

Planning Applications Report

**Planning Committee
22nd July 2021**

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

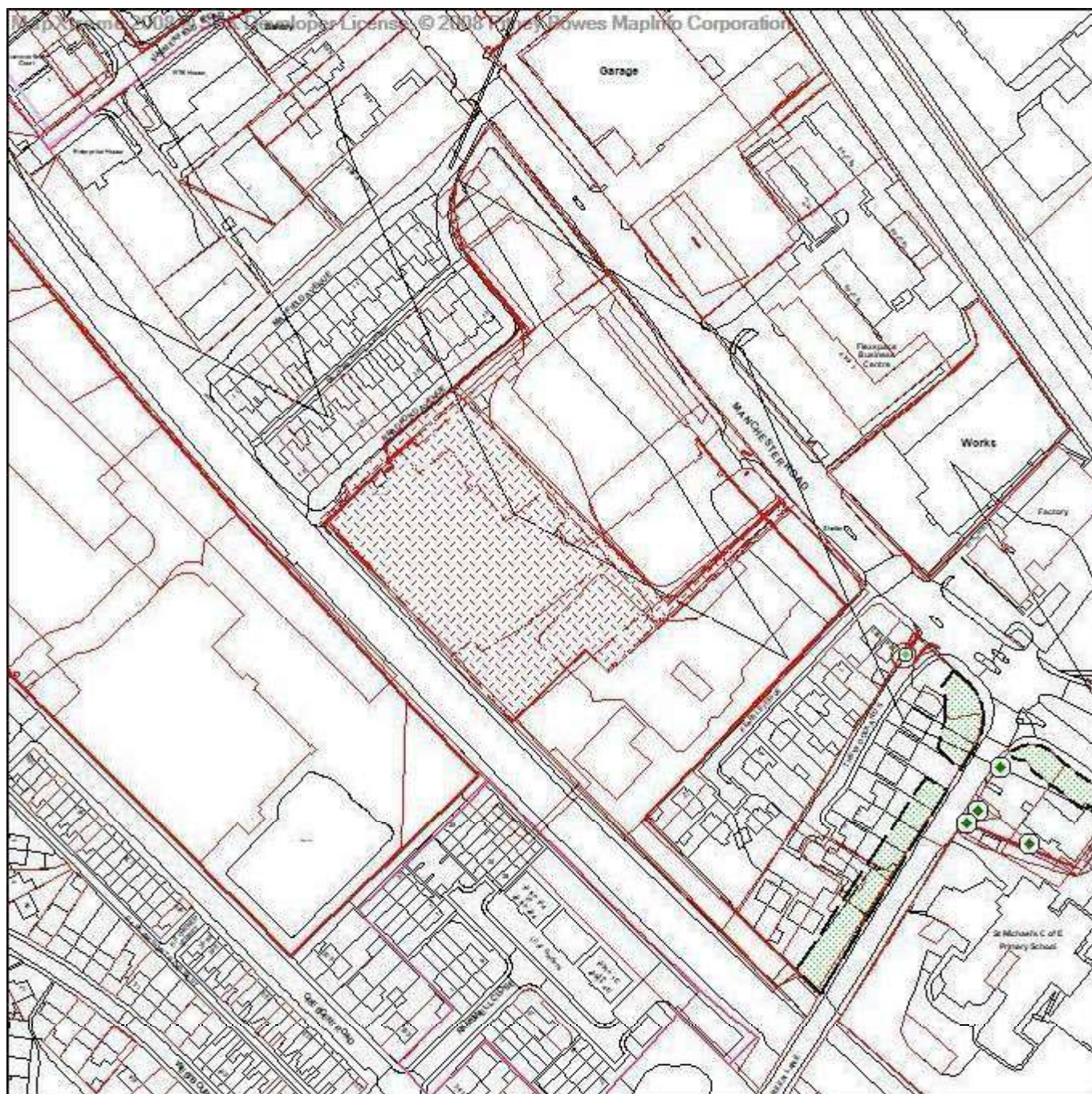
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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Application number 10852/21



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Development Management Section

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Bolton Council

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Date of Meeting: 22/07/2021

Application Reference: 10852/21

Type of Application: Full Planning Application

Registration Date: 24/03/2021

Decision Due By: 22/06/2021

Responsible Officer: Martin Mansell

Location: LAND OFF MANCHESTER ROAD, BOLTON, BL3 2NU

Proposal: ERECTION OF A BUILDING FOR USE AS A BUILDER'S MERCHANT (STORAGE, DISTRIBUTION, TRADE COUNTER, OFFICES, AND ANCILLARY RETAIL SALES).

Ward: Great Lever

Applicant: Monte Blackburn Ltd

Agent : PWA Planning

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- Consent was granted at the October 2019 meeting of planning committee for six units providing employment space for B1, B2 and B8 purposes on land formerly occupied by Serco, United Utilities and originally Norweb (ref: 06267/19). The use of the two units closest to Bradford Avenue to the north was limited by Planning Committee to Class B1 (Light Industrial) only.
- The building has been constructed (though not subdivided) and the Applicant has had interest from a builder's merchant (a sui generis use) to occupy the building and its attached site.
- Hours of use would be 0700 – 1900 Monday – Saturday and 1000 – 1600 Sundays and Bank Holidays, which is more limited than the 0600 - 2200 (7 days per week) accepted under approval ref. 06267/19.
- The key issue is the potential for an impact on the living conditions of residents of Bradford Avenue by way of noise associated with the builder's merchant operation. A Noise Assessment has been submitted and is considered to be acceptable by Pollution Control colleagues, subject to a section of palisade fencing (atop a brick retaining wall) between the site and Bradford Avenue being replaced by timber acoustic fencing to the same height, together with some other recommendations considered in the relevant section below.
- The acoustic fencing is considered to be acceptable in its own right (indeed an improvement) and Trees & Woodland colleagues consider that it can be installed without harming the existing extensive landscaping that largely screens the site from Bradford Avenue.
- A number of conditions imposed on approval 06267/19 have been subsequently discharged and

the recommended conditions reflect this updated situation.

- There are no objections from consulted residents and the proposed use is considered to be acceptable, subject to these updated conditions.

Proposal

1. Members may recall their grant of consent in October 2019 (06267/19) for the erection of six industrial units to be used flexibly for uses within Use Classes B1, B2 and B8. The use of the two units closest to Bradford Avenue to the north was limited by Planning Committee to Class B1 (Light Industrial) only.
2. The building has been constructed (though not subdivided) and features composite micro-rib aluminium cladding panels in Goosewing Grey, along with composite trapezoidal profile cladding in Dark Grey, as well as facing brickwork in cream/brown in the lower parts, and the roof is Composite Trapezoidal profile roof cladding panel 1000mm module and including ridge capping.
3. The Applicant has had interest from a builder's merchant (a sui generis use) to occupy the building and its attached land. Hours of use would be 0700 – 1900 Monday – Saturday and 1000 – 1600 Sundays and Bank Holidays, which is more limited than the 0600 - 2200 (7 days per week) accepted under approval ref 06267/19.
4. A total of 35 vehicle parking spaces are proposed, split between staff, customers and trade vehicles. A site plan shows areas of external storage of building materials together with the proposed height of such areas, typically around 3 metres in areas closest to Bradford Avenue, rising to 5 metres in less prominent areas.
5. The Applicant has provided the following description of the use and its related activities:-

"The business will deal with all sections of the building industry, from national builders to one-man-job builders. It will also supply to the public, who may contact the premises by telephone, email or in person. Larger builders will often require materials in large quantities, so that the merchant will be able to order direct from the manufacturer and have the materials delivered directly to the site. Materials will be delivered free of charge to the customer from the site. The remaining materials will be collected from site by customers in their personal vehicles. The majority will use cars, pick-ups or small vans that can all be accommodated within a standard parking bay. The remainder employ panel vans, trailers or 21/2 tonne flatbeds and can be loaded within the yard area. A large amount of the business of any builder's merchant is not to visiting public or trades people. Increasingly, orders are received by telephone or email, and delivered without the customer visiting the site. The merchant holds materials pending delivery, rather than displaying goods for sale."

6. A landscaping plan proposes, amongst other things, the retention of the existing extensive landscaping that separates and largely visually screens the site from Bradford Avenue and a hawthorn hedge would be planted along the north-eastern boundary of the site.

Site Characteristics

7. The application site is fairly rectangular in shape and forms part of a wider site that previously contained two large red brick buildings set over one and two storeys, formerly in use by organisations such as Norweb, United Utilities and Serco; however, the demolition of all buildings on the site was granted by approval ref: 02582/17 and the site was cleared. It now contains a number of uses such as a petrol filling station, a restaurant (including drive-thru) and a vehicle showroom (under construction), accessed from Manchester Road. The site as a whole is

bounded by the B6536 / Manchester Road to the north-east, a railway line to the southwest, with residential properties to the north and south.

8. The wider surrounding area is characterised by a mix of commercial, business, retail (with a particular presence of car showrooms, car hire companies and furniture showrooms) and residential uses. Beyond the railway to the south, there are further residential properties including those under construction at the former Beehive Mill. The site lies on a main transport corridor which is well served by sustainable transport modes. It has no allocation in the development plan, other than the area-based policy, RA1 Inner Bolton.

Policy

9. National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, requiring good design, promoting healthy communities, meeting the challenge of climate change, flood and coastal change, conserving and enhancing the natural environment
10. Core Strategy Objectives SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO10 Climate Change, SO12 Biodiversity, SO13 Flood Risk
11. Core Strategy Policies P2 Retail, 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, RA1 Inner Bolton
12. Supplementary Planning Documents: General Design Principles, Sustainable Design and Construction, Accessibility, Transport and Road Safety, The Location of Restaurants, Cafes, Public Houses

Analysis

13. 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.

14. The main impacts of the proposal are:-

- * the principle of the development
- * impact on the character and appearance of the area
- * impact on the road network
- * impact on the living conditions enjoyed at nearby residential properties
- * impact on economic development and employment
- * impact on flood risk and drainage
- * impact of coal legacy issues
- * impact on ecology
- * impact on crime reduction
- * impact on sustainability

The Principle of the Development

15. The site has no allocation within the adopted Development Plan (other than the area-based

policy, RA1 Inner Bolton) and must be therefore considered on its merits.

16. Planning permission was granted for six industrial units in October 2019 establishing the principle of commercial development at this site. The outer shell of this building has been constructed. Prior to this, the site contained part of the former Norweb offices and depot.
17. The site is on a main transport corridor (Manchester Road) which is well served by sustainable transport modes. Whilst there are residential properties to the north (Bradford Avenue and Mayfield Avenue) and much further to the south (Kearsley Drive and Woodlands Place) together with Ramswell Close to the west across the railway line, the character of the area is actually quite mixed. For example, whilst residential properties do exist in the section of Manchester Road between Green Lane and Raikes Lane, this land use is actually very much the minority, with no residential properties whatsoever on the eastern side of Manchester Road within the vicinity.
18. Given the sustainable and accessible location, the history of use for non-residential purposes together with the generally non-residential character of the surrounding area, the previous grant of consent for commercial use under reference 06267/19 and the lack of a specific land use allocation, the principle of the development is considered to be acceptable, subject to the consideration of the issues below.

Impact on the Character and Appearance of the Area

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

21. Officers consider that Core Strategy policies CG3 and RA1 are consistent with the NPPF and can be given substantial weight in the consideration of design matters.
22. The impact on the character and appearance of the area was considered under application reference 06267/19 and was found to be acceptable. The building is located to the rear of the wider application site and is not prominent in the Manchester Road street scene. Whilst external storage of building materials is shown on the plans, this is considered to be to an acceptable height and can be limited by condition. The existing extensive vegetation separating the site from Bradford Avenue is proposed to be retained.
23. The impact on the character and appearance of the area is considered to be acceptable.

Impact on the Road Network

24. Paragraph 111 of the NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a Transport Statement or Transport Assessment so that the likely impacts of the proposal can be assessed. Paragraph 108 states that plans and decisions should take account of whether:
 - appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
 - safe and suitable access to the site can be achieved for all users; and
 - any significant impact from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
25. 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.
26. 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 has also adopted the Accessibility, Transport and Road Safety SPD which notes that the provision of a safe, high quality transport network is vital to the economic prosperity of the borough and the ability of residents to safely access potential new jobs being created together with health, education, community facilities and housing. The SPD also seeks to ensure that the use of transport does not adversely affect the climate and therefore requires new development to reduce the need to travel by car, and encourage people who live, work and visit to walk, cycle and use public transport.
27. The Council's Highway Engineers note that the proposal is for the construction of Builders Merchants on part of a mixed use development site served from Manchester Road. The premises will be on land which previously received planning consent for mixed employment and is

accessed from an established access point from the local highway network. They also note that the Applicant's transport consultant has submitted a Transport Technical Note in order to justify this development proposal from a transport and highways perspective. The document indicates that the use-class proposed will generate less traffic within the operational peak periods than the consented use of the site. The transport work also includes tracking analysis using industry standard software for the maximum size of service vehicle which will potentially visit the site (16.5m articulated HGV). The tracking demonstrates accessibility and the ability to manoeuvre and enter/leave onto the highway network in forward gear.

