommodate the number of local people who wish to attend sessions, so waiting lists are in place.

This facility has been identified as a need through the Bolton Whole Sports Plan and will be monitored through the Cycling Development Group. In addition, the development plan for the proposed track has been put together in partnership with British Cycling and we also part fund a development officer with British Cycling who will deliver activities and outcomes set out in the Whole Sports Plan & the facility's Development Plan.

In particular the Development Plan for the facility clearly demonstrates that the aim is to engage with the local community in cycling and to increase cycling as a leisure activity. A condition of the funding from British Cycling and any planning consent would be that the facility has a Community Use Agreement which details the community use of the track.

Technical suitability – the track would be built to standards as set out by British Cycling. This is a condition of the Council receiving funding from them.

Sports development – the applicant/Council is committed to supporting and developing grass roots sport in the borough. The facility would assist in nurturing future talent in Bolton whilst providing a safe environment for all ages to learn and gain confidence in cycling. It is also important to develop a facility for the local community.

The track proposal has been put together with British Cycling and it is the Council's intention to part fund a development officer with British Cycling who will deliver activities and outcomes set out in the Whole Sports Plan (please append a copy and perhaps reference the key sections/paragraphs).

Local level of pitch provision – does the local area have a shortfall of playing pitches that would be exacerbated by the current proposal? - No there is not a shortfall of playing pitches locally. Locally there is spare capacity at the New House Farm playing field(s). There is also space within other areas of the park and on the new House Farm playing fields which could accommodate non-football activity / rounders.

Accessibility of the new facility - Yes it is easily accessible to a large number of local schools and the wider population of Bolton and Greater Manchester. There is 1 primary school adjacent to the track location, and 9 schools within 1 mile (7 primaries and 2 secondary schools); a further 106 schools and 16-18 colleges are located within a 3 mile radius, and within 5 miles there are a total of 190 schools and 16-18 colleges. Therefore there is a very considerable school population within close catchment.

The town of Bolton has a population of 150, 000 and a borough population of 275,000. Residents of the town would be within a c15 minute drive of the facility, and borough residents would be within a c.20 minute drive time.

Bolton is one of the 10 Greater Manchester AGMA local authorities, being located on the north side of Manchester. Leverhulme is a 10 minute drive from the M60 motorway, linking it quickly to the 2.7million population of Greater Manchester.

The nearby A666 and M61 motorway also link the site to the nearby Lancashire towns of Chorley,

Blackburn and the city of Preston within a 30 minute drive time. Regular bus services serve nearby Long Lane and the adjacent Blenheim Road.

In summary it is considered that the proposal would meet the strategic need to provide a cycling track in Bolton identified within the Bolton Whole Sports Plan. The proposal would enable local communities to use the facility including existing clubs and projects run to develop cycling. The facility would be widely accessible to a large population.

Whilst the proposed track would remove part of land which is informally used for play including football and rounders, it is considered there is sufficient space and capacity within the other parts of Leverhulme Park or the playing fields at New House Farm not to prejudice wider sporting activity and general leisure activity in the local area or within Bolton as a whole.

It is considered that the proposal complies with guidance contained within NPPF paragraph 74 and also meets the requirements of Exception 5 of Sport England's Planning Policy Statement - A Sporting Future for the Playing Fields of England. It is noted that Sport England have been provided with additional information to confirm that the proposal would meet with Exception 5 of the Sport England PPS.

Members will be updated at the Planning Committee meeting with Sport England's revised comments.

Impact on the character and appearance of the area

Guidance contained within the NPPF (paragraph 17) states planning should take account of the different roles and characters of different areas, contribute to conserving and enhancing the natural environment and reducing pollution.

Core Strategy policy CG3 seeks to ensure that new development proposals conserve and enhance local distinctiveness, ensuring development has regard to the overall character and landscape quality of the area. In addition, this policy also seeks to conserve and enhance the heritage significance of heritage assets recognising the importance of sites, areas which are of historic and cultural significance.

In addition, Core Strategy policy RA3, which covers the Brightmet ward, specifically RA3.9 states that the Council should ensure that development respects the large amounts of open space and recreational open space in Brightmet.

It is noted that the Park is widely used by a large number of people on a daily basis for a variety of uses and the application has resulted in a significant level of opposition as noted in the representation section of this report. It is clear both in terms of planning policy, the character of the area and local people's perceptions of Leverhulme Park that it is an integral part of the local area.

Part of the application site is used for informal sports activity including football and also rounders teams play on the grass. However, the main use of the site is as part of the larger Leverhulme Park which the site forms part of. In terms of the Core Strategy Allocations Plan the wider site of Leverhulme Park is designated as being within an urban valley area. Within the 2001 Landscape Character Appraisal Bolton urban valleys are characterised by amongst other things (i) small/medium scale valley floors, (ii) small wooded cloughs along the river valley floors, secluded character though adjacent to the urban areas, (iii) provide for formal and informal recreation provision and (iv) post industrial landscape features, which provide valuable nature conservation sites.

Within this designation an area of particular interest is Leverhulme Park, which was given to the

Borough in 1920 by Lord Leverhulme. It is described as the:

'...most significant single landscape feature of the Bradshaw valley. Most of the park has been levelled and artificially contoured, thus removing the original ground surface. It is somewhat sterile and featureless in historic terms. Much of its appeal however, lies in the impression of an older valley landscape which is conveyed by the vegetation characteristics and the landforms...Parts of the Park have considerable nature conservation interest and are designated as a site of biological interest.'

In terms of the future of the urban valley the Character Appraisal foresees the opportunities to shape the future of the area by:

(i) strengthening wildlife corridors given their accessibility to large numbers of the public, (ii) promote accessibility to the area park whilst (iii) ensuring any built development or changes in land use respect the overall character in particular, by complementing traditional design in terms of scale, grouping, massing, materials and landscape treatment.

The application site forms the part of the urban valley which is closest to the existing urban area of Brightmet. The site is characterised by mown grass which other than occasional recreation use is mainly used as part of Leverhulme Park providing space for informal recreational usage. The site also performs a visual function maintaining the open character of the parkland setting. However, in terms of the quality of the land it remains featureless.

In terms of the physical structure of the proposed track, this will largely follow the contours of the existing field/grassed area. The sections submitted with the application indicate that the existing grass would be stripped from the area where the track would be placed. The track would form a drained surface which would be c. 80 mm or 8 cm in depth. The proposed surface of the 6 metre wide track would be tarmac. A 1.2 metre high green weld mesh fence is proposed around the track with two secure access points.

The visual impact of the proposal is mitigated by a number of factors:

- (a) the proposed retained grass area in between the proposed track facility and Long Lane is at a slightly higher level than the application site - reducing the visual impact of the proposal;
- (b) a large number of trees line Long Lane providing a significant screen, assisting in filtering views into the Park. To the west the application site is screened by substantial scrub vegetation and trees whilst again views from the north, from Bury Road and Blenheim Road are also filtered by existing trees and other vegetation;
- (c) there are other structures within the Park which are more visually obtrusive e.g. Premier Fives development / Bolton Harriers building track with associated fencing;
- (d) the proposed pavilion, whilst slightly larger than the existing pavilion which it would replace, would be in character with the area and is also screened effectively by existing trees;
- (e) car park - this would change the surface of the land together with the siting of cars upon it when in use. In this area it is considered that the edge of the Park is characterised by elements of car parking already e.g. adjacent to the existing running track, Children's Centre and children's play area;

Therefore, in terms of the change in the appearance of the Park, it is considered that the proposal would have a relatively low impact on the overall openness of the area. The main change would be the change from grass to tarmac. The overall impact would also be relatively low given the retention of the grassed area between the proposed track and Long Lane which would assist in providing a soft setting for the track facility.

It is considered that whilst the proposed track itself would stretch over a large part of the Park its impact on the character of the area would be limited due to the above factors and is considered not to be detrimental to the overall character of the application site or the character of Leverhulme Park as a whole.

Impact on 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. In addition, Core Strategy policy S1.1 seeks to ensure that the design of new development will take into account the need to reduce crime and the fear of crime.

The proposal would introduce a new enlarged car parking area which would be closest to existing residential properties at the Bungalow and on the adjacent Maryland Avenue. The proposed track would be further away from existing residential properties than the proposed car park.

A number of residents have raised concern over a number of issues in relation to living conditions including noise and light pollution, the potential use of tannoy systems at the track and the impact of the proposal at night time.

The proposal would be used by cycle clubs, community groups and other groups which would be determined at a later stage through the provision of a community use agreement. The proposed use would be both in the day and into the evening. Whilst there is one property which is relatively close to the facility it is considered that the proposed use of the facility would not in itself generate a large amount of noise and or disturbance.

In terms of lighting provision, to enable use of the facility in the evening, lighting is required. Rather than go for a floodlighting option the decision has been taken to use normal street lights to illuminate the track and the proposed car park. This means that whilst the lighting provides sufficient lighting for the facility it is fairly low key in terms of impact on adjoining uses, benefiting from the generation of low lux levels. It is not envisaged that a tannoy system would be in place.

The Council's Environmental Health officers have commented that they have no objections to the proposal subject to the imposition of conditions relating to:

Verification of soil if any importation is required, lighting condition in accordance with the submitted details and restrictions on the hours of use of the track between the hours of 0900 to 2200 hrs Monday to Friday and between 0900 hrs and 1800 hrs Saturdays, Sundays and Bank Holidays.

In addition, after the submission of a revised Coal Mining Risk Assessment the Coal Authority have withdrawn their objection to the proposed development.

Subject to the above conditions it is considered that the proposal would be compatible with adjoining uses and complement the type of uses which could be reasonably expected within one of the Borough's parks.

Impact on biodiversity / ecology

Core Strategy policy CG1.2 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 and improving the quality and interconnectivity of wildlife corridors and habitats.

The proposal has been assessed by both the Council's Wildlife Liaison Officer and officers from

Greater Manchester Ecology Unit. The Council's Wildlife Liaison Officer has commented as follows:

'The proposed development site lies adjacent to the Leverhulme Park Local Nature Reserve declared in April 2013. It is commented that a short section of watercourse would be culverted in order to facilitate the development. Whilst the culverting of a watercourse can have a negative impact upon the environment due to the complete loss of environmental features associated with that section of watercourse and the continuity of the river corridor is broken. However, in this situation the watercourse is already culverted for a considerable length and the addition is a minor extension to this length.'

Furthermore, officers from the Greater Manchester Ecology Unit have commented that the proposals will not impact on the Local Nature Reserve or Site of Biological Interest, provided no surface water is allowed to drain directly into these areas. Reference has been made to the requirement (by condition) to ensure no trees are removed during the bird breeding season unless a competent ecologist has inspected the vegetation for active birds nests. In addition, the Ecology Unit have requested that the lighting be designed to minimise disturbance to foraging and commuting bats.

It is also considered appropriate to condition the provision of a surface water drainage scheme which would meet the requirements of the Greater Manchester Ecology Unit.

A number of local residents have stated a number of animals including birds, foxes and badgers cross the application site. Whilst this may occur, it is considered that the proposal would ensure adequate open space is retained around the proposed track so as not to significantly prevent the free movement of animals in and around Leverhulme Park.

Therefore, it is considered that the proposed development would not be detrimental to the ecology and biodiversity of the area and the proposal subject to conditions regarding drainage, lighting and tree/vegetation removal would ensure the biodiversity of the land is safeguarded.

Impact on surface water run-off / drainage

Core Strategy policy CG1.5 seeks to ensure that the Council and its partners will reduce the risk of flooding in Bolton and other areas downstream by minimising run-off from new development.

The applicants submission provides a Flood Risk Assessment which summarises that the application site is located within a low risk flood zone/area (Flood Zone 1). The report concludes that given the modest increase in impermeable surfaces being laid down on site attenuation would be required.

The Council's Flood Risk / drainage team would have commented that they have no objections to the proposal subject to the approval of a drainage scheme prior to commencement of development. This scheme would need to provide attenuation to ensure the development results in no additional surface water run-off from the site, including the car parking area.

Whilst a number of residents have raised concern over the pooling of water within the site it is considered that the development would improve drainage within the development site providing on site attenuation to slow surface water run-off.

Subject to the standard drainage condition, the provision of an appropriate scheme and its implementation it is considered that the proposal would comply with Core Strategy policy CG1.

Impact on highway safety and access issues

Core Strategy policies S1 and P5 seek to ensure that new development proposals provide adequate off road parking for the use, providing for accessibility by different types of transport, prioritising

pedestrians, cyclists and public transport users over other motorised vehicle users.

A large proportion of the residents who object to the proposal raise concerns over the proposed level of car parking i.e. not sufficient, the unsuitability of the use of the existing track/access of Blenheim Road to the north of the track/car park and that the proposed track would block existing access points into the wider Park.

The proposal has been designed based on the proposed usage of the facility and in discussions with potential users of the facility. It is noted that the proposed new car park would be sited adjacent to an existing bowling green and some users park currently park adjacent to bowling green. The facility would be located within Leverhulme Park which has the benefit of an existing large car park which is located adjacent to the existing Children's Centre. Given the use of the facility as a cycle track the site is well situated with regard to the existing cycle network.

In terms of the proposed access point to the car park from Blenheim Road and the likely level of vehicle flows as a result of the development the Council's Highway Engineers have raised no objections to the proposal. In addition, they have confirmed that vehicles could safely access the proposed car park using the existing track without detriment to either highway or pedestrian safety.

In addition, the site is located in a sustainable location in close proximity to the local cycle network and well related to potential users of the facility. Users of the facility would also be able to choose where they parked, depending on the availability of car parking adjacent to the existing Children's Centre / running track.

A number of residents have raised concerns over the physical obstruction the building of a c. 330 metre long track would cause to existing users of the Park. Due to the scale of the facility it is considered that free access across the existing field would be constrained. However, there are a large number of access points into the Park. The track if built, would result in minor changes to how people access the Park requiring slight diversions of access routes taken. No formal public rights of way would be affected by the proposed development.

It is considered that the proposed new car park provides sufficient parking for the facility, with the access point and track from Blenheim Road being sufficient to serve the proposed car park. The proposal would comply with Core Strategy policies S1 and P5.

Impact on crime and disorder

Core Strategy policy S1 seeks to ensure that new development proposals ensure that the design of new development will take into account of the need to reduce crime and the fear of crime. Core Strategy CG4 seeks to ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.

A number of residents have raised concern that existing problems within the park of unauthorised motocross riders and other vehicles using the site will be made worse by the proposed development e.g. they may use the track as a racing circuit. In addition, concern is expressed that users of the track may feel intimidated and that the use of existing tracks and parts of Leverhulme Park would create an unsafe environment for official / regular users of the track facility.

It is considered that the proposal would increase usage of this area of the Park providing additional natural surveillance over the retained area of grass and the adjoining Park tracks. It would also provide an activity which would deter potential motocross riders from using the facility. In addition, the applicant has confirmed that the facility would be initially patrolled by a security guard out of hours together with patrols from the Council's Security Services. A CCTV system would also be

fitted for the benefit of user safety. Liaison with Community Security Services will also be requested.

It is considered that the facility is located within a open part of Leverhulme Park which benefits from good natural surveillance from surrounding residential properties. The increased usage that the site would benefit would assist in discouraging anti social behaviour in the area adjacent to the facility as would the security measures which would be put in place to minimise disturbance and anti social behaviour.

It is considered that the proposal would comply with Core Strategy policies S1 and CG4.

Other issues raised

A number of other issues have been raised including the following:

- Loss of views/reduction in property values - these issues are not material planning considerations;
- Covenant on Leverhulme Park which seeks to ensure parkland remains available for the use / enjoyment of the people of Bolton. Concerns expressed that the land will not be available to the people of Bolton and the physical barriers created (track and fencing) will affect the accessibility to this part of Leverhulme Park - the covenant is a separate issue which would need to be addressed outside the planning process. As with any consent, if members were minded to grant permission for the proposal this would not override rights conveyed within a covenant.

Conclusion

The proposal would result in the loss of part of an existing playing field/open field which forms part of the wider Leverhulme Park. The application site is a valued part of the wider Park both for use as informal recreational open space together with use for more formal play use for a rounders league. Whilst the proposed track would occupy a considerable length of this part of Leverhulme Park the height / design of the facility would ensure that the proposal has a relatively low impact on the character of the Park. It is considered that the benefits which would accrue by the proposed facility would outweigh the loss of part of a playing field/grassed area.

It is considered that the parking and access arrangements would be sufficient in terms of numbers of parking, width of the access track are sufficient to accommodate likely vehicular movement in and around the site. Whilst the physical structure of the facility would prevent pedestrian access through the track it is considered that there are numerous alternative access points which local residents and users of the Park could use without major deviation from existing routes.

Notwithstanding the relatively large level of objection to the proposal it is considered that the proposal complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- 122 (no) objection letters have been received raising the following concerns/issues:

- The proposal would be a blot on the landscape / detrimental to the character and appearance of the area;
- Scale is too large;
- Result in the loss of use of a large part of the park for a single use;
- Height of fence at 1.2 metres would still enable people to lift bikes over;
- Increased anti social behaviour as a result of the proposed track - misuse of the track by motorbikers etc;
- Number of proposed car parking spaces is excessive;
- Insufficient car parking;
- Use of the track would result in both noise and light pollution especially at night;
- Blenheim Road access is unsuitable for access by both bikes and cars - proximity to junction / congestion and unsuitability of the track leading down to the bowling green;
- Will block view;
- It will become harder to access the park;
- Cycle tracks already exist within the park - no requirement for anything further;
- Cyclists/clubs use the running track at present - there is no requirements for a further track;
- The site suffers from poor drainage / surface water run-off;
- Impact on wildlife corridor / Local Nature Reserve - deer, foxes, birds, frogs and newts use the land;
- Swallows migrate over the land;
- Badgers cross the site at night;
- Leverhulme Park is a beauty spot;
- No demand for the project - ***Bolton Council have identified a need for the facility as a result of discussions with local cycle user groups together with discussions with British Cycling to solicit a funding bid to assist with construction costs of the facility;***
- Maintenance / management of the facility is an issue - previous problems of damage caused to play equipment in the Park and also a general lack of maintenance - ***the future sustainability of the project is integral to the success of the bid with British Cycling;***
- If vandalised / poorly maintained the track would be left to deteriorate further;
- Impact on house prices - ***not a material planning consideration;***
- Reduction in the use of the land for other uses e.g. dog walkers, picnics, running, informal kick-a-bouts - a small benefit for an elite;
- Location not suitable;
- Tarmac green field - there are other brownfield sites e.g. former Bolton College site which would be more suitable;
- Assumptions made that the track would not be publicly accessible - i.e. a charge would be made to use it - ***A Community Use Agreement would be in place to ensure local communities benefit from the facility. There will be opportunities for use of the facility without a charge for members of the public;***
- Lack of public consultation and knowledge about the proposed track;
- Local Councillor conflict of interest - ***not a material planning consideration;***
- Loss of football pitches which are used;
- Limited space left in the park;
- Impact of exhaust emissions on the adjacent Nature Reserve - ***increased usage of the track is not considered to result in a significant impact on air quality;***
- Location of proposed car park is prone to flooding/water pooling;
- Track off Blenheim Road is poorly maintained and not wide enough for 2 way travel;

- The proposal would not prevent travellers from entering the park - ***referenced by the applicant - not a material planning consideration;***
- Leverhulme Park was gifted to the people of Bolton by Lord Leverhulme - the proposed use runs contrary to this gift - ***not a material planning consideration;***
- Potential conflict with bowling club - ***the proposal would provide sufficient enhanced car parking for both the Bowling Club and users of the facility;***
- No information provided on costs / impact;
- Increased crime rate;
- Cyclists don't need to go round and round a track;
- Questioned whether an Environmental Impact Assessment had been undertaken - ***the proposal does not constitute development which would require an EIA to be submitted with the application.***

63 (no.) support letters have been submitted raising the following issues/comments:

- A much needed facility;
- Provides people including young people with a safe place to learn to ride / develop riding skills;
- Provide a tourism and economic boost;
- Proposal will promote inclusion enabling more people to ride a bike and improve skills;
- Promote healthy lifestyles, reduction in obesity;
- Will provide a base to store equipment;
- Currently no facility in Bolton for retaining riders over the age of 12;
- There are a number of users of the adjacent running track including Bolton Hot Wheels and Bolton Triathlon club who are constrained by the use of the existing running track;
- Creation of a centre of excellence for cycling including a training and racing facility;
- Site is well served from the existing cycle network;
- Some clubs use Bolton Arena which is not ideal - in terms of limitations placed on times of use;
- More sustainable to have a facility in Bolton, as local people travel outside the borough e.g. Tameside to train at other facilities;
- Proposal would enable the track to be used for different age groups / different types of training at the same time;
- Used for variety of users.

