Planning Applications Report

Planning Committee

22 September 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

INDEX

Ref. No	Page No	Ward	Location
95081/15	4	RUMW	UNITS 1 AND 3, ST PAUL'S MILL, BARBARA STREET, BOLTON, BL3 6UQ
96357/16	18	WESO	DERELICT POCKETS SNOOKER CLUB, MARKET STREET, WESTHOUGHTON, BOLTON, BL5 3AZ
96382/16	32	RUMW	390 DERBY STREET, BOLTON, BL3 6LS
96774/16	39	HARP	8 HAWKER AVENUE, BOLTON, BL3 3AL
96783/16	46	HONE	TOPPINGS, FOXHOLES ROAD, HORWICH, BOLTON, BL6 6AL
96842/16	63	GRLE	BEEHIVE MILLS, CRESCENT ROAD, BOLTON, BL3 2LT
96846/16	73	HULT	CAR WASH, 287-289 ST HELENS ROAD, BOLTON, BL3 3QA
96855/16	79	HULT	PLOT A1, LOGISTICS NORTH, (FORMER CUTACRE), LAND OFF SALFORD ROAD & BRIDGEWATER AVENUE, BOLTON
96907/16	91	GRLE	BEEHIVE MILLS, CRESCENT ROAD, BOLTON, BL3 2LT
96917/16	103	HOBL	66-68 LEE LANE, HORWICH, BOLTON, BL6 7AE
96963/16	112	GRLE	LAND ADJACENT 235 MANCHESTER ROAD, BOLTON, BL3 2QP
96991/16	125	BRCR	THE ELMS, GRANGE ROAD, BROMLEY CROSS, BOLTON, BL7 9AU
97002/16	141	HOBL	CHORLEY NEW ROAD PRIMARY SCHOOL, CHORLEY NEW ROAD, HORWICH, BOLTON, BL6 6EW
97055/16	160	HOBL	LAND ADJACENT VALYNETTE, GRIMEFORD LANE, BLACKROD, BOLTON, BL6 5LD
97058/16	173	WNCM	STATESIDE FOODS, WINGATES INDUSTRIAL ESTATE, GREAT BANK ROAD, WESTHOUGHTON, BOLTON, BL5 3SL
97073/16	187	HELO	LAND OFF OLD KILN LANE, BOLTON, BL1 5PD
97090/16	200	WNCM	ADJACENT 265 BOLTON ROAD, WESTHOUGHTON, BOLTON, BL5 3EF
97106/16	210	RUMW	LAND ADJACENT 120 WILLOWS LANE, BOLTON, BL3 4AB
97251/16	217	HOBL	213 NEW STREET, BLACKROD, BOLTON, BL6 5AT
	225		BOLTON (LAND TO THE REAR OF 91 SMITHILLS DEAN ROAD, BOLTON) TPO 2016

Application number 95081/15

Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 22/09/2016

Application Reference: 95081/15

Type of Application:	**Full Planning Application**
Registration Date:	**24/03/2016**
Decision Due By:	**18/05/2016**
Responsible Officer:	**Jeanette Isherwood**

Location:	**UNITS 1 AND 3, ST PAUL'S MILL, BARBARA STREET, BOLTON, BL3 6UQ**
Proposal:	CHANGE OF USE FROM INDUSTRIAL UNIT TO COMMUNITY AND FUNCTION SPACE
Ward:	**Rumworth**

Applicant: Mr Jiva
Agent : Smusa1

Officers Report

Recommendation: Approve subject to conditions

Background

This proposal was initially presented to the Planning Committee on the 17th December 2015 but was deferred at the meeting for a site visit and further information.

Ownership issue with regards to the site and the additional parking proposed was identified and as a result the application was held for further clarification. The following changes were made and the consultation process was repeated:-

- Certificate B was submitted identifying all correct ownership
- The additional parking at Swan Mill was deleted and a new site plan with amended red edge was submitted (further consultation was taken on receipt of the corrected plan)

Proposal

A change of use is proposed to use part of the mill building for a community and function facility, which falls into a D2 use classification.

The proposal includes a function and community assembly space together with a serving area and kitchen. The seating capacity of the venue has been detailed as 150 - 250 people.

25 car parking spaces have been allocated within the existing car park that serves St Paul's Mill as a whole.

The applicant has requested that the hours of opening will be 11:00 - 23:00 Monday to Sunday with 22 employees (2 x full time and 20 x part time).

Minor changes to the front and side elevations are proposed to provide a new entrance lobby (to the side) and 2 exit doors to the front.

It has been reported that the use of the site as a function space has been commenced and is on going.

Site Characteristics

The site is a former mill which lies in the heart of Inner Bolton. To the north and east are residential dwellings, typically laid out in rows of terraces. To the south are other mill buildings, which are put to commercial uses. The adjoining part of the mill is used as a mosque (Goshia Mosque). There are further small units in use within the site.

Policy

National Planning Policy Framework 2012

Core Strategy Objectives - SO2 Achieving Bolton; SO11 Bolton's Built Heritage

Core Strategy Policies CG3.2 Conserve and Enhance Local Distinctiveness; CG3.3 Scale, Massing, Grain and Form; CG4.1 Compatible Uses; SC2.1 Cultural and Community Facilities; RA1 Inner Bolton.

Analysis

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

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

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

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

The main impacts of the proposal are:-

* Suitability of the Use and Visual Changes
* Highways Issues
* Other Matters

Suitability of the Use and Visual Changes

Core Strategy policy SC2.1 states that the Council and its partners will ensure that local cultural activities and community facilities are located in the neighbourhoods they serve.

Objection has been raised to the proliferation of similar uses in the area. However, this proposal is ideally situated to promote community cohesion, providing facilities within the communities they serve.

Core Strategy policy CG4.1 outlines the Council's stance regarding the protection and preservation of neighbouring occupiers privacy and amenity by ensuring new development is compatible with surrounding land uses and it does not generate unacceptable nuisance, fumes, odours, noise or light pollution.

Several objections have been received to the proposal with one issue being the possibility of noise disturbance with the use of the venue. A recent letter reported fireworks being released within close proximity of nearby houses.

The Council's Environmental Health Officers were consulted and had no objections to the proposal subject to several conditions due to the proximity of the site to residential dwellings. Conditions are suggested to ensure there is no undue disturbance and nuisance arising from the centre with regard to light pollution, odour or noise, beyond what is normally expected during daytime and evening hours.

In terms of the proposed use, on the basis of information submitted and technical consultee responses, Officers do not consider the use will unduly affect the amenity of local residents, businesses or the surrounding environment.

One objection has been raised with regards to the loss of local employment. However, the site was previously vacant, its re-use will create 22 new employment opportunities for local people.

Core Strategy policies CG3.2 and CG3.3 require proposals to respect and enhance local distinctiveness and be compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment, including hard/soft landscaping and boundary treatment. Changes to the front and side elevations are considered to be minor, in terms of their impact on the street scene.

The proposal is considered to be compliant with Core Strategy policies CG3, CG4, and SC2 subject to conditions.

Highways Issues

Policy S1.2 seeks to promote road safety in new development, whilst policy P5 asks that developments are accessible by different means of transport and take into account the parking standards contained in appendix 3.

Objections have been raised to possible traffic/parking issues that may arise due to the use of the site. Some of these issues have been recently reported by residents as the venue is currently in use. The issues highlighted were the amount of parking congestion in the immediate vicinity due to functions (on same days) at this site and the adjoining Ghosia Hall, with vehicles being parked haphazardly leading to the access to the rears of properties on Edgmount Ave/Essingdon Street being blocked.

Highways initial response to the amended site plan was as follows:-

- The 25 spaces within the site curtilage are not solely for this proposal and are utilised by other businesses that are located within the premises.
- The over-spill parking provision proposed within Swan Lane Mill is actually non-existent.
- There will be a reliance for on-street parking on Bridgeman Street and within the surrounding residential areas for the proposal to be viable
- We have had a number of complaints from residents relating to parking issues associated with this business which appears to be operating illegally.
- The Highways Authority is not supportive of what is being proposed owing to the level of on-street parking that it will/is generating at this location and the impact that it will potentially have on surrounding existing businesses/facilities and on the amenity value to residents within the surrounding areas.

It is noted that there is congestion at the site and therefore the following measures are proposed to alleviate these issues:-

- The erection of gates to both back streets serving Edgemont Avenue to allow private residents parking
- The incorporation of a Parking Permit Scheme to Edgmont Avenue during the hours of 18:00 - 22:00 Monday to Friday and 11:00 - 15:00/18:00 - 22:00 on Saturdays and Sundays
- The insertion of double yellow lines to the corners of the streets junctioning with Caroline Street to avoid access and egress issues.

Provision is also available for 25 vehicles in the car park, although this is shared with the adjacent local business on the site.

The Highway Engineers have expressed the following reservations to the above proposals:-

- The Highways Authority would be reluctant to support a residents only parking scheme at this location. The scheme implementation would be reliant on the implementation of a traffic regulation order to enforce the proposal, this in turn would be reliant on the satisfactory outcome of a consultation exercise with residents/businesses and stakeholders at that location.
- Both the above would not prevent parking on Bridgeman Street associated with the proposed development which was our main concern.

Affected residents have been consulted on the above scheme and a positive response has been received.

On balance Officers conclude that the proposal is in a highly sustainable location accessible to the surrounding community The parking measures suggested are considered to alleviate some of the present issues and on this basis the proposal is considered to be acceptable.

Other Matters

Objection has been received to the validity of the final site plan with concerns that the full ownership of the site had not been highlighted.(Area edged in blue)

This issue was brought to the attention of the applicant and a request for a correction was made. No correction has been received to date. However this issue is a legal issue, the site edged red shown on the plan is indeed correct and therefore does not invalidate the application.

Concern has also been voiced that the owners listed on Certificate B have not been issued with Notice. However the applicant confirms that Notice has been sent. This does not affect the validity of the planning application.

Conclusion

The proposal is considered to comply with the aforementioned policies. Therefore the application is approved subject to conditions.

Representation and Consultation Annex

Representations

Letters:- Objections have been received from areas throughout Bolton with the main issues being**:-**

- Proliferation of similar uses in the area
- Traffic and parking issues
- Loss of employment opportunities
- Noise and general disturbance.
- Loss of access to emergency vehicles due to parking congestion.

Petitions

One received containing 400+ signatures objecting to the proposal.

Several letters of support have also been received.

Consultations

Advice was sought from the following consultees: Highways, Environmental Health.

Planning History

Planning approval for the change of use of part of vacant mill to community and education facility (D1) Ref: 88139/12

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

   Reason

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

2. Before development commences details of all external lighting equipment shall be submitted to and approved by the Local Planning Authority. The lighting in the scheme should be erected and directed so as to avoid nuisance to
   residential accommodation in close proximity. The lighting should be designed to provide a standard maintained illumination of no more than 5 LUX at the facades of the nearest residential properties. No other lighting equipment
   may then be used within the development other than as approved by the Local Planning Authority.

   Reason

   To minimise light intrusion to the residential amenity of the area from the increase and alteration of commercial, industrial and recreational uses in the area and to comply with Core Strategy policy CG4.

3. Prior to the commencement of development full details of the following highway works shall be submitted to and approved in writing by the Local Planning Authority:-

   - The erection of gates to both back streets serving Edgemont Avenue.
   - The incorporation of a Parking Permit Scheme to Edgmont Avenue during the hours of 18:00 - 22:00 Monday to Friday and 11:00 - 15:00/18:00 - 22:00 on Saturdays and Sundays

- The insertion of double yellow lines to the corners of the streets/back streets junctioning with Caroline Street.

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. Before the approved/permitted development is first brought into use no less than 25 car parking spaces with minimum dimensions of 2.5 metres by 5.0 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: Revised Site Plan 05 dated 08/15 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 Core Strategy policy S1 and P5.

5. Before the commencement of the use hereby permitted, a scheme showing details of the means of extraction and filtration of cooking odours and methods to be employed to prevent noise disturbance shall be submitted to and
approved by the Local Planning Authority. The approved scheme shall be implemented in full before the use hereby permitted is first commenced and retained thereafter at all times.

Reason

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

6. The external surfaces of the altered elevations 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 and to comply with Core Strategy policy CG3.

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

11:00- 23:00 Mondays – 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 and to comply with Core Strategy policy CG4.

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

Proposed floor plans - 03 - dated 08/15
Proposed elevations - 04 - dated 08/15
Revised site plan - 05 - dated 08/15

Reason

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

Site Plan

Scale 1:500 @ A3

Application Area - 1,333 SqM/ 14,345 SqFt

Existing Building

Application Boundary

Land Under Client Ownership

Site Location

Scale 1:1250 @ A3

Site Boundary

Land Under Client Ownership

Existing Building

0 5m 10m 25m 50m 100m 150m

N

NOTES:

No scaling or dimensions other then those figured are to be taken from this drawing. All dimensions to be checked on site

This drawing is for use at the named location and for Planning Permission purposes only and as such should not be used at any other location or for any other purposes

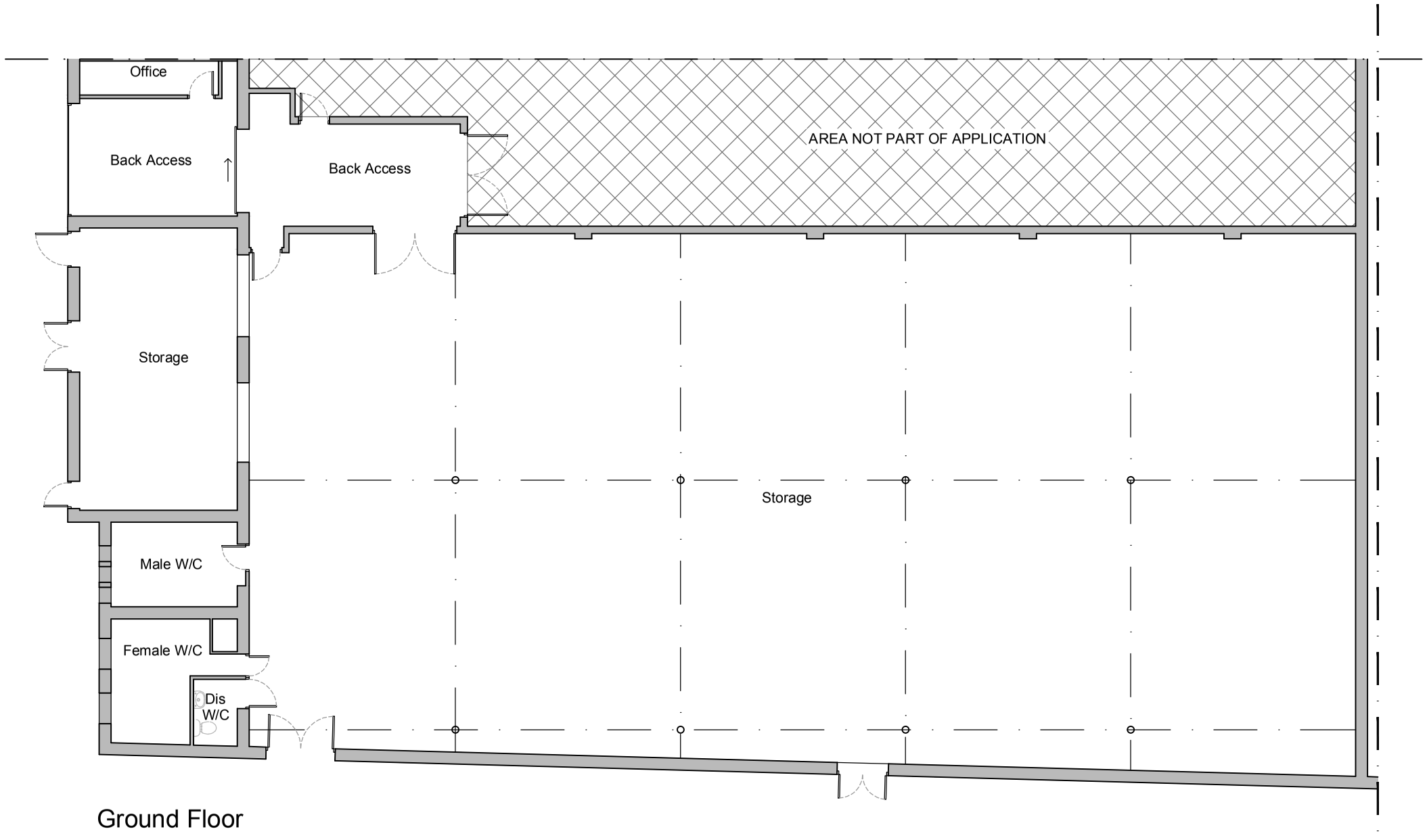
Project Location:

St Pauls Mill
Barbara St
Bolton
BL3 6UQ

Drawing:

00 Site Location

Scale:	Size:	Date:
Varies	**A3**	**08/15**



Ground Floor

NOTES:

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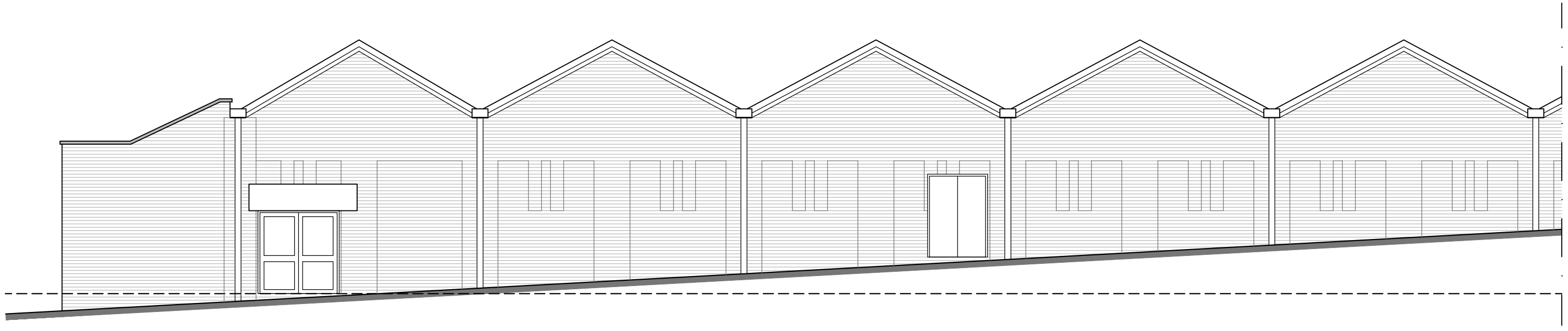
Project Location:

St Pauls Mill
Barbara St
Bolton
BL3 6UQ

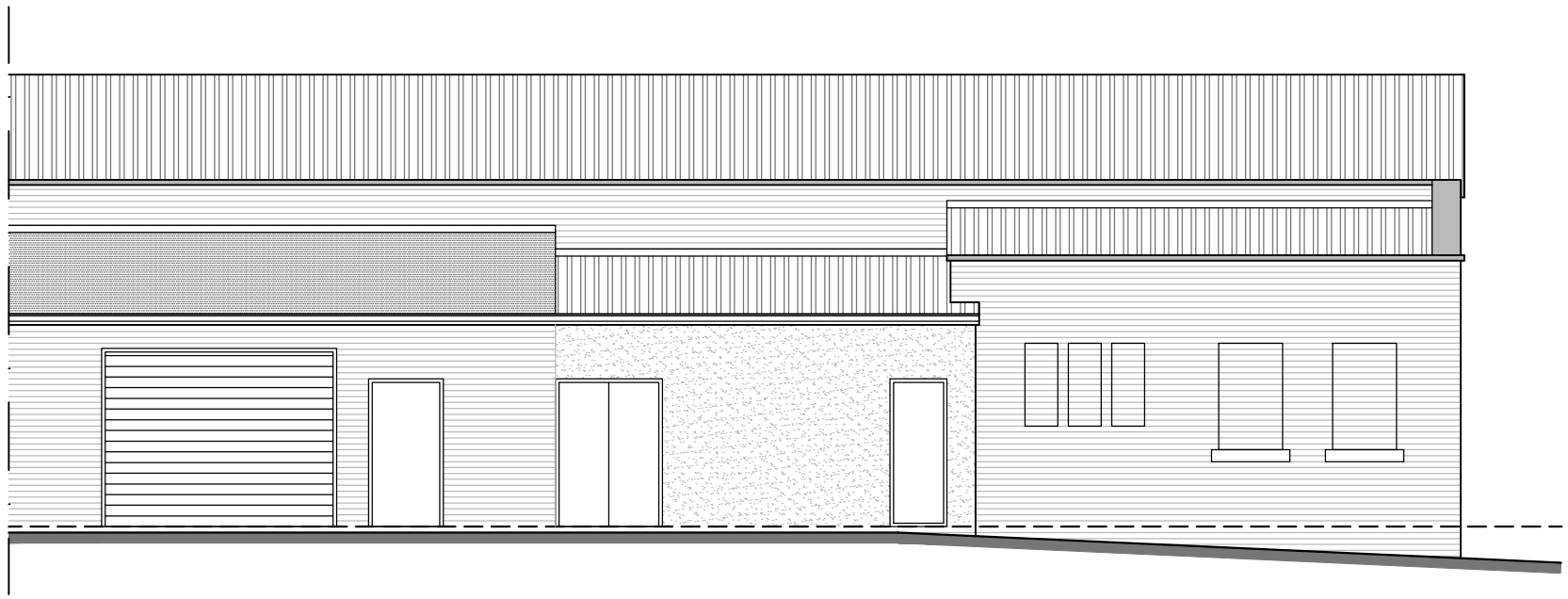
Drawing:

01 Existing Plan

Scale:	Size:	Date:
1:150	**A3**	**08/15**



Front Elevation



Side Elevation

NOTES:

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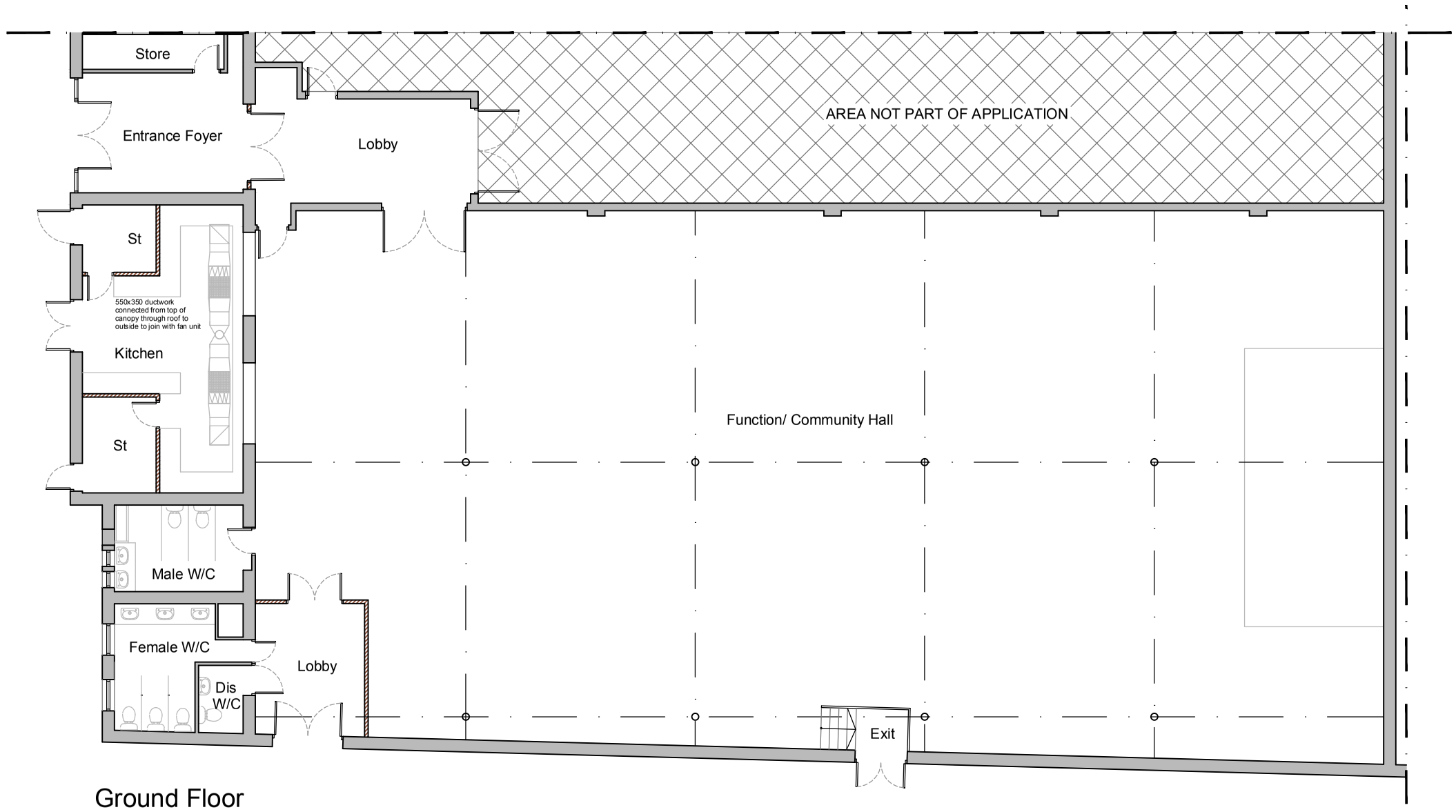
Project Location:

St Pauls Mill
Barbara St
Bolton
BL3 6UQ

Drawing:

02 Existing Elevations

Scale:	Size:	Date:
1:100	**A3**	**08/15**



Ground Floor

15

NOTES:

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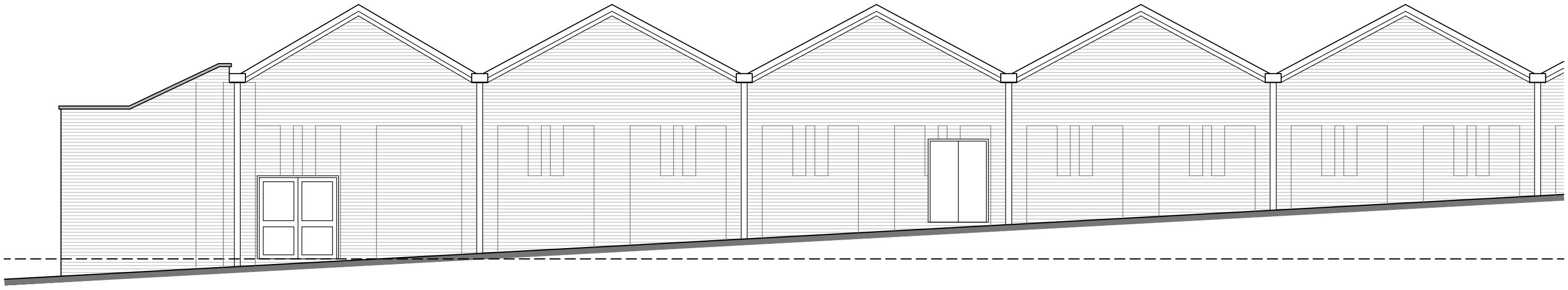
Project Location:

St Pauls Mill
Barbara St
Bolton
BL3 6UQ

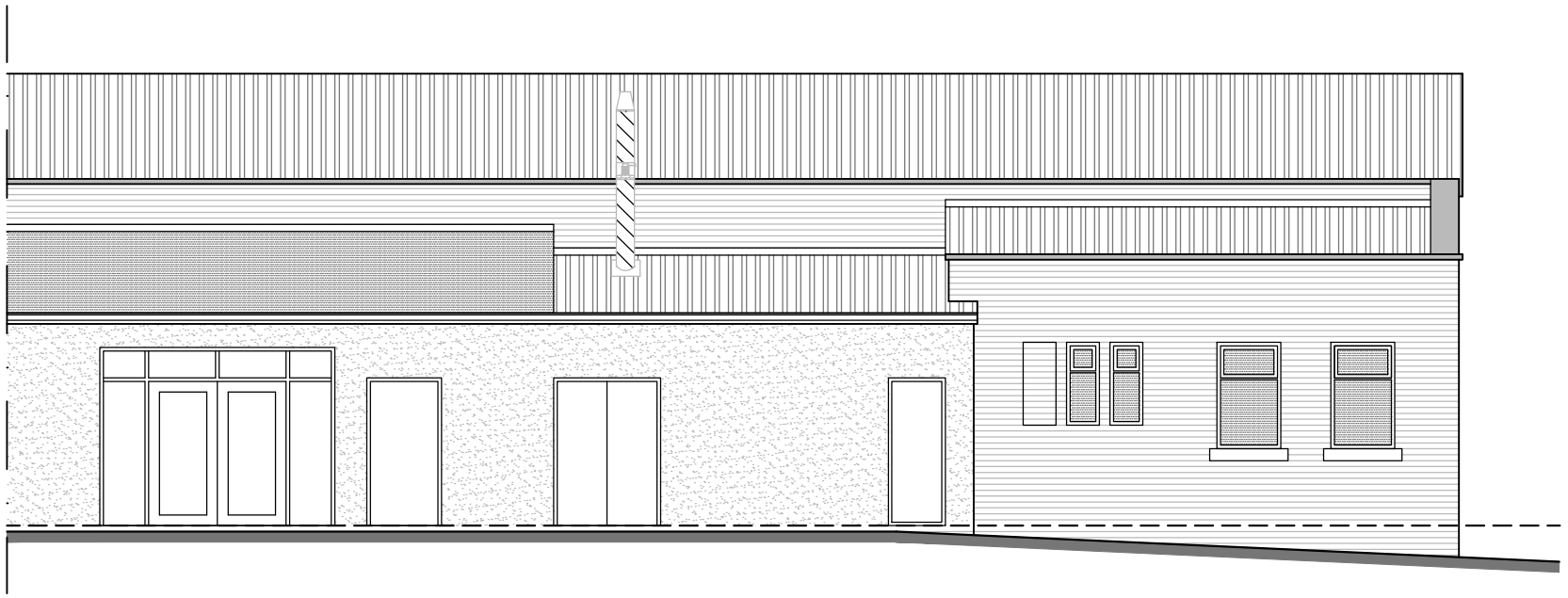
Drawing:

03 Proposed Plan

Scale:	Size:	Date:
1:150	**A3**	**08/15**



Front Elevation



Side Elevation

16

NOTES:

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Project Location:

St Pauls Mill
Barbara St
Bolton
BL3 6UQ

Drawing:

04 Proposed Elevations

Scale:	Size:	Date:
1:100	**A3**	**08/15**

Site Plan

Application Area - 1,333 SqM/ 14,345 SqFt

Existing Building

Application Boundary

Land Under Client Ownership

NOTES:

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Project Location:

St Pauls Mill
Barbara St
Bolton
BL3 6UQ

Drawing:

05 Proposed Site

Scale:	Size:	Date:
1:500	**A3**	**18/02**

Application number 96357/16

Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 22/09/2016

Application Reference: 96357/16

Type of Application: **Full Planning Application**
Registration Date: **18/04/2016**
Decision Due By: **17/07/2016**
Responsible Officer: **Alex Allen**

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

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

Ward: **Westhoughton South**

Applicant: Molloy Hale Ltd
Agent : Howard & Seddon ARIBA

Officers Report

Recommendation: Approve subject to conditions

Background

The application was considered at the August 2016 Planning Committee, whilst the scheme as a whole was considered to be acceptable it was considered by Members that the scheme should contribute by way of a s.106 contribution to infrastructure in the local area/Westhoughton.

This requirement has been explained to the applicant who has reiterated that the scheme is not viable i.e when the land value is added into the scheme would make a loss of £827,617.

Proposal

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

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

Site Characteristics

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

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

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

Policy

National Planning Policy Framework

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

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

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

Principle of Residential Development

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

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

The site is located within Westhoughton town centre with Core Strategy policy OA3.1 clearly stating that "the Council and its partners will continue to promote Westhoughton town centre as being suitable for a mix of retailing, leisure, employment and housing uses".

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

Impact on the Character and Appearance of the Area

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

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

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

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

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

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

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

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

However, it is considered that the proposed development could mitigate against the impacts of the

adjoining uses. The overall design and layout of the proposed new dwellings are such that the impact of existing uses would be limited due to the following factors:

- The front of the new properties all face the noise generating uses e.g. hot food takeaways, Wheatsheaf public house. These elevations can be protected / enhanced by using acoustic glazing combined with sound attenuated ventilation systems.
- The external areas of the properties i.e. front and rear garden can be protected from noise generated by existing uses by way of acoustic screens / boundary treatment;
- There is a general expectation that residential properties within town centre locations should live with an amount of noise generating activity; and
- When potential purchasers are considering buying a property they will have the knowledge that the site is located adjacent to potentially noise generating activity.

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

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

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

Impact on Highway Safety

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

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

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

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

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

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

Impact on Drainage/Land Stability

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

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

The proposal would comply with policy CG1 and CG4.

Impact on Sustainability

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

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

Impact on Existing Infrastructure

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

The applicant has submitted a viability report which details that the proposed development would not be viable to enable the payment of s.106 contributions. The Council's Surveyors have assessed the submission and have confirmed that proposal would not be viable to enable the payment of any s.106 contributions.

This approach is entirely consistent with National Planning Policy Framework Core Strategy policy IPC1 which states that:

'The above policy is applicable unless it can be demonstrated by the applicant that the scheme would not be viable if contributions were sought or offered.'.

To request for any s.106 contributions for this application would be contrary to local and national guidance and if refused on this basis, result in a potential planning appeal with the significant risk of costs being awarded against the Council.

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.

No local finance considerations have been submitted to support his application.

Conclusion

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

Notwithstanding members concerns regarding potential s.106 contributions, the development would not be viable with any contributions. The applicant has explicitly stated they are not willing to provide any contributions.

The proposal is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

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

- The proposal would not ensure the vitality and viability of town centres nor would it safeguard existing businesses in the area;
- Would result in parking and access problems;
- The application is inaccurate;
- New shops should be developed on Market Street rather than new homes;
- The proposal would not benefit the local community;
- Is adjacent to the Wheatsheaf Public House and the new residential use would be incompatible with the pub use and the hot food takeaway uses which are also located on Market Street;
- Seeking clarification over whether the application site area and whether this includes the existing Wheatsheaf car park and car park adjacent to Casa Nostra on Church Street - ***Officer comment:*** *the applicant has provided an amended application site area which excludes the existing pub car or restaurant car park. It is understood that the applicant has access rights over the land to enable the proposed development to be served.*
- The proposal would limit existing customers using the Wheatsheaf pub car park - the proposal would result in the loss of a number of spaces which are located adjacent to the application site. Officer comment:- the impact on the existing pub car park are considered to be a 3rd party / seperate legal matter between the applicant and the owner of the public car park.
- Whether the proposal would block access to the r/o 12-20 Church Street - *Officer comment - the proposed red edge has been amended to exclude the existing car park or land at the r/0 12-20 Church Street;*
- Reference is made to the Council's SPD on new restaurants, pubs, cafes and hot food takeaways stating that where these applications are located adjacent to existing residential properties this relationship would not be acceptable - the current application is the reverse situation - should a new residential development be located adjacent to an existing pub and within close proximity to a number of hot food takeaways and other late night uses - Officer comment - this issue is examined in more detail within the main body of the report.
- Car parking - the development would be served via private property i.e. the pub car park. The existing car park is used by a variety of users, There is insufficient capacity for more parking and additional traffic/vehicular movement
- The development would result in the loss of 12 car parking spaces from the private pub car park. ***Officer report:-*** *Issues of car parking, access and private property issues are assessed in the main report.*

Petitions:- no petitions have been submitted.

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

Elected Members:- no comments received.

Consultations

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

Planning History

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

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

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

   Reason

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

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

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

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

   Reason

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

4. Prior to the commencement of the development:-

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

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

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

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

Reason

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

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

Reason

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

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

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

To minimise the impact of noise on residential amenity.

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

Reason

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

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

Reason

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

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

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

Reason

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

NOTES

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

29

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

PLANNING ISSUE

SUBJECT TO LOCAL AUTHORITY APPROVAL

PROJECT

PROPOSED MIXED USE
DEVELOPMENT LAND
FORMER GAIETY CLUB
MARKET STREET
WESTHOUGHTON,BOLTON.

CLIENT

MS SIOBHAN MOLLOY

DRAWING TITLE

PROPOSED SITE PLAN

DRAWN TB | DATE 16.06.15
CHECKED | SCALE 1:250 (A1)
APPROVED

HOWARD & SEDDON A.R.I.B.A.
CHARTERED ARCHITECTS
64 WASHWAY ROAD.
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TEL No. 0161 - 973 8296
FAX No. 0161 - 962 3485
e-mail : admin@howardandseddon.co.uk

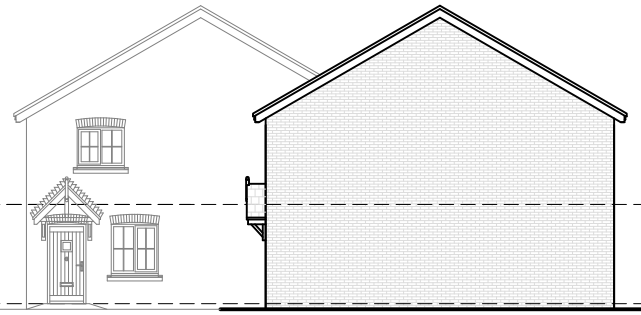
JOB No.	DRG No.	REVISION
11,718	11	F

NOTES

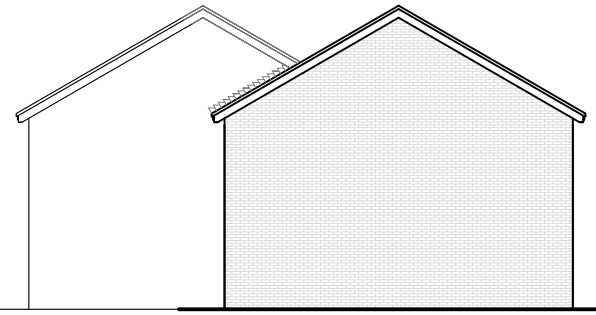
ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.

FRONT ELEVATIONS PLOTS 1 to 5

FRONT ELEVATIONS PLOTS 6 to 10



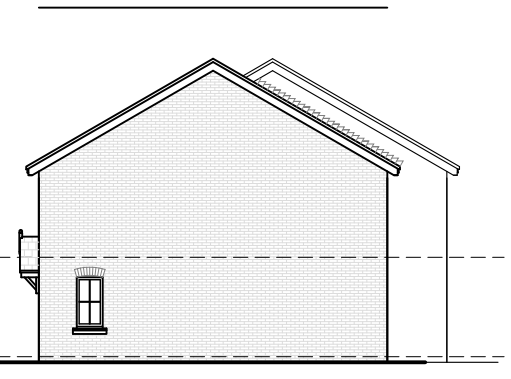
SIDE ELEVATION PLOTS 1 to 5



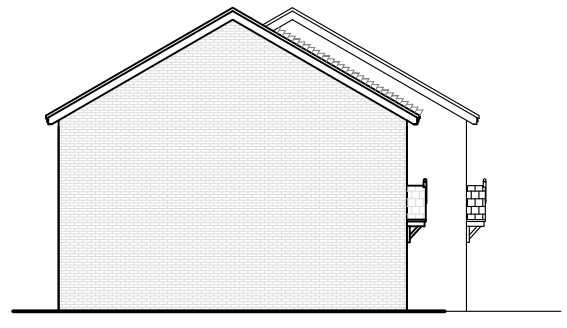
SIDE ELEVATIONS PLOTS 1 to 5

REAR ELEVATIONS PLOTS 6 to 10

REAR ELEVATIONS PLOTS 1 to 5



SIDE ELEVATION PLOTS 6 to 10

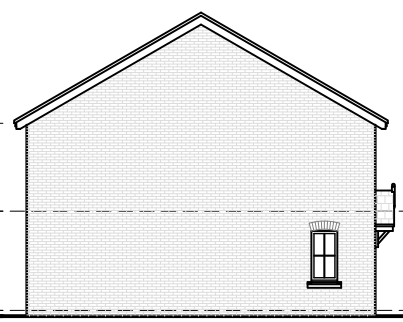


SIDE ELEVATION PLOTS 6 to 10

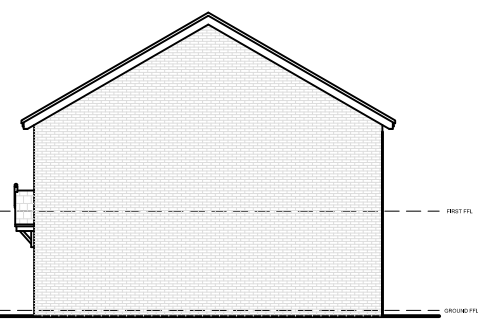
30

FRONT ELEVATIONS PLOTS 11-15

REAR ELEVATIONS PLOTS 11-15



SIDE ELEVATION PLOTS 11



SIDE ELEVATION PLOT 15

0 5m

SCALE 1:100

REV	AMENDMENTS	BY	DATE
C	PLANNING OFFICER COMMENTS ADDED	BLW	10.08.16
B	ELEVATIONS REVISED	BLW	19.01.16
A	FIRST ISSUE	TB	16.05.15

PLANNING ISSUE

SUBJECT TO LOCAL AUTHORITY APPROVAL

PROJECT

PROPOSED MIXED USE
DEVELOPMENT LAND
FORMER GAIETY CLUB
MARKET STREET
WESTHOUGHTON,BOLTON.

CLIENT

MS SIOBHAN MOLLOY

DRAWING TITLE

PROPOSED ELEVATIONS

DRAWN	TB	DATE	16.06.15
CHECKED		SCALE	1:100 (A1)
APPROVED			

HOWARD & SEDDON A.R.I.B.A.
CHARTERED ARCHITECTS
64 WASHWAY ROAD.
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FAX No. 0161 - 962 3485
e-mail : admin@howardandseddon.co.uk

JOB No.	DRG No.	REVISION
11,718	12	C

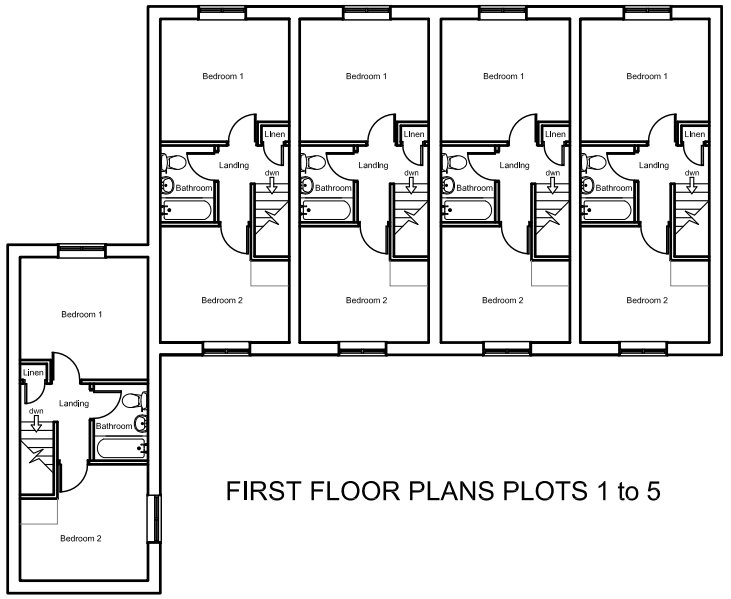
NOTES

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

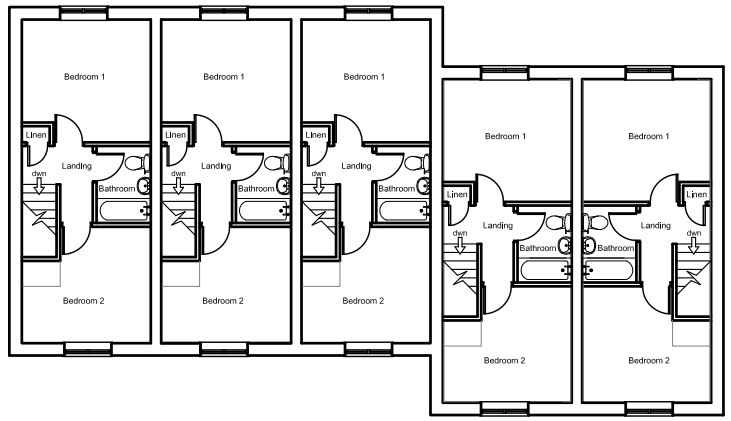
0 1 2m
SCALE 1:50

0 5m
SCALE 1:100

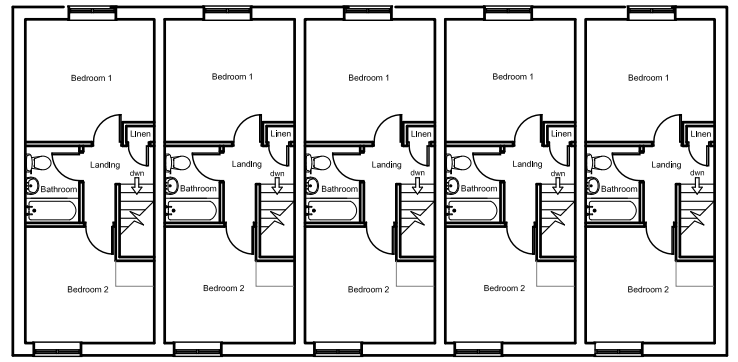
0 25m
SCALE 1:500



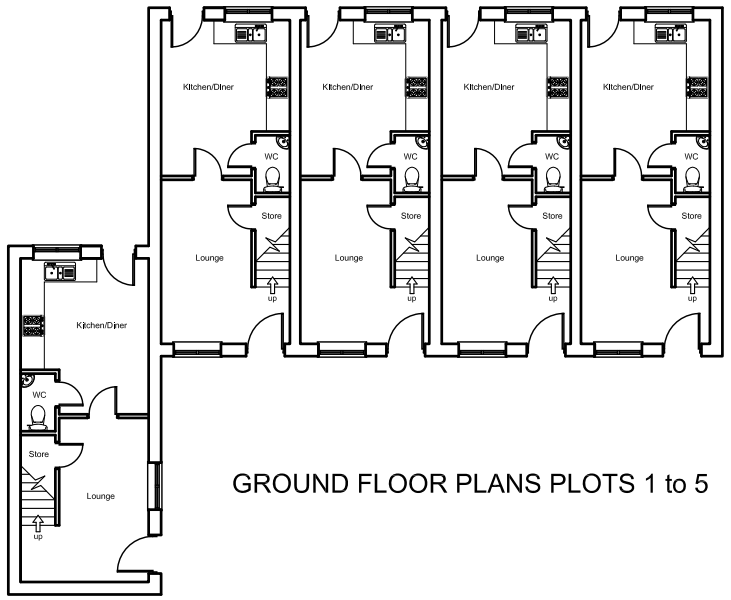
FIRST FLOOR PLANS PLOTS 1 to 5



FIRST FLOOR PLANS PLOTS 6 to 10



FIRST FLOOR PLANS PLOTS 11-15



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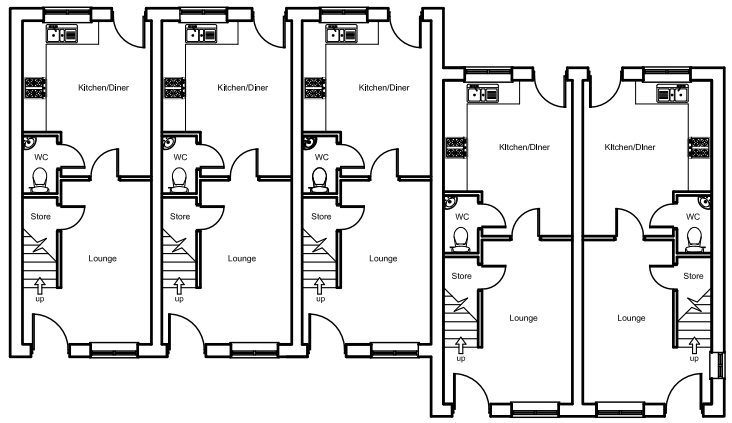
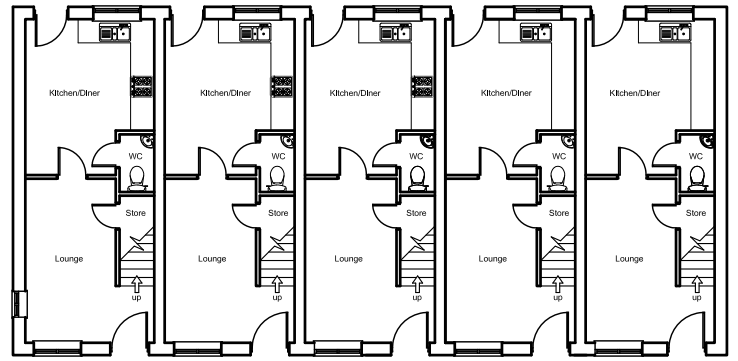
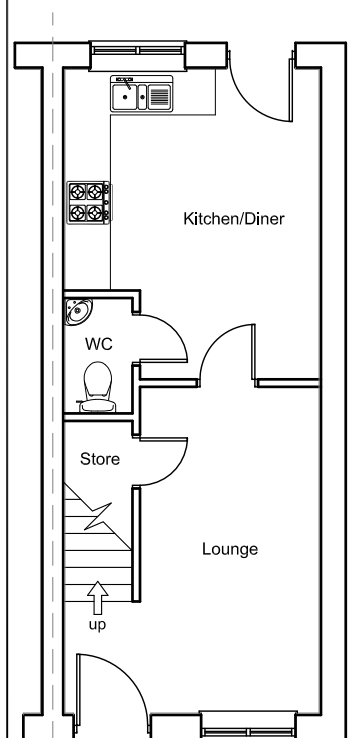


GROUND FLOOR PLANS PLOTS 6 to 10



GROUND FLOOR PLANS PLOTS 11-15



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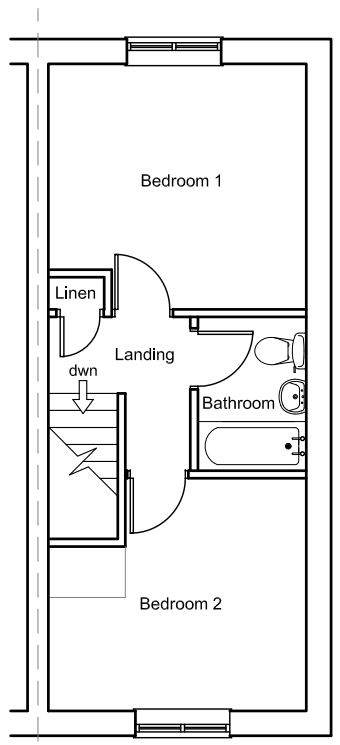

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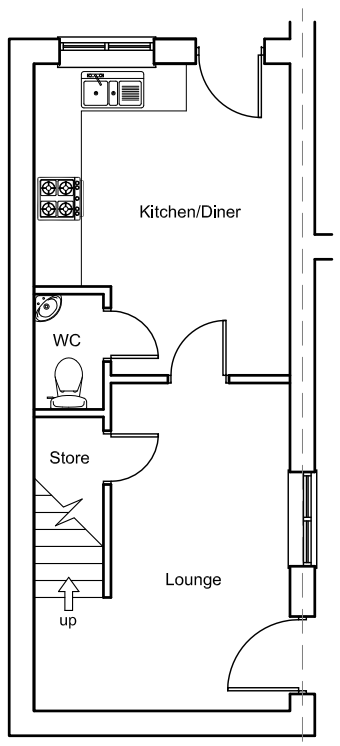

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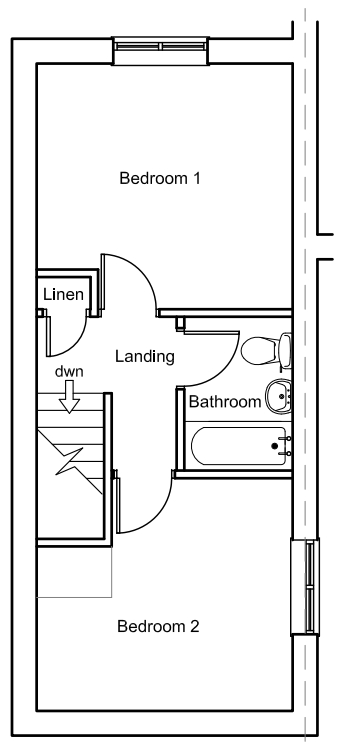

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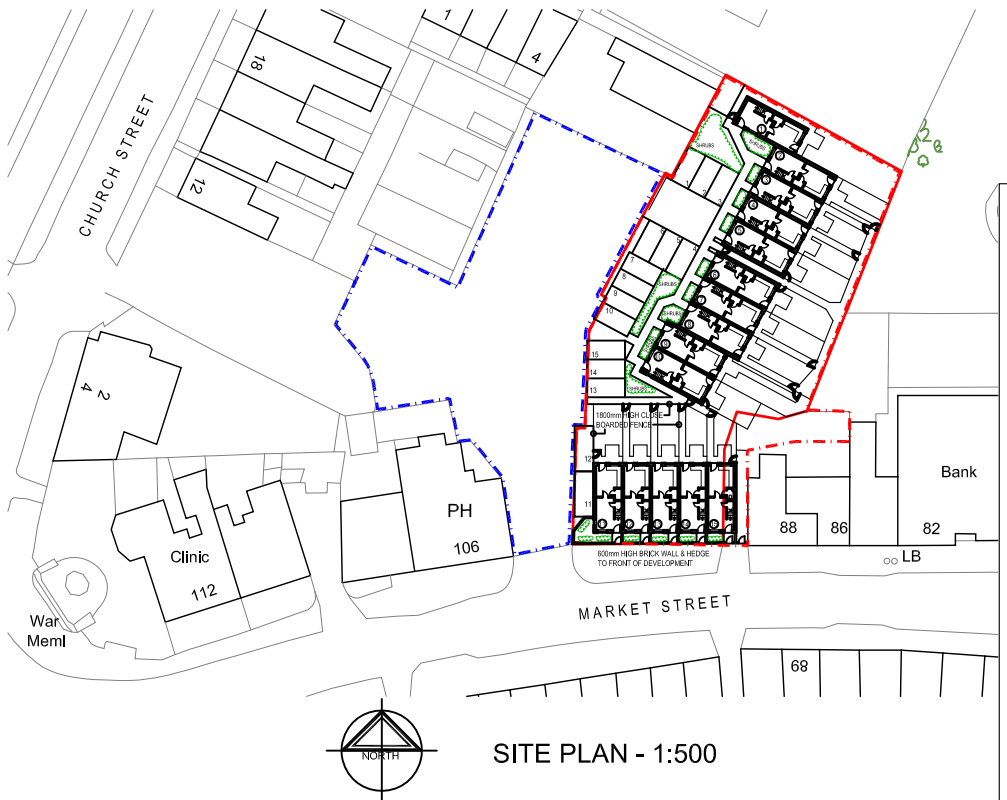

NORTH

SITE PLAN - 1:500

REV	AMENDMENTS	BY	DATE
D	PLANNING OFFICER COMMENTS ADDED	BLW	10.08.16
C	RED EDGE ALTS	BLW	29.03.16
B	LAYOUT ALTS	BLW	19.01.16
A	FIRST ISSUE	TB	16.05.15

PLANNING ISSUE
SUBJECT TO LOCAL AUTHORITY APPROVAL

PROJECT
PROPOSED MIXED USE
DEVELOPMENT LAND
FORMER GAIETY CLUB
MARKET STREET
WESTHOUGHTON,BOLTON.