28. Highways Engineers are assuming that the level of in-curtilage parking provision indicated on the submitted site plan has reasonable compliance with the Council's parking standards for this level of use-class. However, Planning Officers note that, as a sui generis use, the Council's parking standards do not apply and such cases need to be considered on their merits in terms of parking provisions. Officers consider the parking provision to be reasonable and note that deliveries, rather than customers visiting the site, forms much of the activity of the business.
29. Officers consider that the proposal has been robustly assessed by the Council's Highway Engineers and found to be acceptable in terms of its impact on the road network. The proposed development is not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and above the existing situation and is therefore considered to comply with Core Strategy Policies SO9, P5 and S1 and the Accessibility, Transport and Road Safety SPD.

Impact on the Living Conditions Enjoyed at Nearby Residential Properties

30. Paragraph 180 of the National Planning Policy Framework states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
31. 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.
32. It has already been noted that whilst residential properties do exist in the section of Manchester Road between Green Lane and Raikes Lane, this land use is actually very much the minority, with no residential properties whatsoever on the eastern side of Manchester Road within the vicinity. That is not to say that the impact on residential amenity should be disregarded - clearly it should not - but instead that careful consideration should be given to the use proposes, its location in relation to nearby residential properties and its hours of operation.
33. The site is bordered on the northern side by existing residential properties on Mayfield Avenue and Bradford Avenue. Numbers 28-34 Bradford Avenue front onto the site but are located approximately 13 metres from the site boundary with the road between the site and the property, separated by an extensive band of vegetation. That said, this vegetation alone, whilst providing an effective visual buffer between the residential properties and the proposed use, would do little to protect occupants from the effects of noise.
34. A Noise Assessment has been submitted which considers the impact on the living conditions of residents of Bradford Avenue by way of noise associated with the builder's merchant operation. This assessment is considered to be acceptable by Pollution Control colleagues, subject to a

section of palisade fencing (atop a brick retaining wall) between the site and Bradford Avenue being replaced by timber acoustic fencing to the same height. The existing situation at the boundary between the two sites is a 2 metre retaining wall (when viewed from the application site) topped by around 1 metre of palisade fencing. The palisade fencing will of course provide little or no protection from noise, so it is intended that this be removed and replaced by timber acoustic fencing to a specified density. The noise assessment takes account of this protection, demonstrates its acceptability and these findings have been accepted by the Council's technical consultees.

35. The acoustic fencing is considered to be acceptable in its own right (indeed an improvement, given the inappropriate appearance of the palisade fencing) and Trees and Woodland colleagues consider that it can be installed without harming the existing extensive landscaping that largely screens the site from Bradford Avenue.
36. Other recommendations of the noise assessment, such as limiting the hours of operation and deliveries, "white noise" reserving vehicle alarms and ensuring that the surface of the external area is as free from bumps as possible will be secured by condition.
37. The impact on the living conditions of the residents of Bradford Avenue is considered to be acceptable.
38. In terms of the impact on the occupants of Kearsley Drive, a 50 metre buffer exists between the application site and the residential dwellings of Kearsley Drive and now contains a vehicle showroom, under construction. Given that they are located across the railway line, the impact on Ramswell Close and the future residents of the former Beehive Mills site is similarly considered to be acceptable.
39. Bearing in mind the mixed character of the area, the proposal is considered to comply with Policy CG4 of Bolton's Core Strategy.

Impact on Economic Development and Employment

40. 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.
41. 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.
42. The National Planning Policy Framework states at paragraph 8 that achieving sustainable development means that the planning system has three overarching objectives, one of which is an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure. Paragraphs 80 to 82 relate specifically to building a strong competitive economy and state that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

43. The Applicant states that a total of 30 full-time roles will be created in the day-to-day running the business. This is considered to be a reasonable estimate and is considered to be a significant benefit of the proposal.

44. The impact on economic development and employment is considered to be positive.

Impact on Flood Risk and Drainage

45. Policy SO13 of Bolton's Core Strategy is a strategic objective and seeks to reduce the likelihood and manage the impacts of flooding in Bolton, and to minimise potential flooding to areas downstream. Policy CG1 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 states that the Council will ensure that new development demonstrates the sustainable management of surface water run-off.

46. The site does not lie within an area of flood risk concern. A surface water drainage system has previously been approved and will be implemented, ensuring compliance where possible with the drainage hierarchy and the need to reduce the rate of flow from the site.

47. The impact on flood risk and drainage issues is considered to be acceptable.

Impact of Coal Legacy Issues

48. Policy CG4 of Bolton's Core Strategy requires land stability to be taken into account.

49. The Coal Authority notes that the part of the site where the development is proposed lies outside of the defined High Risk Area and therefore do not consider that a Coal Mining Risk Assessment is necessary to support this proposal and do not object to this planning application.

Impact on Ecology

50. 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.

51. Core Strategy Policy CG1.2 safeguards and enhances biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and inter connectivity of wildlife corridors and habitats.

52. Previous ecological assessment has found the biodiversity of the site to be low, with the possible exception of the peripheral trees (which are proposed to be retained). Greater Manchester Ecology Unit consider that the proposed hawthorn hedge will make a positive contribution to biodiversity.

53. Subject to the provision of the hedge and the retention of the trees and shrubs on the boundary with Bradford Avenue, the impact on ecological issues is considered to be acceptable and to deliver some net gain.

Impact on Crime Reduction

54. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The prevention of crime and the enhancement of community safety are therefore material considerations that a local authority should take into account when exercising its planning functions under Town and Country Planning legislation.
55. The National Planning Policy Framework states that planning decisions should aim to ensure that developments should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
56. Bolton's Core Strategy notes that the town's recorded crime levels are reducing but perception of crime remains high. The Core Strategy's most important direct contribution to reducing crime and the fear of crime is through the design of new development. A contributory factor to improving safety is to create and sustain a sense of place that enables people to identify with their surroundings or locality. This can be achieved through appropriate layout, high quality architecture, good lighting and landscape design. In considering design, the Council takes into account national advice as currently set out in the Government publication "Safer Places – the Planning System and Crime Prevention." Ensuring that the whole of the civic and retail core is safe and attractive for pedestrians will be a priority.
57. Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, reduce crime and the fear of crime, by ensuring that neighbourhoods are attractive and well designed. Policy S1 is part of the "Safe Bolton" Sustainable Community Strategy theme and states that the Council and its partners will ensure that the design of new development takes into account the need to reduce crime and the fear of crime. Policy CG4 of Bolton's Core Strategy seeks to ensure that new development protects, amongst other things, safety and security.
58. The previous application was accompanied by a Crime Impact Statement, carried out by the Design For Security section of Greater Manchester Police which noted a number of positive aspects of the proposal. The report did make some minor recommendations but it is not considered that to require these by planning conditions would pass the tests set out in the use of conditions guidance. Instead, these recommendations will be communicated to the Applicant by way of a note.
59. The impact on crime reduction is considered to be acceptable.

Impact on Sustainability

60. The National Planning Policy Framework contains three overarching objectives. One of these objectives is an environmental objective which includes using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
61. Policy S10 of Bolton's Core Strategy is a strategic objective and seeks to minimise Bolton's contribution to climate change and mitigate and adapt to its adverse effects. Policy CG1 states that the Council will Work towards minimising energy requirements, improving energy efficiency, lessening the reliance on fossil fuel-based energy and reducing carbon dioxide (CO2) emissions and also maximise the potential for renewable energy development and encourage proposals that contribute towards renewable energy targets.
62. This issue was considered in the determination of application ref: 06267/19 and the subsequent discharge of condition application.

Local finance considerations

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

Conclusion

64. Many of the issues relating to this proposal were considered under reference 06267/19 and found to be acceptable by Planning Committee. The key difference is the use as a builder's merchant together with the areas of external storage and the visual and noise impacts of this. However, the submitted noise assessment has been robustly assessed by the Council's technical consultees and has been found to be acceptable – subject to the provision of the timber acoustic fence.
65. The development is typical of a major route such as Manchester Road, is located in a sustainably accessible location and will deliver a significant number of new jobs. It is therefore recommended for approval.

Representation and Consultation Annex

Representations

Letters:- none received.

Consultations

Advice was sought from the following consultees: Drainage, Coal Authority, Network Rail, Trees & Woodlands, GM Police, GM Ecology Unit, Greenspace, Pollution Control Economic Strategy, Strategic Development, Highways

Planning History

The site benefits from a recent consent granted by Planning Committee to the same applicant in October 2019, as described above.

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. **Acoustic Fence - Prior To First Use**

Before the approved development is first brought into use, the existing palisade fence on the boundary with Bradford Avenue shall be removed and replaced with timber acoustic fencing with a minimum density of in 15kg/m2 in accordance with approved plan references 2693 L(00) 100 rev C7 and 2693 L(02) 300. Any pruning of trees that is required to carry out these works shall be undertaken in accordance with BS3998:2010 Tree Work. The timber acoustic fencing shall be retained thereafter.

Reason

To protect the living conditions of nearby residents in accordance with Policy CG4 of Bolton's Core Strategy.

3. **Drainage - Prior To First Use**

The development shall not be brought into use unless and until surface water drainage works have been implemented in full in accordance with drawing ref: CUR-01-XX-DR-C-92101-C02, Such works as are implemented shall be retained in full and appropriately maintained thereafter.

Reason

To ensure the site provides satisfactory means of surface water drainage in accordance with Policy CG2.

4. **Parking - Prior To First Use**

Before the approved development is first brought into use, no less than 35 parking spaces shall be marked out and provided within the curtilage of the site in accordance with approved plan reference 2693 L(00) 100 rev C7. Such spaces shall be made available for the parking of vehicles at all times the premises are in use.

Reason

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

5. **Landscaping - Existing To Be Retained, New To Be Implemented**

The existing trees and shrubs on the boundary with Bradford Avenue shall be retained in accordance with approved landscaping scheme ref: DEP 3877 06 rev B and the new landscaping shown on that plan shall be implemented in full within 6 months of the development being brought into use. Any trees and shrubs that die or are removed within five years shall be replaced in the next available planting season with others of similar size and species.

Reason

To protect the character and appearance of Bradford Avenue from the harm caused by the visual appearance of the Builder's Merchant use and to reflect and soften the setting of the development in order to comply with Core Strategy policies CG1, CG3 and RA1.

6. **External Storage - Compliance**

External storage of goods shall not take place at any time outside of the areas or in excess of the heights marked on plan ref: 2693 L(00) 100 rev C7.

Reason

To protect the character and appearance of the area in accordance with Policies CG3 and RA1 of Bolton's Core Strategy.

7. **Swept Paths - Compliance**

The HGV service route shown on the Swept Path Analysis drawing ref: 3700421 ATR 001 rev A within the DTP Transport Technical Note v2 shall remain free from obstructions at all time.

Reason

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

8. **Hours Of Operation - Compliance**

The site shall not operate nor be open to customers nor shall any deliveries be taken or dispatched, except between the hours specified below:-

0700 - 1900 Mondays – Saturdays

1000 - 1600 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 in order to comply with Bolton's Core Strategy policies CG3 and CG4

9. **Noise Mitigation - Compliance**

The site shall operate in a manner consistent with the recommendations of the Wardell Armstrong Acoustic Assessment Report (GM11632 002 v1 June 2021), in particular:-

- there shall be no use of tannoy or Public Address systems at any time
- HGVs, FLTs and other similar vehicles used by the operator within the site shall not make use any form of reversing alarms other than white noise alarms
- the storage yard shall be well-maintained, with bumps and undulations minimised

Reason

To protect the living conditions of nearby residents in accordance within Policy CG4 of Bolton's Core