Petitions:- there are currently 3 on line petitions with regard to the current proposal and are summarised as follows:

Petition 1 - Objecting to the proposed track as: 'intrusive, resulting in a loss of much loved open space used by all including dog walkers, cyclists, rounders teams and footballers. The track would become a disused eyesore within 6 months with anti social behaviour, broken glass and graffiti. The park has enough buildings and car parks. A brownfield/derelict site should be used for the track.

This petition had 640 supporters with up to an additional 236 comments. The comments raised were identical to the key objections outlined above.

Petition 2 - objected to the current proposal due to it taking away greenfield park land, resulting in loss of sports facilities, a lack of infrastructure to support traffic. Previous schemes have been rejected by both Sport England and British Cycling as they were only 800 metres long. Sport England have not approved the current location as it doesn't fit with their sports fields policies. This is a petition to the 3 Brightmet ward councillors and not the planning department.

This petition as at 4th October had a total of 34 supporters.

Petition 3 - seeks to support the proposed track in that it would create a purpose built safe and secure environment for cyclists of all ages and abilities. The track would be used by cyclists, community groups, schools and clubs.

This petition as at 4th October had a total of 599 supporters and has yet to be submitted formally to the Planning office.

Elected Members:- Councillor John Byrne and Councillor Hornby have requested that the final determination of this application be made by the Planning Committee following an advanced site visit by Members.

Consultations

Advice was sought from the following consultees: the Coal Authority, Greater Manchester Ecology Unit, Greenspace Management, Drainage/Flood Risk team, Sports England, Trees and Woodland Officer, Corporate Property Services team, Landscape Development and Design and Environmental Health Officers.

Planning History

No planning history for the site. However, it is noted that ball stop fencing has been approved elsewhere within the park to a height of 6 metres (Ref: 94131/15).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

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

Reason

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

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

of materials to be used for the external walls and roof of the pavillion 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.

4. 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.

5. Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting/floodlighting. The lighting shall be designed to follow guidance produced by the Bat Conservation Trust and the Institute of Ligthing Professional. 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, to ensure protection of bats and their habitat adjacent to the development site to comply with Core Strategy policy CG1 and CG4 of Bolton's Core Strategy.

6. No removal of or works to any trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason

To ensure protection of breeding birds and their habitat within and adjacent to the development site.

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

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

Reason

To ensure the site is safe for use.

8. The approved boundary detail as shown on Drawing No. 2994/005 shall be implemented in full prior to first use of the cycle track and car park, 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.

9. Prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-college users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason:

To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the grass playing field, and to accord with Core Strategic Policy SO1 and Core Strategy policy RA3.

10. The track, pavillion and associated car park shall be open between the following hours only:-

0900 to 2200hrs Mondays – Fridays

0900 hrs to 1800 hrs Saturdays, Sundays and Bank Holidays.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

11. The lighting shall be permanently switched off between the hours of 2200 hrs and 0900 hrs Monday to Friday and between the hours of 1800 hrs and 0900 hrs on Saturdays, Sundays and Bank Holidays.

Reason

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

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

Drawing No. 2994/004 Rev. A - Combined Layout - Track and Car parking dated Sep 2016;

Drawing No. 2994/005 - Leverhulme Park Closed Cycle Track fencing detail dated Aug 2016.

Drawing No. 2994/006 Rev. A - Car park Layout - dated Aug 2016;

Drawing No. 2994/007 Rev. A - Car Park Layout - Pavillion detail dated Sep 2016;

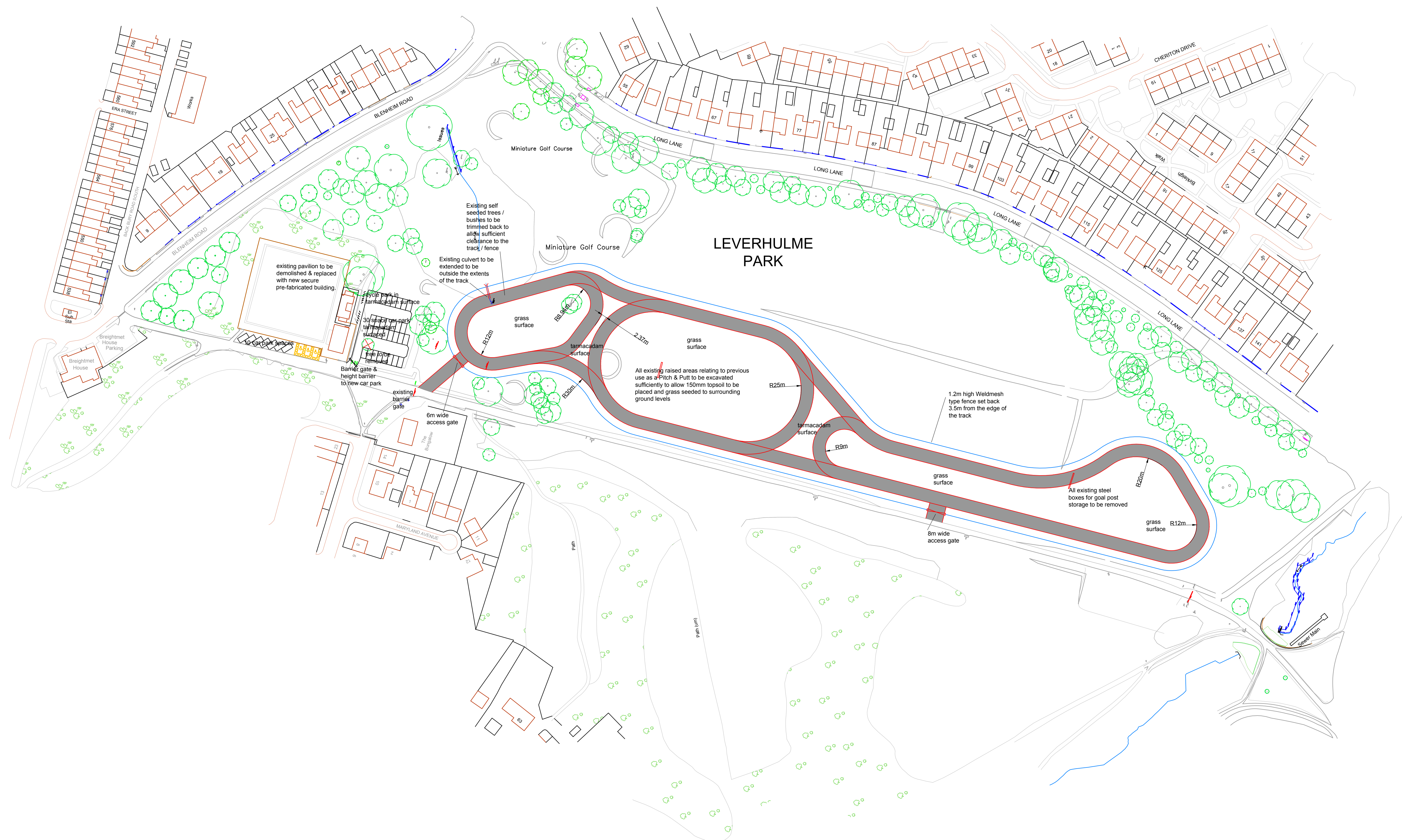
Drawing No. JH 3607 Apex Modular Sports Pavilion dated 20/09/16;

Drawing No. 990612.167/03 - Typical Sections

Typical Lighting Columns to BS 5649 ETC - As highlighted - Plain Top light - 8 metres high, scanned to file 25/08/16.

Reason

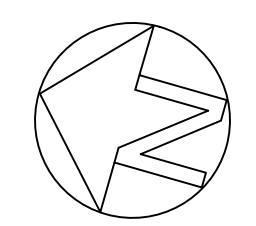
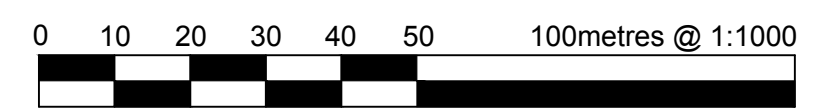
For the avoidance of doubt and in the interests of proper planning.



19-09-2016 Rev A Revisions made to Pavilion size and external layout to frontage.

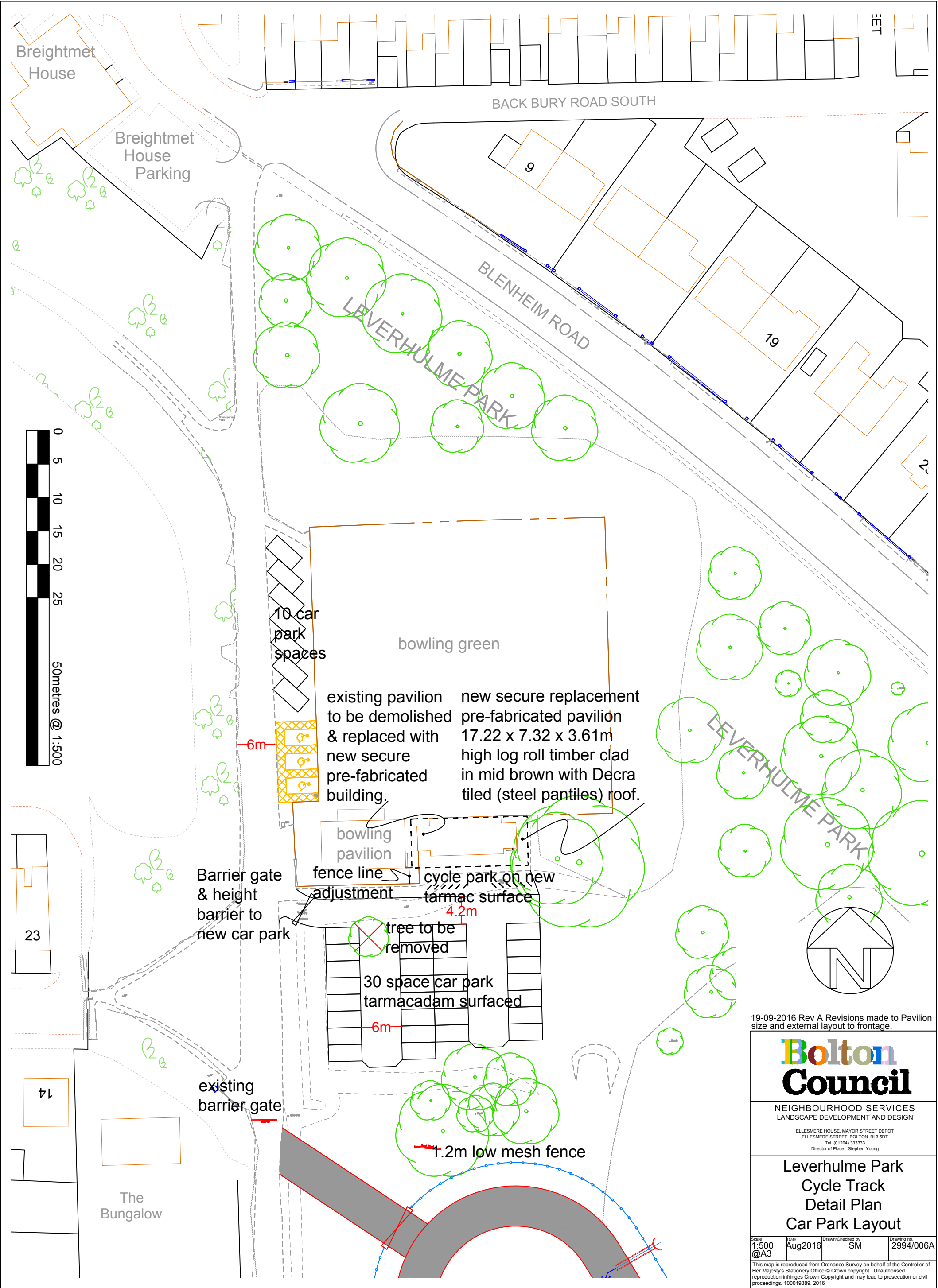
Bolton Council
 NEIGHBOURHOOD SERVICES
 LANDSCAPE DEVELOPMENT AND DESIGN
 ELLESMERE HOUSE, MAYOR STREET DEPOT
 ELLESMERE STREET, BOLTON BL3 9DT
 Tel: (01204) 333333
 Director of Place - Stephen Young

**Leverhulme Park
 Cycle Track
 Detail Plan
 Track Layout**

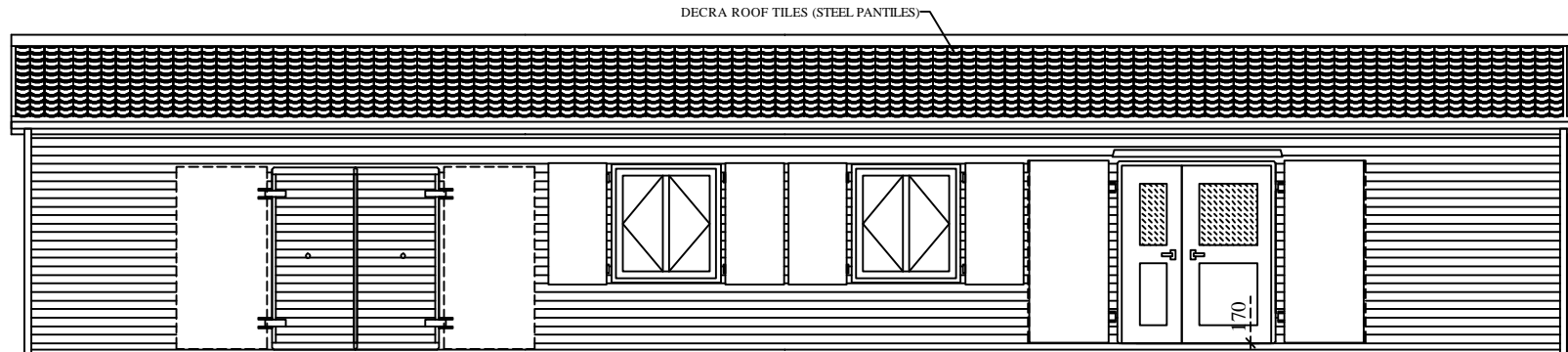
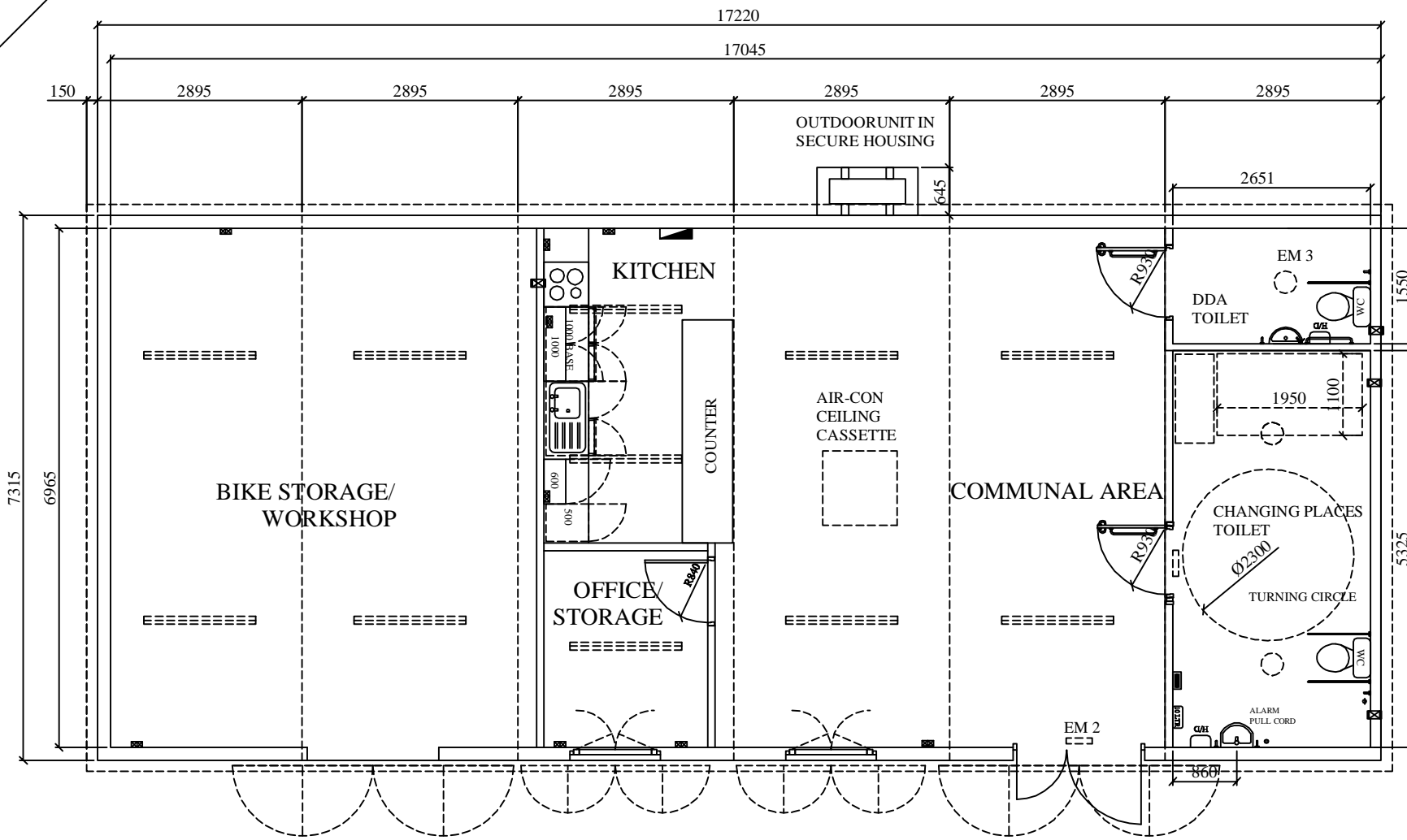


Scale 1:1000 @A1	Date Sep2016	Drawn/Checked by DG/SM	Drawing No. 2994/004A
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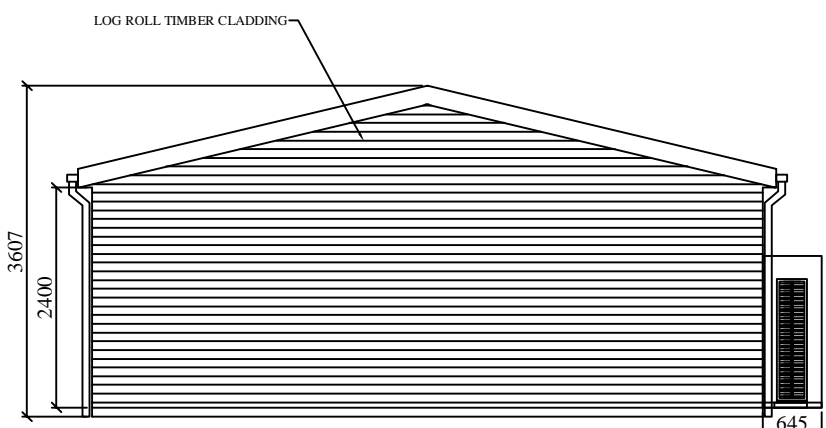
This map is reproduced from Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. 100019389, 2016.



