

**Planning Applications Report**

**Planning Committee**

**11 May 2017**

**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](http://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](http://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](http://www.bolton.gov.uk/planapps)

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# Application number 98136/16



**Development & Regeneration Dept**  
**Development Management Section**

Town Hall, Bolton, Lancashire, B  
Telephone (01204) 3

# Bolton Council

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**Date of Meeting: 11/05/2017**

**Application Reference: 98136/16**

**Type of Application: Full Planning Application**

**Registration Date: 04/01/2017**

**Decision Due By: 28/02/2017**

**Responsible Officer: Paul Bridge**

**Location: OUSEL NEST HOUSE, GRANGE ROAD, BROMLEY CROSS, BOLTON, BL7 9AX**

**Proposal: ERECTION OF DWELLING WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.**

**Ward: Bromley Cross**

**Applicant: Mr Neville**

**Agent : Zerum Planning Limited**

### **Officers Report**

**Recommendation: Refuse**

#### **Proposal**

Planning permission is sought for the erection of one detached dwelling with associated access, parking and landscaping.

The proposal dwelling would be a two storey dwelling. The building to the rear has a lower level due to stepping down the hill.

The proposal would be constructed out of traditional materials to the front with the rear element housing large expansive areas of glazing.

Vehicular access to the site would be via two existing accesses on Grange Road, which would lead to a large driveway.

The proposal would require the removal of seven trees in order to accommodate the proposal. These trees are protected by way of Tree Preservation Order 22 (Bolton (Bradshaw) 1976.

#### **Site Characteristics**

The application site is approximately 0.3 hectares in size and is located within the Green Belt. The site is currently undeveloped and is open in appearance. The site is located in grounds adjacent to Ousel Nest, on Grange Road on the outskirts of Bromley Cross, close to the Jumbles Country Park in a semi-rural location. Grange Road is a very leafy residential street that connects the centre of Bromley Cross with Jumbles Country Park and its reservoir.

Ousel Nest Cottage is located to the rear of the site, with Ousel Nest House located to the north of the site and Manor House to the south.

There are a large number of trees within and along the frontage of the site. A Public Right of Way (Turton Bromley Cross 011) runs to the south of the site.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy (CS) Policies: P5 Accessibility and Transport; S1 Safe Bolton; CG1.1 Biodiversity in Rural Areas; CG1.5 Reduce Risk of Flooding; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA5 North Bolton.

Allocations Plan Policies: CG7AP Green Belt

SPD Accessibility, Transport and Safety; SPD General Design Principles

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* impact on the Green Belt
- \* impact on visual amenity
- \* impact on residential amenity
- \* impact on highway safety and the nearby Public Right of Way
- \* impact on trees and biodiversity

### **Impact on the Green Belt**

#### *Whether there would be inappropriate development*

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

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

other urban land

As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 87). Paragraph 88 indicates that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

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

- buildings for agriculture and forestry
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it
  - the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building
  - the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
  - limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan or
  - limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Therefore in order to justify inappropriate development in the Green Belt, there must be circumstances which can reasonably be described not merely as special, but as very special and the harm to the Green Belt by reason of inappropriateness and any other harm must be clearly outweighed by other considerations.

Policy CG7AP of the Council's adopted Allocations Plan also follows the main thrust of the advice contained within the relevant paragraphs of the NPPF. The main issue in the determination of this proposal is therefore whether the proposal would amount to inappropriate development in the Green Belt and, if so, whether very special circumstances exist to clearly outweigh this and any other harm to the Green Belt.

The site lies to the south east of Grange Road in the Bromley Cross ward of Bolton. The site is currently undeveloped and is open in appearance with differing levels and contours within the site. In the judgement of *Dartford Borough Council v Secretary of State for Communities and Local Government (CO/4129/2015)*, it was established that residential gardens outside of the "built-up area" are considered to be brownfield land.

Officers have considered the submitted planning statement and the Applicant's justification for the proposal is primarily reliant on two key issues:-

- That the site is deemed brownfield land, being residential curtilage in a rural location and therefore the proposal would constitute appropriate development within the Green Belt
- The proposal would constitute a limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant

or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development

Officers are of the opinion that the supporting information provided by the Applicant does not provide evidence that the plot has been used as residential curtilage for a period in excess of 10 years. The opinion of the case officer is that the land forms a separate independent parcel of land from Ousel Nest and whilst it may be under the ownership of the Applicant does not form part of the residential curtilage.

Case law is clear that the definition of curtilage bears its restricted and established meaning connoting a small area of land forming part of, or parcel with, the house or building which it contains or to which it is attached.

The three characteristics of a curtilage are:

- a small area surrounding a building
- requires intimate association with the land which was undoubtedly within the curtilage
- physical enclosure is unnecessary but it needs to be regarded in law as part of one enclosure with the house

In the circumstances, Officers consider that the Applicant has not provided evidence to show that the application site forms part of the residential curtilage and should be therefore considered to be deemed to be previously developed (brownfield land) for the purposes of paragraph 89 of the NPPF.

As such, Officers consider the application site as a separate parcel of undeveloped greenfield land within the Green Belt.

New dwellings within the Green Belt are not listed in either the NPPF or the Council's adopted Core Strategy and Allocations Plan as falling outside the defined categories of inappropriate development. Therefore, the proposed dwelling would be considered inappropriate development and as inappropriate development is by definition harmful to the Green Belt, substantial weight has to be given to this.

Paragraph 88 states that when considering planning applications substantial weight should be given to any harm to the Green Belt and very special circumstances "will not exist" unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly "outweighed by other considerations".

"Openness" primarily means the absence of buildings. The proposed dwelling would be a relatively large two storey dwelling. The building would be sited on an area of open Green Belt land and would involve a large quantum of built development and therefore the site would appear less open than at present.

In summary, Officers conclude that the proposal would have a greater impact on the openness of the Green Belt and on one purpose of including land within it than the existing development.

The proposal would therefore be inappropriate development for the purposes of the National Planning Policy Framework. Policy CG7AP in the Allocations Plan reflects the wording of the Framework in this respect and thus the conclusion with respect to development plan policy concurs with national policy.

*"Whether there are any special circumstances"*

Paragraph 88 of the NPPF says that substantial weight is to be given to any harm to the Green Belt. It further makes clear that inappropriate development, which the proposal is

considered to be, should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations - such as some public benefit arising from a proposal and not simply what is argued to be a low level of harm.

The Applicant has not submitted any very special circumstances to justify the proposed development. Therefore, the harm by reason of inappropriateness and any other harm are not clearly outweighed by other considerations. Thus the very special circumstances need to justify the development do not exist.

#### Impact on Visual Amenity

The proposed dwelling is a relatively large two storey dwelling. The proposed dwelling would be set back from the street, with the garage/outbuilding being positioned to the front of the site.

The other dwellings in the immediate surrounding area are all of differing designs and sizes. However, there are a number of design details which are shared by the dwellings, such as masonry walls, tall chimneys, projecting bay windows and all being set back from the street.

As the proposal would be set back from the street it would be partially screened by the line of large established trees along the frontage of the application site. The front element of the building would address the street and the appearance of the front block would be a contemporary interpretation of a more traditional domestic frontage, using more traditional materials but with very contemporary proportions and detailing. The rear element will be more contemporary in appearance with expansive areas of glazing to the east to offer views out over the landscape.

Officers consider that the design of the proposal would compliment the existing dwellings along this section of Grange Road and would not be at odds with the more traditionally designed dwellings, in terms of its design, scale, height and massing. In addition the building to plot size ratio is also considered acceptable. The proposal is therefore considered to be in accordance with Policy CG3 of the adopted Core Strategy.

#### Impact on Residential Amenity

The dwelling would be sited in relatively large grounds. To the rear of the site is Ousel Nest Cottage with Ousel Nest House located to the north of the site and Manor House to the south. Given the size and siting of the proposed dwelling in relation to the adjacent dwellings, it is not considered that the proposed dwelling would result in any unacceptable loss of light or privacy or be overbearing in accordance with Policy CG4 of the adopted Core Strategy.

#### Impact on Highway Safety and the nearby Public Right of Way

Vehicular access to the site would be via two existing accesses on Grange Road, which would lead to a large driveway, which along with the garage would be able to accommodate three or more vehicles clear of the highway. The Council's Highway Engineers have been consulted and have no objections, subject to appropriate conditions in respect of the highway improvements and the access and egress as being implemented as per the submitted plans. The proposal would therefore be in accordance with policies S1 and P5 of the adopted Core Strategy.

#### Impact on Trees and Biodiversity

The proposal would require the removal of seven trees in order to accommodate the new dwelling. These trees are protected by way of Tree Preservation Order 22 (Bolton (Bradshaw) 1976. The trees to be removed are young small trees and are considered to be of moderate to low quality and should not constrain the development. Therefore, subject to a condition requiring a tree replanting/replacement scheme, the proposal is considered to be in accordance with Policy CG1 of the adopted Core Strategy.

The proposed development would not cause any significant impact upon biodiversity of the area; however, clearance of garden shrubbery and trees should be undertaken outside the bird nesting season to prevent any disturbance of nesting birds. A condition could be attached to ensure this is carried out.

### **Conclusion**

It is concluded that the harm to the Green Belt by the proposed development by reason of its inappropriateness is not clearly outweighed by other considerations. The very special circumstances needed to justify the development do not exist. It is therefore considered that the proposal is contrary to section 9 of the National Planning Policy Framework and Bolton's Allocations Plan Policy CG7AP.

### **Representation and Consultation Annex**

#### **Representations**

**Letters:** - two letters of support have been received in response to the planning application publicity, which have raised the following issues:-

- another house on Grange Road would be amazing and offer the opportunity for someone to live in one of Bolton's nicest locations
- the dwelling will be of high quality and would add to the different styles of dwellings on the road

**Elected Members:** - None

#### **Consultations**

Advice was sought from the following consultees: Highway Engineers, Greenspace Management, Public Rights of Way Officer, Trees, Landscape Officers, Ramblers Association, Drainage, Design For Security, Open Spaces Society and Peak and Northern Footpaths Society.

#### **Planning History**

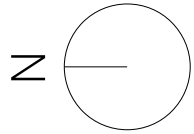
None relevant

**Recommendation:**            **Refuse**

#### **Recommended Conditions and/or Reasons**

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



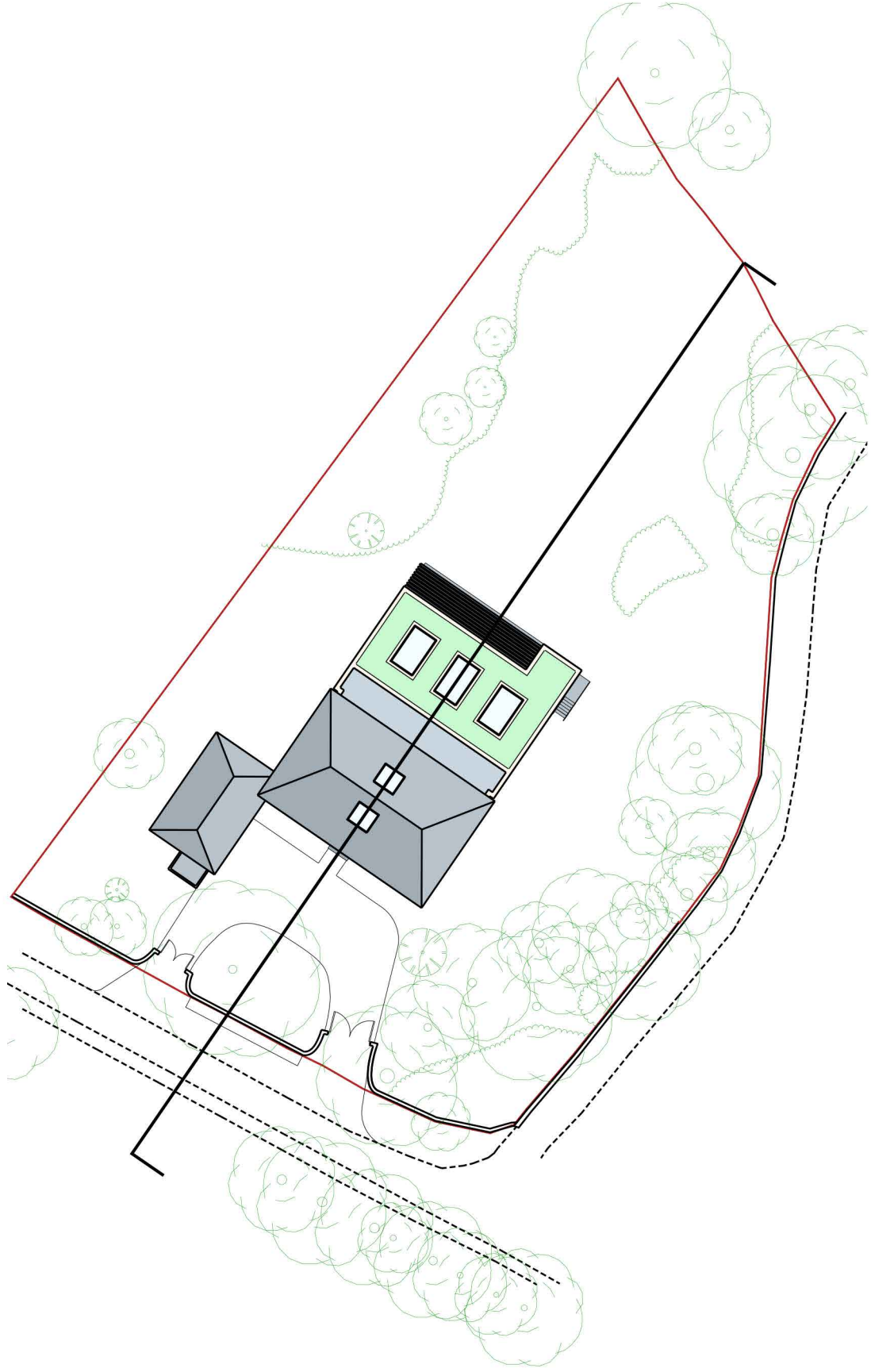


Rev B	PLANNING- Garage roof flipped, garage and bin store sizes amended, main roof size increased.	13.12.16
Rev A	Proposed residence footprint amended, driveway, courtyard and garage size increased, bin store added.	25.11.16
Project Title Ouse Valley, Bolton		
Drawing title Proposed Site Plan		
Client Zerum		
Drawn By MS		
Date 02.11.16		
Scale 1:200 @ A1		
Project No. P16-062		
Drawing No. 02-02-003_B		
Telephone +44(0)151 243 5800		

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13.12.16  
B PLANNING - Design changes; glazed link and  
courtyards removed; garage size increased and  
glazed; roof design changed to hipped; main  
entrance porch design changed to hipped;  
expressed window frames removed and replaced  
with plain; floor design changed to sedom roof  
Floor design amended; sedom roof added.  
A: General amendments. Materials and context  
detail added.