Strategy

10. **Approved Plans - Compliance**

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

2693 L(00)100 Rev C7 - Site Plan

2693 L(02) 300 - Boundary Elevation

3877.06 rev B MKM Builders Merchants - Landscape Layout

2693-L(01) 100 Rev C2 - General Arrangement

2693-L(02) 100 Rev C2 - Elevations

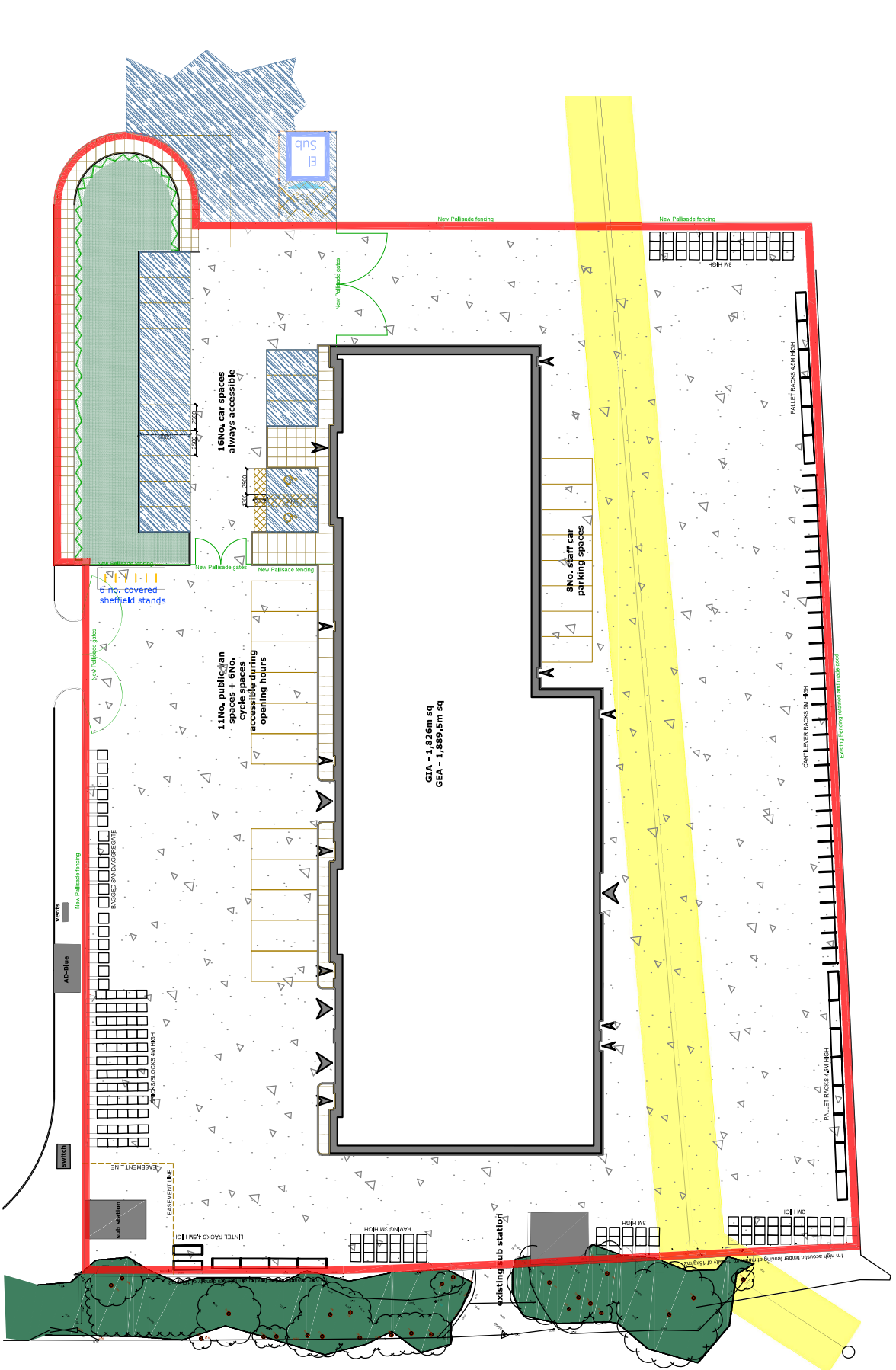
Reason

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

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Key:

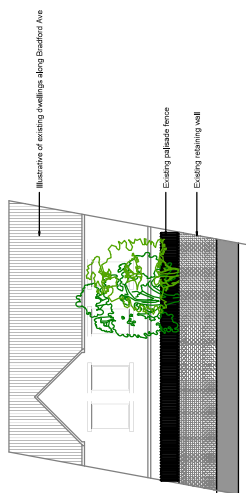
- Planning application red line boundary
- UU Easement zone
- Parking areas in Tarmac with indication of white lining
- Access Point in to Building
- New low level perimeter planting and Seasonal Display area.
- Buildings
- Concrete to apron - ref to Civil Eng's details for MJ's
- Paving to pavements. Include tactile paving and dropped kerbs as req'd
- Broxap Apollo with Sheffield Cycle Stands or s.e.a.
- Paladin fencing and gates to locations illustrated. Existing Palsade fencing to remain where suitable.



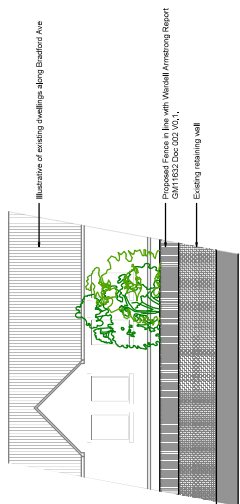
Description		No.	Unit	Value
Total				

Project		Units 01-06	
Client		Manchester Road, Bolton.	
Drawing		General Site Plan	
Client		Barnfield Construction	
Drawing		General Site Plan	
Project No.		Units 01-06	
Drawing No.		L001100	
Drawing Title		General Site Plan	
Drawing No.		L001100	

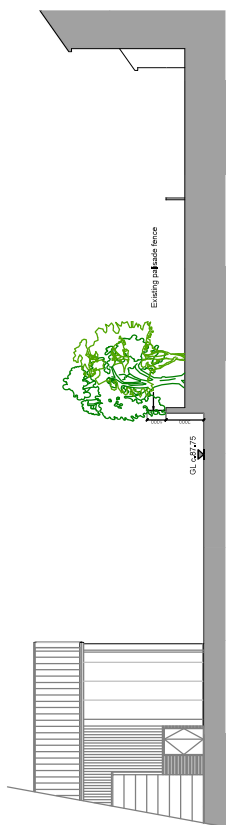




EXISTING PARTIAL ELEVATION



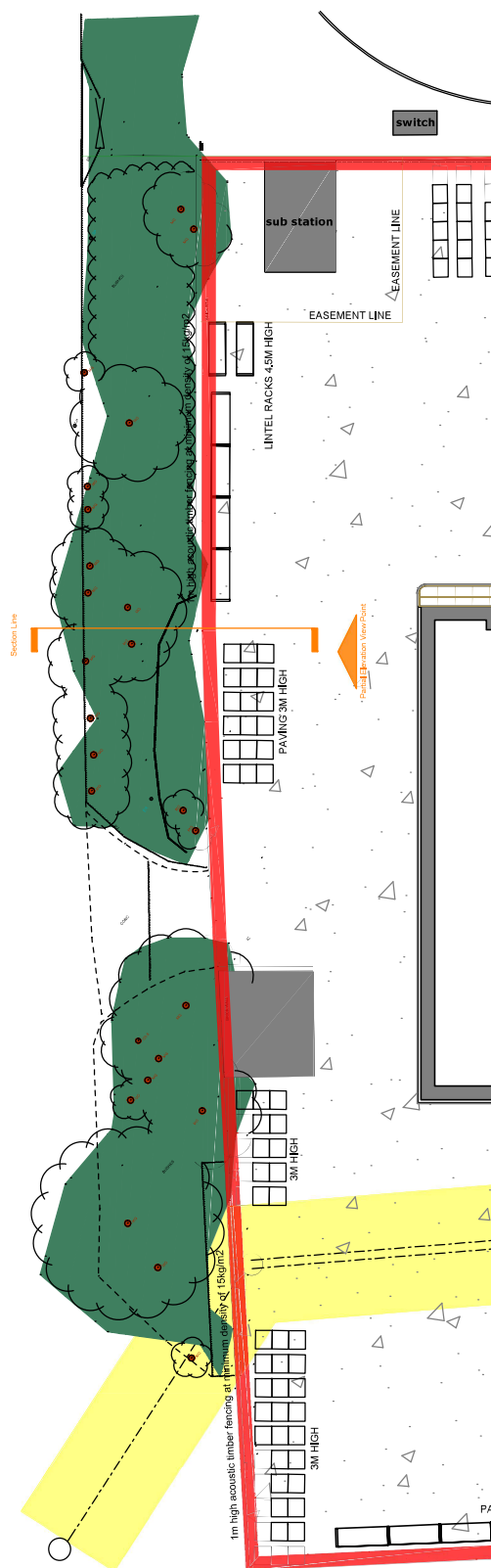
PROPOSED PARTIAL ELEVATION



EXISTING SECTION LINE



PROPOSED SECTION LINE

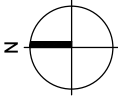
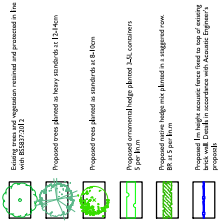


PARTIAL SITE PLAN



LEGEND

SOFT LANDSCAPING



Metres
0 10 20
SCALE 1:250

4no Prunus 'Acolade'

275no Euonymus fortunei 'Harequin'

300no Crataegus monogyna

6 no. covered
sheffield stands

existing sub station

Acoustic fencing fixed to
top of existing brick wall

existing
vegetation
to be
retained

existing
vegetation
to be
retained

existing sub station

Acoustic fencing fixed to
top of existing brick wall

8 car spaces

Planting Notes

1. Tree procurement, planting and management shall be in accordance with BS 9545:2014 'Trees from Nursery to Independence in the Landscape - Recommendations'. All other plants shall be handled in accordance with 'Plant Handling', the booklet published by the Committee for Plant Supply and Establishment (CPSE). The contractor shall comply with clauses 3 & 4 of the above booklet. (obtained from the Horticulture Trades Association, 19 High Street, Theale, Reading, Berks RG7 5H) which refers to the receipt, unloading and temporary storage of plants.
2. Plants shall be first class examples of their species or variety, free from all pests and diseases, with good fibrous root systems and materially undamaged (refer to relevant sections of BS3934 Parts 1-4 'Specification of Nursery Stock').
3. All planting is to be in general compliance with BS4328: 1989 'Code of Practice for general landscape operations (excluding hard surfaces)'.
 - 4. Shrub beds to have a min depth of 450mm good quality topsoil, beds should be cultivated prior to planting and be free from weeds or any stones/ rubble material greater than 50mm.
 - 5. All trees are to be staked and secured as follows:
 - i) Standard trees are to be double staked using short stakes (at 600mm above ground level) and secured with a cross bar and rubber webbing tie and spacer.
 - ii) Heavy Standard trees are to be double staked using short stakes (at 600mm above ground level) and secured with a cross bar and rubber webbing tie and spacer.
 - 6. All BR Whips and BR stock (proposed native shrub mix) to be protected with a spiral bound tree-shrub guard and secured into place with a cane. Ensure that areas around the base of shrubs are maintained weed free during the establishment period using a glyphosate based herbicide. BR stock should be notch planted and headed securely into position.
 - 7. For trees: One number 80 ltr bag of tree planting compost (spong peat based) is to be incorporated into tree pits. Compost must be mixed thoroughly with topsoil. Trees shall be planted in tree pits of the following minimum sizes (or large enough to comfortably accommodate the root ball, whichever is the largest):

Standard	750x750x750mm deep
Heavy standard	1000x1000x750mm deep
 - 8. The contractor must ascertain for himself/ herself the exact location of underground services and maintenance points.
 - 9. All areas of ornamental planting are to be mulched to a depth of 50mm with medium grade tree bark.
10. Water all plants and trees on the same day of planting and there after as necessary (min once a week in periods of drought) to ensure the establishment of the plants during the 12months defects period.

TECHNICAL NOTE

Acoustic fencing is to be fixed to the top of the existing brick wall along the western site boundary. Details are to be in accordance with the Acoustic Engineers proposals. Fence to be 1m high (over and above the height of the wall) and constructed of a density of at least '5kg/m2', refer to Wallall Armstrong report GWT552 Doc 002 V01'.
Existing vegetation along the western edge of the site is to be retained and protected during the construction works. The vegetation will not be affected as a result of the works to install the 1m high acoustic fence as it will be installed on top of the existing red brick wall (replacing the existing palisade fencing). These fencing works will be carried out from the suburbs of the wall to ensure that there is no detrimental impact on the vegetation.

PLANT SCHEDULE				
Species	Pot	Size	Density	Total
ORNAMENTAL HEDGE				
BH	Euonymus fortunei 'Harequin'	3L	40-60	51/m m
NATIVE HEDGE				
Cn	Crataegus monogyna	BF	100-120	51/m m
TREE PLANTING				
Pa	Prunus 'Acolade'	12-14cm	Heavy Standard	4

NB: All trees to be supplied with min 1m clear stem

Rev B: Acoustic fencing and notes added 24/09/2021
Rev A: Planting revised in accordance with Architect's layout 22/02/2021



dep LANDSCAPE ARCHITECTURE LTD
2 COMMERCIAL STREET
MANCHESTER, M15 4RQ
E: info@dep.co.uk
W: www.dep.co.uk

Client: Euro Garages Ltd
Project: MKM Builders Merchants
Manchester Road, Bolton
Drawing: DP000001
Drawing number: 3877
Drawing date: 06 Feb 21
Revision: B

Planting Plan

Scale: 1:200 @ A1
Job number: 3877
Drawing number: 06
Drawing date: Feb 21
Revision: B

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Application number
10936/21



Directorate of Place
Development Management Section

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

Bolton
Council

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Date of Meeting: 22/07/2021

Application Reference: 10936/21

Type of Application: Full Planning Application

Registration Date: 25/05/2021

Decision Due By: 19/07/2021

Responsible Officer: Monika Dubacka

Location: 32 ALBION STREET, WESTHOUGHTON, BOLTON, BL5 3PZ

Proposal: CHANGE OF USE OF LAND TO CAR PARKING

Ward: Westhoughton North

Applicant: Mr M O Brien

Agent :

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- * The application is before Committee as the proposed scheme is recommended for approval and is contrary to Bolton Council's Development Plan.
- * The site is within 'Other Protected Open Land' and the proposal does not fall within any of the four exception categories of Allocation Plan Policy CG6AP.
- * However, given the very small scale of the proposed car parking area it is considered that the proposed development would be in character with the wider area and would not compromise the living conditions of the two adjoining owner/occupiers to the degree to warrant refusal of this application.
- * Members are recommended to grant planning permission.