HIGHLY
SECURE
VANDAL RESISTANT



FRONT ELEVATION



END ELEVATION

DO NOT SCALE
REMOVE ALL
BURRS AND
SHARP EDGES

THIRD ANGLE
PROJECTION

CLEVELAND
SITESAFE
LIMITED

RIVERSIDE WORKS
DOCKSIDE ROAD
CLEVELAND
TS3 8AT
01642 244663

CUSTOMER

**Bolton Council
Leverhulme Bike Track**

DESCRIPTION

APEX MODULAR SPORTS
PAVILION

DRG No JH 3607

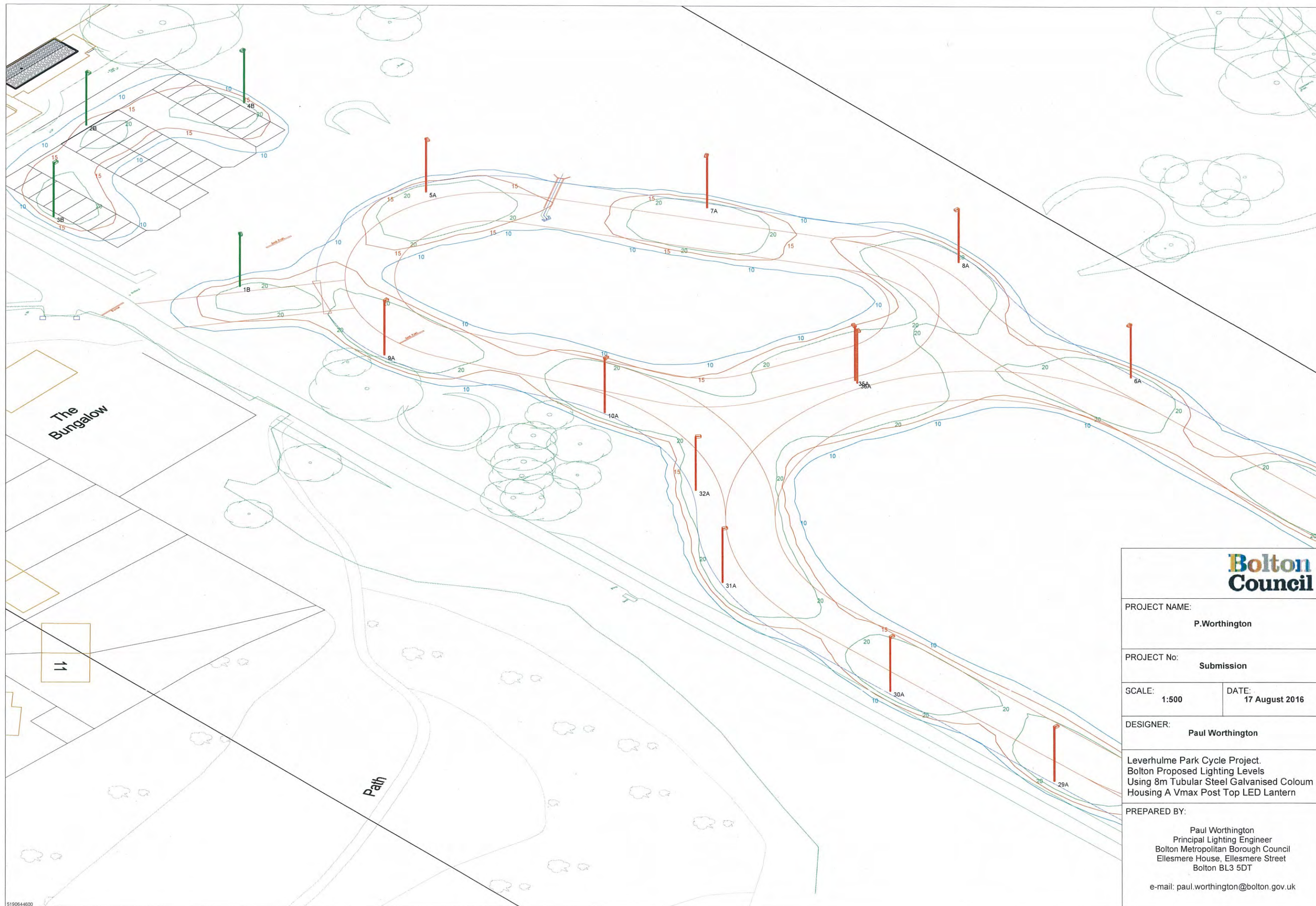
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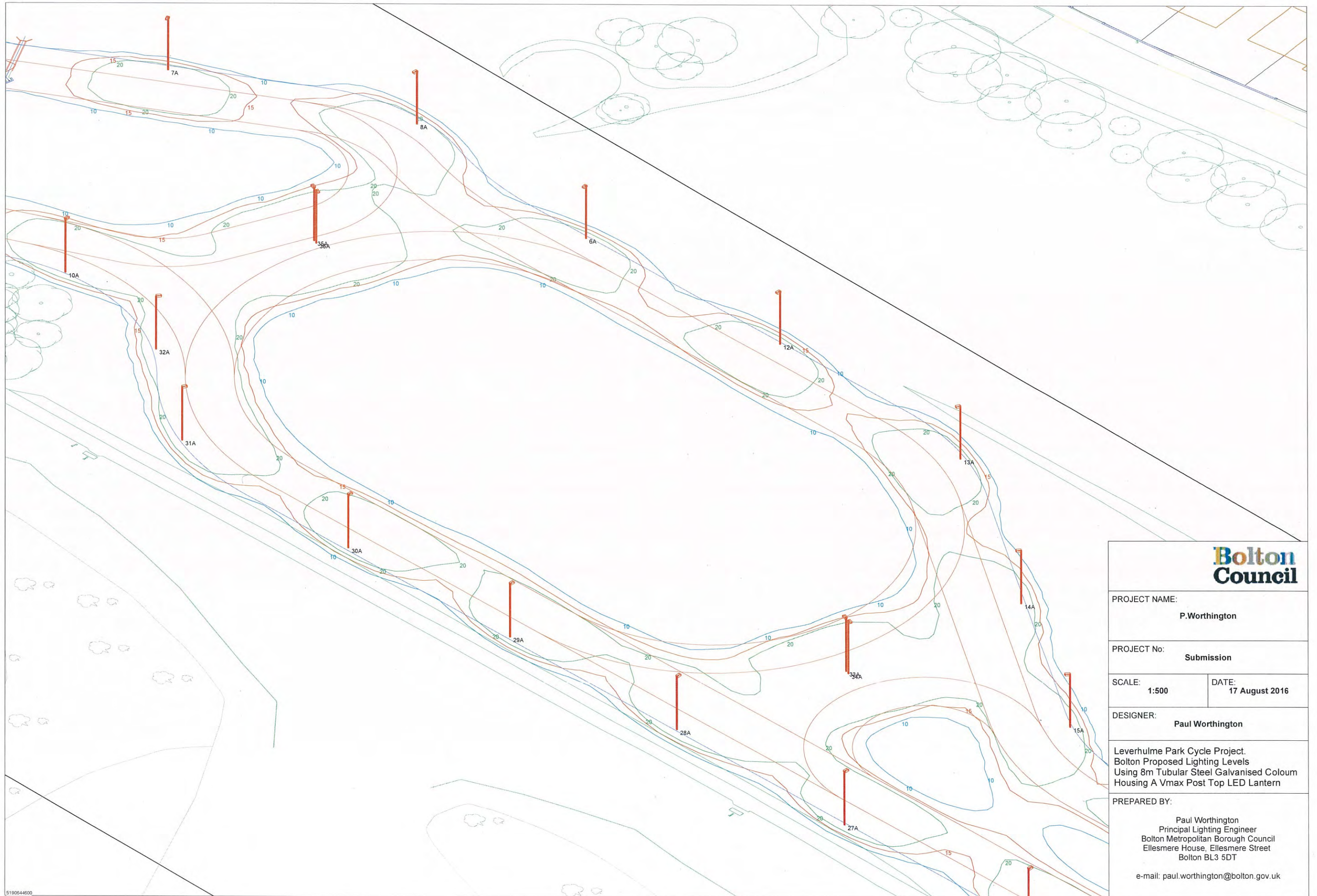
DATE
20/09/2016

REV No	DATE		BY
REV 1			
REV 2			
REV 3			
REV 4			

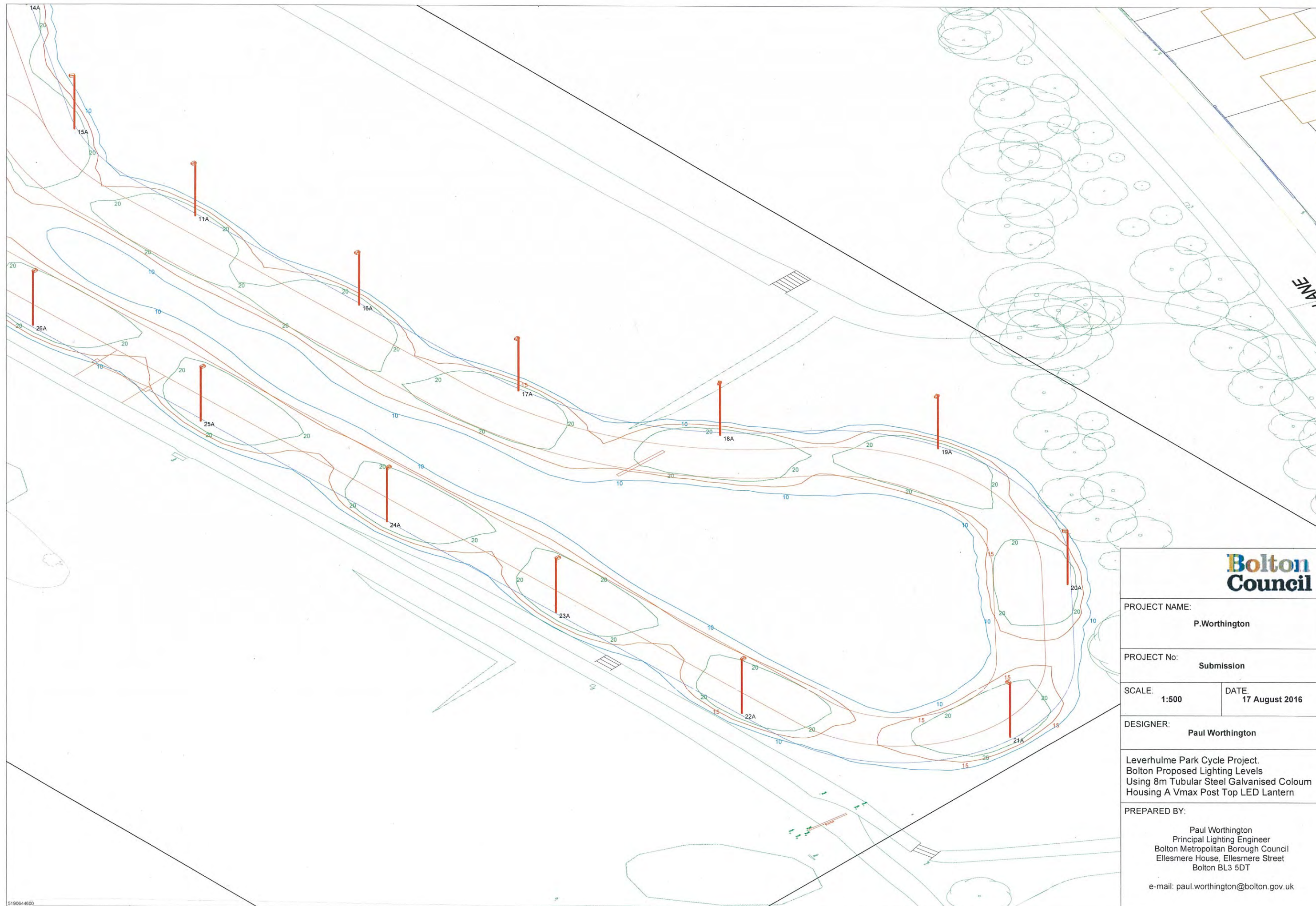
NOTES:



PROJECT NAME:		P.Worthington
PROJECT No:		Submission
SCALE:	1:500	DATE:
		17 August 2016
DESIGNER:		Paul Worthington
Leverhulme Park Cycle Project. Bolton Proposed Lighting Levels Using 8m Tubular Steel Galvanised Coloum Housing A Vmax Post Top LED Lantern		
PREPARED BY:		
Paul Worthington Principal Lighting Engineer Bolton Metropolitan Borough Council Ellesmere House, Ellesmere Street Bolton BL3 5DT		
e-mail: paul.worthington@bolton.gov.uk		



Bolton Council	
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Application number 97281/16



**Development & Regeneration Dept
Development Management Section**

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

Date of Meeting: 20/10/2016

Application Reference: 97281/16

Type of Application: Full Planning Application
Registration Date: 25/08/2016
Decision Due By: 19/10/2016
Responsible Officer: Jeanette Isherwood

Location: 6 FOREST DRIVE, WESTHOUGHTON, BOLTON, BL5 3DH

Proposal: PARTIAL DEMOLITION OF EXISTING AND ERECTION OF 1NO. DETACHED THREE BEDROOM DWELLING.

Ward: Westhoughton North

Applicant: Mr A Coton
Agent : APB Building Surveyors

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes partial demolition of the existing bungalow and the erection of one, three bedroomed detached property (a replacement dwelling). The accommodation is spread over three floors, however the outward appearance is one of a two storey property with the third floor contained within the roof space served by a small pediment window to the rear roof slope. The property will include the provision a large, single storey garage to the side, together with patio areas to the sides and rear, stepping down to private garden space.

Access will be taken from the existing driveway off Forest Drive via sliding timber gates with the further provision of a 2 car parking spaces to the front of the proposed attached garage. The proposed front boundary will be a brick pier wall with timber infill panels at a height of 1.5 metres.

The property will be K-rend walls set above a 550mm sandstone plinth with a slate hipped roof.

Site Characteristics

The existing property is set on a corner plot, immediately facing the entrance to Forest Drive. Forest Drive has a mixture of house types from detached and semi-detached, single and two storey. Many of the properties have front boundary features similar to that proposed as part of this proposal. To the front is 11 Forest Drive which to some extent is of a similar design to the proposal, being a two storey detached property, incorporating a hipped roof feature. To the rear the property has open views, whilst to the side it is heavily landscaped. Adjacent to the bungalow is a two storey detached

property, sited on a slightly higher level. This property has no principal windows to the side elevation.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA3 Westhoughton.

SPD General Design Principles.
SPD Accessibility, Transport and Safety

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring residents
- * impact on the highway
- * impact on biodiversity

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA3 refers specifically to development in Westhoughton and states that the Council will conserve and enhance the character of the existing physical environment and ensure regard is had to the character of farm complexes, folds, vernacular cottages and the wider open landscape.

One objection has been received highlighting the following concerns:-

- The proposal is overbearing
- Bland design
- Will have an adverse impact on the character of the area as a whole
- Will lead to a loss of open views beyond.

The existing property is a small scale bungalow. The application proposes the partial demolition of the bungalow and the erection of a two storey detached property. The design, height and scale of the proposed dwelling would be relatively similar to that of the opposite property at 11, incorporating

the same hipped roof feature. The overall footprint of the building is similar to that of the existing bungalow, albeit slightly larger. The overall appearance of the property with its rendered design is not thought to be bland or detrimental to the street scene as there are other properties on Forest Drive that incorporate a mix of brick and render to their elevations. It is noted that the height difference will somewhat limit views from the street, however a loss of view for neighbouring residents is not a material planning consideration. With regards to the proposal being overbearing, the house will be sited within a large plot, set back from the road and its scale is thought to be conducive of a plot of this size.

The proposal sits well within the plot and is of a good design and therefore is not thought to have a detrimental impact on the character and appearance of the street scene or of the area as a whole.

It is therefore considered that the proposal would comply with Policies CG3 and OA3 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

The property will directly overlook 11 Forest Drive. However the interface distance between the properties (over 30 metres) exceeds the guidance within SPD General Design Principles. The adjacent property at 8 is set further forward than 6. However this property is on a slightly higher level than 6. The single storey garage and morning room runs adjacent to the boundary with 8 but this property has no principal windows in its side elevation and has a single storey outbuilding abutting this boundary. That together with the height difference minimises any additional issues with 8.

On balance, the proposal is considered to be acceptable in terms of impact on surrounding neighbours.

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

Impact on the Highway

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

The proposal provides 3 parking spaces within its curtilage and complies with the guidance contained within Appendix 3 - car parking standards.

Highways Engineers were consulted and have raised no objections to the proposal.

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

Impact on Biodiversity

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

The Council's Tree and Woodlands Officers were consulted on the proposals and had no objection providing a condition was added to the approval for replacement planting and protective fencing to

be erected to ensure no damage to surrounding trees.

Greenspace Officers were consulted on the proposal and noted that the existing property has the potential to support roosting bats. A condition is recommended with regard to a bat survey being completed prior to demolition.

It is therefore considered that the proposal would not result in the unacceptable loss of trees, compliant with Policy CG1.2 of the Core Strategy.

Financial benefits of the proposal

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

For the reasons discussed above the proposal is considered to comply with national and local planning policies and as such is considered to be acceptable.

Members are requested to approve the application.

Representation and Consultation Annex

Representations

Letters:- One letter of objection with the concerns addressed within the main body of this report.

Westhoughton Town Council:- No objections

Consultations

Advice was sought from the following consultees: Highways, Trees and Woodlands, Greenspace, Westhoughton Town Council, Environmental Health.

Planning History

None.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

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

3. 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 trees and to comply with policy CG1.2 of Bolton's Core Strategy.