CLIENT
MS SIOBHAN MOLLOY

DRAWING TITLE
PROPOSED FLOOR PLANS

DRAWN	TB	DATE	16.06.15
CHECKED		SCALE	1:50, 1:100 1:500 (A1)
APPROVED			

HOWARD & SEDDON A.R.I.B.A.
CHARTERED ARCHITECTS
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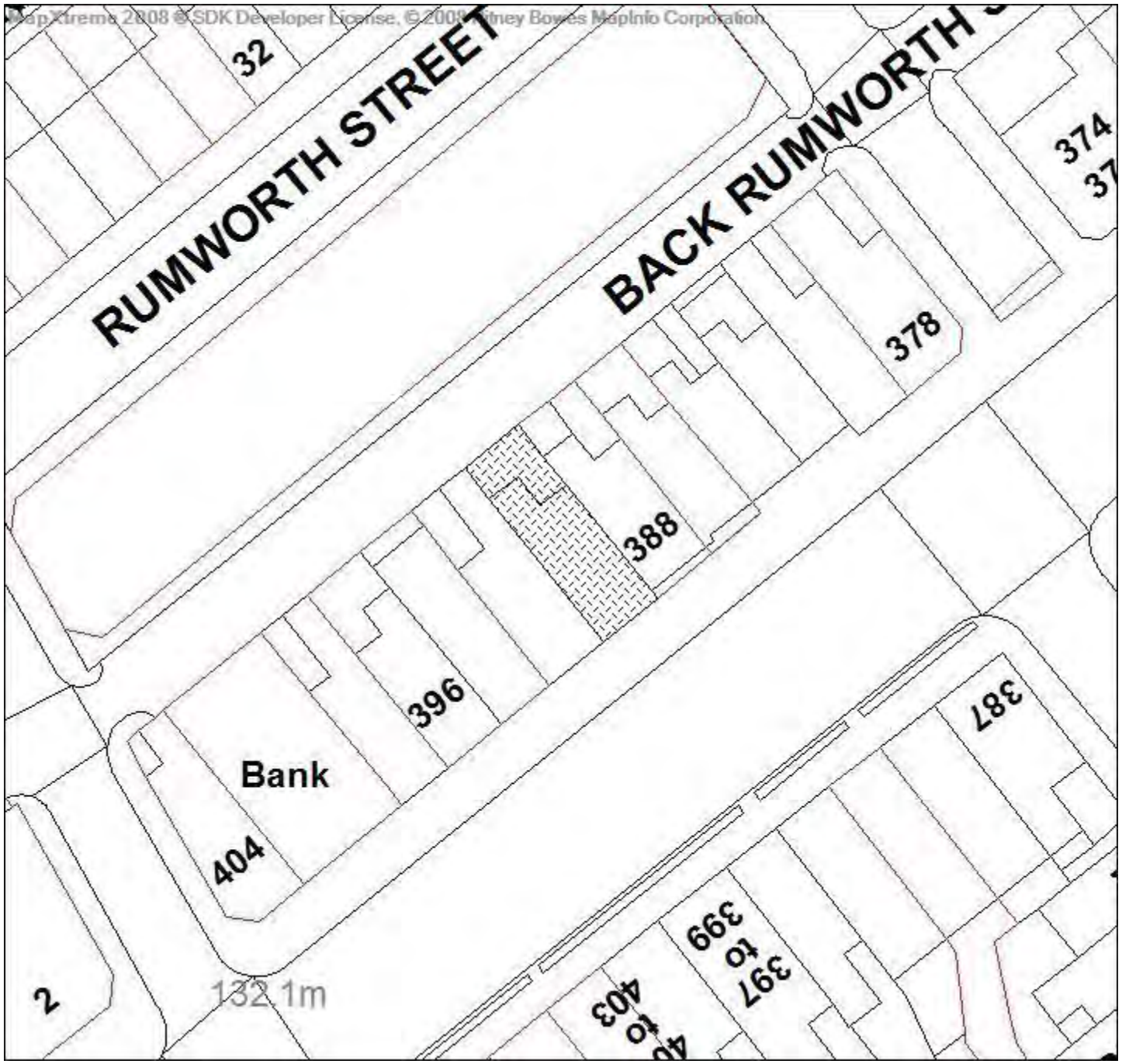
e-mail : admin@howardandseddon.co.uk

JOB No.	DRG No.	REVISION
11,718	10	D

Application number 96382/16



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: 22/09/2016

Application Reference: 96382/16

Type of Application: **Full Planning Application**
Registration Date: **20/04/2016**
Decision Due By: **14/06/2016**
Responsible Officer: **Paul Bridge**

Location: **390 DERBY STREET, BOLTON, BL3 6LS**

Proposal: CHANGE OF USE FROM RETAIL (CLASS A1) TO CAFE/TAKEAWAY (CLASS A3/A5) AND RETENTION OF EXTRACTION FLUE TO REAR.

Ward: **Rumworth**

Applicant: **Mr Pandor**
Agent : **Inspire Planning Solutions Ltd**

Officers Report

Recommendation: **Refuse**

Proposal

Planning permission is sought for the change of use from retail (class A1) to cafe/takeaway (class A3/A5) and retention of an extraction flue to the rear.

The premises are currently operating as a café as approved via the notification of temporary change of use (Class D) from A1 retail to A3 café which was granted 07.01.2014. The two year period expired on the 07.01.2016. Therefore this application seeks a permanent use as a cafe along with a takeaway element.

It is anticipated that the proposal will employ the equivalent of 4 full time members of staff. The proposed opening hours are 12:00am -23:00pm Monday to Saturday and 15:00pm and 23:00pm Sundays and Bank Holidays.

The proposal also includes the retention of an air extraction unit which is erected on the rear elevation of the premises.

Waste storage will be as existing in the rear yard area.

No car parking provision has been proposed.

Site Characteristics

The site is a terraced property located on Derby Road which is sited within Daubhill Local Shopping Centre. Derby Street is characterised by a mixture of residential and commercial uses. The adjoining property at No. 388 Derby Street is a residential dwelling. To the rear of the site is an access road (Back Rumworth Street) and a car park.

Policy
National Planning Policy Framework (2012)

Core Strategy policies: CG3 The Built Environment, GC4 Compatible Uses, P5 Accessibility, S1 Safety and RA1 Inner Bolton.

Supplementary Planning Document- Location of Restaurants, Cafes, Public Houses, Bars and Hot Food Take Aways in Urban Areas

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

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

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

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

The main impacts of the proposal are:-

* principle of the development;
* impact on the character and appearance of the area;
* impact on residential amenity;
* impact on highway;
* proximity of the hot food takeaway to schools;
* other issues

Principle of the Development
The commercial unit which is the subject of this application is currently occupied by the applicants. The application site is located within Daubhill Local Shopping Centre. The proposal would ensure that the premises are continually occupied which in turn will have a positive impact on economic development in accordance with the NPPF.

In terms of this application it is considered that the relevant policies of the Core Strategy together with the relevant SPDs can be afforded due weight for the purposes of decision making as they are consistent with the policies contained in the NPPF. Therefore the main planning issues relating to this application are the impacts of the proposed development on the amenity of the area and the occupiers of surrounding properties.

Impact on the Character and Appearance of the Area
Core Strategy policy CG3 seeks to ensure that development proposals contribute to good urban design, conserve and enhance local distinctiveness, ensuring development has regard to the overall built character of the area. Development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.

The application involves the retention of an extractor flue to the rear elevation of the property. The flue would highly visible from Back Rumworth Street and the residents of Rumworth Street as well as the occupiers of No.388 Derby Street, when in their rear yard area. Whilst it is acknowledged that the application site is located within a local town centre, extraction flues should still be sensitively designed and sited. Due to the size, siting and galvanized steel finish of the extraction unit, it is considered that it dominates the rear of the host building and forms an incongruous feature within the streetscene and on the character and appearance of the immediate and wider surrounding area contrary to policy CG3 of the Core Strategy.

Impact on Residential Amenity

Core Strategy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers protecting amenity, privacy, safety and security. In addition, guidance contained within the Hot Food Takeaway SPD provides advice on the creation of new restaurants. Paragraph 10 of the SPD states that:

Within groups of shops applications for restaurants, cafes, public houses, bars and hot food takeaways will normally be approved, subject to the following restrictions:

(a) These uses will not be acceptable where there is a residential property adjacent to the site concerned; and

(b) Where there is residential accommodation within 50 metres of any part of the application site, applications will be subject to a condition limiting their opening hours to between 09:00 and 23:30 Sunday to Thursday and between 09.00 and 24:00 Friday to Saturday.

The Council defines 'adjacent' to mean both that which is next to or adjoining and also that which has an obvious close relationship to. This therefore includes residential uses that are immediately above the premises, next door to the premises, and above premises next door. The definition also includes residential properties that are separated from the site in question, but considered to relate closely to it.

The above policies have the objective of ensuring that hot food takeaways do not adversely affect the level of residential amenity neighbouring occupants can reasonably expect to enjoy by virtue of increased noise, disturbance, smells and odours, litter, etc.

The application site is located within a row of shops/commercial units (within Daubhill Local Shopping Centre) and there are other hot food takeaways/cafes located within the vicinity of the application site. Those which displayed opening hours are open until late in the evening. The application site itself, whilst situated within a local centre, has a residential dwelling adjoining at No.388 Derby Street. Whilst a condition could be attached to ensure the proposed opening hours of the proposal to be in line with those which are advised for restaurants located within close proximity to residential dwellings it is considered that the potential activity associated with the proposal, including that created by customers outside the premises and parking within the immediate surrounding area, would, when taken cumulatively with existing uses nearby, cause significant harm to the living conditions of neighbouring occupiers by virtue of noise, disturbance and general activity.

Given the above, it is considered the proposal would adversely affect the amenity and well-being of residential occupants. The proposal is therefore contrary to the hot food takeaway SPD and policy CG4 of the Core Strategy.

Impact on the Highway

Core Strategy policy P5 requires developments to be accessible by different transport means,

prioritising pedestrians, cyclists, public transport users over other motorised vehicle users.

Given the site's location on a main road, the proposed use would have the ability to attract both local patronage and passing trade. Due to the constraints of the site it is not possible to provide any curtilage car parking. The application site is directly adjacent to a bus stop with associated parking restrictions and there is a public car park located to the rear on Back Rumworth Street.

Whilst it is acknowledged that there are parking restrictions evident along Derby Street, there is a car park to the rear and it is considered that as the site is in a sustainable location served by a number of bus routes it would be unreasonable to refuse the application from a highway safety perspective. The Councils Highway Engineers have been consulted and have no objection to the proposals. It is considered therefore that the proposal is in accordance with policy P5 of the Core Strategy.

Proximity of the Hot Food Takeaway to Schools

Paragraph 33 of the Hot Food Takeaway SPD states that if an application site is within 400 metres of a secondary school, then the council may refuse the application on the grounds that it would be harmful to public health. The Council will also take into account the proposed opening hours of a hot food takeaway. If the proposed opening hours do not include lunch-time opening or evening opening before 6pm, then planning permission may be granted, even if a site is within 400 metres of a secondary school.

There is a secondary school within 400m of the application site, (Bolton Muslim Girls School) and the opening hours would include lunchtime and evening opening before 6pm. Whilst this is contrary to the guidance contained within the Hot Food Takeaway SPD, it is noted that the proposal is for a mixed use as café/hot food takeaway and there are a number of other hot food takeaways within the vicinity/local centre which students could use if this proposal was refused. It is therefore considered that it would be unreasonable to refuse the application on these grounds.

Other Issues

Waste

The applicant has not stated how commercial bins would be stored at site, however, there is space within the site to provide adequate bin provision and a condition has been attached which requests details of the bin provision to be submitted to the Local Planning Authority.

Local finance considerations

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

* Retention of three full time and two part time jobs.

It is not considered that the material benefit to the local economy listed above (construction employment) carries sufficient enough planning weight to outweigh the harm identified within this analysis.

Conclusion

For the reasons discussed above it is considered that the proposed retention of the flue at the rear of the building would harm the character and appearance of the area and that the proposed retention of the takeaway use of the premises would unduly harm the amenity of neighbouring residents, contrary to Policies CG3 and CG4 of Bolton's Core Strategy and the guidance contained with SPD Location of Restaurants, Cafes, Public Houses, Bars and Hot Food Take Aways in Urban Areas. Members are therefore recommended to refuse this application for these two reasons.

Representation and Consultation Annex

Representations

Elected Members:- Councillor Ibrahim has requested the application be determined by the Planning Committee.

Consultations

Advice was sought from the following consultees: Highways Engineers, GM Police, Public Health, Environmental Health.

Planning History

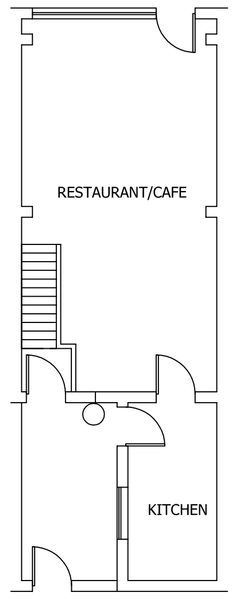
90631/13 - Certificate of Lawfulness for an existing use of the property as a restaurant / cafe (A3) use. – Refused 06.11.2013
91093/13 - Certificate of Lawfulness for an existing use of the property as a restaurant / cafe (A3) use. – Refused 20.01.2014
91162/13 – Notification of Temporary Change of use (Class D) from A1 retail to A3 café. Prior Approval Granted. 07.01.2014

Recommendation: Refuse

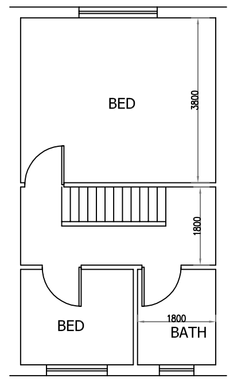
Recommended Conditions and/or Reasons

1. The extraction unit, by virtue of its size, siting and galvanised steel finish, dominates the rear of the host building and forms an incongruous feature within the street scene, detrimental to the character and appearance of the immediate and wider surrounding area, contrary to Policy CG3 of Bolton's Core Strategy.

2. The proposed development increases noise and activity in and around the premises to the detriment of the living conditions of nearby residents and is contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Document- "The Location of Restaurants, Cafes, Public Houses, Bars and Hot Food Take Aways in Urban Areas.



EXISTING
GROUND FLOOR PLAN



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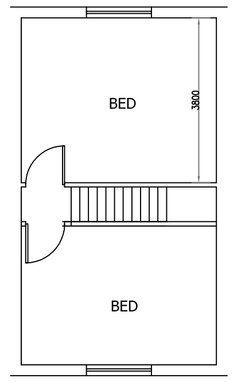

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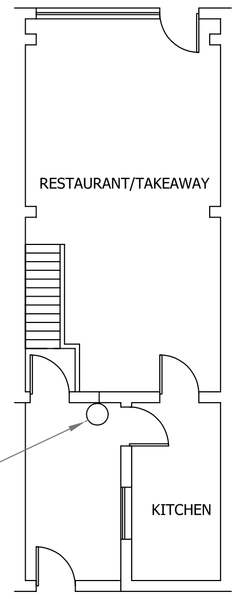
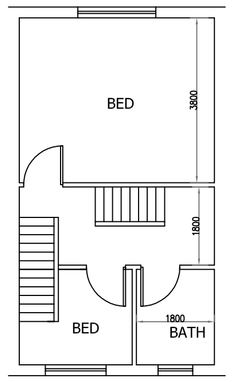
SECOND FLOOR PLAN



PROPOSED
GROUND FLOOR PLAN

Woods MaxFan
(see technical spec)



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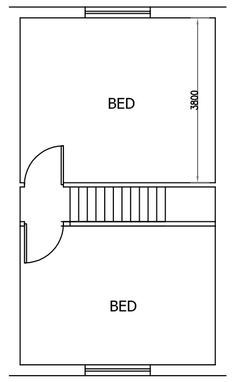

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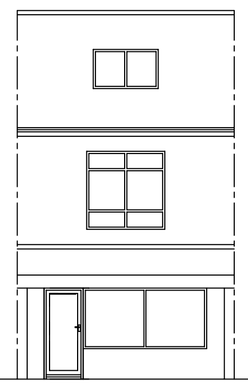
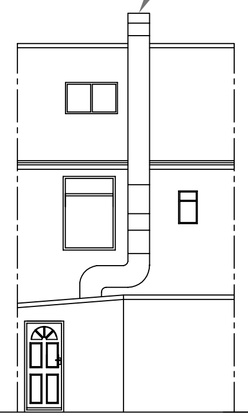


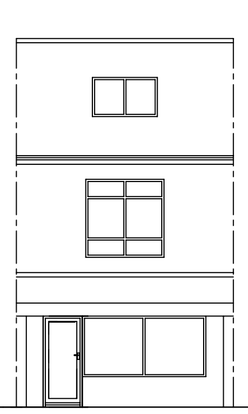
EXISTING
FRONT ELEVATION

No external changes

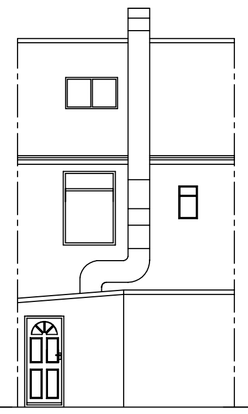


EXISTING REAR
ELEVATION

No external changes

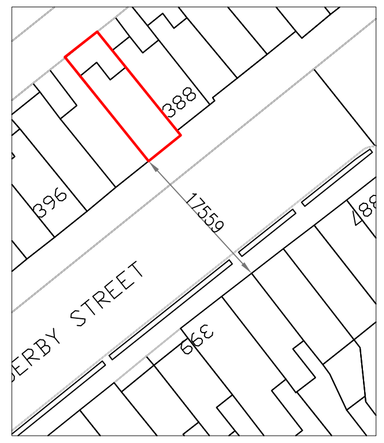


PROPOSED FRONT
ELEVATION



PROPOSED REAR
ELEVATION

LOCATION PLAN (1:1250)



BLOCK PLAN (1:500)

Date	Rev.		Initials	
17/5/16	A.	Flue Indicated	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

inspire planning solutions
Pendle Enterprise Haven
138 Every Street
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Project
390 DERBY STREET
BOLTON
BL3 6LS

Title
EXISTING & PROPOSED PLANS

Client

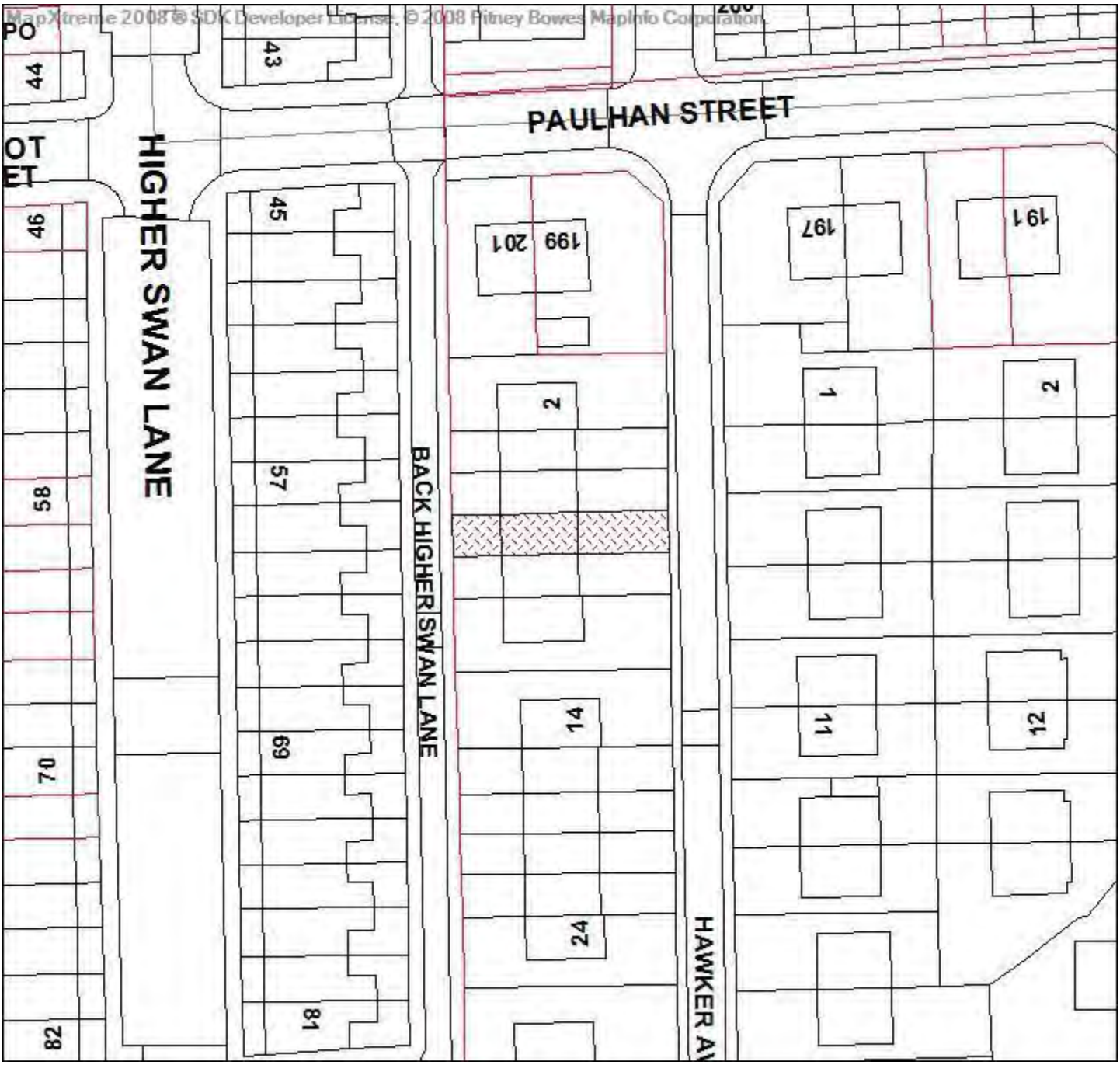
Drawn RA

Date APRIL 2016

Scale 1:100

Drawing Number RAD/888/16/1/RevA

Application number 96774/16



Development & Regeneration Dept
Development Management Section

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

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Date of Meeting: 22/09/2016

Application Reference: 96774/16

Type of Application: **Full Planning Application**
Registration Date: **13/06/2016**
Decision Due By: **07/08/2016**
Responsible Officer: **Simon Coles**

Location: **8 HAWKER AVENUE, BOLTON, BL3 3AL**

Proposal: ERECTION OF SINGLE STOREY FRONT, PART TWO STOREY PART SINGLE STOREY REAR EXTENSIONS, LOFT CONVERSION WITH THE INSTALLATION OF DORMER AT REAR AND FORMATION OF HIP ROOF TO GABLE (RESUBMISSION OF 96156/16).

Ward: **Harper Green**

Applicant: Mr A Z SHABIR
Agent : Y A ARCHITECTURAL SERVICES

Officers Report

Recommendation: Refuse

Background

This application was deferred at the last meeting for the applicant to look at amending their plans.

The applicant has stated that they are willing to remove the front single storey extension. Amended plans to show this will be shown at the Committee meeting.

Officers continue to recommend that the application is refused as the proposed development would result in an over development of the site, would be out of character and appearance with the dwelling and the surrounding area and would unduly affect the amenity of the neighbouring residents at numbers 6 and 10.

Proposal

Planning permission (application ref: 96156/16) was refused back in May this year on the following grounds: -

1. The proposal represents an over development of the site which will result in a loss of outlook and privacy for neighbouring occupiers and will result in insufficient private, useable amenity space for the existing dwelling and would be out of character with the surrounding locality and is thus contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions.

2. The proposal would, by virtue of its design, height and siting be detrimental to the character and

appearance of the area and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at 6 and 8 Hawker Avenue and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

3. The proposal makes insufficient provision for car parking in connection with the proposed development which is likely to result in on-street traffic and parking problems, and is thus contrary to Policy P5 and Appendix 3 of Bolton's Core Strategy.

This application is the same proposal that was refused and consists of: -

- single storey front extension. Projects 1.8 metres and full width of front of dwelling. Contains mono-pitched roof with two rooflights. The extension provides an extended porch and lounge area;
- part two storey/part single storey extension at rear. First floor extension projects 4.05 metres; ground floor projects 5.426 metres. Extension is to be handed towards no. 10 and be 3.14 metres in width. This element of the proposal is to provide a kitchen and W.C. at ground floor and a bedroom at first floor;
- hip-to-gable roof conversion and installation of a rear dormer extension to facilitate a new bedroom with en suite in the roof space.

Site Characteristics

This is a mid-terraced dwelling sited within a row of six. The character of the area is residential. On this side of Hawker Avenue there are three rows of six terraced dwellings which are all of a similar design.

The application property has a hipped design feature as it forms the middle property within the row. This is the same within the two other blocks.

To the front the property has a driveway that can accommodate two vehicles. The rear garden is only fairly small and backs onto Back Higher Swan Lane, facing a row of traditional terraced properties.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses and RA1 Inner Bolton.

SPD House Extensions and SPD General Design Principles

Analysis

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

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

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

It is therefore necessary to decide whether this proposal is in accordance with the Development

Plan and then take account of other material considerations.

The main impacts of the proposal are:-

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

Impact on the Character and Appearance of the Dwelling and the Surrounding Area
Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy RA1 of the Core Strategy relates specifically to developments in Inner Bolton and states that the Council will ensure that development has particular regard to massing and materials used, will respect and strengthen the traditional grid-iron pattern and street-scaping of existing houses where it is compatible with good urban design, and will require development to provide adequate privacy and amenity space.

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

Rear extension
The ground floor element is to project 5.426 metres to the rear. The first floor element is to project 4.05 metres. The extension is to be handed towards no. 10 Hawker Avenue and is to be 3.14 metres wide. The overall height of the extension is to be 5.982 metres. The first floor extension is to incorporate a dual pitched roof with gabled rear. The ground floor extension is to incorporate a mono-pitched roof (left to right slope).

There are no other similar extensions sited on the back of any of the properties in this location. It is considered that this element of the proposal represents size/massing that exceeds the guidance within SPD House Extensions (particularly with regard to remaining private amenity space) and therefore it is considered that the proposed extension is not in-keeping with the existing dwelling, nor the character and appearance of the surrounding area.

Hip to roof conversion and rear dormer extension
The property currently has a hipped roof feature, which the proposal intends to build up to come flush with the ridge line. The works proposed (including rear dormer) are to facilitate the conversion of the roof space into habitable accommodation. It is considered that the hip to gable change in this case will fundamentally alter the character and appearance of the existing dwelling and would as a result become a discordant feature in the street scene.

Further to the above, it is considered that the rear extension and hip to roof (incl dormer) will have an adverse impact on the character and appearance of the existing dwelling and the surrounding area, particularly in the street scene of Hawker Avenue and Back Higher Swan Lane and thus the proposal is considered to be contrary to Policy CG3 of the Core Strategy and guidance contained within the General Design Principles SPD and the House Extension SPD.

Impact on the Amenity of Neighbouring Residents
Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and

security.

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

Rear extension
SPD House Extensions (2012) states that rear single or two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be considered acceptable. Single storey extensions longer than 4 metres may be acceptable if the space remaining at the end of the yard would be unusable or if the impact on the neighbour would be limited by screening – for example, where there is an existing extension which the proposal would abut in the adjacent dwelling.

The proposed first floor extension is in-line with the above guidance. The ground floor extension projects 5.426 metres and is therefore longer than the above guidance and given that there are no other extensions at either 6 or 8 Hawker Avenue it is considered that the extension would have a detrimental impact on these residents. Further to this, windows are proposed in the upper floor side elevation facing number 6 which would create a privacy issue to these residents.

Hip to roof conversion and rear dormer extension
These works are not considered to have a detrimental impact on the amenity of the neighbouring residents.

Further to the above, the rear ground floor extension is considered to have a detrimental impact on the attached neighbouring residents with regard to loss of light/overbearing nature and also loss of privacy to number 6 Hawker Avenue.

Impact on Parking
Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] parking, in accordance with the parking standards set out in Appendix 3. Policy S1.2 states that the Council will promote road safety in the design of new development.

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

At this location where the substandard carriage way width and substandard footway widths result in any on-street parking causing obstruction to the footway and/or carriage way and blocking adjacent vehicular accesses, the Council's parking standards must be met in full ie 2 spaces. Since the width of the front garden between fences is insufficient to allow 2 spaces side by side (2.7m per space would be required) and the proposed front extension would prevent the parking of two cars end to end, this proposal would seem to be an over intensive development of the site. It is recommended that the front extension be deleted and 2 car parking spaces 2.4m x 4.8m provided (end to end).

Appendix 3 - Parking Standards advises that two off road parking spaces be provided for a three bedroom house. The property currently has space for two vehicles. The single storey front extension will result in the loss of one of these spaces and this is considered to be unacceptable in this location given the substandard carriage way width and therefore the proposal is contrary to Policy P5 and Appendix 3 - Parking Standards within the Core Strategy.

The removal of the front extension would maintain the two on-site parking spaces, therefore the amended proposal would now comply with Policy P5 and Appendix 3 of the

Core Strategy.

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

Conclusion
The proposal as a whole is not consistent with the guidelines contained in SPD - House Extensions (2012), nor is it consistent with Bolton's Core Strategy (2011).

For the reasons given above the proposal is recommended for refusal.

Representation and Consultation Annex

Representations
Letters:- None

Elected members: - Cllr. Mistry requested the application be heard at Planning Committee after an advanced site visit. The site visit was undertaken prior to the August meeting.

Consultations
Advice was sought from the following consultees: Highways (addressed above).

Planning History
96156/16 - Erection of single storey extension at front, two storey and single storey extensions at rear, loft conversion with the installation of a dormer window at rear and formation of hip roof to gable - Refused.

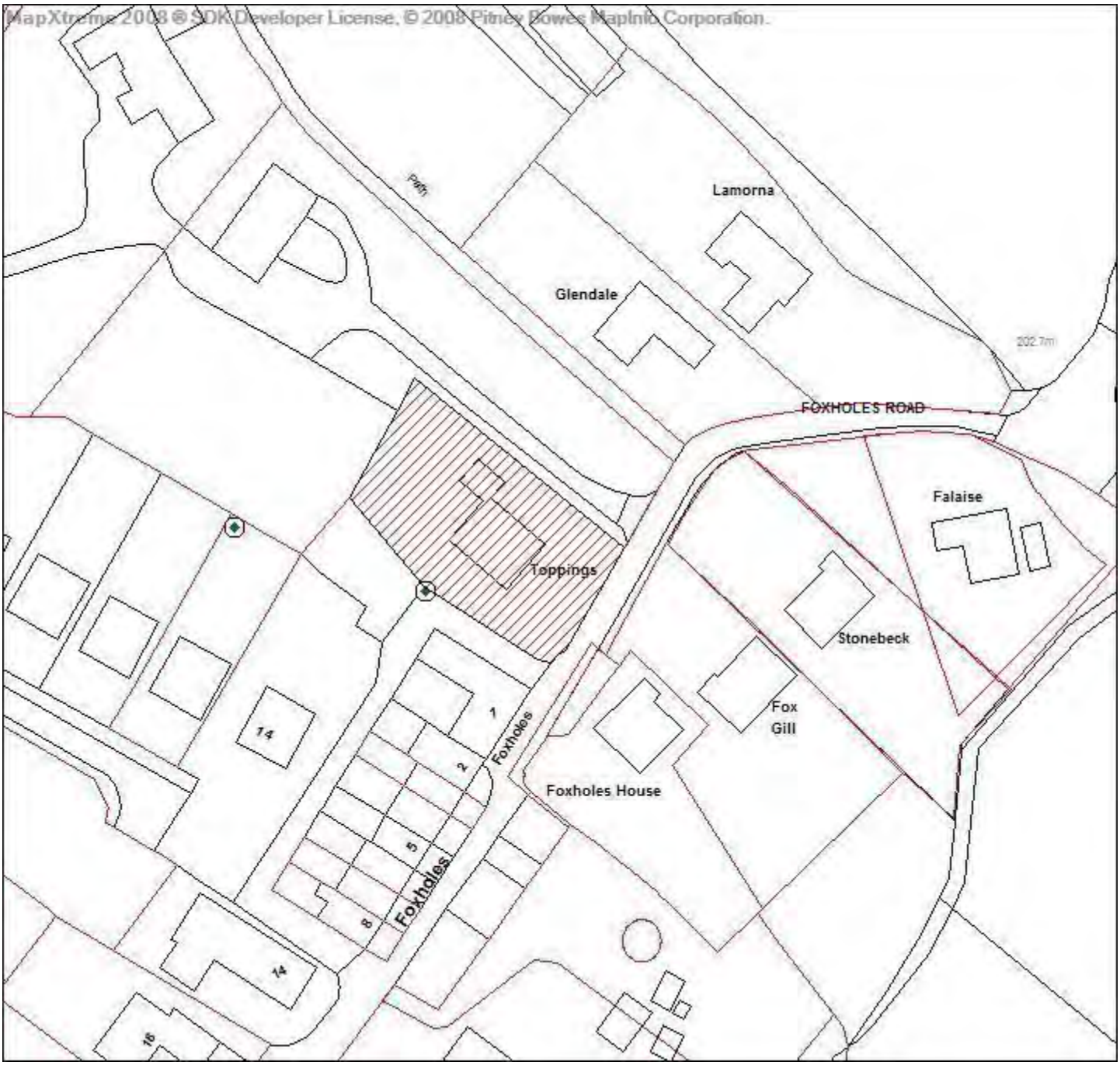
Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposal represents an over development of the site which will result in a loss of outlook and privacy for neighbouring occupiers and will result in insufficient private, useable amenity space for the existing dwelling and would be out of character with the surrounding locality and is thus contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions'.

2. The proposal would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at 6 and 8 Hawker Avenue and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

Application number 96783/16



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Date of Meeting: 22/09/2016

Application Reference: 96783/16

Type of Application: **Full Planning Application**
Registration Date: **14/06/2016**
Decision Due By: **08/08/2016**
Responsible Officer: **Helen Williams**

Location: **TOPPINGS, FOXHOLES ROAD, HORWICH, BOLTON, BL6 6AL**

Proposal: DEMOLITION OF DWELLING AND ERECTION OF TWO DETACHED DWELLINGS.

Ward: **Horwich North East**

Applicant: c/o Neil Pike Architects
Agent : Neil Pike Architects

Officers Report

Recommendation: Approve subject to conditions

Background

This application was deferred at the Committee meeting of 28th July for the applicant to reconsider their proposal and for a site visit.

The applicant has amended their plans by making the following alterations:

* Proposing that both dwellings are to be constructed in stone, with stone quoin details;
* Altering the design of the windows to both dwellings so that they are more tradition in style and are finished with stone heads and cills;
* Reducing the amount of glazing to both dwellings;
* Reducing the length of the balcony on the south western side elevation of the dwelling at plot 1 and changing the design of the balcony screen;
* Introducing a canopy roof over the front door and garage and a window at ground floor level on the front elevation of the dwelling at plot 1;
* Reducing the length of the balcony on the front elevation of the dwelling at plot 2 and removing the balcony along the south eastern side elevation;
* Reducing the width of the master bedroom on the ground floor of the dwelling at plot 2, as the balcony over has been removed, but increasing the width of the lounge at first floor level.

The below report is only slightly amended (from that presented to Committee on 28th July) to take into account these changes and additional letters of objection.

Proposal

This application is a resubmission of planning application 96070/16, for the demolition of the existing bungalow on the site and the erection of two detached, two storey dwellings, which was refused under delegated powers in April 2016 for the following three reasons:

1. *The proposed development, by virtue of its siting, scale, massing and design, will have a detrimental effect on the character and appearance of Wallsuches Conservation Area and the street scene and is contrary to Policies CG3 and OA1 of Bolton's Core Strategy.*

2. *The siting and scale of the proposed balconies/roof terraces would create undue overlooking between the two proposed dwellings and would impact detrimentally on the privacy and living conditions of future residents of the development and is contrary to Policy CG4 of Bolton's Core Strategy.*

3. *The proposed development would result in the unacceptable loss of trees from the site, to the detriment of the character, appearance and amenity of the application site and the conservation area in which it is set, contrary to Policies CG1.2, CG3 and OA1 of Bolton's Core Strategy.*

This resubmitted application again seeks to demolish the existing bungalow and erect two detached, two storey dwellings. However the following main changes have been made:

* The footprints of both dwellings have been reduced in size (plot 1 by reducing the depth (length of side elevations) and plot 2 by reducing the depth of the southern projecting two storey part, where the garage is sited);
* The front elevation of plot 1 has been set further back into the plot by approximately 3.5 metres (it is now sited approximately 7.5 metres back from Foxholes Road);
* The "garage half" of plot 1 will now be slightly projecting forward to the two storey part of the dwelling, rather than being set back;
* Plot 2 has been moved 1 metre further in and away from the north western boundary;
* The length of the proposed balconies/roof terrace at both plots has been reduced;
* The gap between the two dwellings has been increased from just a footpath to 6 metres.

Plot 1 continues to be proposed as a part two storey, part "one and a half" (room in roof) dwelling, owing to the steep gradient of the site, and containing four bedrooms. The amount of glazing proposed within the south western side elevation has been reduced following the Committee meeting of 28th July. A balcony is still proposed on the south western side elevation, but this again has been reduced following the July Committee meeting. The main garden area to the dwelling is at the front and southern side and a patio area is proposed to the rear (north east).

The proposed access to plot 2 continues to be proposed from the unadopted side street between the application site and 1 Foxholes Road (Foxholes Farm). The dwelling is again proposed at two storeys, with three bedrooms and with a balcony on the south western elevation (reduced following the July Committee meeting). A driveway and turning area are proposed to link the side road off Foxholes Road with the garage. The main garden area is proposed to the south west and north west.

It is proposed that both dwellings are to be constructed from stone, with stone quoin detailing.

Site Characteristics

The application site comprises a bungalow ("Toppings") and its front, rear and side gardens (its curtilage). A flat roof single garage is attached to the northern side of the dwelling at the side/rear of the dwelling. A driveway runs off Foxholes Road to the garage. The front curtilage is open, with only a very low picket fence at the front (fronting Foxholes Road).

The site rises steeply to the north, so that the dwelling is elevated (has higher eaves level) at the south western side.

There is a protected oak along the south eastern boundary of the site (protected under Bolton (Foxholes Farm) TPO 1999. The other trees within the site (mainly located in the rear garden) are also afforded protection as they are sited within a conservation area.

Adjoining the south western boundary of the site is an unadopted road off Foxhole Road, which serves the rear of Foxholes Cottages. This has been gravelled. A low dry stone walls forms the boundary of the site at this location.

Adjoining the north eastern boundary of the site is the private driveway to Stoney Acre.

Foxholes Road is a narrow residential road, adopted to ancient standards. There are no footways to the highway. The road rises steeply to the north.

To the south west of the application site are the two storey, stone Foxholes Cottages (nos 1 to 8). To the north east is the dwelling at Glendale, a split level bungalow (two storeys at the southern/lowest level of the site; garage at ground floor level). On the opposite side of Foxholes Road from the application site are the two storey detached dwellings at Fox Gill and Stonebeck and the detached stone built Foxholes House (which sides onto the road).

The application site is located within Wallsuches Conservation Area. Foxholes Cottages and Foxholes House are traditional stone built dwellings. The other houses within the conservation area at this section of Foxholes Road are modern in design and construction (twentieth century) and have (with the exception of the application property) spacious curtilages.

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; OA1 Horwich and Blackrod.

SPD General Design Principles

Wallsuches Conservation Area Appraisal

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 conservation area
* impact on the amenity of neighbouring residents

* impact on trees
* impact on the highway

Impact on the Character and Appearance of the Conservation 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 CG3.4 states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.

Policy OA1 refers specifically to developments in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment, especially the conservation areas at Horwich town centre, Horwich Loco Works and Wallsuches, and ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.

The application site is located at the western end of Wallsuches Conservation Area. Foxholes Cottages (to the south west of the site) and Foxholes House (to the south east) are traditional stone built dwellings, which make a positive contribution to the conservation area. The other houses within the conservation area at this section of Foxholes Road are modern in design and construction (twentieth century) and have (with the exception of the application property) spacious curtilages.

It was considered that the previously proposed dwellings (proposed under application 96070/16) would, by reason of their siting, scale, massing and design, harm the character and appearance of the street scene and the conservation area, contrary to the aforementioned Core Strategy policies.

The applicant has made a number of amendments to their latest application to address the concerns originally raised by the case officer for application 96070/16, and by Members of the Plannign Committee at the July meeting. These amendments are discussed as follows:

Plot 1 was originally proposed to be sited only approximately 3 metres away from the back of Foxholes Road, substantially forward of the front building line of the existing bungalow (Toppings). It was considered under the determination of application 96070/16 that the proposed dwelling at plot 1 would be a lot more prominent within the street scene than the existing bungalow given its siting, height, width and more contemporary design, and would appear overbearing in comparison with the adjacent Foxholes Cottages and Foxholes House. The applicant has sought to address this (within this resubmitted application) by setting the front building line of plot 1 a further 3.5 metres back into the site (approximately 7 metres back from the edge of Foxholes Road), giving the plot a longer front garden. It is considered that the re-siting of the dwelling would make it less prominent within the street scene, though the massing of the dwelling would now be greater when viewed from the front, with the "garage part" of the dwelling being sited further forward. It is however considered that plot 1's relationship with the siting of Foxholes Cottages is improved and the established grain of development on this stretch of Foxholes Road is better respected with the proposed re-siting.

Within application 96070/16 plot 2 was proposed to be sited close to the rear of plot 1, with only a footway separating the rear elevation of the north eastern half of plot 1 and the south eastern side elevation of plot 2. It was considered that this lack of separation would result in the two dwellings appearing almost as one building, particularly when viewed from the north. The applicant has now reduced the footprints of both proposed dwellings, which has allowed for a separation distance of 6

metres between the rear elevation of plot 1 and the south eastern elevation of plot 2. It is considered that this increased separation lessens the overall massing of the development when viewed from the north and provides more space around the dwellings.

It was also felt that the footprint and massing of the previously proposed dwellings would be out of character with the area and especially out of keeping with the built form of the conservation area. The reduction in the footprints of the two dwellings, and in turn their massing, has resulted in a less cramped form of development than previously proposed and has increased the proportion of garden curtilage around each dwelling.

The design of the amended dwellings has not greatly changed and they are still of a contemporary design, albeit the applicant is now proposing to construct both dwellings from stone (with stone quions and more traditional style windows with stone heads and cills). The amount of glazing proposed on the south western elevations of both dwellings has also been reduced following comments made by Committee Members at the July Committee meeting. The applicant is proposing to construct the dwellings from stone to better reflect the more traditional stone dwellings at Foxholes Cottages and Foxholes House and their semi-rural vernacular (rather than the twentieth century built houses to the north east of the site).

Whilst Officers consider that the proposed development represents a missed opportunity for the application site (as one, sensitively sited dwelling on the site would have been more in keeping with the existing urban grain and the character and appearance of the conservation area) it is considered, on balance, that the proposed development (as amended) would not so detrimentally harm the character and appearance of the street scene and the conservation area that it would warrant a refusal in this case.

It is therefore considered that the proposed development would now 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. Section 3 of the SPD General Design Principles sets out the Council's recommended interface distances between dwellings.

1 Foxholes Cottage

The side elevation of the extended cottage faces the application site. The side elevation of the cottage does not contain any main windows and therefore it is considered that there would be no undue overlooking from plot 1 into the property. A balcony is proposed on the side elevation of plot 1. It is considered that there would not be any undue overlooking from this balcony into the garden of the cottage given an approximate 15 metre distance and as the pitched roof of the side extension to the cottage would obscure the view. Plot 2 will be approximately 254 metres away from the rear garden of the cottage and will be sited at an angle away; it is therefore considered that there would not be any undue overlooking from plot 2.

Foxholes House

No main windows are proposed in the front elevation to plot 1, which will face the side of Foxholes House. An interface distance of approximately 22 metres will be achieved between these two properties, which exceeds the recommended interface distance in this situation. The proposed balcony on the side elevation of plot 1 will have the potential to overlook the garden at the southern side of Foxholes House, however this will be at a distance of approximately 19 metres away and it is considered that this would be no worse a situation than the existing relationship of the front of 1

Foxholes Cottages with the garden to Foxholes House.

Fox Gill
The front elevation of Fox Gill will be over 31 metres away from the front of plot 1, which far exceeds the required interface distance of 13.5 metres in this situation.

Glendale
There are main room windows in the side elevation of Glendale facing the application site. These will be at least 30 metres away from the proposed dwellings which far exceeds the required interface distance of 13.5 metres in this situation. Furthermore Glendale is elevated from the application site.

Stoney Acre
The front of Stoney Acre will be approximately 36 metres away from the rear of plot 2, which exceeds the recommended interface distance of 21 metres.

12 and 14 Stoneycroft Avenue
The proposed dwellings will be approximately 35 metres away from the rears of these neighbouring properties, which far exceeds the required interface distance. There is potential for the balconies to plots 1 and 2 to overlook the rear gardens of the dwellings on Stoneycroft Avenue, however it is considered that the distances involved would not make this overlooking harmful.

Future occupiers of the proposed dwellings
The second reason for refusing application 96070/16 was that it was considered that the proposed balconies/roof terraces to the two proposed dwellings would enable the future residents of the dwellings to overlook into each other's gardens (particularly from the balcony at plot 2 into the side garden and proposed patio area for plot 1), contrary to Policy CG4 of the Core Strategy. The extent of the balcony at plot 2 has been reduced and it is no longer considered that this potential overlooking would be so undue (given the new distances involved) to warrant a refusal for this reason.

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

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 is a protected Oak along the south eastern boundary of the site (protected under Bolton (Foxholes Farm) TPO 1999. The other trees within the site (mainly located in the rear garden) are also afforded protection as they are sited within a conservation area.

The previous application for the development (96070/16) was also refused as the proposed dwellings would have resulted in the removal of a Cherry Plum, and in plot 2 being positioned within the root protection zone of the two Cypress trees along the north west boundary of the site. It would considered that the loss of these trees would have been harmful to the character and appearance of the area.

Plot 2 is now proposed a metre further away from the north western boundary of the site. The Council's Tree Officers have confirmed that the repositioning of plot 2 would enable the Cherry Plum to be retained although some pruning would be required to accommodate scaffolding during development.

Tree Officers comment that plot 2 will still infringe into the root protection zone of the larger of the two Cypress trees, however this would only equate to approximately 1.5 metres in and is on one quadrant of the rootplate. They therefore advise that with a careful hand dig method the foundation works could be undertaken without damaging the long term health of the tree.

Tree Officers also comment that the proposed access to plot 2 will be in close proximity to a protected Oak tree, which is on neighbouring land. The applicant has however proposed a cellular confinement system for the access, which the Tree Officers consider to be acceptable. Additional details concerning the proposed route of services to the properties would however need submitting (via a condition) to ensure that they do not impact on the root protection zones of trees.

The submitted plans propose the removal of a number of small fruit and ornamental conifer trees. Tree Officers consider that these trees are not worthy of retention due to their form, condition and limited visual amenity. Officers also confirmed that the Willow is a poorly formed specimen.

The Council's Tree Officers conclude their comments by stating that the proposed development would not have a detrimental impact on the trees shown for retention within the site.

It is therefore considered that the proposed development would not result in the unacceptable loss of trees from the site and the trees to be removed would not harm the character and appearance of the area, compliant with Policy CG1.2 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] 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.

Plot 1 is proposed to be accessed off Foxholes Road, from the same access point as the existing driveway to the bungalow (Toppings). An integral garage and a driveway are proposed for the dwelling.

Plot 2 is to be accessed off the unadopted side road off Foxholes Road, which adjoins the south western boundary of the application site. A driveway incorporating a turning area is proposed to enter plot 2 from the corner of this side road up to the proposed integral garage.

The Council's Highways Engineers have raised no objection to the proposed accesses or to the proposed provision of parking for each dwelling. It is therefore considered that the proposal would not jeopardise highway safety and would provide for sufficient off-street parking, compliant with Policies P5 and S1.2 of the Core Strategy.

Local finance considerations

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

* Additional Council Tax for two new dwellings (officer's comment: this is not a material consideration);
* New Homes Bonus (officer's comment: this is not a material consideration);
* Employment for construction workers.

Conclusion

For the reasons discussed above it is considered, on balance, that the proposed development would not harm the character and appearance of the street scene or conservation area to such an extent that it would warrant a refusal. It is also considered that the proposed development would not unduly harm the amenity of neighbouring residents or future residents of the proposed dwellings, would not result in the unacceptable loss of trees, and would not jeopardise highway safety. Members are therefore recommended to approve this application subject to the suggested conditions.

Representation and Consultation Annex

Representations

Letters:- 46 letters of objection have been received, which raise the following concerns:

* The new application is not materially different to that previously refused; Only minor amendments have been made;
* For consistency this new application should be refused on the same grounds as the previous application (officer's comment: all applications must be determined on their own merits);
* Overdevelopment of the site; Two dwellings are being squashed onto the site;
* Scale of the two dwellings is out of character with the conservation area; The floorspace increase is three times that of the existing bungalow;
* The design, scale, height, massing and choice of materials are not sympathetic to the conservation area;
* The development would be overbearing, intrusive and unsympathetic;
* Impact on spacious character of the area;
* Loss of green space/garden space; It is a clear example of "garden grabbing";
* The existing dwelling is in keeping with the conservation area, the new dwellings will not be;
* The existing dwelling is not dilapidated and an eyesore as stated by the applicant;
* Impact on privacy for neighbouring residents (overlooking into windows and gardens);
* Loss of trees; Not good for the environment or the character of the conservation area;
* No arboricultural report has been submitted to justify the removal, pruning or root severance of trees on the site;
* The access in and out of the proposed driveway to plot 2 is dangerous and unacceptable;
* There is a covenant on the side road meaning it cannot be breached onto or widened (officer comment: this is not a material planning consideration and is instead a civil matter);
* Increase in traffic on Foxholes Road;
* Foxholes Road is unsuitable for additional traffic, it is steep, narrow and winding;
* Highway and pedestrian safety; Potential safety hazards for road users, including cyclists and pedestrians;
* Further on-street parking, to the detriment of the area and highway safety;
* Reduced access for emergency services vehicles;
* Impact on birds and wildlife from loss of trees and green space;
* Increased surface water run-off due to loss of garden area;
* Insufficient information has been submitted in terms of drawings of the existing bungalow, figures and tree report;
* Loss of aspect/view (officer comment: this is not a material planning consideration);
* Noise and disturbance from construction (officer's comment: this can only be given limited planning weight due to construction being an inevitable part of development and as it will only be temporary);
* An approval will set a dangerous precedent for similar development in the area (officer's comment: each planning application is assessed on its own merits);
* Devaluation of neighbouring properties (officer's comment: this is not a material planning concern).

Petitions:- A petition of objection containing 61 signatures has been received. This raises the following concerns:

* Side, depth, width and massing of the proposed development would have an unacceptably adverse impact on the amenities of the site and surrounding area; unsympathetic; Overbearing and intrusive;
* Overlooking, loss of privacy;
* Our belief that Toppings does not have permission to use to unadopted access road around

Foxholes Cottages for plot 2 (officer's comment: this is not a material planning consideration and is instead a civil matter);
* The siting and scale of the proposed balconies/roof terraces would create undue overlooking between the properties and the residents on Stoneycroft Close, Foxholes Farm and Stoneyacre;
* Pedestrian safety and hazards for other road users;
* Represents an unneighbourly form of development owing to its size and siting;
* Would be a clear example of "garden grabbing" and would set a precedent for over development of other properties on Foxholes Road (officer's comment: each planning application is assessed on its own merits);
* There have been previous refusals for similar applications in the area (officer's comment: each planning application is assessed on its own merits);
* Unacceptable level of parking proposed;
* Potential increase in on-street parking;
* Loss of trees and bushes to make way for parking, which is out of keeping;
* Potential hazardous effect on water run-off into neighbouring properties owing to increase of hardstanding;
* No very special circumstances.

Horwich Town Council:- objected to the proposal at their meeting of 21st July as they consider the development to be ab over development of the site, out of character with the area and not conforming to the requirements of a conservation area.

Elected Members:- Councillor Silvester has requested a site visit by Members of the Planning Committee. He objects to the proposal as he believes that it is an over development of the site (just as the previous proposal was), would spoil the character and appearance of the conservation area, that the height and scale of the two properties are not suitable for the location and would not complement the area, and that the application is not in the best interests of the area.