04.11.16

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Project Title  
Ouse's Nest House, Bolton  
Drawing title  
Long Section  
Client  
Zerum  
Drawn By  
MS  
Date  
June 2016  
Scale  
1:100 @ A1  
Project No.  
P16-062  
Drawing No.  
02-04-001\_B





- 1 Slate roof tiles
- 2 Smooth faced stone
- 3 PPC aluminium window frames
- 4 PPC aluminium framing around entrance
- 5 Treated timber bin store
- 6 White render
- 7 PPC aluminium coping
- 8 Metal exterior stair
- 9 PPC aluminium louvres
- 10 Glass balustrade

D: Materials key added.	15.12.16
C: Materials and context detail reintroduced.	13.12.16
B: Design changes; glazed link and courtyards removed; garage size increased and linked to main residence; bin store added; main roof design changed to pitched; external window frames removed and replaced with stone surrounds.	25.11.16
A: General amendments. Materials and context detail added.	04.11.16

Project Title	Ouse's Nest House, Bolton
Drawing Title	Front Elevation
Client	Zerum
Drawn By	MS
Date	June 2016
Scale	1:100 @ A2
Project No.	P16-062
Drawing No.	02-05-001_D

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- 1 Slate roof tiles
- 2 Smooth faced stone
- 3 PPC aluminium window frames
- 4 PPC aluminium framing around entrance
- 5 Treated timber bin store
- 6 White render
- 7 PPC aluminium coping
- 8 Metal exterior stair
- 9 PPC aluminium louvres
- 10 Glass balustrade

E: Materials key added. 15.12.16  
D: Terrace design and rear windows amended, 13.12.16  
garage roof hipped.  
C: Materials and context detail reintroduced. 05.12.16  
B: Design changes; glazed link and courtyards 25.11.16  
removed, garage size increased and linked to  
main residence, bin store added, main roof design  
changed to hipped, expressed window frames  
removed and replaced with stone surrounds.  
A: General amendments. Materials and  
context detail added. 04.11.16

Project Title  
Ouse's Nest House, Bolton  
Drawing Title  
Rear Elevation  
Client  
Zerum  
Drawn By  
MS  
Date  
June 2016  
Scale  
1:100 @ A2

Project No.  
P16-062  
Drawing No.  
02-05-004\_E  
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- 1 Slate roof tiles
- 2 Smooth faced stone
- 3 PPC aluminium window frames
- 4 PPC aluminium framing around entrance
- 5 Treated timber bin store
- 6 White render
- 7 PPC aluminium coping
- 8 Metal exterior stair
- 9 PPC aluminium louvres
- 10 Glass balustrade

D. Playroom window widened, materials key added 15.12.16  
C. Garage roof hipped, materials and context detail reintroduced. 13.12.16  
B. Design changes; glazed link and courtyards removed, new stone added, main roof design changed to hipped, expressed window frames removed and replaced with stone surrounds. 25.11.16  
A. General amendments. Materials and context detail added. 04.11.16

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Project Title  
Client  
Drawing title  
Scale  
Client  
Drawn By  
Date  
MS  
Scale  
1:100 @ A1

Project No.  
P16-062  
Drawing No.  
02-05-002\_D





- 1 Slate roof tiles
- 2 Smooth faced stone
- 3 PPC aluminium window frames
- 4 PPC aluminium framing around entrance
- 5 Treated timber bin store
- 6 White render
- 7 PPC aluminium coping
- 8 Metal exterior stair
- 9 PPC aluminium louvres
- 10 Glass balustrade

D. Office window widened. materials key added. 15.12.16  
C. Terrace design amended, garage roof hipped, materials and context detail reintroduced. 13.12.16  
B. Design changes; glazed link and courtyards removed, bin store added, main roof design changed to hipped, expressed window frames removed and replaced with stone surrounds. 25.11.16  
A. General amendments. Materials and context detail added. 04.11.16

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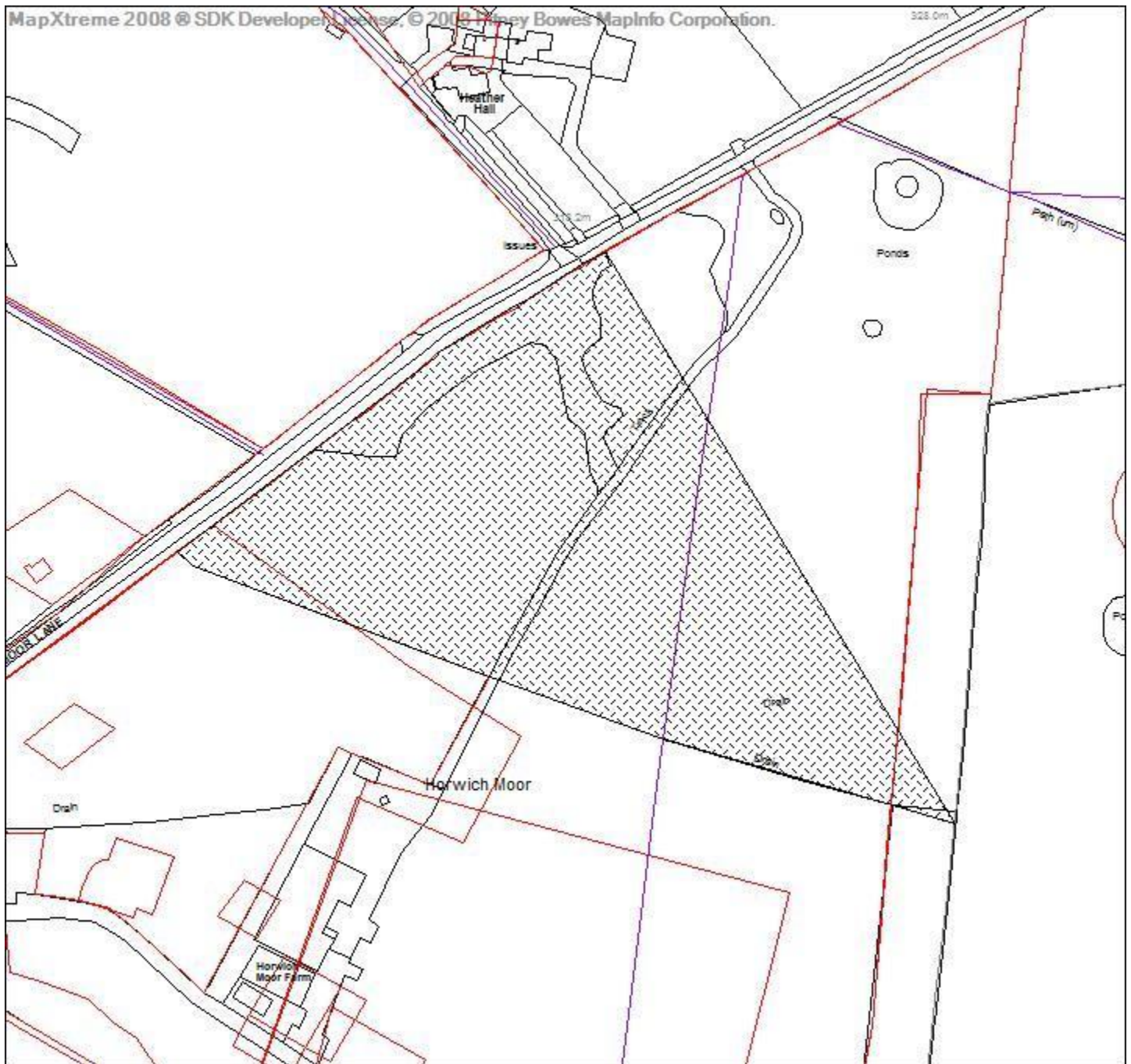
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Project Title  
Client  
Drawing title  
Scale  
Date  
Project No.  
Drawing No.

02-05-003\_D



**Application number  
00176/17**



**Development & Regeneration Dept  
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**Date of Meeting: 11/05/2017**

**Application Reference: 00176/17**

**Type of Application: Full Planning Application**  
**Registration Date: 27/01/2017**  
**Decision Due By: 27/04/2017**  
**Responsible Officer: Helen Williams**

**Location: HORWICH MOOR FARM, MATCHMOOR LANE, HORWICH, BOLTON, BL6 6PR**

**Proposal: IMPORTATION OF SUB-SOILS, INERT MATERIALS AND TOP SOILS (TO ALLOW FUTURE USE FOR GRAZING OF LIVESTOCK).**

**Ward: Horwich North East**

**Applicant: Mrs Tracy Miller**  
**Agent :**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

This is a resubmission of application 96905/16, which was refused at Planning Committee in August 2016 for the following three reasons:

1. *"The proposed development, by virtue of the increased land levels and re-profiling of the site, would fail to conserve, enhance or respect the landscape quality and character of the area, contrary to Policies CG3 and OA1 of Bolton's Core Strategy."*
2. *"The proposed development will not maintain the integrity of Public Right of Way Horwich 061 (which runs through the application site) and is therefore contrary to Bolton's Allocations Plan Policy P8AP."*
3. *"The proposed development, by virtue of the number of heavy goods vehicles that would need to visit the site and the predicted duration of the works, would lead to increased activity in and around the application site to the detriment of the living conditions of nearby residential properties, and is contrary to Policy CG4 of Bolton's Core Strategy."*

Permission is again sought for the importation of inert material and sub-soils to the application site to allow the site to be subsequently used for agricultural use and the grazing of livestock, however the applicant is now only proposing to increase the existing profile of the site by 1 metre (whereas the previous would have substantially changed the existing profile of the land and would have created an elevated plateau area with steep sides).

Three sections of land at Horwich Moor Farm have previously been granted permission for the importation of inert materials and subsoils, to allow for grazing and agricultural uses. These areas are

shown on the "Site History" plan attached to this report (covered by three planning approvals). Works approved by applications 78560/07 and 85706/11 have been completed and the ground has been re-seeded with grass clover sward. The importation of material to the land covered by approval 95286/15 is currently being undertaken.

The current application site is located immediately to the north of the previous planning approvals.

### **Site Characteristics**

The application site is a 3.5 hectare section of Horwich Moor, and constitutes approximately a quarter of the land at Horwich Moor Farm. The site is bounded to the north west by Matchmoor Lane and to the north are the residential properties at Heather Hall and Heather Hall Cottages. The farm buildings at Horwich Moor Farm are to the south of the application site.

The site slopes down to the south.

Horwich Moor is classified as a Grade B Site of Biological Importance (SBI) due to its mosaic of heath, marshy grassland, neutral grassland and for bryophytes (a plant group including mosses and liverworts). Grade B SBIs are defined as sites of district importance (rather than county (Grade A) or local importance (Grade C)).

The site is within Green Belt and the Upland Moorland Hills Landscape Character Area.

Public right of way Horwich 061 runs through the centre of the application site in a north-south direction.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Accessibility and Transport; S1.2 Road Safety; CG1.1 Rural Biodiversity; CG1.5 Reduce Flooding; CG3.2 Local Distinctiveness; CG3.7 Landscape Character; CG4 Compatible Uses; OA1 Horwich and Blackrod.

Allocations Plan Policies: CG7AP Green Belt and P8AP Public Rights of Way.

A Landscape Character Appraisal of Bolton (2001)

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* impact on the appearance and landscape character of the area
- \* impact on the purposes and openness of the Green Belt
- \* impact on biodiversity
- \* impact on ground quality
- \* impact on water quality
- \* impact on land drainage
- \* impact on the public right of way
- \* impact on the highway
- \* impact on the amenity of neighbouring residents

#### Impact on the Appearance and Landscape Character of the Area

Policy CG3.2 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring that development has regard to the overall built character and landscape quality of the area. Policy CG3.7 states that the Council will maintain and respect the landscape character of the surrounding countryside and its distinctiveness.

Core Strategy Policy OA1 states that the Council will [amongst other things] conserve and enhance the character of the existing landscape and physical environment, and ensure that new development does not harm the landscape setting and protects views from public areas to the surrounding landscape.

The application site is within the Upland Moorland Hills Landscape Character Area. The Landscape Character Appraisal of Bolton states that a key landscape feature of Upland Moorland Hills is the valuable mosaic of upland habitats including blanket bog, heather moorland, wet heath and acid grassland.

Under the previous refused planning application for the site (96905/16) the applicant proposed to import the majority of the proposed 72,000 tonnes of inert material to the north eastern half of the triangular application site and create a rectangular plateaued area (gradually rising in height to the north east). This would have created steep slopes around the south western, south eastern and north eastern boundaries of the plateau, which would have created a prominent and elevated feature within the landscape. Officers considered that this dramatic change in the profile of the site would not appear natural within the landscape and would not respect the existing gentle southerly slope of the area. Application 96905/16 was therefore refused for this reason.

The applicant has now amended their plans so that the existing profile of the application is not changed, only increased in height by 1 metre (1 metre of inert material would be imported across the site). This material would then be finished with topsoil (at a maximum depth of 75-100mm) and grass seeded. The site once completed would have a similar appearance to the other areas of the farm where importation has been completed (and the land has been grass seeded).

Officers consider that the proposed development (as now amended) would not have a detrimental impact on the character and appearance of the area, and would therefore comply with Policies CG3 and OA1 of Bolton's Core Strategy.

#### Impact on the Purposes and Openness of the Green Belt

Allocations Plan Policy CG7AP reflects national Green Belt guidance contained within the National Planning Policy Framework (NPPF) and states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt.

The application is within Green Belt.

The site is currently used for agriculture and the proposal would allow the site to be better used for this purpose (increase in pasture). Agriculture is considered to be an "appropriate" use within the Green Belt.

The existing land levels of the application site would be increased by 1 metre as a result of the proposed works.

It is not considered that the proposal would harm the openness of the Green Belt as the land would still be open in character and appearance (that is, no buildings or structures are proposed).

It is therefore considered that the purposes and openness of the Green Belt will not be harmed by the proposed development, compliant with Policy CG7AP of Bolton's Allocations Plan.

#### Impact on Biodiversity

Strategic Objective 12 of the Core Strategy is to protect and enhance Bolton's biodiversity. Core Strategy CG1.1 states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows, geodiversity, landscape character, recreational or agricultural value.

The application site is included within the current boundary of Horwich Moor Site of Biological Importance (SBI). The area was designated as an SBI because it supported a mosaic of heath, marshy grassland and neutral grassland. It is believed that the habitats once covered a larger area of the moor but this has been lost over recent years.

Greater Manchester Ecology Unit (GMEU) and the Council's Wildlife Liaison Officers have both been consulted on the proposed development. The Council's Wildlife Liaison Officers have commented that heavy grazing and/or inorganic fertilisers have impacted upon the application site, which now has no heather habitat remaining and consists of species poor pasture. They state that some marshy grassland remains (which is a Greater Manchester Biodiversity Action Plan habitat) but it is relatively species poor and may not be said to properly constitute the priority habitat. Officers also comment that agricultural management has led to the demise of the main biodiversity interest upon the application site.

The Council's Wildlife Officers therefore request, should the application be approved, that compensation/mitigation for the loss of habitat be delivered by the applicant. This would be secured by a condition, with details of the measures to undertaken to be agreed with the local planning authority/Wildlife Liaison Officer.

It is therefore considered that the proposed development would not adversely affect the biodiversity of the application site.

#### Impact on Ground Quality

Policy CG4 of the Core Strategy states that the Council will ensure that development does not [amongst other things] cause detrimental impacts upon ground quality.

Inert material would be imported onto the application site. At the time of writing this report, the Council's Pollution Control Officers had not commented on the application (any comments will be reported to Members at the meeting). Officers however have previously advised (for similar applications at the farm) that a condition be attached to ensure that the local planning authority has agreed a verification plan before the commencement of development (a plan to include sampling and

test criteria and proposals of records to be retained that will demonstrate that the materials to be imported are safe for deposition in respect of the proposed end use of grazing and to prevent contamination of ground waters in the area) along with a validation report (the record of all sampling and testing results and data collected to demonstrate that the imported materials are to the standards required).

The verification plan and validation report would also determine whether the site is safe for its intended use (grazing of livestock).

The Environment Agency has commented that the proposed development would require a waste management license in accordance with the requirement of the Environmental Protection Act 1990 and confirm that previous Environmental Permits have been held by the applicant for similar waste activities. This requirement is separate from planning.

It is considered that subject to the applicant complying with this suggested condition, the proposal would comply with the ground quality part of Core Strategy Policy CG4.

#### Impact on Water Quality

Policy CG4 of the Core Strategy states that the Council will ensure that development does not [amongst other things] cause detrimental impacts upon water quality.

The Environment Agency has raised no concern regarding the proposal. It is therefore considered that the proposed development complies with Policy CG4 of the Core Strategy.

#### Impact on Land Drainage

Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising the water run-off from new development.

As the site is over 1 hectare in size the applicant has submitted a flood risk assessment with their planning submission. This states that the site falls within Flood Zone 1 (the zone with the least probability of flooding), has a low susceptibility to groundwater flooding, and is at low risk of surface water (pluvial) flooding.

The Council's Drainage Officers have raised no objection to the proposed development and recommend that a condition be attached to any approval for full details of surface water drainage of the site prior to commencement of development. It is therefore considered that the proposal would not increase the risk of flooding in the area and is compliant with Policy CG1.5 of the Core Strategy.

#### Impact on the Public Right of Way

Allocations Plan Policy P8AP states that the Council will permit development proposals affecting public rights of way, provided that the integrity of the right of way is retained.

Public right of way Horwich 061 runs through the centre of the application site in a north-south direction. The Council's Public Rights of Way Officer has also confirmed that the land is also designated as Open Access Land, which allows people to walk freely over the land.

It was considered that the previous proposal for the importation of materials to the site (96905/16) would have significantly altered the levels and gradient of the site and that of the existing footpath and open access land. The sides of the plateau area created within the site would have been steep and therefore would have significantly altered the gradient of part of the footpath. During the determination of this previous application the Council's Public Rights of Way Officer commented that this would render the footpath inconvenient for the exercise of the public right of way, and



application 96905/16 was refused in part (second reason for refusal) for this reason.

The amended proposal would increase the ground levels of the site and the footpath by 1 metre. It would not significantly alter the levels and gradient of the area as the previous refused application would have done.

The Ramblers Association (Bolton Group) continue to object to the proposal.

The Council's Public Rights of Way Officer again advises that the proposal would be an inconvenience for users of the public right of way, however officers do not consider that this temporary inconvenience (which would be during the works rather than continuous once the development has been completed) would be contrary to Policy P8AP of Bolton's Allocations Plan, as this policy seeks to retain the integrity of public rights of way (the footpath could be re-instated following the development). The Council's Public Rights of Way Officer states that should the application be approved the applicant would need permission from the Highways Authority, would require a Temporary Closure Order and would need to provide a suitable temporary alternative route whilst the development is being undertaken. As these requirements are covered by the Highways Act 1980 (rather than Planning legislation) officers recommend that the applicant is made aware these by way of an informative note on the decision notice, should the application be approved.

It is therefore considered that the proposed development would retain the future integrity of public right of way Horwich 061 and the open access land, compliant with Bolton's Allocations Plan Policy P8AP.

#### Impact on the Highway

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

The vehicles bringing the inert material to the application site would access the site off Matchmoor Lane, which is a lightly trafficked country road. The applicant has estimated that, based on the approximate volume of material to be imported for the completion of the proposed works (approximately 50,000 tonnes), assuming a five day working week there would be approximately 20 HGV movements per day (40 two way trips).

The Council's Highways Engineers have stated that, although there is already an existing level of HGV movement on the surrounding highways associated with the quarry works at that location, the net increase from the proposal would potentially be negligible. They state that they therefore cannot object to the proposal.

It is therefore considered that the proposed development would not jeopardise highway safety in the locality, compliant with policies P5 and S1.2 of the Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

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

To the north of the application site are the residential properties at Heather Hall and Heather Hall Cottages, and to the south east (approximately 215 metres away) is Harpers Barn (residential).