Proposal

1. Permission is sought for the creation of a car parking area to the rear of 32 Albion Street. This is to cover an area of 50 sq. metres. The site has been partly cleared of overgrowth and part of the site has been already covered with hardcore/gravel. No outbuildings/fences/gates are being proposed as part of this scheme.

Site Characteristics

2. This application relates to an undeveloped piece of greenfield land to the rear of 32 Albion Street in Westhoughton. The site is separated from no. 32 by an unadopted road, and it adjoins greenfield land to the north and east. The very west the site adjoins an extended garden area of one of neighbouring properties at Albion Street. The surrounding area is characterised by residential properties.
3. The site is within 'Other Protected Open Land' as shown on Bolton Council's Allocation Plan.

Policy

Development Plan

4. Core Strategy Policies: P5 Accessibility, S1 Safe, CG1 Greener Bolton, CG3 The Built Environment, CG4 Compatible Uses and OA3 Westhoughton.
5. Allocation Plan – Policy CG6AP 'Other Protected Open Land'

Other material considerations

6. National Planning Policy Framework (NPPF)
7. General Design Principles Supplementary Planning Document; House Extensions Supplementary Planning Document.

Analysis

8. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. 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.
9. The main impacts of the proposal are considered to be:-
 - * Principle of the development
 - * Impact on the character and appearance of the dwelling and the surrounding Area
 - * Impact on the amenity of neighbours
 - * Impact on ecology/trees
 - * Impact on highways/car parking
 - * other matters

Principle of the Development

10. The application site is allocated within Bolton's Allocations Plan as 'Other Protected Open Land'. Protected Open Land is defined within paragraph 5.12 of the Allocations Plan as countryside that is not within the Green Belt but is protected from inappropriate development.
11. Allocations Plan Policy CG6AP states that the Council will permit development proposals within the defined areas of Protected Open Land shown on the Proposals Map provided that they fall within one or more of the following categories:
 - the development represents limited infilling within an established housing or industrial area, is in scale with it and would not adversely affect its character or surroundings; or
 - it forms part of, and is required for, the maintenance of an existing source of employment; or
 - the development requires a location outside the urban area, but is inappropriate within the Green Belt, and providing it maintains the character and appearance of the countryside; or
 - the development would be appropriate within the Green Belt.
12. The above-mentioned policy further explains that where new buildings are permitted they

should be sited to form a group with existing buildings wherever possible. In cases where this is not possible, buildings, car parking areas and any other new structures should be sited where they will be well screened and unobtrusive in the landscape. All buildings and extensions should be of a high standard of design, using materials that are compatible with the landscape.

13. The proposed car parking space within the application site does not fall within any of the four categories within Policy CG6AP and therefore, by definition, represents inappropriate development of 'Other Protected Open land', contrary to Allocations Plan Policy CG6AP.
14. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan (that is, for Bolton, the Core Strategy, the Allocations Plan and the Greater Manchester Joint Minerals Plan,) *unless material considerations indicate otherwise*.
15. However, as discussed below, given its very limited impact on the character of the area and residential amenity it is considered that the proposed development would not have detrimental impact to the purpose and openness of 'Other Protected Open Land'.

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

16. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and require development to be compatible with the surrounding area in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.
17. Policy OA3 refers specifically to developments in Westhoughton and states (amongst other things) that the Council will conserve and enhance the character of the existing physical environment.
18. The proposed car parking space was created to the rear of no. 32 Albion Street and is separated from the applicant's dwelling house by an unadopted road at the back of the residential terrace row at 14-40 Albion Street.
19. It is noted that there are other garages/sheds and extended garden area behind 14-32 Albion Street which are within an area not allocated within Bolton Council's Allocation Plan. The application site (along with the land behind 34-40 Albion Street) whilst proposing similar type of the development, is allocated with 'Other Protected Open Land' as discussed above.
20. However, given its very limited scale and that it does not project any further into 'Other Protected Open Land' than other structures at the back of this terrace row, it is not considered that introduction of this a car parking area would have a detrimental impact on the openness or the purpose of 'Other Protected Open Land' to the extent to warrant refusal of this planning application.
21. In addition, given that this car parking space is situated at the rear, screened from Albion Street by the existing terrace row and adjacent to other similar developments at the back of 14-40 Albion Street, it is considered that the proposal would not have detrimental impact on the character of the applicant's dwelling and/or the surrounding area.
22. The proposal therefore complies with CS policy CG3 and OA3 and guidance within the House Extension SPD.

Impact on the Amenity of Neighbouring Residents

23. 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.
24. The proposed car parking space would be separated from the adjacent dwellings by the unadopted road and it is not considered that it would have a detrimental impact of the living conditions of neighbouring occupiers.
25. It is noted that the Council's Pollution Control Officers have asked for a Construction Management Plan to be secured by a condition, but given the very small nature of the proposed scheme and that part of it has already been implemented, it is considered that this condition would not be reasonable or necessary. If the application is approved, implementation of the scheme might result in noise and overall disturbance, however given the small scale of the proposal, it is likely that this would have negligible impact on nearby neighbours and in any case would be temporary by the very nature of construction works.
26. Having regard to the above, it is considered that the proposals would comply with the standards of amenity in policy CG4 of Bolton's Core Strategy and the General Design Principles SPD and would in principle provide satisfactory levels of amenity for future occupants and surrounding residents.

Impact on Ecology/Trees

27. Policy CG1 safeguards and enhances biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and inter connectivity of wildlife corridors and habitats.
28. Section 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment.
29. Para 175 of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigates, or, as a last resort, compensated for, then planning permission should be refused
30. The site has been already partly cleared by brambles and overgrowth. The Council's Tree Officer has noted that the proposal would not impact on the existing trees and has raised no objections.
31. The Council's Greenspace services officer in their comments mention the presence of Japanese Knotweed within the site, however this was not noted at the officer's site visit. As a precaution measure an informative would be attached to ensure that the applicant is aware that the plant is regulated under Section 14 of the Wildlife and Countryside Act 1981 (as amended) and its treatment by the Pesticides Regulations and its uprooting, transport and disposal by the Environmental Protection Act and Waste Management Regulations 1994
32. Should any Japanese Knotweed be found at the application site it is the applicant responsibility to arrange an adequate treatment by a specialist in order to prevent future damage to the development and spread of the weed during clearance and construction.

Impact on Highway Safety/Car Parking

33. 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.

34. NPPF advises that developments should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
35. Highways Officer have reviewed the scheme and raise no objections.
36. The proposed development would not impact on the existing car parking arrangement in the area and in any case would provide an off-street car parking space for owner of no. 32 Albion Street. It is noted that part of the site has been already converted into a car parking space finished with gravel/hardcore materials and as no materials have been detailed within the application for the rest of the site, these would be conditioned.

Other Matters

37. The application site is not part of the residential curtilage and if the application is granted it would not be classed as such especially given its physical separation from no. 32 and given that the proposed scheme is for change of land to the car park area only. Thus there is no need to remove permitted development rights as they would not apply to this piece of land. Should the applicant decide to build a garage or shed in the future a separate planning application would be required.

Conclusion

38. The proposal is considered to be contrary to 'Other Protected Open Land' Policy CG6AP, however it is considered that the proposed development would not be out of character with the area and would not compromise the living conditions of the two adjoining owner/occupiers to the degree to warrant refusal of this application.
39. Members are therefore recommended to grant planning permission for the proposal.

Representation and Consultation Annex

Representations

Letters/petitions:- none received.

Westhoughton Town Council:- The Town Council supports the application subject to the applicant dealing with the Japanese Knotweed, which is encroaching the site.

Consultations

Westhoughton Town Council, Highways, Greenspace services, Pollution Control and Tree and Woodland manager.

Planning History

None.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

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

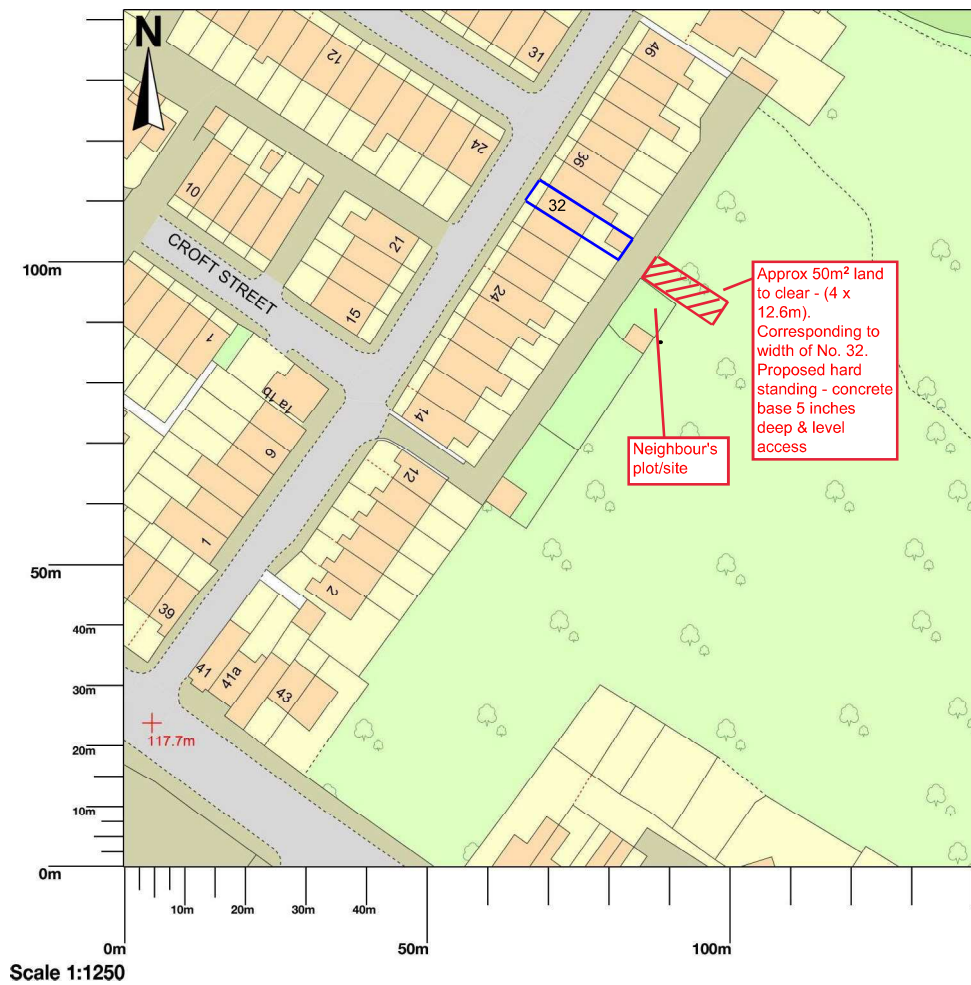
3. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

- **Land Albion Street (Site plan) received on 06.04.21**
- **Location Plan received on 25.05.21**