Consultations

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

Planning History

Planning application 96070/16 for the demolition of dwelling and erection of two detached dwellings was refused under delegated powers in April 2016 for the following three reasons:

4. *The proposed development, by virtue of its siting, scale, massing and design, will have a detrimental effect on the character and appearance of Wallsuches Conservation Area and the street scene and is contrary to Policies CG3 and OA1 of Bolton's Core Strategy.*

5. *The siting and scale of the proposed balconies/roof terraces would create undue overlooking between the two proposed dwellings and would impact detrimentally on the privacy and living conditions of future residents of the development and is contrary to Policy CG4 of Bolton's Core Strategy.*

6. *The proposed development would result in the unacceptable loss of trees from the site, to the detriment of the character, appearance and amenity of the application site and the conservation area in which it is set, contrary to Policies CG1.2, CG3 and OA1 of Bolton's Core Strategy.*

A notice of intention was given under application 95453/15 for the felling of one fir tree. The LPA decided that a TPO would not be made in January 2016.

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. 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 and to comply with policy CG4 of Bolton's Core Strategy.

4. Prior to the commencement of development the details (samples if required) of the type and colour of materials to be used for the external walls and 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.

5. Prior to the commencement of development a detailed specification for all doors and windows shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall

be implemented in full before the development is first occupied and retained thereafter.

Reason

To ensure the development reflects local distinctiveness and to comply with policy CG3 of the Core Strategy,

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

1. The trees within or overhanging the site which are to be retained/or 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.

7. Prior to the commencement of development full details of the routes of all proposed services shall be submitted to and approved in writing by the Local Planning Authority. Services shall thereafter be installed in full accordance with the approved details.

Reason

To safeguard the health of the trees within the site, and to comply with policy CG1.2 of Bolton's Core Strategy.

8. 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.

9. 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 prior to first occupation and retained thereafter.

Reason

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

10. Before the approved/permitted development is first brought into use no less than 3 car parking spaces for Plot 1 and 2 car parking spaces for Plot 2 shall be provided within the curtilage of the site.

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.

11. Prior to the development hereby approved being first occupied, full details of how the access road to Plot 2 will be laid out, constructed and surfaced shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full, as well as being made available for the use of vehicles at all times the development is in use thereafter.

Reason

To safeguard the health of the trees within and adjoining the site and to encourage drivers to make use of the parking and circulation area provided, and to comply with policies P5, S1.2 and CG1.2 of Bolton's Core Strategy.

12. The garages 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.

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 extensions, porches, garages, outbuildings, sheds, decking, greenhouses, 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 as the plot sizes are limited and any extension would result in an unsatisfactory scheme, and to comply with policies CG1.2, CG3 and CG4 of Bolton's Core Strategy.

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

PL K737/01 Rev. D; "Proposed Site Plan"; dated 12.08.16
PL K737/02 Rev. B; "Plot 1 - Proposed Lower Ground & Ground Floor Plan"; dated 07.06.16
PL K737/03 Rev. B; "Plot 1 - Proposed First Floor Plan & Roof Space"; dated 07.06.16
PL K737/04 Rev. C; "Plot 1 - Proposed Front & Rear Elevations"; dated 12.08.16
PL K737/05 Rev. C; "Plot 1 - Proposed Side Elevations"; dated 12.08.16
PL K737/07 Rev. C; "Plot 2 - Proposed Floor Plans"; dated 07.06.16
PL K737/08 Rev. C; "Plot 2 - Proposed Front & Side Elevations"; dated 15.08.16
PL K737/09 Rev. C; "Plot 2 - Proposed Rear & Side Elevations"; dated 15.08.16

Reason

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

GLENDALE

STONEBECK

FOX GILL

FOXHOLES ROAD

LANDSCAPED AREA

LANDSCAPED AREA

LANDSCAPED AREA

LANDSCAPED AREA TO L.A. APPROVAL

SURFACE TO PROPOSED DRIVEWAY TO CLIENT'S SPECIFICATION

EXISTING BOUNDARY LINE

BROKEN LINES INDICATE EXISTING BUILDING TO BE REMOVED

SURFACE TO PROPOSED DRIVEWAY TO CLIENT'S SPECIFICATION

EXISTING ACCESS RETAINED (TO SERVE PLOT 1)

PROPOSED BOUNDARY DETAIL TO CLIENTS SPECIFICATION

PROPOSED BOUNDARY DETAIL TO CLIENT'S SPECIFICATION

NEW ACCESS TO PLOT 2 OFF EXISTING SIDE ROAD

PROPOSED BOUNDARY DETAIL TO CLIENT'S SPECIFICATION

BED 3
BATH
UTILITY
HALL
BED 2
E/S
E/S
MASTER BED
GARAGE
PATIO
LOUNGE
BED
BATH
KITCHEN
GARAGE
E/S
ST
BED 1
WARDROBE
W.C
BED 2
E/S

6462
3642
3300
4500
10500
13200
3000
3400
4270
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3200
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5100
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1653
3233
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4200
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1800
2650
1580
1650
4800
2400
3800
4000

REV	DESCRIPTION
A	PLOTS SLIGHTLY RE-POSITIONED ON SITE
B	PLOT SIZES SIGNIFICANTLY REDUCED 12.05.16 R.S.P.
C	FURTHER AMENDMENTS FOLLOWING CONSULTATION WITH PLANNING AUTHORITY 07.06.16 R.S.P.
D	PLOT 2 SLIGHTLY REDUCED IN FOOTPRINT & FLOOR PLAN AMENDED ACCORDINGLY 12.08.16 R.S.P.

PROPOSED SITE PLAN

PROPOSED RESIDENTIAL DEVELOPMENT
TOPPINGS, FOXHOLES ROAD, HORWICH
BOLTON, BL6 6AL

CLIENT:	HOLT
DWG NO:	PL K737/01
SCALE:	1/200 @ A3
DRAWN BY:	R.S.P.
DATE:	22/12/15
REV:	D

neil pike architects
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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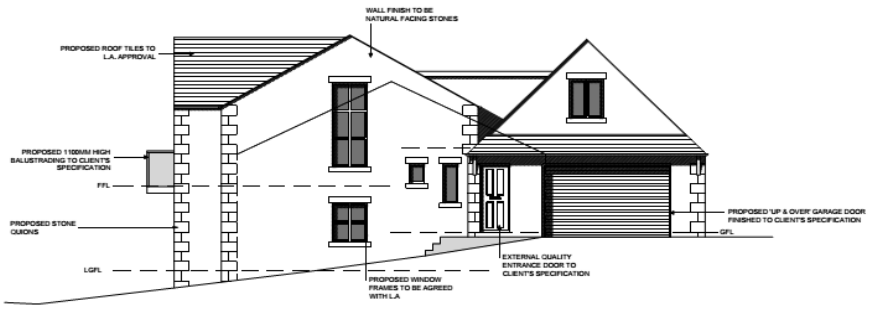
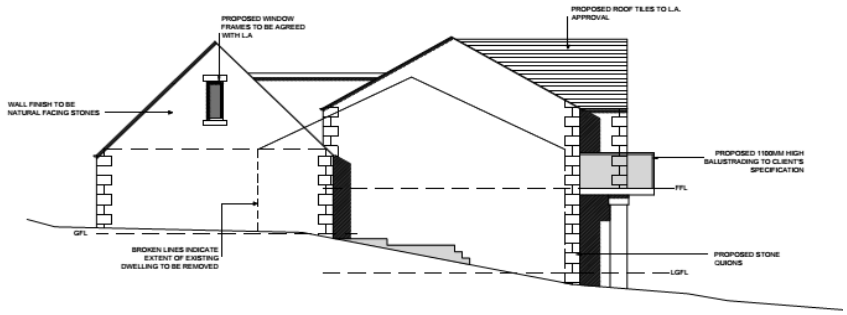
Plot 1



PROPOSED FRONT ELEVATION



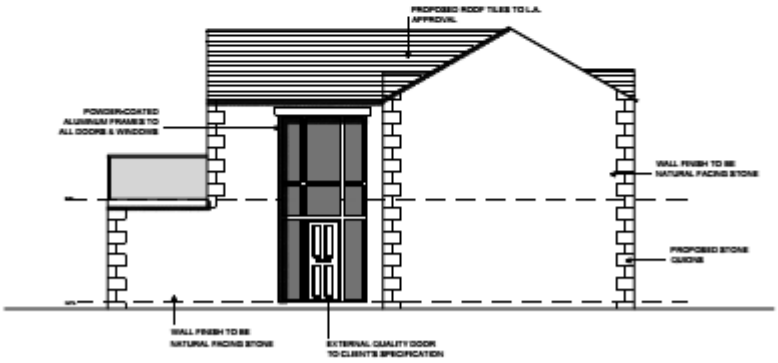
PROPOSED REAR ELEVATION

PROPOSED SIDE ELEVATION

PROPOSED SIDE ELEVATION

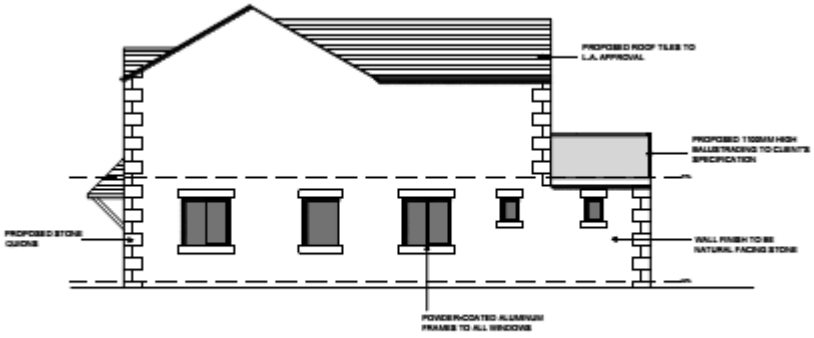
Plot 2

FRONT ELEVATION
(SOUTH)



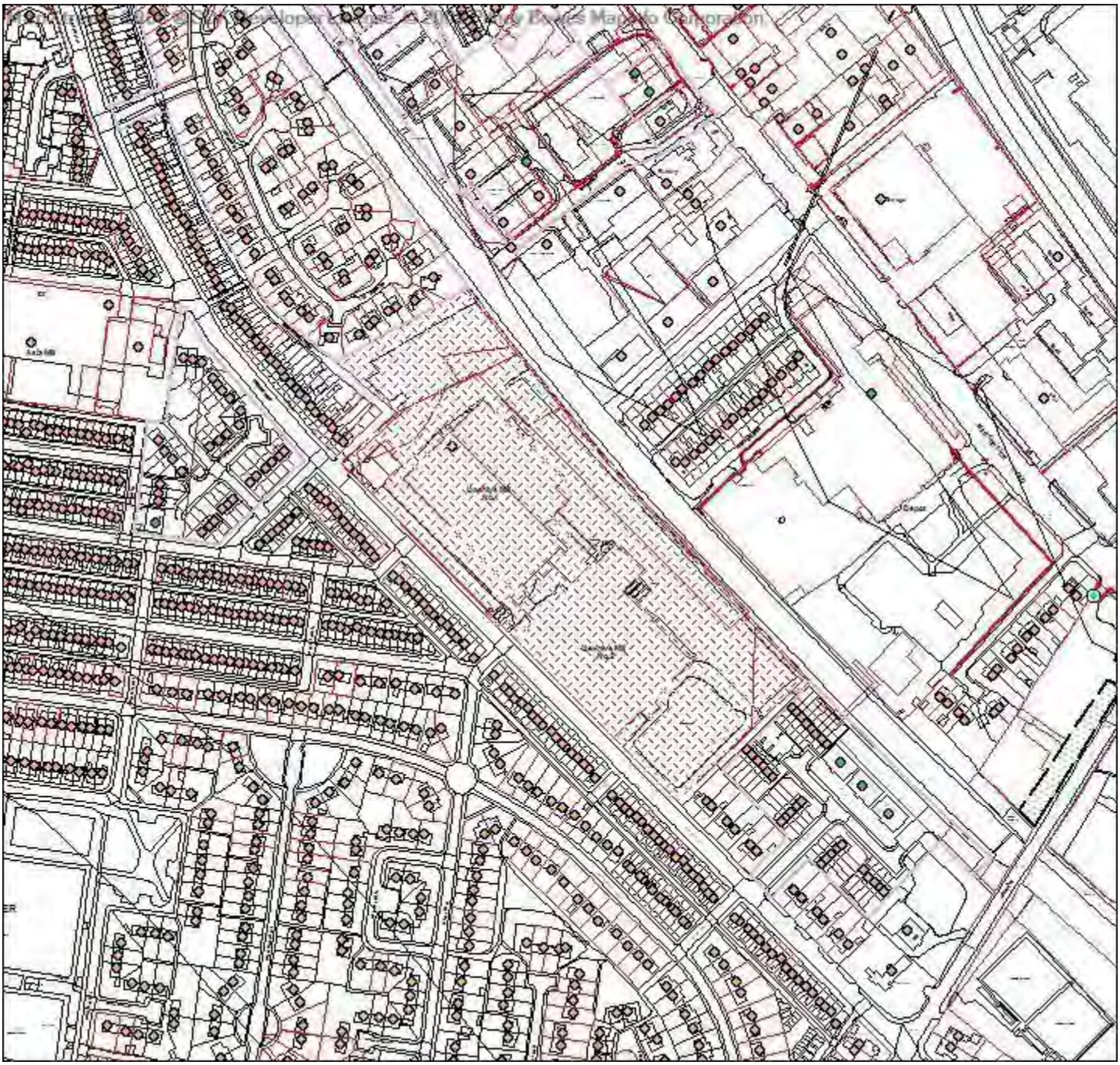
SIDE ELEVATION
(EAST)

REAR ELEVATION
(NORTH)



SIDE ELEVATION
(WEST)

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: 22/09/2016

Application Reference: 96842/16

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

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: Delegate the decision to the Director

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.

Members are advised that applications have also been submitted for the conversion of the entrance lodge building into two houses. The applications at the lodge are considered to be relatively straightforward and therefore are not being presented 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.

This report summarises the Applicant's arguments in favour of demolition and the responses of Historic England and two amenity societies arguing the case against permitting demolition.

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
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 in 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 would 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 these 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 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 as a 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, leading 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 a opportunities are being taken to bring forward developments on the basis of a lack of 5-year supply in locations that are only 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.

Summary of the Objections of Historic England, the Victorian Society 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 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.

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 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.

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

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 would point to a refusal, though the issues surrounding the five year housing supply must also be taken into account. 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. If Members are minded to approve the demolition of these Grade II Listed Buildings, the decision should be delegated to the Director so that the case can 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, the decision should be delegated to the Director so that a refusal can be issued.

Representation and Consultation Annex

Representations

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

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: Delegate the decision to the Director

Recommended Conditions and/or Reasons

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PROJECT TITLE

Beehive Mills
Crescent Road
BOLTON

DRAWING TITLE

Application plan

SCALE	DATE	CHECKED
1:1250	MARCH 2016	
	DRAWN HNA	DATE

PROJECT No. 4986

N

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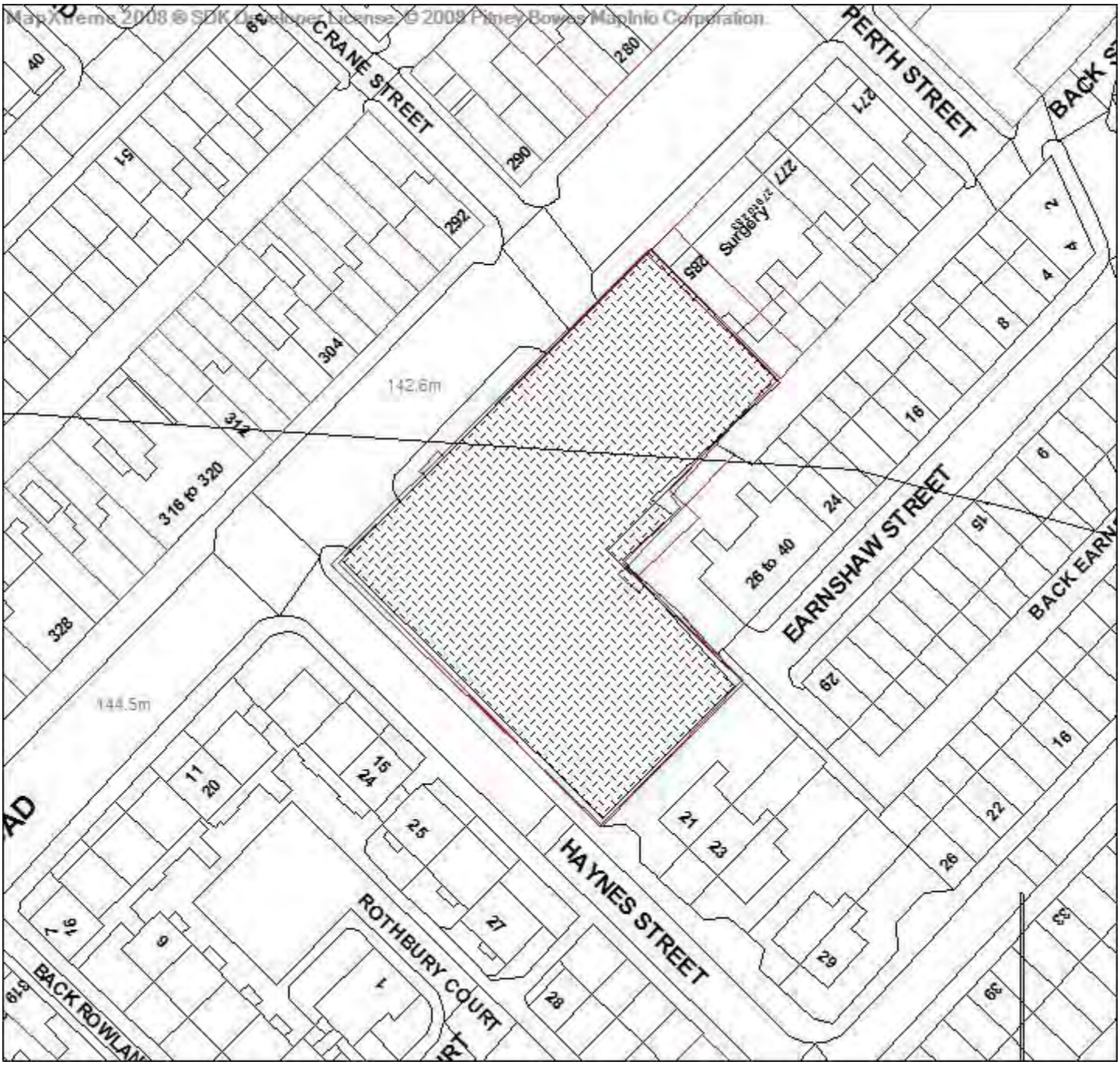
VINCENT AND GORBING
CHARTERED ARCHITECTS AND TOWN PLANNERS
STERLING COURT NORTON ROAD STEVENAGE HERTS
TELEPHONE: 01438 316331 FAX:01438 722035

Application number 96846/16



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: 22/09/2016

Application Reference: 96846/16

Type of Application: **Full Planning Application**
Registration Date: **22/06/2016**
Decision Due By: **16/08/2016**
Responsible Officer: **Jeanette Isherwood**

Location: **CAR WASH, 287-289 ST HELENS ROAD, BOLTON, BL3 3QA**

Proposal: RETENTION OF STORAGE CONTAINERS, REMOVAL OF ROOF STRUCTURE AND ERECTION OF A 2.4M HIGH SECURITY FENCE WITH SLIDING GATES

Ward: **Hulton**

Applicant: **Mr SAID**
Agent : **Y A ARCHITECTURAL SERVICES**

Officers Report

Recommendation: **Approve subject to conditions**

Proposal

The use of the site as a permanent car wash has been previously approved under planning application 89761/13. This approval contained the following condition:-

This permission in relation to the containers shall be for a temporary period expiring on 31st December 2015 when the containers hereby approved shall be permanently removed from the site.

This application proposes the retention of storage containers at the site, together with the removal of the existing roof canopy structure and the retention of a 2.4m high security fence with sliding gates.

Site Characteristics

The L shaped application site is located at the corner of Haynes Street and St. Helens Road. The site is the former Don Burnett's Car Sales area which was originally dominated by a large building located close to the rear boundary with No's 24-40 Earnshaw Street. The site rises up from St Helens Road towards Earnshaw Street with the rectangular part of the site directly opposite No. 25 Haynes Street being higher than the rest of the site.

The site is currently used as a car wash facility with two existing access points from St Helen's Road which form an 'in and out' entrance and exit.

Policy

National Planning Policy Framework 2012

Bolton's Core Strategy: CG3 – The Built Environment, CG4 – Compatible Uses, S1 Safe, P5 - Accessibility and OA4 - West Bolton

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 the highway network

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 OA4 of the Core Strategy aims to ensure the character of the existing environment is conserved and enhanced.

The principle of the use of the site as a car wash facility has been established under a previous approval. The key features which have changed are the location and the nature of buildings / structures which are located within the site. Given the previous structures were not suitable permanent solutions, especially in this prominent location, the applicant proposes to retain the storage containers whilst enhancing their appearance:

- Incorporation of the storage containers with new flat roof and timber frame to replace the existing make shift canopy and form a permanent structure to house materials
- Resiting of the existing Portakabin from the front northern corner of the site to the rear, used as a customer waiting area
- New pro mesh fencing at a height of 2.4 metres powder coated blue to maintain adequate security at the site.

The applicant has indicated they are amenable to a suitable material/colour scheme and this will be agreed via a condition added to the approval.

The immediate vicinity is one of various commercial uses, with other developments within the same use being apparent. The site has been operating as a car wash for several years and is an established business.

It is considered that the proposed enhancements make what are potentially unsightly structures more acceptable. The previous temporary nature of the structures were not suitable for a permanent solution.

Subject to conditions the replacement structures and fencing are considered to improve the appearance of the site and are considered to comply with policies CG3 and OA4 of Bolton's Core Strategy.

Impact on the Highway network

Policy S1.2 seeks to promote road safety in new development, whilst policy P5 asks that developments are accessible by different means of transport.

No changes to the access points are proposed. However objections have been received with regard to the siting of the portakabin in the northern corner of the site with the concerns being loss of visibility at the junction of Haynes Street and St Helens Road.

The re-siting of the portakabin to the rear of the site addresses those issues and leaves a clear view at this junction.

Highways Officers were consulted on the application and have no objections.

The proposal is therefore considered to comply with Core Strategy policies S1 and P5

Financial benefits of the proposal

No financial benefits have been outlined by the applicant.

Conclusion

The site is an existing, established car wash business that has been operating for approximately 7 years. The existing structures are not fit for purpose and do not complement the site. The proposals are considered to enhance the visual appearance of the site at this prominent location, whilst increasing security for the owner.

The proposals are considered to comply with local and national policies and Members are recommended to approve the application subject to material and colour scheme conditions.

Representation and Consultation Annex

Representations
Letters:- 3 letters of objection with their concerns outlined within the main body of this report.

Consultations
Advice was sought from the following consultees: Highways, Env Health, Drainage, Design for Security

Planning History
Permission granted for the temporary use of the site and structures as a car wash facility under reference 83136/09
Permission granted for the permanent use of the site and as a car wash facility under reference 89761/13

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

   Reason

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

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

   Reason

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

3. Before the development hereby approved is first brought into use, a colour scheme for the external walls shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved colour scheme shall be implemented in full and retained thereafter unless otherwise agreed with the Local Planning Authority.

   Reason

   To ensure the development safeguards the character and visual appearance of the locality and to comply with policy CG3 of Bolton's Core Strategy.

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

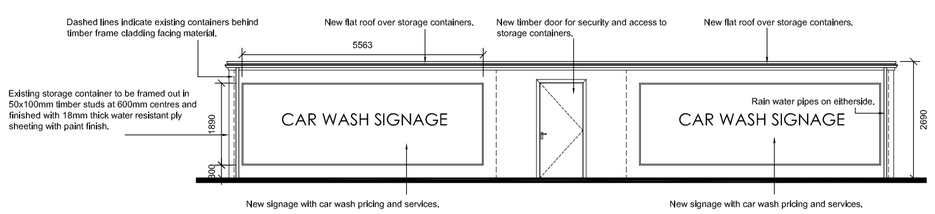
   Proposed plans - 1468-P02 - dated 22/06/16

   Reason

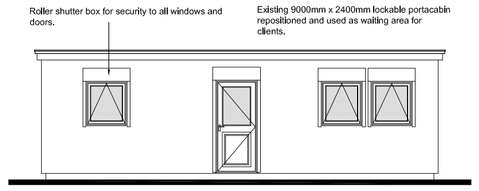
   For the avoidance of doubt and in the interests of proper planning.

GENERAL NOTES.

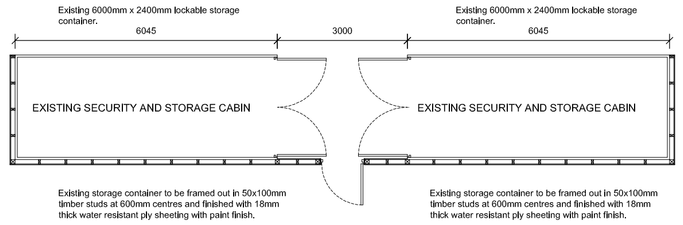
1. This drawing is the property of Y A Architectural Services and copyright is reserved by them, and this drawing is not to be copied or disclosed by or to any unauthorised persons without prior written consent of Y A Architectural Services.
2. All dimensions are approximate only and are to be checked on site by contractor and any discrepancies to be reported prior to commencement of work.
3. Do not scale from this drawing, only work to written dimensions.
4. All new drains to be laid, jointed and tested to the entire satisfaction of the Local Authority.
5. All work to comply with current Building Regulations and subsequent revisions.
6. Foundations not to encroach over boundaries.



PROPOSED ELEVATION OF STORAGE CONTAINERS
SCALE : 1:100



PROPOSED ELEVATION OF PORTAKABIN
SCALE : 1:100



PROPOSED PLAN OF STORAGE CONTAINER AND VALETING AREA
SCALE : 1:100

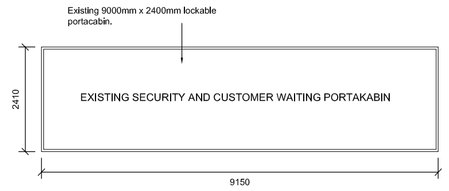
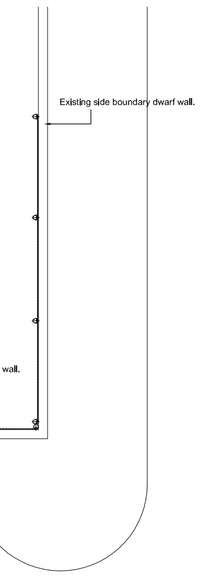
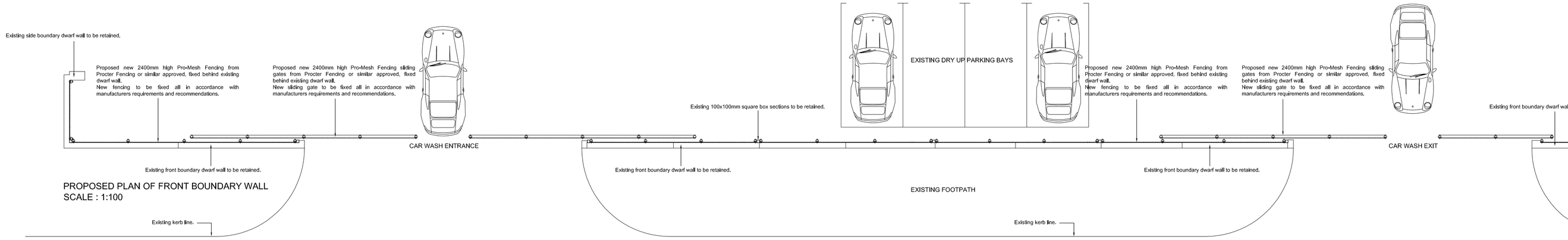


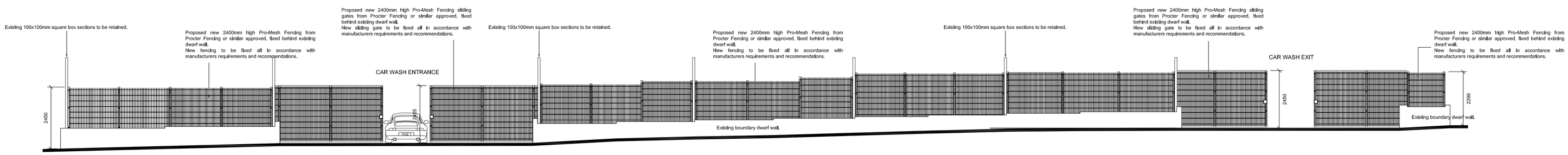
PHOTO 1 INDICATING STORAGE CONTAINERS TO BE RETAINED.

PHOTO 2 INDICATING PORTAKABIN TO BE RETAINED.





PROPOSED PLAN OF FRONT BOUNDARY WALL
SCALE : 1:100



PROPOSED FRONT ELEVATION
SCALE : 1:100

PLANNING ISSUE

AMENDMENTS	DATE

Y A Architectural Services
Unity House, Fletcher Street, Bolton, Lanc, BL3 6NE
tel/fax: 01204 559988 mobile: 07802 434415
e-mail: designs@yaas.co.uk
www.yaas.co.uk

DRAWN: Y AHMED. DATE: 22.06.16
CHECKED: SCALE: 1:100

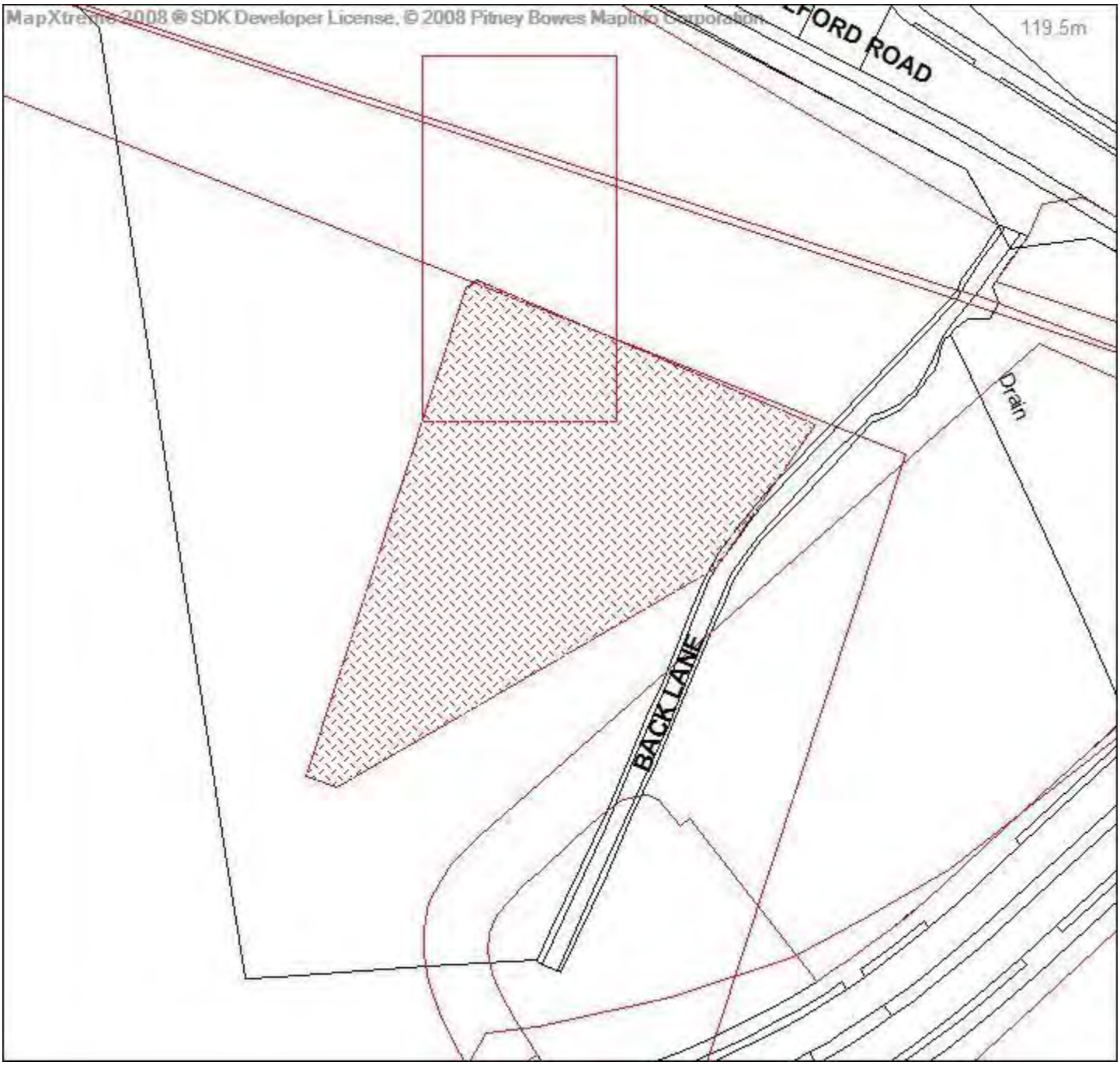
PROJECT:
PROPOSED RETENTION OF STORAGE CONTAINERS. REMOVAL OF ROOF STRUCTURE AND ERECTION OF A 2400MM HIGH SECURITY FENCE WITH SLIDING GATES AT THE GOLDEN CAR WASH, 287-289 ST HELENS ROAD, BOLTON.

CLIENT:
MR AZIZ SAID.

JOB TITLE:
PROPOSED PLANS AND ELEVATIONS.

JOB No:
1468-P02

Application number 96855/16



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: 22/09/2016

Application Reference: 96855/16

Type of Application: **Full Planning Application**
Registration Date: **04/07/2016**
Decision Due By: **02/10/2016**
Responsible Officer: **Alex Allen**

Location: **PLOT A1, LOGISTICS NORTH, (FORMER CUTACRE), LAND OFF SALFORD ROAD & BRIDGEWATER AVENUE, BOLTON**

Proposal: ERECTION OF A RESTAURANT/DRINKING ESTABLISHMENT (USE CLASS A3/A4) WITH ANCILLARY OFFICE & RESIDENTIAL ACCOMMODATION ABOVE, TOGETHER WITH ACCESS, CAR PARKING, LANDSCAPING, SERVICING AND ASSOCIATED WORKS

Ward: **Hulton**

Applicant: Greene King Brewing and Retailing Ltd & Harworth Estates
Agent : Turley Associates Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the development of the application site for the provision of a A3/A4 amenity restaurant. The proposal would be for a 'Farmhouse Inn'. Generally the use would be based on an offer which provides over 70% of total sales being food with the majority of drinks sold being ancillary to meals served.

The proposal would comprise of accommodation over two floors with the main dining area, kitchens, customer toilets located on the ground floor together with ancillary office and residential accommodation on the first floor. The residential accommodation would form three self contained apartments, with 2 one bedroomed apartments and a manager's apartment which would be consist of three bedroomed accommodation.

Vehicular access to the development would be served off a shared road with the approved Aldi foodstore providing 99 general car parking with an additional 6 disabled car parking spaces. Incidental landscaping would be provided along the boundaries of the site together with landscaping within the proposed car park. The actual building would be sited within the north western corner of the development plot with a patio area wrapping around the north, east and southern curtilage of the building. The footprint of the building would be c. 30 metres wide and 36 metres in length. The overall mass of the building would be broken up by a mix of single storey and two storey elements with hipped roofs, with the use of different facing materials (brick and render) with the maximum height of the building being 9.96 metres.

The proposed hours of opening of the building would be from 0700 to 0100 hrs seven days a week. It is considered that there would be limited customers visiting the premises during the later part of this period.

Site Characteristics

The application comprises of a triangular shaped vacant greenfield site measuring some 0.57 hectares. The site is predominately covered by excavated ground which has been cleared for development. It is bordered by the development plot to the east which will form the recently approved Aldi training store, a new public right of way runs along the western boundary with landscaped amenity land directly to the north.

Cutacre Brook intersects the north eastern corner of the site. Salford Road (A6) forms the boundary further to the north whilst a Toby Carvery Public House (Watergate Toll) occupies land to the north of Salford Road. The newly improved access and roundabout to the wider Logistics North site lies to the north east of the development site.

To the west of the adjacent High Pressure Gas Main is the recently approved industrial buildings located on Plot A6 which are now under construction.

The site forms part of the wider Logistics North Employment site which is a strategic employment site in the Over Hulton ward of Bolton.

Policy

National Planning Policy Framework

Core Strategy policies: P1 Employment, P2 Retail and Leisure, P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, M3 Broad Location for Employment Development; OA4 West Bolton.

Allocations Plan - Chapter 3 - Employment Land, Appendix 1: Allocated employment land - Site reference 5P1.1 Cutacre (net development area) - 80 ha.

Analysis

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

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

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

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

The main impacts of the proposal are:-

* principle of the development;
* impact on the character and appearance of the area;
* impact on adjoining land uses and occupiers;
* impact on the highway;

* impact on drainage / flood risk;
* impact on crime and the fear of crime
* impact on biodiversity / ecology;
* impact on infrastructure;
* other issues

Principle of the Development

Policy P1 of the Core Strategy states that the Council will identify a range of employment sites for new development with a total area of between 145ha and 165ha up to 2016 and will safeguard existing employment sites where they are compatible with residential amenity and contribute to the sustainability of communities in which they are situated. Where they are not compatible, mixed uses will be encouraged to retain an element of employment.

The application site is allocated as employment land within the Council's Allocations Plan [Allocation 5P1.1 Cutacre (net development area) - 80 ha]. Members will recall that planning permission was granted in April 2014 for the erection of up to a maximum of 360,000 sq. m of B2 / B8 floorspace on the site of the former Cutacre open cast mine. Whilst the primary use of the land was for B2/B8 employment uses there was an ancillary element which was integral to the proposal which made provision for the following uses (maximum gross internal floor spaces):

- Business - B1 use - 7,000 sq.m;
- Shop (A1) and services (A2) - 1,000 sq.m; and
- Food and drink (A3 - A5) - 1,000 sq.m.

As the main element of the proposal i.e. an amenity restaurant would consist of 850 sq. metres. The first floor uses would make provision for a further 333 sq.metres and be in excess of the maximum A3/A4 uses on the Logistics North site by 183 sq. metres.

Therefore, the main part of the proposed building and use would be fully compliant with the hybrid permission which was approved previously. The component of the proposal which would not comply with Core Strategy policy or the hybrid permission is the proposed three residential units.

Paragraph 3.7 of the Allocations Plan states that alternative non-B1/B2/B8 uses on allocated employment land, protected employment land and mixed-use sites will be permitted where:

- There would be no harm to the economic function of the locality or the benefits of the proposed development outweigh the harm; or
- A marketing strategy satisfactorily demonstrates that there is no longer demand for B1/B2/B8 use; or
- A viability assessment satisfactorily demonstrates that it is no longer appropriate for the site to be retained for B1/B2/B8 purposes.

The proposed residential component of the proposal would be purely ancillary to the main amenity restaurant use. As a result it is therefore considered that the proposal would not harm the economic function of the locality with the primary use of the whole Logistics North site remaining as previously approved.

The final composition of this (ancillary) part of the site is unknown at this stage due to ongoing discussions between the site owner, Harworth Estates and a number of potential end users.

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 OA4 refers specifically to developments in West Bolton and states that the Council will conserve and enhance the character of the existing landscape and physical environment.

The siting and design of the building is such that the most prominent of the elevations (north, east and south) have the most active frontages.

It is considered that the design of the proposed amenity restaurant has been designed to a high standard with the mass of the building successfully broken up in differing roof heights, sensitive use of materials and active frontages created on the three key elevations together with an appropriate landscaping scheme.

It is considered that the proposed development is of good design and will regenerate a vacant site at a prominent junction location, compliant with Policies CG3 and OA1 of the Core Strategy.

Impact on Surrounding Land Uses and Occupiers

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

The proposed development would have opening hours of between 0700 and 0100 hrs Monday through to Sunday. Given the site's location within the developing Logistics North site and the distance from the closest residential property (some 270 metres away) it is not envisaged that the proposed hours of opening or noise from plant/machinery within the site is likely to be problematic for adjoining land uses.

Formal comments from the Council's EHO's will be reported to Members by way of the Supplementary Information List.

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), the transport needs of people with disabilities, and the requirement for a Transport Assessment and Travel Plan with major trip generating developments. Policy S1.2 states that the Council will promote road safety in the design of new development.

The applicant has submitted a detailed Transport Statement which assesses the likely impact of the proposed development. The applicant proposes the provision of 105 car parking spaces which would be slightly over the Council's maximum car parking standards. Servicing for the use would be along the side/western elevation of the property. The Council's Highways Engineers have confirmed that the site is accessible to service vehicles.

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

The proposed car parking provision would be in accordance with the standards as outlined within Appendix 2 of the Core Strategy which details car / motor bike and cycling parking. The applicant has also submitted an interim Travel Plan which is intended to encourage staff to use sustainable modes of transport. This element in addition to the approved car parking layout would be conditional upon any approval.

The proposal complies with Core Strategy policies P5 and S1.

Impact on Drainage / Flood Risk
Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk. Policy CG2.2 states that the Council will ensure that all non-residential units of over 500 sq. metres demonstrate sustainable management of surface water run-off.

The applicant has submitted a drainage strategy for the site. Both United Utilities and the Council's Drainage team raise no objections to the proposal. A detailed scheme, including an appropriate long term management/maintenance regime will be secured by planning condition. This would ensure that the development of this plot would be consistent with the site wide drainage strategy which has been approved for the site.

It is therefore considered that the proposed development will not increase the risk of flooding and will provide sustainable management of surface water run-off, compliant with Policies CG1.5 and CG2.2 of the Core Strategy.

Impact on Crime and the Fear of Crime
Policy S1.1 of the Core Strategy states that the Council will ensure that the design of new development will take into account the need to reduce crime and the fear of crime.

The applicant has considered security and crime prevention within a separate Crime Impact Statement. The security measures provided within the development will include the following:

- clear distinction between public and private space;
- open site with natural surveillance opportunities;
- one access and egress from the car park;
- lighting to provide a uniform level of illumination within the site;
- enclosed bin stores by 2.4 timber fencing;
- laminated glass to doors and windows;
- CCTV coverage .

It is therefore considered that the proposed development complies with Policy S1.1 of the Core Strategy.

Impact on Biodiversity / Ecology
Core Strategy policy CG1.1 and 1.2 seeks to ensure that new development proposals safeguard and enhance biodiversity in the borough by protecting sites of urban and rural biodiversity.

Officers from Greater Manchester Ecology Unit have commented that they have no objections to the development of the site.

The proposal complies with Core Strategy CG1.

Impact on Infrastructure
Core Strategy policy CG4.3 seeks to ensure that new development proposals affected by contamination or ground instability must include an assessment of the extent of the issues and any possible risks.

The application has provided a desk study and ground investigation report. In summary the reports

conclude that the site is not contaminated but requires piled foundations with vented sub floor void and gas membrane as the only suggested mitigation measure.

Other issues

A High Pressure gas main runs parallel to the western boundary of the site. Both National Grid and the Health and Safety Executive have raised no objections to the proposal. In addition, a newly created public right of way would run along the western boundary of the site. Public Rights of Way officers have confirmed that the public right of way would remain unaffected.

Local finance considerations

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

* Job creation - the applicant expects that 59 full-time jobs will be created at the restaurant
* Job creation during the construction phase
* Business rates - this is not a material consideration

Conclusion

It is considered that the proposed new amenity restaurant itself would be in full compliance with the approved masterplan for the Logistics North site. The proposed new ancillary residential accommodation provided would take the overall floorspace over the approved floorspace for A3/A4 uses by 183 sq. metres. In addition, the hybrid permission for the site does not grant approval for any residential properties within the site as a whole. However, as the proposed residential component is clearly linked to the operation of the restaurant this modest deviation is considered to be, on balance, acceptable.

The application is therefore recommended for approval subject to conditions.

Representation and Consultation Annex

Representations
No representations received.

Consultations
Advice was sought from the following consultees: Drainage/Flood Risk team, National Grid / Health and Safety Executive, the Council's Highways Engineers, Pollution Control officers, Landscape Architects, Greenspace Management, the Coal Authority, Design for Security (Greater Manchester Police) and Greater Manchester Ecology Unit.

Planning History
A hybrid planning application was approved in April 2014 (Ref: 90539/13) for the phased employment development of the Logistics North / former Cutacre site comprising of up to 102 Ha of B8 and B2 uses together with associated / ancillary uses including Business (B1), Hotel (C1), Shop, Services and Food and Drink (Use Classes A1 to A5). Condition 4 on this permission restricts the development in accordance with the parameters detailed within the originally submitted Planning Statement, which are as follows:

Maximum floorspace (gross internal area) of each alternative/ancillary use:

- Business - B1 use - 7,000 sq.m;
- Shop (A1) and services (A2) - 1,000 sq.m; and
- Food and drink (A3 - A5) - 1,000 sq.m.

Planning permission was granted in April 2016 for a Aldi food and training store to the site immediately to the east of the current application site (Ref: 95558/15).

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. Within 3 months of the commencement of development details of on-site cycle parking to be provided within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented in full before the development hereby approved is first occupied or brought into use and retained thereafter.

Reason

To encourage cycle use and provide adequate facilities for cyclists.

4. Within 3 months of the commencement of development full details of the highway works at the site access road and approved car park as shown on Drawing No. 1523/02E shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

5. Before the approved/permitted development is first brought into use no less than 105 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with Drawing Ref: 1523/02E. 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.

6. Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme 1523/09D. 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.

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

Drawing Reference: 1523/02E - Proposed Site Layout, dated June 2016;
Drawing Reference: 1523/03 - Proposed Floor Plans, dated June 2016;
Drawing Reference: 1523/04A - Proposed Elevations, dated June 2016;
Drawing Reference: 1523/08 - Proposed Floor Plans with Zones, dated June 2016;
Drawing Reference: 1523/09D - Proposed Landscaping Plan, dated May 2016;
Drawing Reference: 1523/13C - Proposed Car Park Lighting, dated June 2016;
Drawing Reference: 1523/14 - Patio and Building Lighting, dated June 2016;
Drawing Reference: 1523/39 - Fence Details Plan, dated June 2016;
ES352_A2_016_02J - Construction details for standard GRP unit substation with

Schneider RN2 SW/GR dated 23/09/03;
Construction Method Statement and Air Quality Management Plan dated 07/06/2016
Proposed Amenity Restaurant Cutacre, Bolton - Travel Plan dated June 2016;
Drawing No. FH RH Rev. A - Kitchen Ventilation System, dated 13 April 2016.

Reason

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

8. The fence as shown on drawing ref: 1523/39 shall be erected fully in accordance with the approved design details contained on drawing ref: 1523/02E 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.

9. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan ref: 15-23/04 Rev. A.

Reason

For the avoidance of doubt as to what is permitted.

NOTE
All dimensions to be checked on site and any discrepancies to be notified prior to the commencement of work

Do not scale from this drawing

If in doubt ask

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N

0 1 2 3 4 5 6 7 8 9 10

Farmhouse Inn

Patio

Paths & patio (unless noted otherwise) to be Tobermore Textured paving slabs 600x600mm colour Buff.

Service Yard

Tarmac

Patio

Parking bay delineation to be formed using white thermplastic road paint

Tarmac

3no. Motorcycle parking spaces with ground anchor securing points - Hardlandscaping to be of suficient bearing capacity to suit parked motor cycle stands.

ANPR Camera facing site entrance

Drop kerb

Patio

3no. Sheffield cycle hoop stands for 6 bicycles

Drop kerb

Flush edge restraint to be concrete square channel bedded in concrete Buff tactile (blister) paving to BS EN 1339:2003 adjacent drop kerbs

All paths as shown thus to be Tobermore Pedesta Paving, 80mm thick laid in stretcher bond - Colour: Brindle.

Manual swing barrier (to be closed out of business hours only)

Tarmac

Give Way sign to be formed using white thermolplastic road paint

Blue dashed line delinated the extent of knee rail boundry fence, for detail of the knee rail fence see drawing 1523_39

Tarmac

Parking bay delineation to be formed using white thermplastic road paint

99 + 6 Car Parking Spaces

SUB-STATION

BOUNDARY G
450164.44E
450164.55N
116.089

BUS STOP

Rev	Revison Notes	Date	Initial
E	Redline updated to include substation.	22.06.16	JFM
D	Site plan updated to show latest developers plan and sub-station.	20.06.16	RB
C	tree positions updated inline with landscape scheme.	08.06.16	RB
B	Redline revised to match with boundary for nieghbouring development.	07.06.16	RB
A	Drawing revised to show line knee rail fence	06.06.16	RB

status: PLANNING

arch-e-tech design ltd
Butterthwaite House
Jumble Lane
Ecclesfield
Sheffield, S35 9XJ
Tel: 0114 2451021 Email: admin@archetech.co.uk

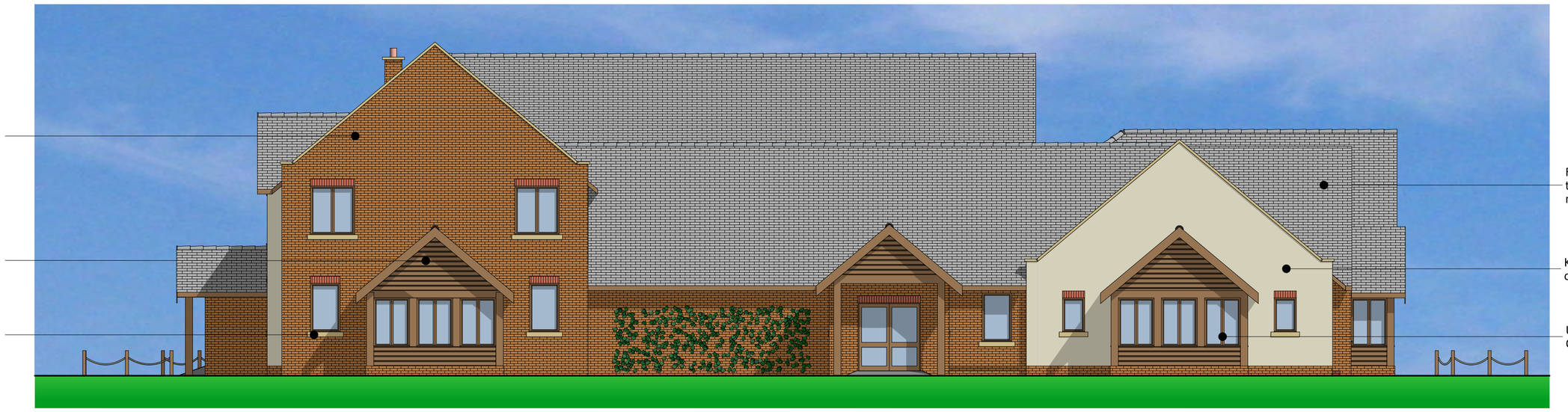
client: GREENE KING

job title: AMENITY RESTAURANT
BACK LANE
BOLTON

drg title: PROPOSED SITE LAYOUT

date	June 2016	drawn	RB
scale	1:200	sheet	A0

drwg no & revision: 1523/02E



East Elevation (Front)

NOTE
All dimensions to be checked on site and any discrepancies to be notified prior to the commencement of work

Do not scale from this drawing

If in doubt ask

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Note: All rainwater goods to be black UPVc

South Elevation

North Elevation

West Elevation (Rear)

Rev	Revison Notes	Date	Initial
A	Window Specification amended.	07.06.16	RB

arch-e-tech
design ltd
Butterthwaite House
Jumble Lane
Ecclesfield
Sheffield, S35 9XJ

Tel: 0114 2451021 Email: admin@archetech.co.uk

client
GREENE KING

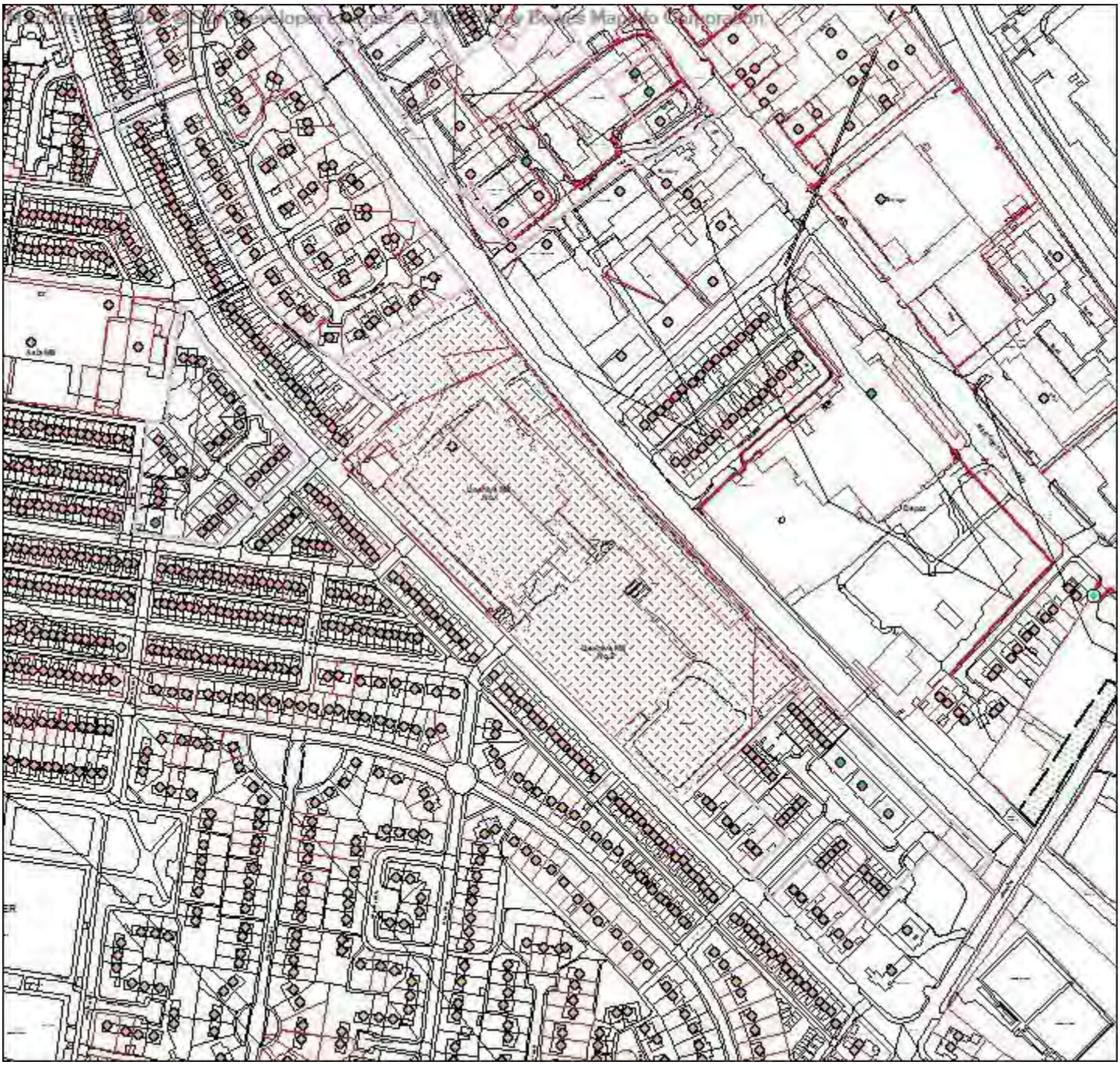
job title
AMENITY RESTAURANT
BACK LANE
BOLTON

drg title
PROPOSED ELEVATIONS

date	OCT 2015	drawn	JFM
scale	1:100	sheet	A1
drwg no	15-23/04	rev	A

06

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: 22/09/2016

Application Reference: 96907/16

Type of Application: Outline Planning Permission
Registration Date: 22/06/2016
Decision Due By: 20/09/2016
Responsible Officer: Jon Berry

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 Gorbing

Officers Report

Recommendation: Delegate the decision to the Director

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. The applications at the lodge are considered to be relatively straightforward and therefore are not being presented 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.