The third reason for refusing the previous planning application for the site (96905/16) was that it was

considered that the number of HGVs visiting the site and the predicted duration of the importation works would lead to an increase in activity in and around the application site, to the detriment of the living conditions of neighbouring residents. It was predicted by the applicant within application 96905/16 that there would be approximately 20 vehicle movements a day (40 two way trips), weather condition and source supply permitting, and that they expected that the work would take up to two years to complete (again weather and sourcing dependent).

Whilst the applicant is still predicting that there would be approximately 20 vehicle movements a day (weather condition and source supply permitting), given the reduction in the proposed finished levels proposed (and the reduction of material required, from approximately 72,000 tonnes to 50,000 tonnes), the applicant now expects that the works could be completed in 25 weeks (subject to weather conditions and the availability of suitable material).

As reported above, the Council's Highways Engineers consider that this net increase in heavy traffic on the local highway network would be negligible.

Officers recommend that the hours of importation and operation on site are restricted to 'working hours' (that being 0800 to 1800 hours Monday to Friday), which would go some way in safeguarding the living conditions of nearby residents.

Given the proposed amendments to the development, it is considered that the disturbance associated with the proposed works would not be to such an extent to unduly affect the amenity of neighbouring residents.

#### **Local finance considerations**

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

#### **Conclusion**

For the reasons discussed above, it is considered that the proposed development, as amended, has addressed the previous three reasons for refusing application 96905/16.

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

## **Representation and Consultation Annex**

### **Representations**

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

- \* Inappropriate development in the Green Belt; impact on the Green Belt;
- \* Impact on the landscape character and distinctiveness of the area; the area will be ruined;
- \* The current tipping is an eyesore;
- \* Ground quality/land contamination;
- \* Concerns about the types of material that will be imported;
- \* It is tipping of waste on the cheap;
- \* Effect on groundwater; pollution to groundwater;
- \* Impact on biodiversity and the site of biological importance;
- \* Effect on the public rights of way running through the site;
- \* Additional lorries/traffic;
- \* Damage to local road (particularly Matchmoor Lane);
- \* Impact on the living conditions of neighbouring residents;
- \* Effect on neighbours' water supply; materials could seep into the water;
- \* Impact on local drainage; increase in water run-off;
- \* The combined effects of previous consents should be taken into consideration.

**Horwich Town Council:-** resolved not to comment on the application at their meeting of 23rd February 2017 owing to the perceived complexity of the application.

**Elected Members:-** Councillors Richard Silvester and Kevin McKeon have objected to the proposed development for the following reasons:

- \* Impact on the landscape from the increase land levels and re-profiling - the works would not enhance it but would instead degrade it;
- \* Detrimental effect on flora and fauna;
- \* Negative impact on the public right of way; Note that the Ramblers Association have objected to the proposal;
- \* Detrimental effect on the amenity of neighbouring residents from the bumper of heavy vehicles necessary for the works to be completed;
- \* The proposal is not sufficiently altered from that refused at Committee last year (indeed the submitted supporting statement is exactly the same).

Councillor Silvester has also requested that the application be heard before Committee.

### **Consultations**

Advice was sought from the following consultees: Pollution Control Officers, Highways Engineers, Drainage Officers, Public Rights of Way Officers, Wildlife Liaison Officers, the Environment Agency, Greater Manchester Ecology Unit, Peak and Northern Footpaths Society, Ramblers Association (Bolton Group), the Open Spaces Society and Lancashire Wildlife Trust.

### **Planning History**

#### **Applications for importation of material at Horwich Moor Farm**

##### **Application site**

Planning application 96905/16 for the importation of sub-soils, inert materials and top soils (to allow future use for grazing of livestock) on the application site was refused at Planning Committee in August 2016 for the following three reasons:

1. *"The proposed development, by virtue of the increased land levels and re-profiling of the site, would fail to conserve, enhance or respect the landscape quality and character of the area, contrary to Policies CG3 and OA1 of Bolton's Core Strategy."*
2. *"The proposed development will not maintain the integrity of Public Right of Way Horwich 061 (which runs through the application site) and is therefore contrary to Bolton's Allocations Plan Policy P8AP."*
3. *"The proposed development, by virtue of the number of heavy goods vehicles that would need to visit the site and the predicted duration of the works, would lead to increased activity in and around the application site to the detriment of the living conditions of nearby residential properties, and is contrary to Policy CG4 of Bolton's Core Strategy."*

#### Elsewhere at Horwich Moor Farm

Planning application 95286/15 for the importation of sub-soils and inert materials (to allow future use for agriculture and grazing of livestock) was approved at Planning Committee in January 2016.

Prior to application 95286/15, planning application 90107/13 for the same site and proposal was withdrawn by the applicant in August 2013. Prior to this application 88209/12 for the same site and proposal was refused at Planning Committee in August 2012 for the following reason:

*"The proposed development will adversely affect the biodiversity of a Grade B Site of Biological Importance (SBI) and will fail to maintain and respect local distinctiveness and the landscape character of the area, contrary to Policies CG1.1 and CG3.7 of Bolton's Core Strategy."*

Permission was granted in May 2011 for the restoration of land by importing sub-soils and inert materials (to allow subsequent use for grazing and agriculture) (85706/11). A planning application for the removal of condition 2 of 85706/11 (to remove the need to submit a full management plan in regards to the SBI) was approved by Planning Committee in May 2011 (86314/11).

Permission was granted by Planning Committee in April 2008 for the restoration of two sections of Horwich Moor by draining and importing materials to allow for the subsequent use of the land for grazing and agriculture (78560/07).

\* *A plan showing the locations of the previously approved applications for the importation of materials is attached to this report.*

#### **Other planning history at Horwich Moor Farm**

Permission was granted at Planning Committee in September 2015 for the erection of a 4 bedroom house for an agricultural worker (94622/15).

An agricultural building on Horwich Moor Farm was granted permission in April 2012 (87566/12).

Permission was granted by Planning Committee in August 2011 for the retention of a building for use as an agricultural worker's dwelling for a temporary period of three years (86498/11).

Permission was deemed as being required for the erection of a 456 sqm agricultural building in November 2010 (85136/10).

Permission was granted by Planning Committee in February 2009 for the erection of an agricultural stock and storage building with paddock enclosure and landscaping (81329/08).

An application for the erection of an agricultural building was refused in February 2008 (79019/07).

**Recommendation:            Approve subject to conditions**

**Recommended Conditions and/or Reasons**

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

Reason

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

2. No importation of materials shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:

a) A verification plan - This should include sampling and test criteria, and proposals of records to be retained that will demonstrate that the materials imported are safe for deposition in respect of the proposed end use of grazing and agriculture and to prevent contamination of ground waters in the area. The verification plan shall be fully implemented in accordance with the approved proposals.

b) A validation report - This should include a record of all sampling and testing results and data collected to demonstrate that the imported materials are to the standards required for the proposed end use and protection of ground water in the area, confirming that the objectives of the verification plan have been met.

Reason

To ensure the development is safe for use and to ensure that ground waters in the area are not contaminated, compliant with Policy CG4 of Bolton's Core Strategy.

3. No importation of materials shall commence until details of biodiversity compensation/mitigation measures for the site and/or surrounding land have been submitted to and approved in writing by the local planning authority. The approved measures shall then be completed in full within the agreed time period and retained thereafter.

Reason

To safeguard and enhance biodiversity on the moor, and to comply with Policy CG1.1 of Bolton's Core Strategy.

4. Prior to the commencement of development full details for the surface water drainage of the site shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full and retained thereafter.

Reason

To ensure the site provides satisfactory means of surface water drainage, compliant with Policy CG1.5 of the Core Strategy.

5. Within 6 months of completion of the approved importation operations topsoil shall be evenly spread over the site to a maximum depth of 75-100 mm. The movement and spreading of topsoil shall not be carried out except when the soil is suitably dry and friable and when the ground is dry enough to ensure the topsoil is not damaged by the passing of heavy machinery. The grass seeding shall be carried out thereafter but no later than 12 months after the topsoil has been completed.

Reason

To ensure a satisfactory form of restoration and to comply with policies CG3 and OA1 of Bolton's Core Strategy.

6. No operations or vehicle deliveries of material shall be carried out on the site outside the following hours:-

08:00 to 18:00 Mondays – Fridays

No operations or vehicle deliveries of material shall take place on Saturdays, Sundays or Bank Holidays.

Reason

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

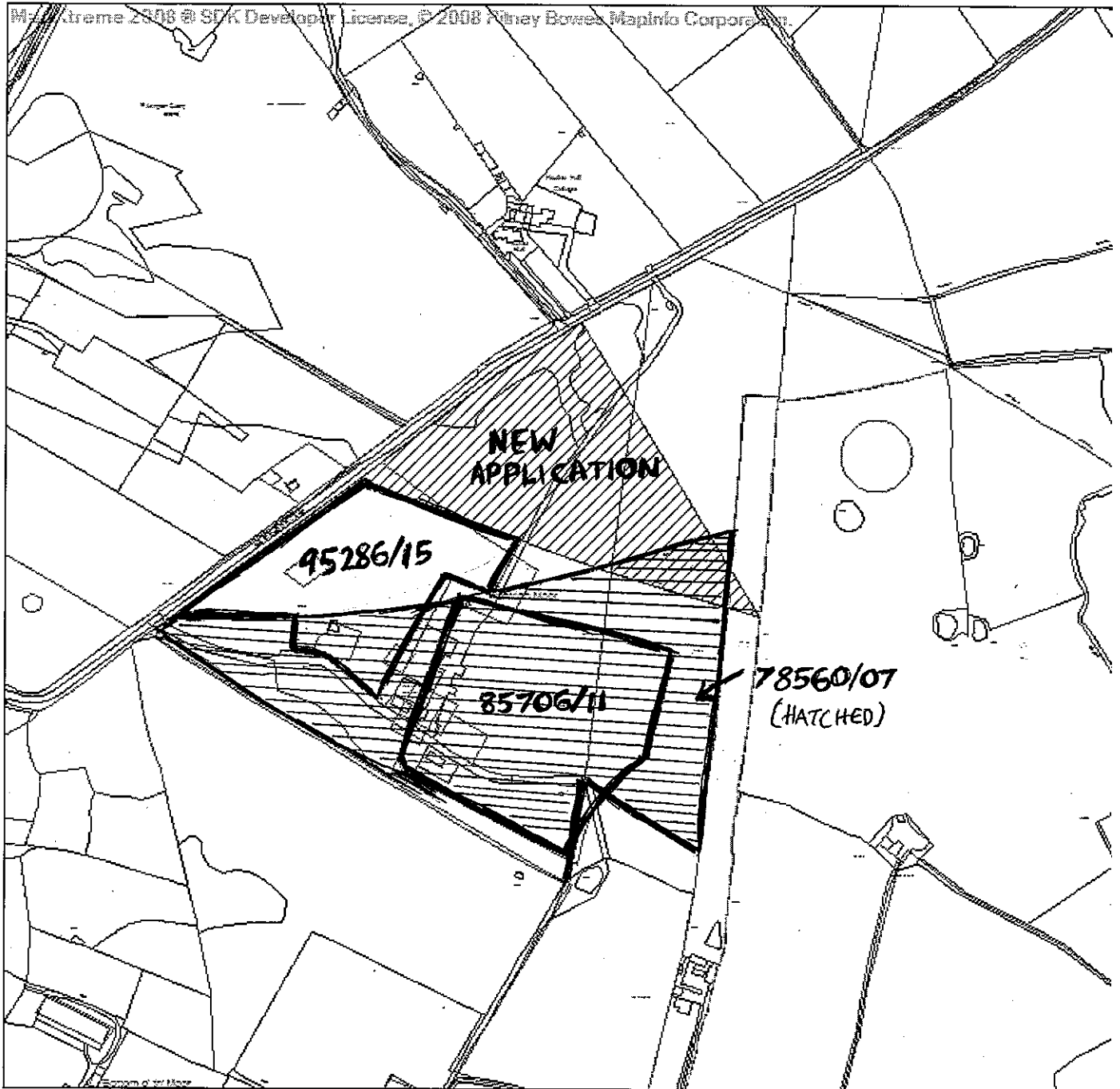
7. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

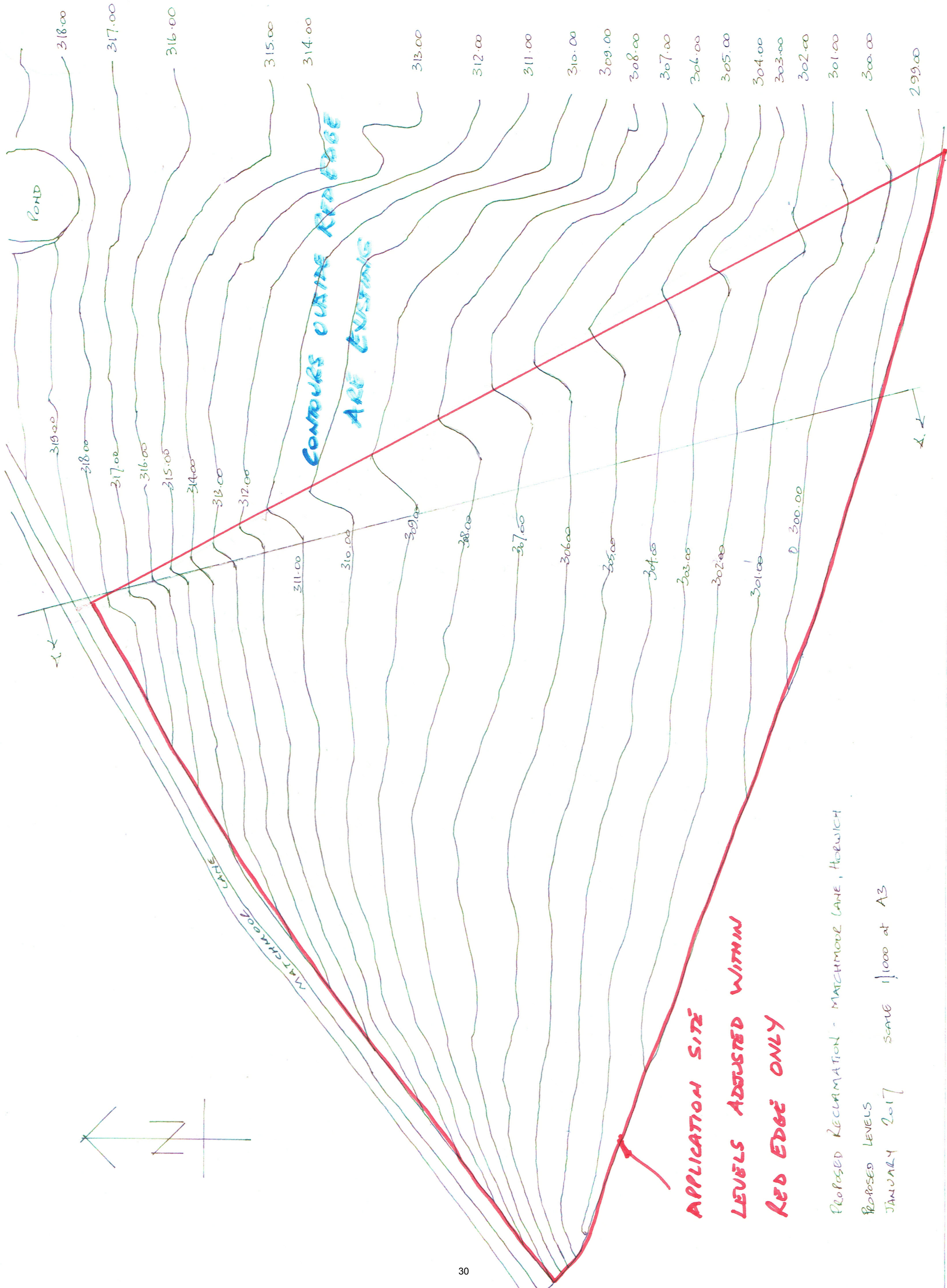
**Proposed Levels; dated January 2017 and received/scanned 18 April 2017**  
**Cross Section A-A; dated January 2017 and scanned 1 February 2017**

Reason

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

# SITE HISTORY







Application number  
00221/17



Development & Regeneration Dept  
Development Management Section

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

**Bolton  
Council**

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**Date of Meeting: 11/05/2017**

**Application Reference: 00221/17**

**Type of Application: Full Planning Application**  
**Registration Date: 09/02/2017**  
**Decision Due By: 05/04/2017**  
**Responsible Officer: Melissa Pagan**

**Location: 12 WINTERBURN AVENUE, BOLTON, BL2 3FY**

**Proposal: ERECTION OF SINGLE STOREY EXTENSION.**

**Ward: Bromley Cross**

**Applicant: Mr Blake Lord**  
**Agent : Mr David Slater**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Background**

This application was deferred at the meeting of the Planning Committee on 6th April 2017 for a site visit.

### **Proposal**

Planning permission is sought for the erection of a single storey rear extension. The existing conservatory will be removed and the proposed extension will project 4m from the rear elevation of the host dwelling measuring 6.5m in width. Bi-folding doors will be included on the rear elevation of the proposed extension that will serve the sitting/dining area. The proposed extension will host a lean to roof and will include two velux roof lights.

### **Site Characteristics**

The property is a large semi-detached dwelling located at the entrance to the private cul-de-sac at the end of Winterburn Avenue. The application dwelling has undergone several extensions including a two storey side extension, a first floor extension above the existing garage and a conservatory to the rear. Adjoining neighbour No.14 Winterburn Avenue has a conservatory close to the common boundary shared with the application dwelling and has also undergone a two storey side extension. The detached garage belonging to No.10 is built up to the shared boundary. The rear boundary of the application site backs onto Turton Road and the immediate surrounding area is predominantly residential in nature.