4. Prior to the commencement of development, including demolition, the applicant shall survey the site for evidence of bats. A report shall be submitted to and approved in writing by the Local Planning Authority containing appropriate mitigation measures. Any approved mitigation measures should be

implemented in full and retained thereafter.

Reason

To safeguard the habitats of protected species and to comply with policy CG1 of Bolton's Core Strategy.

5. Prior to the commencement of the development:-

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

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

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

Reason

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

6. Before the approved/permitted development is first brought into use no less than 2 car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: DWG/06/002 approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

7. The garage(s) hereby approved/permitted shall be made available at all times for the parking of motor vehicles.

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety and in order to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

Site plan - Dwg No. DWG/06/002 - dated 15/06/16
Proposed plans and elevations - Dwg No. DWG/08/001P - dated 11/08/16
Site Levels - DWG No. DWG/06/003 - dated 17/06/16

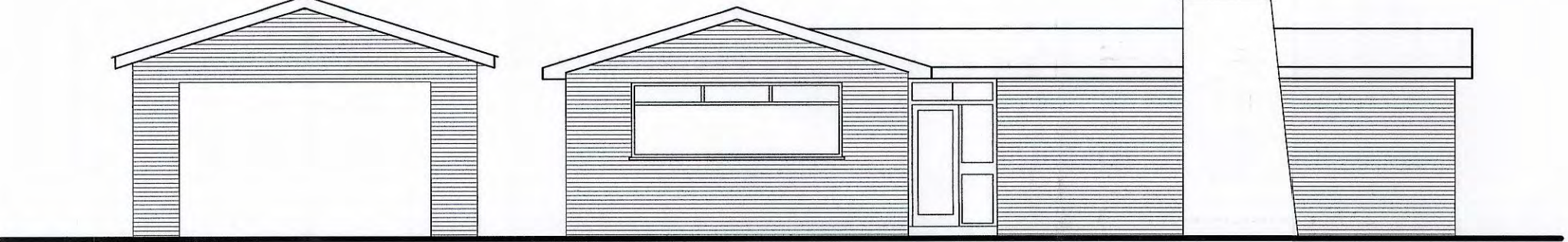
Reason

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

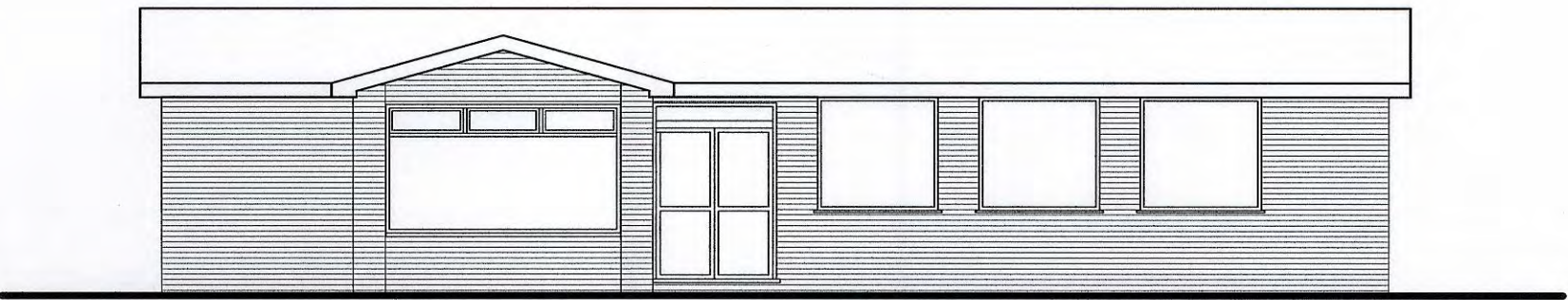
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, dormers or any other alterations to the roof (other than those expressly authorised by this permission)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

Reason

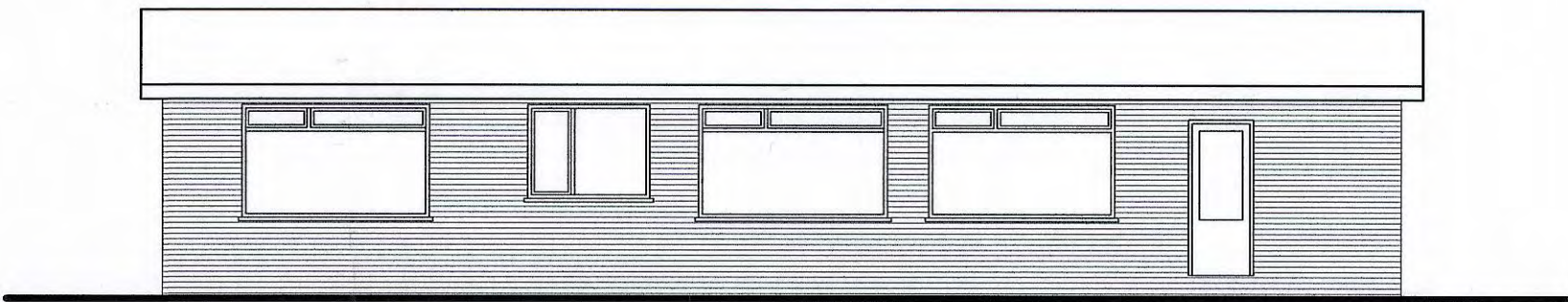
To safeguard the character and appearance of the dwelling and surrounding area and the amenity of neighbouring residents, compliant with policies CG3 and CG4 of Bolton's Core Strategy.



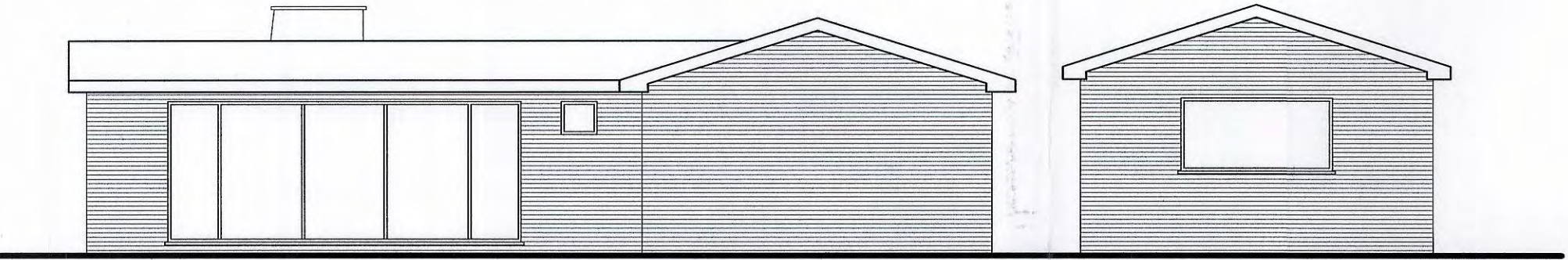
Existing Front Elevation



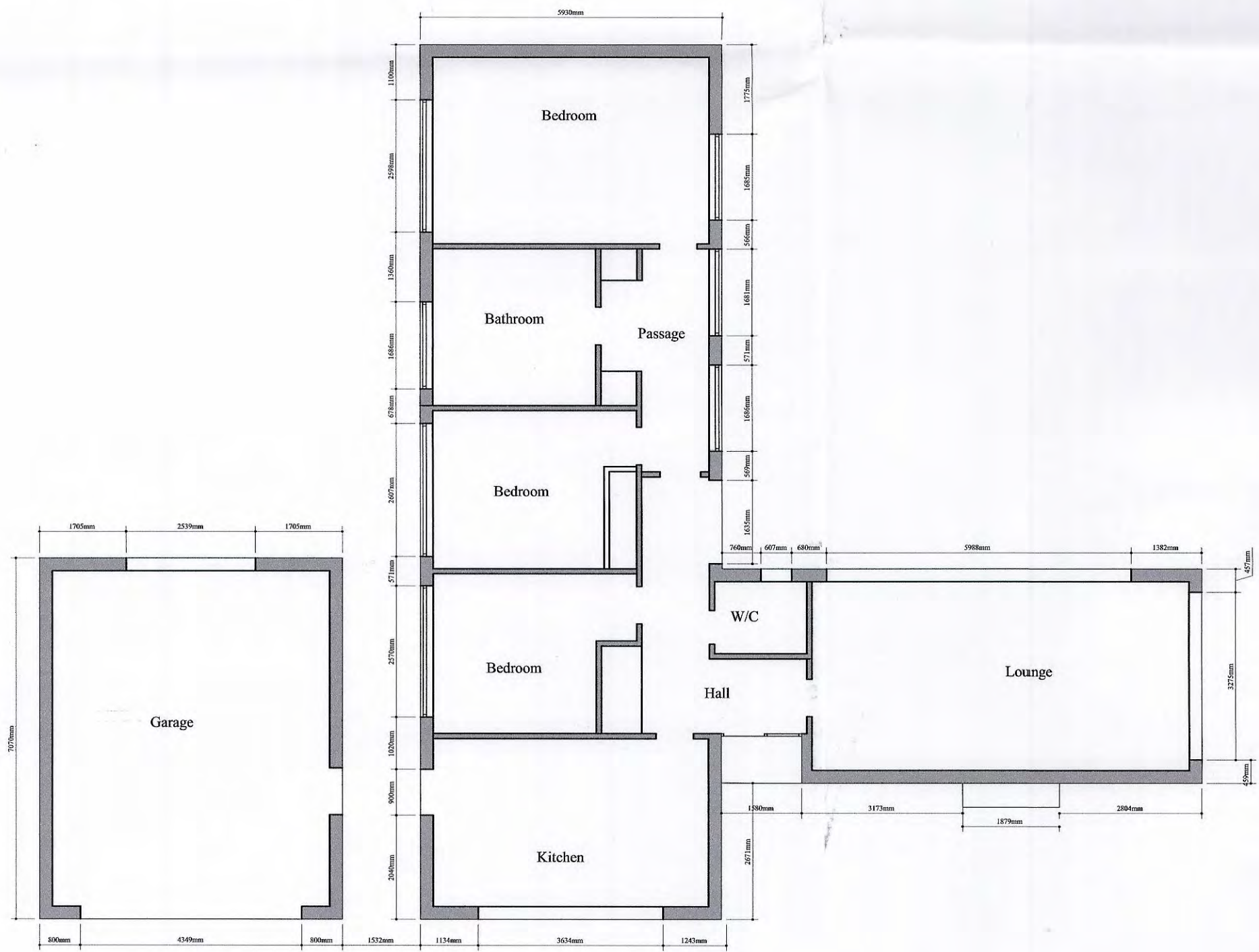
Existing Side Elevation



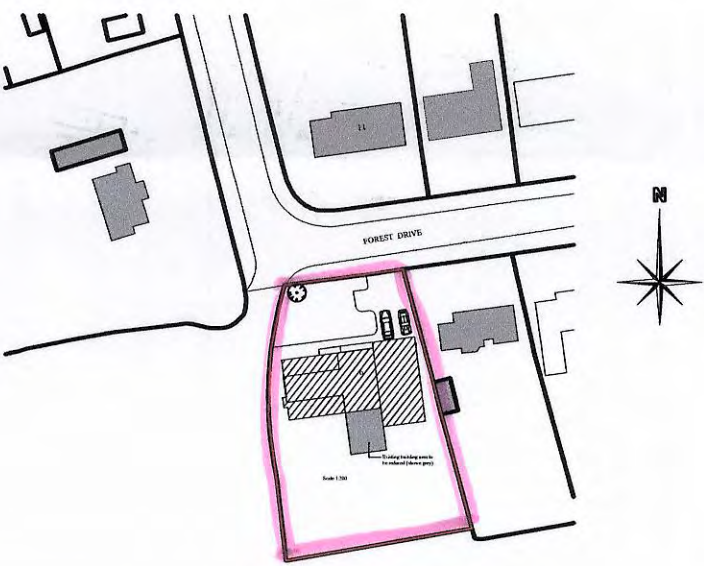
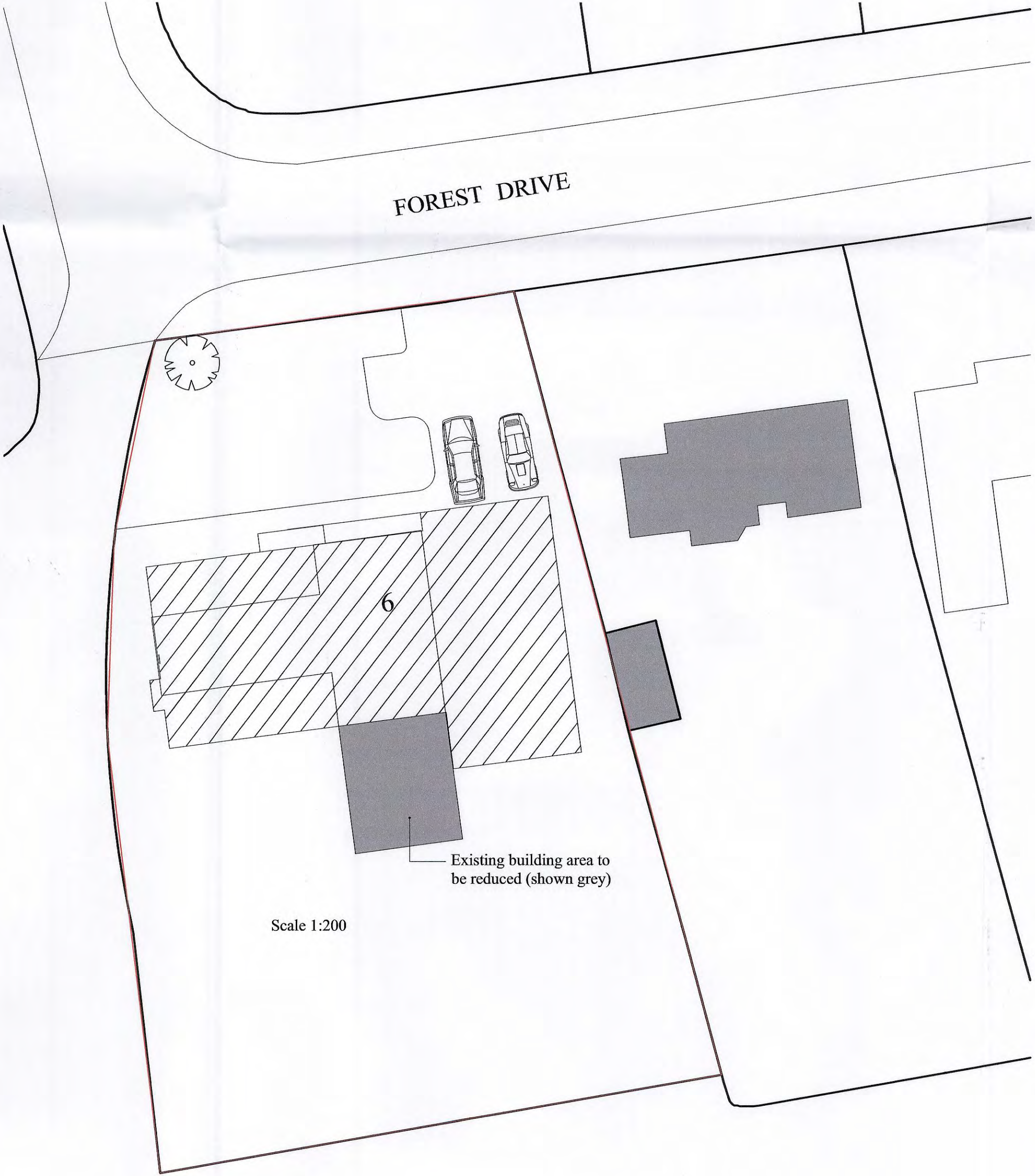
Existing Side Elevation



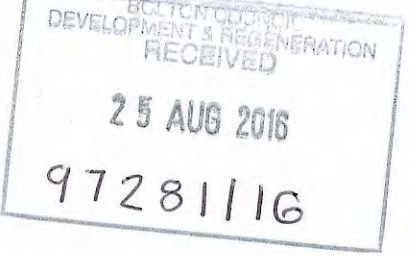
Existing Rear Elevation




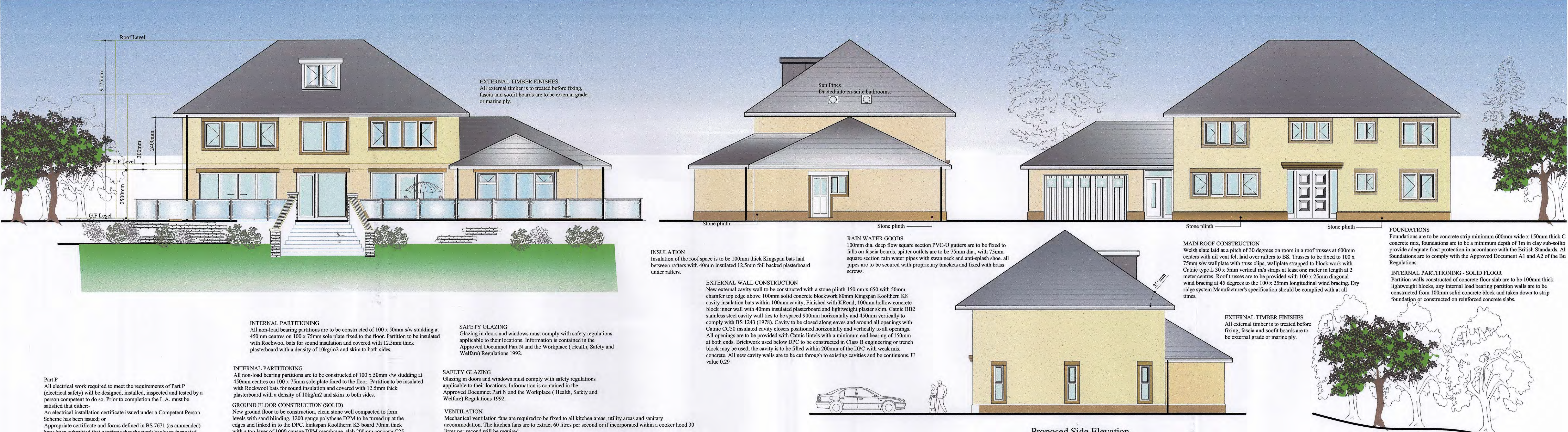
Existing PLAN



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Client Mr Anthony Coton	
Location 6 Forest Drive, Westhoughton Bolton BL5 3DH	
Project Planning Application	
Drawing EXISTING PROPERTY & Site Plans	
Agent APB Consultant Building Surveyors 1 Maple Grove Ramsbottom BL0 0AN Telephone 01706 826300 Mobile 07976404449	
	
Scale 1:100 1:200 & 1/1250	Date 15th June 2016
Drawing No. DWG/06/002	Revision
<small>This drawing is provided for planning & Building Regulations consent only. The contractor must check all dimensions on site before works are commenced. The contractor must comply with all requirements of the Health & Safety Regulations. DO NOT SCALE THIS DRAWING</small>	



Part P
All electrical work required to meet the requirements of Part P (electrical safety) will be designed, installed, inspected and tested by a person competent to do so. Prior to completion the L.A. must be satisfied that either:-
An electrical installation certificate issued under a Competent Person Scheme has been issued; or
Appropriate certificate and forms defined in BS 7671 (as amended) have been submitted that confirms that the work has been inspected and tested by a competent person. A competent person will have a sound knowledge and experience relevant to the nature of the work undertaken and to the technical standards set down in BS 7671, be fully versed in the inspection and testing procedures contained in the regulations and employ adequate testing equipment.
Sockets
All electrical sockets are to be placed at a height of 450mm above floor level all light switches are to be 1200mm from floor level.
lower energy light fitting are to be provided in all rooms

INTERNAL PARTITIONING
All non-load bearing partitions are to be constructed of 100 x 50mm s/w studding at 450mm centres on 100 x 75mm sole plate fixed to the floor. Partition to be insulated with Rockwool bats for sound insulation and covered with 12.5mm thick plasterboard with a density of 10kg/m² and skim to both sides.