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 Targets, 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

It is considered that the heritage impact arguments are thoroughly represented in the report for the accompanying application for Listed Building Consent.

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.

<u>Impact on the Highway</u>

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 he 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.

Greater Manchester Ecology Unit (GMEU) accept that the site should be assessed as low risk; however they consider that more information is required on the mill pond proposed to be lost prior to determination.

The Council's Greenspace Officer 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.

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.

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 would point to a refusal, though

the issues surrounding the five year housing supply must also be taken into account. 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. If Members are minded to approve the demolition of these Grade II Listed Buildings, the decision should be delegated to the Director so that the case can 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, the decision should be delegated to the Director so that a refusal can be issued.

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 prescence 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. TMy 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 caused 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: Delegate the decision to the Director

Recommended Conditions and/or Reasons

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- 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 HNA	DATE

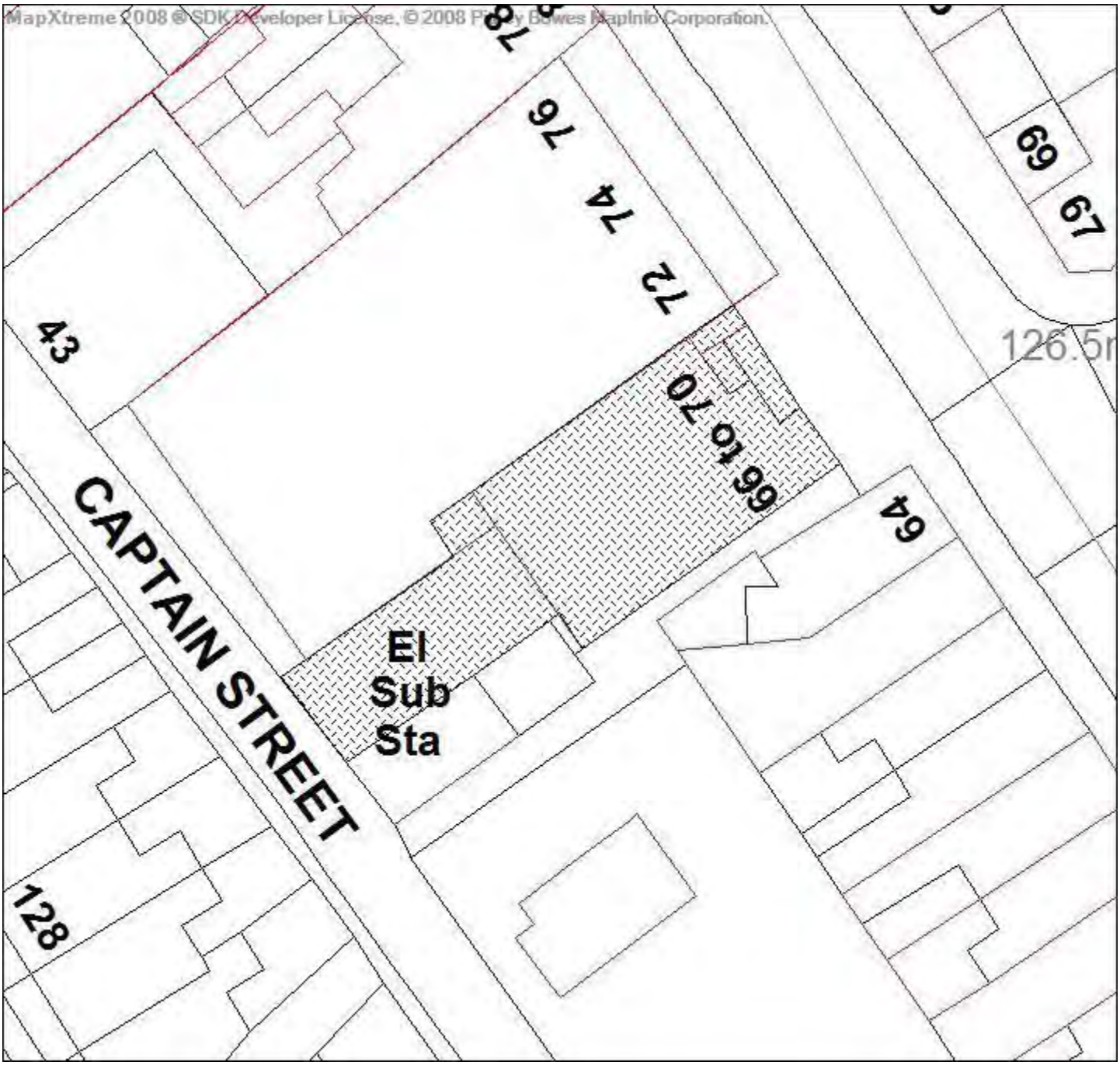
PROJECT No. 4986

N

013 B

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

Application number 96917/16



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: 22/09/2016

Application Reference: 96917/16

Type of Application: **Full Planning Application**
Registration Date: **01/07/2016**
Decision Due By: **25/08/2016**
Responsible Officer: **Kara Hamer**

Location: **66-68 LEE LANE, HORWICH, BOLTON, BL6 7AE**

Proposal: EXTENSION AND ALTERATIONS TO SUBDIVIDE GROUND FLOOR INTO 2No RETAIL UNITS, CHANGE OF USE OF GROUND FLOOR (No 66) FROM RETAIL TO BETTING SHOP AND CHANGE USE OF FIRST FLOOR (No 66-68) FROM OFFICE TO 3No SELF-CONTAINED FLATS.

Ward: **Horwich and Blackrod**

Applicant: L2 Property Developments Ltd
Agent : PZvi Architects & Designers Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for the change of use of the ground floor of no.66 from a retail shop (Use Class A1) to a betting shop (sui generis use) and change of use of the first floor of no's. 66-68 from office (Use Class B1) to 3 no. 2 bedroomed self contained flats (Use Class C3). The ground floor retail use of no. 68 will be retained (Use Class A1). The Applicant submits that the premises are currently vacant.

Alterations required include a small extension to the front elevation of no. 68 to form a new shop front, a new shop front to no. 66, alterations to fenestration on all three elevations and alterations to the internal layout. The proposals do not include roller shutters or signage.

A refuse bin storage area is proposed within the rear yard area to serve all the proposed uses.

The proposed staff will be 14 full time positions. The opening hours for the betting shop are proposed as 07:00 to 22:00 hours Monday to Saturday and 09:00 to 22:00 hours Sunday and Bank Holidays.

Site Characteristics

The application premises are within the town centre of Horwich, on the main road through the centre. The premises are sited at the end of a terraced row of other retail and commercial uses (adjacent to a Sainsburys Local and including; a dry cleaners, 'Bengal Cottage' restaurant, a homeware retail shop, a decorative lighting shop, charity shops and 'Max Italia' restaurant). Lee Lane

contains numerous retail shops, cafes, restaurants, take aways, beauty salons, hair dressers/barbers, public houses, bars and financial services. There are also a number of vacant units, including the application premises, and residential properties comprising dwellings and flats.

The Applicant submits that the premises are circa 1960s. The premises are brick built and part render with a flat roof and large window openings. No. 68 is lower in height that no. 66 with a railing sited above.

At the rear of the application site is Captain Street and the public car park.

At the side of no. 66 is a pedestrian footpath to the rear.

Lee Lane is sited within Horwich Town Centre Conservation Area and within the allocated Local Town Centre.

Policy
National Planning Policy Framework (NPPF)

Core Strategy Policies: P2 Retail and Leisure; P5 Transport and Accessibility; S1 Safe Bolton; CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.

SPD General Design Principles
SPD Accessibility, Transport and Safety

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

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

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

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

The main impacts of the proposal are:-

* impact on the vitality and viability of Horwich town centre
* impact on the character and appearance of the conservation area;
* impact on living conditions of adjoining residents;
* impact on highway safety.

Impact on the Vitality and Viability of Horwich Town Centre
Policy OA1 of the Core Strategy states that the Council will continue to promote Horwich town centre as being suitable for a mix of retailing, leisure, employment and housing uses, and will identify Horwich town centre as serving the western part of the borough for retailing.

The application premises are located within the allocated Horwich town centre and will constitute a mix of retailing and housing. The proposed development will also bring back into use, and improve

the appearance of, a vacant building in a prominent location on the main road through the centre.

It is therefore considered that the proposed development complies with Policy OA1 of the Core Strategy.

Impact on the Character and Appearance of the Conservation Area

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

The application site is located within Horwich Town Centre Conservation Area.

The application premises are currently vacant and in poor condition but were formerly in an A1 retail (ground floor) and B1 office (first floor) use. The applicant seeks to change the use of the premises at no. 66 to a betting shop (sui generis) at ground floor level and to C3 (residential) at first floor level which includes the first floor of no. 68. The ground floor retail use of no. 68 will be retained (Use Class A1).

The premises are located centrally within Horwich town centre, which contains a mix of residential, retail shops, cafes, restaurants, take aways, beauty salons, hair dressers/barbers, public houses, bars and financial services. Several of the premises have flats at first and second floor levels.

It is not considered that another betting shop or residential apartments along this stretch of Lee Lane and in the centre of Horwich town centre would affect the character or viability of the town centre. Instead, the proposal would bring back into use two currently vacant premises in a prominent location within the town centre.

The application proposes alterations to fenestration style on all three elevations. New window openings will be formed in the side elevation at first floor level in place of 1 large opening and 4 small openings. A small extension to the front elevation of no. 68 will form a new shop front comprising of new entrance door with large window set aside and the existing door will provide access to the flats above. A traditional style shop front with recessed entrance door is proposed for no. 66. The rear elevation will have a single entrance door and one existing door will be removed. A new and additional entrance is proposed for the side elevation to no. 66.

New brickwork and render are to match the existing and new first floor windows will be in white uPVC. Proposed shop fronts will be PPC aluminium frames and the rear access door will be a steel faced timber door.

It is considered that the premises subject to this application are not of high heritage value and the premises are not in-keeping with Lee Lane's historic, more traditional/characterful properties in the immediate vicinity. The proposed alterations to elevations will be an improvement in the current condition and aesthetics of the buildings.

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

Impact on Living Conditions of Adjoining Residents

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

There are no adjoining residential properties. It is proposed that the betting shop premises will be open between the hours of 07:00 to 22:00 hours Monday to Saturday and 09:00 to 22:00 hours Sunday and Bank Holidays, which is considered to be acceptable in a town centre location where there are some residential units at first and second floor levels within the immediate vicinity.

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

Impact on Highway Safety

Core Strategy policy S1.2 seeks to promote road safety in the design of new development. Core Strategy policy P5 seeks to ensure that development is accessible by different types of transport, prioritising pedestrians, cyclists and public transport over the motorised vehicle.

The site is situated on a busy public transport corridor. The premises have been trading as a retail shop and office accommodation previously and the proposed uses are not thought to have any further detriment on highway safety than at present. There is no on-site parking provision and as a result, on-street parking in adjacent streets is likely to occur. At the rear of the application site is Captain Street and the public car park. Highway Engineers have been consulted and have raised no objections.

It is therefore considered that the proposal complies with policies P5 and S1.2 of the Core Strategy.

Local finance considerations

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

* The applicant envisages that there will be 14 full time jobs created;
* Council tax revenue from the three apartments (officer comment: this is not a material consideration);
* New Homes Bonus from the three apartments (officer comment: this is not a material consideration);
* Employment during construction.

Conclusion

For the reasons discussed above, it is considered that the proposed change of use of the premises to a betting shop and retail unit (ground floor) and C3 residential use (first floor) would not harm the character and appearance of the area, would not unduly harm the amenity of nearby residents and would not jeopardise highway safety, complying with the aforementioned national and local planning policies.

Members are therefore recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- One objection letter has been received, prepared by 'ID Planning' Consultants on behalf of a "nearby occupier", objecting to the proposal on the grounds of;

- this application has not been accompanied with sufficient supporting information to justify the change of use from retail (A1) to sui generis in a defined town centre. No marketing information has been provided to confirm the level of interest in units. The lack of this supporting information suggests the applicant cannot make a policy compliant case to justify a change of use and the loss of prominent retail floor space. Without this information, the council cannot make a sound planning judgement on the merits or otherwise of this application.
- The application is for the subdivision of ground floor into two retail units, change of use of ground floor (no 66) from retail to betting shop (sui generis) therefore A1 retail space will be lost.

- In terms of design and surrounding character issues, Policy CG3 highlights that development should conserve and enhance local distinctiveness. It should be again noted that a policy compliant case has not been given by the applicant.

Horwich Town Council:- raised no objections at their meeting of 21/07/16.

Consultations

Advice was sought from the following consultees: The Council's Highways Management and Drainage and Technical Support Team.

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. 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 and to comply with policy CG3 of Bolton's Core Strategy.

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

   07:00 - 22:00 hours Monday to Saturday
   09:00 - 22:00 hours Sunday and Bank Holidays

   Reason

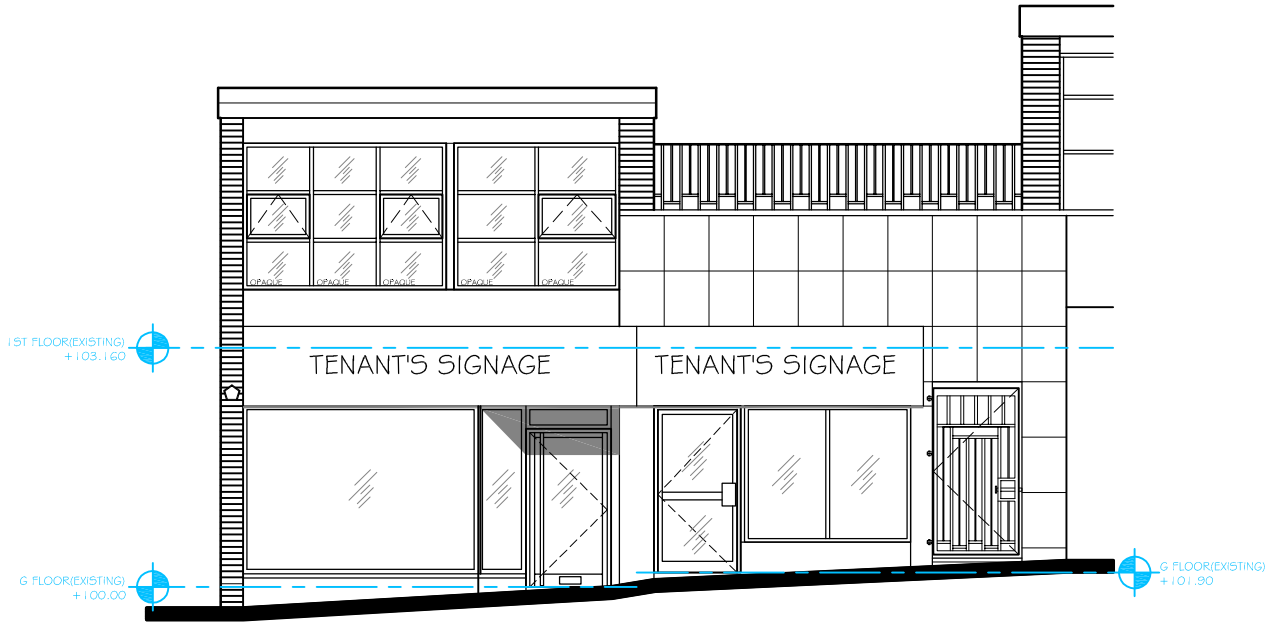
To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance, and to comply with policy CG4 of Bolton's Core Strategy.

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

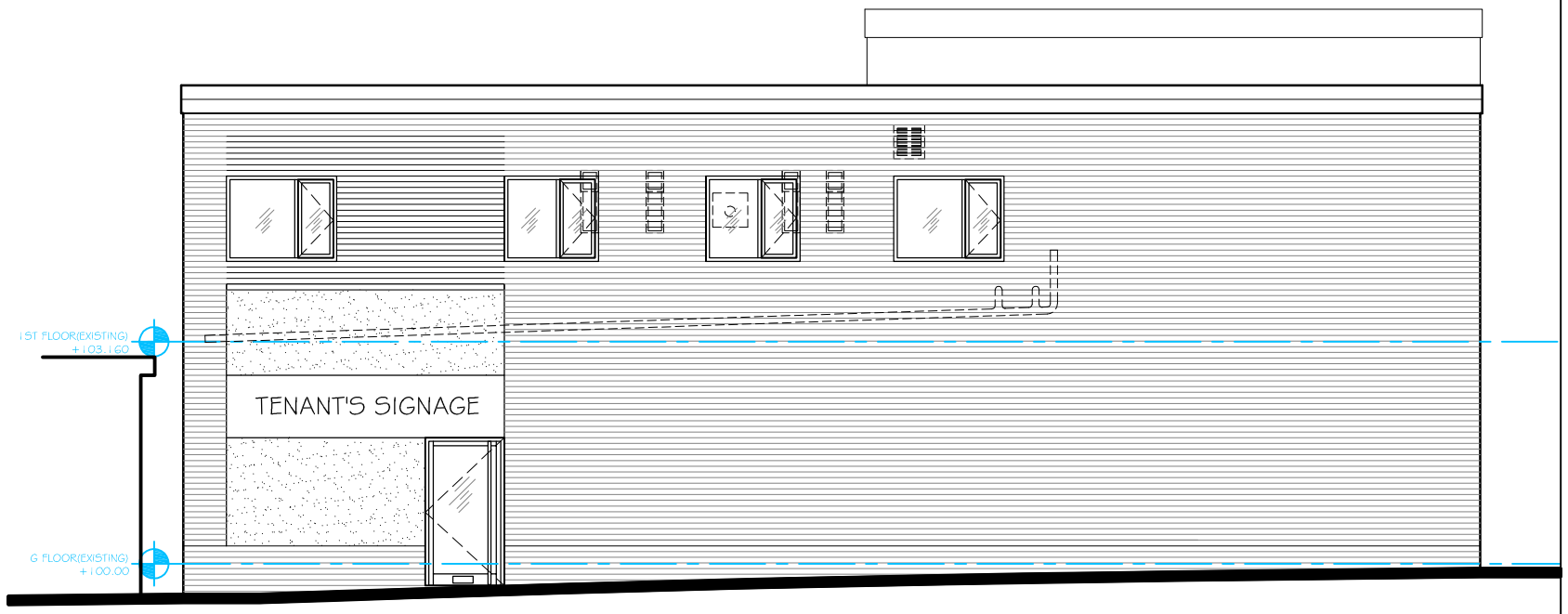
Location plan, Drwg No. NR580-PL-01, 17.06.16 (scanned to file 01/07/16)
Existing floor plans, Drwg No. NR580-PL-04, 17.06.16 (scanned to file 01/07/16)
Proposed elevations, Drwg No. NR580-PL-05, 17.06.16 (scanned to file 01/07/16)
Proposed block plan, Drwg No. NR580-PL-06, 17.06.16 (scanned to file 01/07/16)

Reason

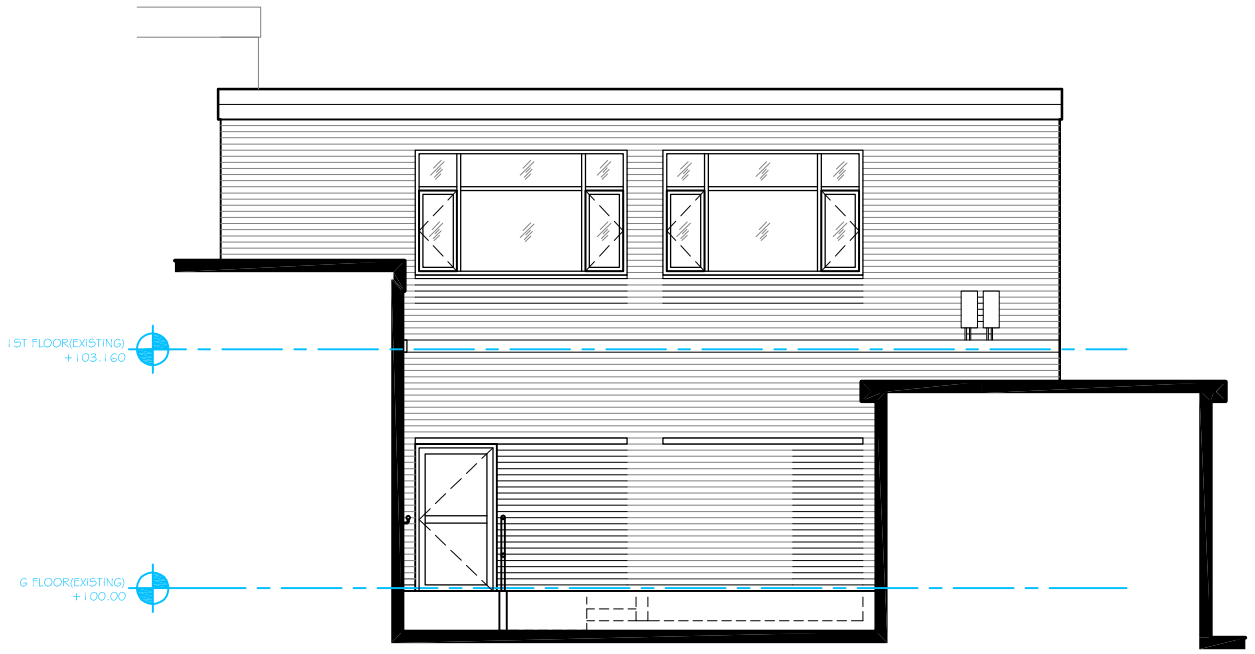
For the avoidance of doubt and in the interests of proper planning.



NORTH-EAST



SOUTH-EAST



SOUTH-WEST

110

Revision	Description	Init.	Date

PLANNING

PZ VI Architects & Designers
47A Park Lane Poynton Stockport Cheshire SK12 1RD
Tel: 01625 403 516 Fax: 01625 403 516
E-mail:info@pzvi-architects.co.uk

Project:
G FLOOR -RETAIL SUB-DIVISION
1ST FLOOR - CHANGE OF USE
66-68 LEE LANE, HORWICH

Client:
L2 PROPERTIES

Drawing Title:
PROPOSED ELEVATIONS

Drawing No: NR580-PL-05

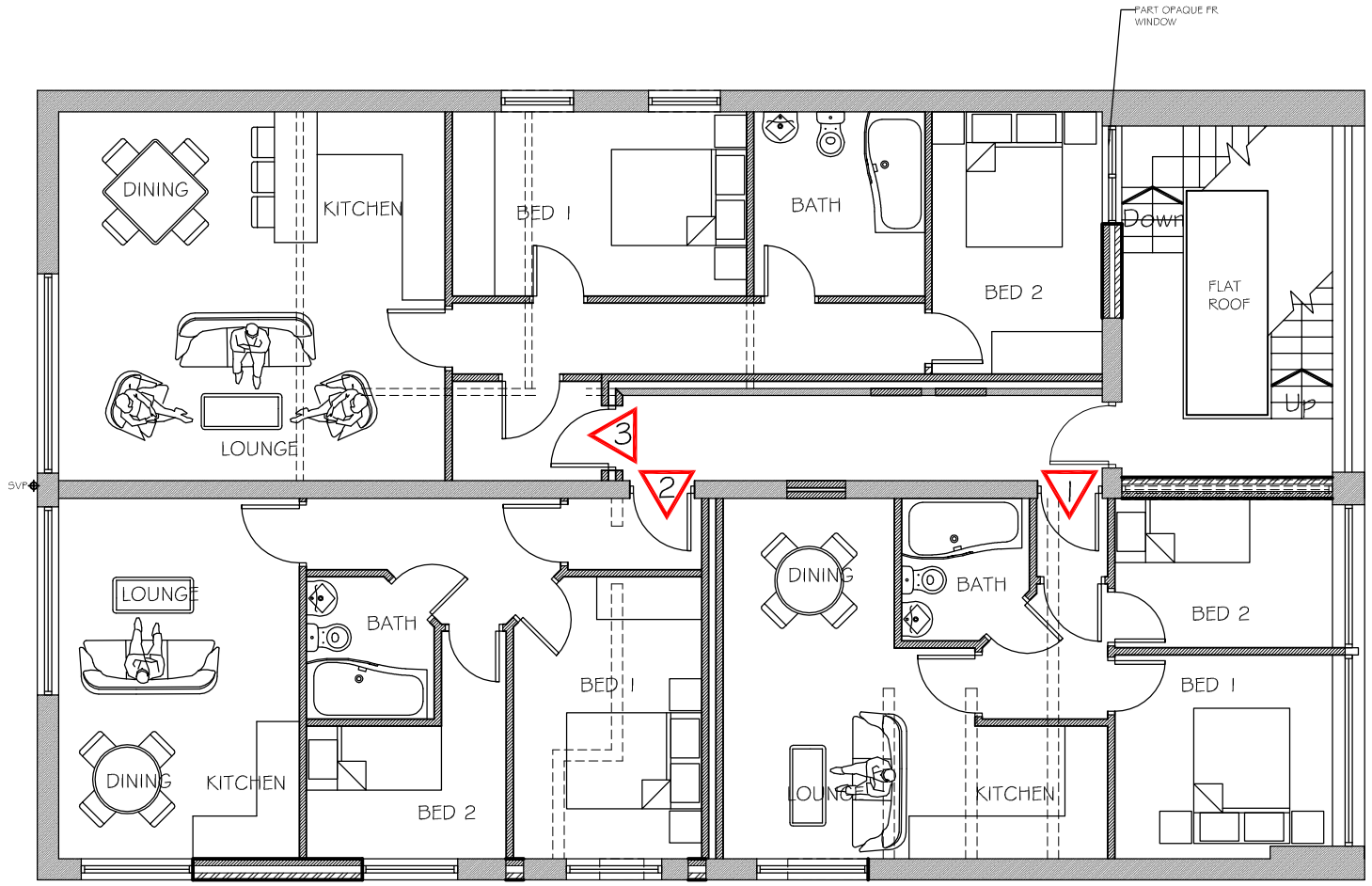
Rev:

Drawn By: C.H.K.

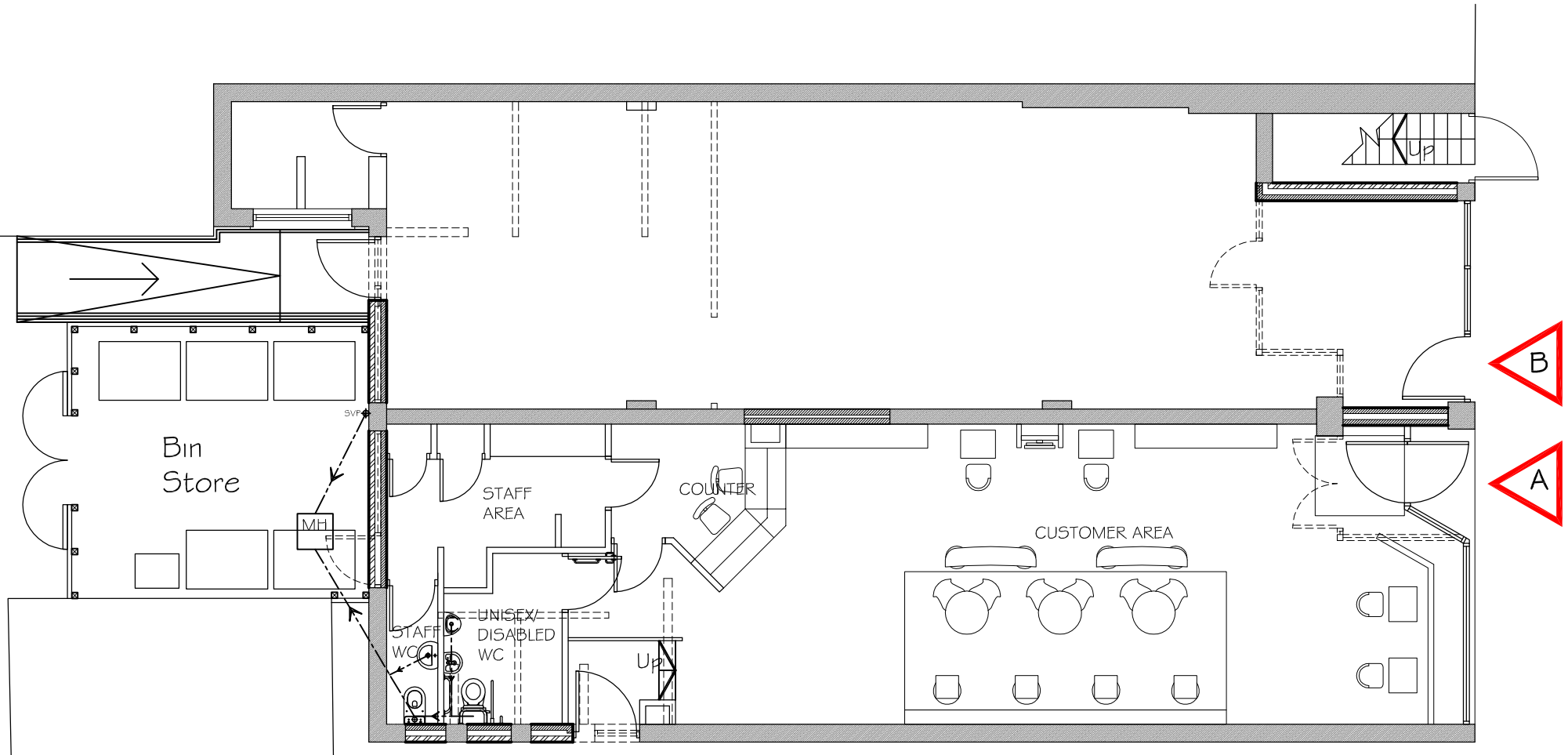
Checked: J.Albutt

Scale: 1:100 @ A3

Date: 17.06.16



1ST FLOOR



GROUND FLOOR

111

Revision	Description	Init.	Date

PLANNING

PZ VI Architects & Designers
47A Park Lane Poynton Stockport Cheshire SK12 1RD
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Project:
G FLOOR -RETAIL SUB-DIVISION
1ST FLOOR - CHANGE OF USE
66-68 LEE LANE, HORWICH

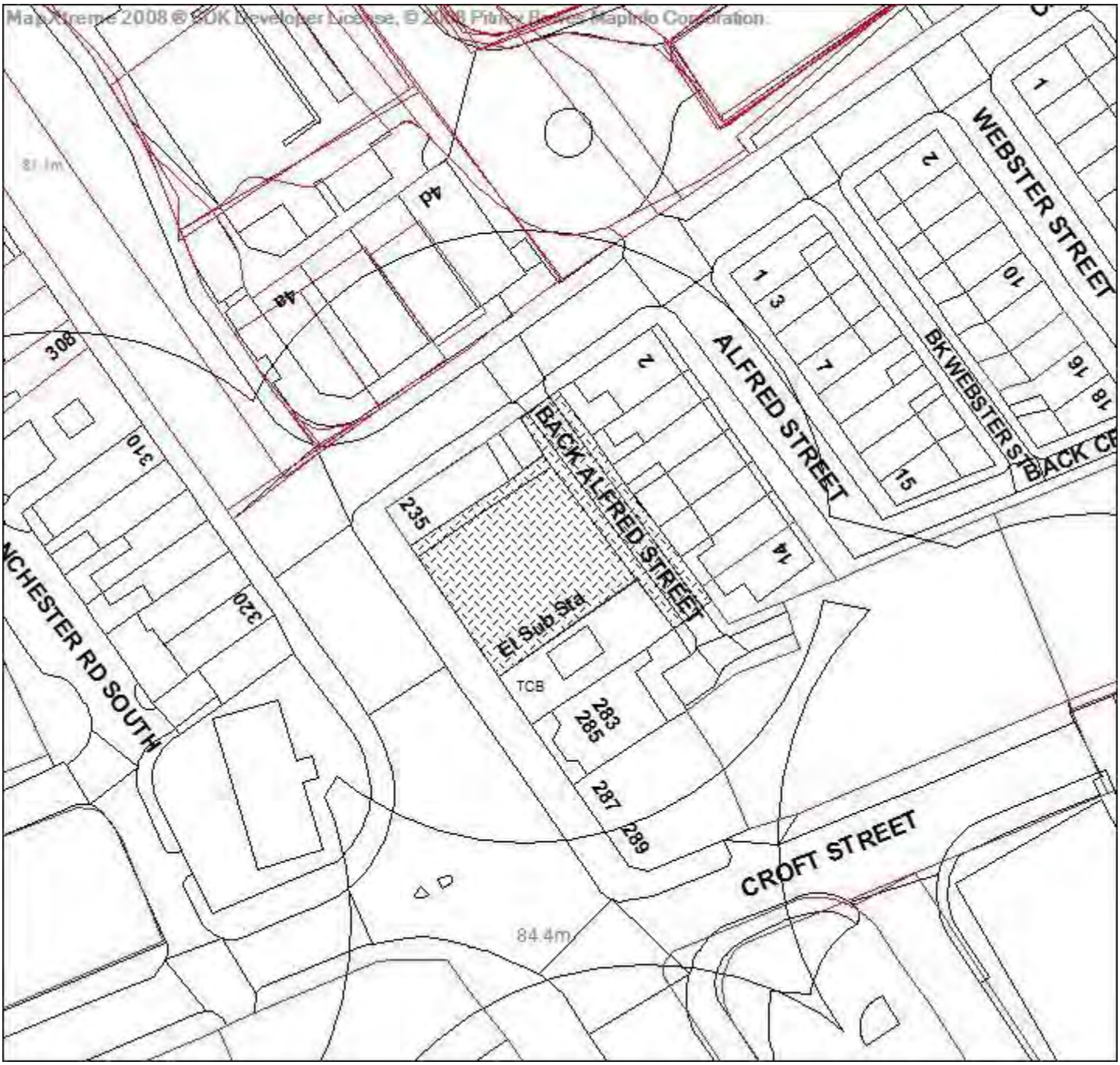
Client:
L2 PROPERTIES

Drawing Title:
EXISTING FLOOR PLANS

Drawing No:	Rev:	Scale:	Date:
NR580-PL-04		1:100 @ A3	17.06.16

Drawn By:	Checked:
C.H.K.	J.Albutt

Application number 96963/16



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: 22/09/2016

Application Reference: 96963/16

Type of Application: Outline Planning Permission
Registration Date: 06/07/2016
Decision Due By: 30/08/2016
Responsible Officer: Martin Mansell

Location: **LAND ADJACENT 235 MANCHESTER ROAD, BOLTON, BL3 2QP**

Proposal: OUTLINE APPLICATION FOR THE ERECTION OF A FOUR STOREY BUILDING COMPRISING 2No UNITS AT GROUND FLOOR (CLASS A1/A2/A3) AND 9No APARTMENTS AT FIRST, SECOND AND THIRD FLOORS TOGETHER WITH REFUSE AREA, 3No PARKING SPACES AND LOADING AREA.

Ward: **Great Lever**

Applicant: Lancashire Properties
Agent : Urbane Forms

Officers Report

Recommendation: Refuse

Proposal

Outline consent is sought for the erection of a four-storey flat-roofed building comprising two ground floor retail units fronting Manchester Road with nine apartments over. Four car parking spaces would be provided at the rear – three for the residential units and a shared service area for the two retail units.

Planning permission was granted in 2015 for the development of two ground floor shops with six flats over, ref: 84746/15. However, the applicant considers this development to be financially unviable. The current proposal seeks approval for generally the same development, but with one additional floor over, resulting in a four-storey building.

Whilst Members approved the previous application, it was deferred for further information. This information is repeated below as it remains relevant to the current proposal:-

- the refuse bins for the existing terraced houses on Alfred Street are stored in their back yards. The bins are put in the back street on collection day and refuse is removed in the usual way
- the Applicant proposes the widening and resurfacing of Back Alfred Street, using a small amount of land in their ownership. This is improvement for the residents.
- the refuse store for the proposed development would be located approximately 7 metres from Croft Lane. As such, the development would not require the refuse collection vehicle to enter Back Alfred Street - it is of limited length and is a "dead end". The refuse collection personnel can collect bins from the development by leaving their vehicle in Croft Lane.
- deliveries to the two small retail units would be available via a loading bay at the rear of the site

- loading and unloading has been discussed with the Council's Highway Engineers and the Applicant has agreed to be fund a peak hour loading ban, preventing deliveries outside the peak hours of 0730 to 0930 and 1630 to 1830. This information is marked on the drawings and would be required by a condition
- Manchester Road, like many similar such roads locally and nationally, has shops fronting it. The arrangements for this development proposal will be an improvement in comparison, due to the allocated delivery area at the rear and the peak hour loading ban
- deliveries can be taken from the rear of the site would not be dependant on Manchester Road

Site Characteristics

The proposed location is a "gap" site on the otherwise built up frontage of Manchester Road. The site is generally level with a slight slope to the rear, is hard-surfaced and contains scrub vegetation.

The former use of the site is unclear, indeed it appears to have no use. It has the appearance of a long-standing cleared site. It is understood that the site once contained the access to a mine.

The character of the surrounding area is mixed but includes terraced houses fronting Manchester Road, large "shed" retail units at the nearby former football stadium, car sales and industrial uses. Directly to the rear of the site are the rear elevations of the terraced houses of Alfred Street.

Policy

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

Core Strategy Objectives
SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO10 Climate Change, SO11 Built Heritage, SO14 Inclusive Housing, SO15 Sustainably Located Housing, SO16 Community Cohesion and Access

Core Strategy Policies
P2 Retail, P5 Transport, S1 Crime and Road Safety, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses, SC1 Housing Targets, RA1 Inner Bolton

Analysis

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

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

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

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

The main impacts of the proposal are:-

* impact on the character and appearance of the area

* impact on the road network
* impact on economic development and regeneration
* impact on living conditions

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

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

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 Council will also ensure development is designed in an inclusive manner which is accessible and legible to all, regardless of age, gender, background or disability and encourage the incorporation of design measures into new developments that allow adaptation and resilience to the impacts of climate change and extreme weather events and also to reduce the threat of fuel poverty, through the careful selection of aspect, layout and massing, and by making buildings increasingly energy efficient.

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

Manchester Road has a very mixed character reflecting the wide range of uses. The street scene drawing submitted is considered to demonstrate that, despite the flat roof and the additional storey, the building will be assimilated into the existing street scene. The proposed developed would be higher than the ridge level of the adjacent property to the north but lower that the property to the south - meaning that the row would appear to "step up" to the south.

As this is a long undeveloped gap site, the proposed development is considered to represent an enhancement of the streetscene.

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 Council's Highway Engineers note that the applicant previously agreed to fund the improvement of the back street and the implementation of a peak hour loading ban on Croft Lane and Manchester Road. As with the previous approval, this will be required by a condition.

Highway Engineers also consider that the Council's parking standards should be met in full for this site. Whilst this is considered to be a very sustainable site, well located to one of the busiest bus routes in Bolton and well located in terms of local shops and services and it is accepted that occupants would not require access to a private motor car, Planning Officers do have concerns that a provision of 0.3 parking spaces per unit would be insufficient in practical terms. However, it is not considered that a refusal could be defended at appeal on these grounds, therefore Officers do not recommend refusal on highway safety grounds.

Impact on Economic Development and Regeneration

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.

Policy RA1 relates specifically to Inner Bolton and states that the Council will continue to focus jobs in modern employment areas in The Valley, Locate new employment-related development on undeveloped sites in The Valley and surrounding area, regenerate mills and other older industrial premises in the area with a mixture of new build and refurbishment for primarily employment uses, with supporting residential and mixed uses.

The proposal is considered to represent beneficial economic development. The amount of floorspace is less than the 100 square meters generally considered be the maximum for a local shopping facility.

The proposed retail units are unlikely to have a harmful effect on the vitality and viability of Bolton Town Centre.

Impact on Living Conditions

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. The use is considered appropriate for this area, given the generally retail and residential context. The proposed use is not considered to be likely to give rise to land use conflicts over and above that of other forms

of development fronting Manchester Road. The relationship between the retail units and the houses on Alfred Street would be identical to that which is prevalent on many of the Borough's radial routes.

However, the interfaces between existing and proposed principal windows would be 21 metres, falling to 12.7 metres between 10 Alfred Street and the four storey rear projecting staircase enclosure. As the Council's standards add 3 metres per additional storey, the recommended interfaces should be 27 metres between the principal elevations and 19.5 metres between 10 Alfred Street and the four- storey rear projecting staircase enclosure.

The proposal is for a four storey building, 19 metres wide and ranging from 13.2 metres and 14 metres in height, depending on the slope of the land. The shortfall from our recommended principal window interfaces would therefore be 6 metres. In particular, 10 Alfred Street would have a 13.5 metre high blank wall, 12.7 metres directly to the rear. This is 6.8 metres short of the recommended interface.

Officers cannot support a four-storey building in this location. It is accepted that interfaces can be applied flexibly in densely developed areas such as Great Lever; however, it is considered that the Council has already been flexible in permitting a three-storey building that was 3 metres and 3.8 metres short of our recommended interfaces.

It is considered that the additional impact of the fourth storey would cause unacceptable impact on the living conditions enjoyed at the majority of residential properties on Alfred Street, contrary to Policy CG4 of Bolton's Core Strategy.

Local finance considerations

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

* New jobs created within the proposed ground floor shops (number not specified by the applicant);
* Business rates from the shops (this is not a material consideration);
* Council tax revenue from the proposed nine apartments (this is not a material consideration);
* New Homes Bonus (this is not a material consideration);
* Jobs/employment created during the construction phase.

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

The proposal is considered to be beneficial in that it would bring a long vacant gap site into appropriate use and make a small but positive contribution to economic development and to the Council's housing targets. However, the impact on the living conditions enjoyed at the dwellings to the rear is considered to be too great and therefore Officers recommend that the application be refused.

Representation and Consultation Annex

Representations
Letters:- none

Consultations
Advice was sought from the following consultees: Highway Engineers, Pollution Control, Coal Authority, Regeneration and Economic Development

Planning History
Planning permission was granted in 2015 for the development of two ground floor shops with six flats over, ref: 84746/15

Planning permission was granted in November 2010 for the development of two ground floor shops with three flats over (84746/10). This consent expired unimplemented in November 2013.

Previous approvals relating to car sales.

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development would, by virtue of its design, height and siting be detrimental to the outlook, privacy and living conditions of neighbouring residents at Alfred Street to the rear and is therefore contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Document - "General Design Principles".

MANCHESTER ROAD ELEVATION

BACK ALFRED ST ELEVATION

Where dimensions are not given,drawings must not be scaled and the matter referred to the Architect. In the event of any detail or dimensional conflict between drawings, the matter must be referred to the Architect for clarification. Do not scale from this drawing.

This drawing is not to be copied or disclosed by or to any unauthorised persons without the prior written consent from Urbane Forms Ltd .

Notes

KEY

1. FACING BRICKWORK
2. GREY CLAD FEATURE
3. GLASS CANPOY AND SHOP FRONT
4. TIMBER FRAME WITH STAIN FINISH
5. LIME GREEN RENDER
6. ROOF - SINGLE PLY MEMBRANE
7. DARK GREY WINDOW FRAMES
8. DARK GREY LOUVRE
9. TREATED TIMBER REFUSE STORE WITH STAIN FINISH
10. CEDAR CLAD DOOR & PANEL
11. METAL BALUSTER & HANDRAIL WITH GLASS INFILL.
12. GLAZED CANOPY

B	BUILDING DIMENSION ADDED AS REQUESTED BY PLANNING OFFICER	08.08.16 JWB
A	ISSUED FOR PLANNING	17.03.16 JWB

Status - PLANNING

Drawn - JA

Date - 24.02.2015

Scale @ A1 - 1:100

Review -

Client - Lancashire Properties UK Ltd

Project - Mixed Use Development
Manchester Road, Bolton

Drawing Number - **16001,(0-)146B**
CAD File

Drawing Title - Manchester Road &
Back Alfred St Elevations

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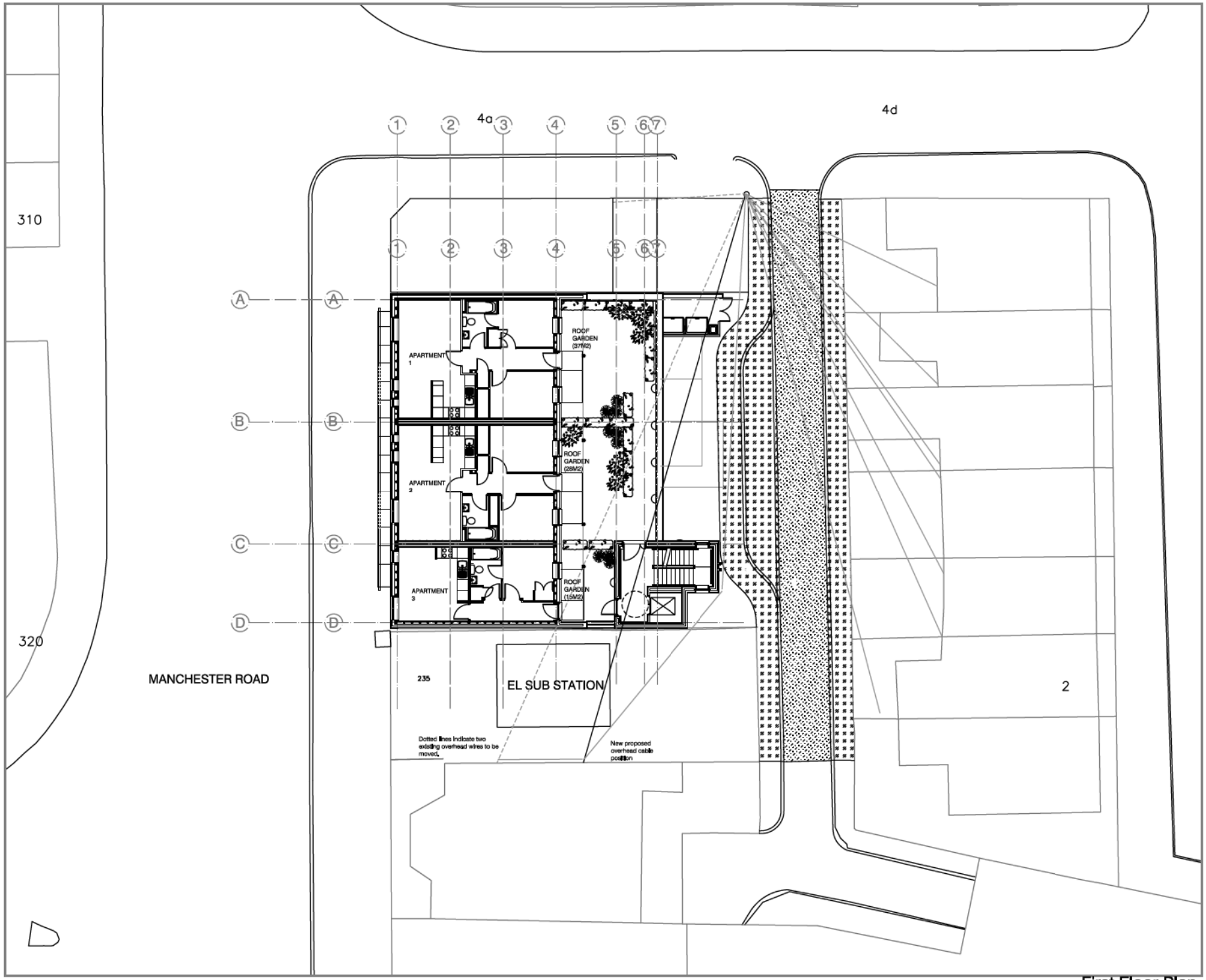

First Floor Plan

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120

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Status - PLANNING

Drawn - JA

Date - 24.02.2015

Scale @ A1 - 1:100

Review -

Client - Lancashire Properties UK Ltd

Project - Mixed Use Development
Manchester Road, Bolton

Drawing Number - 16001,(0-)142A
CAD File

Drawing Title - First Floor Plan

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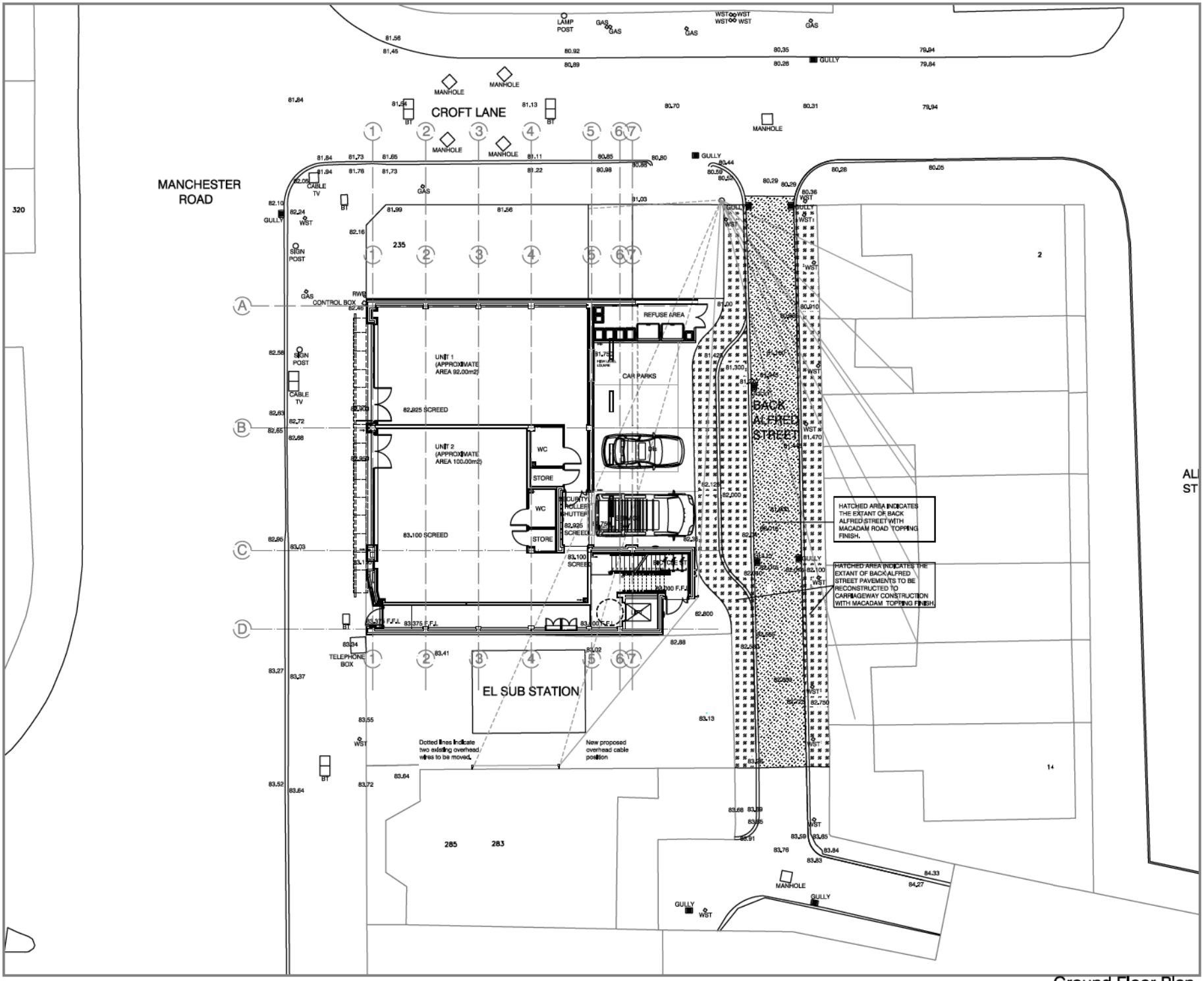

Ground Floor Plan

Where dimensions are not given,drawings must not be scaled and the matter referred to the Architect. In the event of any detail or dimensional conflict between drawings, the matter must be referred to the Architect for clarification. Do not scale from this drawing.