### **Policy**

National Planning Policy Framework (NPPF)  
Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton  
SPD House Extensions  
SPD General Design Principles

## **Analysis**

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

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

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

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

The main impacts of the proposal are:-

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

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA5 of the Core Strategy relates specifically to developments in North Bolton and states that the council will conserve and enhance the character of the existing physical environment and ensure that new development does not harm the landscape setting and protects views from public areas to the surrounding landscape.

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

The proposed single storey rear extension will not be visible from the streetscene. The proposed development will appear subservient to the host dwelling and will not appear incongruous. It is considered that the proposed single storey rear extension will not result in a detrimental impact on the character or appearance of the surrounding area.

### **Impact on the Amenity of Neighbouring Residents**

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

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

Supplementary Planning Document - House Extensions (2012) states that single storey rear extensions up to 3m in length on semi-detached houses will normally be acceptable. Longer extensions may well be acceptable where they do not cause significant overshadowing of main room windows in neighbouring properties.

Adjoining neighbour No.14 Winterburn Avenue has a conservatory projecting approximately 3m from the rear elevation along the common boundary. As the adjoining dwelling has an extension along the shared boundary, the impact of the proposed development is reduced. Given that the neighbouring extension is also a conservatory and is predominantly glazed, the proposed development will not result in a significant loss of light that would be detrimental to the amenity of the neighbouring occupier as the conservatory also has more than one outlook.

No.10 Winterburn Avenue has had planning permission approved under application 97429/16 for a single storey side extension that will be built along the shared boundary from the main house to the detached garage. There will be no new windows on the gable elevation that could potentially be affected by the proposed development under this application for 12 Winterburn Avenue, it is therefore considered that the proposed development will not have a detrimental impact on the amenity of neighbouring residents.

### **Conclusion**

The proposal is consistent with the guidelines contained in SPD - House Extensions (2012). Similarly the proposal is consistent with Bolton's Core Strategy (2011) by reason of its scale and massing and is reflective of the design and appearance of the host building.

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

### **Local finance considerations**

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

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** One letter of objection has been received raising the following concerns:-

- The proposed and existing extensions will turn the application property in to a large house completely out of keeping with the number 14 and the original plan of the estate - *this is considered in the analysis section of the report.*
- The relationship of number 12 Winterburn Avenue with the original properties fails and is an over development of the site - *this is considered in the analysis section of the report.*
- The extension will appear excessive and overbearing - *considered in the analysis section of the report.*
- As no. 12 currently projects 1.15 metres beyond the rear wall of no. 14 the proposed extension would have an effective length of 5.15 metres when measured against no. 14 (rather than 4 metres);
- The extension would impact on a 45 degree angle taken from the centre of the patio windows at the rear of no. 14 (*No. 14 has a conservatory to its rear, adjacent the party boundary with the application property. Para. 4.15 of the SPD allows for rear extensions longer than 3 metres on semi-detached properties where [amongst other things] they do not infringe upon a line drawn at 45 degrees from the centre of the nearest main room window or there is an existing extension to the neighbouring property. The conservatory at no.14 is sited on the rear elevation and accessed through the patio doors, therefore these doors can no longer be considered as a main window to a main room owing to the presence of the conservatory extension. Conservatories are also not classed as main rooms within the SPD and therefore the conservatory at no. 14 cannot be afforded protection under policy guidance Para. 4.5 of the SPD states:*

*"Conservatories are, for the purposes of this Note, classed as extensions but are not principal rooms and do not therefore contain any main room windows. This consideration also applies when assessing the impact of extensions on an existing, neighbouring, conservatory");*

- The relationship between the extension and no. 14 is made worse as the extension would be sited to the south;
- Loss of daylight to no. 14;
- The trees to the east of the site will restrict light to Number 14, together with the proposed development;
- Impact of the proposal on the health of the elderly resident at no.14 (*Whilst this is a material consideration, it can only be given little weight owing to the nature of the planning application – a house extension*).

**Petitions:-** None received

**Town Council:-** None

**Elected Members:-** Councillor Critchley has requested that this application be brought to Committee.

### **Consultations**

Advice was sought from the following consultees: None

### **Planning History**

91915/14 - Erection of a two storey side extension with a first floor extension over existing garage.  
Approved 18.06.2014

**Recommendation:        Approve subject to conditions**

**Recommended Conditions and/or Reasons**

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

Reason

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

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

DWG 1 of 5 - Site and Location Plan  
DWG 4 of 5 - Proposed Elevations  
DWG 5 of 5 - Proposed Ground Floor

Reason

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

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

Reason

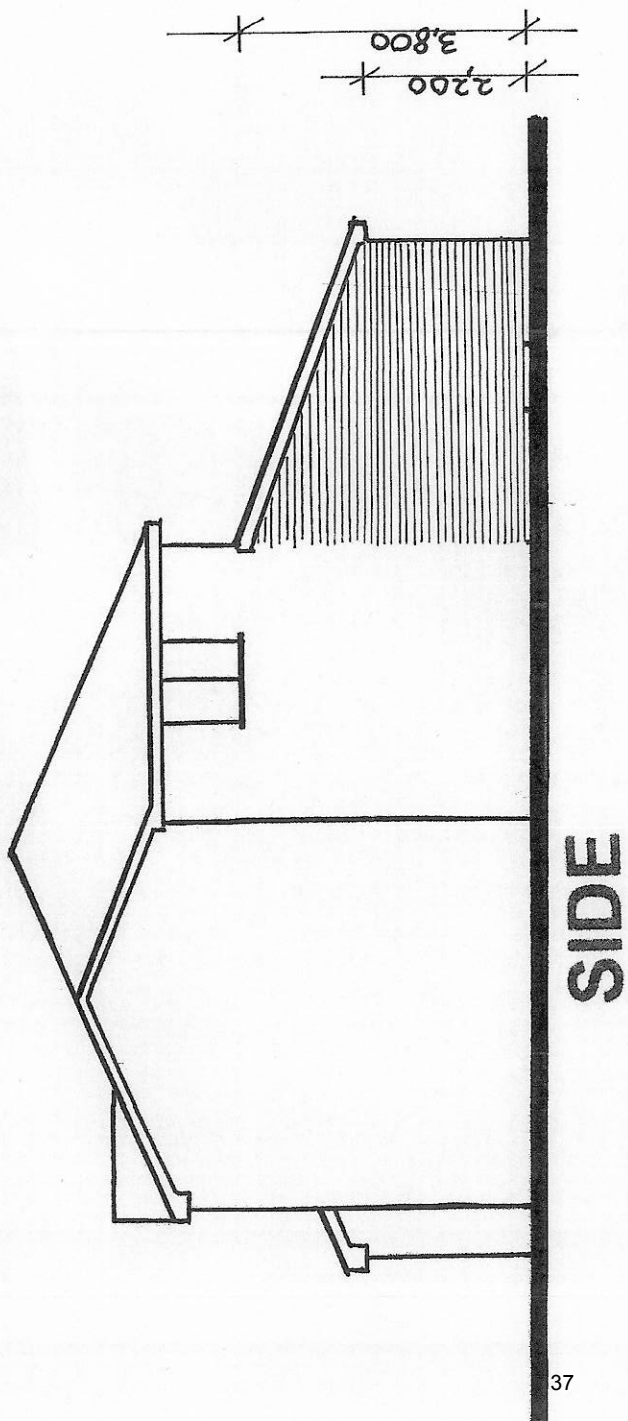
To ensure the development visually reflects the existing building and to comply with policy CG3 of Bolton's Core Strategy.



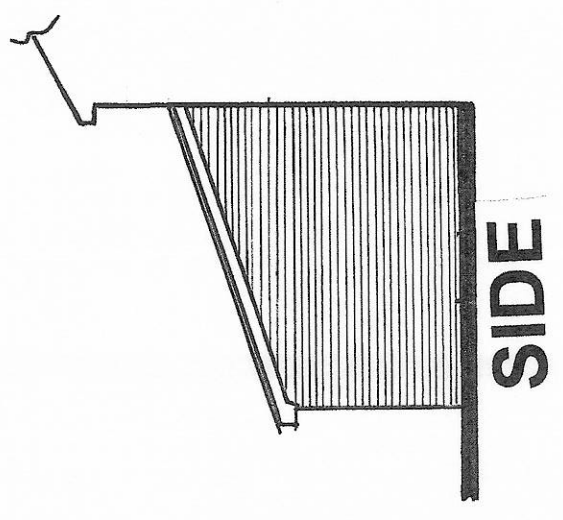
**PROPOSED  
ELEVATIONS  
SCALE 1:100**

Existing Neighbours Garage not  
shown for clarity

DEVELOPMENT & REGENERATION  
REFUSED  
- 9 FEB 2017



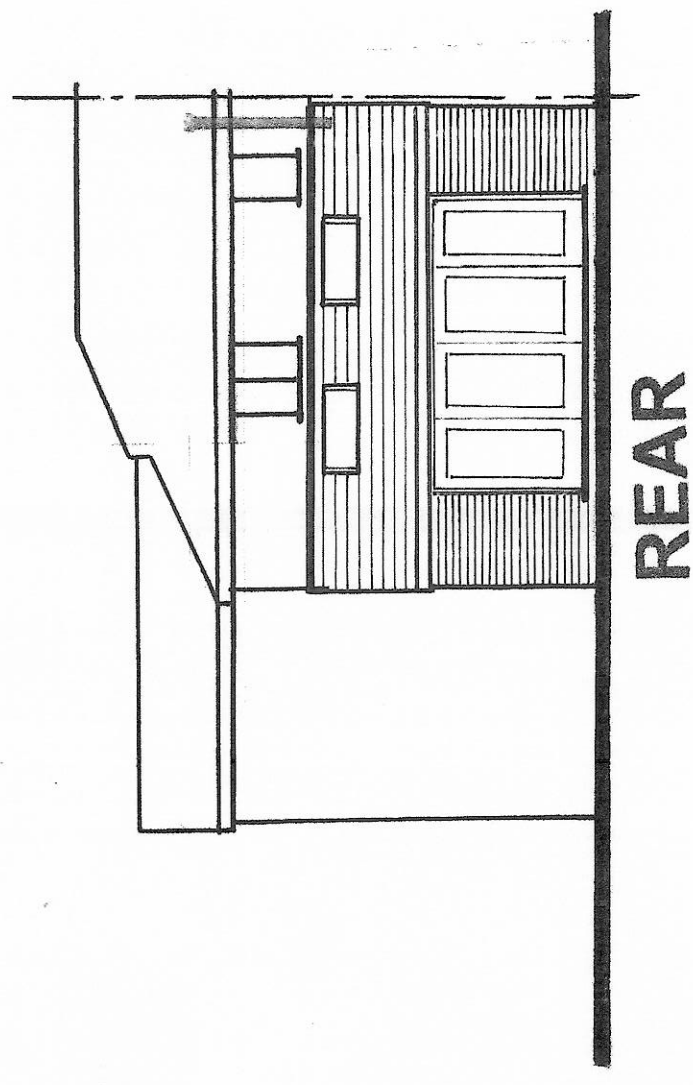
**SIDE**



**SIDE**



**FRONT**



**REAR**

**DWG 4 OF 5**

00221/17

**Workmanship and materials** to be suitable for their purpose and should be in accordance with British Standards, Codes of Practice or equivalent European Standards.

Any dimension should be used in preference to scaling drawings and should be site checked before that part of the works commences or materials ordered.

Any alterations or deviations from the drawings should be agreed in advance with Client, planning Authority if applicable and any other supervising body.

Permission for development should also be sought off land owner before work commences if site is not freehold.

If the work is subject to The Construction Design and Safety Management (CDM) Regulations the Health and Safety Executive should be notified before work commences.

Where the development is within close proximity of a boundary, the Party Wall Act may apply and written intention should be given to the adjoining owners.

This drawing has been prepared for the purpose of obtaining Planning and/or Building Regulation approval and is not intended as a full working document.

All electrical, heating and plumbing requirements should be agreed with Client before work commences.

**Lintels**  
Generally to be 'Catic' or similar type galvanised steel lintels with plaster finish to give 30 minutes fire resistance. Lintel specification to be suitable for span, loading etc. and to have a minimum end bearing of 150mm.

**Windows and Doors**  
To be to clients requirements and to consist of either PVC'U' or timber and to have draft seals to all openings. 'u' value should achieve a maximum of 1.6.

All rooms to have opening vents equivalent to 5% of the floor area and to also have background trickle vents of 8000 sq. mm.

**Ground Floor**  
Floated concrete 100mm thick on 1200 gauge 'visqueen' membrane on 100mm thick 'Kingspan' or similar polyurethane insulation on 'visqueen' on sand blinded compacted hardcore.

Include for 25mm insulation upstands around perimeter. Also include for ducting any existing airbrick through new floor construction using rainwater pipes side by side.

**Roof (pitched)**  
Concrete interlocking tiles, suitable for pitch and exposure to be fixed to tarralised slate battens over breathable roofing felt (Tyvek or similar)

Roof carcass to be of traditional construction consisting of 175 x 50mm timber rafters at 450mm cts.

12mm plaster board and skim to soffit of ceiling.

Where insulation is within slope of roof it should consist of 100mm polurathene positioned between joists with additional 50mm layer behind plaster board.

At roof/wall abutment include for code 4 lead flashing and cavity tray (if required)

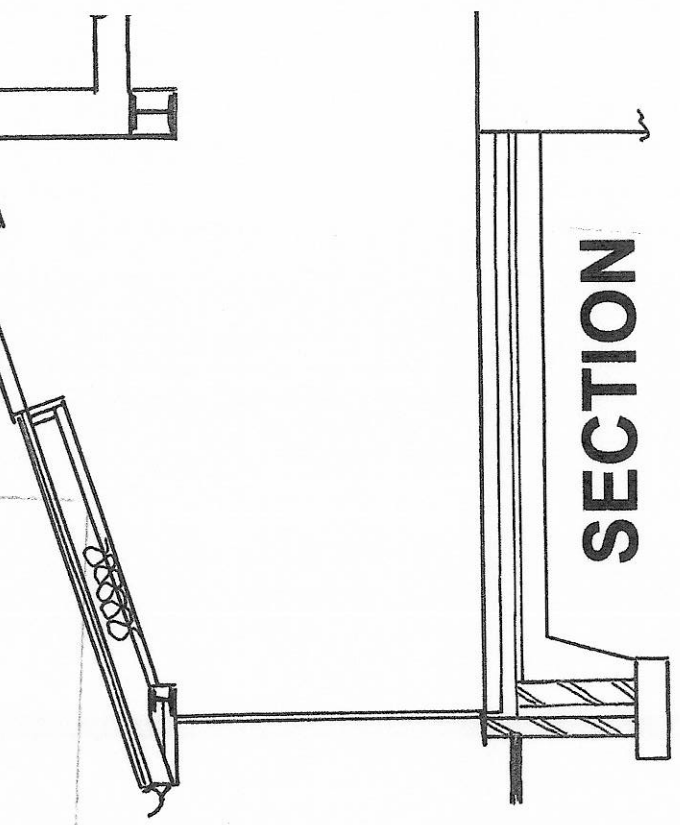
Fascia Boards, soffits, barge boards and rainwater goods to be PVC'U' unless otherwise stated. Down pipes to discharge to gullies as indicated.

**Drainage/Plumbing**  
New drainage to be installed as indicated on plans and to be of 100mm PVC'U' with granular bed and surround.

All sanitary appliances to be connected via deep seal traps.