Reason

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

32 Albion Street, Westhoughton, Bolton, BL5 3PZ



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Neighbours backyard

32 Albion street
Back yard

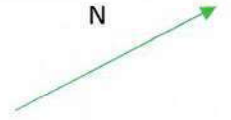
Neighbours backyard

Scale

1:1250

BACKSTREET

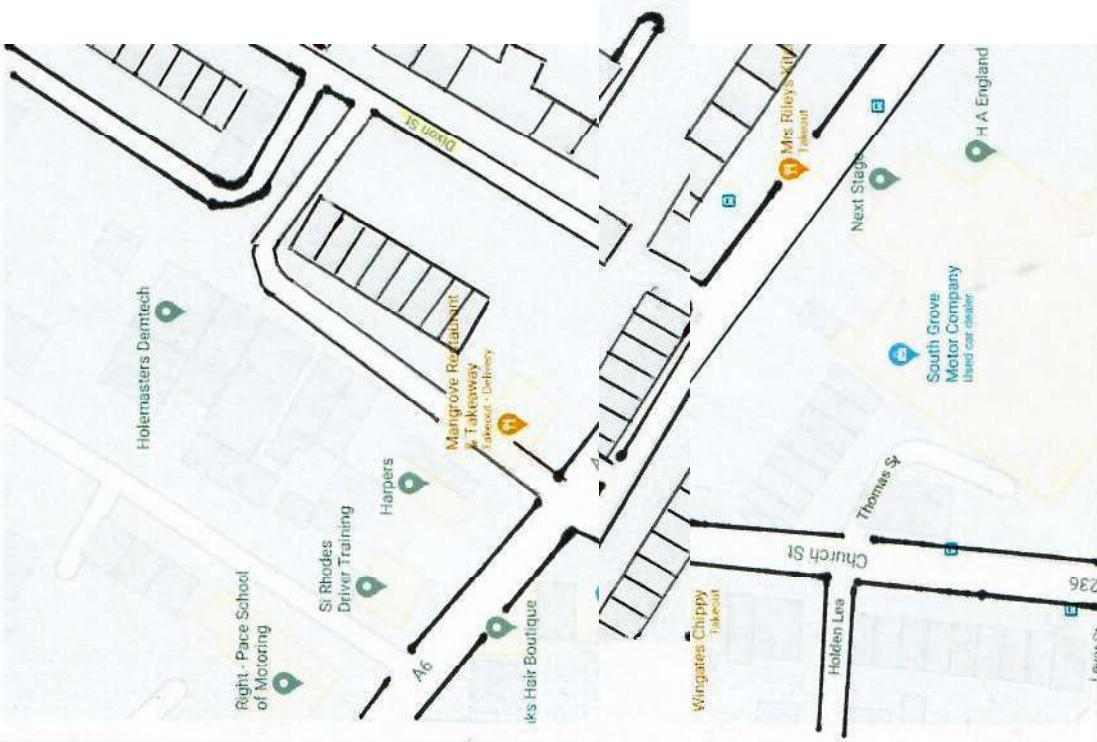
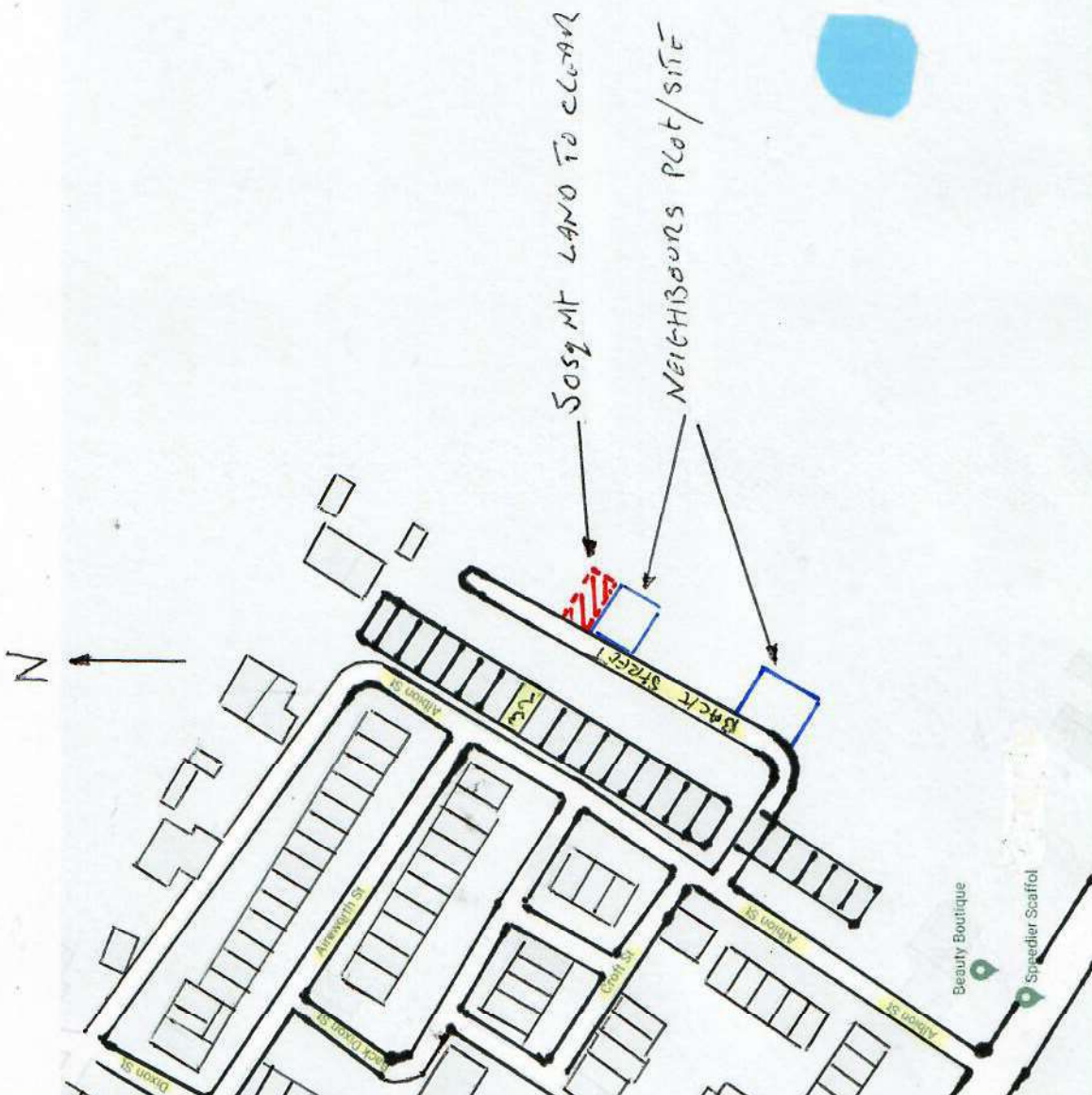
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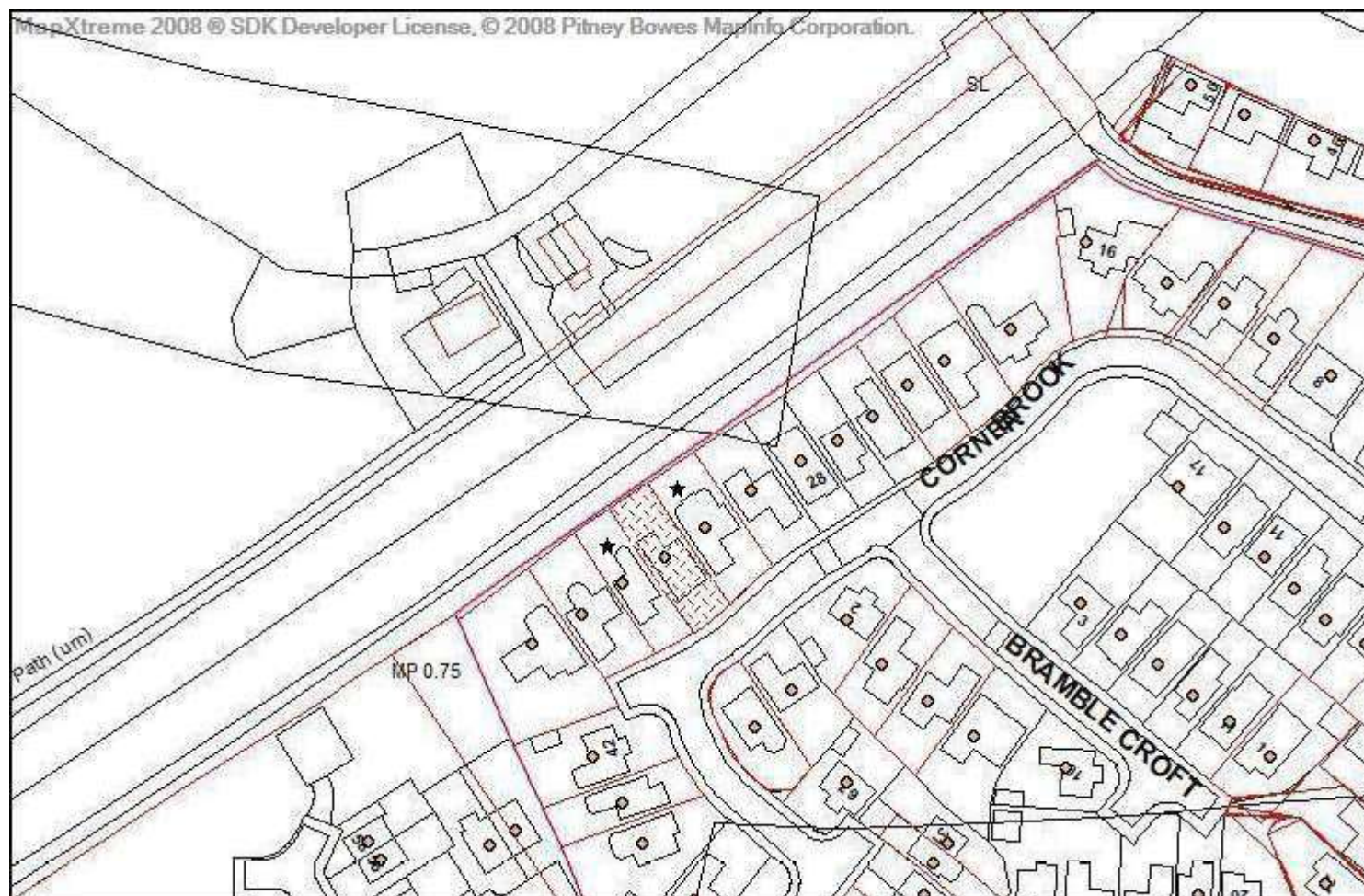
Neighbours plot/site

50sq Mt
Land To Clear

OVERGROWN/UNDEVELOPED



Application number 11316/21



Directorate of Place
Development Management Section

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

Bolton Council

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Date of Meeting: 22/07/2021

Application Reference: 11316/21

Type of Application: Full Planning Application
Registration Date: 18/05/2021
Decision Due By: 12/07/2021
Responsible Officer: Alex Allen

Location: 34 CORNER BROOK, LOSTOCK, BOLTON, BL6 4GX

Proposal: ERECTION OF A SINGLE STOREY EXTENSION AT REAR

Ward: Westhoughton North

Applicant: Mr A Morgan
Agent : AGF PLANS

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- The application is before Committee as the applicant is Councillor Morgan and therefore requires determination by members.
- This householder application is for a single storey rear extension on a detached property to replace an existing conservatory.
- The proposal would ordinarily be permitted development. However, the property's permitted development rights have been removed.
- Members are recommended to grant planning permission as the proposal fully complies with Core Strategy policy and guidance.

Proposal

1. Proposed single storey full width rear extension projecting c. 3.5 metres from the original rear elevation. The extension would have a mono pitched roof to c. 2.6 metres to the eaves and 3.675 metres to the apex of the roof.
2. The proposed materials for the extension would match the original dwellinghouse.

Site Characteristics

3. This application relates to a detached property located on a residential housing estate. The surrounding area is characterised by a mix of two storey detached dwellings. Both adjoining properties have had single storey rear extensions.

Policy

Development Plan

4. Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; and OA3 Westhoughton.

Other material considerations

5. SPD House Extensions and SPD General Design Principles
6. National Planning Policy Framework (NPPF)

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.

7. The main impacts of the proposal are considered to be:-

- Impact on the Character and Appearance of the Dwelling and the Surrounding Area
- Impact on the Amenity of Neighbours

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

8. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and require development to be compatible with the surrounding area in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.
9. Policy OA3 refers specifically to developments in Westhoughton and states (amongst other things) that the Council will conserve and enhance the character of the existing physical environment.
10. Guidance contained within the House Extension SPD seeks to ensure that extensions are subordinate to the existing dwelling, are sensitively designed and respect the character and appearance of the wider area.
11. Given the modest scale and simple design of the proposed extension and other extensions within the same estate, it is considered that the proposal is in character with the existing dwelling and the surrounding area.
12. The proposal therefore complies with CS policy CG3 and OA3 and guidance within the House Extension SPD.

Impact on the Amenity of Neighbouring Residents

13. 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.
14. Guidance contained within the House Extension SPD states (para 4.14) that single storey extensions of up to 4 metres on detached houses will normally be acceptable (where they are not already normally permitted development).
15. The property is detached and as the proposed extension is under 4 metres in projection, it would comply with the guidance as set out in paragraph 4.14 of the SPD. In addition, both properties on either side of the application property have had single storey extensions (brick built extension and a conservatory) which would ensure that the living conditions of both owner/occupiers would not be detrimentally affected.

Other matters

16. A rail line is located to the rear of the curtilage of the property. Network Rail have raised no objections to the proposal.

Conclusion

17. The proposal is considered to comply with the relevant local and national planning policies, in that it is considered that the proposed development would be in character with the host dwelling house and the wider area and would not compromise the living conditions of the two adjoining owner/occupiers.
18. Members are therefore recommended to grant planning permission for the proposed extension.

Representation and Consultation Annex

Representations

Letters/petitions:- none received

Town Council:- no comments received.

Elected Members:- no comments received.

Consultations

Westhoughton Town Council and Network Rail.