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A ISSUED FOR PLANNING 17.03.15 JWB

Status - PLANNING

Drawn - JA

Date - 24.02.2015

Scale @ A1 - 1:100

Review -

Client - Lancashire Properties UK Ltd

Project - Mixed Use Development
Manchester Road, Bolton

Drawing Number - 16001,(0-)141A
CAD File

Drawing Title - Ground Floor Plan

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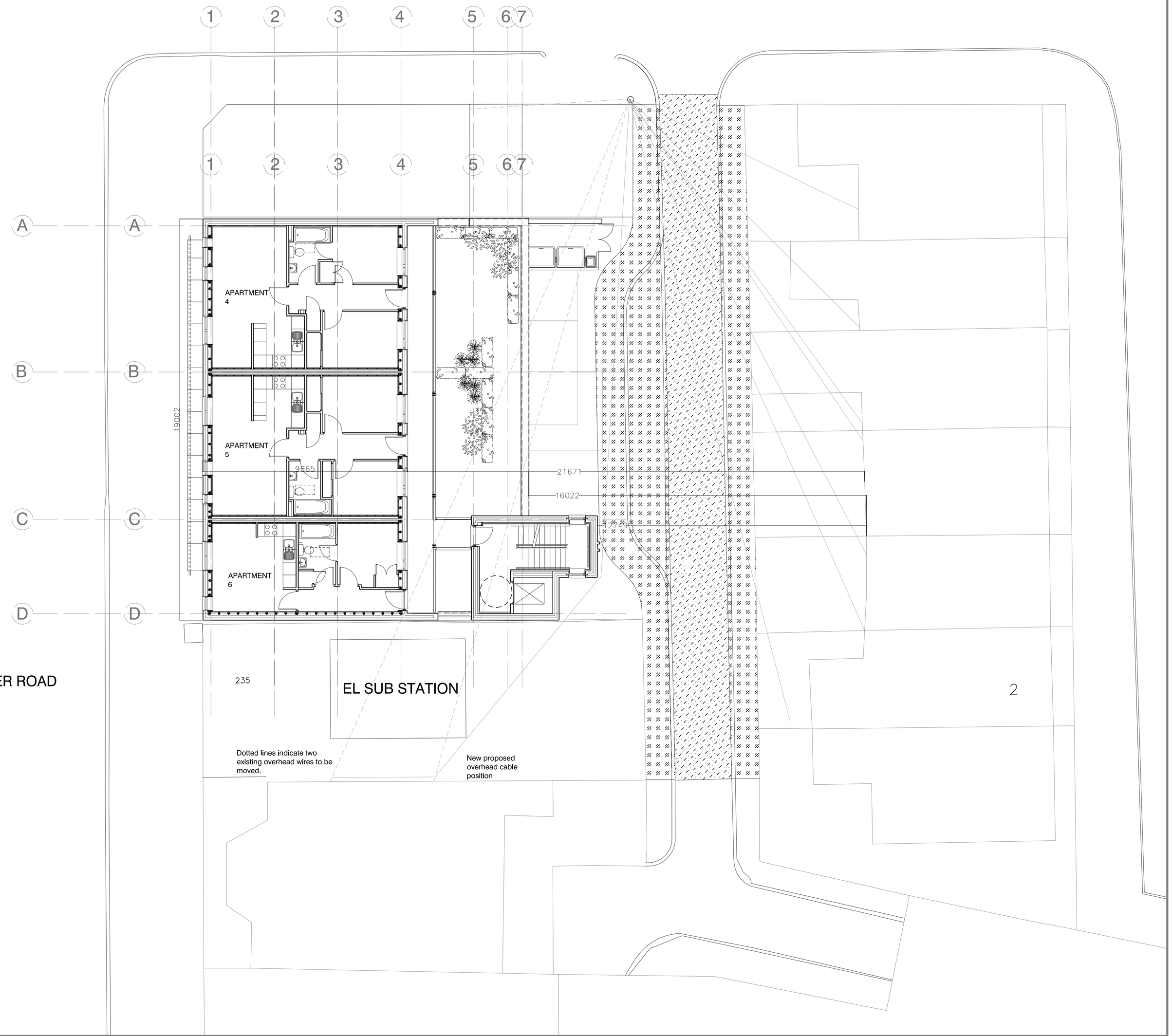

Second Floor Plan

Where dimensions are not given,drawings must not be scaled and the matter referred to the Architect. In the event of any detail or dimensional conflict between drawings, the matter must be referred to the Architect for clarification. Do not scale from this drawing.

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Notes

B	BUILDING DIMENSION ADDED AS REQUESTED BY PLANNING OFFICER	08,08,16 JWB
A	ISSUED FOR PLANNING	17,03,15 JWB

Status - PLANNING

Drawn - JA

Date - 24,02,2015

Scale @ A1 - 1:100

Review -

Client - Lancashire Properties UK Ltd

Project - Mixed Use Development
Manchester Road, Bolton

Drawing Number - **16001,(0-)143B**
CAD File

Drawing Title - Second Floor Plan

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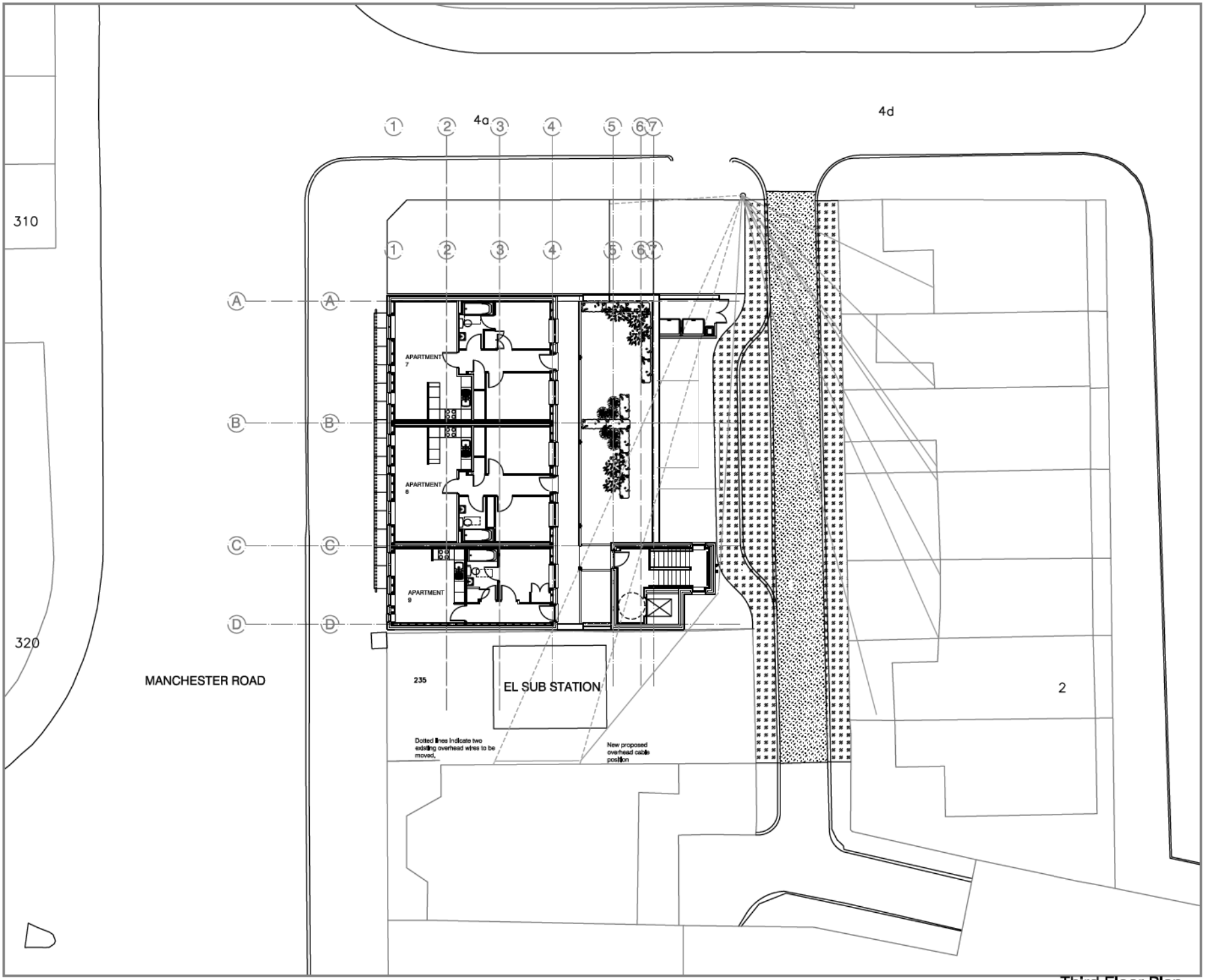

Third Floor Plan

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Notes

123

A ISSUED FOR PLANNING 17.03.15 JWB

Status - PLANNING

Drawn - JA

Date - 24.02.2015

Scale @ A1 - 1:100

Review -

Client - Lancashire Properties UK Ltd

Project - Mixed Use Development
Manchester Road, Bolton

Drawing Number - 16001,(0-)144A
CAD File

Drawing Title - Third Floor Plan

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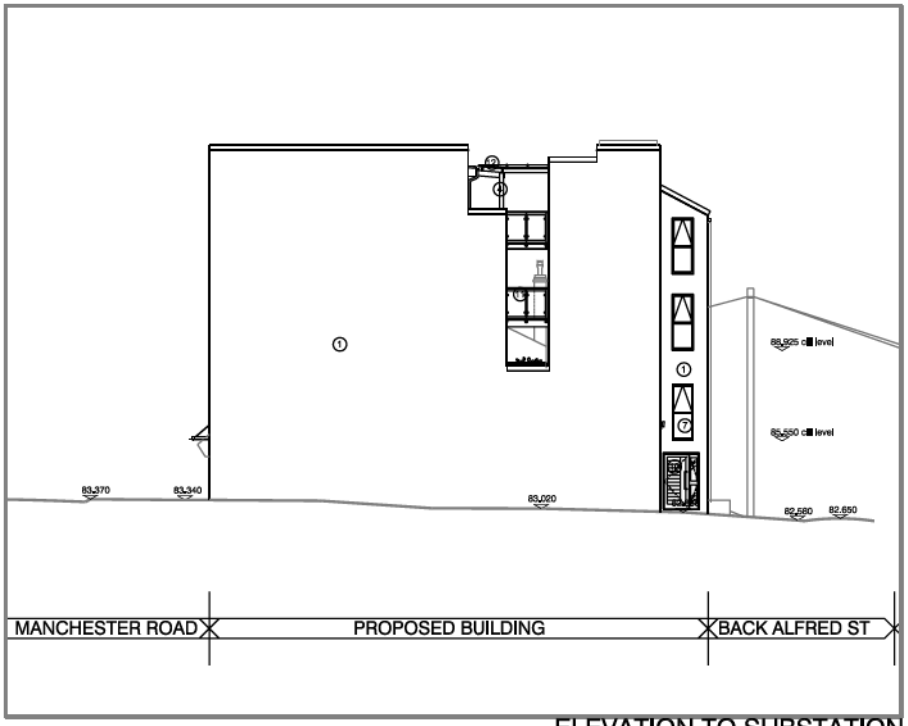
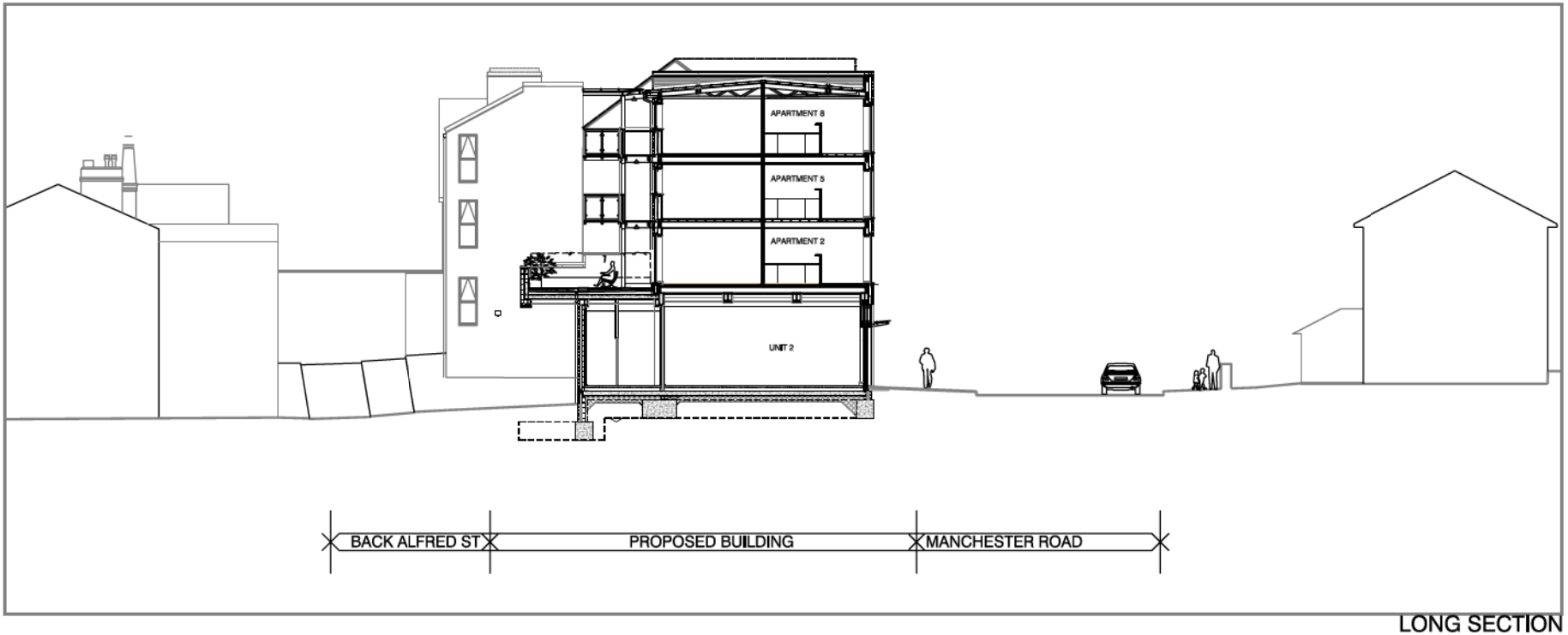


ELEVATION TO SUBSTATION

CROFT LANE ELEVATION



LONG SECTION

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Notes

KEY

1. FACING BRICKWORK
2. GREY CLAD FEATURE
3. GLASS CANPOY AND SHOP FRONT
4. TIMBER FRAME WITH STAIN FINISH
5. LIME GREEN RENDER
6. ROOF - SINGLE PLY MEMBRANE
7. DARK GREY WINDOW FRAMES
8. DARK GREY LOUVRE
9. TREATED TIMBER REFUSE STORE WITH STAIN FINISH
10. CEDAR CLAD DOOR & PANEL
11. METAL BALUSTER & HANDRAIL WITH GLASS INFILL.
12. GLAZED CANOPY

124

A ISSUED FOR PLANNING 17.03.15 JWB

Status - PLANNING

Drawn - JA

Date - 24.02.2015

Scale @ A1 - 1:100

Review -

Client - Lancashire Properties UK Ltd

Project - Mixed Use Development
Manchester Road, Bolton

Drawing Number - 16001,(0-)147A
CAD File

Drawing Title - Side Elevations & Long Section

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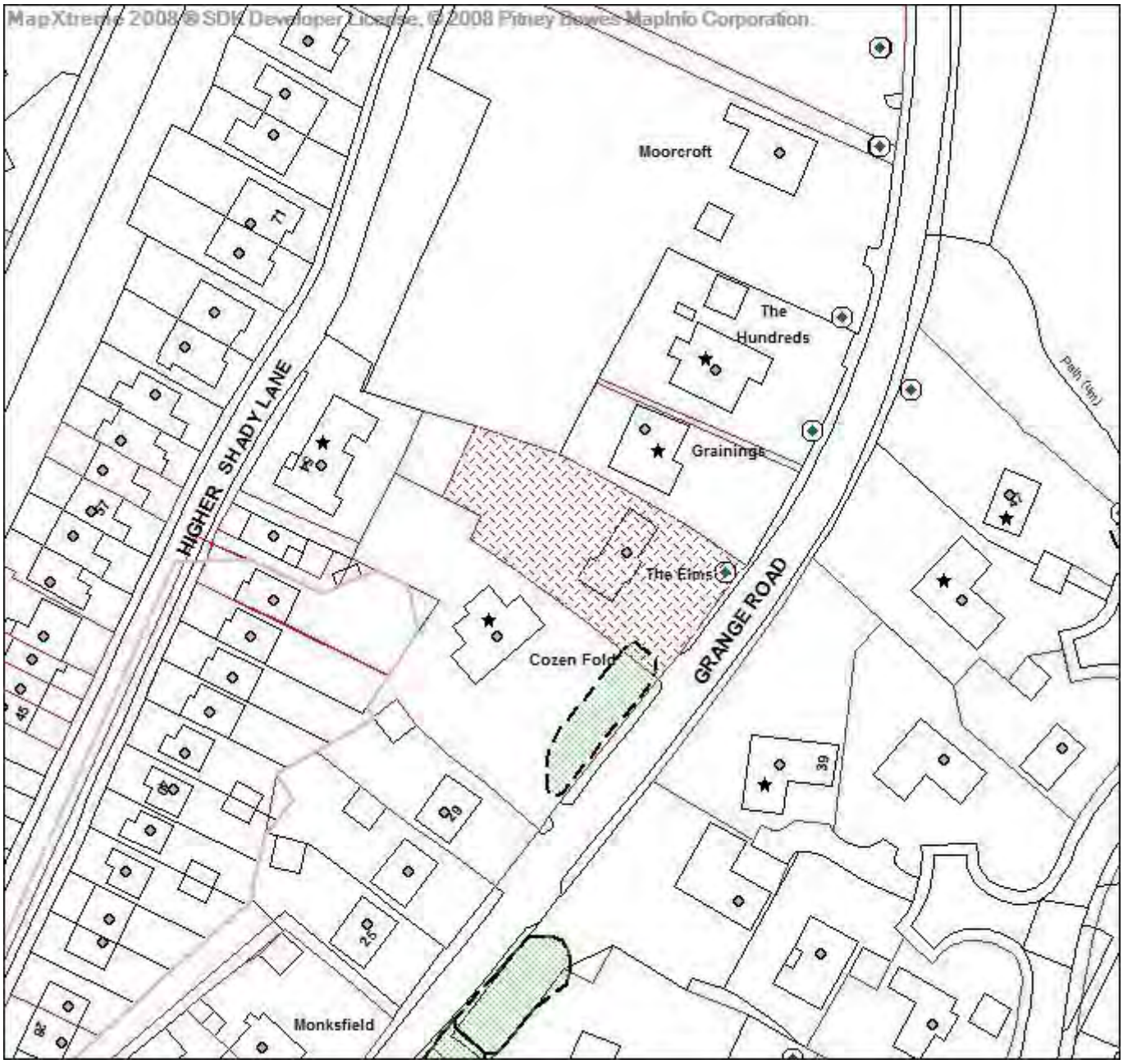
Application number 96991/16



Development & Regeneration Dept
Development Management Section

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Date of Meeting: 22/09/2016

Application Reference: **96991/16**

Type of Application: **Full Planning Application**
Registration Date: **12/07/2016**
Decision Due By: **05/09/2016**
Responsible Officer: **Paul Bridge**

Location: **THE ELMS, GRANGE ROAD, BROMLEY CROSS, BOLTON, BL7 9AU**

Proposal: EXTENSION AND ALTERATIONS TO EXISTING DWELLING TO FORM ATTACHED ADDITIONAL DWELLING.

Ward: **Bromley Cross**

Applicant: **Mr A Farnworth**
Agent : **Mr D Slater**

Officers Report

Recommendation: **Approve subject to conditions**

Proposal

Planning permission is sought for extensions and alterations to existing dwellings to form an attached additional dwelling.

The proposed dwellings would have the following living accommodation:-

* Dwelling 1 – lounge, hall, kitchen, w.c. utility, family dining, four bedrooms (one with en-suite) and bathroom.
* Dwelling 2 – lounge, hall, w,c, kitchen, utility family kitchen, dining, three bedrooms (one with en-suite) and bathroom.

The proposal would incorporate a two storey side extension on the southern side gable and a part two storey/part single storey rear extension. The two storey side extension would run flush with the ridge height of the existing dwelling and would have a dual pitched roof. It would be constructed using a mixture of brick and render.

The part two storey/part single storey extension would be sited to the rear and adjoin the proposed two storey side extension and existing dwelling. The proposed single storey rear elements would have a pitched roof with roof lights. In addition there would be four dormers sited with the existing front roof slope (2 for each dwelling) and one in the rear roof slope which will serve dwelling no.2.

The proposal includes alterations to the elevations to the existing dwelling involving the removal and insertion of windows and doors in order to facilitate the conversion of the property into two dwellings and also the introduction of two front balconies at first floor level within the front elevation.

The existing parking area to the front of dwelling would remain. The applicant has carried out works to the trees as per previous approval (93001/14) and no further tree works are proposed in order to accommodate the proposal.

Site Characteristics

This application relates to an extended two storey detached property located on the western side of Grange Road, Bromley Cross. The application property is set back from the road behind a stepped front garden area and has protruding front gables. The existing house has a two storey side extension and a conservatory to the rear. The parking spaces for the dwelling are sited within the lower stepped area of the front garden, adjacent to Grange Road.

The area is predominantly residential in nature and is dominated by a mixture of detached and semi-detached properties. The larger properties towards the eastern end of Grange Road are set in large grounds, whilst the properties towards the eastern end which consist of semi-detached differ in size, type, design and plot sizes.

To the south of the site beyond Grange Road are residential dwellings which are set on a lower level than the application site.

The adjacent dwelling to the south is smaller in size and scale than the application dwelling and is set back from the application dwelling. The adjacent dwelling to the north (The Hundreds) is a large detached dwelling set adjacent to the rear/side common boundary. Beyond the rear boundary is the rear garden area of the dwelling to the south which runs alongside and then wraps around the rear of the application site. Beyond this garden area are the dwellings along Higher Shady Lane.

There are also a number of trees sited within and around the site. A number of which in the front garden area are covered by Tree Preservation Orders.

The boundary treatment to the front consists of small stone high wall and hedgerow. Whilst to the side and rear the common boundary treatment with the adjacent properties consists of a mix of timber fencing, trees and bushes which vary in height.

Policy

Core Strategy Policies:- P5 Accessibility, CG1 Cleaner and Greener, CG3 The Built Environment, CG4 Compatible Uses, OA5 North Bolton, SC1 Housing.

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:-

* principle of residential development and housing provision
* impact on the character and appearance of the area
* impact on residential amenity
* impact on the highway
* impact on flood risk
* impact on trees
* impact on ecology

Principle of Residential Development and Housing Provision

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 extension would enable the provision of a further dwelling, which would be sited on an area within the residential curtilage. Given the siting, scale, and design of the proposed dwelling, it is considered that it would be appropriate in the surrounding residential context. In addition Core Strategy Strategic Objectives 14, 15 and 16 and policy SC1 seek to provide housing which meets the needs of everybody and the growth in the number of households. Core Strategy policy SC1 seeks to ensure a total of 694 dwellings are completed per annum in the Borough with a concentration of new build on previously developed sites (80%). The application site is located within an established residential suburban area in Bromley Cross and is well related to existing facilities within the locality. The proposal is considered to constitute a sustainable form of development within a sustainable location for the purposes of the NPPF and Core Strategy and therefore the principle of the proposed development is considered acceptable.

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.

The scale and proportions of the existing dwelling have been reflected in the design of the proposed extensions and it has maintained a similar relationship in terms of rhythm of door and window openings as the original dwellings. It has incorporated a similar design and style as the original dwelling with the windows incorporating the same horizontal emphasis of the original dwelling which would be sympathetic to the character of the existing building and are considered acceptable.

The proposal does not include an increase in the ridge height of the existing dwelling. Given that this section of Grange Road is characterised by large two storey detached houses which differ in size, design and height it is not considered, with the addition of the extensions, that the proposal would result in an unacceptable mass of roof or be at odds with the character of area.

The application site and the adjacent properties do not run flush with each other and therefore do not create a strong building line. Whilst the proposed front element of the proposed two storey side extension would have a small projecting front element, given the distance maintained between the front elements of the proposal and the front boundary wall this is considered acceptable. Adequate amenity space would also remain to the front and rear of the dwellings and an analysis of the ratio of building to plot size would see less than a third of the plot would be taken up by the proposal; and the building to plot ratio size is not to dissimilar to others in the immediate surrounding area.

A condition has been attached to ensure that the material match the existing dwelling. It is considered therefore that the proposal 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

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.

Loss of Privacy/Overlooking

The proposal would introduce a number of habitable room windows in the front elevation of the proposed two storey side extension at both ground and first floor level, in addition there would be two balconies located at first floor level. The windows in the two storey side extension would be approx. 1m forward than the windows and there are no directly facing dwellings to the front. In respect of the front balconies it is noted that the residential dwelling opposite at 39 and 41 Grange Road have their rear private amenity space in direct line of the view from the balconies. Because they are generally open, balconies have a greater impact on the privacy and amenity of neighbouring properties, as when used they give greater opportunities for views into gardens and rooms of adjacent dwellings. Whilst it is noted that the rear garden areas of No.39 and 41 Grange Road are also on a lower level than the application site, it is considered that the interface distances of approximately 23m and 40m to the side/rear boundary with No's 39 and 41 Grange Road are sufficient to prevent any unacceptable loss of privacy/overlooking.

The proposed extensions would introduce a number of habitable room windows in the rear elevations at both ground and first floor level. However, a distance in excess of 21m would be maintained to the rear common boundary.

There would be two habitable room windows introduced into the side of the proposed two storey side extension at ground floor level facing the common boundary with Cozen Fold, however these windows would overlook the front garden area of the dwelling where views are already offered from Grange Road and therefore obscure glazing in these window is not considered appropriate.

There would be a set of patio doors introduced into the northern side elevation of the single storey rear extension. However a distance of approximately 6m would be maintained to the rear/side common boundary and adequate screening is provided by way of the existing 1.8m high timber fencing. It is considered therefore that the proposal would not result in an unacceptable loss of privacy or overlooking.

Loss of Light/Overbearing

The proposed part two storey/part single storey rear extensions would project approximately 4.2m from existing main rear elevation and would be set in at distances of at least 4.5m to the side/rear common boundaries. This separation distance would be sufficient to ensure that the adjacent neighbouring dwellings would not encounter an unacceptable loss of light or find the proposed extensions unacceptably overbearing.

Given the above, the nature of the proposed use, the position of the existing building and proposed extensions, it is considered the proposal would not result in any unacceptable impact on the amenity of neighbouring premises. The proposed development is in accordance with policy CG4 of the Core Strategy.

Impact on the Highway

The proposal would provide three parking spaces per dwelling, two within the existing driveway and

two within a newly proposed hardstanding to the front of the dwelling. Highways have been consulted and have no objections to the proposal subject to a number of conditions in respect of the spaces being made available prior to the occupation of the additional dwelling and the applicant providing details of the construction and drainage.

Given the above, it is considered that the proposal would not result in any unacceptable impact on highway safety or have any unacceptable impact on the surrounding highway network in accordance with policy P5 of the Core Strategy.

Impact on Flood Risk
The proposed development site does not sit within Flood Zone 2 or 3 and is therefore deemed to be 'lower risk' development as it is minor development less than 250m2. It is considered therefore that the proposal would not be subject to an unacceptable risk of flooding nor would it materially increase the risk of flooding elsewhere in accordance with policy CG1 of the Core Strategy.

Impact on Trees
Situated in the front of the property are three mature Sycamore trees. The original Bolton (Bradshaw) Tree Preservation Order 1976 Schedule and Plan has been examined and all three trees are deemed to be protected.

The applicant has not submitted an arboricultural impact assessment nor a tree assessment protection plan in support of the proposal. In order to facilitate the development, a protected tree (the sycamore) will be removed as a direct result of the car parking excavations and provision. The proposed extension to the rear of the property will also result in the loss of a poor quality mature Ash tree which is not protected. During consideration of the previous application 93001/14, the sycamore was categorised as B1 which is of moderate quality. Whilst it is not entirely desirable to lose this tree, it is considered that given the moderate to low quality of the tree and subject to a condition requiring replacement trees on a 2:1 basis, and the retention of the other two sycamore trees there are no overriding objections to the loss of these trees on their long term amenity value as the more prominent trees T1 and T4 would be retained.

Some work will also be required within the root protection zone of Tree T1 which is a category A1 tree. Therefore a condition has been attached to ensure the remaining trees to the front of the site, (both Sycamores) are protected during the construction phase of the proposal. In light of this and subject to a number of conditions the proposal is considered to accord with policy CG1 of the Core Strategy.

Impact on Ecology
The existing building on the site may, due to its location and type, have the potential to support roosting bats and with works to the roof structure being required, a survey for presence or absence of bats in the structure should be undertaken. All species of UK bat and their roosts are protected by Section 9 of the Wildlife & Countryside Act 1981 (as amended) and listed in Section 41 of the Natural Environment & Rural Communities Act 2006 as being a species of principal importance for the purpose of conserving biodiversity. Therefore a condition has been attached to ensure a bat survey is undertaken prior to the commencement of the development, in accordance with CG1 of the Core Strategy.

Conclusion
In conclusion, it is considered that the proposal is acceptable and in accordance with both national and local planning policies with regard to residential development and there are no other material planning considerations which would outweigh this finding. Members are therefore recommended to approve this proposal.

Representation and Consultation Annex

Representations

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

* The design is not in keeping with the surrounding area
* Loss of privacy

The above issues have been addressed in the appraisal.

Consultations

Advice was sought from the following consultees: Highway Engineers, Tree and Woodland Officer , Pollution Control and Greenspace Management.

Planning History

93001/14 - Alterations and extensions to existing property to form two dwellings. Approved 93001/14

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. 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. (if required) The 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.

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

   1. The trees within or overhanging the site which are to be retained/or 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 tree(s).

4. Prior to the commencent of development a replacement tree planting scheme (with a replacement ratio of 2:1) shall be submitted to and approved in writing by the local planning authority. Such a scheme shall include the size, species and proposed location of the replacement trees with the site. The approved tree replanting shall be undertaken within 12 months of the completion of the development and shall be maintained to the satisfaction of the Local Planning Authority. Any trees dying within five years of planting shall be replaced within 12 months of removal or death to the satisfaction of the Local Planning Authority.

Reason
To ensure the loss of protected trees is adequately mitigated

5. Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The statement is to include details of the working methods to be employed for the construction of the driveway in proximity to the retained sycamore trees. The scheme shall be carried out entirely in accordance with the approved scheme.

Reason
To protect trees which are the subject of a tree preservation order.

6. Before the approved/permitted development is first brought into use no less than 6 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: 1 of 11 Location & 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.

7. 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.

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

Drawing 1 of 11 - Location and Site Plan
Drawing 2 of 11 - Existing Elevations
Drawing 3 of 11 - Existing Ground Floor
Drawing 4 of 11 - Proposed Front Elevation
Drawing 5 of 11 - Proposed Side Elevation
Drawing 6 of 11 - Proposed Rear Elevation
Drawing 7 of 11 - Proposed Side Elevation
Drawing 8 of 11 - Proposed Ground Floor
Drawing 9 of 11 - Proposed First Floor
Drawing 10 of 11 - Proposed Second Floor
Drawing 11 of 11 - Section

All received 12th July 2016

Reason

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

9. The external surfaces of the extension or elevation 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 and to comply with policy CG3 of Bolton's Core Strategy.

96991/16

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PROPOSED FRONT ELEVATION SCALE 1:50

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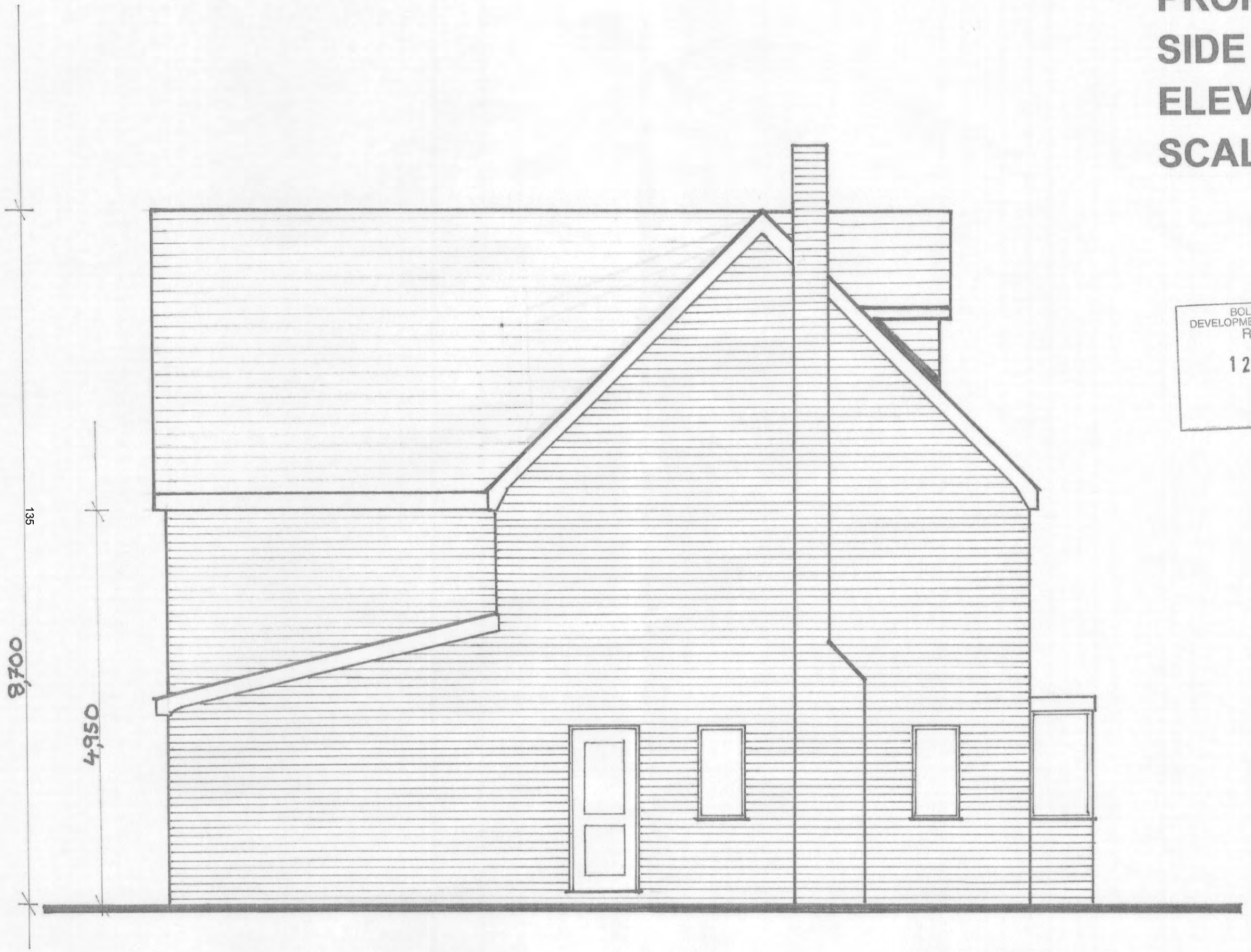
25 MAY 2016

DWG 4 OF 11

96991116

PROPOSED SIDE ELEVATION SCALE 1:50



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PLANNING

DWG 5 OF 11

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PROPOSED REAR ELEVATION SCALE 1:50

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SCANNED

DWG 6 OF 11

136

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PROPOSED SIDE ELEVATION SCALE 1:50

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25 MAY 2016

APPROVED

DWG 7 OF 11

96991/16

PROPOSED GROUND FLOOR SCALE 1:50

8,120

7,000

4,200

Dining

Kitchen

Kitchen

Sitting

Utility

WC

Utility

Lounge

WC

Hall

Hall

Dining

Lounge

680

3,950

138

BOLTON COUNCIL
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RECEIVED
12 JUL 2016

APPROVED

BOLTON COUNCIL
DEVELOPMENT & REGENERATION
RECEIVED
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DWG 8 OF 11

96991116

PROPOSED FIRST FLOOR SCALE 1:50

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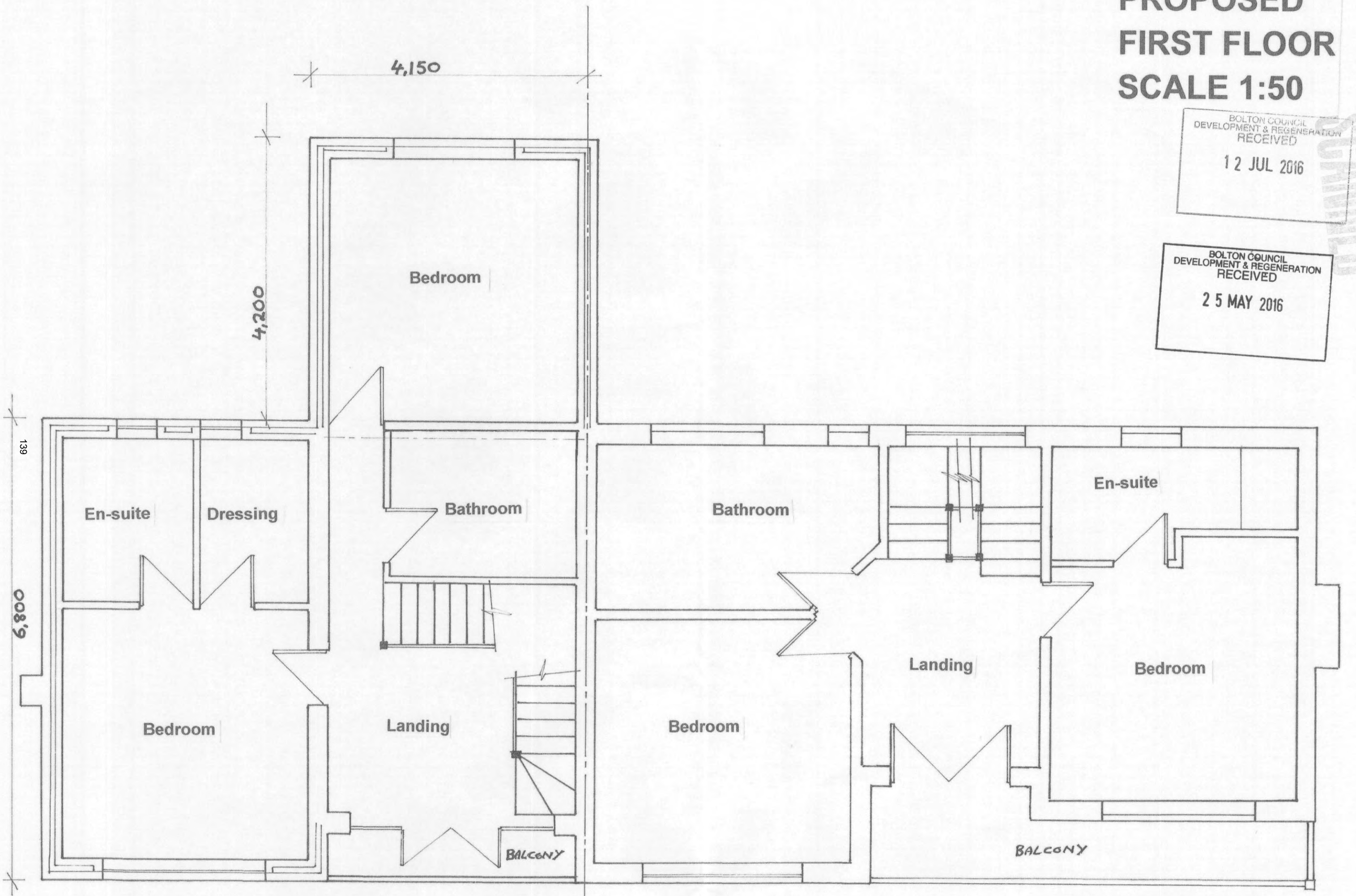

DWG 9 OF 11

96991116

PROPOSED SECOND FLOOR SCALE 1:50

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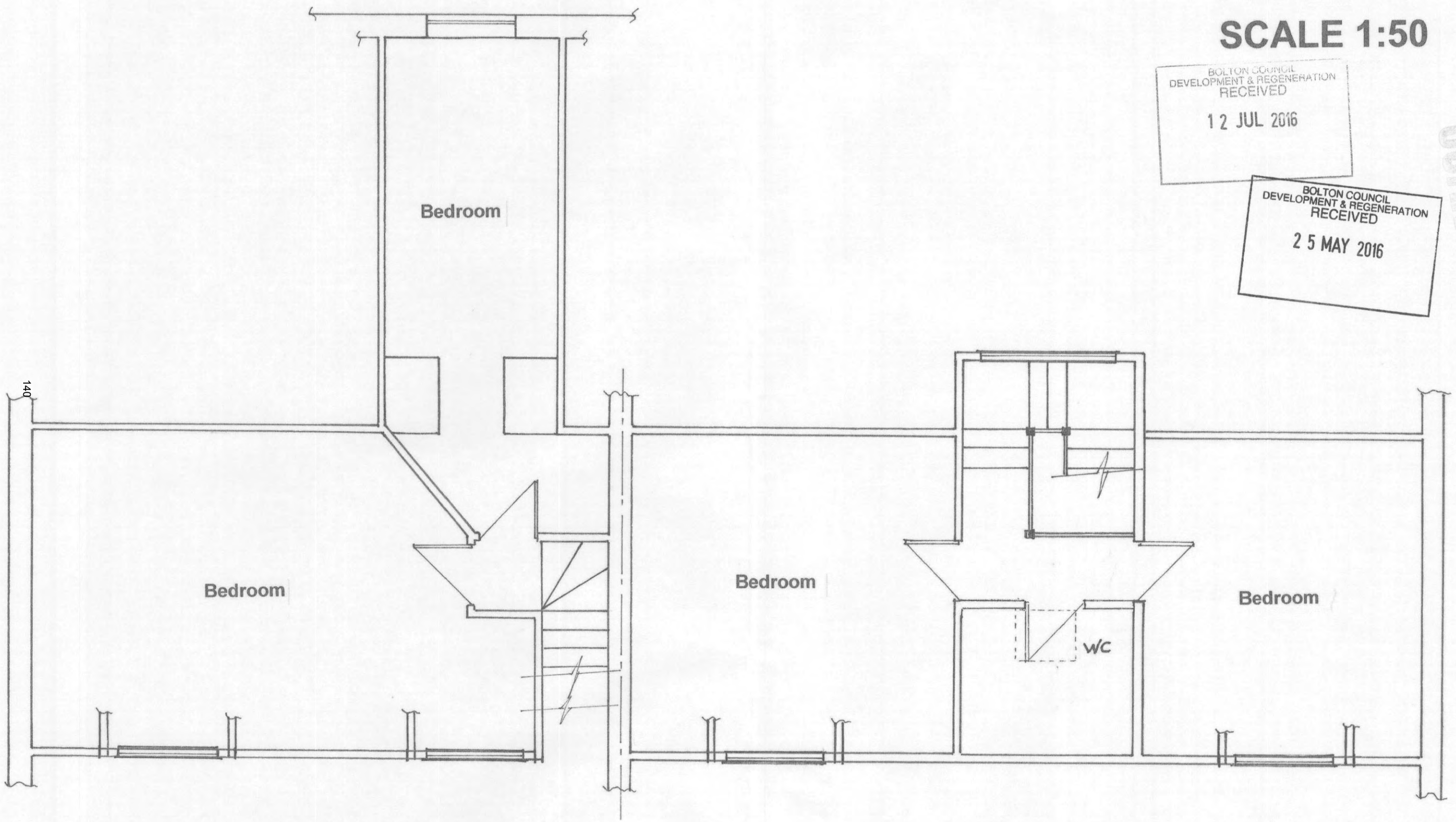
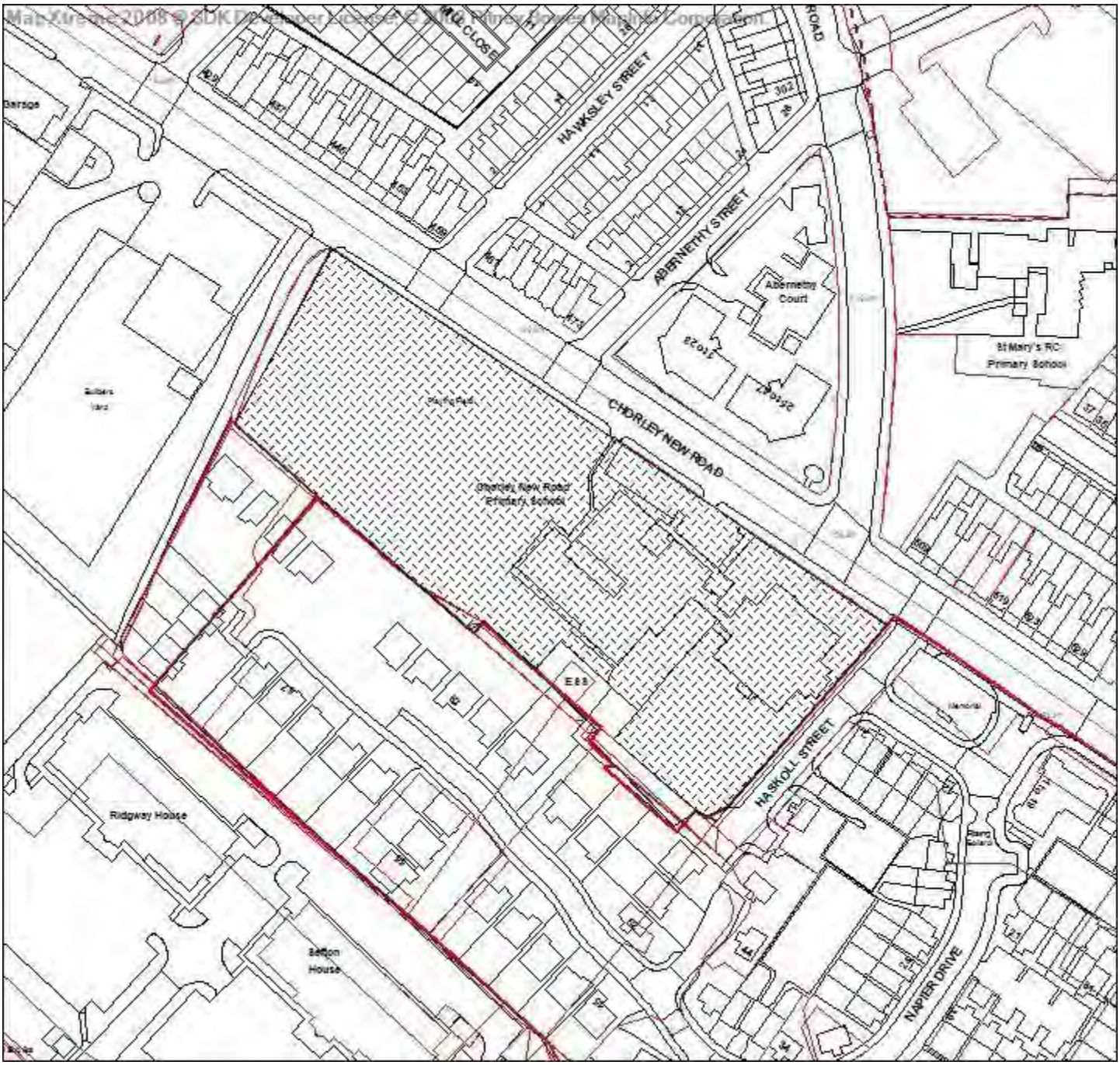
25 MAY 2016

SCANNED



Application number 97002/16



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Date of Meeting: 22/09/2016

Application Reference: 97002/16

Type of Application: **Full Planning Application**
Registration Date: **08/08/2016**
Decision Due By: **06/11/2016**
Responsible Officer: **Helen Williams**

Location: **CHORLEY NEW ROAD PRIMARY SCHOOL, CHORLEY NEW ROAD, HORWICH, BOLTON, BL6 6EW**

Proposal: DEMOLITION AND REPLACEMENT OF PRIMARY SCHOOL COMPRISING ERECTION OF TWO STOREY PRIMARY SCHOOL BUILDING TOGETHER WITH ASSOCIATED EXTERNAL WORKS INCLUDING CAR PARK, MUGA, HARD AND SOFT PLAY AREAS AND LANDSCAPING.

Ward: **Horwich and Blackrod**

Applicant: Bolton M B Council
Agent : Lovelock Mitchell Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is being sought for the demolition of the existing primary school building and the erection of a replacement school building for Chorley New Road Primary School. The new school building will be a two form entry primary school (Reception to Year 6), as opposed to the current one and a half form school.

The proposed development is being put forward following a review of current and future pupils places in the Horwich area by the Council, which highlighted a high demand owing to the existing local population and inherent pupil population growth. It is expected that this demand will further increase over the next few years owing to the proposed development of the adjacent former Horwich Loco Works site. To ensure that the local authority can satisfactorily meet its obligation that there are sufficient school places available to meet future demand, a number of options to increase primary school capacity are being considered. This proposal is one of these options.

It is proposed to build the new school on the existing site, on the north western half of the site that currently accommodates the playing field. The new primary school will provide up to 60 places per year group, offering a total of 420 places (there school currently admits up to 45 pupils per year group and a total of 315 places).

The proposed new school building would be two storeys in height and would have a flat roof. The principal elevation to the school (including the entrance to the building) will front onto Chorley New Road and will have its central part faced in red brick.

A car park comprising 41 spaces is proposed to the south east of the proposed school building. Vehicular access into the school site and to the proposed car park is proposed off Chorley New Road. The vehicular entrance is proposed at the existing access point onto Chorley New Road and the proposed vehicular exit is proposed where the existing pedestrian access is (a "one-way system" is therefore proposed for vehicles).

A multi-use game area (MUGA) accommodating two basketball courts, two netball courts and one football pitch is proposed at the eastern corner of the site, fronting Chorley New Road adjacent its junction with Victoria Road. Playgrounds are proposed to the rear of the new school building, three ball courts are proposed to the rear of the car park and a grassed area with a wildlife pond and forest school are proposed at the southern corner of the site.

The current school will remain fully operational throughout the construction of the new school building, then will be demolished once the new school is ready for occupation.

Site Characteristics

The application site is the site of Chorley New Road Primary School. The school comprises the original red brick Victorian school building and its later (possibly 1960s) extension. The school was again extended (at the rear) a couple of years ago. The school buildings are sited at the south eastern half of the site with the school playing field occupying the north western half. There is a small car park to the front of the school building (accessed off Chorley New Road) and a playground to the rear of the original school building.

The original part of the school is an attractive, red brick and slate roofed, Victorian school building. The building comprises three elements; a triple gable fronted element at the front (fronting Chorley New Road), with two pitched roofed "halls" to the rear. The central part of the old school building has a clock tower projecting above its roof.

Along the Chorley New Road and Haskoll Street boundaries to the original school building are red brick pillared walls (stone topped) with decorative black painted railings.

The site slopes down from Chorley New Road to the south west. Trees border the site to the north, west and south, along with a hedge to the north (the playing field's boundary with Chorley New Road). Public Right of Way HOR101 runs between the application site to the west and the adjacent builder's yard.

Chorley New Road is a main thoroughfare between Horwich and Bolton town centres (A673).

On the opposite side of Chorley New Road to the application site is the three storey Abernethy Court (apartments) and two storey terraced properties (mainly in residential use). The site is neighboured to the south east and south west by new housing on Haskoll Street and Napier Drive. To the north west are industrial/commercial premises (Stirling Industrial Estate).

Policy

National Planning Policy Framework (NPPF)

Core Strategy Strategic Objective 2 - Achieving Bolton

Core Strategy Policies: A1.2 Development of Primary Schools; P5 Accessibility and Transport; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.

Allocations Plan Policies: CG5AP School Playing Fields

Supplementary Planning Documents: Accessibility, Transport and 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:-

* principle of the proposed replacement school
* loss of a non-designated heritage asset
* impact on the character and appearance of the area
* impact on the highway
* impact on the amenity of neighbouring residents
* impact on biodiversity
* impact on the risk of flooding

Principle of the Proposed Replacement School

Policy A1.2 of the Core Strategy states that the Council will support the development of primary schools in locations accessible to the communities they serve.

The proposed new primary school is to replace the existing primary school on the site, to enable the school to become a two form entry school.

The proposed development is being put forward following a review of current and future pupils places in the Horwich area by the Council, which highlighted a high demand owing to the existing local population and inherent pupil population growth. It is expected that this demand will further increase over the next few years owing to the proposed development of the adjacent former Horwich Loco Works site. To ensure that the local authority can satisfactorily meet its obligation that there are sufficient school places available to meet future demand, a number of options to increase primary school capacity are being considered. This proposal is one of these options.

The new primary school will provide up to 60 places per year group, offering a total of 420 places (the school currently admits up to 45 pupils per year group and a total of 315 places).

The proposed school is within an established residential area of Horwich and is adjacent the recently approved Rivington Chase development (former Horwich Loco Works site), therefore the proposed larger replacement school will be highly accessible to the community it will serve, compliant with Policy A1.2 of the Core Strategy.

The new school is proposed to be built on the part of the site that is currently the playing field (to enable the current school to remain fully operational throughout the construction phase). Allocations Plan Policy CG5AP states that the Council will only permit development proposals that would result in the loss of school playing fields if [amongst other things] the loss of the playing field resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. The existing playing field will be replaced by a multi-use games area (MUGA), three playgrounds, three ball courts and a grassed area once the site is fully developed. These areas have been specifically designed to meet the needs of pupils, from Early Years (nursery) to key Stage 2. It is therefore considered that the proposed development complies with Policy CG5AP of the Allocations Plan as the quantity and quality of the play space for the school will be improved.

Loss of a Non-Designated Heritage Asset

Paragraph 135 of the National Planning Policy Framework (NPPF) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The local planning authority considers that the Victorian part of the school building (the original school building) is a non-designated heritage asset as, although it is not a listed building and not in a conservation area, it has a degree of significance meriting consideration in planning decisions because of its heritage interest.

The applicant proposes the demolition of the existing Chorley New Road Primary School building following the construction of the new larger primary school. The proposal will therefore result in the loss of the non-designated heritage asset and thus the loss of significance of the building and its contribution within the street scene.

Whilst the loss of the original school building is regretful, paragraph 135 of the NPPF states that a "balanced judgement" is required when weighing application proposals. In this case the applicant has justified the loss of the Victorian building by confirming that the inflexible spaces within the building create difficult teaching environments and limits the future expansion of the school. The replacement of the old school buildings with a specially designed new school building will create a better teaching environment (with classrooms sited to the rear of the building and away from the noise of the main road, amongst other things) and will enable more pupils to be accommodated in a modern building with modern facilities (including improved accessibility). The benefits of, and need for, the proposed development are considered to outweigh the harm caused by the loss of Victorian building.