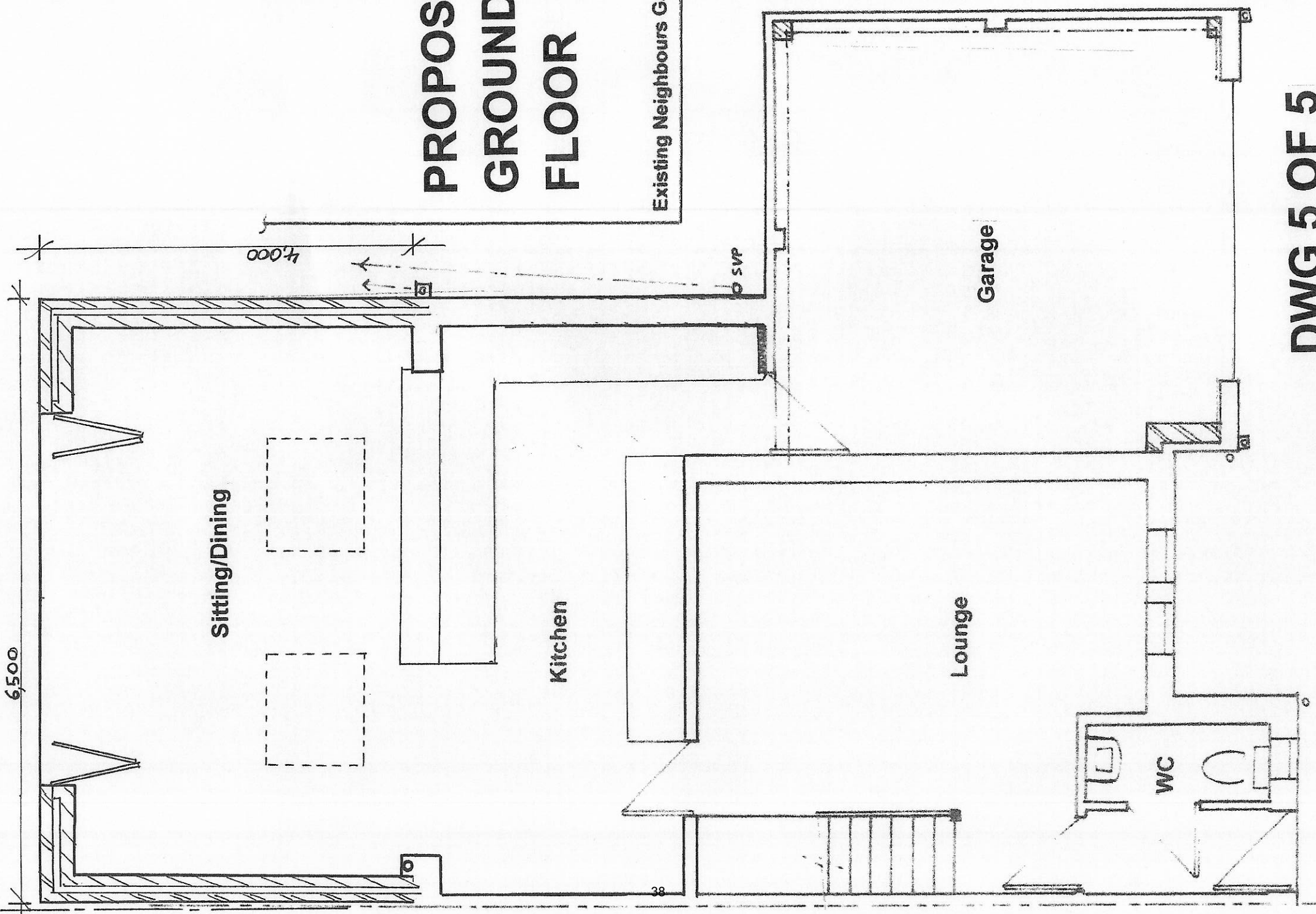
All rainwater pipes to discharge to discharge as shown on drawing

- 9 FEB 2017



# PROPOSED GROUND FLOOR

Existing Neighbours Garage



SCALE 1:50

DWG 5 OF 5

**General Comments**  
All new electrical installations to be installed in accordance with Approved Document 'P' and to be carried out or inspected by an approved contractor. Commissioning certificate to the Building Control body within 30 days of completion of work.

Energy efficient light fittings and bulbs to be used whenever possible.

All new radiators to be fitted with thermostatic valves. If it is found that the existing heating system is not sufficient to service the new radiators, a replacement boiler installation should be carried out by a registered 'Gas safe' engineer.

**Foundations**  
New concrete strip foundations 600mm wide x 200mm thick to cavity walls and 450mm wide x 200mm thick to loadbearing partition walls. Depth to be a minimum of 1.0M but to be taken below level of any adjacent drainage.

Any drainage passing beneath proposal to be bridged within brickwork with concrete lintels over. Foundation grade brickwork/blockwork to be built up to DPC level and cavity to be filled with lean mix concrete up to 75mm below external ground level.

**External Walls**  
To be of cavity construction and consisting of facing brickwork, stone or rendered blockwork to match existing property or in accordance with planning conditions.

100mm cavity with full fill 'Drytherm' insulation and internal leaf of lightweight blockwork (denser blockwork may be required if supporting structural steelwork). Inner face of blockwork to receive plasterboard on dabs with skim finish.

Stainless steel cavity ties to be provided at 450mm vertical centres and 750mm horizontal centres. Additional ties to be provided at door and window reveals.

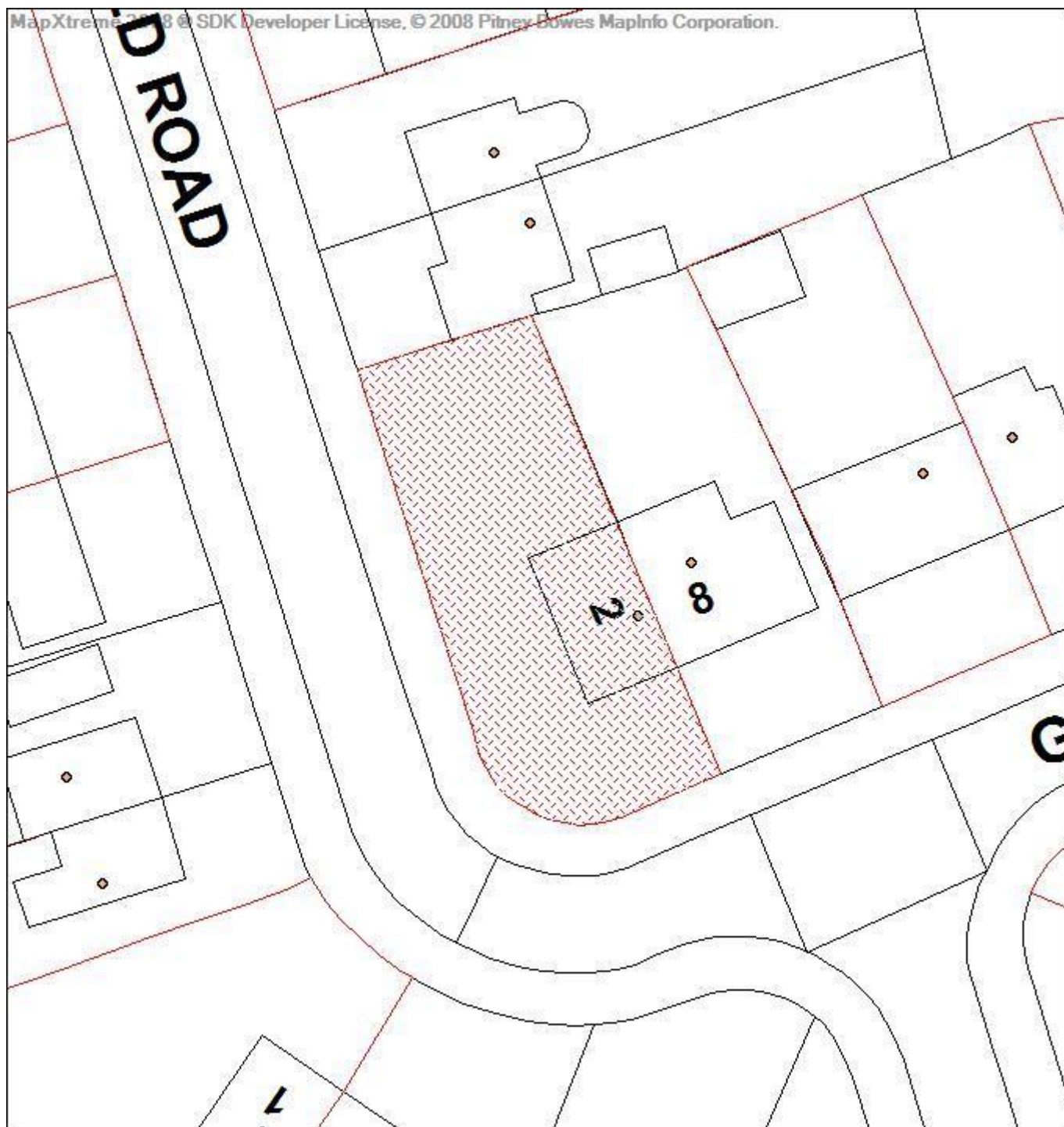
Proprietary cavity closures to be used at door and window reveals.

**Steelwork**  
New steelwork to be sized as indicated, to be sat on concrete padstones and to be encased to give 30 minutes fire resistance.

When 2 no. beams are specified, these are to be bolted together at 900mm centres including spacers between beams.



**Application number  
00286/17**



**Development & Regeneration Dept  
Development Management Section**

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



**Date of Meeting: 11/05/2017**

**Application Reference: 00286/17**

**Type of Application: Full Planning Application**

**Registration Date: 16/02/2017**

**Decision Due By: 12/04/2017**

**Responsible Officer: Melissa Pagan**

**Location: 2 WINIFRED ROAD, FARNWORTH, BOLTON, BL4 0HH**

**Proposal: ERECTION OF DORMER AT REAR AND CANOPY WITH COLUMNS TO FRONT**

**Ward: Harper Green**

**Applicant: Mr Ali**

**Agent : SMS architecture**

## **Officers Report**

**Recommendation: Refuse**

### **Background**

The application was deferred from the 27th April meeting to enable members to conduct an advanced site visit to the site.

### **Proposal**

Planning permission is sought for the erection of a dormer at the rear of the dwelling and a canopy with columns to the front. The rear dormer would measure 5.3m in width and 2.22m in height. Two windows would be included that would both serve a store area in the roof space. The proposed dormer would host a flat roof and would be set back from the eaves and would sit below the existing ridge. The proposed dormer would have a cubic volume of 15.53m<sup>3</sup>. The proposed front canopy would be built across the front of the dwelling measuring 11m in total. Four decorative pillars would be included to support the hipped structure.

### **Site Characteristics**

The property is a semi-detached dwelling situated on the corner plot where Winifred Road meets Grange Road. The application dwelling has had planning permission previously approved for a two storey side/rear and single storey rear extension, which is currently under construction. The rear dormer, pillars and canopy to the front were previously removed from the original planning application (98080/16) and have been sought under this current application.

This application is a re-submission of application 98080/16 which was refused on the following

grounds:

*The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents along Winifred Road and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".*

The current proposal is identical to the previously refused application.

There is a subtle change in land levels between the application site and the neighbour to the rear as the application dwelling sits on slightly higher land. 2m timber panel fencing is in place along the common boundaries. Adjoining neighbour No.8 Grange Road has a single storey rear extension along the shared boundary and a two storey side extension. To the rear of the application site, number 4 Winifred Road has a single storey side extension which hosts a garage that abuts up to the boundary shared with the application dwelling. The surrounding area is predominantly residential in nature.

### **Policy**

National Planning Policy Framework (NPPF)

Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; RA2 Farnworth.

SPD House Extensions

SPD General Design Principles

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

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

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy RA2 of the Core Strategy relates specifically to developments in Farnworth and states that the council will conserve and enhance the distinctive character of the existing physical and natural environment and will 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.

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

Although canopies and pillars are not a prominent feature within the immediate surrounding area, it is not considered that the introduction of the proposed canopy and pillars would result in a significant detrimental impact on the character of the surrounding area substantial enough to warrant a refusal. However, although the proposed dormer would be set in from the eaves and would sit below the existing ridge, given that the application property is already being substantially extended in the form of a two storey side and rear extension, along with a single storey rear extension, it is considered that the construction of the proposed dormer would result in overdevelopment of the site. The design of the proposal is not in keeping with the scale of the original and surrounding properties, and as No.2 Winifred Road is situated on a corner plot of land, the rear elevation is very visible from the streetscene. The proposed dormer extension would appear too overbearing and prominent from the street scene and would therefore have a significant detrimental impact on the design and character of the surrounding area.

#### Impact on the Amenity of Neighbouring Residents

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

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

It is not considered that the proposed pillars and canopy will have a significant impact on the amenity of any surrounding neighbour dwellings. However the proposed dormer, when viewed in conjunction with the approved side and rear extensions will make the application dwelling appear bulky, dominant and visually intrusive from the streetscene and neighbouring properties. The application dwelling sits on a slightly higher land than the neighbouring dwelling to the rear (No.4 Winifred Road), therefore the impact of the proposed development on the rear neighbour will be more substantial as it will have a dominant and overbearing presence. The proposed development will also be seen as a prominent feature from the rear garden of No.4 Winifred Road and the front room windows of Numbers 7 and 9 Winifred Road.

It is considered that the proposed rear dormer will appear overbearing and visually intrusive to neighbouring dwellings and the general streetscene, and that the proposed development is therefore contrary to Policy CG4 of the Core Strategy.

#### Impact on Parking

The proposed plans submitted in support of this planning application show that the number of bedrooms within the dwelling will remain the same; therefore there is no requirement to provide additional car parking spaces. In addition to this the Highways consultants had no objection to the proposed development.

#### Additional Information

The proposed rear dormer would not be considered acceptable under The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2 Part 1 Class B(d), which states that:-

"The enlargement of a dwellinghouse consisting of an addition or alteration to its roof, would not be permitted if the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 40 cubic metres in the case of a terrace house or 50 cubic metres in any other case".

The interpretation of Class B states:-

"for the purpose of Class B, "resulting roof space" means the roof space as enlarged, **taking in to account any enlargement to the original roof space**, whether permitted by this class or not".

The original dwelling (including the roof space) has undergone substantial extensions under a previous planning application (96044/16). The original roof space of the application dwelling measured 237.89m<sup>3</sup>, following the construction of the approved part single/part two storey side and rear extension to cubic volume of the roof space increased by 419.92m<sup>3</sup> to measure a total of 657.81m<sup>3</sup>. The proposed rear dormer would increase the roof space by a further 15.53m<sup>3</sup>. The cubic content of the resulting roof space would therefore exceed the cubic content of the original roof space by more than 50m<sup>3</sup>.

It is considered that the scale of the proposed rear dormer, combined with the existing two storey side and rear extensions, would have a detrimental visual impact on the character of both the existing dwelling and the surrounding area. It would appear too overbearing and prominent from the street scene and is therefore considered to be unacceptable. The proposed rear dormer is therefore contrary to Core Strategy Policies CG3 and RA2 and the guidance contained in the SPD on House Extensions.

### **Conclusion**

This application is a re-submission of application 98080/16 which was refused on the grounds that the proposed development would have a detrimental visual impact on both the existing dwelling and the surrounding area. No amendments have been made to the original proposal and no extenuating special circumstances or special considerations have been highlighted.

The Local Planning Authority hold the same position and consider that the proposed rear dormer would be contrary to Core Strategy Policies CG3 and CG4 by virtue of the scale and sitting of the extension, presenting an over-dominant feature and having a detrimental impact on the character and appearance of the existing property and surrounding street scene.

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

### **Local finance considerations**

Section 70(2) of the Town and Country 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 finance considerations in this case.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** four letters of objection have been received for this application, the following concerns have been raised:-

- The proposed dormer is oppressive and invasive to our privacy as this dormer has views all down the street into everyone's homes and gardens. *(Officer's comments: this has been discussed in the sections above).*
- The pillars serve no purpose, are not in keeping with the street and are out of character with the surrounding area. *(Officer's comments: although pillars are not a prominent feature within the surrounding area it is not considered that the introduction of the pillars will result in a significant detrimental impact substantial enough to warrant a refusal, however the dormer is considered to be unacceptable).*
- The building will be visually overbearing and is an inappropriate design for this part of the town. *(Officer's comments: this has been discussed in the sections above).*
- Parking will be adjacent to our garden and home, causing noise pollution and dust at all times. *(Officer's comments: the highways team have been consulted and have no objection to the proposal on highways grounds).*
- Additional concentration of traffic and roadside parking will cause traffic problems and create a safety hazard for other motorists and post a significant risk to children who play close to the development. *(Officer's comments: the highways team have been consulted and have no objection to the proposal on highways grounds).*
- No changes have been made from the previous application which was refused. *(Officer's comments: this has been discussed in the sections above).*
- The site looks over developed. *(Officer's comments: this has been discussed in the sections above).*
- The extension will limit light to our garden and our property will be overlooked. *(Officer's comments: this has been discussed in the sections above).*
- The top storey is for storage but why the need for dormer windows, they may be converting the house into flats. *(Officer's comments: this application is for a rear dormer and front canopy only. A further planning application would be required to convert the dwelling into multiple flats).*
- The construction process is ruining the paths and flags around the property and the house is an eyesore. *(Officer's comments: This is not a material planning consideration)*

**Petitions:-** none received.

**Elected Members:-** Councillor Mistry has requested that this application be brought to committee. Cllr Mistry has stated the significant material planning considerations are as follows:

- The dormer falls under permitted development as it is being erected within the existing loft space of the original house. There are examples of houses which have had both side/rear extensions and dormers.
- The roofspace within the proposed extension is unusable;
- Dormer is hardly visible from the side and does not impact on neighbours;
- The applicant is making the best use of the existing building.