GROUND FLOOR CONSTRUCTION (SOLID)
New ground floor to be constructed, clean stone well compacted to firm levels with sand blinding, 1200 gauge polythene DPM to be turned up at the edges and linked in to the DPC. kinkspan Kooltherm K3 board 70mm thick with a top layer of 1000 gauge DPM membrane, slab 200mm concrete C25 with one layer of A142 anti clacking steel reinforcement to be placed 50mm from the top of the slab.
U value 0.22
SUSPENDED TIMBER FLOOR CONSTRUCTION
Floor to be constructed of 25mm thick T&G floor boards with a density of 15kg/m² on 220 x 50mm gauged s/w floor joists (grade SC3) at 400mm centres. (Floor layout plan)
Ceiling to be 12mm plasterboard screwed to underside of joists with plaster skim finish. Lateral support to be provided at 2m centres with galvanised m/s straps type L 30 x 5mm extended across 3 joists. Catnic m/s herring bone strutting ref: HRB6, is to be provided along mid-span of floor joist, last joist to be packed off the brick/blockwork.

SKIRTING BOARDS
Timber skirting boards are to be provided to all rooms to match existing or if new 200mm x 25mm, all skirting boards are to be treated before fixing.

SAFETY GLAZING
Glazing in doors and windows must comply with safety regulations applicable to their locations. Information is contained in the Approved Document Part N and the Workplace (Health, Safety and Welfare) Regulations 1992.

VENTILATION
Mechanical ventilation fans are required to be fixed to all kitchen areas, utility areas and sanitary accommodation. The kitchen fans are to extract 60 litres per second or if incorporated within a cooker hood 30 litres per second will be required.
SANITARY ACCOMMODATION
Mechanical ventilation is required to provide three air changes per hour with a 15 minute over run discharging to external air and controlled by the light switch or detecting sensor. An air inlet to the room should be provided i.e. a 10mm gap under the door.
INSPECTION CHAMBERS
New inspection chamber to be pre-cast or polypropylene inspection chamber if maximum depth does not exceed 1200mm. Chamber connections or for 100mm dia. pipes as indicated on the drainage drawing. Chamber to be encased with well compacted select back fill, or weak mix concrete, chamber to be fitted with medium duty cover and frame. Inspection chambers are to be provided at every change of direction on foul drains, maximum distance between inspection chambers to be 45m to comply with the Approved Document Part H, any branch drain must not exceed 22m in length.
DAMP PROOF COURSE
Damp proof course is to be provided in both inner and outer leaf of Brick/blockwork the outer leaf DPC must be at least 150mm above the finished ground level, the inner DPC is to be linked with the floor damp proof membrane (solid floor construction) in the case of timber suspended floors directly under the joists.

EXTERNAL WALL CONSTRUCTION
New external cavity wall to be constructed with a stone plinth 150mm x 650 with 50mm chamfer top edge above 100mm solid concrete blockwork 80mm Kingspan Kooltherm K8 cavity insulation bats within 100mm cavity. Finished with K Rend. 100mm hollow concrete block inner wall with 40mm insulated plasterboard and lightweight plaster skim. Catnic BB2 stainless steel cavity wall ties to be spaced 900mm horizontally and 450mm vertically to comply with BS 1243 (1978). Cavity to be closed along eaves and around all openings with Catnic CC50 insulated cavity closers positioned horizontally and vertically to all openings. All openings are to be provided with Catnic linch with a minimum end bearing of 150mm at both ends. Brickwork used below DPC to be constructed in Class B engineering or trench block may be used, the cavity is to be filled within 200mm of the DPC with weak mix concrete. All new cavity walls are to be cut through to existing cavities and be continuous. U value 0.29

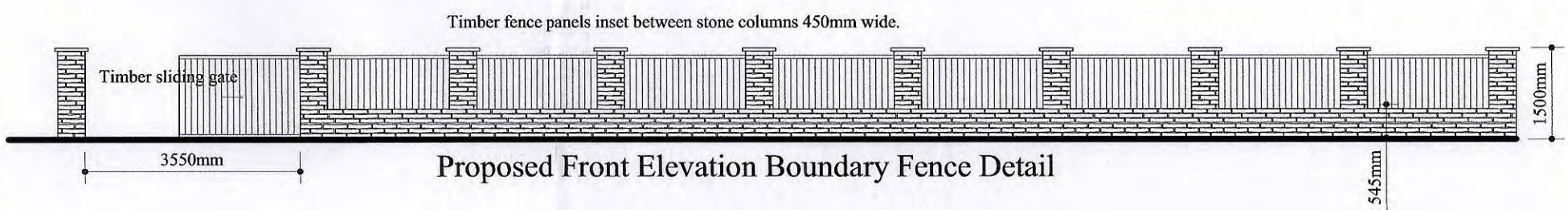
RAIN WATER GOODS
100mm dia. deep flow square section PVC-U gutters are to be fixed to falls on fascia boards, spitter outlets are to be 75mm dia., with 75mm square section rain water pipes with swan neck and anti-splash shoe. all pipes are to be secured with proprietary brackets and fixed with brass screws.

MAIN ROOF CONSTRUCTION
Welsh slate laid at a pitch of 30 degrees on room in a roof trusses at 600mm centers with all vent felt laid over rafters to BS. Trusses to be fixed to 100 x 75mm s/w wallplate with truss clips, wallplate strapped to block work with Catnic type L 30 x 5mm vertical m/s straps at least one meter in length at 2 meter centres. Roof trusses are to be provided with 100 x 25mm diagonal wind bracing at 45 degrees to the 100 x 25mm longitudinal wind bracing. Dry ridge system Manufacturer's specification should be complied with at all times.

EXTERNAL TIMBER FINISHES
All external timber is to be treated before fixing, fascia and soffit boards are to be external grade or marine ply.

FOUNDATIONS
Foundations are to be concrete strip minimum 600mm wide x 150mm thick C concrete mix, foundations are to be a minimum depth of 1m in clay sub-soil provide adequate frost protection in accordance with the British Standards. All foundations are to comply with the Approved Document A1 and A2 of the Bu Regulations.
INTERNAL PARTITIONING - SOLID FLOOR
Partition walls constructed of concrete floor slab are to be 100mm thick lightweight blocks, any internal load bearing partition walls are to be constructed from 100mm solid concrete block and taken down to strip foundation or constructed on reinforced concrete slabs.

Proposed Side Elevation



Proposed Front Elevation Boundary Fence Detail

WINDOWS
PVC-U or hardwood window frame to be 1/10th of the floor are and have 1/20th opening lights and trickle vents to achieve 800m³ free air flow, windows are to be fitted with double glazed units having a minimum 16mm air gap with K glass in one skin and a 'soft' low-E coating. All frames are to have vertical and horizontal DPC's to all openings. Seal-a-mastic seals are to be provided around all window and door frames to provide a water tight seal. All glazing must be carried out in accordance with BS 6262. See notes on glazing in critical locations i.e. safety glazing.

CAVITY TRAYS
A cavity tray must be provided above any lintel or ground floor roof, the tray must be fixed in to the wall, all cavity try membranes must be installed directly above the lead flashings and also be provided with weep holes in at least two vertical joints.

Partitions.
Double joists are to be provided under partition walls and baths
Sound Insulation (Partitions).
75mm glassfibre insulation to be placed into all partition walls,
Floors Acoustility 15 to be laid on all upper floors for impact noise to comply with Part E.
100mm fiberglass insulation to be placed between ceiling and floor on all suspended floors to comply with part E

SMOKE ALARMS
Smoke alarms are required to be fixed at ground and first floor levels and interconnected. The alarm must be wired to the main supply and connected to its own fused spur, alternatively the alarm may be connected to an intruder alarm if the system is specifically designed for this purpose. A smoke detector will cover an area of 7.5m radius and a heat detector 5.3m radius, they should be fitted in accordance with BS 5839 sitting sensors within bedrooms, circulation area, head of stairways, lounge/dining rooms and roof voids. Alarms within roof voids should be fitted with a remote LED.

STEELWORK
Steelwork must comply with the relevant structural calculations and be supported on pad stones or spreader plates, sizes to be provided within the calculations. All steelwork must have a minimum of 30mins fire resistance provided by 12mm fireline plasterboard and skim. Steelwork used in external openings must be provided with a cavity tray.

DRAINAGE
All existing drains under the proposed building are to be protected with 150mm of weak mix concrete. Flexible jointed drains are to be surrounded with 150mm of pipe bedding with a concrete cover using 150mm thick concrete.

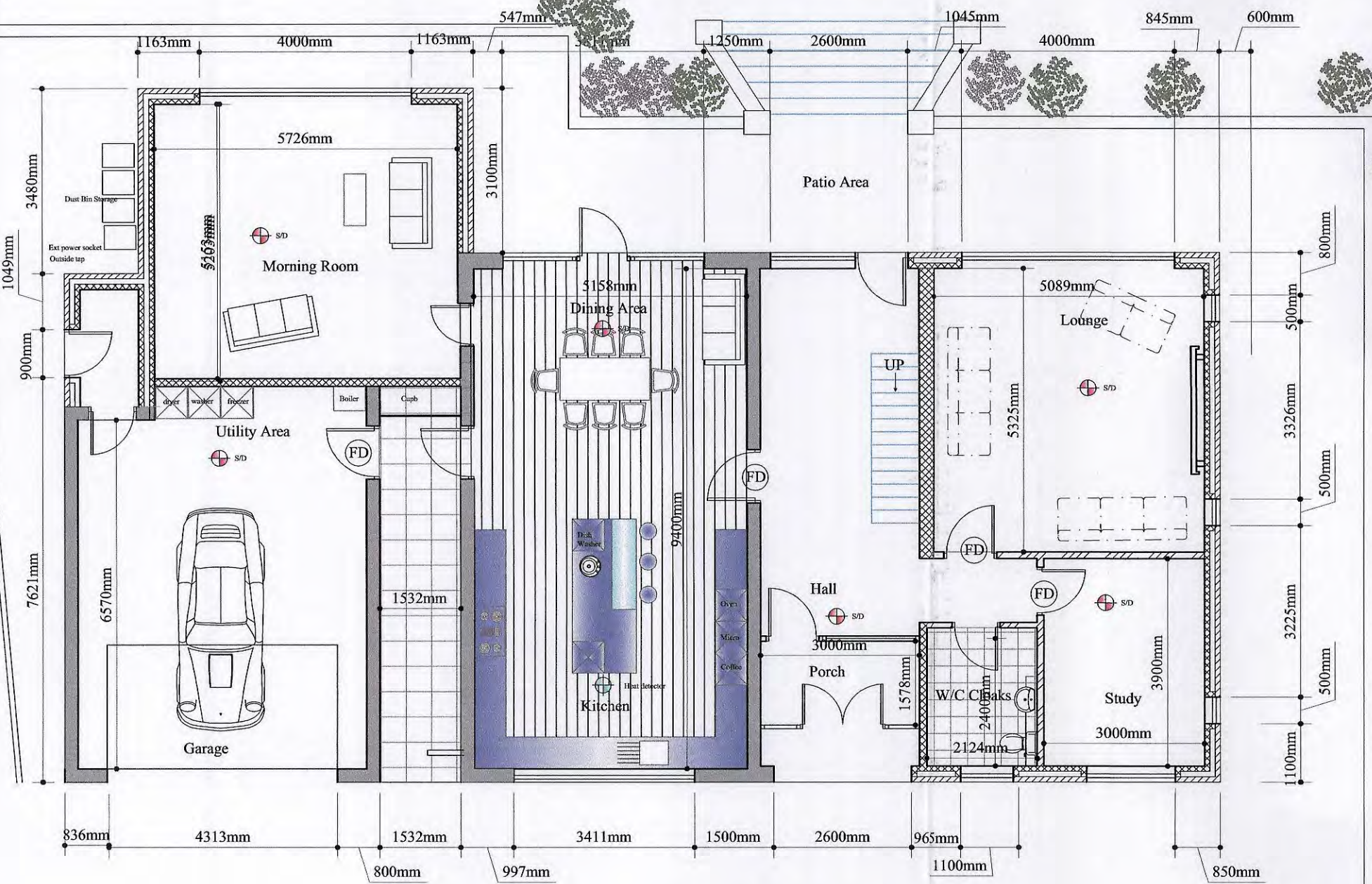
STAIRCASE
The new staircase shall comply with Part K of the Approved Document. The maximum rise and going for a private stair shall be any rise between 155mm and 220mm used with any going between 245mm and 260mm or any rise between 165mm and 200mm used with any going between 223mm and 300mm. The pitch of the staircase shall be no greater than 42 degrees, with a minimum headroom of 2m. The handrail is to be a minimum of 900mm high. Balustrades are to be 1m high and capable of resisting a horizontal force of at least 0.36kN/m for each meter length. Maximum openings in the balustrades shall be no greater than 100mm and rails are to be vertical so as not to allow children to readily climb the guarding. Guarding to external balconies and roof edges to be a minimum of 1100mm high and resist a horizontal force of 0.74kN/m.

DAMP PROOF COURSE
Damp proof course is to be provided in both inner and outer leaf of Brick/blockwork the outer leaf DPC must be at least 150mm above the finished ground level, the inner DPC is to be linked with the floor damp proof membrane (solid floor construction) in the case of timber suspended floors directly under the joists.

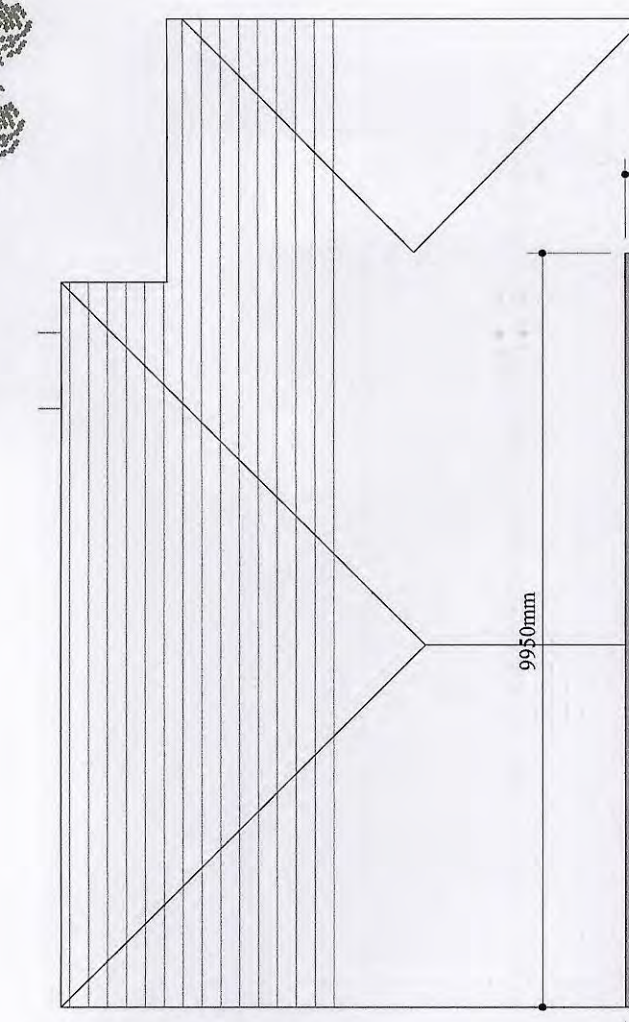
CHIMNEY CONSTRUCTION (CLASS 1)
New chimney to be constructed of brick with a clay flue liner 250mm dia. with socketed joints to comply with BS 1181. Concrete hearth to be 125mm thick with a projection of 500 x 840mm wide. The chimney is to be a minimum of 1m in height from the intersection with the roof and fitted with lead flashings and chimney pot.

New Drainage
All new underground foul drainage is to be 100mm diameter underground PVC-U piping, manufactured by Hepworth Ltd, to BS 85 with flexible joints. Pipes are to be laid on 100mm bed of granular material to BS 882 1983 e.g. pea gravel, (Class S). 100mm pipes are to be laid to a fall of 1:40. maximum capacity for 100mm pipes is 9.2 litres/sec. Drains passing under the building are to be surrounded with granular material and where passing through wall a suitably sized lintel shall be provided above the opening ensuring that a 50mm space is maintained all around the pipe. Openings must be masked to prevent fill. Pipes are to be fitted with a flexible joint at each side of the wall. New gullies are to be provided with roding access. WC connections are to have rest bends and 100mm vent pipes at the head of the drain.
Rest bends are to be provided to each soil vent pipe ans WC connection. Maximum direct connection between WC outlet and invert of drain to be 1.5m. Rest bends are to be supported on concrete or flag base. Rainwater gullies are to be 100mm trapped with roding access back inlet gullies are to be provided at each sink position. Waste pipes are to discharge below the grate level and above the water level.

Domestic Boilers
All new and replacement natural gas and LPG boilers are required to have a minimum SEDBUK (Seasonal Efficiency of Domestic Boilers in the UK) rating of 86%.
Oil Fired Boilers must have a minimum SEDBUK rating of 85%.
Exceptional Circumstances permitting the installation of a Non-Condensing boiler, The installer must complete an 'Assessment Form' using the procedure described in the document 'Guide to the Condensing Boiler Installation Procedure for dwellings' (ODPM 2005). The declaration should be retained by the householder as it may be needed when the property is offered for sale.