To retain part of the heritage significance of the site it is proposed to retain the wall and decorative black railings that bound the Chorley New Road and Haskoll Street boundaries of the Victorian element of the school. These also reflect and mirror the walls and railings that have been retained across the road at the Abernethy Court development (where the former Chorley New Road CP School was sited).

The submitted plans also show the clock tower of the original school building being incorporated within the proposed scheme, between two of the proposed playgrounds. Whilst this will not be visible from outside the site it will be retained as a historic remnant of the former school for pupils, staff and visitors.

It is suggested that conditions be attached to any approval to secure the retention of these heritage features on site.

Impact on the Character and Appearance of the Area

Section 7 of the NPPF requires good design and 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 expect development proposals to display innovative, sustainable designs that contribute to good urban design, 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). Historical associations should be retained where possible. Policy OA1 specifically concerns development in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment and will ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.

The new school building is proposed at two storeys in height and will be located at the northern part of the site, opposite the terraced properties at 453 to 473 Chorley New Road. Whilst the rear elevation is proposed as a continuous 72 metre long elevation, the front elevation (facing Chorley New Road) is broken up by a staggered building line, which effectively breaks up the massing of the long building.

The central part of the front elevation (the part that projects closest to the main road) will be constructed from red brick, which is the predominant building material in the local area. The design of the windows in this part of the elevation (tall full height windows with brick piers and brick corbelling detailing) take reference from the Victorian brick buildings within the nearby Horwich Loco Works site and the design of this part of the building reflects the historic architecture of the vicinity. The remainder of the front elevation is proposed to be constructed from contrasting blue/grey brick. An overhanging fascia feature (at the entrance to the school) will add further interest to the front elevation and street scene.

The rear elevation of the building is proposed to be simpler in design and will comprise of blue/grey brick at ground floor level and rainscreen cladding at first floor, divided by feature fascia cladding.

The trees and hedges that border the existing playing field along Chorley New Road and the public footpath to the west will be lost as a result of the development (to accommodate the new building). This will have a marked difference on the appearance of the street scene in this location given that the trees will be replaced by a large school building. Additional/replacement trees will however be planted elsewhere on the site to soften and green the appearance of the school development, and it is not considered that the loss of the existing trees would be detrimental to the character and appearance of this part of Chorley New Road.

As discussed above, the wall and decorative black railings that bound the Chorley New Road and Haskoll Street boundaries of the Victorian element of the school will be retained, as these are considered to be an attractive enclosure to the site.

It is considered that the proposed development would be compatible with the street scene and the character and appearance of the local area, compliant with Policies CG3 and OA1 of Bolton's Core Strategy.

Impact on the Highway

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

The proposed development will replace the existing Chorley New Road Primary School with a new larger school, with the capacity to accommodate more pupils and staff.

The Council's Highways Engineers have commented that with schools there will always be associated traffic issues at school start and finish times, but this situation is normally short lived. Chorley New Road Primary School is no exception to this, with associated on-street parking on the surrounding highways. Engineers state that the increase in the size of the school has the potential to exacerbate traffic during school start and finish times and on-street parking. They comment that the applicant has attempted to alleviate the associated traffic issues by providing a larger parking area than the existing school, as well as a drop-off area, but advise that owing to the nature of the development and the travel patterns of parents this issue may never fully be alleviated.

Despite concerns from the Council's Highways Engineers, the 41 car parking spaces proposed within the new school car park will exceed the 21 spaces that are required under the Council's maximum car parking standards for schools (within appendix 3 of the Core Strategy).

The applicant has submitted a Travel Plan with their planning submission, which indicated that the catchment area for the school is the Horwich and Blackrod areas. The Plan also maintains that the modal split for school travel is comparable with walking and travelling by car. It is agreed that the application site is in a highly sustainable location, accessible by alternative transport modes other than the private car.

The Council's Highways Engineers have also confirmed that there is no accident data over the last five years across the school frontage on Chorley New Road and that the existing pedestrian and refuge facilities on Chorley New Road are adequate.

Subject to a number of highways related conditions, the Council's Highways Engineers raise no objection to the proposed development.

It is therefore considered that the proposed development would provide for adequate on-site parking and servicing arrangements and would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

The closest neighbouring residential properties to the proposed school building are at 463 to 467 Chorley New Road. These terraced properties will be over 20 metres away from the front of the new school. SPD General Design Principles recommended an interface distance of 21 metres between dwellings where main room windows have the potential to overlook. The siting of the proposed school building will face slightly short of this recommended interface distance (for new dwellings), however it is considered that there would be no undue overlooking between the school and the neighbouring dwellings here as the nearest part of the building is proposed as a school hall (rather than classrooms).

The new dwellings sited to the rear of the application, at Napier Drive, will be (at their nearest) over 37 meters away from the rear of the school building. It is therefore considered that the proposed siting and height of the building would not unduly affect these neighbours.

The application site is an existing primary school site and it is not considered that the increase in pupil numbers at the school would any further materially unduly harm the amenity of neighbouring residents. The rear part of the site, where the main outdoor play areas are proposed, will be screened from the residents along Napier Drive by trees and landscaping. Any disturbance will also be contained during school hours, and is therefore not considered to be unreasonable.

The noise assessment submitted by the applicant in support of their application concludes that the operation of the new school building and the external services plant will not adversely affect the existing noise climate.

It is therefore considered that the proposed development would not unduly harm the amenity of any neighbouring residents to the site, compliant with Policy CG4 of the Core Strategy.

Impact on Biodiversity

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

Trees

An arboricultural impact assessment has been submitted with the application.

The proposed development will result in the loss of a number of trees and hedges along the Chorley New Road and western boundaries of the site. The applicant proposes to plant replacement trees within the site, predominantly within the proposed forest school area to the south west of the site. Replacement hedging is proposed within the new car park.

The Council's Tree Officers have recommended that the applicant considers more species diverse planting within the forest school area and planting more trees in the proposed car parking area, as this would increase the depth of the treescape when viewed outside the site. A condition requiring an amended landscaping scheme for the site is therefore suggested by officers.

Tree Officers also recommend that the trees that are to be retained within the site be protected by protective fencing. This is also suggested by condition.

Ecology

An ecological assessment (phase 1 habitat survey and bat roost assessment) has been submitted with the application. This assessment recommends that a further bat survey (nocturnal emergence survey) be carried out on the buildings as they have a potential to support roosting bats. A condition requesting this further survey is therefore suggested.

The ecological assessment also recommends that any new lighting installed as part of the new build should be given consideration in terms of the impact on foraging/commuting habitat for bats. The Council's Wildlife Liaison Officer therefore recommends that the proposed lighting scheme is conditioned to ensure that bats are safeguarded.

It is considered, subject to the suggested conditions, that the proposed development would safeguard biodiversity on the site, compliant with Policy CG1.2 of the Core Strategy.

Impact on the Risk of 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 seeks to ensure that new major development demonstrates the sustainable management of surface water run-off and on brownfield sites the rate of run-off should be 50% less than conditions before development.

Nellie's Clough (a culverted watercourse) passes through the centre of the site (north to south). Chorley New Road Primary School was flooded during the Boxing Day floods last year, with the flooding originating from Nellie's Clough culverted watercourse within the site.

As part of the proposed drainage strategy for the new school the 300mm diameter section of the culvert that passes through the site is proposed to be upgraded to 600mm in diameter. This will provide sufficient capacity to convey the 1 in 100 year plus climate change (35%) flow within the site without surcharging the culvert.

The new school building is also proposed to the northern corner of the site, which is at least 10 metres away from the culvert. Any overland flows from the upper catchment are likely to follow the route of the culvert through the site and therefore the risk of overland flows will be significantly reduced owing to the relocation of the school.

At the time of writing this report, the Council's Drainage Officers had requested further information from the applicant regarding the proposed drainage of the site. An update on this will be reported directly to Members at the meeting.

Comments from the Environment Agency (which will mainly be regarding the proposed siting of the building in relation of the easement for Nellie's Clough) will also be reported directly to Members at the meeting.

United Utilities raise no objection to the proposal.

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. The applicant considers that the following are local financial considerations in this case:

* An additional four full time teacher posts will be created, along with additional support staff (possibly at least one per additional classroom - four additional classrooms are being created) (Officer comment: this is considered to be a material benefit to the proposal);
* The increase in pupil numbers will result in additional DfE funding for the school (Officer comment: this is not a material planning consideration);
* The new facilities at the school, such as a new modern hall and other new additions (such as meeting space) will provide greater opportunities for the school to engage with third party users out of school hours who may wish to hire out their facilities, and the potential to bring additional income to the school (Officer comment: this is not a material planning consideration);
* Contractors from Bolton have been/will be employed pre-construction and during construction, therefore creating local employment (Officer comment: this is considered to be a material benefit to the proposal).

Conclusion

For the reasons discussed above it is considered that the proposal for a new replacement school would be compatible with the character and appearance of the area, would provide for sufficient on-site parking and would not jeopardise highway safety, would not unduly harm the amenity of neighbouring residents, and would safeguard the biodiversity of the site. It is also considered that the benefits of the proposed development would outweigh the loss of significance caused by the demolition of the Victorian part of the existing school. Subject to further drainage details being submitted by the applicant, Members are recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- One letter from a neighbouring resident commenting on the application has been received. This raises concern regarding the culvert that runs underground from the application site to their back garden (Nellie's Clough), as their property and garden was flooded in the Boxing Day floods owing to the amount of water within the culvert. Jones Homes rectified the issued, however they wish for this issue to be noted before any works start on the culvert as they believe the culvert may be enlarged, which could affect the pipework in their garden.

Horwich Town Council:- raised no objection to the proposal at their meeting of 18th August 2016.

Consultations

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Pollution Control Officers, Tree Officers, Landscape Officers, Wildlife Liaison Officer, Asset Management Unit (Children's Services), Corporate Property Officers, the Environment Agency, Greater Manchester Police's Architectural Liaison Officers, Victorian Society, Horwich Heritage and United Utilities.

Planning History

A single storey extension to the side of the school to form additional toilets and an extension to the playground area were approved in June 2013 (89887/13).

3 metres high security fencing to the rear was approved in May 2011 (85966/11).

3 metre high paladin fencing and 1.2 metre high bow top fencing to the playground was approved in March 2010 (83519/10).

Permission was granted at Committee in March 2002 for an extension to form classrooms, toilets and store (60795/01).

An outline application for alterations and extensions to the school was approved at Committee in June 2001 (59075/01).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

   Reason

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

2. No demolition of any building shall be commenced unless and until a further bat survey/s of the buildings to be demolished (as recommended within the submitted ecological assessment by The Environment Partnership, dated July 2016) has/have been submitted to and approved in writing by the local planning authority. Any approved mitigation measures shall be implemented in full by the approved timescale/s and retained thereafter.

   Reason

   To protect any bats on site, and to comply with Policy CG1.2 of Bolton's Core Strategy.

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

1. The trees within 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 demolition of the existing school building full details of how the existing clock tower (on the Victorian/original part of the school building) will be incorporated within the school grounds shall be submitted to and approved in writing by the local planning authority. These approved details shall be implemented in full, and the clock tower shall be retained on site (as approved), unless otherwise agreed in writing by the local planning authority.

Reason

To retain the historical feature associated with the original school building, and to comply with Policy CG3 of Bolton's Core Strategy.

5. 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.

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

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

(iv) A Verification Report shall be submitted to, and approved in writing by, the Local Planning

Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the LPA.

Reason

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

7. Prior to the commencement of development full details of the improvement to the access points into the approved car park (widening to 6.0 metres aisle width with 4.0 metre radii improvement), car park signage (ref. 833/834/835/836 TSRGD) and appropriate road markings to indicate the one-way system 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 (unless otherwise agreed in writing by the Local Planning Authority) and retained thereafter.

Reason

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

8. Prior to the commencement of development full details of the highway works at Haskoll Street comprising its re-dedication/re-adoption 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 S1.2 of Bolton's Core Strategy.

9. Prior to the commencement of development full details of the highway works at Chorley New Road and Haskoll Street comprising the re-surfacing of the footways to the front of the school 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 development being first brought into use and retained thereafter.

Reason

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

10. Prior to the commencement of development full details of the highway works at Chorley New Road comprising the potential relocation of street-lighting columns to facilitate the approved development 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 S1.2 of Bolton's Core Strategy.

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

Reason

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

12. 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 and to comply with Policy CG3 of Bolton's Core Strategy.

13. 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 policies CG3 and OA1 of Bolton's Core Strategy.

14. Prior to the development hereby approved/permitted being first brought into use the existing vehicular accesses onto Chorley New Road shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Chorley New Road, other than as shown on drawing ref: 16006-RYD-00-XX-DR-L-20000 P2.

Reason

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

15. Before the approved/permitted development is first brought into use (unless otherwise agreed in writing by the Local Planning Authority) no less than 41 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with drawing ref: 16006-RYD-00-XX-DR-L-20000 P2. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

16. Prior to the development hereby approved/permitted being first brought into use (unless otherwise agreed in writing by the Local Planning Authority) a scheme shall be submitted to and approved in writing by the Local Planning Authority for the turning/loading/unloading of service vehicles within the curtilage of the site [to enable vehicles to enter and leave the site in forward gear]. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter and not to be used for any purpose expect the turning/loading/unloading of service vehicles.

Reason

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

17. Prior to the development hereby approved being first brought into use (unless otherwise agreed in writing by the Local Planning Authority), 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.

18. 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 (unless otherwise agreed in writing by the Local Planning Authority). The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

To reflect and soften the setting of the development within the landscape and to comply with Policies CG3 and OA1 of Bolton's Core Strategy.

19. Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting. The lighting shall be designed to an illumination value of 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 policies CG1.2 and CG4 of Bolton's Core Strategy.

20. The boundary details shall be erected fully in accordance with the approved design details contained on drawing ref: 16006-RYD-00-XX-DR-L-6000 P2 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, complying with Policies CG3 and CG4 of Bolton's Core Strategy.

21. The existing boundary wall and railings along Chorley New Road and Haskoll Street (adjacent the existing red brick/original part of the school building) shall be retained in accordance with the approved plans. The retained wall and railings shall not be removed unless otherwise agreed in writing by the local planning authority.

Reason

To retain the historical feature associated with the original school building and to conserve the street scene, compliant with Policies CG3 and OA1 of Bolton's Core Strategy.

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

16006-LMA-Z1-XX-EL-A-2004 P1; "GA_Elevations"; dated 08-07-16
16006-LMA-Z1-XX-GA-A-2002 P1; "GA_Plans"; dated 08-07-16
16006-LMA-Z1-RF-GA-A-2003 P1; "GA_Roof Plan"; dated 08-07-16
16006-LMA-Z2-XX-SE-A-2005 P1; "GA_Site Sections"; dated 08-07-16
16006-RYD-00-XX-DR-L-20000 P2; "External Realm General Arrangement"; dated 08-07-16
16006-RYD-00-XX-DR-L-60000 P2; "Hardworks Plan"; dated 08-07-16

Reason

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

SECONDARY AND EARLY YEARS ENTRANCE

External waiting area

Formal frontage: hedge (under building canopy) and fencing

OFFICIAL SCHOOL ENTRANCE TO OFFICES

Paved edges to yard for play and edge definition

Sand Pit

1.2m bowtop fencing around nursery and reception yards

Train track path leads from entrance to rear access

Train play feature

Soft play mounds and pole features

Retained trees on embankment (Indicative locations)

Timber climbing frame with safety surfacing

Sloped path

Slide to side of steps

Ball courts

Wildlife Pond and Forest School

Delivery Layby/Drop Off

1:3 Grass embankment

Vehicular Exit

Parking: 39 spaces. 2 disabled bays

Collection of ancillary buildings: Bin store, staff bike shelters and games equipment store

OUT

Vehicular Entrance

IN

Secure boundary fencing

Multi-Use Games Area: 2no Basketball, 2no Netball, 1no Football

Retention of existing period boundary walls

Pupil bikes and scooter storage area

Parent waiting and collection area

MAIN SCHOOL ENTRANCE FOR KS1 & 2 PUPILS

Amphitheatre

ESS

Abernethy Street

Abernethy Court

Chorley New Road

Victoria Road

Haskoll Street

Builders Yard

Ridgway House

Memorial

Rising Bollard

NOTES :

- This drawing is the copyright of Ryder Landscape Consultants. It must not be copied or reproduced without written consent.
- This drawing is to be read as part of a full Landscape Drawing Package in conjunction with all the relevant surveys alongside the Architectural and Engineering drawings
- Only figured dimensions are to be taken from this drawing. Dimensions should not be scaled from this drawing, as scaling of this drawing cannot be assured.
- All dimensions are to millimetres unless specified otherwise
- All contractors must visit the site and be responsible for taking and checking all dimensions, services and setting out related to the works shown on this drawing
- All coordinates are set to dimensional points to enable easy cross referencing on site
- All setting out points are to be verified on site and any discrepancies should be clarified by the Landscape Architect
- Hatching is not a technical representation of surface patterns, contractors are to follow the line of direction specified on drawings. Where no line of direction is given contractor to contact Landscape Architect before laying.
- All levels should be checked on site and conflicts reported to the design office.

...If in doubt ask

1 - Nursery Play Yard

2 - Reception Play Yard

3 - Key Stage 1 Yard

4 - Key Stage 2 Ball Courts

5 - Key Stage 2 Informal Space

6 - Grass Play Area

7 - Main Access and Circulation Route

8 - Multi Use Games Area

9 - Staff Car Park

10 - Deliveries Area

FOR PLANNING

Rev	Drawn	Checked	Date	Description
P2	LM	SR	08.07.16	Minor label formatting
P1	LM/SO	SR	29.06.16	Planning Issue

RYDER LANDSCAPE CONSULTANTS

Meyer House, 42 City Road, Chester, CH1 3AE
TEL: 01244 400064 EMAIL: info@ryderlandscape.co.uk
www.ryderlandscape.co.uk Company Registration no: 6065464

Client: Willmott Dixon

Project: Chorely New Road Primary School

Drawing Title: External Realm General Arrangement

Drawn By:	LM/SO	Date:	29/06/16
Checked By:	SR/GO	Date:	29/06/16
Drawing Scale:	1 : 500	Sheet Size:	A2
Drawing No:	16006-RYD-00-XX-DR-L-20000	Status:	S2
		Revision:	P2

0m 5m 10m 15m 20m A1

VISUAL SCALE 1:250 @ A1

Notes

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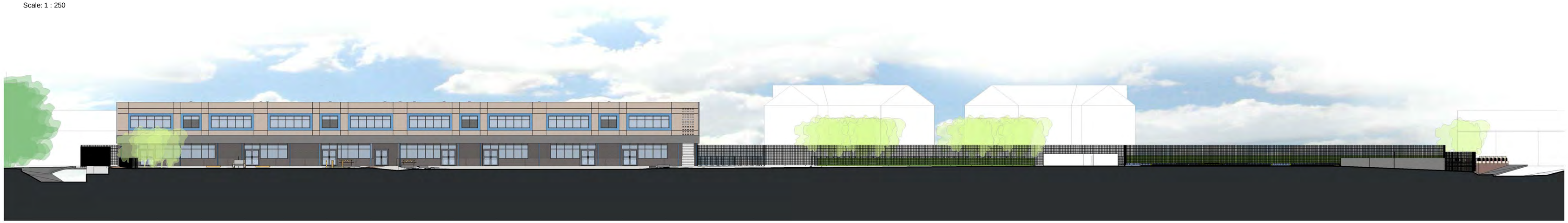
- Dimensions should not be scaled from drawing
- All existing dimensions should be checked on site before commencement of the work.
- Any discrepancies in dimensions should be clarified with the Architect prior to commencement of the work.
- No deviation from this drawing will be permitted without the prior written consent of the Architect.
- This drawing is to be read in conjunction with all the relevant Mechanical and Electrical drawings.
- This drawing is to be read in conjunction with the relevant Structural Engineer's drawings, structural calculations and recommendations.
- This drawing is to be read in conjunction with the relevant Fire Safety Strategy drawings

This drawing is copyright and to be returned to the architect on completion of the contract.

1 Site Section A-A

Scale: 1 : 250

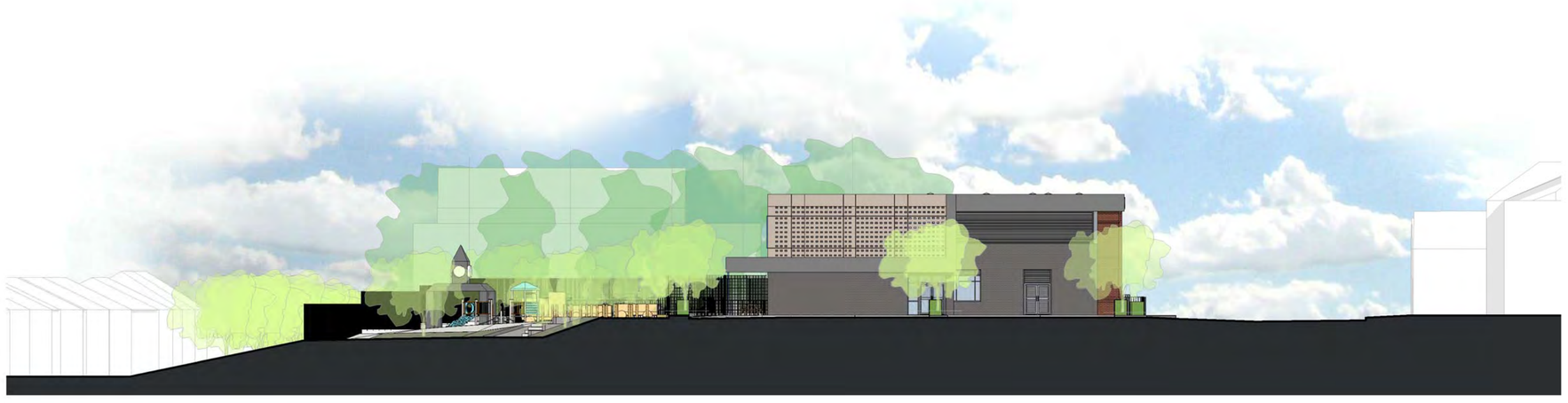


2 Site Section C-C

Scale: 1 : 250

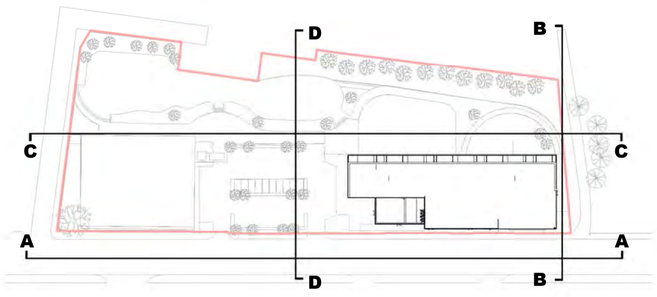
3 Site Section B-B

Scale: 1 : 250



4 Site Section D-D

Scale: 1 : 250



N

P1	Issued for Planning Submission	TRM	TPR	08-07-16
Rev.	Revision description	Drawn	Checked	Date

Lovelock Mitchell Architects
3 Stanley Street, Chester, CH1 2LS
Tel +44 (0) 1244 404321

St Andrews Business Centre
St Andrews Park, Mold, Flintshire, CH7 1XB
Tel 0843 515 9921

e-mail: admin@lovelockmitchell.com
web: www.lovelockmitchell.com

Project

Chorley New Road Primary School

Title

GA_Site Sections

LMA Project	Drawing number	Rev.
1401	16006-LMA-Z2-XX-SE-A-2005	P1

158

C:\Revit_LocalFiles\CNR_LMA_00_M3_A_0001_BuildingModel_tom.matthews.rvt

A1

Visualisation_Main Entrance

Visualisation_Rear Playground_01

Visualisation_Rear Playground_02

Visualisation_Main Road

Notes

- Figured dimensions are to be used in all case.
- Dimensions should not be scaled from drawing
- All existing dimensions should be checked on site before commencement of the work.
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Rev.	Revision description	Drawn	Checked	Date
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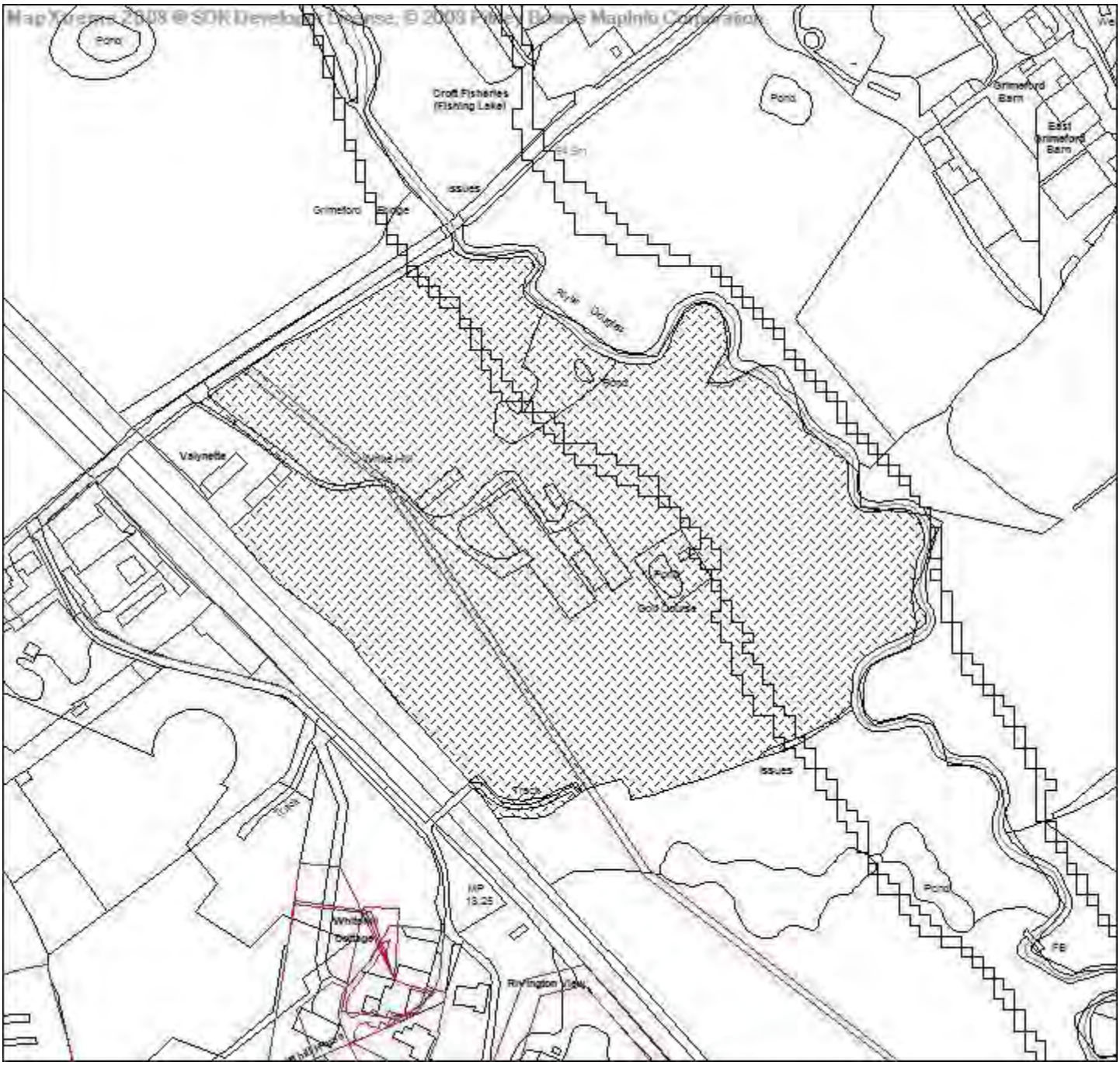
Project
Chorley New Road Primary School

Title
GA_Visualisations

LMA Project	Drawing number	Rev.
1401	16006-LMA-XX-XX-VS-A-2006	P1

Application number 97055/16



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: 22/09/2016

Application Reference: 97055/16

Type of Application: **Full Planning Application**
Registration Date: **26/07/2016**
Decision Due By: **19/09/2016**
Responsible Officer: **Kara Hamer**

Location: **LAND ADJACENT VALYNETTE, GRIMEFORD LANE, BLACKROD, BOLTON, BL6 5LD**

Proposal: DEMOLITION OF BUILDINGS AND ERECTION OF 5NO. DETACHED DWELLINGS.

Ward: **Horwich and Blackrod**

Applicant: **Mr Holden**
Agent : **Neil Pike Architects**

Officers Report

Recommendation: **Refuse**

Proposal

Permission is sought for the residential development of the site, which includes the demolition of three existing buildings and remains of previously demolished structures and the erection of five detached houses with soft landscaping and greenspace.

The five detached dwellings will each provide five bedrooms over three storeys utilising the roof space and will be set in extensive plots. No garages are proposed.

The volume of the existing buildings to be demolished equates to 5696 cubic metres. Existing gross internal floor space equates to 1539.6 sq. metres. Total new gross internal floor space would equate to 872.5 sq. metres, a net reduction of 667.1 sq. metres.

The application site is approximately 5.53 ha and has no significant level changes.

This is a large site and the five detached dwellings would occupy extensive individual plots in excess of 1 ha, the Applicant submits that this is to encourage the development of small holdings for the growth of fruit and vegetables.

Vehicular access into the proposed residential development will be off Grimeford Lane, where the existing private access into the site is, all five properties will share this access.

Site Characteristics

The application site fronts onto Grimeford Lane. There are three disused buildings on site and low level structures remaining from previously demolished buildings. Originally the buildings formed a piggery and the Applicant submits that the buildings were erected circa. 1946. The existing buildings

are located approximately 300 metres from Grimeford Lane.

Grimeford Lane is a country road that links through to the A6 Blackrod Bypass Road to the south and to the A673 Bolton Road to the north.

The site is located on the southern side of Grimeford Lane, access is via a private road leading off Grimeford Lane which serves a small number of properties. The site faces open agricultural land. Immediately to the west is a railway line which sits in a cutting and a residential bungalow 'Valynette', beyond to the west is a short row of pavement terraced properties. At the rear (south) is open land. Whitehill Farm, Markland Farm and Douglas Valley Golf/Chilli Dip Golf lie to the south west. Open agricultural land lies to the east adjacent to Grimeford Farm and Greenlands Farm.

The application site is located within the Green Belt.

The application site also lies within Flood Risk Zones 2 and 3.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Cleaner Greener Bolton; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod.

Allocations Plan Policies: CG7AP Green Belt.

SPD Accessibility, Transport and Safety
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 housing provision
* impact on the purposes and openness of the Green Belt
* impact on the character and appearance of the area
* impact on the amenity of neighbouring residents
* impact on the highway
* impact on flood risk
* impact on biodiversity

Impact on Housing Provision

Section 6 of the National Planning Policy Framework recognises the role of the planning system in

providing the supply of housing required to meet the needs of present and future generations and the need to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF encourages the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value. The NPPF contains a definition of previously-developed land (brownfield) which specifically excludes residential gardens.

Core Strategy policy SC1 identifies that the borough requires a provision of 694 dwellings per annum between 2008 and 2026. At least 80% of housing development should be on previously developed land.

It is acknowledged that the application site has had two previous uses of agricultural (piggery) and Golf Club/Course, the more recent golf use is considered an appropriate use in the Green Belt. However, the NPPF excludes; *land that is or has been occupied by agricultural or forestry buildings* from the definition of previously developed land (NPPF, Annex 2: Glossary).

The application seeks permission for five dwellings on the site, which albeit in a minor way would, if granted consent, further contribute to housing provision within the borough. This is a large site and five detached dwellings would occupy extensive individual plots in excess of 1 hectare.

Impact on the Purposes and Openness of the Green Belt

Section 9 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 80 states that Green Belt serves five purposes, which include assisting in safeguarding the countryside from encroachment and assisting in urban regeneration by encouraging the recycling of derelict and other urban land.

Paragraph 87 states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 continues that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, but exceptions to this include [amongst other things] limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

Allocations Plan Policy CG7AP reflects the NPPF's guidance on Green Belt.

The proposed residential development is considered to be inappropriate development in the Green Belt as it constitutes the construction of new buildings within the Green Belt. The last exception criterion of paragraph 89 of the NPPF cannot be considered in this instance as the proposed site is not previously developed land - *Annex 2 of the NPPF states that previously developed land excludes land that is or has been occupied by agricultural or forestry buildings.*

No special circumstances have been submitted to the local planning authority to support the residential development of the site, or to be weighed against the recognised inappropriateness of the proposed development.

It is considered that the proposed residential development of this Green Belt site to form five detached dwellings does not comply with national Green Belt policy in that the proposal would cause detrimental harm to the purposes, permanence and openness of the Green Belt. The proposal is also considered to be contrary with Allocations Plan policy CG7AP Green Belt.

Impact on the Character and Appearance of the Area

Section 7 of the NPPF recognises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Policy 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 states that the Council will 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 proposed dwellings are positioned on or close to the existing buildings to be demolished in a cluster formation around a courtyard to be accessed by the existing private access road. This has been considered to generally contain the proposed built development within the confines of the existing structures. The proposed dwellings would equate to a net reduction in current on site floorspace. This is a large site and the five detached dwellings would occupy extensive individual plots in excess of 1 hectare, the Applicant submits that this is to encourage the development of small holdings for the growth of fruit and vegetables.

The design of the proposed dwellings is a mixture of mock barn conversions and modern vernacular.

Proposed external materials comprise natural stone to reflect existing dwellings sited at an elevated position to the east of the application site, with the use of stone mullions, stone window and door surrounds, natural slate roofs and dry stone walling to enclose the courtyard setting. The courtyard road and hard standing areas will be constructed in a stone based material.

It is considered that the proposed residential development, with potential for the future development of small holdings, would not enhance the former agricultural site nor the immediate surrounding open area, which is in predominant open agricultural and golf use.

Impact on the Amenity of Neighbouring Residents

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. SPD General Design Principles contains guidance on space around dwellings, of particular note is the guidance on minimum standards for interface distances between dwellinghouses.

Extensive rear garden plots in excess of 1 hectare for each of the five dwellings are proposed. The proposal will not impact upon surrounding dwellings. The proposed dwellings have been positioned to ensure that interface distances are compliant with policy.

The impact on living conditions, in terms of privacy and outlook, is therefore considered to be acceptable and complies with Core Strategy policy CG4 and the guidance contained in SPD General Design Principles 2015.

Impact on the Highway

Core Strategy policy S1.2 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 five detached dwellings will have separate hard standing areas for car parking with shared private access from Grimeford Lane. Grimeford Lane is served by a bus route.

The Council's Highways Management Team have been consulted and comment as follows;

"The proposal is for a low-density development and will potentially generate less traffic than previous use classes on the site. The access appears to have been improved and should be adequate to accommodate service/refuse vehicles although it may be prudent providing tracking analysis to demonstrate that this is achievable and that manoeuvrability is adequate within the site. There is no accident record at the access onto Grimeford Lane to warrant any concern and site lines appear to comply with national guidance. The internal access roads will remain private with the maintenance liability remaining under the remit of the property owners. It needs to be ensured that adequate parking provision is provided with each property in line with the Councils parking standards."

It is therefore considered, subject to conditions, that the proposal complies with policies P5 and S1.2 of Bolton's Core Strategy.

Impact on Flood Risk

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 within the Environment Agency Flood Risk Areas 2 and 3 (1 in 100 or greater annual probability of flooding).

The Environment Agency has been consulted and comment as follows;

"In the absence of a Flood Risk Assessment (FRA), we object to this application and recommend refusal of planning permission until a satisfactory FRA has been submitted."

The Applicant has not submitted a Flood Risk Assessment for the proposal and as such it is deemed that insufficient information has been submitted to fully assess the application against Policy CG1.5 of the Core Strategy.

Impact on Biodiversity

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

A Daytime Bat Survey and Ecological Walkover Survey (2016) has been submitted which reports no evidence of use of the existing buildings for roosting bats. The Council's Greenspace Management Team have been consulted and comment;

"Swallows are under threat in terms of their conservation, with population declines across Europe. This is partly attributed to the loss of nesting habitat of this migratory species with the demolition of old farm buildings and their conversion to other uses. It would be beneficial if nesting provision could be incorporated into the design of the new buildings to help conserve this species, should planning consent be granted. Other biodiversity enhancements for bats and new planting and landscaping to enhance habitat provision for birds and pollinating insects would also be welcomed."

It is therefore considered, subject to conditions, that the proposal complies with policy CG1.1 of Bolton's Core Strategy.

Local finance considerations

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

* Additional Council Tax (officer's comment: this is not a material consideration);
* New Homes Bonus (officer's comment: this is not a material consideration);
* Employment for construction workers.

It is not considered that the material benefit to the local economy listed above (construction employment) carries sufficient enough planning weight to outweigh the harm identified within this analysis.

Conclusion

For the reasons discussed above it is considered that the proposed residential development of the application site would harm the purposes, permanence and openness of the Green Belt and would not be compatible with the character and appearance of the surrounding area. The Applicant has not submitted a Flood Risk Assessment for the proposal and as such it is deemed that insufficient information has been submitted to fully assess the application. The proposal is therefore contrary to Section 7 of the National Planning Policy Framework (NPPF) (Green Belt), Bolton's Allocation Plan Policy CG7AP, and Bolton's Core Strategy Policies CG1.5, CG3 and OA1.

Members are therefore recommended to refuse the application for the three suggested reasons.

Representation and Consultation Annex

Representations

Letters:- One letter has been received from a resident of Grimeford Lane supporting the application and stating that having additional neighbours would help to prevent vandalism/break in attempts and will enhance the site and surrounding area.

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

* Increase in traffic on Grimeford Lane.
* Lack of/limited pavement on Grimeford Lane.
* Regular flooding of the site from the river Douglas and standing water after heavy rainfall.
* The golf course and land on either side of the river Douglas falls within Zone 2 and 3 of the Environment Agency Flood Plan and has always experienced severe flooding after heavy rain fall, year on year getting worse and this year (2016) worse than ever, a good proportion of the proposed development land and existing buildings also experiences the same severe flooding. Photographs attached show the existing buildings on the application site surrounded by flood water on 26/12/15 and 06/03/16.
* The height of the river bank is the same as the ground level of at least two of the proposed properties and no reference has been made to the flooding issues and no suggestion has been made as to how the developer intends to deal with the flood water, any structures on that land and any increase in the height of the ground will cause more significant flooding to the Golf Club.

* Planning permission has already been granted for 1800 houses and commercial units on the Loco Works in Horwich, the college in Horwich is earmarked for around 500 new homes and Peel Holdings now own Horwich Golf Club and are intending to develop the site in the near future, the result of all this development in the area will mean a significant increase in water passing along the River Douglas through the golf course.
* Impinging on the rural aspect.
* Encroaching on the Green Belt and therefore contrary to policy OA1 and CG7AP of Bolton's Core Strategy, agricultural buildings are considered to be appropriate as an exception to Green Belt policy.

Officer comment - the Environment Agency (EA) has been consulted and the photographs submitted by Douglas Valley Golf have been forwarded to the EA. The EA have objected as the application site is located within Flood Zones 2 and 3 and the applicant has not addressed this.

Blackrod Town Council:- At their meeting of 5th September Town Councillors raised concerns in regard to the fact that the application did not have a flood risk assessment and that the access points on to a narrow part of Grimeford Lane could cause an issue.

Consultations

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

Planning History

None.

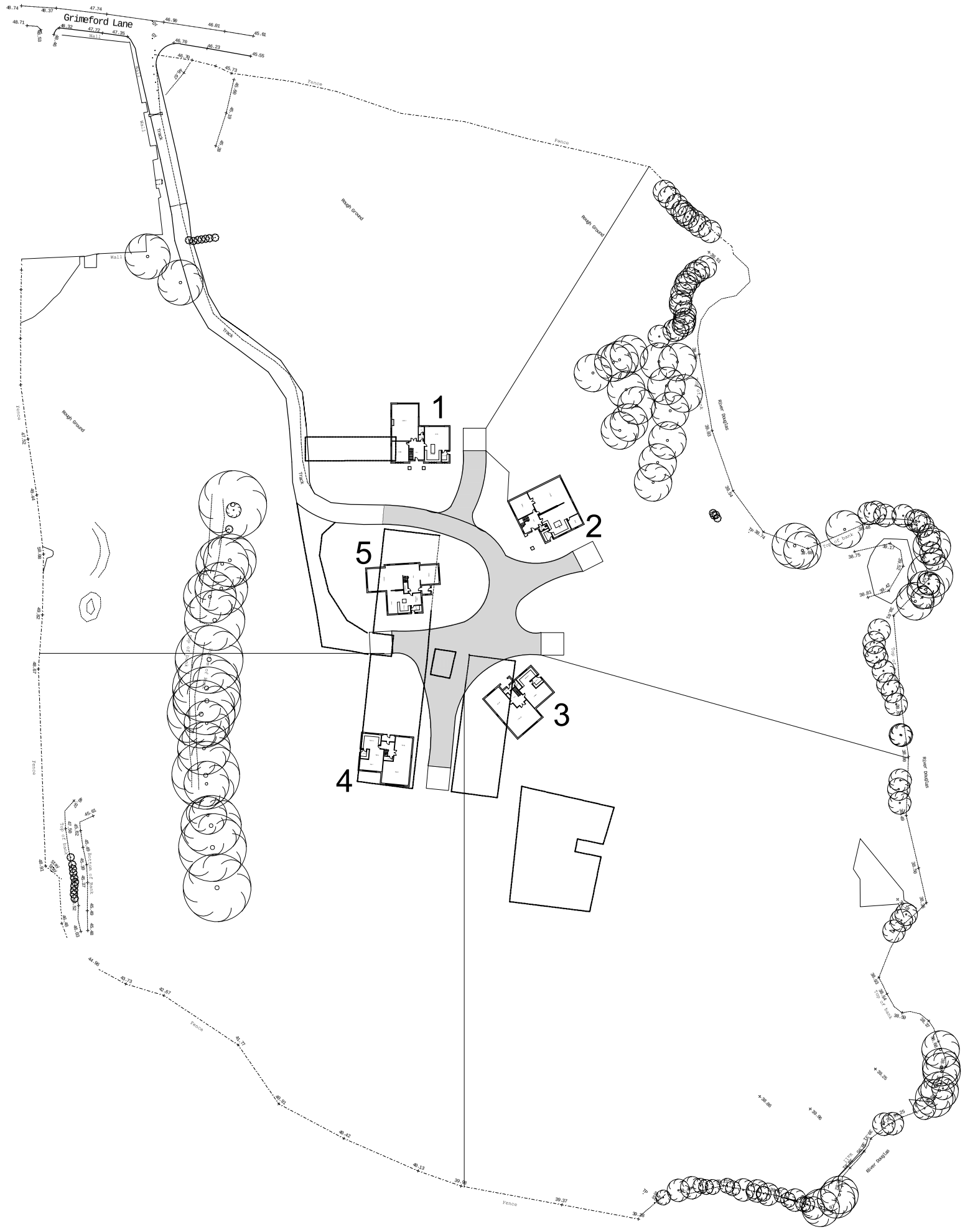
Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development by virtue of its use, siting and size represents inappropriate development within the Green Belt and the Applicant has provided no very special circumstances to outweigh the harm caused, and the proposal is contrary to national guidance contained within section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.

2. The proposed development would, by virtue of its design, size, height and siting, be detrimental to the character and appearance of the area and is contrary to Policies CG3 and OA1 of Bolton's Core Strategy.

3. Insufficient information has been provided by the applicant with regard to the impact of the proposed development on flood risk to enable the proposal to be properly judged against policy CG1.5 of Bolton's Core Strategy.



REV	DESCRIPTION
A	POSITION OF DWELLINGS AMENDED TO CLIENT'S SPECIFICATION 23.06.16
B	OUTLINE OF PLOTS AMENDED 28.06.16

PROPOSED SITE PLAN

PROPOSED SUSTAINABLE HOUSING DEVELOPMENT, VALYNETTE PROJECT,BLACKROD

CLIENT:	HOLDEN & JACKSON
DWG NO:	K745/01
SCALE:	1/1250 @ A3
DRAWN BY:	D.D.
DATE:	05/05/16
REV:	B

neil pike architects
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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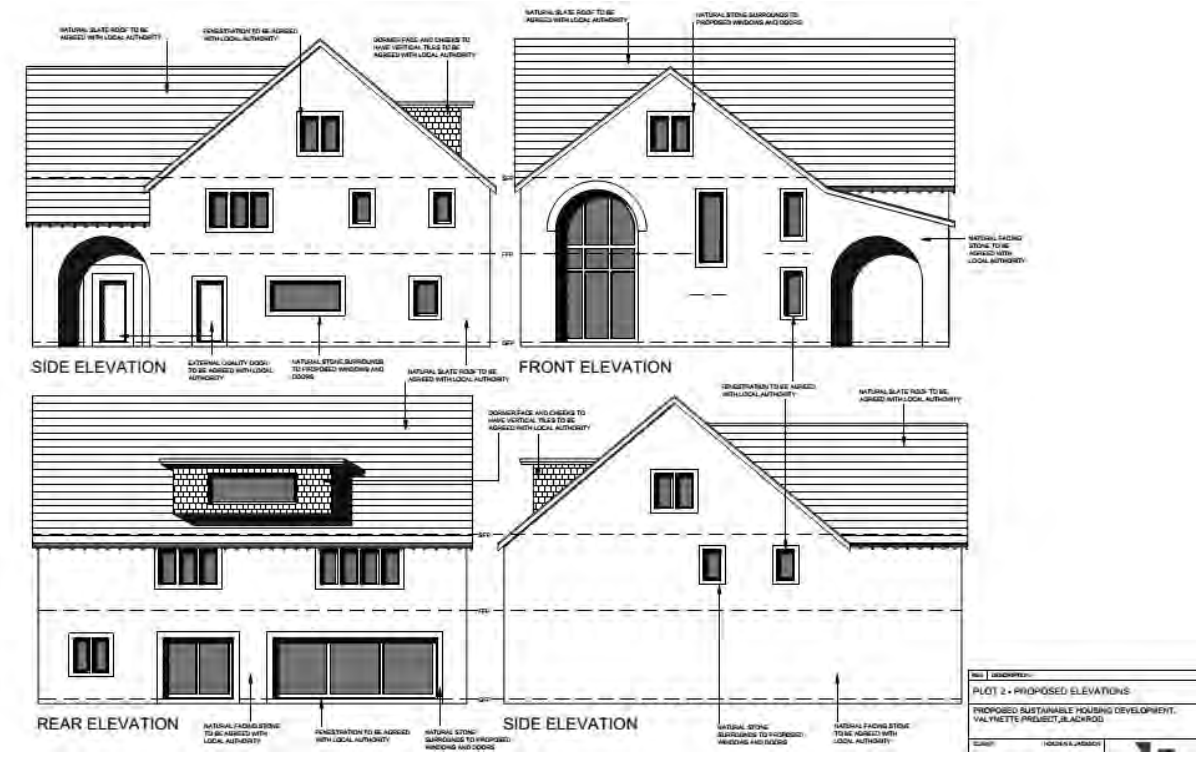
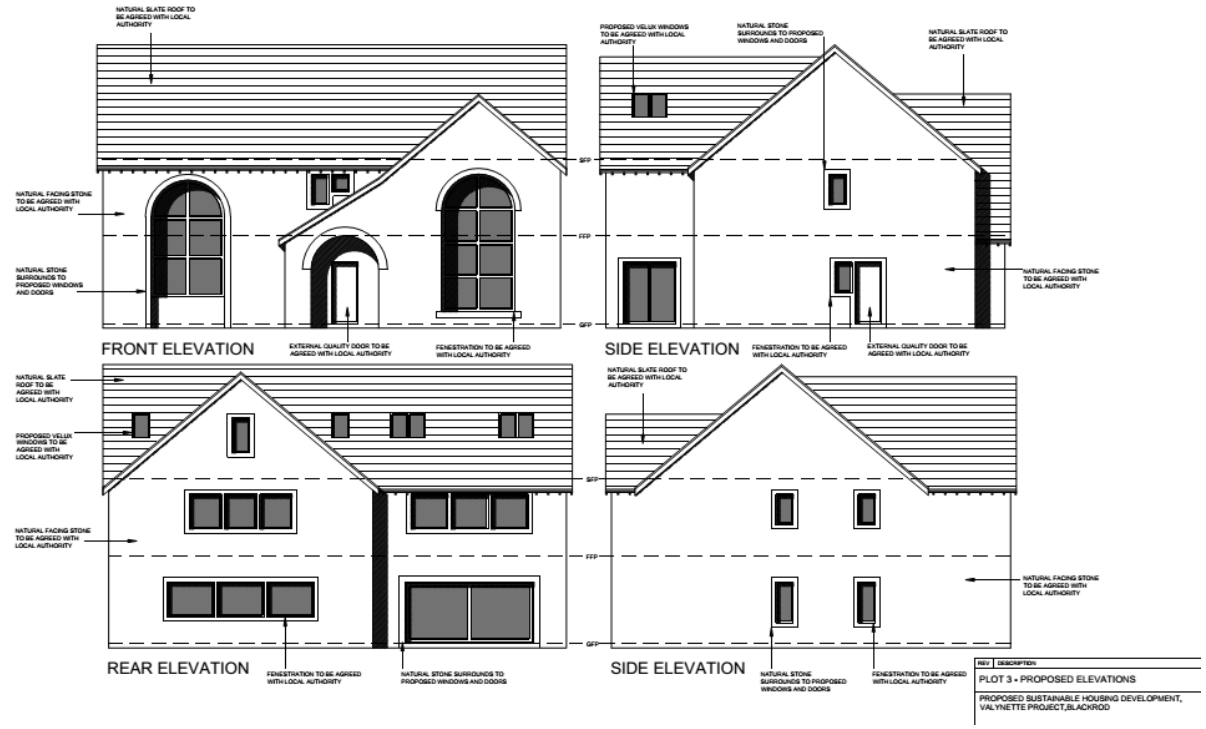
NATURAL SLATE ROOF TO BE AGREED WITH LOCAL AUTHORITY
NATURAL STONE CILLS AND HEADS TO WINDOWS
NATURAL FACING STONE TO BE AGREED WITH LOCAL AUTHORITY
FENESTRATION TO BE AGREED WITH LOCAL AUTHORITY
SFP
FFP
GFP
FRONT ELEVATION
EXTERNAL QUALITY DOOR TO BE AGREED WITH LOCAL AUTHORITY
NATURAL STONE SURROUNDS TO PROPOSED DOORS
DORMER FACE AND CHEEKS TO HAVE VERTICAL TILES TO BE AGREED WITH LOCAL AUTHORITY
REAR ELEVATION
NATURAL STONE SURROUNDS TO PROPOSED DOORS
NATURAL SLATE ROOF TO BE AGREED WITH LOCAL AUTHORITY
DORMER FACE AND CHEEKS TO HAVE VERTICAL TILES TO BE AGREED WITH LOCAL AUTHORITY
NATURAL STONE CILLS AND HEADS TO WINDOWS
FENESTRATION TO BE AGREED WITH LOCAL AUTHORITY
NATURAL FACING STONE TO BE AGREED WITH LOCAL AUTHORITY
SIDE ELEVATION
EXTERNAL QUALITY DOOR TO BE AGREED WITH LOCAL AUTHORITY
NATURAL STONE SURROUNDS TO PROPOSED DOORS
SIDE ELEVATION
NATURAL FACING STONE TO BE AGREED WITH LOCAL AUTHORITY
NATURAL STONE CILLS AND HEADS TO WINDOWS
PLOT 1 - PROPOSED ELEVATIONS
PROPOSED SUSTAINABLE HOUSING DEVELOPMENT, VALYNETTE PROJECT,BLACKROD