### **Consultations**

Advice was sought from the following consultees: Highways :- No Objection

### **Planning History**

98080/16 - Erection of dormer at rear and canopy with columns to front. Refused 03.02.2017

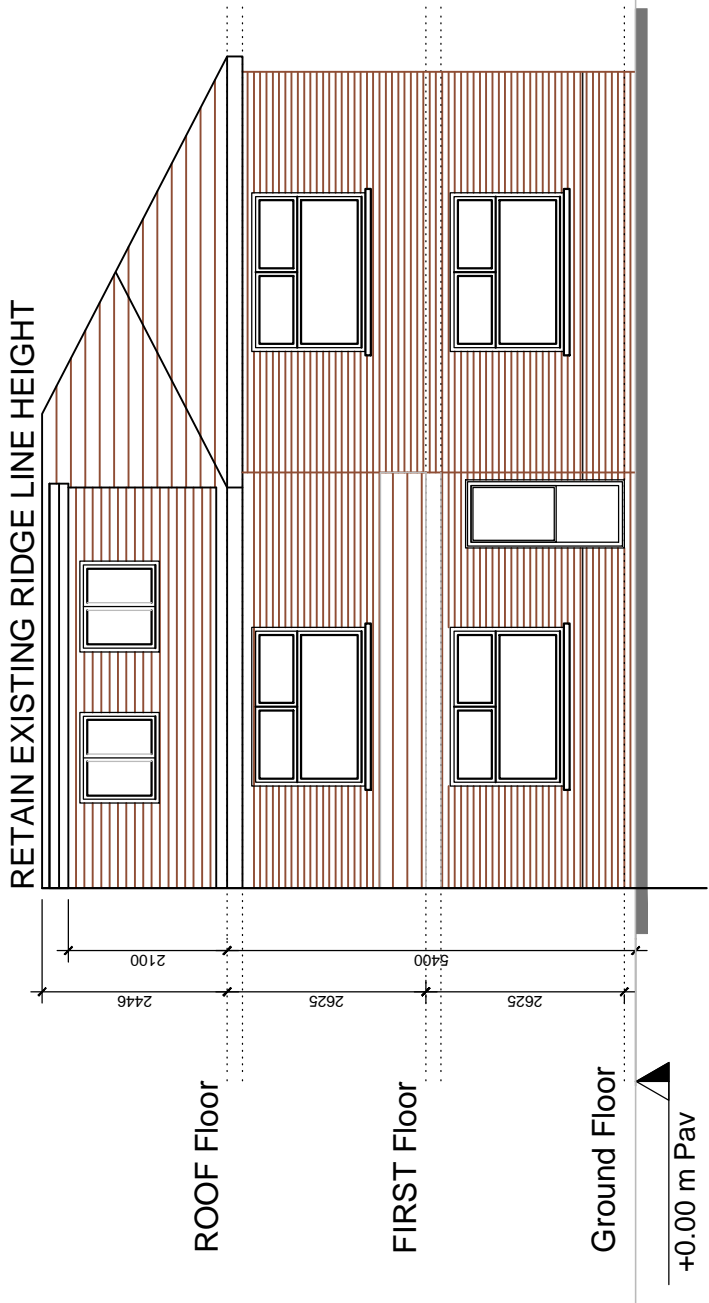
96044/16 - Erection of part single storey/part two storey extension to side and rear. Approved 17.06.2016

47365/95 - Erection of single storey rear extension and two storey extension together with a double garage in rear garden of house. Approved 26.10.1995

**Recommendation:            Refuse**

**Recommended Conditions and/or Reasons**

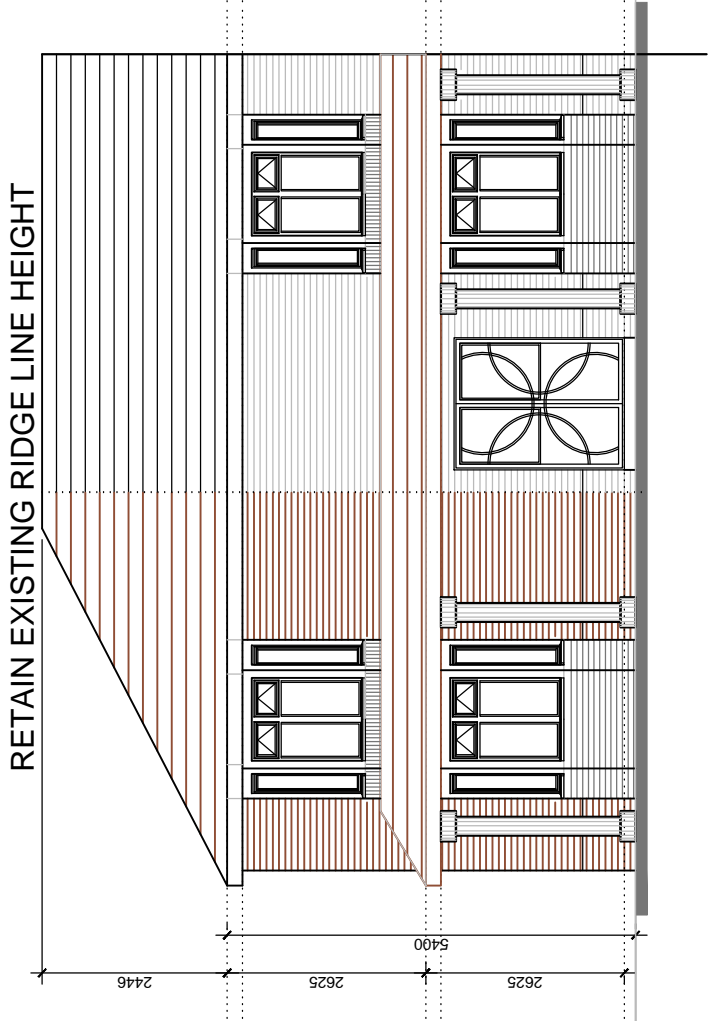
1.        The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".



A-03  
A05

REAR ELEVATION

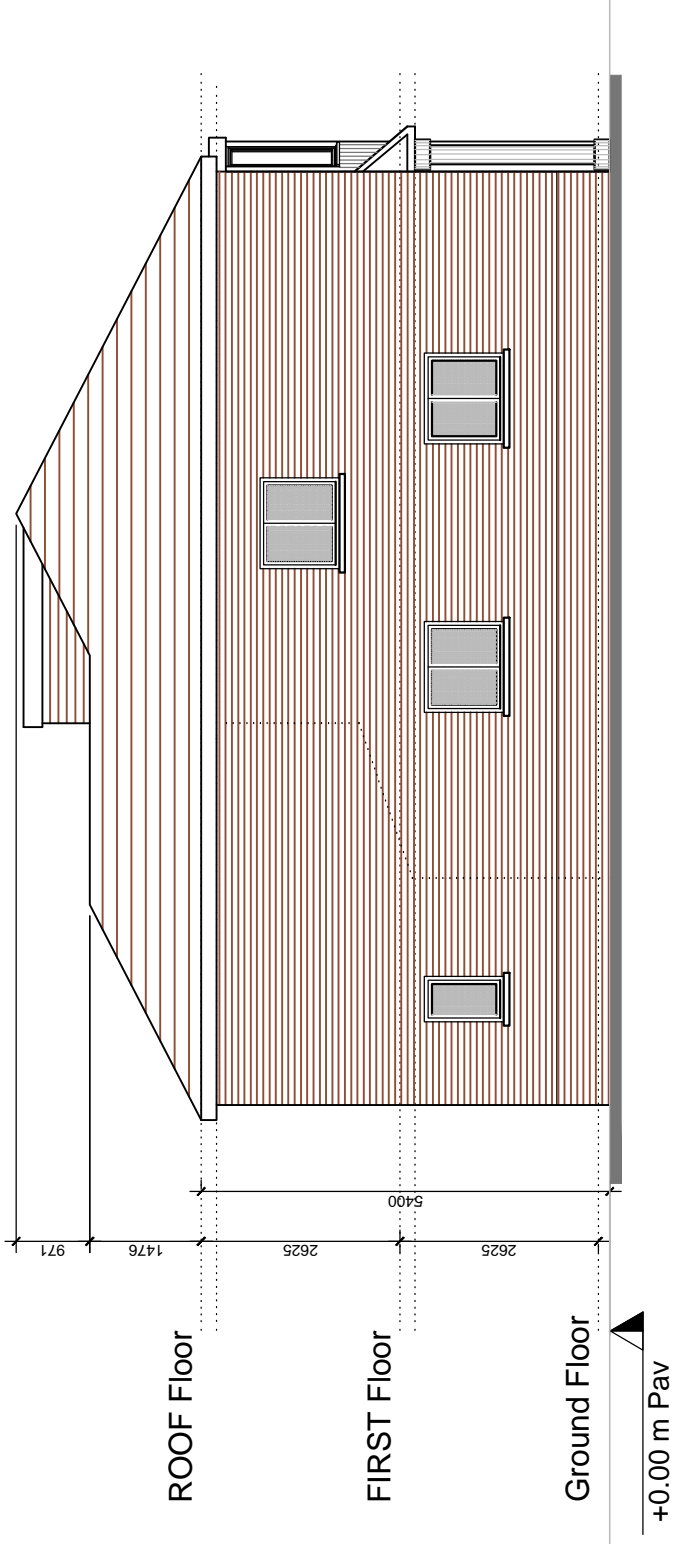
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A-01  
A05

FRONT ELEVATION

1:100



A-04  
A05

LEFT ELEVATION

1:100

NOTES:

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

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

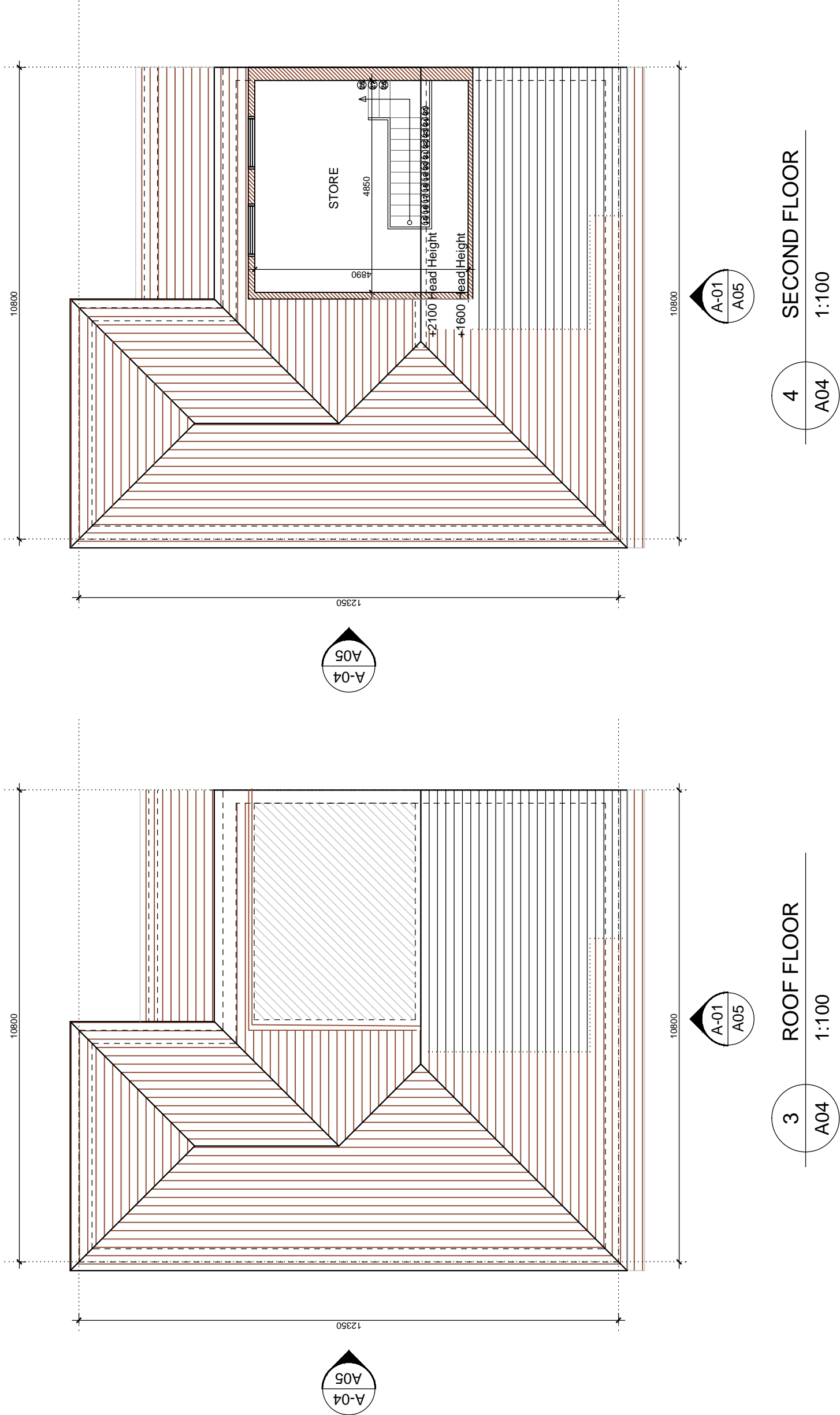
Project Location:  
2 Winifred Road  
Bolton  
BL4 0HH

Drawing:

06 PROPOSED  
ELEVATIONS

Scale:	Size:	Date:
1:100	A3	12/2016





NOTES:

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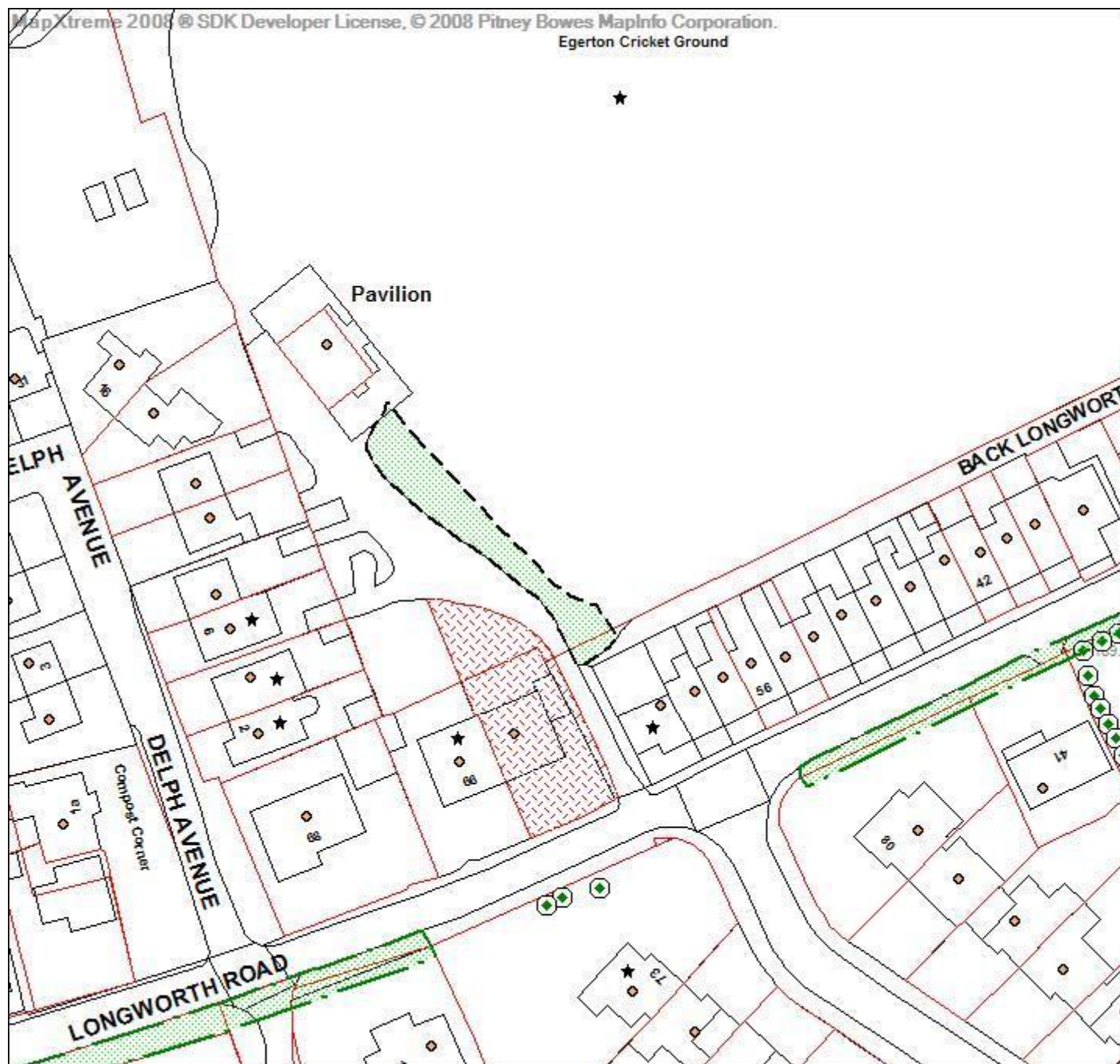
Project Location:  
2 Winifred Road  
Bolton  
BL4 0HH

Drawing:

04 PRO 2ND AND  
ROOF FLOOR PLAN

Scale:	Size:	Date:
1:100	A3	12/2016

# Application number 00295/17



Development & Regeneration Dept  
Development Management Section

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

# Bolton Council

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**Date of Meeting: 11/05/2017**

**Application Reference: 00295/17**

**Type of Application: Full Planning Application**  
**Registration Date: 17/02/2017**  
**Decision Due By: 13/04/2017**  
**Responsible Officer: Kara Hamer**

**Location: 64 LONGWORTH ROAD, EGERTON, BOLTON, BL7 9TS**

**Proposal:** CHANGE OF USE OF LAND AT REAR TO DOMESTIC GARDEN TOGETHER WITH ERECTION OF 1.8M HIGH BOUNDARY FENCE. DEMOLITION OF GARAGE AND ERECTION OF SINGLE STOREY EXTENSION TO SIDE AND REAR, DORMER TO REAR AND ALTERATIONS TO FRONT ELEVATION INCLUDING RENDER.

**Ward: Bromley Cross**

**Applicant: Johnson**  
**Agent : Seal Design**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Proposal**

Permission is sought for the change of use of land at the rear of the site to a domestic garden together with the erection of a 1.8m high boundary fence. The proposal includes demolition of a garage and the erection of a single storey extension to the side and rear, a rear dormer and alterations to the front elevation including render.

The applicant submits that "due to the small rear garden area and the constraints that this gives on any modernisation the applicant has purchased the area of land from Egerton Cricket Club to enlarge the private garden area. This garden area would be landscaped to reflect the upgrading of the property".

