

PLANNING COMMITTEE
Schedule of Supplementary Information

12.01.17

**Members are advised of the enclosed information that was either
received or requested after the production of the planning applications report**

**Bolton
Council**

97199/16

Ward	Location
FARN	LAND AT BLINDSILL ROAD, FARNWORTH, BOLTON

The applicant met with the three ward councillors who explained that their primary concern, as expressed at the December Planning Committee meeting, was that new residents may bring additional pressure on school (primary and secondary) places.

Whilst fully appreciating the concerns of ward members and local residents, the applicant stressed that the site is an allocated site and would bring about the regeneration of the area and a number of economic benefits to the local / Bolton area.

This included a commitment to maximise the use of local people to construct the proposed houses. Gleeson Homes maintain they are committed to employing local people. For example in the their current Lorne Court (Lorne Street) development they current employ 6 people from the BL5 and BL4 post codes.

The applicant is also committed to commence the development within a 3 month period from determination of the development. This would enable the site to contribute to the housing land supply.

In the light of Members comments at the December 2016 Planning Committee meeting the submitted viability information has been reassessed. The conclusions are as follows:

- There are a number of points which have been identified which would result in changes to the viability e.g. use of (marginally) higher sales prices and the sale of units freehold.
- Taking into account the above it is concluded that the development of the site is marginal.

Therefore, in conclusion it is considered that the proposal still remains not viable to request additional s.106 contributions. The Officers recommendation remains as set out in the Planning Committee report.

97377/16

Ward	Location
WESO	LAND AT BOWLANDS HEY, OFF COLLINGWOOD WAY & OLD LANE, WESTHOUGHTON, BOLTON

The Council's Spatial Planning team have provided a brief update on the housing land position in Bolton as at 1st April 2016.

Since the Hill Lane appeal decision in April 2016 an update of the borough's housing land supply position has been carried out as part of the 2016 Authority Monitoring Report. A key element of report is the assessment of which sites are deliverable within the five year period. These have been re-examined against the deliverability

tests in national policy which are that sites should be available, now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the sites within five years and in particular that the development of the sites is viable.

This latest assessment suggests that Bolton can demonstrate a five year supply of between 2.8 and 3.5 years, depending on the basis of calculation, with the most appropriate figure being around 3.1 years, well short of the five year requirement required by national policy.

The presumption in favour of sustainable development in paragraph 14 of NPPF is therefore triggered.

The applicant has submitted a bat survey / appendix as recommended. Officers from GMEU have concluded that:

- The additional Bat Appendix demonstrates that reasonable effort has been utilised in the assessment and is sufficient to enable the application to proceed to determination in this regard.
- The Landscape Planting Plan should be adjusted as outlined above in order to discharge any condition attached to a permission if granted. This is in order to compensate for the loss of north south bat foraging connectivity across the proposal.
- The recommendations of Section 6 of the Bat Appendix (TEP November 2016 doc ref 5128.02.001) should be conditioned on any permission if granted and details subsequently submitted agreed and implemented.

Additional representations have been received from local residents regarding the ecological value of the site and its use as a wildlife corridor. Officers at Greater Manchester Ecology Unit have considered the additional information submitted.

They comment as follows:

- The additional wildlife sighting information aids understanding and interpretation in relation to the species referenced.
- This information does not challenge or dismiss information submitted by the applicant;
- The information submitted both by the applicant and 3rd parties highlights the area holds biodiversity features of value some of which are material to the determination of the application;
- They confirm that the new information provided is valid.
- The new information maps recent badger activity over the site including evidence of badger tracks, a badger pit and badger hairs;
- Provides evidence of wildlife sightings by local residents.
- In terms of the assessment of ponds GMEU have confirmed that the applicants assessed the relevant and necessary ponds. Additionally, when drawing up consultation responses I use GMEU's GIS database (to which I have on-line access) and noted other ponds to the north & south of the railway which do have/or historically supported great crested newts, so I was

fully aware of the context of the great crested newt distribution in the locality*.