SIDE ELEVATION
FRONT ELEVATION
NATURAL FACING STONE TO BE AGREED WITH LOCAL AUTHORITY
REAR ELEVATION
SIDE ELEVATION
PLOT 2 - PROPOSED ELEVATIONS
PROPOSED SUSTAINABLE HOUSING DEVELOPMENT, VALYNETTE PROJECT,BLACKROD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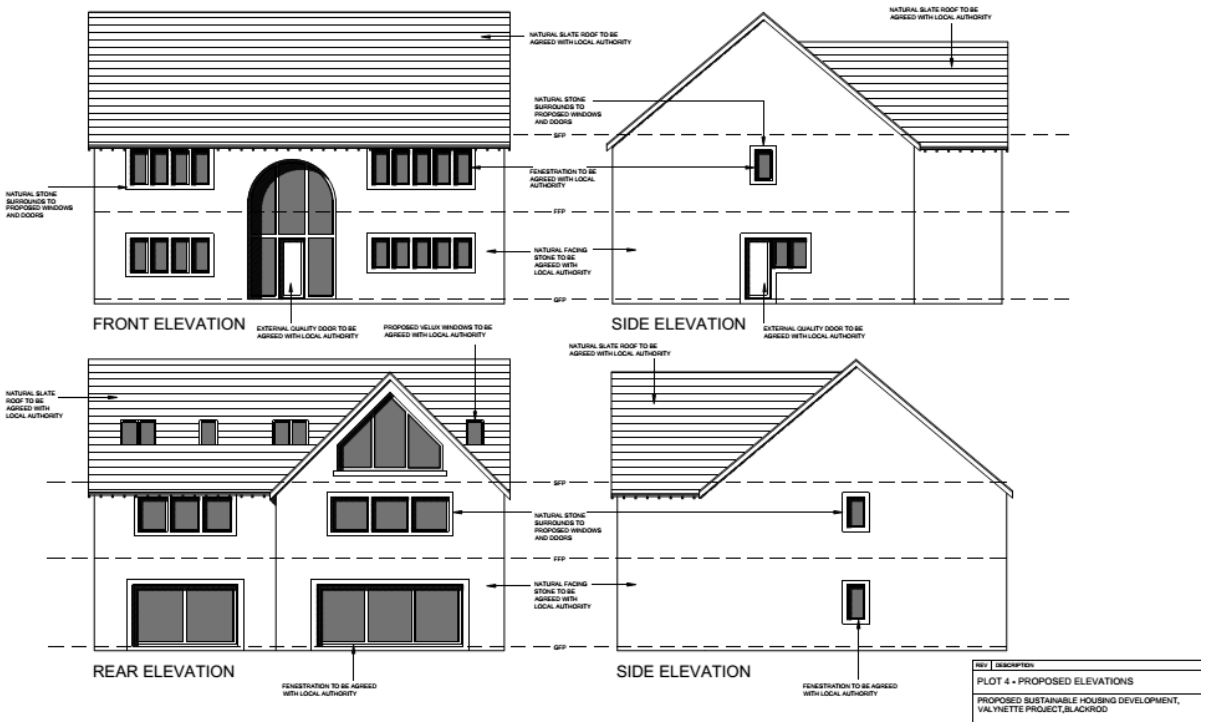
NATURAL STONE SURROUNDS TO PROPOSED WINDOWS AND DOORS
EXTERNAL QUALITY DOOR TO BE AGREED WITH LOCAL AUTHORITY
FENESTRATION TO BE AGREED WITH LOCAL AUTHORITY
FRONT ELEVATION
PROPOSED VELUX WINDOWS TO BE AGREED WITH LOCAL AUTHORITY
NATURAL STONE SURROUNDS TO PROPOSED WINDOWS AND DOORS
NATURAL SLATE ROOF TO BE AGREED WITH LOCAL AUTHORITY
NATURAL FACING STONE TO BE AGREED WITH LOCAL AUTHORITY
SIDE ELEVATION
PROPOSED VELUX WINDOWS TO BE AGREED WITH LOCAL AUTHORITY
REAR ELEVATION
SIDE ELEVATION
REV
DESCRIPTION
PLOT 3 - PROPOSED ELEVATIONS
PROPOSED SUSTAINABLE HOUSING DEVELOPMENT, VALYNETTE PROJECT,BLACKROD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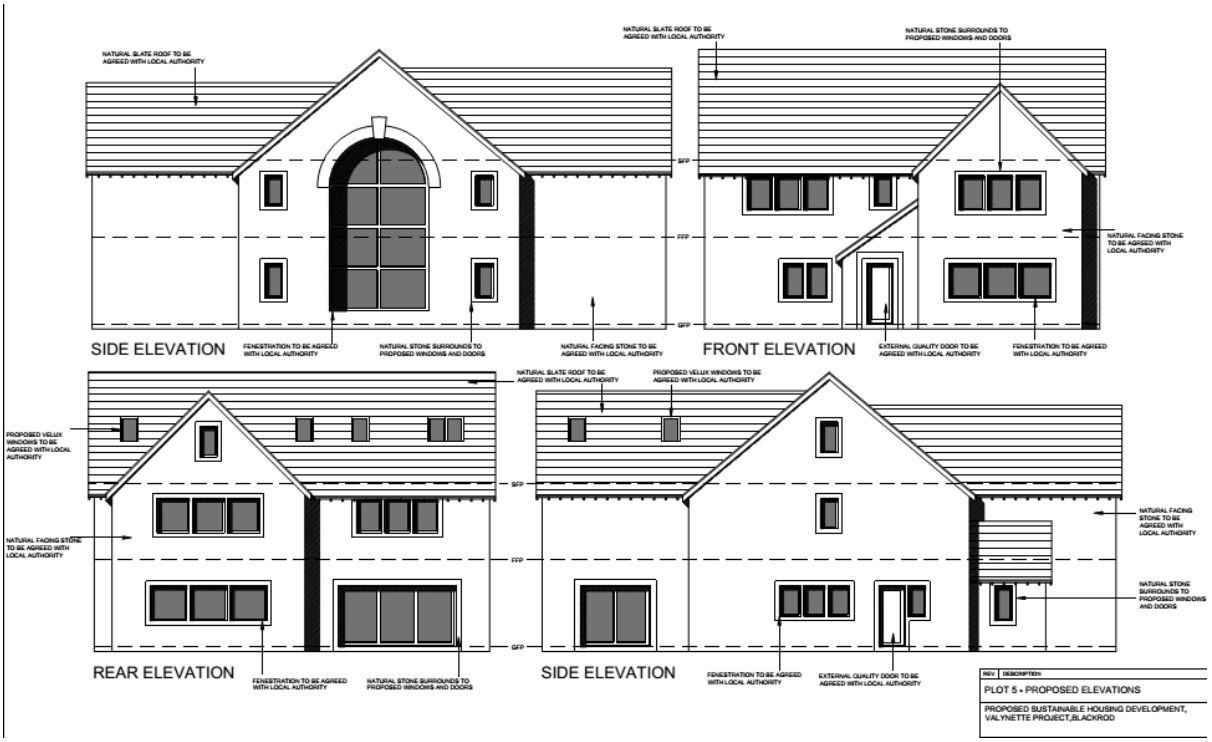
EXTERNAL QUALITY DOOR TO BE AGREED WITH LOCAL AUTHORITY
FRONT ELEVATION
SIDE ELEVATION
PROPOSED VELUX WINDOWS TO BE AGREED WITH LOCAL AUTHORITY
REAR ELEVATION
REV
DESCRIPTION
PLOT 4 - PROPOSED ELEVATIONS
PROPOSED SUSTAINABLE HOUSING DEVELOPMENT, VALYNETTE PROJECT,BLACKROD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FENESTRATION TO BE AGREED WITH LOCAL AUTHORITY
NATURAL STONE SURROUNDS TO PROPOSED WINDOWS AND DOORS
NATURAL FACING STONE TO BE AGREED WITH LOCAL AUTHORITY
NATURAL SLATE ROOF TO BE AGREED WITH LOCAL AUTHORITY
NATURAL STONE SURROUNDS TO PROPOSED WINDOWS AND DOORS
NATURAL FACING STONE TO BE AGREED WITH LOCAL AUTHORITY
FRONT ELEVATION
EXTERNAL QUALITY DOOR TO BE AGREED WITH LOCAL AUTHORITY
FENESTRATION TO BE AGREED WITH LOCAL AUTHORITY
PROPOSED VELUX WINDOWS TO BE AGREED WITH LOCAL AUTHORITY
NATURAL FACING STONE TO BE AGREED WITH LOCAL AUTHORITY
NATURAL SLATE ROOF TO BE AGREED WITH LOCAL AUTHORITY
PROPOSED VELUX WINDOWS TO BE AGREED WITH LOCAL AUTHORITY
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REAR ELEVATION
FENESTRATION TO BE AGREED WITH LOCAL AUTHORITY
NATURAL STONE SURROUNDS TO PROPOSED WINDOWS AND DOORS
SIDE ELEVATION
FENESTRATION TO BE AGREED WITH LOCAL AUTHORITY
EXTERNAL QUALITY DOOR TO BE AGREED WITH LOCAL AUTHORITY
NATURAL FACING STONE TO BE AGREED WITH LOCAL AUTHORITY
NATURAL STONE SURROUNDS TO PROPOSED WINDOWS AND DOORS
REV
DESCRIPTION:
PLOT 5 - PROPOSED ELEVATIONS
PROPOSED SUSTAINABLE HOUSING DEVELOPMENT, VALYNETTE PROJECT,BLACKROD

Application number 97058/16

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: 22/09/2016

Application Reference: 97058/16

Type of Application: **Full Planning Application**
Registration Date: **26/07/2016**
Decision Due By: **24/10/2016**
Responsible Officer: **Alex Allen**

Location: **STATESIDE FOODS, WINGATES INDUSTRIAL ESTATE, GREAT BANK ROAD, WESTHOUGHTON, BOLTON, BL5 3SL**

Proposal: CHANGE OF USE OF EXISTING STORAGE BUILDING TO BAKERY, TOGETHER WITH ERECTION OF EXTENSION TO FORM ADDITIONAL BAKERY AND WAREHOUSE STORAGE INCLUDING NEW LOADING BAYS, 2NO. FLOUR SILOS AND ERECTION OF OUTBUILDING TO HOUSE PUMPS FOR SPRINKLER SYSTEM

Ward: **Westhoughton North**

Applicant: Stateside Foods Ltd
Agent : Warburton Associates

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application forms part of a two stage development programme which commenced with the construction of a new cold store facility adjacent to Unit 30 to the east. The proposal includes as follows:

- Conversion of an existing storage building (the Mango building) to a bakery;
- Construction of a new extension to enlarge the bakery;
- Construction of a new storage building to link directly into the existing Unit 33;
- Proposed new pumphouse (10 metres by 6 metres and 3.85 metres in height) and a new sprinkler tank (diameter 10 metres and 11 metres in height);
- 2 new flour silos (17 metres high including safety balustrade and 2.7 metres in diameter).

The applicant intends to build the extensions in 2 phases, the first phase being the construction of the enlarged bakery including two new loading bays. The second phase would provide one additional loading bay with additional storage area. The phase one extension would measure 74 metres in length and 25 metres in depth and would follow the rear elevation of the Mango plant northwards. This would provide a new HGV turning area in front of the proposed loading bays. The second phase of the extension would link the bakery into a new warehouse and would measure a maximum of 51 metres in length and width of 26 metres.

The bakery extension will be built to the same height as the existing Mango building (12.49 metres)

with the new storage extension being the same height as Unit 33 (11.15 metres). Materials would match those of the existing units.

The proposal would result in a further 80 new jobs being created on the site once the application is operational. A new fence line would be created along the western boundary of the site running parallel with the length of the existing Mango building. This would be on the inside of the well established landscaped buffer. A 24 metre long length of new fencing would be erected 2 metres from the western elevation of the proposed extension. This would mean the loss of some established landscaping and trees.

Site Characteristics

The application relates to an established pizza manufacturing site which occupies both sides of Great Bank Road within Wingates Industrial Estate. The site is allocated for employment (B2/B8 uses) and is one of the major existing industrial estates in Westhoughton/the Borough. The current site is occupied by an existing storage building (Mango building) to the south and Unit 33 to the north. In between these two units is a general storage, vehicular circulation and parking area which is the subject to numerous vehicular movements.

To the west of the site is an existing public right of way which runs along the western edge of Wingates Industrial Estate past the Mango plant before turning westward past properties at Willow Bank. The existing perimeter along the public right of way is characterised by an established shrub and tree buffer which effectively screens the majority of the buildings. There are open views into the industrial estate further to the north. A private right of way / lane (Long Lane) runs around the remainder of Stateside Foods site eventually joining Great Bank Road some 200 metres to the north east.

The closest residential properties are situated at Willow Bank with a total of 5 properties with vehicular access from Great Bank Road and Long Lane some 85 metres away from the western boundary of Wingates Industrial Estate/Stateside Foods. Direct views of the Industrial Estate from these houses is screened by existing well established trees, shrubs and hedges.

Policy

National Planning Policy Framework

Core Strategy P5 Accessibility, S1 Safe, CG2 Cleaner Greener, CG3 The Built Environment, CG4 Compatible Uses, OA3 Westhoughton.

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:-

* principal of development;
* impact on the character and appearance of the site/area;
* impact on surrounding land uses;
* impact on highway safety including public rights of way;
* impact on drainage/surface water run-off;
* financial benefits of the proposal.

Principal of development

Core Strategy policy P1 seeks to ensure the Council safeguards existing employment sites where they are compatible with residential amenity. In addition, Core Strategy policy M6 states that the Council and its partners will refurbish and redevelop Wingates for B2 and B8 employment uses as opportunities arise.

The proposal would be entirely consistent with this approach involving the change of use of an existing building to manufacturing with extensions which will assist Stateside Foods in expanding their business at Wingates Industrial Estate. There would be some ancillary storage being provided within the development.

The proposal would provide both B2 and B8 employment uses compliant with Core Strategy policies P1 and M6.

Impact on the character and appearance of the site/area

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

Policy OA3 of the Core Strategy relates specifically to developments in Westhoughton and states that the Council will conserve and enhance the character of the existing physical environment.

The proposed changes to the existing store whilst the proposed extensions would provide a link between the Mango building and Unit 33 to the north with the overall character and scale of the buildings complementing the existing buildings. In terms of the visual impact of the proposal on adjoining users of the public right of way and private lane (Long Lane) the majority of the established boundary treatment would remain therefore mitigating against any significant visual impact. Part of the proposal would result in the loss of a mature tree together with relocation of an existing fenceline.

Whilst the proposal would result in the loss of some existing landscaping and a tree it is considered that there is scope to provide replacement planting within the curtilage to offset this loss. In addition, the Council's Trees and Woodland officer has commented whilst there is proposed to be a loss of a mature tree this would be mitigated by the surrounding hedges and trees within the immediate vicinity. The Council's Landscape Officer concurs the requirement for further new (hedge) planting. This would be conditioned upon any approval.

The proposed sprinkler tank and new pumphouse would also be located along the western boundary of the site. The proposed pumphouse would be a fairly modest structure whilst the proposed sprinkler tank would be 11 metres in height. This would be a similar height to the existing building at Plot 33 and also similar in height to the proposed extensions. Both structures would be viewed in

the context of being located within an established Industrial Estate. In addition, the majority of the existing fence line and established landscaping would be maintained.

In terms of the proposed 2 new flour silos, these structures would be 17 metres in height and would be sited on the eastern / internal side of the proposed extensions, set back some 114 metres from the western boundary of the site. Due to the set back from the edge of the site and the presence of established landscaping and the proposed extensions it is unlikely that there will be direct views of these two silos.

It is considered that the proposed development would complement the overall character of the existing industrial estate with additional planting off shrubs and trees having the potential to soften the proposed development. The proposal complies with policy.

Impact on surrounding uses

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

The proposed extensions would effectively close the existing open service yard from the west assisting in enclosing the existing Stateside Foods operation. The Council's Environmental Health officers have commented that they have no objections to the proposal subject to conditions regarding noise emissions from the site and details of extraction and filtration scheme. Appropriate schemes would have the ability to ensure that the closest residential properties at Willow Bank would not have their living conditions compromised.

Subject to conditions it is considered that the proposal complies with policy.

Impact on highway safety including public rights of way

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] parking, in accordance with the parking standards set out in Appendix 3. Policy S1.2 states that the Council will promote road safety in the design of new development.

The proposal would remove a total of 121 car parking spaces. The recent car park extension elsewhere within the site has contributed to an additional 29 spaces. The applicant has confirmed that it is there intention to construct a further 200 new car parking spaces. Further clarification has been requested from the applicant of how these additional spaces would be provided. This information would be provided on the Supplementary Information List.

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

The Council's Public Rights of Way Officer has confirmed that the proposal would not impinge on the public footpath which runs adjacent to the western side of Wingates Industrial Estate.

Impact on drainage/surface water run-off

Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk. Policy CG2.2 states that the Council will ensure that all non-residential units of over 500 sq. metres demonstrate sustainable management of surface water run-off.

The applicant has committed to provide a drainage strategy for the site which shows how the

proposal would reduce surface water run-off from the site by 50%. A detailed scheme, including an appropriate long term management/maintenance regime will be secured by planning condition.

It is therefore considered that the proposed development will not increase the risk of flooding and will provide sustainable management of surface water run-off, compliant with Policies CG1.5 and CG2.2 of the Core Strategy.

Impact on sustainability

Core Strategy policy CG2 seeks to ensure that new development proposals which create over 500 sq.metres of new floorspace ensure that the development achieves a build standard of BREEAM Very Good, reduce CO2 emissions by 10% and reduce surface water run-off from developments by at least 50%.

The applicant has submitted a sustainability report which commits the applicant to ensuring the building meets the Very Good BREEAM standard, reduces CO2 emissions by 11.1%.

Subject to conditions it is considered that the proposal would comply with CS policy CG2.

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. It is considered that the following are local financial considerations in this case:

* Job creation - the applicant expects that 80 full-time jobs will be created at the proposed change of use / extensions;
* Job creation during the construction phase;
* Business rates - this is not a material consideration
* The extensions will assist Stateside Foods in expanding their business at Wingates Industrial Estate

Conclusion

It is considered that the proposal complements the overall character and appearance of the Wingates Industrial Estate whilst providing adequate landscape buffers/treatment to offset any negative impact the proposed new building would have. The applicant is committed to providing sufficient off road parking to satisfy the demands of users of the retained and extended building without compromising pedestrian safety or public footpaths on the ground.

The proposal complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- three objections from local residents have been submitted. In summary the issues these are as follows:

- Potential encroachment of the development on Long Lane. The proposal would reduce access for vehicles and service vehicles if the perimeter is expanded;
- Queries/concerns over whether the application is wholly within land owned by Stateside Foods/your client;
- Removal of the hammerhead/turning area – this area is vital to enable oil tankers / service vehicles to turn;
- Potential impact of the development on an existing oak tree – this tree is not referenced as being impacted but is shown as being removed within the arboricultural plan;
- Objection to the loss of trees;
- Siting of the Sprinkler tank would be detrimental to the visual impact of those who enjoy Long Lane;
- Concerns regarding noise impact of the proposal especially noise emanating from the proposed pump house.

Petitions:- no petitions received.

Town Council:- Westhoughton Town Council raised no objections to the proposal.

Elected Members:- Cllr Kirk-Robinson has requested that Members consider the application.

Consultations

Advice was sought from the following consultees: the Council's Flood Risk/Drainage team, Environmental Health Officers, Trees and Woodland Officer, Wildlife Liaison Officer, Greater Manchester Ecology Unit, Landscape Architects, Public Rights of Way officer

Planning History

Planning permission was granted in April 2016 for the conversion of an existing warehouse to a chill store and the erection of a cold store extension including the provision of a new car parking area (Ref: 95752/16). The approved car parking area has been completed whilst the proposed cold store extension is currently being constructed on site.

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

prior to the commencement of development. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of tackling climate change.

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

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

Reason

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

4. Before the use hereby permitted begins, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 14 days of the use commencing and retained thereafter.

Reason

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

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 prior to first use of the development 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.

6. 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 and to comply with policy CG3 of

Bolton's Core Strategy.

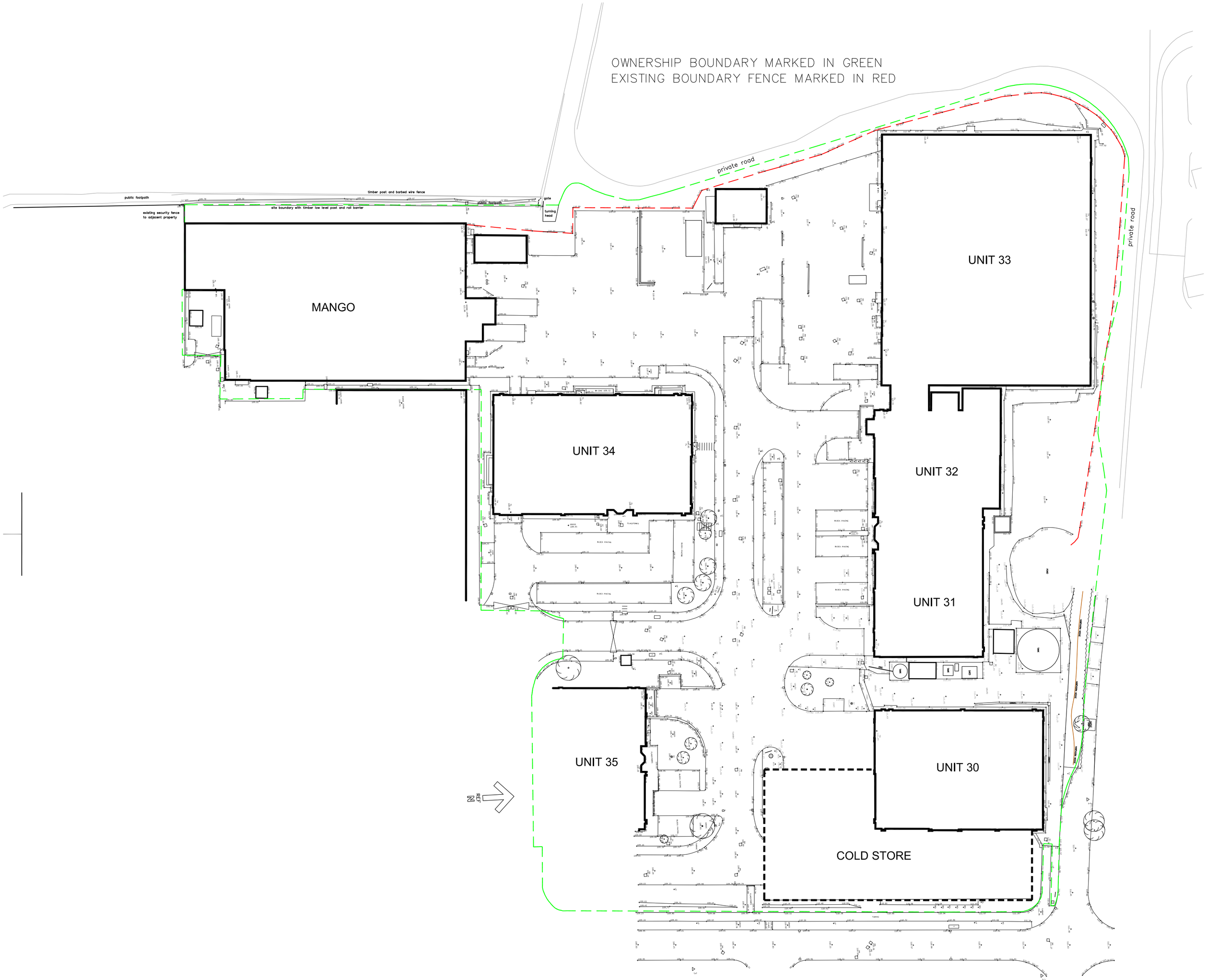
7. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Drawing No. 4110/03 Rev. A - Site Layout as Proposed, dated July 2016;
Drawing No. 4110/05 Rev. A -Construction Site Layout as Proposed, dated July 2016;
Drawing No. 4110/07 Rev. A - Site Elevations / Sections Sheet 1 of 2, dated July 2016;
Drawing No. 4110/08 Rev. B - Site Elevations / Sections Sheet 2 of 2, dated July 2016;
Drawing No. 4110/09 Rev. A - Elevations as Proposed, dated July 2016;
Drawing No. 4110/10 - Overall dimensions and levels and external works layout as proposed, dated July 2016; and
Drawing No. 4110/11 - Pump house and tank, dated July 2016.

Reason

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

OWNERSHIP BOUNDARY MARKED IN GREEN
EXISTING BOUNDARY FENCE MARKED IN RED



NOTES

A1

REV B
FURTHER DETAILS ADDED FOR BOUNDARIES AND FENCING AUG 16

REV A
SITE REALIGNED AND GENERAL UPDATE JULY 16

rev	date	by	description

contract

NEW BAKERY
GREAT BANK ROAD
WINGATES INDUTRIAL PARK
WESTHOUGHTON, BOLTON

client

STATESIDE FOODS

drwg no.	rev.	date
4110/02	B	APRIL 16

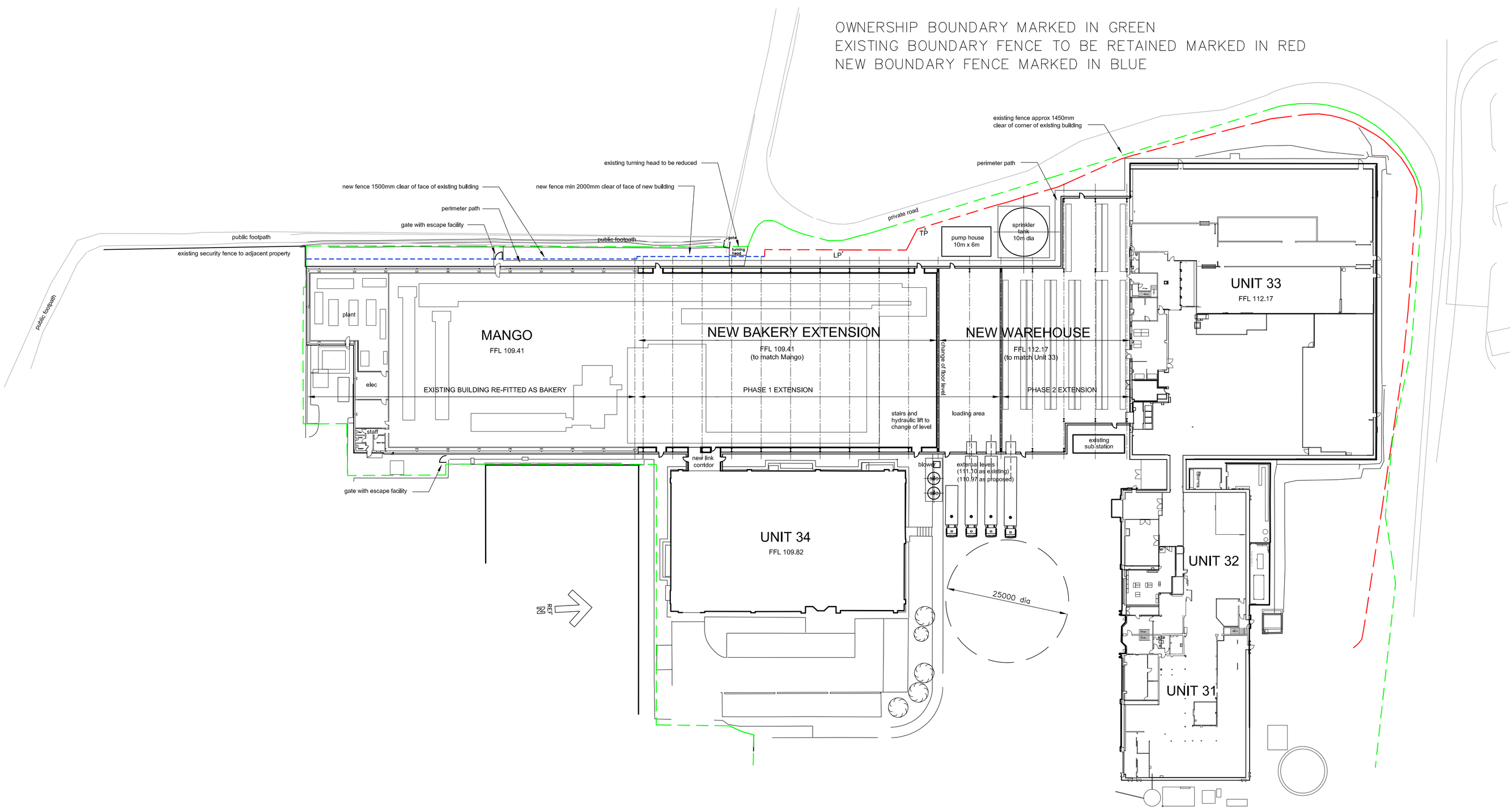
scales	drawn	checked
1/500@A1; 1/1000@A3	PM	

subject

OVERALL SITE LAYOUT
AS EXISTING

Warburton associates
Chartered Architects
The Old Police Station, 62 Chapel Street, MANCHESTER M3 7AA
Tel: 0161 833 9345 Fax: 0161 831 7584 mail@warburtonassociates.com

OWNERSHIP BOUNDARY MARKED IN GREEN
EXISTING BOUNDARY FENCE TO BE RETAINED MARKED IN RED
NEW BOUNDARY FENCE MARKED IN BLUE



NOTES

A1

REV A
FURTHER DETAILS ADDED FOR BOUNDARIES AND FENCING AUG 16

rev	date	by	description

contract

NEW BAKERY
GREAT BANK ROAD
WINGATES INDUTRIAL PARK
WESTHOUGHTON, BOLTON

client

STATESIDE FOODS

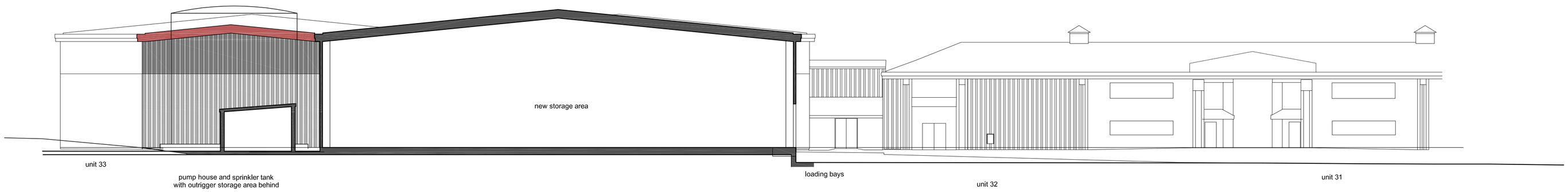
drwg no.	rev.	date
4110/03	A	JULY 16

scales	drawn	checked
1/500@A1; 1/1000@A3	PM	

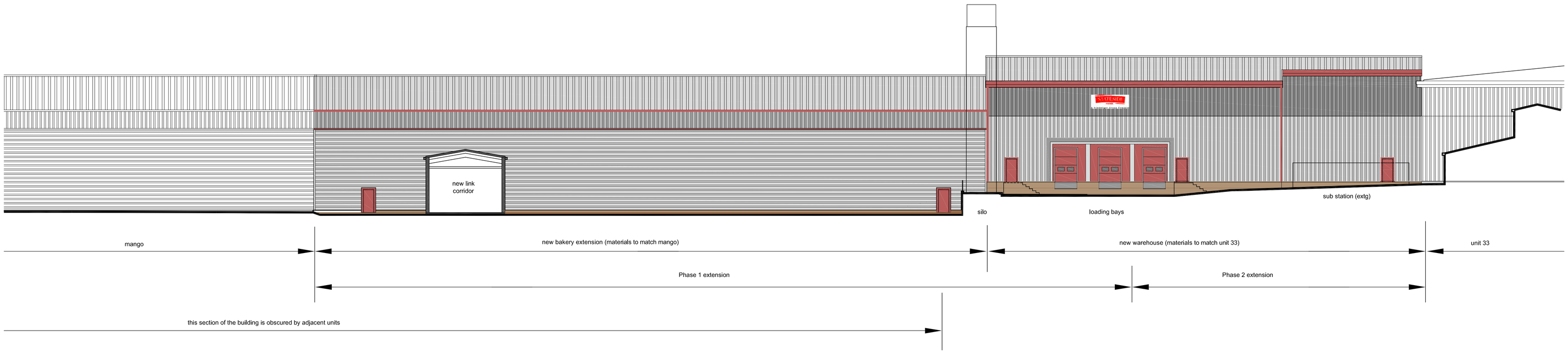
subject

OVERALL SITE LAYOUT
AS PROPOSED

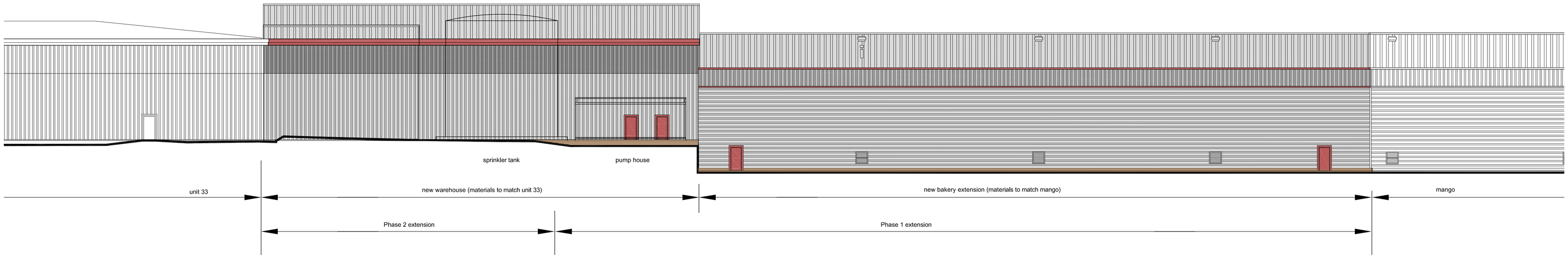
Warburton associates
Chartered Architects
The Old Police Station, 62 Chapel Street, MANCHESTER M3 7AA
Tel: 0161 833 9345 Fax: 0161 831 7584 mail@warburtonassociates.com



SECTION E-E: PHASE 1 LOADING / STORAGE AREA SECTION



SECTION A-A: SERVICE YARD SIDE ELEVATION AS PROPOSED



SECTION C-C: REAR BOUNDARY SIDE ELEVATION AS PROPOSED

NOTES

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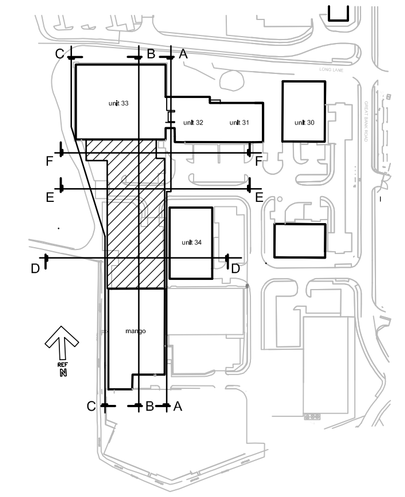

SITE PLAN NTS

EXTERNAL MATERIALS
Bakery Extension:
- light grey cladding to lower part of walls
- mid grey cladding to upper part of walls
- (to match style and colours of existing Mango building)
unit 33
unit 33
unit 33

Storage Warehouse:
- light grey cladding to lower part of walls
- dark grey cladding to upper part of walls
- (to match style and colours of existing Unit 33)

Gutters, fascias, cladding trims, doors etc to be red to match the other adjacent buildings

Goosewing Grey cladding to roofs

rev	date	by	description

contract

NEW BAKERY
GREAT BANK ROAD
WINGATES INDUTRIAL PARK
WESTHOUGHTON, BOLTON

client

STATESIDE FOODS

drwg no.	rev.	date
4110/09		JULY 16
scales	drawn	checked
1/200@A1	PM	

subject

ELEVATIONS AS PROPOSED

Warburton associates
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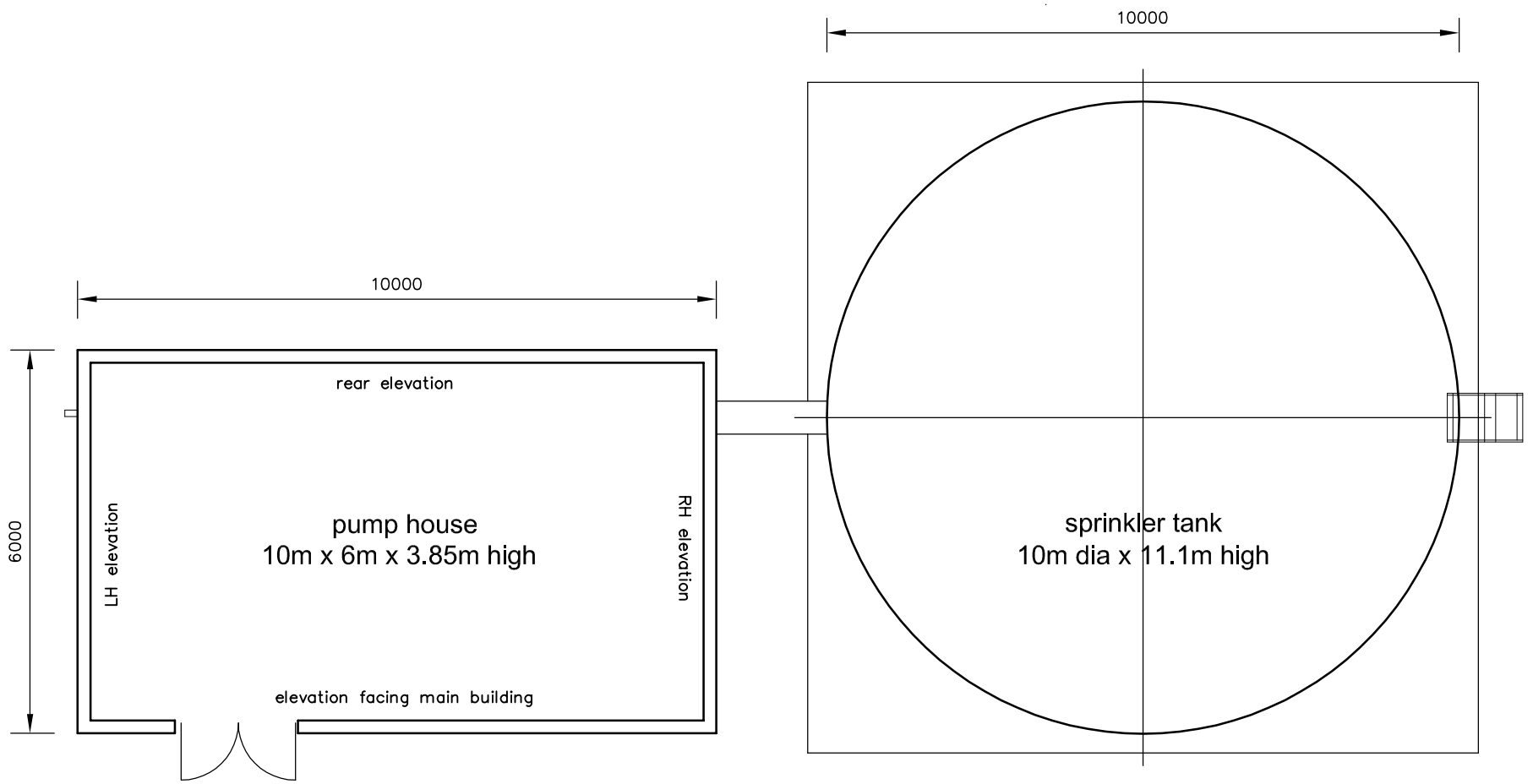
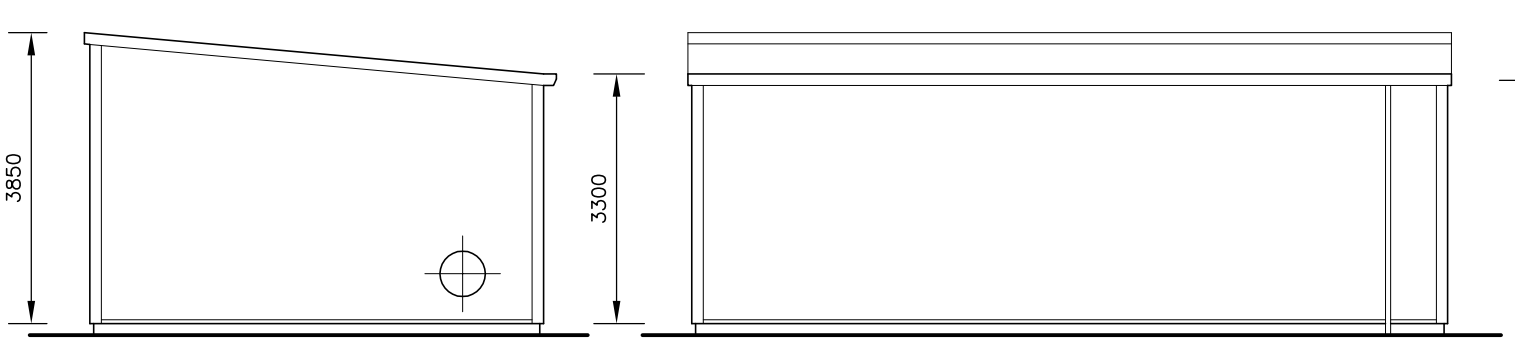
Tel: 0161 833 9345 Fax: 0161 831 7584 mail@warburtonassociates.com



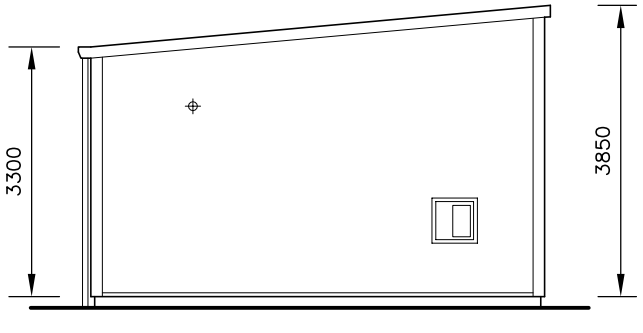
PUMP HOUSE PLAN

SPRINKLER TANK PLAN



RH END ELEVATION

REAR ELEVATION



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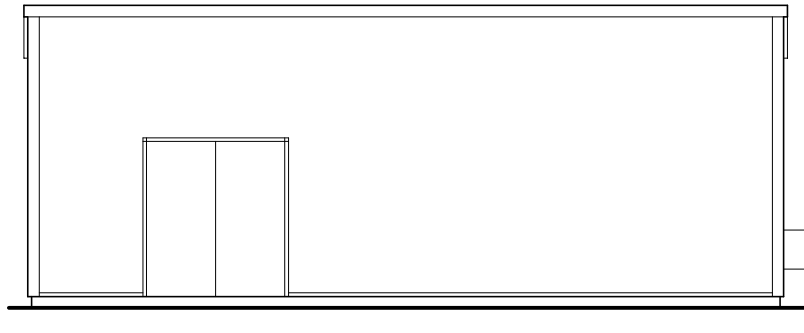
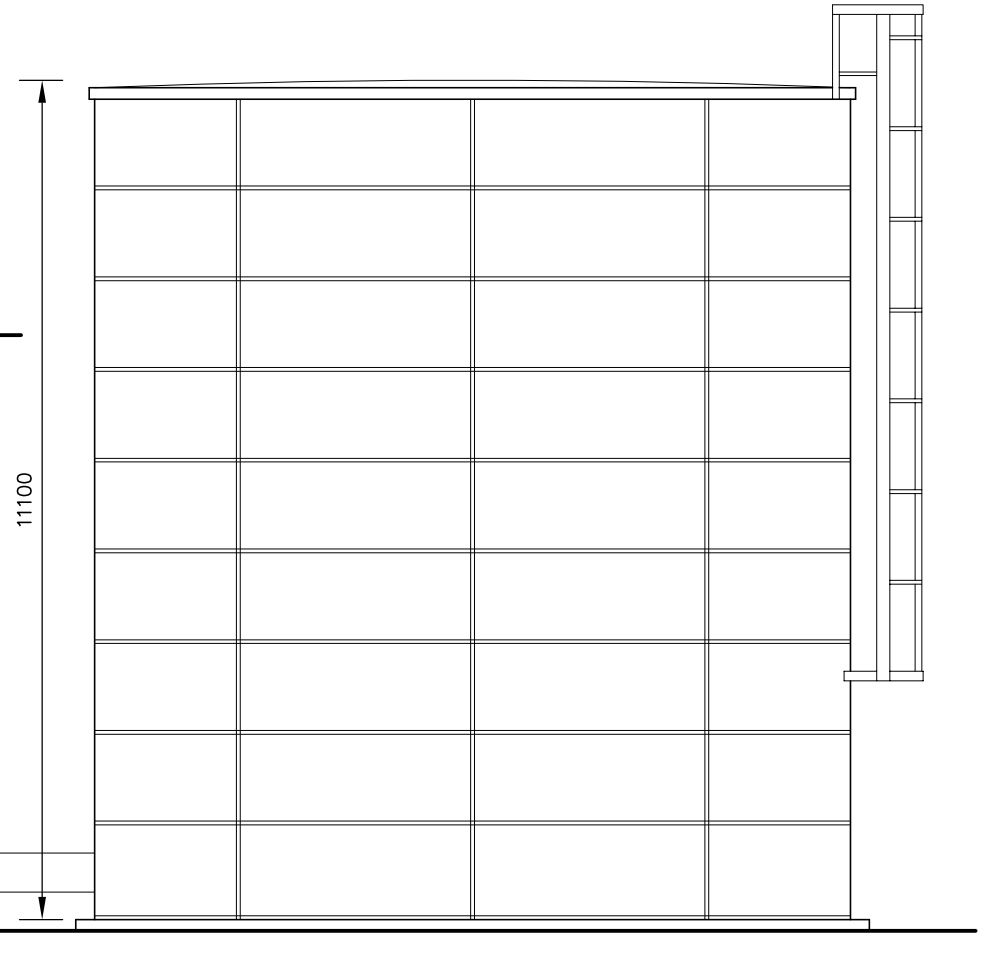


ELEVATION FACING THE NEW BAKERY



SPRINKLER TANK

NOTES

A3

EXTERNAL MATERIALS

Pump House:
Profiled steel cladding to match the adjacent new warehouse with contrasting colour edge trims and flashings etc to match the overall appearance

Sprinkler tank:
Galvanised steel

185

contract

NEW BAKERY
GREAT BANK ROAD
WINGATES INDUSTRIAL ESTATE
WESTHOUGHTON, BOLTON

client

STATESIDE FOODS

drwg no.

4110/11

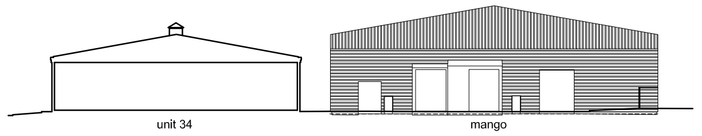
scales	date
1/100@A3	AUG 16

subject

SPRINKLER TANK AND
PUMP HOUSE

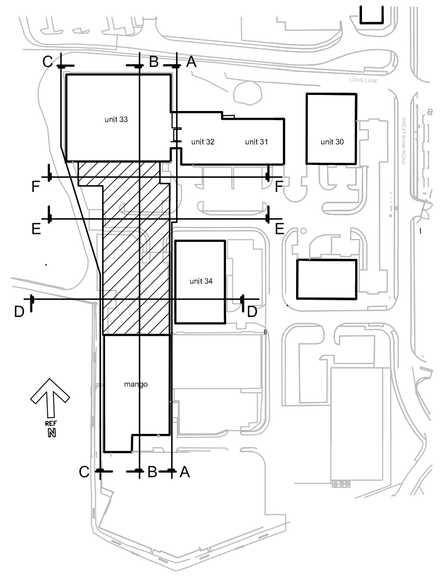
Warburton associates
Chartered Architects
The Old Police Station, 62 Chapel Street, MANCHESTER M3 7AA
Tel: 0161 833 9345 Fax: 0161 831 7584 mail@warburtonassociates.com

AS EXISTING

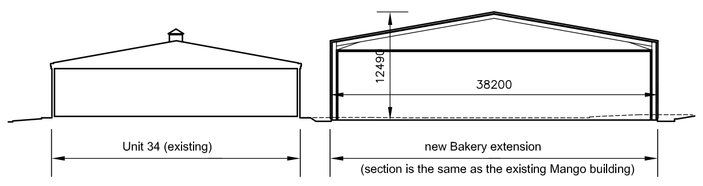


SECTION D-D: MANGO BUILDING END ELEVATION AS EXISTING

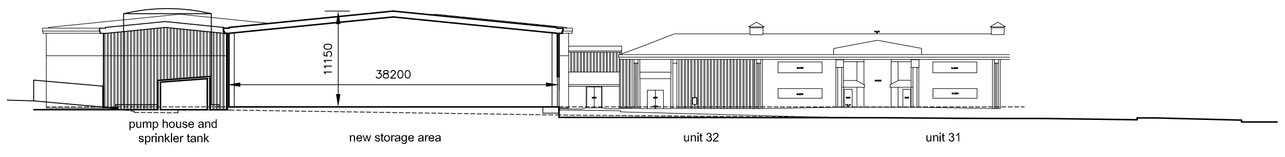
SECTION E-E: UNITS 31-33 FRONTAGE AS EXISTING
(SECTION F-F IS SIMILAR)



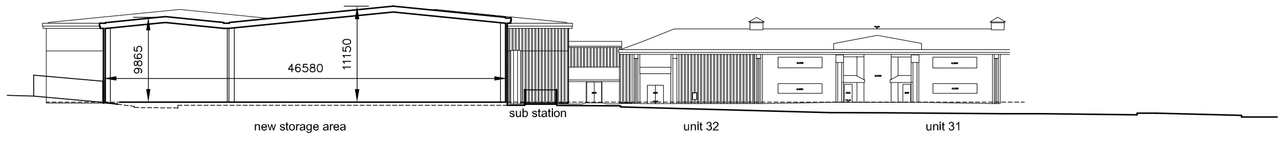
AS PROPOSED



SECTION D-D: NEW BAKERY CROSS SECTION AS PROPOSED



SECTION E-E: PHASE 1 LOADING / STORAGE AREA SECTION



SECTION F-F: PHASE 2 LOADING / STORAGE AREA SECTION

NOTES

A1

186

REV B
SECTIONS E-E AND F-F CORRECTED JULY 16

REV A
MINOR UPDATES JULY 16

rev	date	by	description

contract

NEW BAKERY
GREAT BANK ROAD
WINGATES INDUTRIAL PARK
WESTHOUGHTON, BOLTON

client

STATESIDE FOODS

drwg no.	rev.	date
4110/08	B	JULY 16

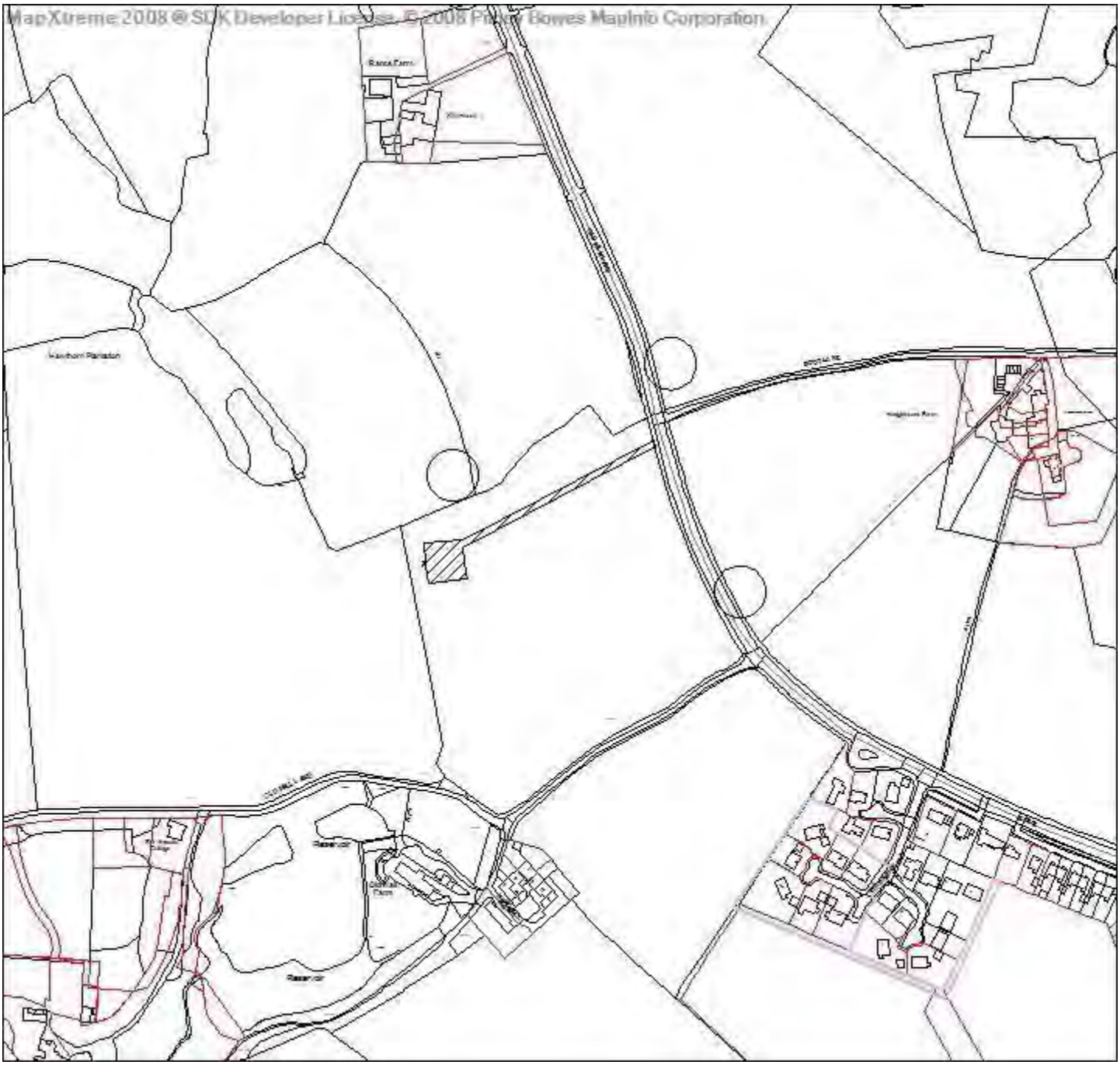
scales	drawn	checked
1/500@A1; 1/1000@A3	PM	

subject

SITE ELEVATIONS / SECTIONS
SHEET 2 OF 2

Warburton associates
Chartered Architects
The Old Police Station, 62 Chapel Street, MANCHESTER M3 7AA
Tel: 0161 833 9345 Fax: 0161 831 7584 mail@warburtonassociates.com

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: 22/09/2016

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 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.

The applicant has confirmed that they are not proposing to amend the scale or design of the proposed building and their justification for this will be reported directly at the meeting.

It is currently proposed that sample materials will be shown at the Committee meeting, as will a computer generated image (CGI) of the proposed building within its setting.

The applicant has requested that the drainage concerns be addressed by a suitably worded condition, rather than them having to undertake further surveys at this stage (which may be an unnecessary cost, as the case officer is recommending refusal).

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 meters 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 side 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 houses 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 enclose, 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:- Eight 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.