Proposed Ground Floor Plan

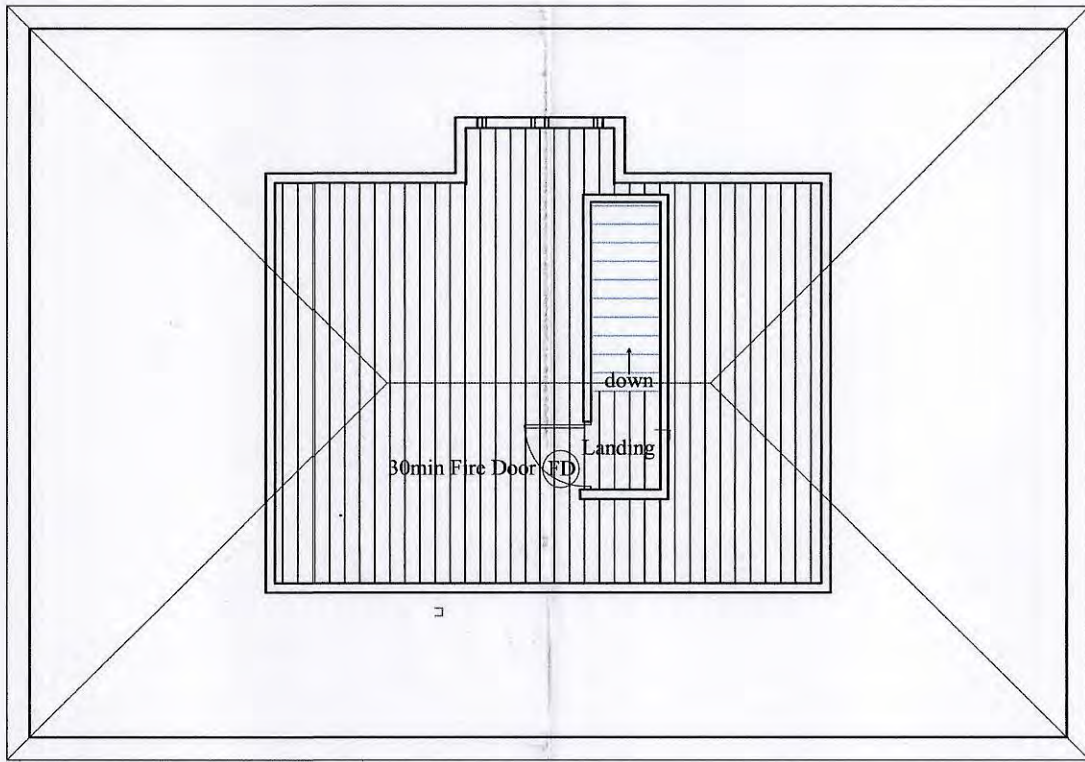


Proposed First Floor Plan

HEATING
Heating to be provided by low pressure radiators with a fan assisted combi boiler. The installation is to be fitted in accordance with the Gas Regulations with a CORGI registered fitter.
UNVENTED SYSTEMS
All unvented systems are to have an expansion pipe piped to the external elevation and extended down to floor level.
DOORS
Fire doors are to be to the fire resistance indicated on the drawing. All fire resisting doors are to be fitted in a 25mm rebated door frame, doors/frame are to be fitted with intumescent strips and smoke seals. All doors are to be fitted with self closing device capable of latching the door.
DOOR TYPES
External doors are to be hardwood, PVC-U or external grade white wood. Internal doors are to be flush type with frames and architrave's or to clients special requirements

EXTERNAL TIMBER FINISHES
All external timber is to be treated before fixing, fascia and soffit boards are to be external grade or marine ply.

WASTE PIPES
All waste pipes are to be a minimum of 38mm dia. to wash hand basins and sinks, pipes are to be fitted with 75mm deep seal traps or anti-vac traps if connected directly to a soil and vent pipe. 40mm waste pipes are to be provided to baths and showers. Soil and vent pipes are to be 100mm dia and terminated 1m above any opening windows adjacent to the stack, a suitable bird cage is to be fitted to the top of the stack. Alternatively an air admittance valve may be used above the last stack connection. All installations are to comply with the Approved Document Part H and BS 5572 (1978).

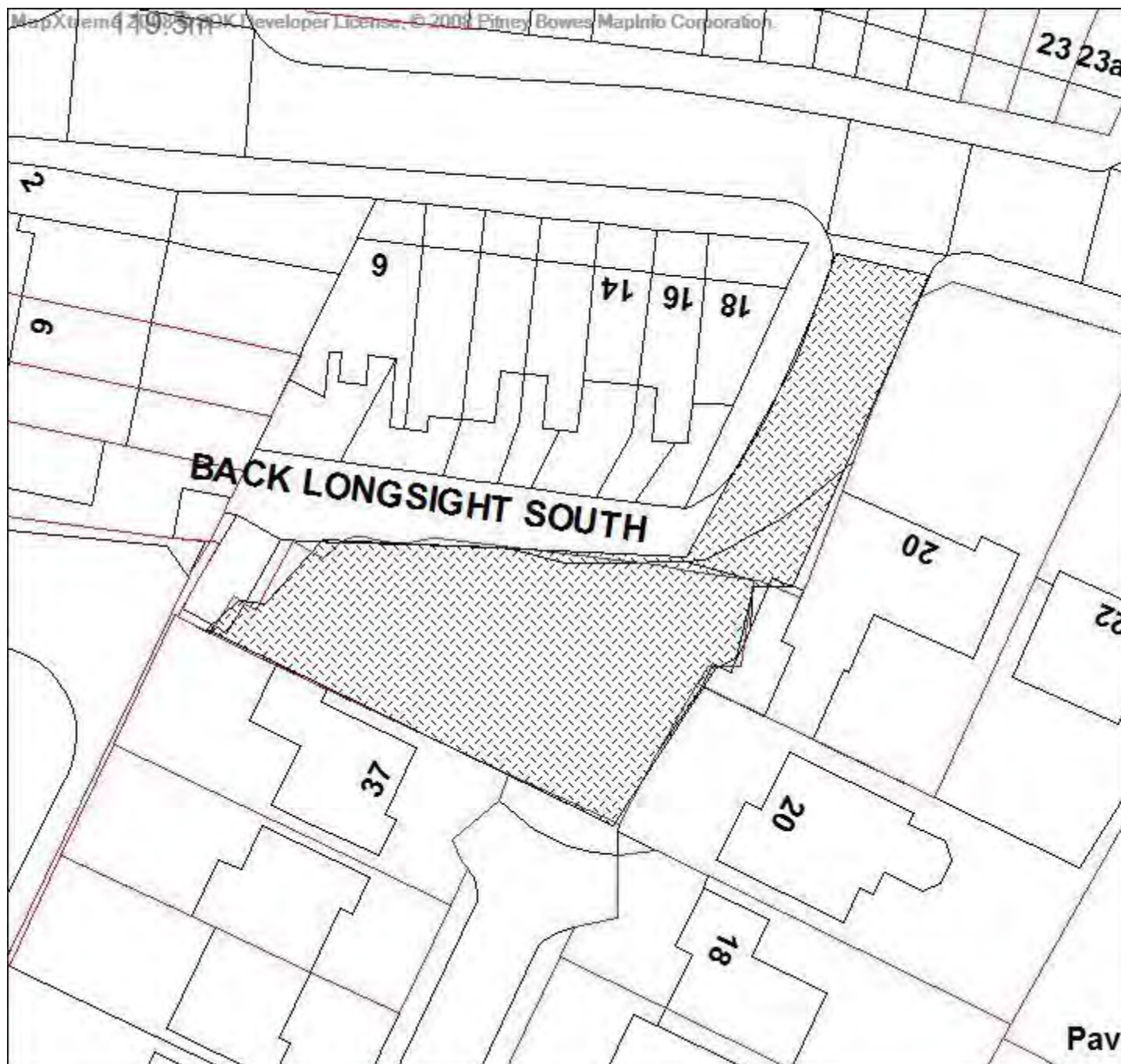


Proposed Second Floor Plan

- FD 30min Fire Door
- Smoke detector
- Heat detector

Client Mr Anthony Coton	
Location 6 Forest Drive Westhoughton, Bolton. BL5 3DH	
Project Alterations and Extensions to Existing Bungalow into a detached House with Part Demolition	
Drawing Planning Consent	
Agent APB Consultant Building Surveyors 1 Maple Grove Ramsbottom BL0 0AN Telephone 01706 826300 Mobile 07976404449	
Scale 1:100	
Date 11th August 2016	
Drawing No. DWG/08/001/P	Revision
This drawing is provided for planning & Building Regulations consent only. The contractor must check all dimensions on site before works are commenced. The contractor must comply with all requirements of the Health & Safety Regulations. DO NOT SCALE THIS DRAWING	

Application number
97322/16



Development & Regeneration Dept
Development Management Section

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

Bolton
Council

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Date of Meeting: 20/10/2016

Application Reference: 97322/16

Type of Application: Reserved Matters
Registration Date: 30/08/2016
Decision Due By: 24/10/2016
Responsible Officer: Paul Bridge

Location: LAND AT REAR 6-8 LONGSIGHT, HARWOOD, BOLTON

Proposal: DETAILS OF RESERVED MATTERS - ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE ON APPLICATION 89718/13 (ERECTION OF 1NO. DWELLING)

Ward: Bradshaw

Applicant: Mr Aulton
Agent : Sedgwick Associates

Officers Report

Recommendation: Approve subject to conditions

Proposal

Outline planning permission (89718/13) was approved by the Planning Committee for the erection of one dwelling and garage (all matters reserved) on the 13.09.2013.

This reserved matters application is for the access, appearance, landscaping, layout and scale of the dwelling and garage.

This current reserved matters application shows a two storey dwelling with a single storey front element which would be sited towards the south western corner of the site and adjacent to the existing dwelling at 37 Lynwood Grove. The ground floor would accommodate a living room, dining room, kitchen, hall, study, entrance lobby, utility room and w.c. The first floor would accommodate 4 bedrooms, a bathroom and hall. The dwelling would have an overall height to the ridge of approximately 7.5 metres. Amenity space would be provided by lawned areas to front, side and rear. The dwelling would be constructed out of a mixture of brick and render for the wall and concrete tile for the roof.

The proposed garage would be sited in the north eastern corner of the site. It would have a dual pitched roof with a ridge height of approximately 4.4 metres. It would be constructed out of brick and concrete tile.

Vehicular access will be via Back Longsight South which is a private unadopted road.

Site Characteristics

The proposed site is approximately 560m² in area and is situated at the rear of 6 to 18, Longsight and adjacent to 37 Lynwood Grove. At present the site is vacant and over-grown with vegetation.

There is a detached garage at the end of the site and the access road, Back Longsight South is a generally poor state. The surrounding area is predominantly residential.

The application site is not visible from Longsight Road but would be visible from Lynwood Grove. The area surrounding the site is predominantly residential in character with the dwellings along the western side of Lynwood Grove being two storeys whilst the dwelling along the eastern side being detached bungalows. The adjacent dwellings along Longsight comprise of two storey terraced dwellings.

Policy

National Planning Policy Framework 2012

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

SPD General Design Principles

Analysis

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

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

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

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

The impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on impact on the amenity of neighbouring residents
- * impact on the highway safety/parking
- * impact on drainage/flood risk

Principle of Development

The principle of development has been established through the granting of planning permission in 2013 and will not be revisited in this appraisal.

Impact on the Character and Appearance of the Area

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

The proposal comprises of a two storey dwelling with a single storey front element which would be

sited towards the south western corner of the site and adjacent to the existing two storey dwelling at 37 Lynwood Grove.

The character and appearance of the area surrounding the site is predominantly residential in character with the dwellings along the western side of Lynwood Grove being two storeys in design, whilst the dwellings along the eastern side comprise of detached bungalows. The adjacent dwellings along Longsight comprise of two storey terraced dwellings. The proposed dwelling would continue this theme and pattern of development along with having an adequate garden which would provide an acceptable amount of amenity space. The dwelling would have an overall height to the ridge of approximately 7.5 metres. The dwelling would be constructed out of a mixture of brick and render for the wall and concrete tile for the roof. The design and massing of the proposal and materials is considered acceptable in this location and context.

The scale of the house (footprint and height) is considered to be compatible with the neighbouring houses. The height of properties within the surrounding area varies and the proposed dwelling would not be significantly higher than the surrounding neighbouring properties.

The design of the proposed dwelling is therefore considered acceptable and is in keeping with the character of the area. Details of materials have been submitted which are considered acceptable, therefore a condition is suggested requesting the development be constructed out of these material.

The design of the garage is typical of a garage of this nature and its design and siting is considered acceptable.

The proposed dwelling will have soft and hard landscaping which is typical of a new dwelling and which will comprise of lawned areas, trees, hardstanding and boundary treatment. The proposed boundary treatment will comprise of a 1.8 metre high timber fence and access gate. A condition is suggested to ensure this is implemented prior to the dwelling being occupied.

It is considered that the proposed development has regard to the built character of the area, is compatible with the surrounding area in terms of scale, massing, grain and architecture, and provides adequate amenity space. It is therefore considered that the proposal complies with Policy CG3 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy aims to ensure that new development is compatible with surrounding land uses and occupiers and protects amenity. Development should not generate unacceptable nuisance, odours, fumes, noise. SPD General Design Principles sets out the Council's standards regarding space around dwellings.

Given the size and siting of the proposed dwelling and garage in relation to the neighbouring residential dwellings, the proposal will not have an unacceptable impact on the amenity of occupiers/users of other developments in terms of loss of privacy, sunlight overlooking or being overbearing.

The proposal would also, due to the appearance, landscaping and scale, provide potential occupiers with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout.

It is therefore considered that the development does not have an adverse impact on the living conditions of neighbouring residents as the siting of the residential dwelling meets the minimum interface distances as set out within SPD General Design Principles. The dwelling therefore complies with Policy CG4 of the Core Strategy.

Impact on the Highway Safety/Parking

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.

As stated earlier in the report vehicular access to the site will be via Back Longsight South which is a private unadopted road. This road is currently in a bad state of repair. The submitted site plan shows a section of the access road being drive re-stoned, levelled and rolled which will provided an enhancement for both the applicant and neighbouring residential dwellings.

The proposal offers enough space to park at least three vehicles clear of the highway (including the garage).

The Council's Highways Engineers have commented and they do not raise any objections to the layout of the development, subject to the manoeuvring area at the front of the double garage being increased to 6.0 metres. A condition is therefore suggested to ensure this is undertaken. The development therefore complies with policies S1 and P5 of the Core Strategy.

Impact on Drainage/Flood Risk

The NPPF requires that development should ensure that flood risk is not increased elsewhere, and seeks to steer development towards areas with the lowest probability of flooding and Policy CG1 of the Core Strategy seeks to reduce the risk of flooding in Bolton. The proposed development is not located within a Flood Zone or Critical Drainage Area. The submitted site plan indicates that the driveway will be constructed out of/hardstanding will be constructed out of a SUDS paving systems on compacted hard core and drainage layer.

Having regard to the above, the proposed development is considered to be in accordance with policy CG1 of the Core Strategy and the NPPF.

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. Officers consider that the following are local financial considerations in this case:

New Homes Bonus (officer's comment: this is not considered to be a material consideration in this case).

Conclusion

The development is considered to comply with Council policy and guidance. Relevant interface distances are met and the dwelling does not adversely affect the character and appearance of the area, the living conditions of adjacent dwellings or highway safety. Members are therefore recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- One letter of objection has been received in response to the planning application publicity from a local resident who has raising the following points:

- * Loss of sunlight,
- * Impact on condition of unadopted road,
- * The incorrect ownership certificate has been signed - *Response:- The case officer has discussed the site ownership with the applicant's agent who has advised that the site is within the ownership of the applicant. In addition this application is for reserved matters.*

Consultations

Advice was sought from the following consultees:

Highways Engineer, Pollution Control, Landscape, Design for Security, Strategic Development Unit and Economic Strategy.

Planning History

52104/98 - Erection of one dwelling and a detached garage (all matters reserved). Approved 16.07.1998

89718/13 - Outline consent, with all matters reserved, for one dwelling with a detached garage. – Approved 13.09.2013

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development full details of the highway works at Back Longsight South comprising of the re-stoning and levelling as indicate on the submitted plan No. 002 - Proposed Site Plan dated 12.06.2016 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

3. Prior to the commencement of development details of the existing and finished levels relative to the surrounding area have been submitted to and approved by the Local Planning Authority. The development shall be erected in accordance with the approved finished levels.

Reason

To ensure that the development relates satisfactorily to adjoining properties and to comply with policies CG3 and CG4 of Bolton's Core Strategy.

4. Prior to the commencement of the development:-

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

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

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

Reason

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

5. Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme shown on drawing 002 - Proposed Site Plan dated 12.06.2016 prior to the development being first brought into use. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

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

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 the development is in use.

Reason

To encourage drivers to make use of the parking and circulation area(s) provided and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

7. Notwithstanding the approved plans and prior to the occupation of the dwelling house hereby permitted provision shall be made for the garaging of a motor vehicle in the area identified for that purpose on the approved plan 002 - Proposed Site Plan dated 12.06.2016. The manoeuvring space to the front of the garage shall be a minimum of 6 metres long. The area shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order) other than the approved garage and hardstanding, no extensions, porches, outbuildings, sheds, greenhouses, oil tanks, wind turbines or satellite antennae shall be erected within that area.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and to comply with policies P5 and S1.2 of Bolton's Core Strategy.

8. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan ref: 105 Proposed Elevations Dated 12.06.2016.

Reason

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

9. The garage hereby approved shall be made available at all times for the parking of a motor vehicle.

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety and in order to comply with policy P5 and Appendix 3 of Bolton's Core Strategy.

10. The boundary fences as shown on drawing ref: 002 - Proposed Site Plan dated 12.06.2016 shall be erected fully in accordance with the approved design details contained on drawing ref: 002 - Proposed Site Plan dated 12.06.2016 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 to comply with policies CG3 and CG4 of Bolton's Core Strategy.

11. 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, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed.

Reason

To safeguard the character and appearance of the area and the amenity of neighbouring residents, and to comply with policies CG3 and CG4 of Bolton's Core Strategy.

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

002 - Proposed Site Plan dated 12.06.2016
101 - Proposed Ground Floor Plan dated 12.06.2016
102 - Proposed First Floor Plan dated 12.06.2016
105 - proposed Elevations dated 12.06.2016

Reason

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



KEY PLAN

GENERAL NOTES

SPECIFIC NOTES

REVISION SCHEDULE

Date	Description	Drawn by
21.07.2016	Issued for Planning	sm

Key

Proposed new trees to landscaping to include:
-Adams labernum
-Acre palmatum
-Aced griseum
-Sorbus
-Prunus

Proposed new planting borders / shrubs to include:
-Berberis atropurpurea
-Snowberry
-Symphoricarpos albus
-Lilac
-Tamarin tetrahedra
-Pennisetum setaceum

Back Longsight South drive re-stoned, levelled and rolled.

Proposed new hardstanding in selected Marshalls SUDS paving blocks on sand base on compacted hardcore drainage layer

Site Boundary

Site boundaries in selected 1.80m high vertical boarded fencing panels, wood stain or natural wood finish.

PROJECT

Land at rear of 6-18 Longsight, Harwood
Bolton BL2 3HR

Drawing Title:

Proposed Site Plan

Drawing No.