### **Site Characteristics**

The application site is a semi-detached bungalow which fronts Longworth Road. Longworth Road slopes upwards to the north east and the pair of dwellings sit slightly elevated from the road.

Residential properties surround the dwelling to all sides. The two storey gable end of a terraced row (no. 62 Longworth Road) faces the side elevation of the application property and is separated by a private access track to Egerton Cricket Club Pavilion and the rear of properties on Delph Avenue. The existing rear boundary plots to the pair of semis are small and heavily screened with mature trees and shrubs (a mix of conifer and deciduous). A small number of protected trees lie on the south west boundary of the Cricket Club.

The site lies within the Green Belt.

### **Policy**

National Planning Policy Framework

Core Strategy policies: P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG3 The Built Environment, CG4 Compatible Uses, OA5 North Bolton.

SPD General Design Principles

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* impact on the Green Belt
- \* impact on the character and appearance of the area
- \* impact on the amenity of neighbouring residents
- \* impact on highway safety

### **Impact on the Green Belt**

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

Paragraph 89 of the NPPF sets out those forms of development which are considered to be appropriate provided that they preserve the openness of the Green Belt. These include the limited infilling of previously developed sites whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it. Inappropriate development is by definition harmful to the Green Belt, and should not be approved except in very special circumstances. The NPPF also states that substantial weight should be given to any harm to the Green Belt.

Paragraph 90 of the National Planning Policy Framework (NPPF) states that certain forms of development are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. These forms of development include [amongst other things] the re-use of buildings providing that the buildings are of a permanent and substantial construction.

Allocations Plan Policy CG7AP states that the council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt. It also

states that the re-use of buildings is not inappropriate provided that the buildings are of permanent and substantial construction.

The NPPF was adopted in March 2012 and Bolton's Allocations Plan was adopted on December 2014.

The extension of the dwelling in itself would not cause an unacceptable loss of openness to the Green Belt as the dwelling is already there. The proposed extension falls within the exceptions listed in paragraph 89 of the NPPF.

It is not considered that the proposed change of use of the modest size plot abutting the rear of the application site to form a domestic garden would be materially more harmful to the purposes and openness of the Green Belt than the existing open plot. It is not considered that the "comings and goings" associated with the residential use and use of the external amenity space would be any greater than that of the current situation.

Officers recommend that conditions be attached to any approval to take away permitted development rights from the site (so that any further extensions can be adequately controlled) and to restrict the curtilage of the site to that shown on the submitted plans.

It is therefore considered that the proposed extension of the application property and the change of use of land to domestic garden would not harm the purposes or openness of the Green Belt in this location, compliant with the guidance contained within section 9 of the NPPF and Allocations Plan Policy CG7AP.

#### Impact on the Character and Appearance of the Building and the Surrounding Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA5 of the Core Strategy relates specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, and will require special attention to be given to the massing and materials used in new development.

The rear flat roof dormer extension would provide two additional bedrooms and a bathroom. The ground floor extension (4.8m projection x 6.732m width) would provide an extended kitchen and family area. The replacement garage would extend further forward than its predecessor and would remain set back from the front elevation. The extension and garage would be flat roofed which minimises its impact on the street scene and is designed to match the existing eaves height of the host dwelling. There are no windows in the side elevations of the proposal and a patio door and three modest window openings in the rear elevation.

The external materials of the dwelling in its current form are render above stone clad facing of approx 1.5m in height and stone quoins. The pair of semis have identical external treatment. There is very little use of render elsewhere in the immediate vicinity. The proposed external materials are render with cedar boarding to the dormer. At the request of Planning Officers the applicant has submitted revised elevation plans which retain the stone cladding in line with the adjoining dwelling and has been advised that the dormer face and cheeks would be conditioned to be of similar materials to the roof which is to be retained thereafter.

The proposed boundary fencing is 1.8m high and is of the typical garden fencing style of concrete posts and close boarded timber panels and it is considered that the design is in keeping with the

surrounding residential area. The fence would be Permitted Development given the proposed height and position not fronting the highway.

It is therefore considered that the proposal would be compatible with the character and appearance of the existing dwelling and the surrounding residential area and is compliant with Policies CG3 and OA1 of the Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA5 of the Core Strategy relates specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, and will require special attention to be given to the massing and materials used in new development.

Residential properties surround the dwelling to all sides. The two storey gable end of a terraced row (no. 62 Longworth Road) faces the side elevation of the application property and is separated by a private access track to Egerton Cricket Club Pavilion and the rear of properties on Delph Avenue.

There are no windows in the side elevations of the proposed extension or dormer and a patio door and 3 no. modest window openings in the rear elevation. There are 3 no. modest window openings in the face of the dormer. Officers consider that the proposal would not impact upon the privacy of the occupiers of neighbouring dwellings.

It is therefore considered that the proposal would not harm the amenity of neighbouring residents and thus the proposal complies with policy CG4 of the Core Strategy.

#### Impact on Highway Safety

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

The Council's Highway Engineers have been consulted and have raised no objections to the proposal. Two parking spaces to be provided on the existing driveway would be conditioned for retention in the future.

#### Other matters

The Council's Drainage team have been consulted and have raised no objections to the proposal and comment that the proposal to construct an extension to the gable end may be affected by the presence of a 375mm diameter culverted watercourse running down the side of the existing building and adjacent lane. This watercourse is live and must be retained, ideally a 3m easement should be provided (easement distance is from the side of the pipe to the edge of the proposed structure) or the culvert requires diverting at the applicant's expense if the culvert's exact location is found to interfere with the proposal or the 3m easement cannot be achieved. Should this application be approved, Drainage Officers recommend that a Condition and Informative Note (both provided) be appended.

#### **Local finance considerations**

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

**Conclusion**

For the reasons discussed above it is considered subject to conditions, that the change of use of land at rear to domestic garden and proposed extension would not harm the purposes and openness of the Green Belt and would be compatible with the character and appearance of the existing buildings and the surrounding area, complying with aforementioned national and local planning policy.

Members are therefore recommended to approve the application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** 2 letters have been received from nearby residents objecting to the proposal on the following grounds;

- not aware of the sale/purchase of land; *Officer comment - not a material planning consideration*
- property at no. 4 Delph Avenue is sited at a lower ground level thus the fencing will block views; *Officer comment - views are not afforded protection*
- no. 2 Delph Avenue claims land ownership and claims that the land has been adopted and claimed under adverse possession. *Officer comment - not a material planning consideration, this is a civil matter, the applicant has been informed of the claim of ownership and advised to check records*

Points without Officer comment have been addressed in the main body of the report.

**Elected Members:-** None.

### **Consultations**

Advice was sought from the following consultees: the Council's Drainage and Bridge Maintenance and Highway Engineers.

### **Planning History**

None relevant.

**Recommendation:**        **Approve subject to conditions**

### **Recommended Conditions and/or Reasons**

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

Reason

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

2. A minimum 3m easement (either side of the pipe) is required between any proposed structure and the line of the culverted watercourse. Details of the culverts route, depth, size and material shall be submitted to the Local Planning Authority. Should a diversion of the culvert be necessary, consent under Section 23 Land Drainage Act 1991 is required (refer to Informative Notes).

Reason

To minimise the risk of flooding by ensuring the pipe is not put at risk through the location, layout and design of the proposed structures.

3. Before the approved development is first brought into use no less than 2 car parking spaces with minimum dimensions of 2.5 metres by 5.0 metres shall be provided within the curtilage of the site, details to be submitted to and approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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



with policy P5 and Appendix 3 of Bolton's Core Strategy.

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

Reason

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

5. The curtilage of the property is being treated for planning purposes as that defined on the approved drawing ref: **Site Location Plan (scanned to BMBC file 27/03/17).**

Reason

For the avoidance of doubt as to what is permitted.

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

Reason

To safeguard the character and appearance of the dwelling and land and to comply with policy CG3 of Bolton's Core Strategy.

7. The dormer front and cheeks shall be clad in materials similar to the existing roof.

Reason

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

8. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan ref: **Proposed Elevations, Drwg No. 60/17/204 Rev A, dated January 2017.**

Reason

For the avoidance of doubt as to what is permitted.

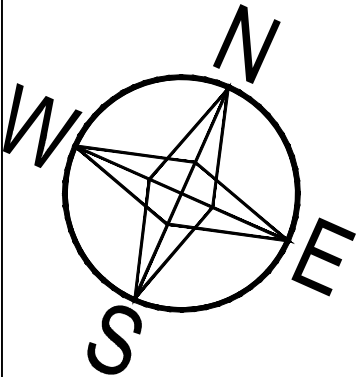
9. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

**Site Location Plan (scanned to BMBC file 27/03/17)**  
**Site Layout, Drwg No. 60/17/205 Rev A, dated February 2017**  
**Proposed Floor Plans, Drwg No. 60/17/203 Rev A, dated February 2017**  
**Proposed Elevations, Drwg No. 60/17/204 Rev A, dated January 2017**

Reason

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

DO NOT SCALE THIS DRAWING ALL DIMENSIONS CHECKED BEFORE WORK COMMENCES



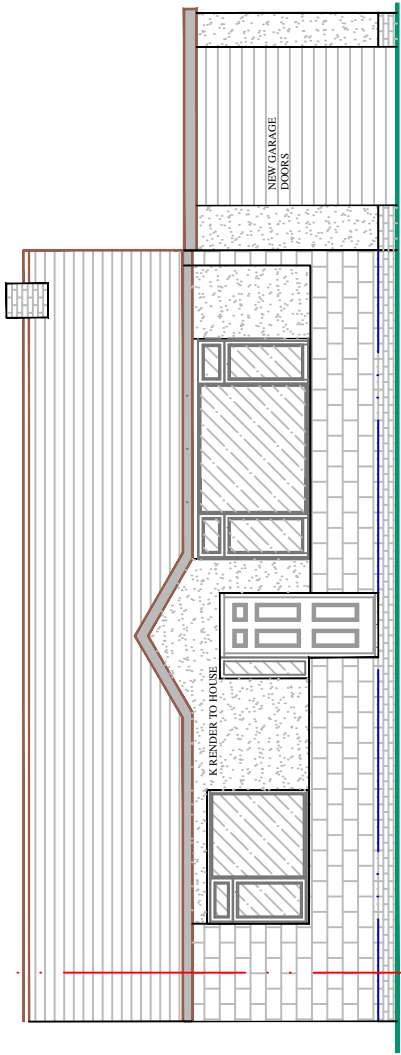
AREA OF LAND SHADED RED IS EXISTING  
GARDEN AREA

AREA OF LAND SHADED BLUE IS EXTENT OF  
LAND PURCHASED FROM CRICKET CLUB AND  
TO BE CHANGE OF USE TO PRIVATE GARDEN

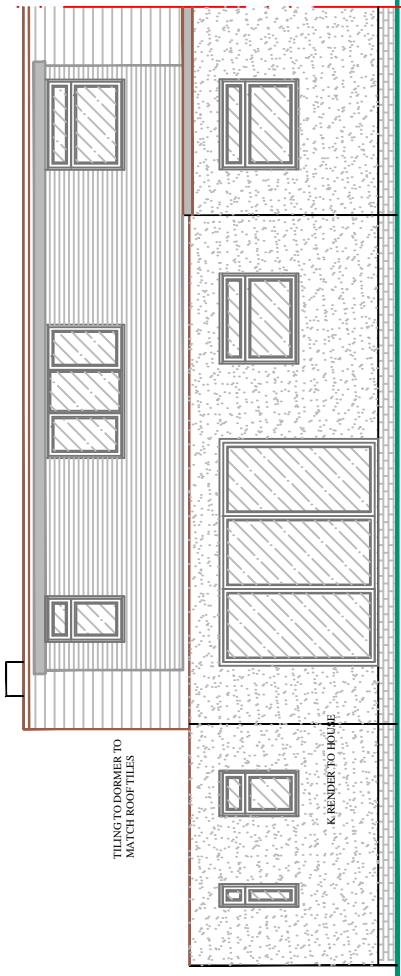
TO EGERTON CRICKET CLUB AND REAR  
PARKING FOR DELPH AVENUE

# BOUNDARY LAYOUT

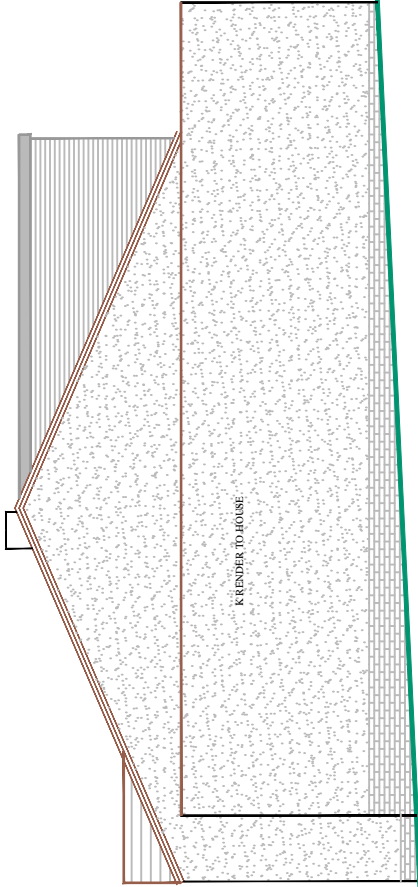
SEAL DESIGN INTERIOR AND ARCHITECTURAL DESIGNERS	CLIENT 64 LONGWORTH ROAD EGERTON BOLTON BL7 9TS	PROJECT PROPOSED REAR EXTENSION AND MODERNISATION	drawing ref 60/17/206		revision
			scale 1:200 @ A3	date FEBRUARY 2017	



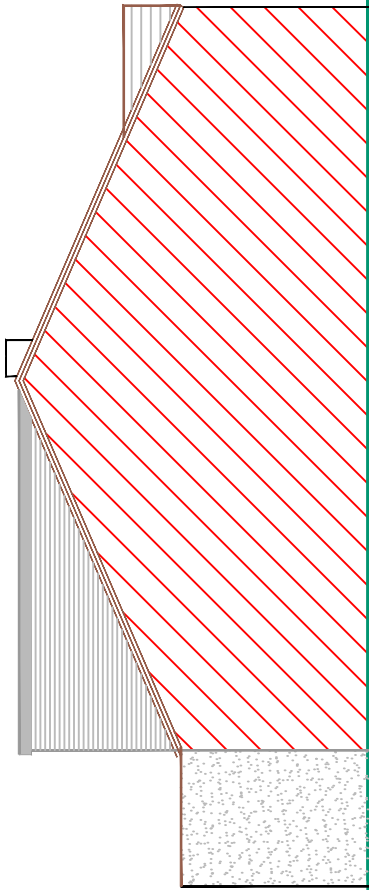
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION

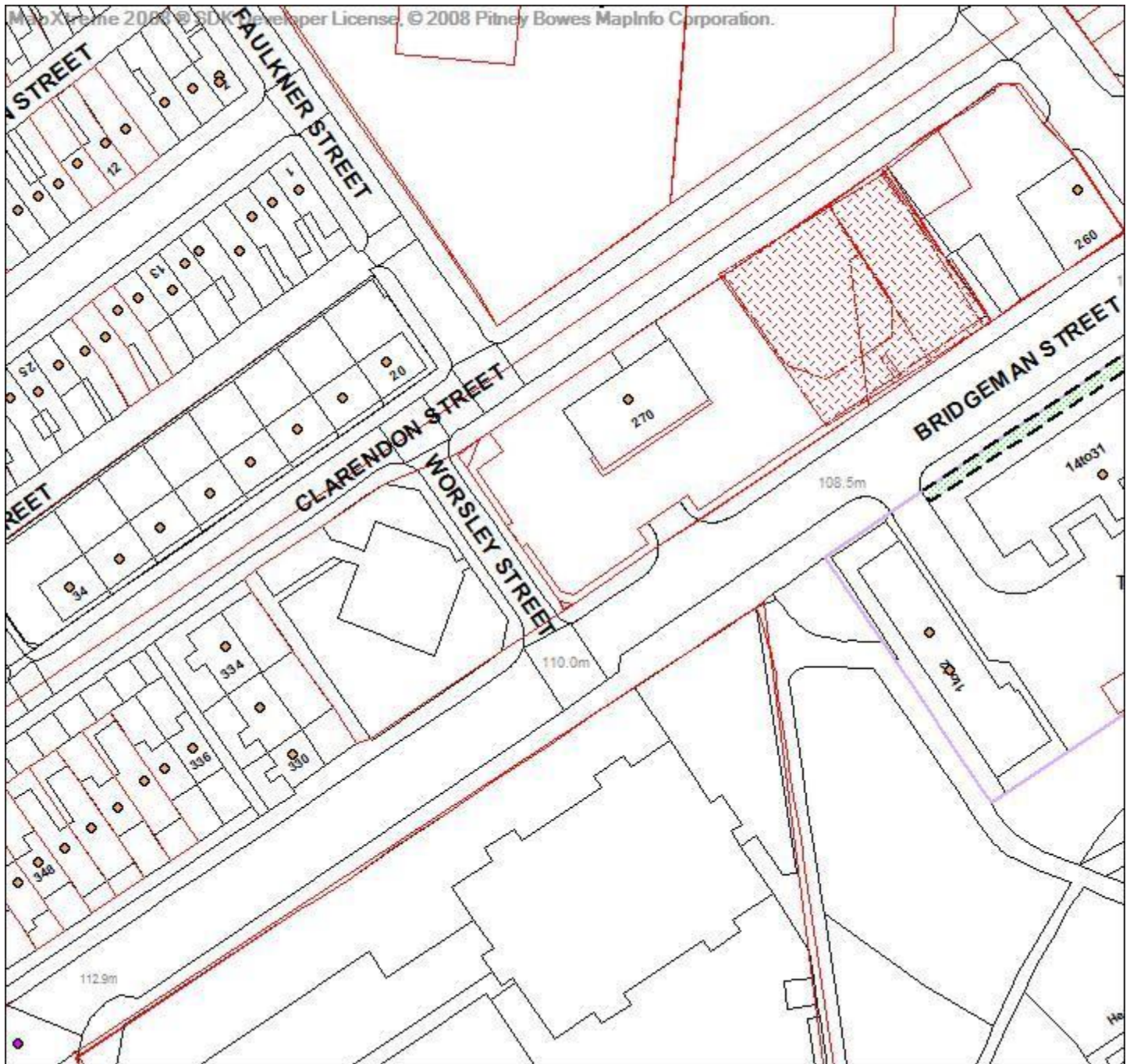


ELEVATION TO NO 66

# PROPOSED ELEVATIONS

SEAL DESIGN INTERIOR AND ARCHITECTURAL DESIGNERS	CLIENT 64 LONGWORTH ROAD EGERTON BOLTON BL7 9TS	PROJECT PROPOSED REAR EXTENSION AND MODERNISATION	scale	1:100 @ A3	drawing ref 60/17/204	revision A
			date	JANUARY 2017		