Eleven 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;

* 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

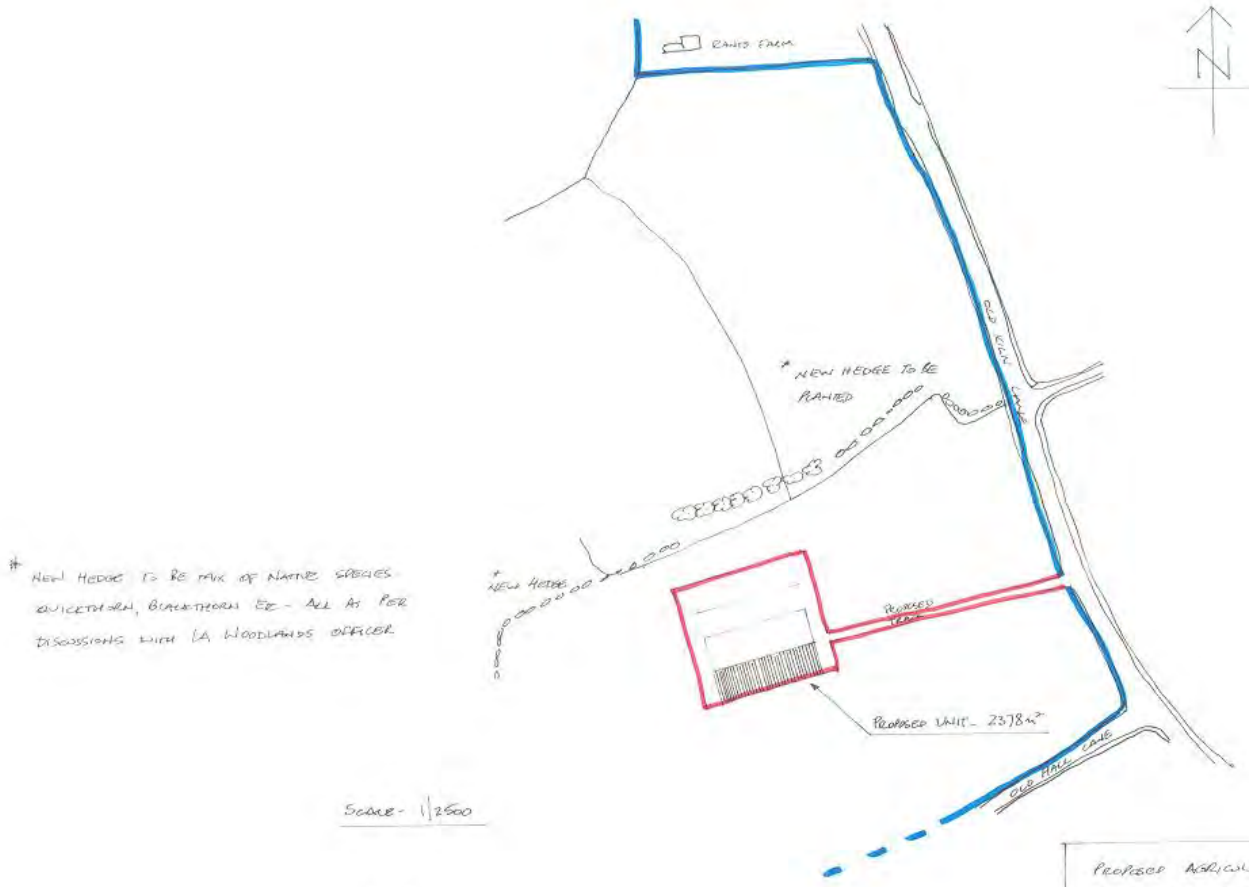
Recommended Conditions and/or Reasons

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.

3. Insufficient information has been provided by the applicant with regard to the proposed noise, activity and lighting that will be generated by the proposal to enable the proposal to be properly

judged against Policy CG4 of Bolton's Core Strategy.



* NEW HEDGE IS TO BE MIX OF NATIVE SPECIES QUICKTHORN, BLACKTHORN ETC - ALL AS PER DISCUSSIONS WITH LA WOODLANDS OFFICER

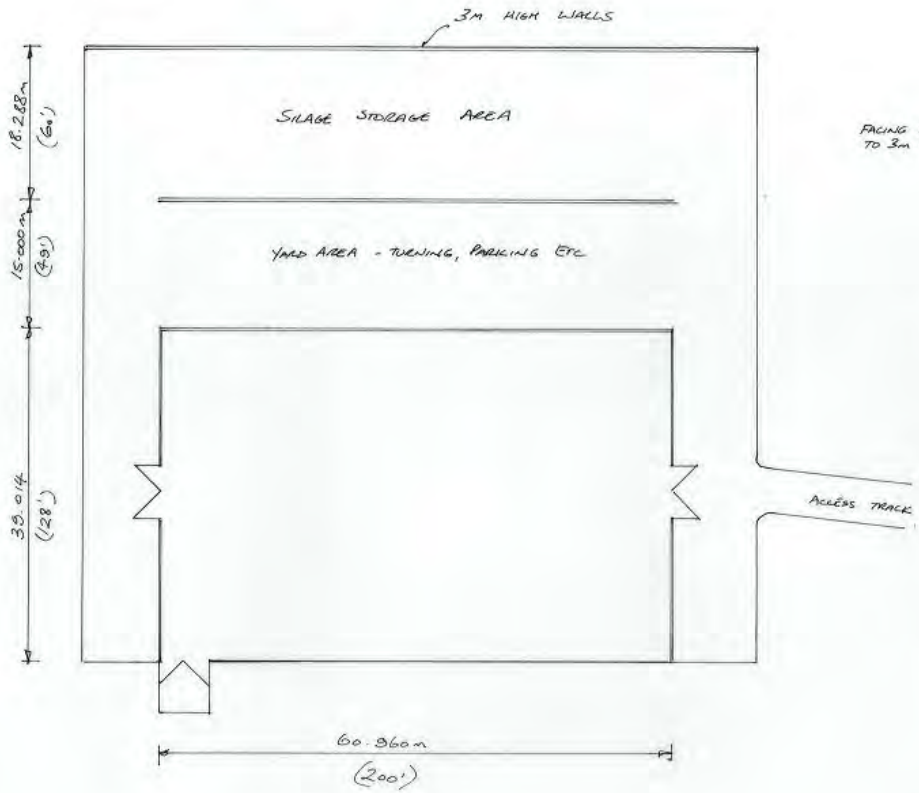
SCALE - 1/2500

SITE PLAN

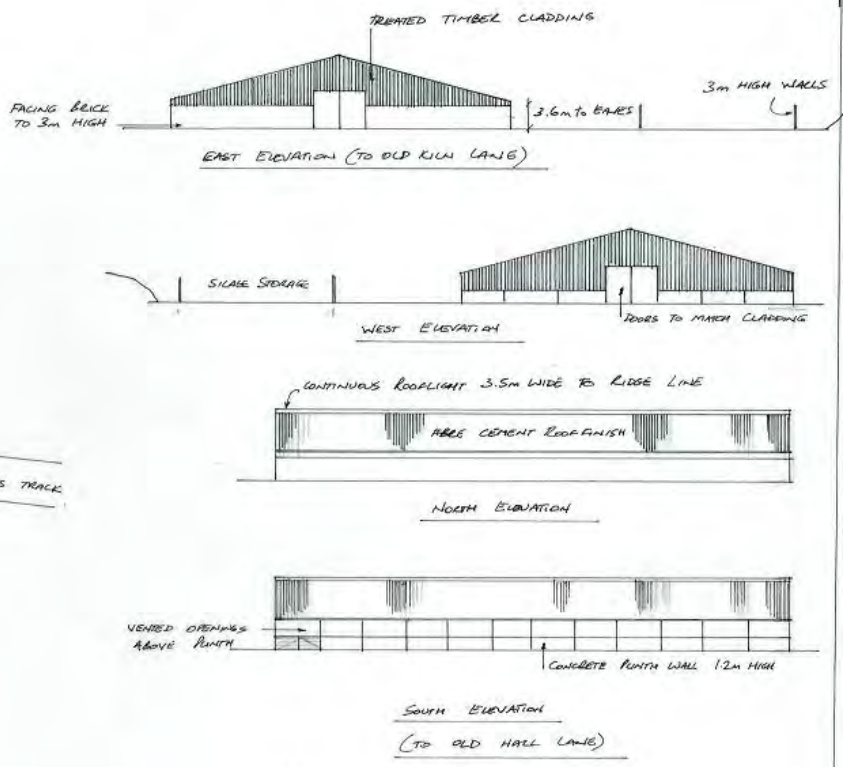
PROPOSED AGRICULTURAL BUILDING FOR DAIRY UNIT, OLD KILN LANE, BOLTON

FOR - MR A. GRIMSHAW

Scale - as shown	Drawn - June 2016	Drg no 3 of 3



NOTE: INTERNAL LAYOUT TO BE DETERMINED

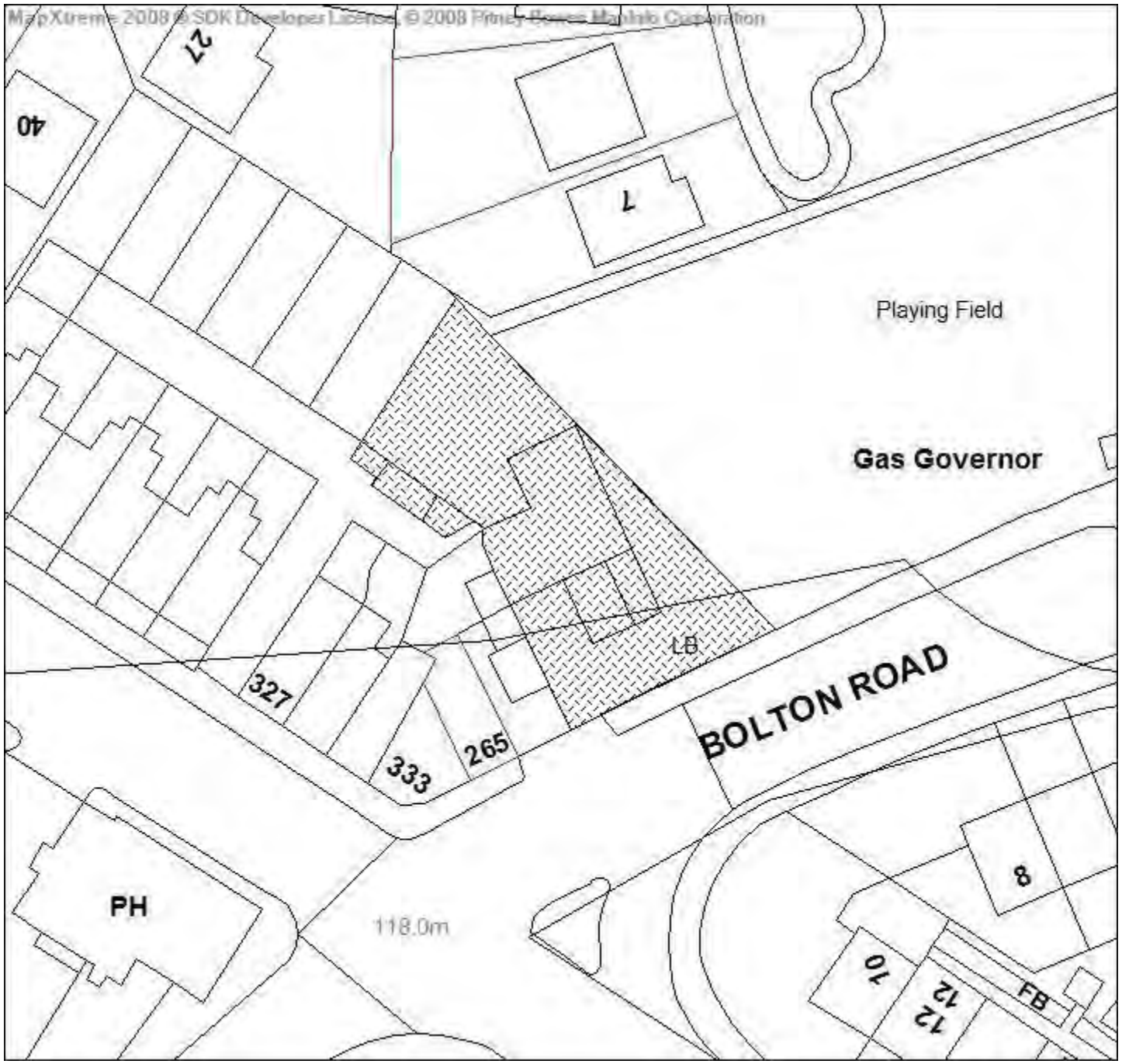


PLAN & ELEVATIONS – 1/500

PROPOSED AGRICULTURAL BUILDING FOR DAIRY UNIT, OLD KILN LANE, BOLTON
for - MR. A. GRIMSHAW

Scale as shown	Drawn - June 2016	Dwg No. 1 of 3

Application number 97090/16



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: 22/09/2016

Application Reference: 97090/16

Type of Application: **Full Planning Application**
Registration Date: **26/07/2016**
Decision Due By: **19/09/2016**
Responsible Officer: **Jeanette Isherwood**

Location: **ADJACENT 265 BOLTON ROAD, WESTHOUGHTON, BOLTON, BL5 3EF**

Proposal: DEMOLITION AND REPLACEMENT OF WORKSHOP AND OFFICE.

Ward: **Westhoughton North**

Applicant: UK Robotics Limited
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the demolition of the existing timber workshop and the construction of a replacement single storey, timber clad workshop. The new building will sit on the existing footprint at a height of approximately 3.75 metres which is relative to the existing structure. The use will remain as a small workshop and office.

The surrounding land will be cleaned and landscaped to produce a pleasant green area around the new building

The access from Bolton Road will be widened slightly by removing the red brick wall to the front whilst the remaining stone wall will be repaired. The widened access will allow cars to enter and leave the site in forward gear.

New timber fencing will be provided to the north and west boundaries and the levels across the site will remain unchanged.

Site Characteristics

The site is currently the White Horse Sawmills sited on Bolton Road, Westhoughton. The existing building is of timber frame construction with timber cladding but is no longer fit for purpose and in a state of disrepair in some locations. The adjacent property at 265 is an Hair Salon which abuts 333 Manchester Road. 333 is a triangular shaped commercial property sited on a corner at the junction of Bolton Rd and Manchester Road. Three further residential properties back on to the site, these being 327 - 331 Manchester Road

The main access to the building is taken from Bolton Road. However there is separate access to the rear of the building via an unadopted highway situated between 327 and 329 Manchester Road.

Policy
National Planning Policy Framework 2012

Bolton's Core Strategy: CG1 Cleaner and Greener, CG2 Sustainable design and construction, CG3 The Built Environment, CG4 Compatible Uses, P1 Employment, P5 Accessibility, S1 Safe and OA3 Westhoughton.

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 surrounding area;
* impact on highway safety;
* impact on residential amenity;
* impact on trees
* other matters

Impact on the Character and Appearance of the Surrounding Area
The NPPF in paragraph 56 states "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 CG3.4 states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings. Policy OA3 relates specifically to developments in Westhoughton and states that the Council will conserve and enhance the character of the existing physical environment.

The proposal is sited near the junction of Bolton Road and Manchester Road Westhoughton. The immediate vicinity is characterised by a mixture of residential houses of varying styles and some commercial outlets. Immediately adjacent to the site is a Hair Salon. The building has also been previously used for commercial purposes.

The proposed building has been designed to mirror the size and siting of the original building whilst enhancing its overall appearance. At present the remaining area of the plot is overgrown giving the site a derelict appearance. The plans propose landscaping and paving which will give the site a more modern, clean cut feel.

Presently the site has a generally untidy appearance and the replacement of the existing building with a modern structure is thought to have a positive impact on the visual appearance of the street scene.

On balance, taking into account the individuality in design of properties along Church Street and the existing appearance of the building, the proposal is not thought to have a detrimental impact on the character and appearance of the area, complying with Core Strategy Policies CG3 and OA3 and SPD General Design Principles.

Impact on Highway Safety

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account accessibility, parking in accordance with the parking standards set out in Appendix 3. Policy S1.2 states that the Council will promote road safety in the design of new development.

The proposal details the widening of the existing access to the front of the building to allow vehicles to enter and leave the site in forward gear with the existing entrance to remain to the front. A 'bike' parking area is also indicated to the rear.

Objections have been raised by surrounding neighbours with regards to the small unadopted road to the rear, accessed via Manchester Road. The concerns being:-

- Excessive traffic using this small access
- Weight of delivery wagons
- Size of delivery wagons
- Positioning of a roller shutter door to the rear implies that the rear will become a full loading bay
- Lack of a turning area to the rear.

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

According to the submitted information the proposal is for the like for like replacement of an existing office/workshop at that location. Apparently there should be no nett increase in the level of servicing/on-road parking associated with the new build. The applicant is proposing an element of off-road parking for the new premises with provision to enter/leave in forward gear. There is no indication on the plan that the rear area is to be used for loading/un-loading. Access to the building from this location must be limited to bike parking as indicated and deliveries/servicing should be taken from Bolton Road. Acting on the above observations and the fact that the building will cater for an existing low-key operation Highways Officers cannot reasonably object to the proposal.

The applicant has been approached and confirms that the rear area will not be used as a loading bay and will only be used in the initial construction/clearance of the site. A condition will be added to the approval to ensure deliveries and any servicing will be accessed through the main entrance from Bolton Road.

The proposal is therefore considered to be acceptable subject to conditions.

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.

The site is directly overlooked by the rears of the properties at 327-331 Manchester Road. However, there will be no change to the use of the site than at present. The dimensions of the building reflect the existing building and therefore the additional impact on residential amenity is considered to be minimal.

The proposal is considered to comply with Core Strategy CG4.

Impact on Trees
Policy CG1.2 safeguards and enhances biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats.

There are a number of trees adjacent to the site.

The Council's T&WO was consulted and commented as follows:

There is one Lime tree on the south eastern corner of the plot that the proposed development slightly infringes into the root protection zone. It should be noted that there are no plans showing where the services are to run and no foundation details as to what impact that this may have on the root protection zone of the tree. Should the application be approved then there will be a requirement for a method statement detailing how the services are to be put in place within the root protection zone of the tree is this is the case. Protective fencing (as detailed in BS5837 2012: Trees in Relation to Design Demolition and Construction) will be required on the periphery of the root protection zones (RPZs) of the Lime tree and also the Lime tree off-site in the Council owned playing field during development.

Any proposed groundworks within the root protection zone of both trees will also require a hand dig method statement to ensure the root systems of the trees remain undamaged. Retention of the hedge to the rear of the site should also be considered.

Suitable to conditions the proposal is considered to comply with Core Strategy policy CG1

Other Matters
The Coal Authority have requested a full coal mining risk assessment from the applicant as the development lies within a high risk coal area. The applicant has submitted the assessment to the Coal Authority and their comments will be noted within the 'Supplementary Information' document at the meeting.

Financial benefits of the proposal
No financial benefits have been identified by the applicant.

Conclusion
The proposal is considered to be an acceptable replacement to the area in terms of its design and siting, and will visually enhance an otherwise untidy site.

The proposal is considered to comply with national and local policies and therefore Members are requested to approve the proposal subject to conditions.

Representation and Consultation Annex

Representations

Letters:- Two letters of objection, details outlined within the main body of this report.

Westhoughton Town Council:- No objections

Consultations

Advice was sought from the following consultees: Drainage, Trees, Highways, Coal Authority, Environmental Health, Design by Security

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 (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 at the front of the premise comprising of an extension to 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 S1.2 and P5 of Bolton's Core Strategy.

4. 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.

5. 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:

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.

6. Prior to the development hereby approved/permitted being first occupied or brought into use a scheme shall be submitted to and approved in writing by the Local Planning Authority for the turning of vehicles within the curtilage of the site to enable vehicles to enter and leave the site in forward gear. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter and not to be used for any purpose expect the turning of vehicles.

Reason

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

7. 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.

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

Proposed elevations - scanned to system 26th July 2016
Proposed site plan - scanned to system 26th July 2016
Proposed roof plan - scanned to system 26th July 2016

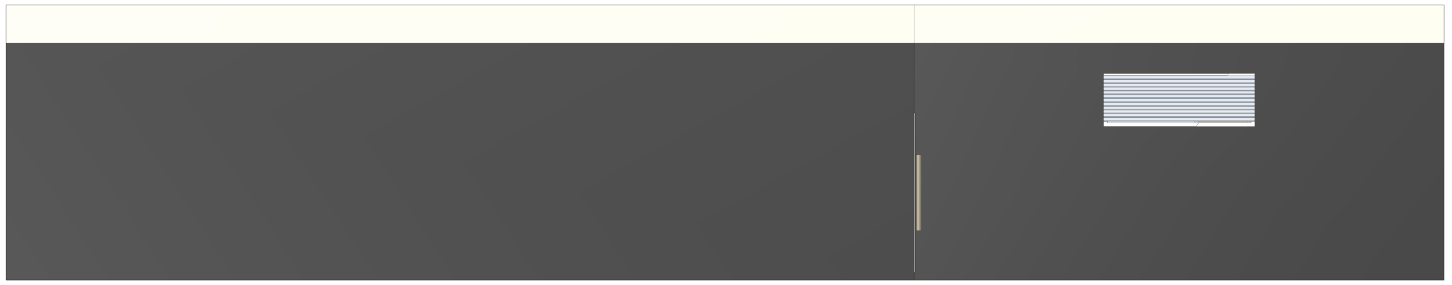
Reason

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

9. Vehicular access to the rear of the development hereby permitted/approved from Manchester Road must be limited to bike parking only, as indicated on the approved plans, and deliveries/servicing must only be taken from Bolton Road.

Reason

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



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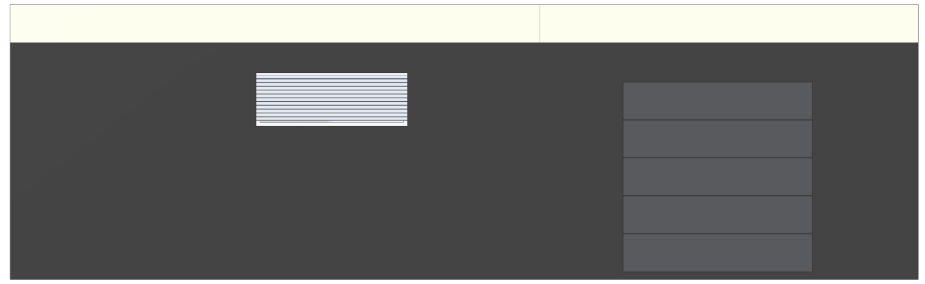

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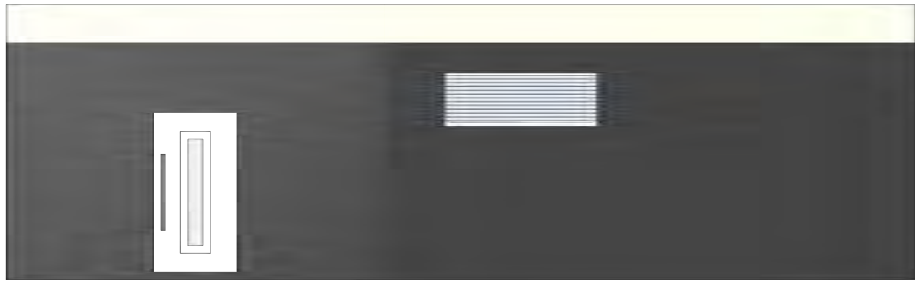

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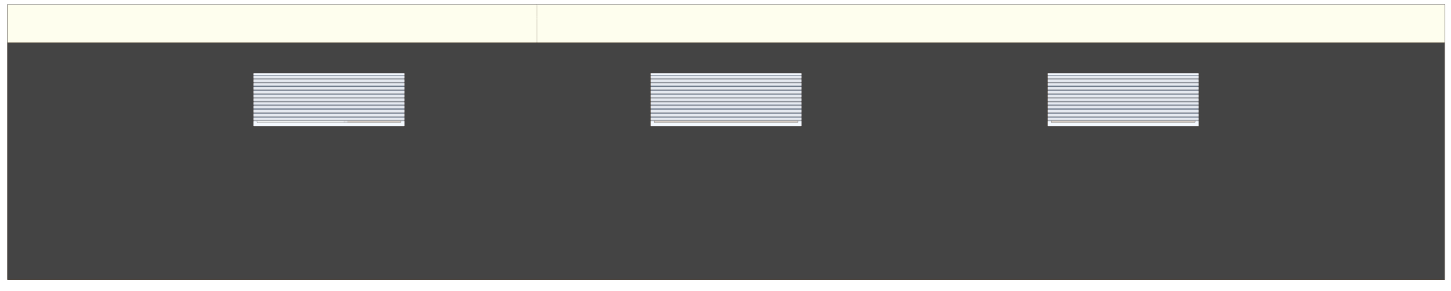

EAST

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uk robotics

Title

PROPOSED ELEVATIONS

Drg No. Rev

209

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uk robotics

Title

PROPOSED SITE PLAN

Drg No. Rev

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Application number 97106/16

Development & Regeneration Dept
Development Management Section

Town Hall, Bolton, Lancashire, BL1 1RU
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Date of Meeting: 22/09/2016

Application Reference: 97106/16

Type of Application: Outline Planning Permission
Registration Date: 29/07/2016
Decision Due By: 22/09/2016
Responsible Officer: Paul Bridge

Location: **LAND ADJACENT 120 WILLOWS LANE, BOLTON, BL3 4AB**

Proposal: OUTLINE APPLICATION FOR THE ERECTION OF TWO SINGLE STOREY DWELLINGS (ALL MATTERS RESERVED).

Ward: **Rumworth**

Applicant: Bolton Council
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

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

Site Characteristics

The application site is rectangular in shape and is approximately 0.05ha in size. The site is located with a predominantly urban area and comprises a vacant piece of grassed land. To the rear of the site is Back Anglia Grove, whilst to west is an access road. Adjoining the site to the east is 120 Willows Lane.

Policy

National Planning Policy Framework (NPPF)

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

SPD Accessibility, Transport and Road Safety.

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission. Similarly, proposals which accord

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

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

The main impacts of the proposal are:-
* principle of residential development
* impact on the character and appearance of the area
* impact on residential amenity
* impact on land contamination
* impact on highway safety
* impact on flood risk/drainage

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

The proposed dwelling will be located on a rectangular shaped piece of greenfield land which is vacant and may be considered to have a negative effect on the amenity of the immediate area.

Taking these factors into account and giving due weight to the fact that should the siting, scale, layout, landscaping and design of the proposed dwelling be appropriate within the surrounding residential context, the proposal is considered to constitute a sustainable form of development in a sustainable location for the purposes of the NPPF and therefore the principle of the proposed development is considered to be acceptable.

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

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

The proposed development would comprise of a pair of semi detached single storey dwellings, no detail other that an indicative siting has been submitted. The area immediately surrounding the site consists of terraced residential dwellings which are similar in terms of size, scale and design. The dwellings immediately adjacent to the site consist of a row of terraced dwellings.

Whilst no elevational details have been provided it is considered that subject to a sensitively design dwelling, in terms of size, type, tenure and affordability within the surrounding area the proposal will be deemed to accord with the policies set out in the Housing Planning Guidance.

Having regard to the above, and subject to an acceptable final design, the proposal is considered to accord with the guidance set out in the National Planning Policy Framework.

Impact on Residential Amenity

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

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

Impact on Land Contamination

A Desktop and Walkover Contamination Study has been submitted in respect of the land contamination. At the time of writing the report, no response has been received from the Council's Pollution Control Officers. Considering the sensitive end use, the Local Planning Authority has attached a condition requiring further appropriate site investigations to be undertaken prior to the commencement of the development. It is considered therefore that subject to conditions the land would be suitable for the proposed use in accordance with policy CG4.3.

Impact on Highway Safety

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

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

The proposed site plan indicates car parking provision for approximately two vehicles per dwelling . It is considered that given the quantum of development on the site, adequate off street parking could be provided for the plots within the curtilage of the proposal. It is not considered that inadequate parking provision would justify a reason for refusal in this case.

The Council's Highway Engineers have been consulted and have no objection to the proposal, subject to the preferred vehicular access being from Back Anglia Grove and the width being increased to 6.5m. In addition the National Planning Policy Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The proposed development could provide sufficient on-site parking and it is not considered that the addition of two further dwellings would generate significant additional traffic movements. As a result, it is considered that the proposed development would not have an unacceptable impact on highway safety in accordance with policy P5 of the Core Strategy.

Impact on Flood Risk/Drainage

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

have advised that in accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:
1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

It is considered, therefore that in this instance and subject to an appropriate drainage condition, the proposed development is acceptable in terms of flood risk and drainage.

Local finance considerations

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

* Additional Council Tax for two new dwellings (officer's comment: this is not a material consideration);
* New Homes Bonus (officer's comment: this is not a material consideration);
* Employment for construction workers.

Conclusion

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

Representation and Consultation Annex

Representations

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

* I do not want a residential dwelling to the rear of my property
* Lack of space for parking/highway safety
* Loss of privacy
* The area is utilised as a play area by children. *Response – The site is not a formal play/public area nor is the site allocated as a recreational site within the Councils Allocations Plan. The application will therefore be determined on its own planning merits.*

One letter commenting on the proposal has also been received.

* They would have no problems with single storey dwellings, however, if two storeys are proposed then they would invade their privacy. *Response – This outline application is for two single storey dwellings.*

Consultations

Advice was sought from the following:- Highways Engineers and Design for Security.

Planning History

None relevant.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. Application for the approval of 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

   i) The expiration of five years from the date of this permission, or
   ii) The expiration of two years from the final approval of the Reserved Matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

   Reason

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason

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

3. 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.

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

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

Reason

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

Application number 97251/16

Development & Regeneration Dept
Development Management Section

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

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Date of Meeting: 22/09/2016

Application Reference: 97251/16

Type of Application: **Full Planning Application**
Registration Date: **17/08/2016**
Decision Due By: **11/10/2016**
Responsible Officer: **Kara Hamer**

Location: **213 NEW STREET, BLACKROD, BOLTON, BL6 5AT**

Proposal: PROPOSED NEW SHOP FRONT AND REAR DORMER

Ward: **Horwich and Blackrod**

Applicant: **Mrs Varsani**
Agent : **RA Design & Project Management**

Officers Report

Recommendation: **Approve subject to conditions**

Proposal

Permission is sought for the erection of a rear dormer extension and a new shop front.

This application is a resubmission of application ref. 96324/16 which was refused in May 2016 (under delegated powers) on the grounds of siting, size, mass and materials of a proposed first floor conservatory and the detrimental impact this would have on the two neighbouring residential terraced properties and the character and appearance of the area. The previously proposed first floor conservatory has now been removed from the latest plans.

Permission was also refused in August 2016 (application ref. 96818/16 and under delegated powers) for a resubmission of 96314/16 due to a lack of information. The agent has now submitted a satisfactory level of information.

The Applicant submits that an application has been made to the Post Office Service in relation to becoming a partner. If the application is successful then "the business would become a pivotal part of the community and the expansion of the retail floor space would be invaluable and would keep services in a central location within the village".

The Applicant submits that the revised proposal would enable the ground floor sales space to increase thus improving the viability of the shop business. The residential accommodation will be reconfigured enabling the relocation of the ground floor kitchen and living space to the first floor while the lost bedroom will be relocated to the second floor.

Proposed opening hours have been submitted as 06:00 - 20:00 Monday to Sunday.

Site Characteristics

The application site is "Blackrod News & Booze", a mid terraced property in a residential row. The

shop is located at ground floor, with residential above and at the rear of the shop.

The application site is located on the northern side of New Street, the main thoroughfare through Blackrod.

Properties on the row are pavement terraces with yards at the rear. External elevations are render. Access to the rear is provided by an unmade narrow access to the east 'Metcalf's Yard'.

Residents park on the deep pavement at the front of the terraced row.

At the rear of the application site is 'Metcalf's Yard' comprising a small development of new build residential properties. To the front of the application site are residential terraced properties.

There is one marked out on-street parking space associated with the plot, sited at the front of the property.

The property has been extended at the rear (67391/04) with a single storey flat roof extension which occupies most of the former private amenity space.

There are several single storey extensions of varying design and external materials to the rear of properties in the row.

Policy

National Planning Policy Framework (NPPF)

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

SPD General Design Principles
SPD House Extensions

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 surrounding area
* impact on residential amenity

Impact on the Character and Appearance of the Building 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 OA1 states that the Council will 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 proposed new shop front would have a centrally sited entrance door with large windows set either side.

The proposed flat roof rear dormer extension would have two windows and a volume of 22.6 cubic metres (the maximum volume for a terraced property, using permitted development rights (not requiring planning permission) is 40 cubic metres). The dormer would be sited beneath the ridge, 20cm away from the original eaves, would extend almost full width of the roof plane and would be clad in slate effect to face and cheeks. Two roof lights would be inserted into the front facing roof plane.

One small window would be removed at ground floor level at the rear and one window would be reduced in size.

The proposed materials for doors and fenestration is UPVC to match the existing.

It is considered that the proposal complies with policy CG3 and OA1 of the Core Strategy and would not harm the character and appearance of the adjoining terraced row.

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 proposal provides no storage space for the business at ground floor level. The existing single storey flat roof extension occupies most of the former private amenity space leaving limited space for the storage of business and domestic waste. The Applicant submits that they have entered into a contractual agreement with 'Bookers' for the removal of waste.

It has previously been established that the rear dormer element, shop front and alterations to window openings comply with planning policy, and it is not considered (by reason of their design, size and siting) that they would unduly harm the amenity of neighbouring residents.

The proposed opening hours have been submitted as 06:00 - 20:00 Monday to Sunday, which are considered acceptable in this predominantly residential location with residential properties either side.

There is one marked out on-street parking space associated with the plot, sited at the front of the property. Given the nature of the local small shop, sited within a residential area, it is not anticipated that local residents would need to visit by car (the premises are within a highly sustainable location, within the community it serves).

It is considered, subject to a condition restricting opening hours, that the proposal will not have a detrimental impact upon neighbouring dwellings and is therefore compliant with policy CG4 of the Core Strategy.

Local finance considerations

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

Social

- The shop is a long established, traditional shop in Blackrod serving the surrounding local community, in the tradition of the local 'corner-shop'. Most of the customers are within walking distance and many are elderly, who often benefit from easily accessible, local businesses rather than longer journeys that can only be made by road to for example, Horwich, Middlebrook or the Precinct at the A6 junction.
- Local shops have struggled to remain sustainable in competition to larger supermarkets and out of town shopping and the investment of the applicant is an attempt to remain viable after year on year downturn in turnover since the recession. The development will therefore support a local business and strengthen the local economy of the village.

Officer comment - not considered to be material planning consideration.

Commercial

- The property sits on the main thoroughfare through Blackrod and will benefit from an improved front appearance, better shopper flow (by means of a central walkway within the shop rather than the current cluttered and restricted layout), new shelving and fit out and general refurbishment and redecoration.
- Local residents are aware that the applicant has also applied for the Blackrod Post Office license, and this is ongoing. However, at their interview, the Post Office was positive about the current planning application and was asked to be kept appraised of progress. The addition of a local post office will be a further benefit to the business and a further positive contribution to the local economy.

Officer comment - not considered to be material planning consideration.

Financial

- The development will support the businesses aims to remain competitive and viable in a difficult economic time. As well as the wider commercial benefits mentioned above, it will continue to provide a livelihood for the applicant and safeguard the employment of part time staff. The applicant will fund the improvements themselves, which supports the strategic national policy aim to encourage private finance at a time when public funding is limited, which, whilst helping the business, has a reciprocal and positive effect on the wider economy.
- A successful, viable business will also continue to support other businesses in the chain, from suppliers to agents, some of whom (such as fresh dairy and bread products) are local to the Bolton area. Naturally, this safeguards jobs and supports the creation of employment in the local economy.

Officer comment - considered to be material planning consideration.

Conclusion

For the reasons discussed above it is considered that the proposal complies with aforementioned national and local planning policies. Members are recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- 2 letters have been received from nearby residents objecting to the proposal on the grounds of;

- Current noise/disturbance - the shop is situated in a residential area with terraced houses at both sides and adjacent to the property, the shop was previously a paper shop opening until 18:00 pm and is now an off-licence with extended opening hours (officer comment: the extended opening hours were approved by Licensing and not subject to Planning. These extended hours are now existing and permitted);
- If the shop is successful in their bid to procure the business of the post office (which is closing down) then the residents will be left coping with additional external pressures; increase in footfall, noise disturbance and parking issues, due to the over-development of the premises;
- The off-licence premises does not have a back yard due to the ground floor rear extension and only a small space remains to store bins and waste. The current waste storage space is not adequate for a household/off-licence and not for a business that is looking to expand;
- The off-licence has one allocated parking space situated alongside the shop (as opposed to the two other local off-licences in the vicinity who are serviced by car parks). The shop is positioned mid terraced residential row and residents park in front of their homes. As such, it is sometimes difficult to park/or exit due to customers and extending the shop will acerbate the parking issue and create more disturbance for the residents;
- Size and design of the dormer will make the property appear like a three storey building with a flat roof; overly dominant within the roofscope;
- Competitors along the same road (Blackrod News and Booze, John's Off Licence) remain viable with smaller floor space and similar layout but this business is claiming that it is not viable;
- This application is an attempt to increase the saleability of the premises as the business is currently in the market;
- 'Bookers' are a recycling facility - they do not collect waste from such premises;
- The proposal provides no business storage space at ground floor level.

Blackrod Town Council:- objected to the proposal at their 5th September meeting on the grounds of the proposal not being in keeping with the surrounding properties, a lack of privacy for neighbouring properties, and a lack of parking at the front of the premises. They also believe that the plans are not accurate.

Consultations

Advice was sought from the following consultees: None.

Planning History

67391/04 - Erection of single storey extension at rear to form living area - approved May 2004

96324/16 - Change of use of part ground floor to retail (Class A1) together with new shopfront and erection of first floor extension and dormer at rear - refused May 2016, due to the proposed first floor extension.

96818/16 - Alterations to form new shop front together with dormer extension at rear - refused August 2016, due to lack of information.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

   Reason

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

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

   06:00 - 20:00 Monday to Sunday.

   Reason

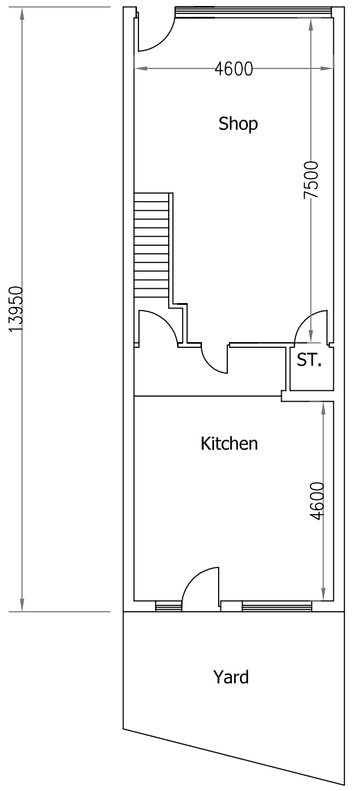
   To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

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

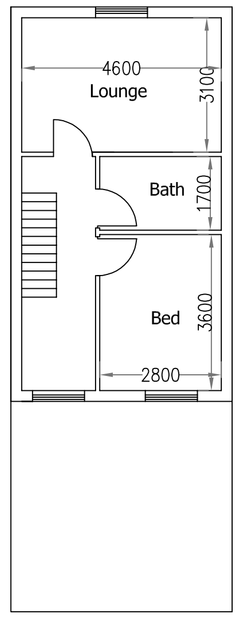
   Proposed Plans, Drwg. No RAD/1392/16/1RevA, March 2016 (scanned to file 17/08/16)

   Reason

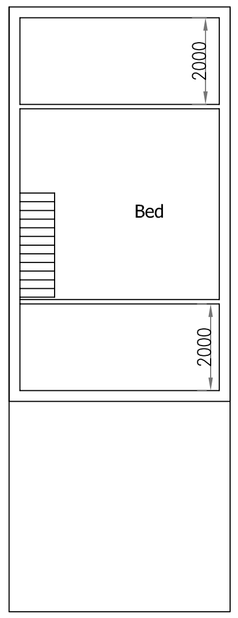
   For the avoidance of doubt and in the interests of proper planning.



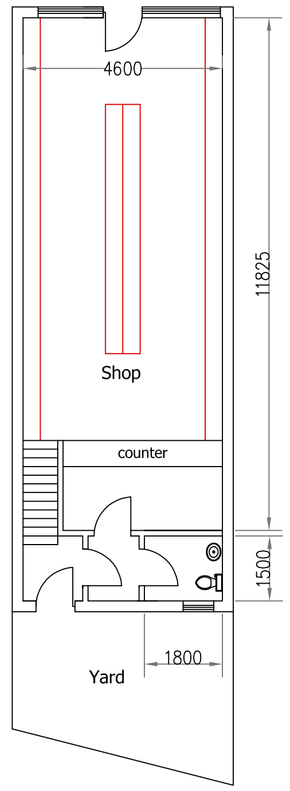
EXISTING GROUND FLOOR



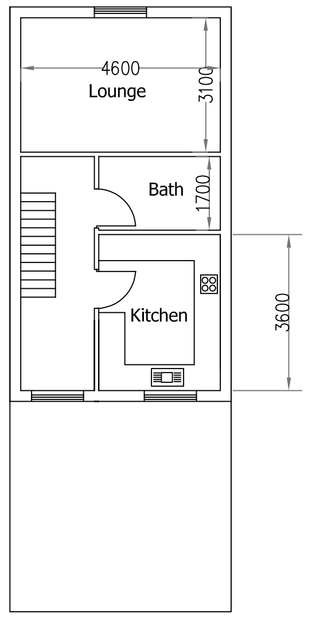
EXISTING FIRST FLOOR



EXISTING SECOND FLOOR



PROPOSED GROUND FLOOR



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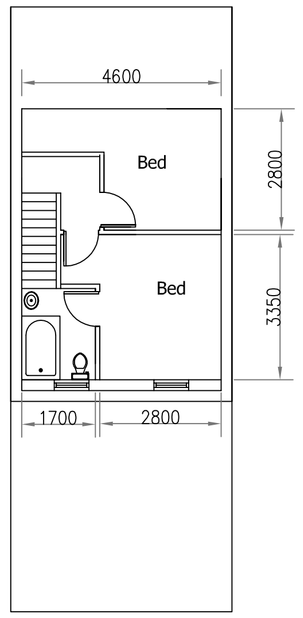
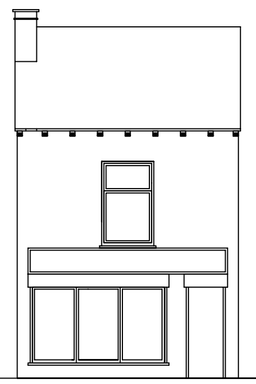


PROPOSED SECOND FLOOR

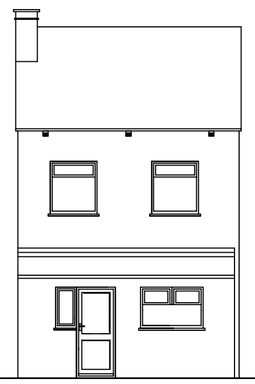
volume of dormer = (5.0 x 2.1 x 4.3) / 2 = 22.6m³

DORMER

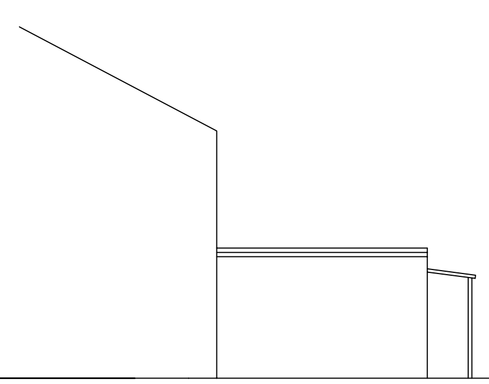
- Additional roof space to be max volume of 40cubic metres
- No extension beyond the plane of the existing roof slope of the principal elevation that fronts the highway
- No extension to be higher than the highest part of the roof
- Materials to be similar in appearance to the existing house
- No verandas, balconies or raised platforms
- Side-facing windows to be obscure-glazed; any opening to be 1.7m above the floor
- The property is not in a designated areas
- Roof extensions, to be set back, as far as practicable, at least 20cm from the original eaves



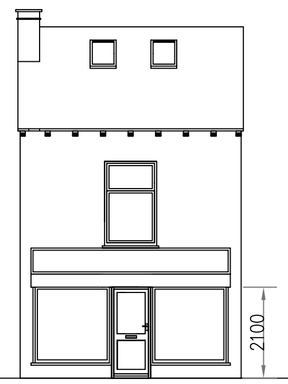
EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION



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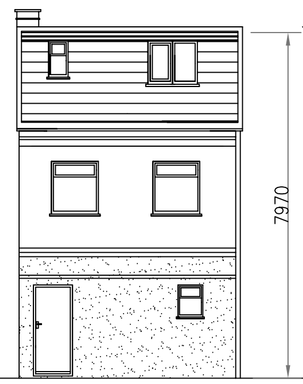

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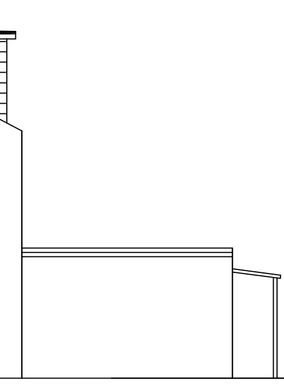
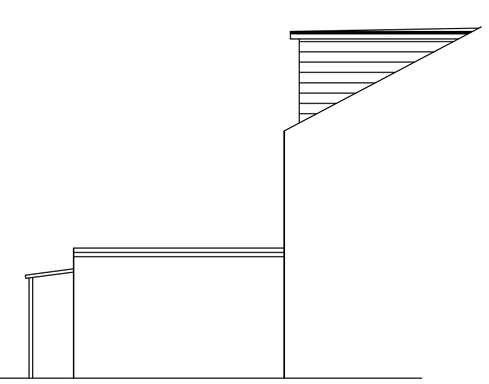


PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION

LOCATION PLAN (1:1250)

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Ordnance Survey 0100031673

BLOCK PLAN (1:500)

Date	Rev.		Initials	
19/6/16	A.	First floor extension removed	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

RAD

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

Tel : 01204 322196
Fax : 01204 214110
Mob: 07790 361104
Email: info@radesignprojects.co.uk

Project
213 NEW STREET
BLACKROD
BOLTON
BL6 5AT

Client
MR SHEETAL VARSANI

Drawn
RA

Date
MARCH 2016

Title
PROPOSED PLANS

Scale
1:100

Drawing Number
RAD/1392/16/1/RevA

The order consists of: =

T1 Beech tree situated within rear garden of 91 Smithills Dean Road and approx. 18 metres south west of the rear of the kitchen extension;

T2 Beech tree situated within rear garden of 91 Smithills Dean Road and approx. 33 metres south west of the rear of the kitchen extension.

An application has been made to Corporate Property for the sale of a piece of land to the rear of 91 Smithills Dean Road. The land contains two mature trees which are prominent from the surrounding public roads.

The owner has requested the removal of one of the trees a mature Beech in the past and this has been refused by the council. If the land is to be sold then the trees on the land requires protection.

Objections
Objections have been received to the order from the residents at nos. 89 and 91 Smithills Dean Road on the following grounds: -

- the trees affected are on Council owned land and the Council have always argued that there was no need to place TPO'S on Council owned trees
- this was confirmed in a letter received from Chief Executive Officer of Bolton Council on the 7 January 2016
- the letter also stated that should the land be sold then this would be reviewed. However the land has not been sold and my requests to buy have gone unanswered
- T1 Beech does not contribute significantly to the amenity of the area and is a nuisance to us. Tree Preservation Orders and trees in Conservation Areas document describes how trees should only be protected if they have high amenity value and also how the amenity value of trees should be assessed
- T1 is inappropriate being a large forest tree in a domestic garden setting. It has an overbearing presence which dominates our gardens and prevents the reasonable use and enjoyment of our properties. Being much taller 92.6 metres) than the distance from the building (10 metres) it has the potential to cause personal injury or damage to property
- this is a prime example of a tree that has outgrown its context, and as such, has a negative impact on the amenity of our surroundings and so should not be protected
- the tree is much closer to the boundary of 89 Smithills Dean Road than is shown on the plan and its branches overhang the full width of both mine and mu neighbours gardens
- the map also fails to show the many other mature trees which are present in the immediate vicinity (consisting of mainly oak, beech and sycamore)
- T1 Beech overshadows our properties but also causes a nuisance with regard to the large amounts of leaves, beechnut catkins, twigs and small branches falling on our gardens which takes much time and effort to remove and dispose of
- clear the removal of tree T1 would not have a significant impact on the local environment and its enjoyment by the public given the presence of the many other trees in the immediate and wider vicinity
- the removal of the tree would not be noticed by the general public who derive no benefit nor have any access to it
- the visibility of the tree is limited as only the top is visible and merges into the other adjacent trees

- public visibility alone will not be sufficient to warrant an Order;
- one of many trees in a densely wooded area and is not a landmark and so makes no significant contribution to the landscape
- its removal would improve our sense of wellbeing which comes from gaining a better use and enjoyment of our gardens while still retaining a pleasant backdrop and amenity provided by the remaining trees
- with regard to T2 Beech, this is also a tall tree but with a smaller spread of branches and far enough away so as not to cause a nuisance to use. Fail to see why this particular tree should be singled out for protection when there are so many other similar trees in the immediate vicinity
- it has been pointed out to the Council that I have previously established with you that I legally have the right to cut any part of the tree (T1) which encroaches onto or over my land – this includes branches or roots

The Council's Tree and Woodland Officer's observations: -

In respect to the making of the Bolton DC23:959 (Land to the rea of 91 Smithills Dean Road, Bolton) TPO 2016 and the objections received by 89 and 91 Smithills Dean Road I would make the following observations.

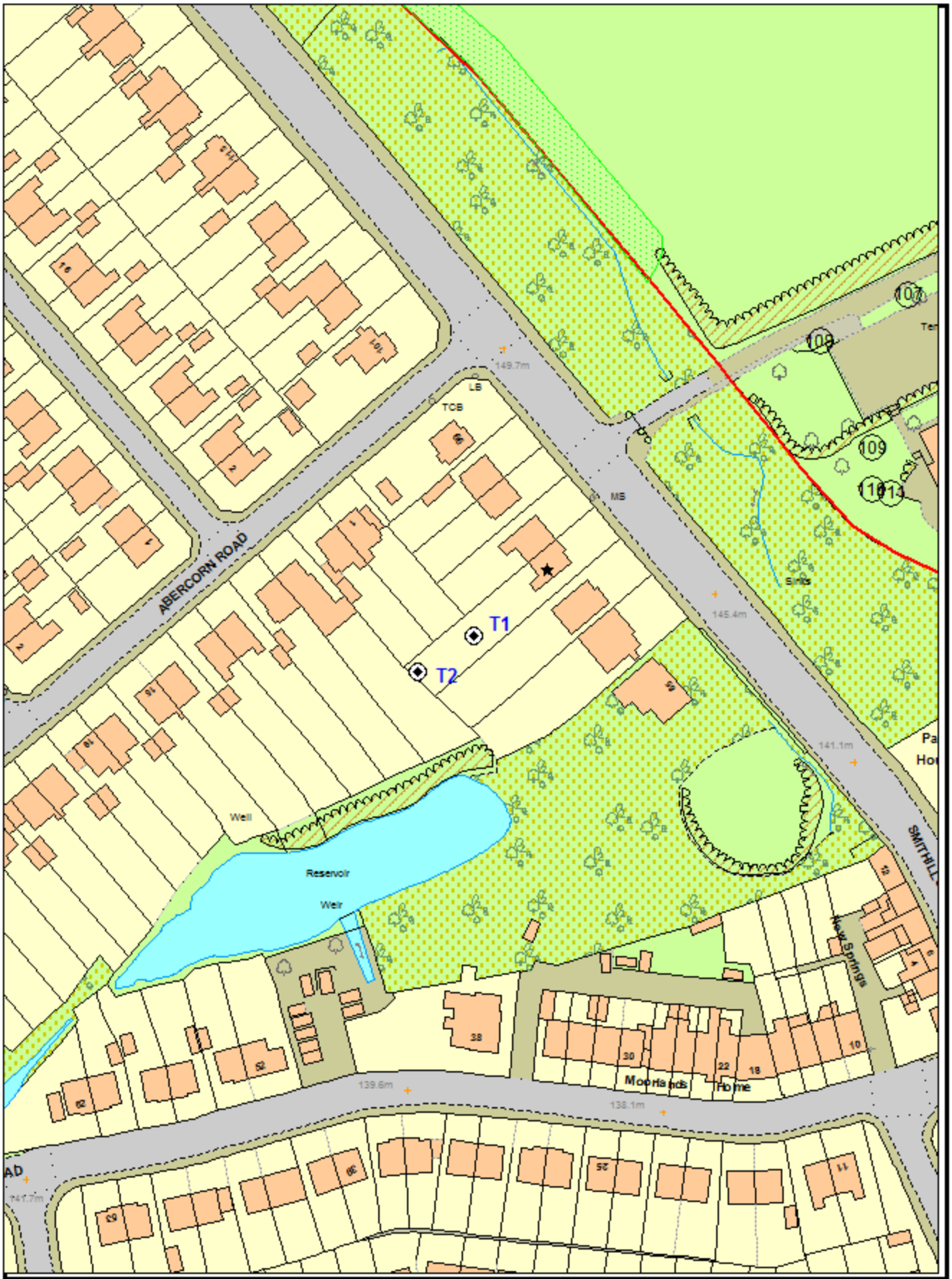
It noted that the Beech trees that are to be afforded protection by the TPO are both within an area of land that is to be sold to 91 Smithills Dean Road and that the sale is based upon the understanding that the trees will protected.

The trees are considered to have a visible amenity from public places around the area, as they can be seen from Smithills Dean Road, Abercorn Road and Limefield Road. As the ground rises to the north these trees are visible to a large number of properties on the roads directly to the north of the property.

As the land was to be sold to 91 Smithills Dean Road, the Council considered the making of a Tree Preservation Order appropriate and in line with guidance set out in "Tree preservation Orders; A guide to the law and good practice". The Council have assessed the trees and consider they are worthy of continued retention.

In considering the expediency of making the TPO the Council would note that there have in the past been a number of occasions when both 89 and 91 Smithills Dean Road have requested either pruning or removal of the Beech tree (T1) based upon issues such as leaf fall, overhang to the gardens and shading. It is considered that if the land sale is to be completed that there is an increased risk in the removal of both the trees taking place. The unnecessary removal of large, healthy and mature Beech trees would impact, and place additional pressure, on the cultural and historical value of other trees within the Smithills Dean Road area; and therefore the Council does not concur with the claim that the loss of the T1 Beech tree, or T2 Beech tree, will not have a significant impact on the local environment or its public enjoyment.

In response to the question in distinguishing these two trees from the other trees in the area the reason for making this particular order is based upon the fact that the trees are to move form Council ownership into private ownership, thus placing them at risk of removal.



MAP TITLE - TPO request
T1 & T2 Beech trees at
91 Smithills Dean Road Bolton

prepared by: SC
reference: Plan ref no 1
date: 10/05/2016

Bolton Council

Tree & Woodland Section
Neighbourhood Services
Department of Place

N
scale
1:1250