002

Scale

Date

Drawn By:

Checked By:

1:500 @A3

12.06.2016

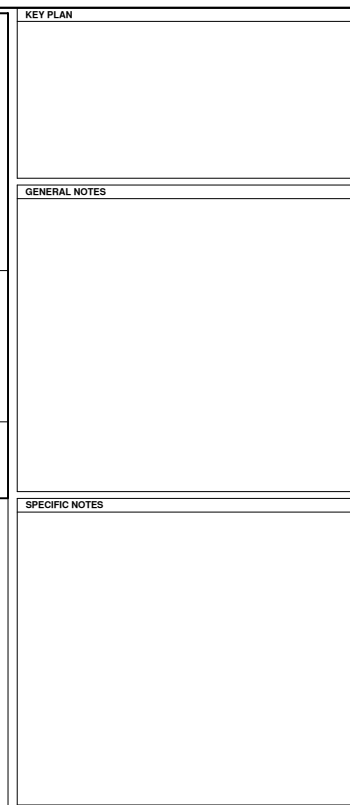
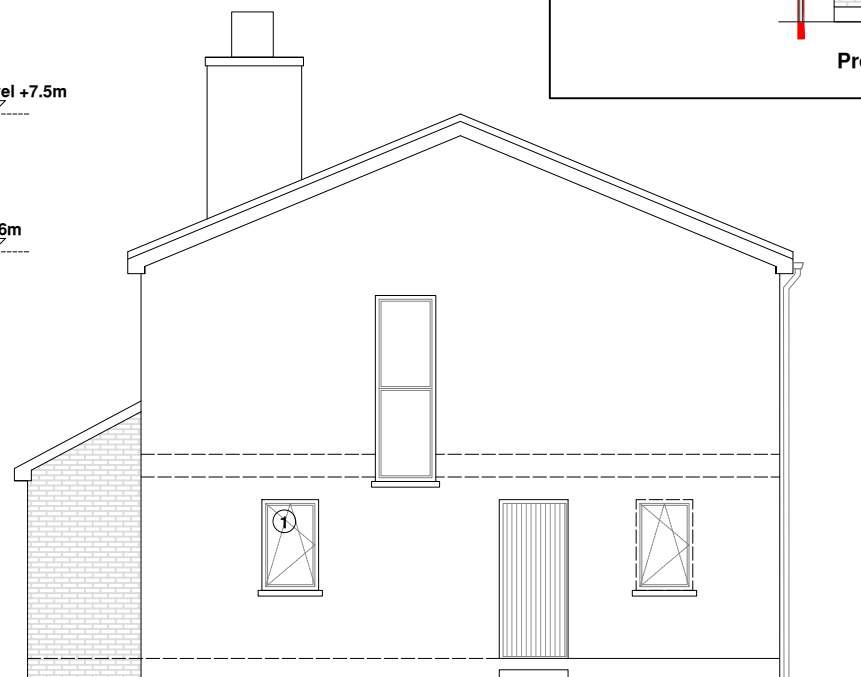
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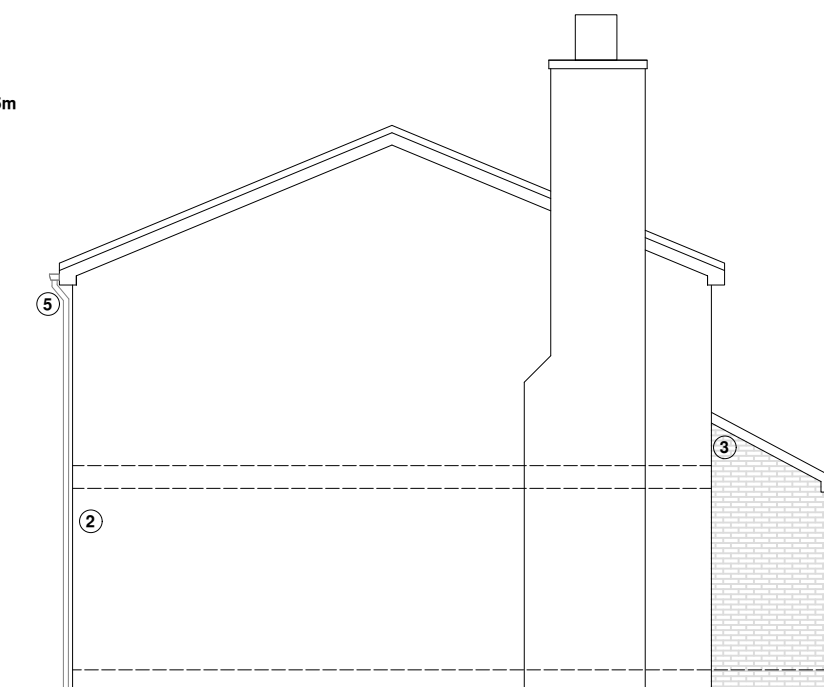
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PLANNING

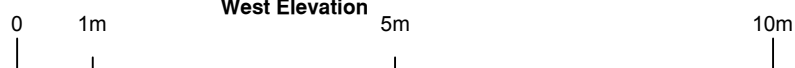
Do not scale, use figured dimensions only. Unless stated otherwise, these drawings represent design intent only and approved assembly drawings will be required from the Trade Contractor prior to any work and /or procurement being undertaken

[illegible]

North Elevation



West Elevation



- ### Material Key
- ① Windows & Doors: selected 16mm double glazed aluminium /uPVC signal white, RAL 9003. Window sills in grey alum profiles throughout.
 - ② External wall finish in smooth acrylic render, grey white RAL 9002
 - ③ Selected facing brick
Plinth below dpc in selected local red facing brick.
 - ④ Roof: Selected grey/black natural slates or concrete tiles.
 - ⑤ RWG's selected white uPVC
RWP's selected white uPVC 75mm sq section

CLIENT			
PROJECT			
Land at rear of 6-18 Longsight, Harwood Bolton BL2 3HR			
Drawing Title:	Proposed Elevations		
Drawing No.	105		
Scale	Date	Drawn By:	Checked By:
1:100 @A3	12.06.2016	SM	DA
Issued For:			
PLANNING			
Do not scale, use figured dimensions only. Unless stated otherwise these drawings represent design intent only and approved assembly drawings will be required from the Trade Contractor prior to any work and/or procurement being undertaken			

Application number
97331/16



Development & Regeneration Dept
Development Management Section

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

**Bolton
Council**

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Date of Meeting: 20/10/2016

Application Reference: 97331/16

Type of Application: Full Planning Application
Registration Date: 02/09/2016
Decision Due By: 27/10/2016
Responsible Officer: Jeanette Isherwood

Location: 42-46 MARKET STREET, LITTLE LEVER, BOLTON, BL3 1HN

Proposal: ERECTION OF SINGLE STOREY REAR EXTENSION TOGETHER WITH NEW SHOP FRONT AND ACCESS RAMP.

Ward: Little Lever and Darcy Lever

Applicant: Walsh - The Market Butcher

Agent : Frank Whittaker Town Planning Consultants

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the erection of single storey rear extension to form refrigerated food store and preparation area to support proposed butchery and delicatessen shop together with installation of new shop front and disabled access. External changes include the following:-

- Demolition and replacement of single storey rear extensions to form ancillary refrigerated Food Store and Food Preparation Areas - extensions will be L-shaped and full width of the property, 5.1 metres at the shortest length and 9.2 at the longest, incorporating a flat roofed design 3.6 metres in height.
- Installation of new shop front and disabled access.
- Re-form and secure rear service and parking area - incorporation of two off-road parking spaces and a small service area.

The proposal does not include a change of use of the premises as the use will remain within the confines of Class A1

Site Characteristics

The property consists of three retail units contained within a row of independent shops within Little Lever village centre. To the first floor of the retail units are offices and a residential flat and these will remain as existing. The adjacent property at 40 has a single storey 4 metre extension along the party boundary together with a 4 metres two storey outrigger along the party boundary with 38. The adjacent property at 48 has a large double garage to the rear of the property, abutting the back street.

Policy

National planning Policy Framework (2012)

Core Strategy policies: CG3 Built Environment; CG4 Compatible Uses; OA6 Little Lever; P5 Accessibility; S1 Safe Bolton.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character of the surrounding area.
- * impact on residential amenity
- * impact on the highway and parking

Impact on the Character of the Surrounding Area

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.

The proposed extension will provide additional facilities for the proposed Butchers outlet and replaces separate extensions existing to the rear of the 3 units. Several extensions are apparent to the remaining units within the row with at least two other single storey extensions of similar lengths and further two storey outriggers. Given the siting of the property within the commercial shopping centre and size of the combined units it is considered that the proposed extension would not result in a disproportionate addition to the building in this location.

The new shop front is well designed and mirrors the appearance of others within this shopping centre.

The disabled ramp will give access to a diverse range of customers and is not thought to impact detrimentally on the character of the street scene.

The proposed extension would have one roller shutter door to the rear elevation which would be similar to others in the immediate vicinity.

It is considered therefore that the proposals would not have an unacceptable appearance on the character of the building or wider surrounding area in accordance with policy CG3 of the Core Strategy.

Impact on residential amenity

Core Strategy policy CG4 seeks to ensure that development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution.

The adjacent property at 48 is a double fronted Barbers shop with a large, double detached garage to the rear. As such the addition of the extension at a length of 5.2 metres on this boundary is not thought to have a detrimental impact on this commercial unit.

With regards to the impact on 40 the single storey extension would project a further 5.2 metres beyond the existing single storey extension at 40.

One objection has been received with regards to the over dominant appearance and loss of light 40, further detailing that this property is residential. However, upon visiting the site it is apparent that the residential element within this building is at first floor, with the ground floor detailed as a sandwich shop. Although it does not appear that this unit is currently trading the appearance of the building with its roller shuttered frontage does not lend itself to it being fully occupied as a residential dwelling at ground floor level. Therefore it is considered that the proposal will have a limited impact on the first floor occupants.

With regards to the air conditioning units, these are sited on the rear wall of the extension and face into the back access road. Environmental Health were consulted on this element but to date have had no comments to make.

The proposal is considered to comply with Core Strategy policy CG4

Impact on the Highway and Parking

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

The site is within the centre of Little Lever which is well served by public transport. This is a highly sustainable location, within a large residential catchment area. There are parking restrictions directly outside the premises, however there are two large car parks within 50 metres.

Highway Engineers were consulted on the proposal and provided the following comments:-

The proposed rear extension is to house a refrigeration unit associated with the new business and thus will provide no net increase in the level of business area associated with the existing A1 use at that location. Potential traffic generation will be comparable. There will still be an element of loading/parking provision at the rear of the premises to be associated with the business. According to the Councils Highway Asset Plan the proposed ramp access at the front of the premises will be located on private-land clear of the highway limit. An adequate width of footway should remain at the front of the premises on Market Street. The applicant will need to fund the relocation of a street-lighting column to facilitate the construction of the ramped access. Based on the above, the Highways Authority cannot reasonably object to what is being proposed subject to conditions.

Conditions will be added to the approval to reflect these comments.

The proposal complies with Core Strategy policies P5 and S1.

Financial benefits of the proposal

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

For the reasons discussed above the proposal is considered to comply with national and local policies and is therefore recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- One objection received with the concerns outlined within the main body of this report

Consultations

Advice was sought from the following consultees: Highways Officers and Environmental Health Officers.

Planning History

None

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

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

3. Prior to the commencement of development full details of the highway works comprising of Relocation of street-lighting to facilitate construction of the ramped access shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

4. The shutters shall be installed in accordance with the approved details as shown on Drawing No. 6 - Proposed Elevations and shall be coloured black (RAL 9005 Jet Black) within 21 days of installation. The roller shutter shall remain so coloured thereafter.

Reason

In the interests of reducing crime and the fear of crime and to ensure the development safeguards the visual appearance of the building.

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

Proposed plans - P1726/16/1-6 - dated August 2016

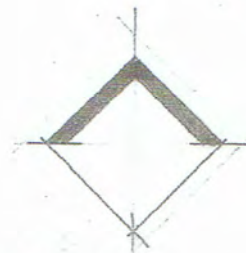
Reason

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

FRANK WHITTAKER PLANNING CONSULTANTS

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LOCATION PLAN.



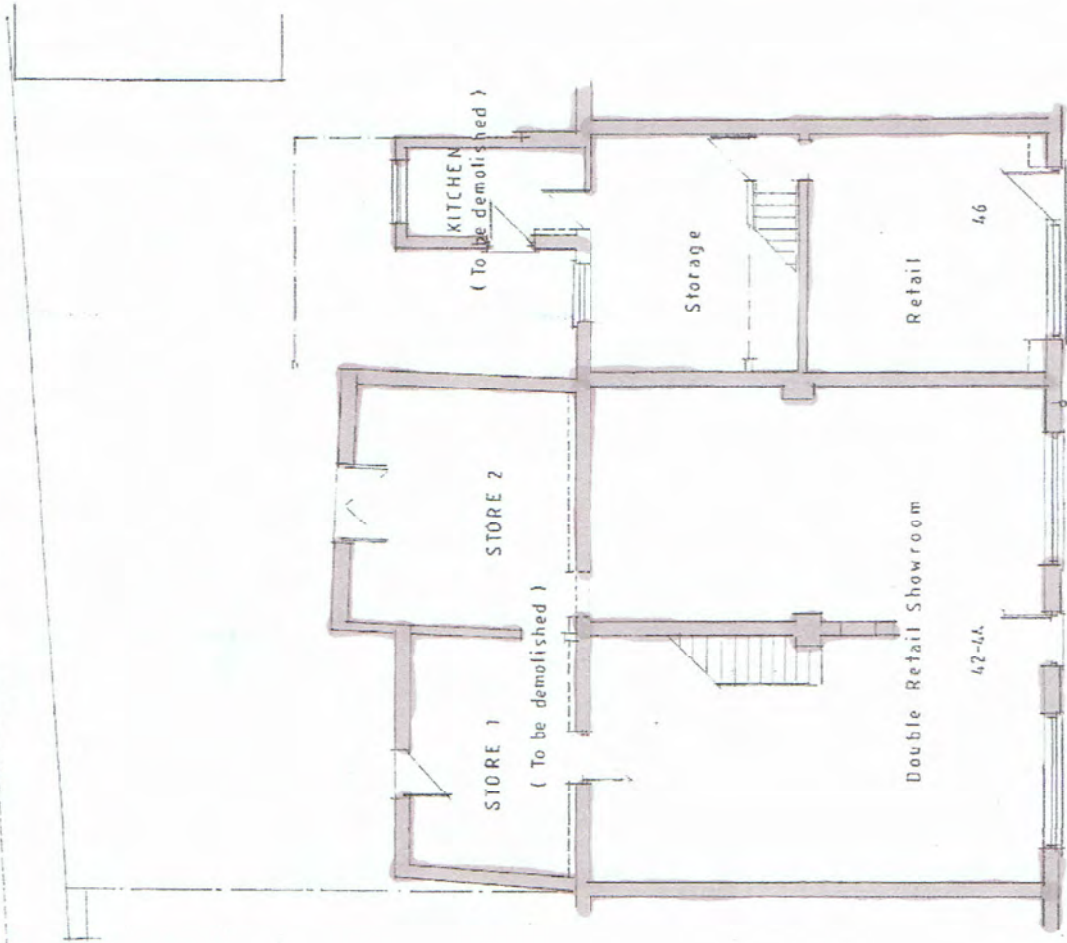
ERECTION OF SINGLE STOREY REAR EXTENSION (FOOD STORE AND PREPARATION)
AND INSTALLATION OF NEW SHOPFRONT.
42-46 MARKET STREET LITTLE LEVER BOLTON BL3 1HN



Ref P1726/16/01
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August 2016

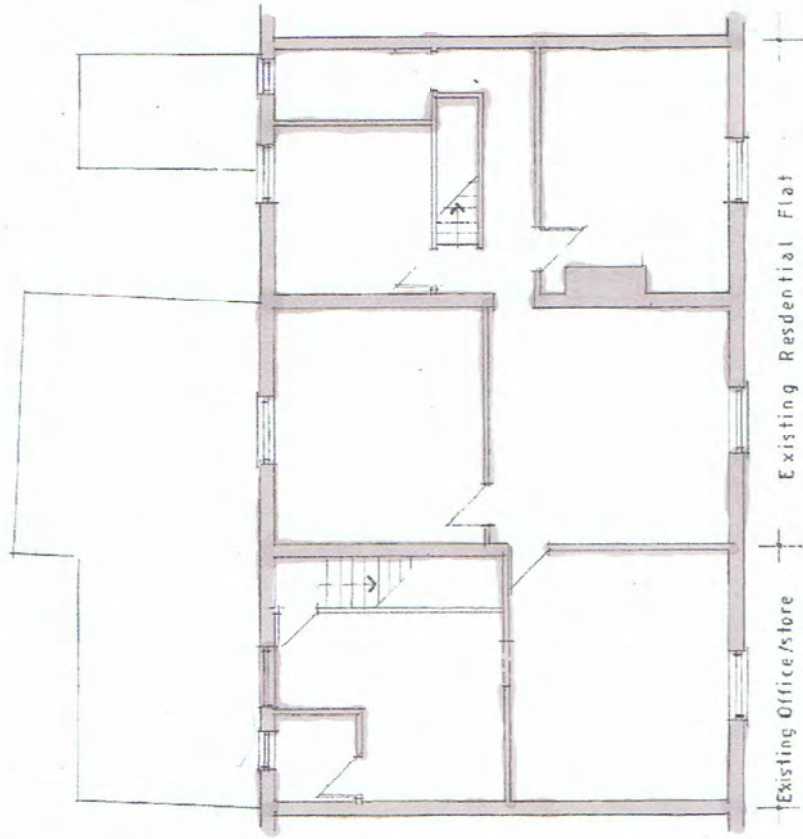
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BACK MARKET STREET