Planning History

A Certificate of Lawful development (Ref: 10664/21) for a proposed single storey rear extension was withdrawn by the application in May 2021.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

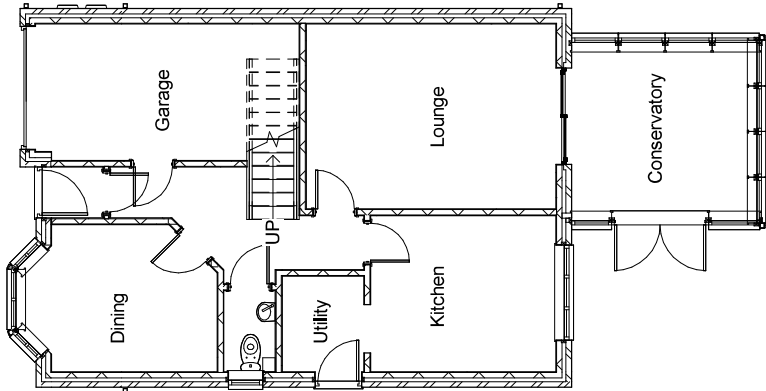
Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

**Drawing No. 2 of 5 - Proposed floor layout, dated 23/02/21; and
Drawing No. 3 of 5 - Proposed Elevations, dated 23/02/21.**

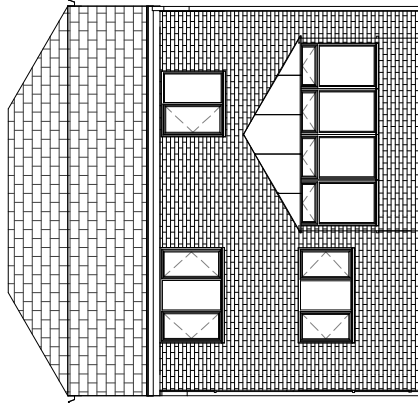
Reason

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



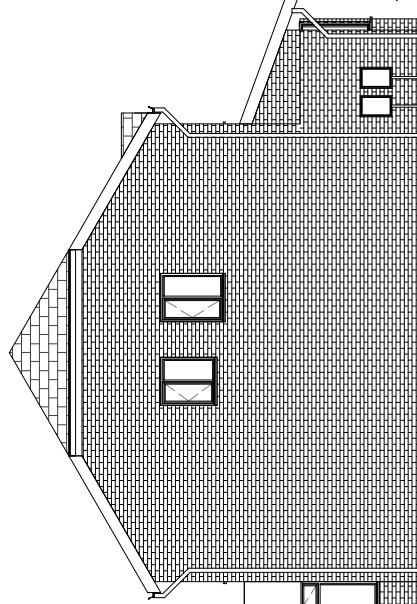
1
dpc
1 : 100

All workmanship and materials shall comply with the current and relevant Building Regulations, British standards and codes of practice. All materials shall be fixed, applied or mixed in accordance with the manufacturers instructions or specifications. All materials shall be suitable for their purpose. The contractor shall take into account everything necessary for the proper execution of the works, to the satisfaction of the inspector whether or not shown on the drawing.

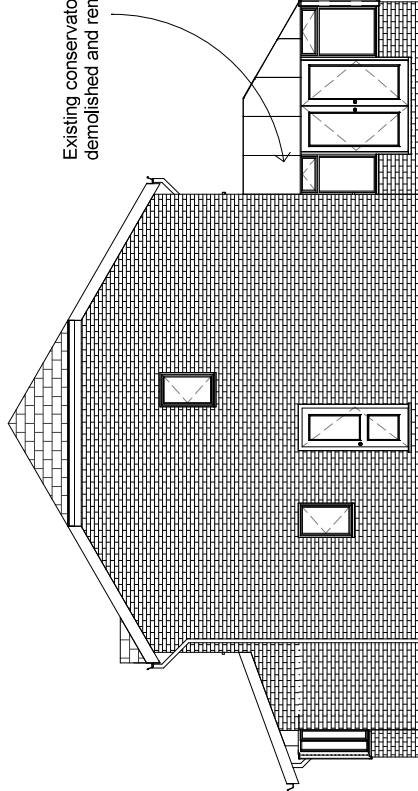


2
Rear
1 : 100

CDM Regulations 2015: CDM regulations apply to projects where construction work lasts longer than 30 working days and has more than 20 workers on site together at any point or if the project exceeds 500 person days. Such projects are legally notifiable to HSE. Wherever there is more than one contractor, the client must appoint a Principal Designer to be responsible for the coordination of health & safety during the preconstruction and construction phase of the project.



3
Side
1 : 100



4
side
1 : 100

Generally any departure from the approved plan may require a re submission for building reg. or planning approval. It is advised that work stops until any such approval is obtained.

Permission will be required from owner of adjacent property or land for any works beyond boundary.

The contractor should discuss the proposed works directly with Building control at all stages.

The primary responsibility for achieving compliance with the building regulations rests with the person carrying out the work. This is either the builder or the owner/applicant.

A full plan building regulation application must be made well in advance of when the works is to start. The local authority will check the plans consult with any other authorities (Eg Public sewers) . Time scales is 5-8 weeks for full approval.

Once approved work can then proceed. As part of the checking and consultation stage the plans may be altered to show compliance. It is important that the builder/Applicant or owner checks that they are working to the correct issue plan.

If a building project has both planning and building regulation approval, then you must not build anything other than what has been approved. It is important that the builder/owner/applicant reads all the latest issue and /or approved plans to ensure they understand the various details contained therein. This includes all letters, notifications and calculations ETC.

All workmanship and materials to comply with current and relevant codes of practice, building regulations and British standards

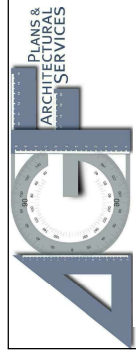
These plans details and drawings have been produced detailed and draughted for the sole purpose of applying to the local authority in order to obtain the relevant and necessary household planning consent and building regulations full plans/plan check approvals only.

All dimensions and levels on site to be checked before work commences.

TEMPORARY WORKS: For alteration work requiring new openings in walls or the removal of existing walls, the builder is to follow the guidance in the BRE Good Building Guides Nos. 15 and 20 Providing temporary support during work on openings in external walls and Removing internal load bearing walls in older dwellings. We advise against the use of Strong Boy Acrow props where heavy loads are to be supported.



No.	Description	Date



AGF Plans and Architectural Services
121 Park Road, Westhoughton, Bolton
07980544857 - agfplans@hotmail.co.uk

Planning
Building Control
Structural Calculations
Project Management

PROJECT

Proposed Single Extension To Rear Of 34
Corner Brook ,Lostock Bolton, BL6 4GX.

SHEET

Existing Layout And Elevations

CLIENT

Mr A Morgan

Date

23/02/21

Scale (@ A3)

1 : 100

Project number

NDH/AM/2/21

DRAWING NUMBER

5 of 5

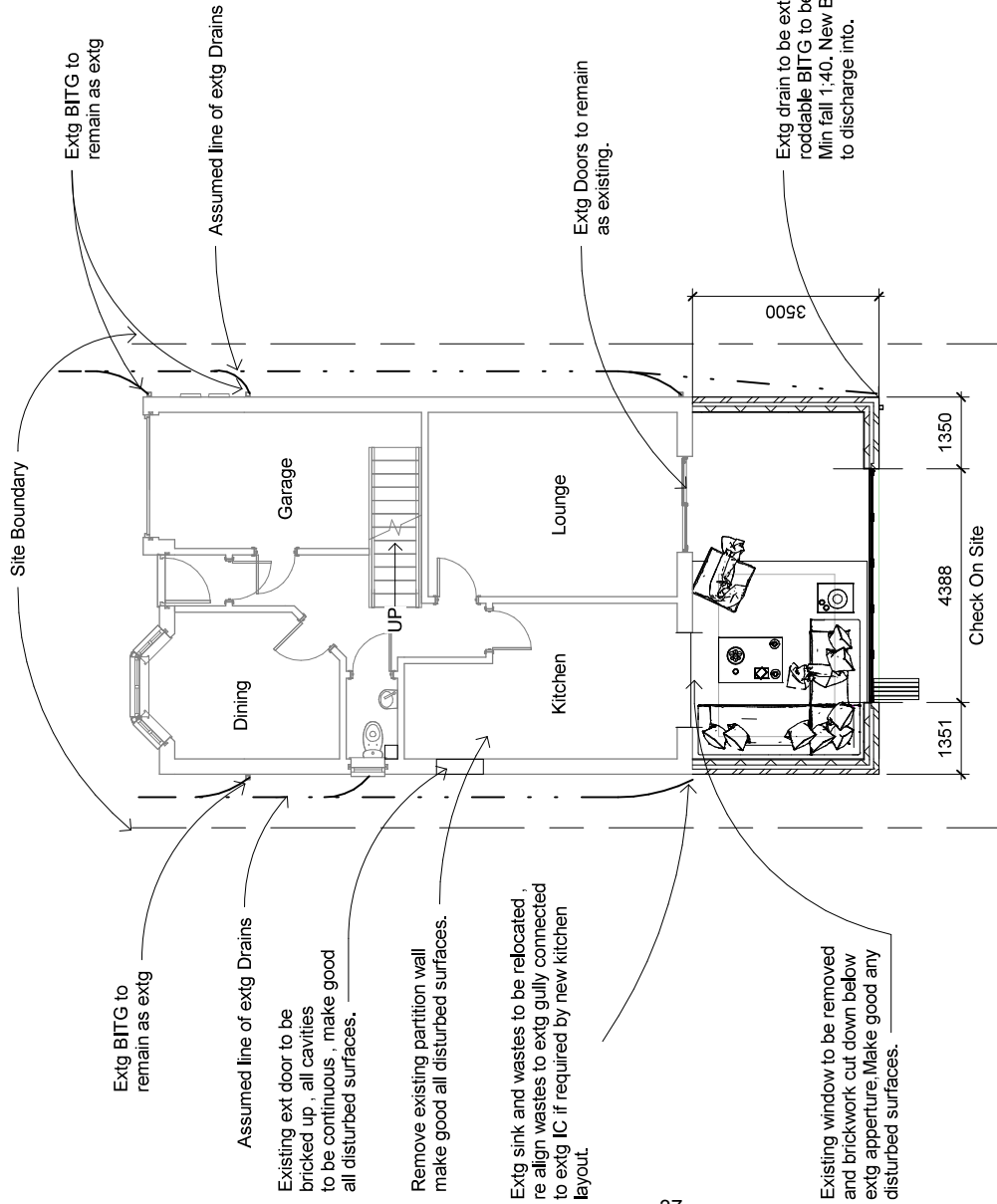
Checked by

Checker

REV

All drainage to satisfaction of LA Bldg Insp on site.
All Measurements to be checked on site

Ventilation: Proposed kitchen extract vent via a cooker hood extract, otherwise if by isolate fan the output to be increased to 60L/s/Sec



UNDERGROUND FOUL DRAINAGE Underground drainage to consist of 100mm diameter UPVC proprietary pipe work to give a 1:40 fall. Surround pipes in 100mm pea shingle. Provide 600mm suitable cover (900mm under drives). Shallow pipes to be covered with 100mm reinforced concrete slab over compressible material. Provide rodding access at all changes of direction and junctions. All below ground drainage to comply with BS7158 and BS801

ESCAPE WINDOWS Provide emergency egress windows to any newly created first floor habitable rooms and ground floor inner rooms. Windows to have an unobstructed openable area of 450mm high x 450mm wide, minimum 0.33m sq. The bottom of the openable area should be not more than 1100mm above the floor. The window should enable the person to reach a place free from danger from fire.

SAFETY GLAZING All glazing in critical locations to be toughened or laminated safety glass to BS 6206 and Part K of the current Building Regulations, i.e. within 1500mm above floor level in doors and side panels within 300mm of door opening and within 800mm above floor level in windows

NEW AND REPLACEMENT WINDOWS New and replacement windows to be double glazed with 16mm argon gap and soft coat low-E glass. Window Energy Rating to be Band C or better and to achieve U-value of 1.6 W/m²K. The door and window openings should be limited to 25% of the extension floor area plus the area of any existing openings covered by the extension

NEW AND REPLACEMENT DOORS New and replacement doors to achieve a U-Value of 1.80W/m²K. Glazed areas to be double glazed with 16mm argon gap and soft low-E glass. Glass to be toughened or laminated safety glass to BS 6206 and Part K of the current Building Regulations.

WALL TIES All walls constructed using stainless steel vertical twist type retaining wall ties built in at 750mm ctrs horizontally, 450mm vertically and 225mm ctrs at reveals and corners in staggered rows. Wall ties to be suitable for cavity width and in accordance with BS 5268-6.1: 1996 and BS EN 845-1: 2003

CAVITIES Provide cavity trays over openings. All cavities to be closed at eaves and around openings using Thermabate or similar non combustible insulated cavity closers. Provide vertical DPCs around openings and abutments. All cavity trays must have 150mm upstands and suitable cavity weep holes (min 2) at max 900mm centres.

DPC Provide horizontal strip polymer (hyload) damp proof course to both internal and external skins minimum 150mm above external ground level. New DPC to be made continuous with existing DPC's and with floor DPM. Vertical DPC to be installed at all reveals where cavity is closed.