- There are **NO PONDS** within the application site and therefore it cannot support breeding great crested newt. Impacts on terrestrial habitat have been reasonably considered within the context of Natural England's guidance and as a material consideration.
- The presence of badger hair, tracks and evidence of a forage pit does not alter GMEU's response; as there is acknowledgement and an understanding that the site is suitable habitat and maybe used as part of foraging territory for badger. There are **no badger setts within the application site**, which would receive legal protection. The GMEU response to the LPA has considered any likely impacts on badger foraging within the context of a badger clan's usage of such an area and the distribution/knowledge of setts in the wider landscape.

With specific reference to the species highlighted within the recent sightings the following summary:

- **Bats** (European & UK Protected Species; Habitats Regulations 2010 & Wildlife & Countryside Act 1981 – W&CA) – the analysis shows that ***bats use the site for foraging and commuting*** with key areas & flight lines being identified, but that currently there are ***no bat roosts*** on the site. The applicant has made recommendations and GMEU has proposed additional amendments, the detail of which can be implemented via **conditions**.
- **Great crested newt** (European & UK Protected Species; Habitats Regulations 2010 & Wildlife & Countryside Act 1981 – W&CA) – These have been shown to be present in the locality but some distance from the application site. As guided by Natural England's advice the use of Reasonable Avoidance Measures (RAMs) during the clearance of the site – should it receive permission – can be used to prevent killing/injury of animals. Both GMEU and the Environment Agency (17th October 2016) have indicated that the attenuation pond if designed to hold water and other measures will assist in ameliorating the loss of terrestrial habitat this distance from the breeding ponds. These can be implemented via **conditions**.
- **Water vole** (UK Protected Species W&CA 1981) – This species although present in the locality ***will not experience loss of habitat*** should the proposal receive permission. The orientation of the indicative proposal protects Pennington Brook. The brook is not constrained in a backland corridor so is unlikely to be subject to tipping or other anti-social activities which would irreparably damage the habitat. The recommendations for the brook as identified by both GMEU & Environment Agency (17.10.16) could be achieved via **conditions**.
- **Hedgehog, starling and house sparrow** (Species of Principal Importance NERC 2006) – These species can occur in urban habitats and the recommendations made will help facilitate them utilising the site should the proposal be implemented. These can be accommodated by **conditions**.
- **Toad** (Common toad - Species of Principal Importance NERC 2006) – This species ***does not and could not breed*** within the application site, but ponds within the locality support breeding. The use of RAMs and the features suitable

for great crested newt would also help protect toads and would assist with their utilisation of the site. These measures can be achieved using **conditions**.

- **Bullfinch** (Species of Principal Importance NERC 2006) – There is **no** evidence presented that this species breeds on the application site. This species has quite specific breeding habitat preferences, which mean that breeding opportunities will be minimal/non-existent on the application site should permission be received, especially until gardens become mature.
- **Barn Owl** (Schedule 1 – W&CA) – This species has ***not been shown to breed on the site*** and the habitat is not suitable for breeding. The implementation of the proposal would result in the loss of part of a hunting territory, but there is **no** indication in any of the information (public or applicant) that this is a frequently used part of a barn owl territory (see annotated notes to differentiate barn owl from other owls).
- **Kingfisher** (Schedule 1 – W&CA) – This species although present in the locality ***will not experience loss of habitat*** should the proposal receive permission. The orientation of the indicative proposal protects Pennington Brook. The brook is not constrained in a backland corridor so is unlikely to be subject to tipping or other anti-social activities which would irreparably damage the habitat. The recommendations for the brook as identified by both GMEU & Environment Agency (17.10.16) could be achieved via **conditions**.
- **Other species** which add to the local functioning ecological network – Some species such as deer and feeding kestrel are likely to be displaced from the wider habitats within the application site should the proposals be implemented. The majority of other species such as fox, sparrow hawk, woodpecker, tree creeper etc may still utilise the site's retained & new habitats in a similar pattern to currently and the recommendations will facilitate this continued usage. These can be implemented via **conditions**.