**Application number  
00318/17**



**Development & Regeneration Dept  
Development Management Section**

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

**Bolton  
Council**

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**Date of Meeting: 11/05/2017**

**Application Reference: 00318/17**

**Type of Application: Full Planning Application**  
**Registration Date: 01/03/2017**  
**Decision Due By: 25/04/2017**  
**Responsible Officer: Martin Mansell**

**Location: 270 BRIDGEMAN STREET, BOLTON, BL3 6BS**

**Proposal:** CHANGE OF USE OF LAND TO CAR WASH WITH ANCILLARY FACILITIES INCLUDING 3NO. CONTAINERS AND DRY BAY WITH CANOPY OVER

**Ward: Great Lever**

**Applicant: Mr Rashid**  
**Agent : SMS architecture**

## **Officers Report**

**Recommendation: Refuse**

### **Proposal**

Consent is sought to change the use of part of this vacant former car sales premises to a hand car wash. Members will recall the grant of consent in January of this year for the change of use of the western two-thirds of this site to place of worship and community centre - this application seeks consent for the use of the remaining third.

Structures on the site would consist of the siting of three shipping containers together with a canopy with a polycarbonate roof. No details of the materials of the canopy support have been provided but these are typically timber.

The site plan shows two gated access points providing an "in and out" system via electronic sliding gates, four "wet bays" for vehicle washing purposes and four waiting bays.

The Applicant suggests that the use would provide 5 full-time and 2 part-time jobs. The use would operate 7 days a week, 0900-1800 Mondays to Saturdays and 1030-1700 on Sundays. No details of surface or foul water drainage have been provided, other than to state that they would discharge into the public sewer.

### **Site Characteristics**

The site consists of approximately one third of a rectangular area of land fronting Bridgeman Street and bounded by Worsley Street, Clarendon Street and the former Lodge Bank Tavern public house. It measures 750 square metres and is not allocated in the development plan for any particular purpose such as employment.

Uses in the area are predominantly residential though other uses such as the new Clarendon Primary



School do exist, together with some industrial uses to the north.

### **Policy**

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

#### Core Strategy Objectives

SO2 Access to Education, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO11 Built Heritage, SO16 Community Cohesion and Access

#### Core Strategy Policies

P5 Transport, S1 Crime and Road Safety, CG3 Design and the Built Environment, CG4 Compatible Uses and RA1 Inner Bolton.

#### Supplementary Planning Documents - General Design Principles

### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

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

#### Impact on the Character and Appearance of the Area

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

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings. Core Strategy Policy CG3 seeks to ensure that development proposals display innovative, sustainable design that contributes to good urban design, respects and enhances local distinctiveness, and has regard to the overall built character and landscape quality of the area.

Proposals should also be compatible with the surrounding area

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.

It is considered that this part of Bridgeman Street has a reasonably attractive street scene, largely tree-lined consistent with Heywood Park opposite the application site. Development projects and regeneration have recently taken place in the area - not least the construction of the new £6.5m Clarendon Street school which opened in April 2014 and the 16 dwellings of the Great Places affordable housing project to the north west, completed to a high design standard and to Level 3 Code for Sustainable Homes. The former Lodge Bank Tavern public house immediately to the east has been successfully converted to a large family dwelling, improving the appearance of this formerly vacant building. Less recently, the Trinity housing development directly opposite the application site on the site for the former Bradford Ward labour club is also considered to make a positive contribution to the street scene.

The car wash use would be facilitated by the siting of three shipping containers together with a polycarbonate canopy most likely supported by lengths of timber. It is considered that the appearance of these structures would not be compatible with the existing street scene, would not respect and enhance local distinctiveness, and would not have regard to the overall built character of the area. Neither would it conserve and enhance the distinctive character of the existing physical and natural environment.

The proposed development, by way of its poor quality design, materials and visual appearance, is considered to be contrary to Policies CG3 and RA1 of Bolton's Core Strategy.

#### Impact on Nearby Uses

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

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

The use is considered to be undesirable in this predominantly residential area. However, that said, it is noted that Bridgeman Street does contain non-residential uses and whilst it is not a classified road it is a bus route and carries a reasonable amount of east-west traffic through the Great Lever area, not least that which is related to the primary school. It is also noted that National Planning Practice Guidance states that the imposition of conditions can enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. In this instance, it is considered that a condition limiting the hours of operation to those proposed would be likely to reduce the impact on the living conditions enjoyed at nearby dwellings to such a degree that it would be unreasonable to refuse the application on these grounds. The previous car sales use is also noted - the washing of cars often forms an ancillary part of such uses, though clearly not at the level of intensity now proposed.

The proposed car wash use, whilst undesirable, is not considered to be sufficiently harmful to nearby uses to be in conflict with Policy CG4 of Bolton's Core Strategy - particularly if hours of operation are

controlled by condition and bearing in mind the previous use.

#### Impact on the Road Network

Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety.

The Council's Highway Engineers take the view that the traffic generated onto the surrounding highway by the proposed use is likely to be negligible and should pose limited road safety implications. Adequate vehicle circulation areas are shown, though there is the potential for overspill parking on Bridgeman Street, no staff provision is shown and there are no details of how the discharge of water onto the highway would be prevented. The Applicant would also need to provide signage and markings on the site for the proposed one-way circulation route together with funding the construction of the new access point and potentially relocating nearby lighting and signs.

On the basis of the advice of the Council's Highway Engineers, Planning Officers consider that the impact on the road network would be acceptable and the remaining highway issues raised (signage, water discharge etc) could be mitigated by conditions.

It is noted that one of the ward councillors and also the management of the nearby primary school have raised road safety as a major concern, particularly the safety of children in the immediate vicinity of the application site. Their grounds of objection are set out in the "representations" section below. Highway Engineers have considered these concerns, but remain of the view that the impact on the road network would be acceptable.

Analysis of the available injury accident record over the last 5 years between the junctions of High Street and Fletcher Street has revealed one serious accident at the junction of Recreation Street involving a child pedestrian casualty - the main contributory factor was pedestrian failure to look whilst crossing the highway masked by parked vehicles. It is understood that the pedestrian was 4 years old. This is the only accident on this section of highway with no record near where the proposed car wash is proposed. Engineers note that the proposed car wash is located in close proximity to Clarendon Primary School which generates its own highway demands at school drop-off and pick-up times, though these issues are normally short-lived (15-20 minutes) and then the surrounding highways revert back to normal. This school is unusual because drop-off/pick-up provisions were developed into the design during the planning process with the crossing on Bridgeman Street being installed later. The access points of the proposal are reasonably distant from the school entrance and the crossing. The school entrance is protected by school keep clear markings on the site side and zig-zag clear way markings opposite. For these reasons, whilst Engineers accept that the representations have raised legitimate comments and observations it is their opinion that it would be a weak case to refuse the application on highways grounds.

The proposed use is not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and above the existing lawful use. It is also noted that the Council's Highway Engineers do not raise objection. The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1 and the Accessibility, Transport and Road Safety SPD.

#### Impact on Economic Development and Employment

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



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

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

The Applicant suggests that the use would provide 5 full-time and 2 part-time jobs. The proposal would deliver a small but positive benefit in terms of economic development and employment.

### **Local finance considerations**

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

### **Conclusion**

The western section of Bridgeman Street is predominantly residential in character and its street scene has been maintained and improved by recent nearby regeneration projects. It is considered that the introduction of a car wash here, particularly one that would operate via three shipping containers and a timber canopy with a plastic roof would be detrimental to this appearance. Concerns over the highway impact are noted but our expert advice is that these concerns would not amount to a reason for refusal that could be successfully defended at appeal. Similarly, whilst the use may be undesirable in principle in this location, conditions could be imposed to limit the impacts on living conditions to a level that would be considered acceptable. The economic and employment benefits have been noted but are not considered to outweigh the harm identified to the character and appearance of the area and therefore the application is recommended for refusal on these grounds alone.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** two representations of objection have been received, one from the management of Clarendon School and one from a resident opposite the site. The grounds of objection include:-

- this will be detrimental to the visual environment in the area as most have large signs in day-glo colours
- there are four car washes within half a mile in industrial areas so why spoil a pleasant place
- people have spent tens of thousands of pounds to improve the area over recent years
- cars exiting the site in an area where hundreds of children are about on a daily basis is not a good idea
- the site is situated directly opposite one of the entrances to Clarendon School and the very popular Heywood Park, within metres of the zebra crossing and its road markings
- one of our children was very seriously injured in a car accident on Bridgeman Street last year, on her way to school, and there have been several other minor incidents when children have been crossing - we genuinely fear for the safety of our children
- the road is already a very busy route to and from the Town Centre - to allow such a use would certainly increase the number of cars on this stretch
- already have great difficulty exiting the car park from The Trinity opposite
- allowing this to go ahead would make an already dangerous situation worse - already there have been several bad accidents
- inconvenience to pedestrians and passing cars to have to be constantly have to stop near a school crossing to allow cars in and out
- insufficient parking for the Kurdish community use adjacent
- water will run off onto Bridgeman Street
- the chemicals used in most car washes are not safe to be allowed to run into the normal waste water systems and this site has no foul provision (Officer's note: United Utilities have noted this and advise that the use may need their consent for trade effluent discharge)

**Elected Members:-** Councillor Murray (Great Lever Ward) has requested a committee determination primarily on the basis of the risks to road safety. The concerns are:-

- as ward councillors, we are aware of several accidents specifically around Bridgeman Street and Recreation Street and have spent many thousands of pounds of area forum and neighbourhood funds on extra double yellow lines, high visibility tabards, road safety banners and a zebra crossing for the safety of children and families attending Clarendon primary school
- I am also concerned about queuing vehicles on the highway and entrance and exit of vehicles
- the area now has new build properties both to the front and rear of the site, a new build primary school and Heywood Park to the front of the site so the car wash and its design will detract from the visual appearance of the area

### **Consultations**

Advice was sought from the following consultees: Highway Engineers, Pollution Control, United Utilities, GM Police

### **Planning History**

96937/16 - change of use to coach parking, withdrawn

63943/06 - erection of car showroom, approved

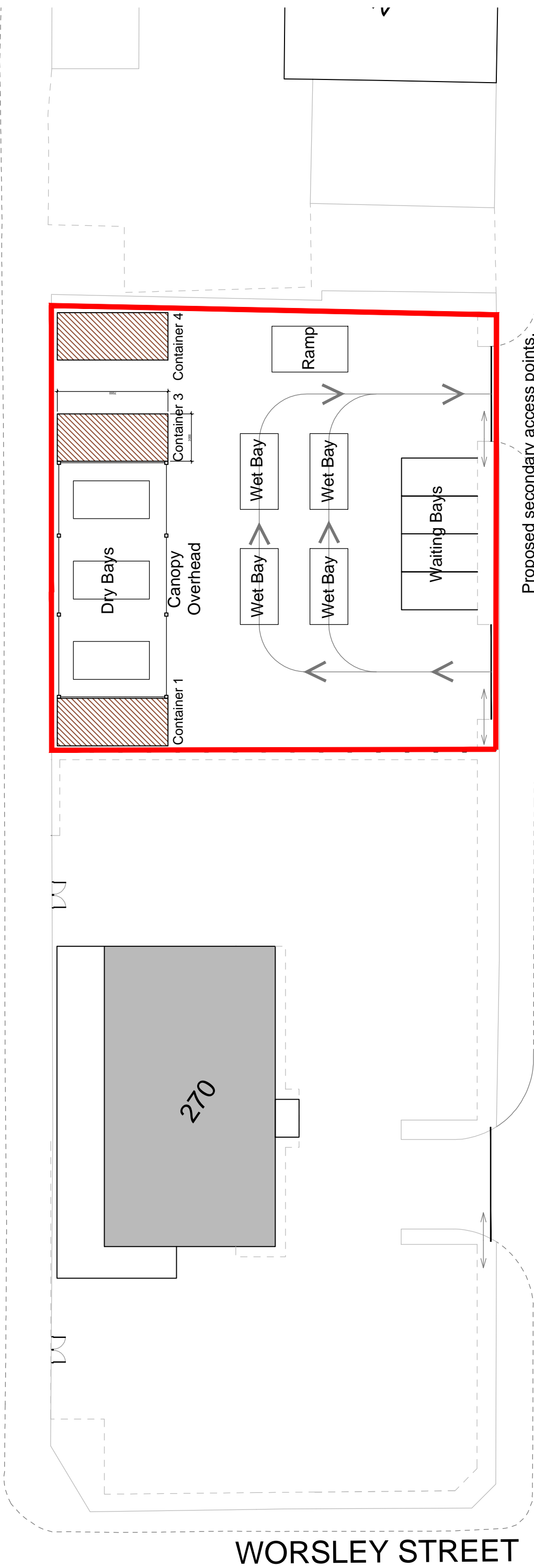
52598/98 - erection of a car showroom, approved.

**Recommendation:            Refuse**

## **Recommended Conditions and/or Reasons**

1. The proposed development, by way of its poor quality design, materials and visual appearance, would be inconsistent with and harmful to the existing character and appearance of the area and is therefore contrary to Policies CG3 and RA1 of Bolton's Core Strategy.

CLARENDON STREET



NOTES:

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

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

Project Location:

270 Bridgeman Street  
Bolton  
BL3 6SA

Drawing:

01 Proposed Site  
REV 1

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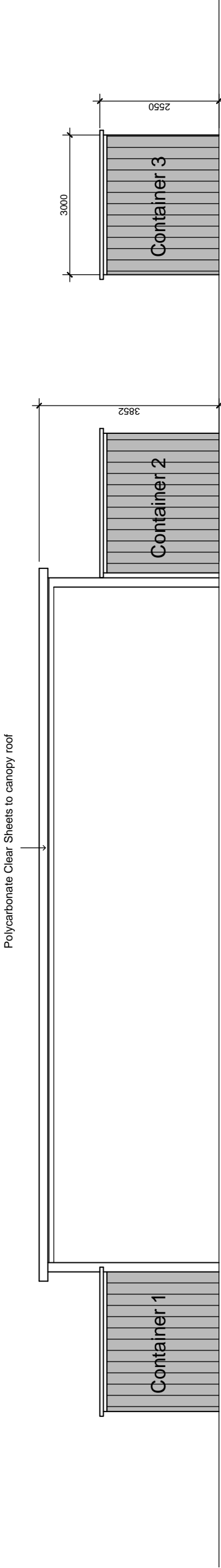
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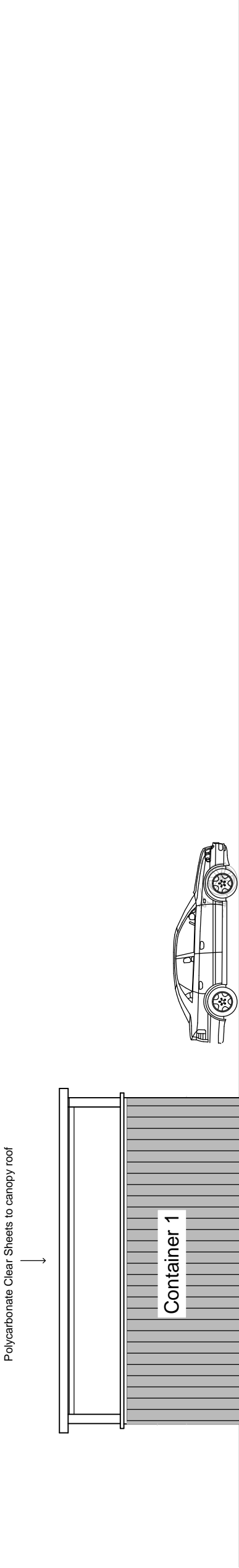
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Date:

01/17



PROPOSED ELEVATION



NOTES:

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

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

Project Location:  
270 Bridgeman Street  
Bolton  
BL3 6SA

Drawing:

04 Proposed  
Elevations REV 1

Scale:	Size:	Date:
1:100	A3	01/17