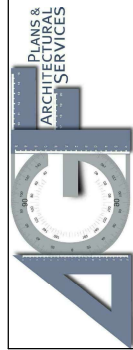
LEAD WORK AND FLASHINGS All lead flashings, any valleys or soakers to be Code 5 lead and laid according to Lead Development Association, Joints to be lapped min 150mm and lead to be dressed 200mm under tiles, etc. All work to be undertaken in accordance with the Lead Development Association recommendations.

DRAINAGE Full drainage system on site is to be identified on site at the time Of excavation. If the property is served by a combination system Or separate system, that system must be maintained during and after construction. All re routing and additional drainage layouts are to be confirmed and approved by the building inspector prior to the laying of the drains. All drain bends. Any drainage re-routing as a result of this application is to be agreed in advance of construction and in accordance with the building inspectors and utilities requirements. Drain inspection Chambers less than 930 mm are to be polypropylene with a metal Frame and cover.

Drainage runs indicated on drawings submitted are assumed based on what is visible at the time of survey and should not be relied upon as being a complete drawing survey. Prior to any excavation works the contractor must determine the exact positions of all drainage runs including pipe size, depths, rodding access points and inspection positions. Depending upon this information delays may occur in the construction process due to the need to consult utility or to commission CCTV survey. The contractor is advised of their responsibilities to maintain adequate temporary supports for all excavation works. All drainage to be to satisfaction of LA building inspector



No.	Description	Date



AGF Plans and Architectural Services
121 Park Road, Westhoughton, Bolton
07980544857 - agfplans@hotmail.co.uk

Planning
Building Control
Structural Calculations
Project Management

PROJECT

Proposed Single Extension Tp Rear Of 34
Corner Brook ,Lostock Bolton, BL6 4GX.

SHEET

Proposed Floor Layout

CLIENT

Mr A Morgan

Date

23/02/21

Project number

NDH/AM/21

Scale (@ A3)

1 : 100

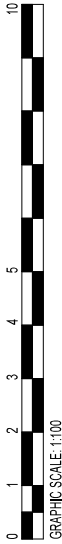
DRAWING NUMBER

REV

2 of 5

Checked by
Checker

1 dpc
1 : 100



NOTES This drawing is to be read in conjunction with all other relevant project drawings, schedules and notes and is applicable whether specifically referred to or not. The contractor is responsible for checking all dimensions on site prior to commencement of the works with any errors being reported to AGF Plans as soon as possible. Any construction work carried out prior to receiving all necessary approval for planning and or building regulations is entirely at the householder's/client's risk. All building work to be completed to the satisfaction of the Local Authority Building Control Officer in accordance with the current Building Regulations and as such additional unforeseen building works may be required on site. The contractor shall inspect all adjoining properties which may be affected by the works prior to commencement of works and record and report to the owner any defects. The contractor shall be entirely responsible for the security, strength and stability of the building during the course of the works. Drawings produced for the purpose of Building Regulation approvals only and do not constitute full working drawings. All drawings copyright AGF Plans. This drawing may not be copied by any third parties without prior permission from AGF PLANS

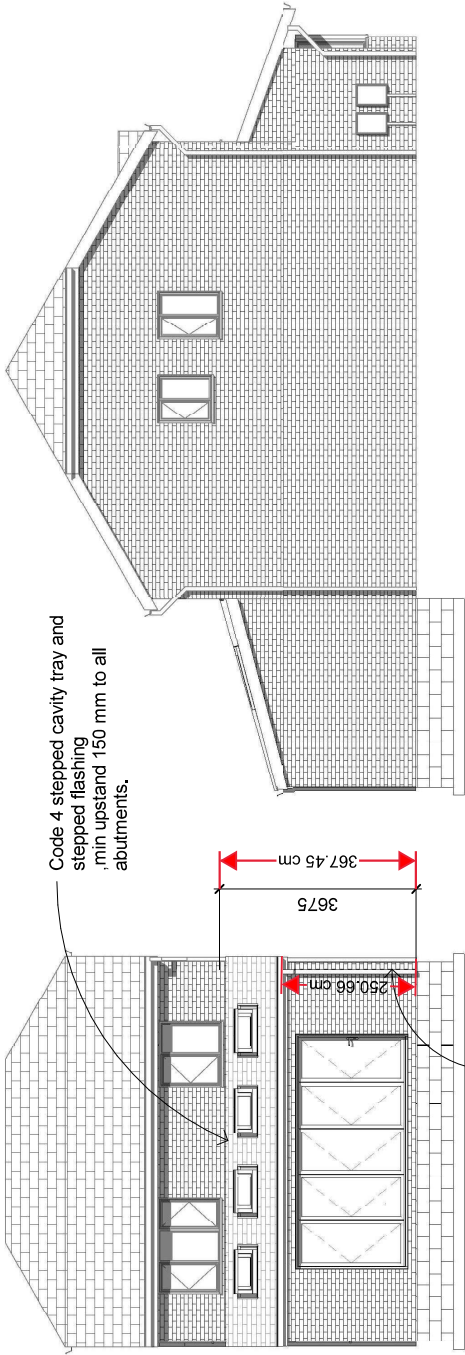
HEATING Extend all heating and hot water services from existing and provide new TVRs to radiators. Heating system to be designed, installed, tested and fully certified by a GAS SAFE registered specialist. All work to be in accordance with the Local Water Authorities bye laws, the Gas Safety (Installation and Use) Regulations 1998 and IEE Regulations

ELECTRICAL All electrical work required to meet the requirements of Part P (electrical safety) must be designed, installed, inspected and tested by a competent person registered under a competent person self certification scheme such as BRE certification Ltd, BSI, NICEIC Certification Services or Zurich Ltd. An appropriate BS7671 Electrical Installation Certificate is to be issued for the work by a person competent to do so. A copy of a certificate will be given to Building Control on completion

SMOKE DETECTION Mains operated linked smoke alarm detection system to BS 5446 - 1:2000 and BS5839-6:2004 to at least a Grade D category LD3 standard and to be mains powered with battery back up. Smoke alarms should be sited so that there is a smoke alarm in the circulation space on all levels/ storeys and within 7.5m of the door to every habitable room. If ceiling mounted they should be 300mm from the walls and light fittings. Where the kitchen area is not separated from the stairway or circulation space by a door, there should be an interlinked heat detector in the kitchen.

INTERNAL LIGHTING Install low energy light fittings that only take lamps having a luminous efficiency greater than 45 lumens per circuit watt and a total output greater than 400 lamp lumens. Not less than three energy efficient light fittings per four of all the light fittings in the main dwelling spaces to comply with Part L of the current Building Regulations and the Domestic Building Services Compliance Guide.

BACKGROUND VENTILATION Background ventilation - Controllable background ventilation via trickle vents to BS EN 13141-3 within the window frame to be provided to new habitable rooms at a rate of min 5000mm²; and to kitchens, bathrooms, WC's and utility rooms at a rate of 2500mm²



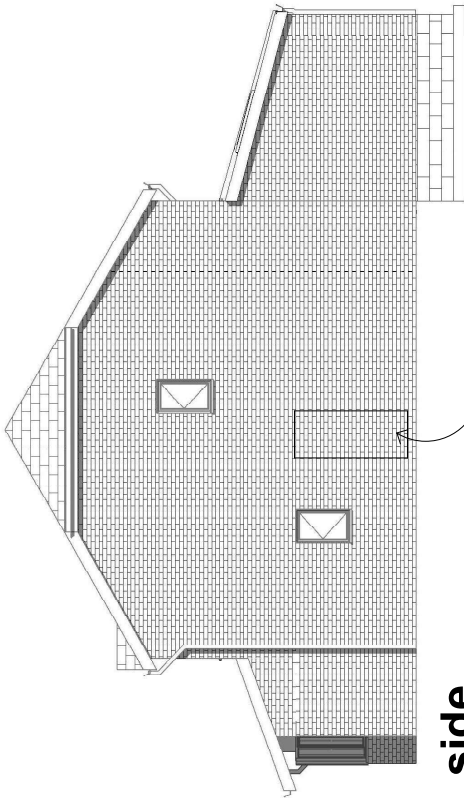
1 Rear 1 : 100

2 Side 1 : 100

Any flue outlet should be located minimum 300mm from openings and 600mm from boundaries.

ROOF LIGHTS - Approx 1200 x 800 Min U-value of 1.6 W/m²K. Roof lights to be double glazed with 16mm argon gap and soft low-E glass. Window Energy Rating to be Band C or better. Roof lights to be fitted in accordance with manufacturer's instructions with rafters doubled up to sides and suitable flashings etc. Glazing element to be inner leaf 2 x 3mm laminated float glass and outer leaf to be 4mm toughened glass as per velux technical detail

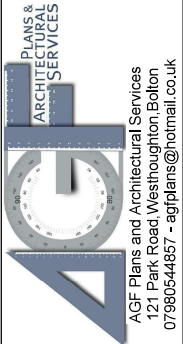
LEAD WORK AND FLASHINGS
All lead flashings, any valleys or soakers to be Code 5 lead and laid according to Lead Development Association. Flashings to be provided to all jambs and below window openings with welded upstands. Joints to be lapped min 150mm and lead to be dressed 200mm under tiles, etc. All work to be undertaken in accordance with the Lead Development Association recommendations



3 side 1 : 100



No.	Description	Date



PROJECT	CLIENT
Planning Building Control Structural Calculations Project Management	Mr A Morgan
Proposed Single Extension Tp Rear Of 34 Corner Brook ,Lostock Bolton, BL6 4GX.	Date 23/02/21 Drawn by NDH/AM/2/21 Scale (@ A3) 1 : 100
SHEET	Checked by DRAFTER NUMBER REV
Proposed Elevations	3 of 5

Bolton (Land at Gorses Road and Bembridge Drive, Bolton) Tree Preservation Order 2021

Executive Summary

- The making of this Order is before Committee as an objection has been made.
- The Council has sought to update an existing Area Tree Preservation Order.
- It is considered that it is expedient in the public interest, due to potential future development of the site, that the Order is made.
- Officers recommend that Bolton (Land at Gorses Road and Bembridge Drive, Bolton) Tree Preservation Order 2021 is confirmed without modification.

Introduction

The making of the Order is before Planning Committee as the Council has received an objection.

The Council must take into account all duly made objections and representation before deciding whether to confirm an Order. The Council has 6 months to confirm the Order. The Council can confirm the Order either without or with modification, or decide not to confirm the Order.

The Order consists of a two groups of woodland, comprising:

- W1 An area of woodland situated in the former railway cutting to the south of Gorses Road, Bolton and to the north of Bembridge Drive, Bolton and consisting of predominantly Oak, Willow, Birch, Ash and other mixed broadleaved species.
- W2 An area of woodland situated in the former railway cutting to the south of Leverhulme Park and to the north of Bembridge Drive and Radcliffe Road, Bolton and consisting of predominantly Oak, Willow, Birch, Ash and other mixed broadleaved species.

Site History

The former Long Lane, Bembridge Drive, Gorses and Radcliffe Road TPO 2003, was confirmed in April 2004, and was made as an area order. This may place the new trees on the site that have grown since the order was made at risk.

The area covered by W2 is allocated for residential development within Bolton's Allocations Plan.

Legislation

Town and Country Planning Act 1990

Town and Country Planning (Tree Preservation) (England) Regulations 2012

Guidance: National Planning Policy Guidance - Tree Preservation Orders and trees in conservation areas

Objections received

One objection to the Order have been received. This objection raises the following matters:

- | |
|--|
| <p>(i) <i>The reasons for making the Order have not been properly explained: In serving the Order, the Council states that 'We have made this order because we consider the trees are an important feature of the landscape</i></p> |
|--|

and contribute significantly to the amenities of the area and the need for maintenance of this amenity justifies the making of the order. However, the Council does not explain how it has assessed the amenity of the trees in a structured and consistent way. Details of any amenity assessment procedure should accompany the Order in the interests of clarity and transparency. The Council should also confirm whether any system used is accredited and accepted in landscape terms and what the term 'amenity' actually relates to in the context of the Order and the decision to create it.

Officer response:

The council have considered that the area of the trees within the cutting are a developing woodland area. This area was previously TPO'd as and confirmed as an area order which would normally only be used in an emergency situation. Area orders do not cover any trees that have grown or been planted after the date the order was made. Therefore, the woodland order has been made to cover all the new growth on the site and to prevent the unnecessary loss of any further trees.

(ii) The documents supporting the Order reference out of date guidance: Within the Regulation 5 notice, reference is made to Protected Trees: A Guide to Tree Preservation Orders. This document was withdrawn on 7th March 2014 and replaced by guidance within the wider Planning Practice Guidance. In citing the incorrect guidance, the Local Planning Authority may mislead, and therefore prejudice those affected by the Order as to which guidance is relevant, particularly those who may not have access to online resources.