The Officers recommendation as detailed within the Committee report still remains valid.

An additional objection has been received from a local resident raising the following concerns:

- A material consideration is that as a result of the Hill Lane appeal decision the proposal will set a precedent and result in subsequent applications being submitted which when considered cumulatively would have a harmful impact on the local area.
- The proposal would result in piecemeal development of open protected land. The LPA must consider the cumulative effect that the development of the adjoining open protected open land has on Westhoughton (services and wildlife) – ***it is considered the proposal would not result in the piecemeal development of other protected open land. Impact on local services has been considered and the proposal fully contributes to the requirements to mitigate the impact of the development.***

- Inaccurate Transport Assessment / Sustainability – as the proposal seeks to potentially increase school places at St Georges School, the trip from the application site to the Hoskers is not sustainable and is not taken into account in the Transport Assessment - ***The provision of School places at St Georges School in the Hoskers would increase the level of school places in the Westhoughton area which would mitigate the proposed development. In terms of the overall increase in vehicular movement it is not considered the scale of increase would not require a new transport assessment to be completed for the development. It was also considered that the TA submitted with the application was robust and provides a worse case scenario. Highways Engineers have confirmed that the impact on the network would be negligible.***
- There is a pinchpoint along Collingwood Way. The applicant has measured this pinchpoint as 5.5 metres whereas local residents have measured this distance as 5.42 metres. ***A difference of 8 centimetres - the standard of 5.5 metre wide roads is an old standard for road width. The 8 cm shortfall would have a negligible impact on the operational capacity of the highway network to accommodate either 2 way vehicle flow or emergency access.***
- The site notice which was erected at the south western corner of the site was screened from direct views - ***Consultation for the application has complied with guidance contained within national and local guidance.***

Network Rail have reviewed the applicants rebuttal statement and have commented that the applicant review the specific location of the proposed secure fencing around the play area and clarify whether there will be access from the play area to the adjacent footpath and level crossing.

Without this information Network Rail maintain their current objection and also reserve the right to seek to have the public right of way extinguished or diverted if after the development is completed there is an impact.

The applicants have been requested to clarify whether the play area would be securely fenced or if the play area is not to be fenced to justify how access to the adjoining public right of way would be restricted. This will be reported at Planning Committee.

97733/16

Ward	Location
HONE	LAND AT WALKER FOLD ROAD, BOLTON

The Police have confirmed to the Council (the Highways department) that they would not be supportive of a reduction in the speed limit on Walker Fold Road to 40mph, but they would be supportive of a reduction to 50mph.

97782/16

Ward	Location
HONE	MONTCLIFFE QUARRY, GEORGES LANE, HORWICH, BOLTON BL6 6RT

Councillor Silvester has commented on the proposal. He states that he has received several letters of objection in relation to highways safety, with regard to lorries travelling through Horwich town centre (as lorries are currently driving to Armstrong's Chorley New Road site where the stone from the quarry is currently being cut). Councillor Silvester therefore requests that a condition is attached to this latest application to make sure that the lorries visiting the quarry do not drive through Horwich Town Centre (that they are directed instead to the east, along Chorley Old Road). Officers however advise that such a condition would not be "necessary to make the development acceptable in planning terms" nor "enforceable" (it would be very difficult for the LPA to enforce such a condition), and therefore would not meet the "conditions test" in para. 206 of the NPPF.

Correction to Officer's report's Site Characteristics

Public Right of Way HOR060 has now been diverted so that does not run through the application site.

The residential properties on Makinson Road are approximately 170 metres away from the edge of the application site and the nearest residential properties on Georges Lane are approximately 60 metres away from the edge of the application site.

97925/16

Ward	Location
GRLE	270 BRIDGEMAN STREET, BOLTON BL3 6BS

Members are advised that Greater Manchester Police have made a number of recommendations relating to the security of the building and site. However, given that this is a proposal for a change of use with minor extensions, neither of which are considered to have any greater impact on crime prevention issues in comparison to the existing situation, the advice will be communicated to the Applicant via a note rather than imposed as a condition.