GROUND FLOOR

MARKET STREET

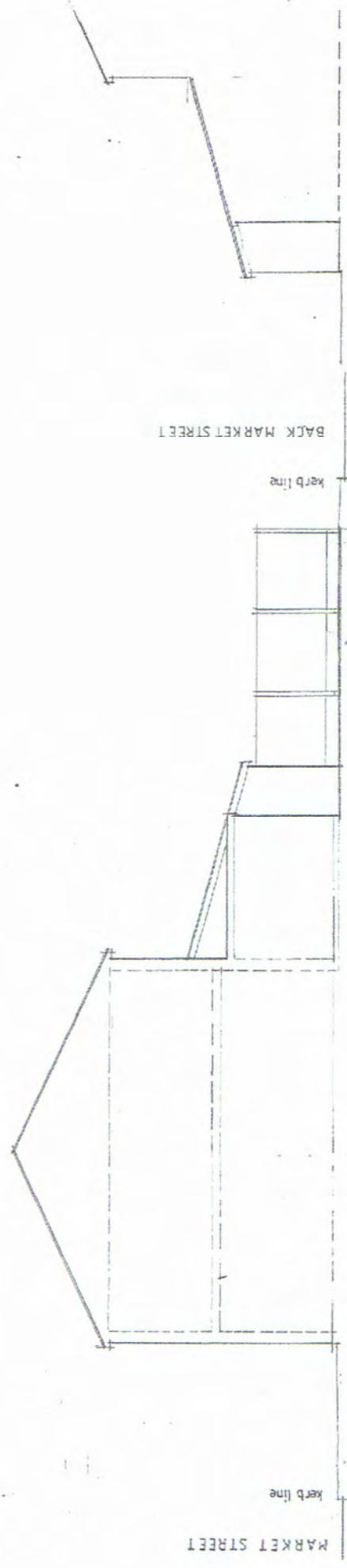


FIRST FLOOR

EXISTING LAYOUTS

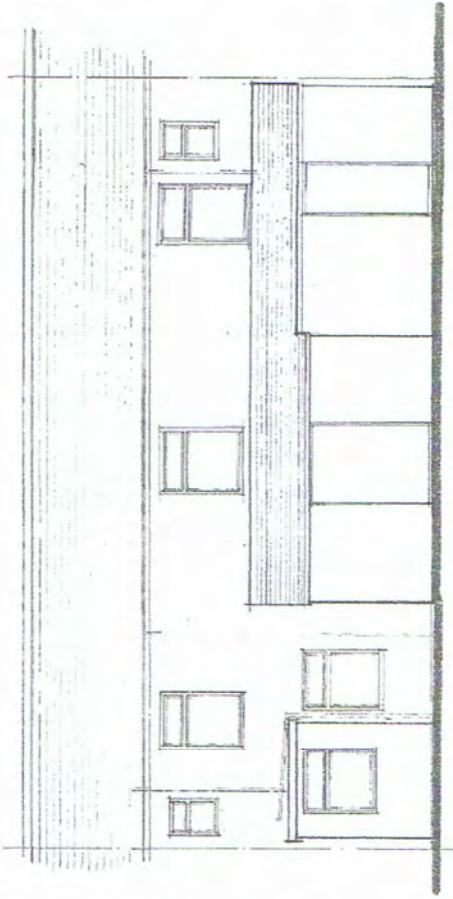
EXISTING ELEVATIONS

Side 42

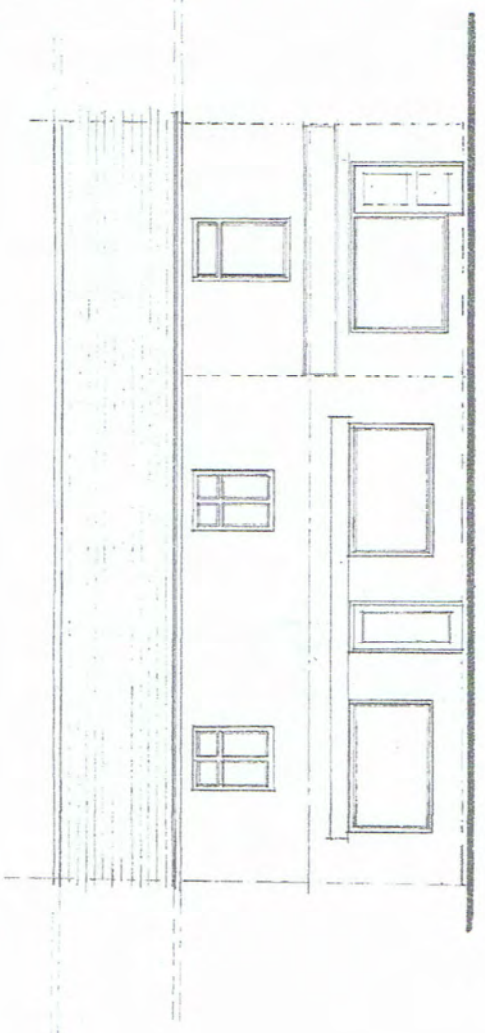


Side - 46

Rear



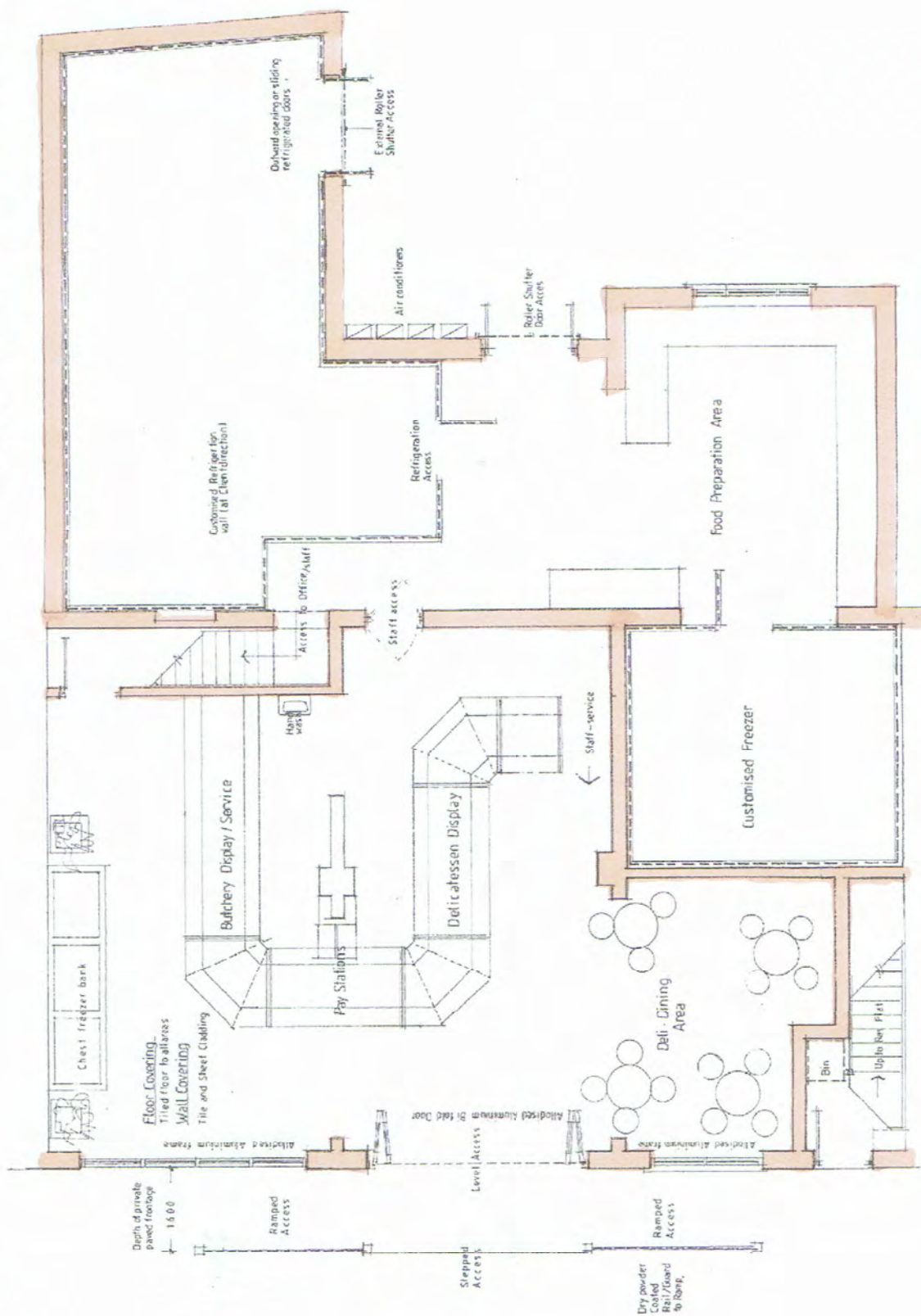
Front





PROPOSED INTERNAL USES

4A



ERECTION OF SINGLE STOREY REAR EXTENSION (FOOD STORE AND PREPARATION) AND INSTALLATION OF NEW SHOPFRONT.

MAISH

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August 2016

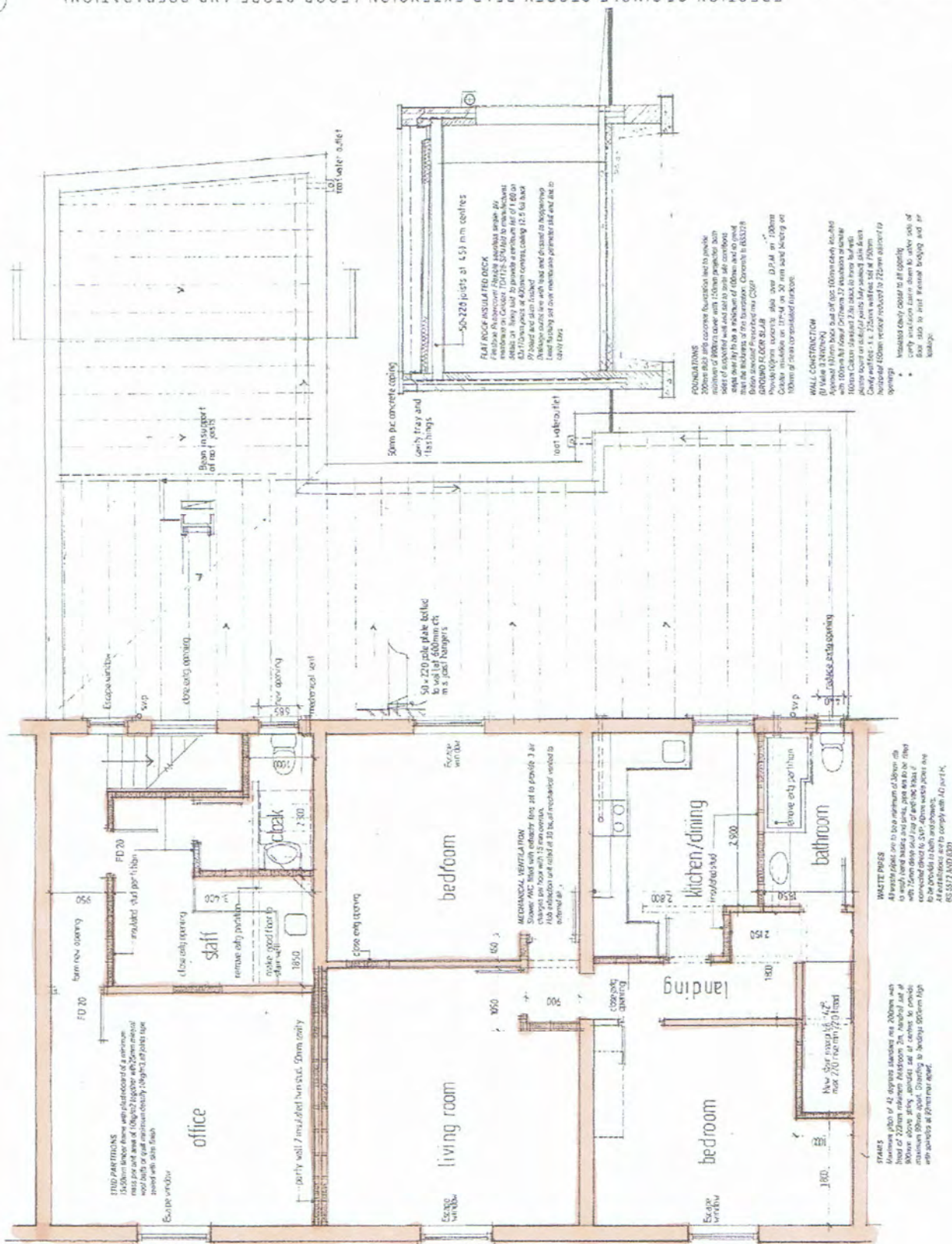
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PART 1
The floor and wall work required to meet the requirements of Part 1 of the Building Regulations shall be completed by 15th November 2016.

WIND AND WEATHER
The wind and weather resistance of the building shall be in accordance with the requirements of Part 6 of the Building Regulations. The wind and weather resistance of the building shall be in accordance with the requirements of Part 6 of the Building Regulations. The wind and weather resistance of the building shall be in accordance with the requirements of Part 6 of the Building Regulations.

WIND AND WEATHER
The wind and weather resistance of the building shall be in accordance with the requirements of Part 6 of the Building Regulations. The wind and weather resistance of the building shall be in accordance with the requirements of Part 6 of the Building Regulations. The wind and weather resistance of the building shall be in accordance with the requirements of Part 6 of the Building Regulations.

WIND AND WEATHER
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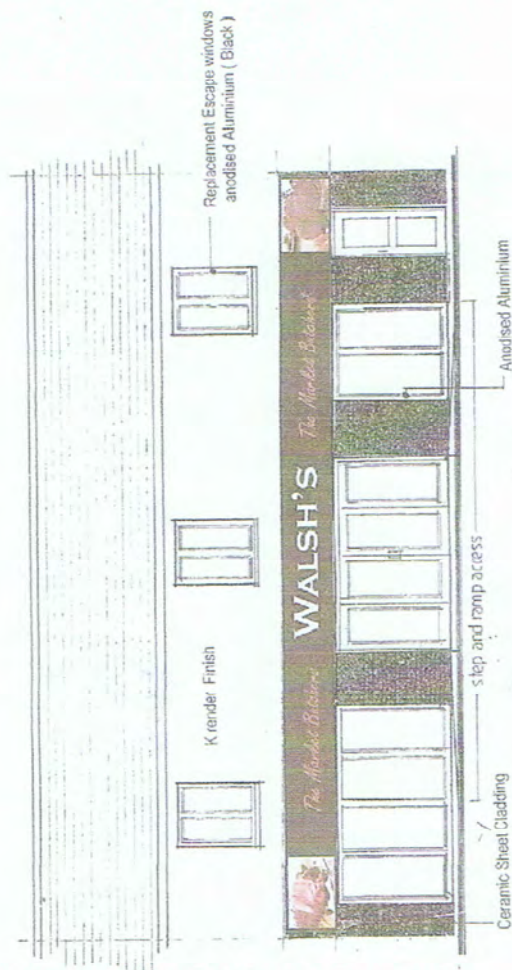
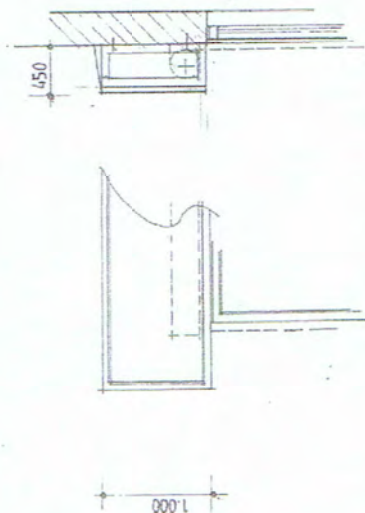
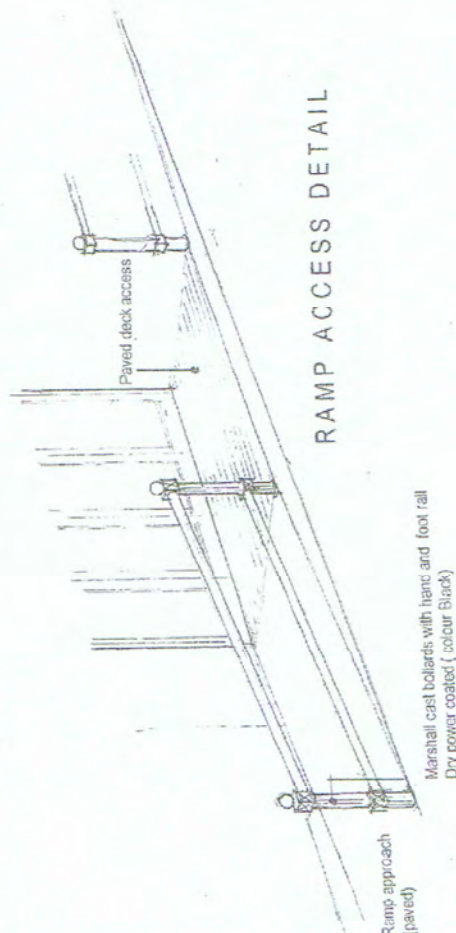
ERECTOR OF SINGLE STOREY REAR EXTENSION (FOOD STORE AND PREPARATION) AND INSTALLATION OF NEW SHOPFRONT

WALSH

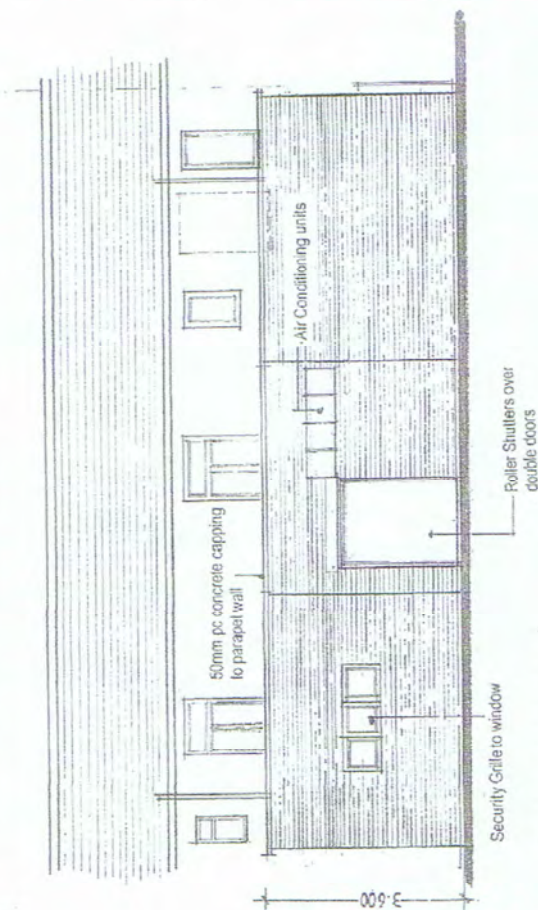
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August 2016

BEECHWOOD, SHADY LANE, BECHMEY CROSS, BOLTON, BL3 9AF TEL: 01204 303148



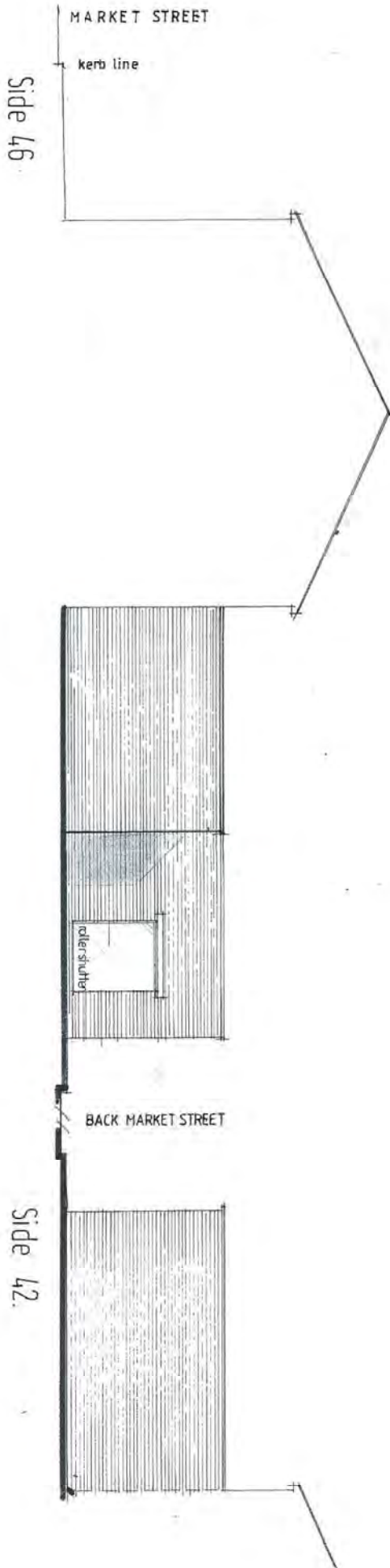
Front Elevation (Market Street)



Rear Elevation

PROPOSED ELEVATIONS 2

7



Ref P1726/16/7
 Scale 1:100 @ A3
 Date August 2016

Frank
Whittaker
 PLANNING CONSULTANTS

WALSH

ERECTION OF SINGLE STOREY REAR EXTENSION (FOOD STORE AND PREPARATION)
 AND INSTALLATION OF NEW SHOPFRONT.
 42-46 MARKET STREET L1199E LEVER BOLTON BL3 1HN