Officer response:

Regulation 5 requires the Council to serve a notice on all persons interested in the land affected by the order. The notice has to contain the following information:

- (a) the reasons for making the order;
- (b) a statement that objections or other representations with respect to any trees, groups of trees or woodlands specified in the order may be made to the authority in accordance with regulation 6;
- (c) the date, being at least 28 days after the date of the notice, by which any objection or representation must be received by the authority; and
- (d) a copy of regulation 6.

There is no set format for the Regulation 5 notice. Although we provide the following in the notice:

Some information about tree preservation orders - *Protected Trees: A Guide to Tree Preservation Procedures*, produced by the Department for Communities and Local Government can be found online at www.gov.uk

if you go onto the gov.uk website and type in tree preservation orders, you are directed to the section within PPG which gives full guidance about TPOs.

The Council's Legal section have confirmed that the Regulation 5 notice is sound.

***(iii) The document does not follow the form of the Model Order:
The Order does not include any provision for the following:
(i) Confirmation of the Order;***

***(ii) any variation of the Order; and
(iii) any revocation of the Order.***

The absence of provision for details relating to the confirmation, variation or revocation of the Order is suggestive that the Council has not only failed to follow the form of model order but predetermined that the Order has been confirmed without following the necessary procedure for considering objections or representations in accordance with the Regulations.

Officer response:

The order has not yet been confirmed so this will not be added to the order unless or until it is confirmed, varied or revoked.

***(iv) The Order creates significant confusion with an existing Order:
There is an existing Tree Preservation Order relating to the land in question. There is therefore no specific requirement for the creation of a new Order, particularly in light of the potential development of the site. To create a new Order without consultation with the potential developer of the site creates an unnecessary level of confusion as to which Order takes precedence, as well as an unnecessary level of bureaucracy on the part of the Local Authority.***

Officer response:

As noted above, this area was previously TPO'd as and confirmed as an **area order** which would normally only be used in an emergency situation. Area orders do not cover any trees that have grown or been planted after the date the order was made. Therefore, the new woodland order has been made to cover all the new growth on the site and to prevent the unnecessary loss of any further trees.

v) The Order is in conflict with the Local Plan:

Officer response:

Whilst the area shown as W2 is allocated for residential development within the Council's Allocations Plan, should an application be submitted for development on the site then any permitted development would override any TPO status as the planning process would consider tree losses in balance with development requirements.

(vi) The Order seeks to protect trees that are not worthy of protection: There are a number of trees across the site that by virtue of their condition are not worthy of protection, including some that would automatically be considered 'exempt' from the Order by virtue of the foreseeably nuisance they will cause to existing bridge structures

Officer response:

The order has been made in respect to the prevention of any tree losses after recent tree removals. The Woodland TPO does not stop the landowner from managing the woodland correctly and the Council would actively encourage sound silvicultural management of the trees. This would include any tree management requirements to ensure the structural integrity of structures on the site.

(vii) The use of a Woodland designation is not appropriate:

The effect of the Woodland designation contained within the Order is that not only are all existing trees within the area on the map attached to the Order protected, but so too are any trees that are planted or grow at any time after the Order was made. There are currently extensive areas across the site that do not contain trees, however if the Order is confirmed in its current form, any trees that are planted or grow in the future, including any that are planted or grow naturally following the implementation of any approved development proposal, will be protected. That would include any trees that are planted or grow within gardens should the housing allocation of the land in accordance with the Local Plan be realised and houses be built. This would not only represent a significant constraint to future householders in the ordinary management of their domestic gardens, but a significant burden on the Local Planning Authority in having to deal with a potentially significant number of householder applications should the Council expect compliance with the Order. In addition to this, if the site is developed in accordance with the Local Plan, and the Local Planning Authority seeks to confirm the Order with modifications, those modifications would need to be of such magnitude as to create a 'different animal' and thus the requirement for a completely new Order protecting only those trees considered worthy of protection in any approved development proposal. The creation of the current Order and specifically the use of a Woodland designation is therefore inappropriate.

Officer response:

In respect to future Woodland TPO status in gardens, should housing development be approved, the Council still have the ability to make new orders and revoke existing orders to accommodate this change. Currently no housing exists, and the woodland order protects those trees that are present on site.

Conclusion

For the reasons discussed above, and after considering the objection made, Officers recommend that Bolton (Land at Gorses Road and Bembridge Drive, Bolton) Tree Preservation Order 2021 is confirmed without modification.



Bolton (Land at Gorses Road and Bembridge Drive, Bolton) Tree Preservation Order 2021

DC23. 980

drawn: SC

February 2021

Scale : 1:2500



W1 & W2  Woodland Order

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Bolton Council

Department of Place
Development Management

Town Hall, Bolton, Lancashire BL1 1RU

Email: planning.control@bolton.gov.uk

Telephone: 01204 336000

www.bolton.gov.uk

RECEIVED PLANNING APPEALS from 12/04/2021 to 15/06/2021

08456/20 **GROUND FLOOR, 23 MARKET STREET, WESTHOUGHTON, BOLTON, BL5 3AH**

CHANGE OF USE FROM RETAIL (CLASS A1) TO BAR (CLASS A4)

Decision date: **02-Sep-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **3-Nov-20**

Appeal ref: **APP/N4205/W/20/3259832**

08246/20 **CHURCH HOTEL, 61 CHURCH ROAD, KEARSLEY, BOLTON, BL4 8AW**

CHANGE OF USE AND CONVERSION OF PUBLIC HOUSE TO 14NO SELF-CONTAINED FLATS, INCLUDING DEMOLITION OF STABLES AND SMALL HOLDING AT REAR, ERECTION OF TWO STOREY EXTENSION TO ACCOMMODATE STAIRWELL, INSTALLATION OF DORMERS, JULIETTE BALCONIES AND ROOFLIGHTS TOGETHER WITH CYCLE SHED, BIN STORE, ASSOCIATED PARKING AND LANDSCAPING.

Decision date: **24-Aug-2020**

Decision: **Refused**

Decision level: **Committee**

Appeal start date: **17-Dec-20**

Appeal ref: **APP/N4205/W/20/3262678**

08678/20 **REAR OF 1 CANNING STREET, BOLTON, BL1 8EZ**

PROPOSED TAKEWAY USE AND RETROSPECTIVE CONTINUED USE AS BASE FOR COOKING FOOD FOR OUTDOOR CATERING EVENTS TOGETHER WITH ALTERATIONS TO FRONT ELEVATION AND INSTALLATION OF FLUE.

Decision date: **09-Sep-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **7-Jan-21**

Appeal ref: **APP/N4205/W/20/3263236**

09053/20 **THE STABLES, JACKS LANE, WESTHOUGHTON, BOLTON, BL5 2DJ**

ERECTION OF 9 STABLES, OFFICE AND STORAGE AREA TOGETHER WITH FARRIER/WASHDOWN STATION.

Decision date: **26-Nov-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **29-Jan-21**

Appeal ref: **APP/N4205/W/20/3266016**

DECIDED PLANNING APPEALS from 12/04/2021 to 15/06/2021

08456/20 **GROUND FLOOR, 23 MARKET STREET, WESTHOUGHTON, BOLTON, BL5 3AH**

CHANGE OF USE FROM RETAIL (CLASS A1) TO BAR (CLASS A4)

Decision date: **02-Sep-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **6-May-2021**

Appeal decision: **Allowed**

Appeal ref: **APP/N4205/W/20/3259832**

08246/20 **CHURCH HOTEL, 61 CHURCH ROAD, KEARSLEY, BOLTON, BL4 8AW**

CHANGE OF USE AND CONVERSION OF PUBLIC HOUSE TO 14NO SELF-CONTAINED FLATS, INCLUDING DEMOLITION OF STABLES AND SMALL HOLDING AT REAR, ERECTION OF TWO STOREY EXTENSION TO ACCOMMODATE STAIRWELL, INSTALLATION OF DORMERS, JULIETTE BALCONIES AND ROOFLIGHTS TOGETHER WITH CYCLE SHED, BIN STORE, ASSOCIATED PARKING AND LANDSCAPING.

Decision date: **24-Aug-2020**

Decision: **Refused**

Decision level: **Committee**

Appeal decision date: **19-May-2021**

Appeal decision: **Allowed**

Appeal ref: **APP/N4205/W/20/3262678**

08678/20 **REAR OF 1 CANNING STREET, BOLTON, BL1 8EZ**

PROPOSED TAKEWAY USE AND RETROSPECTIVE CONTINUED USE AS BASE FOR COOKING FOOD FOR OUTDOOR CATERING EVENTS TOGETHER WITH ALTERATIONS TO FRONT ELEVATION AND INSTALLATION OF FLUE.

Decision date: **09-Sep-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **25-May-2021**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/20/3263236**

09053/20 **THE STABLES, JACKS LANE, WESTHOUGHTON, BOLTON, BL5 2DJ**

ERECTION OF 9 STABLES, OFFICE AND STORAGE AREA TOGETHER WITH FARRIER/WASHDOWN STATION.

Decision date: **26-Nov-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **15-Jun-2021**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/20/3266016**

Summary of decided planning appeals

	Allowed	Dismissed	Total
Total	2	2	4

RECEIVED ENFORCEMENT APPEALS from 12/04/2021 to 15/06/2021

Appeal start date:

Appeal ref:

DECIDED ENFORCEMENT APPEALS from 12/04/2021 to 15/06/2021

19/0529 7 HODGKINSONS FARM, BOOT LANE, BOLTON, BL1 5ST

Breach of condition on approval 57251/00 (Removal of permitted development rights - erection of outbuilding)

Decision date: **14-May-2021**

Decision: **Dismissed**

Appeal ref: **APP/N4205/C/20/3262939**

Summary of decided enforcement appeals

	Dismissed	Total
Total Enforcement Appeals	1	1

RECEIVED PLANNING APPEALS from 16/06/2021 to 12/07/2021

04766/18 **LAND WEST OF WINGATES INDUSTRIAL ESTATE OFF CHORLEY ROAD, WESTHOUGHTON, BOLTON, BL5 3L'**

PART A : OUTLINE APPLICATION FOR STRATEGIC EMPLOYMENT DEVELOPMENT FOR INDUSTRIAL (CLASS B1c/B2), STORAGE AND DISTRIBUTION (CLASS B8) AND/OR RESEARCH AND DEVELOPMENT (CLASS B1b) USES EACH WITH ANCILLARY OFFICE SPACE (CLASS B1A) PARKING AND ASSOCIATED FACILITIES, (CLASS D1) ANCILLARY FOOD AND DRINK (CLASS A3/A4/A5) AND ASSOCIATED ROADS AND LANDSCAPE WORKS.

PART B : FULL PLANNING APPLICATION FOR DEMOLITION OF BUILDING/STRUCTURES, UPGRADE TO HIGHWAY INFRASTRUCTURE, CREATION OF NEW ACCESS TO WIMBERRY HILL ROAD, FORMATION OF DEVELOPMENT PLATFORMS, BOUNDARY LANDSCAPING AND ECOLOGICAL ENHANCEMENT AREA.

Decision date: **21-Jun-2021**

Decision: **Referred to Secretary of State**

Decision level: **Committee**

Appeal start date: **2-Jun-20**

Appeal ref: **APP/N4205/V/20/3253244**

DECIDED PLANNING APPEALS from 16/06/2021 to 12/07/2021

04766/18 **LAND WEST OF WINGATES INDUSTRIAL ESTATE OFF CHORLEY ROAD, WESTHOUGHTON, BOLTON, BL5 3L'**

PART A : OUTLINE APPLICATION FOR STRATEGIC EMPLOYMENT DEVELOPMENT FOR INDUSTRIAL (CLASS B1c/B2), STORAGE AND DISTRIBUTION (CLASS B8) AND/OR RESEARCH AND DEVELOPMENT (CLASS B1b) USES EACH WITH ANCILLARY OFFICE SPACE (CLASS B1A) PARKING AND ASSOCIATED FACILITIES, (CLASS D1) ANCILLARY FOOD AND DRINK (CLASS A3/A4/A5) AND ASSOCIATED ROADS AND LANDSCAPE WORKS.

Decision date: **21-Jun-2021**

Decision: **Referred to Secretary of State**

Decision level: **Committee**

PART B : FULL PLANNING APPLICATION FOR DEMOLITION OF BUILDING/STRUCTURES, UPGRADE TO HIGHWAY INFRASTRUCTURE, CREATION OF NEW ACCESS TO WIMBERRY HILL ROAD, FORMATION OF DEVELOPMENT PLATFORMS, BOUNDARY LANDSCAPING AND ECOLOGICAL ENHANCEMENT AREA.

Appeal decision date: **21-Jun-2021**

Appeal decision: **Allowed**

Appeal ref: **APP/N4205/V/20/3253244**

Summary of decided planning appeals

	Allowed	Total
Total	1	1

RECEIVED ENFORCEMENT APPEALS from 16/06/2021 to 12/07/2021

Appeal start date:

Appeal ref:

DECIDED ENFORCEMENT APPEALS from 16/06/2021 to 12/07/2021

Decision date:

Decision:

Appeal ref:

Summary of decided enforcement appeals